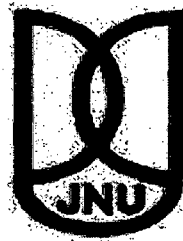


**EUROPEAN UNION'S ROLE IN THE ETHNO-
TERRITORIAL CONFLICT IN GEORGIA, 2008-2010**

*Dissertation submitted to the Jawaharlal Nehru University
in partial fulfilment of the requirements
for the award of the degree of*

MASTER OF PHILOSOPHY

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July 25, 2011

DECLARATION

I declare that the dissertation entitled “European Union’s Role in the Ethno-Territorial Conflict in Georgia, 2008-2010” submitted by me in partial fulfillment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of Jawaharlal Nehru University is my own work and has not been submitted for any other degree of this or any other University.

A handwritten signature in black ink that reads "Neha Mehta".

Neha Mehta

CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.

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Chairperson, CES

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Prof. Dr. Ummu Salma Bava

Supervisor

Dedicated to my grandparents...

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ABBREVIATIONS

| | |
|----------|---|
| BTC | Baku Tbilisi Ceyhan pipeline |
| BTE | Baku Tbilisi Erzurum |
| CFSP | Common Foreign and Security Policy |
| CIS | Commonwealth of Independent States |
| CSCE | Conference for Security and Cooperation in Europe. |
| CUG | Citizens Union of Georgia |
| EAGGF | European Agricultural Guidance and Guarantee Fund |
| EC | European Commission |
| EIDHR | European Instrument for Democracy and Human Rights |
| ENP | European Neighbourhood Policy |
| ENPI | European Neighbourhood Policy Instrument |
| ESDP | European Security and Defence Policy |
| ESS | European Security Strategy |
| EU | European Union |
| EUMM | European Union Monitoring Mission |
| EUSR | European Union Special Representative |
| EUSR BST | European Union Special Representative Border Support Team |
| FSP | Food Security Programme |
| ICG | International Crisis Group |
| IDP | Internally Displaced People |
| IIFFMCG | Independent International Fact Finding Mission on the Conflict in Georgia |
| INOGATE | Interstate Oil and Gas Transport to Europe |

| | |
|----------|---|
| JCC | Joint Control Commission |
| JPKF | Joint Peacekeeping Force |
| MAP | Membership Action Plan |
| MFA | Macro Financial Aid |
| NATO | North Atlantic Treaty Organisation |
| OSCE | Organisation for Security and Cooperation in Europe |
| OSCE BMO | Organisation for Security and Cooperation in Europe Border Monitoring Operation |
| PCA | Partnership and Cooperation Agreement |
| PKK | Kurdistan Workers Party |
| RRM | Rapid Reaction Mechanism |
| SCP | South Caucasus Pipeline |
| SSR | Soviet Socialist Republic |
| TACIS | Technical Assistance for the Commonwealth of Independent States |
| TRACECA | Transport Corridor Europe-Caucasus-Asia |
| U.S | United States |
| UK | United Kingdom |
| UN | United Nations |
| UNHCR | United Nations High Commissioner for Refugees |
| UNM | United National Movement |
| UNOMIG | United Nations Observer Mission in Georgia |
| USSR | Union Soviet Socialist Republics |

PREFACE

European Union's role in the international domain as a credible security actor has led to numerous discussions and debates. The breakout of the Georgian war demonstrated the inadequacy of European Union's conflict prevention and management policies in the region. Before the Georgian crisis, the European Union's approach to the region in the sphere of conflict management was long term involving giving aid in technical, financial and humanitarian terms and helping democracy to take root in Georgia. This approach had to be re-strategised post the security crisis in its neighbourhood, for it be taken seriously as an important Security actor in the region.

The study evaluated the evolving role of the European Union as a security actor and its approach to security threats in its neighbourhood, taking Georgia as a case study. An important exercise will be to explore how European Union has evolved in the field of conflict resolution since the adoption of the European Security Strategy. At the outset the study will examine the conflict between Georgia and Russia in 2008 in detail. It will scrutinise the dimensions of the conflict. Through the available literature, the research dissertation will seek to explore issues affecting the role of European Union as a security actor in Georgia. The research would examine the state of the Georgian conflict and the gaps required to be filled in to enhance European Union's conflict resolution capability.

The core research problems that will be investigated, during the course of the dissertation would be: What factors led to the war between Georgia and Russia? What was the nature of the conflict and the role of the International actors in the resolution of the dispute before the August War in 2008? Why did the European Union and the Western world fail to prevent the conflict? What role did the European Union play in conflict resolution in the context of Georgian crisis? What are the gaps between rhetoric and capabilities of European Union in delivering its Conflict Resolution role in Georgia? How is the European Union balancing its role between Moscow and Tbilisi?

The intention behind inquiring into European Union's role in Georgia is to enrich the comprehension of the role of European Union as a security actor in international

relations. Such an investigation will enable objective analysis as to why the European Union is failing to deliver and live up to its expectations. The dissertation would also look into the internal dynamics of European Union affecting its role as a security actor. It will be argued that the institutional dynamics within the European community, lack of coordinated effort among member states to develop a common approach and other reasons make it challenging for the European Union to become a credible security actor. The study will try to understand how the European Union will play a role in resolving the Georgian conflict.

CHAPTER 1

INTRODUCTION: UNDERSTANDING ETHNO TERRITORIAL CONFLICTS

The chapter would start by giving an overview of the conflict and further provide conceptual clarity by trying to understand the various perspectives on ethno territorial conflicts.

AN OVERVIEW OF THE CONFLICT

The security and political landscape in Georgia and South Caucasus was transformed by the August 2008 war and Russia's subsequent recognition of the two regions. The August 2008 conflict was multi-faceted as it involved various intra-national issues such as nationalism, ethnicity, as well as international issues such the balance of power between regional actors.

Abkhazia and South Ossetia were autonomous regions within the Georgian Soviet Socialist Republic within the erstwhile USSR. After the disintegration of the USSR in 1991, tensions erupted due to the emergence of ethnic nationalist propensities in the region. Georgia withdrew the relatively fair degree of autonomy Abkhazia and South Ossetia enjoyed during the Soviet era. Tbilisi's claim of territorial integrity could not be reconciled with respective Ossetian and Abkhazian demand of national self determination. Resultantly, Georgia was involved in a war with South Ossetia from January 1991 to June 1992 and with Abkhazia from August 1992 to September 1993 (Grono 2010: 9). In June 1992, Russia brokered the Sochi Agreement and a ceasefire, which was safeguarded by joint Georgian, Ossetian and Russian forces under Russian Command (Grono 2010: 9). To put an end to the conflict in Abkhazia, Moscow agreement was signed on 14 May 1994 between Georgia and Abkhazia.

Thereafter, peace prevailed in the region until 2004, when on the issue of contraband there was a conflict between South Ossetia and Georgia. 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 transition of Georgia from an authoritarian regime to a democratic one. The Rose Revolution also brought about a change in the Georgian stance towards Abkhazia and South Ossetia. National reintegration and reigning in the secessionists topped the political agenda of the new democratically elected President Mikheil Saakashvili. He pursued a nationalist policy to change the status quo in the conflict resolution process. The new administration's attempts to push for national integration in addition to the westward reorientation in Georgia's foreign policy led to rapid deterioration of Georgian–Russian relations. Consequently, war broke out on August 7, 2008, after Georgian forces entered South Ossetia. Russia acted against the Georgian aggression by sending forces and later recognising the independence of Abkhazia and South Ossetia.

ETHNO TERRITORIAL CONFLICTS

The Georgian conflict with its autonomous regions of South Ossetia and Abkhazia was ethno-territorial in nature. The Caucasian region is an important strategic location, therefore, has witnessed many battles among different empires. These power struggles in the region shaped and defined the ethnic mix of the region over the years. Among all the factors since the ancient times, the Soviet nationalities policies contributed the most to the contemporary conflicts. The Soviet leader, Joseph Stalin created administrative units in which the territorial borders did not correspond to the ethnic constitution of the region and clubbed various ethnic groups within these units. Although, it was impossible to accommodate the ethnic variety in congruence with the territorial borders in the Southern Caucasian region because of the presence of many ethnic minorities, Moscow purposely drew borders to benefit from ethnic tensions and facilitate their grasp on these regions. The Soviet regime also resorted to large scale deportation of the Abkhaz to Central Asia convoluting the ethnic mix of the region for their gains. The ethnic tensions could not erupt under the tight-fisted Soviet control. But after the disintegration of the Soviet Union, the ethnic minorities raised their voice for self determination. It did not take long for these voices to convert into demand for autonomy and independence (Hunter 2006: 112-113).

In the late 1980s, Georgian nationalism was on the rise. Georgia consisted of the autonomous Abkhazia and Ossetia regions. Under *Glasnost*, the desire of the two minorities to gain independence was a simultaneous development. The Abkhaz consider themselves different from the Georgian majority. They claim to be the descendents of the Turkic tribes who converted Islam under the Ottoman rule, whereas Georgians are largely Christians. The Ossetians on the other hand are Iranian people, who trace their descent to the Alans and Samaritans. South Ossetia is home to the Digor tribe, who also because of the Ottoman influence are a chiefly Muslim people (Hunter 2006: 116-119). In both the cases, the aspirations of self determination of the minorities clashed with the Georgian majority's national interest making it an example of ethno-territorial conflict.

At the root of such conflicts lies ethnicity that defines a sense of oneness and common interest among the people and a consecutive sense of being different from others. The feeling of being different propagates the desire of pursuing a 'common interest' independent of the 'others'. A clash between the 'common interests' of two different communities may turn violent resulting into ethnic clashes or even wars. Ethnicity, thus, is an important tool, which through simultaneous inclusion and exclusion creates and strengthens the bond and mobilises the group to pursue its interests even if it involves confrontation with other groups. An ethnic conflict is thus a conflict that involves two or more groups that perceive themselves as different and are seen by others as different. Peoples, nations, communities, or minorities can all be seen, and are seen, as ethnic groups, and all do find themselves involved in various conflicts. Ethnicity is one of the features that distinguish groups and actors; it is one of the features that produce differences, difficulties, and conflict (Bercovitch 2003: 56).

Jacob Bercovitch maintains that ethnic conflicts are characterized by a high level of perceived cultural differences, which could be rooted in linguistic or religious distinctions. The resulting systematic distinction between insiders and outsiders decides to what extent the group can pursue its 'common interest' and sustain conflicts. Ethnicity, thus, provides a platform on which individuals can unite, forge and maintain a group based on certain real or perceived features that are commonly cherished by them. The cohesiveness of a group depends on its ability to identify its members as one in-group

and distinguish itself from the out-group. In addition to the identification element, a perception of disparate distribution of resources and opportunities also contributes to the mobilisation of the group as a unit. Both the identification and distributional element are important for sustaining a dispute against the majority. In the absence of distributional deprivation, identification serves as a binding factor for the group but fails to motivate them for a conflict. On the other hand, lack of an identification element, distributional inequalities remain unfocused and fail to mobilise the group for agitation or conflicts (Bercovitch 2003: 58-59).

Fred W Riggs tries to explain the rise of conflict between states and ethno-national communities by analysing historical dynamics rooted in modernity and the impact of the rise and fall of industrial empires. The world stood at the brink of a catastrophe during the Cold War up to the end of the twentieth century. The Cold War ended with the collapse of the Soviet Union. However, it did not herald an era of universal peace and democratic capitalism. Rather, the disintegrated empire witnessed violent conflicts between weakened states and rebellious ethno-national communities. The newly established states and mobilizing ethnic nations aspire to experience the fruits of modernization, industrialization, democracy and nationalism. With the rise of modernity, ethnicity has evolved too and has taken different forms like ethnic nationalism, civic ethnicity and ethnic plurality (Riggs 1998: 269-275).

A peculiar characteristic of modern ethnicity is the citizenship of a state. Citizenship guarantees an individual rights and status of a member which are accessible only to those belonging to the group, i.e. the nation. When the understanding of this nation does not coincide with the state, in which the group lives, it starts to look for alternatives. With the advent of modernity, ethnicity too has evolved. Riggs classifies modern ethnicity into three forms, namely, civic ethnicity, ethnic nationalism and ethnic plurality. Civic ethnicity mainly involves the members of marginalised communities aspiring to be integrated as its citizens into the state, where they reside. This leads to ethnic diversity, which impacts the nationals of the dominant community as well. Ethnic diversity defines the social life in the state as it shapes interaction among the members of the marginalised and dominant community. Racial and ethnic prejudices which lie at the root of pogroms,

genocide and urban riots against particular minorities also occur in an ethnically diverse state, where majorities assume a hostile stance towards minorities. This may not necessarily involve any nationalist claims of sovereignty. Ethnic nationalism stands in contrast to civic ethnicity as in this case, the minorities reject the citizenship and claim a separate and sovereign state for themselves. The prospects of the rise of ethnic nationalism are diminished in industrialised societies, which are also characterised of interaction among its people. However, racial and ethnic prejudices can mobilise the minorities to claim a separate state. Ethnic plurality refers to situations where citizenship is not available to the residents of a state who may lack any historical or territorial basis for claiming sovereignty. This condition, which is widespread in the successor states of collapsed empires, may also owe its prevalence to contrasting accounts of history of various groups. This situation, if not handled in an apt manner, can also lead to the rise of ethnic nationalism, leading to confrontation or even wars between the state and minorities (Riggs 1998: 278-279).

Such conflicts usually involve a number of groups, sub-groups and alliances, which are not restricted to the political boundaries of the country where it originated. Ethnic conflicts start within one nation and subsequently become internationalised and hence, are rarely bilateral. No conflicts remain confined to a single state nor are they purely ethnic in nature. They rather transform themselves into internationalised ethnic conflict. The origins of these conflicts can be traced in some domestic dispute over identity or discriminatory structures or practice which due to certain circumstance metamorphoses into internationalised conflict. Various factors such as refugee migration, the presence of one ethnic group over several states, the leaders of the ethnic community taking sanctuary in other states, terrorist activities or partisan interventions on behalf of one of the groups and even diplomatic or military initiative of international organisations or states can cause an ethnic conflict to spill over to international arena. Involvement of a multitude of actors, which may involve states and ill-defined groups, which may not be recognised by some of the involved actors renders it difficult to establish leadership or control channels in such conflicts. Moreover, unlike traditional inter-state conflicts internationalized ethnic conflicts also revolve around fluidic and value related issues based on loyalties,

individual beliefs, group identities, ethnic relations, and perceptions of being distinguished and discrimination. A political compromise or negotiated settlement on ethnic issues, which are intangible in nature, is difficult to arrive. Therefore, most internationalized ethnic conflicts tend to continue for a long time or end intermittently, only to re-emerge after a short span of time (Bercovitch 2003: 58-59).

In the midst of fluid and value-related issues that are wrapped around ethnic conflicts, also stand conflicting territorial claims. Despite conflicting loyalties, in most cases, ethnic violence is largely a function of the perception of the majority dissatisfied ethnic minority about territory. Ethnic disputes escalate into large scale wars as the ethnic minority demands sovereignty over the territory it occupies, and the state views that territory as indivisible and indispensable. Ethnic war is less likely to break out if only one of these conditions is met and unlikely in case neither condition is met (Toft 2001: 9). The distributional deprivation element can evolve on various lines to mobilise the ethno-political groups to engage in conflicts in many of which territory stands at the centre. In secessionist conflicts, an ethnic group lays claim on and attempts to withdraw a homeland from a state. Irredentist conflicts are characterized by an ethnic group fighting to retrieve territory that had once been or is considered to have been part of their territory. Demand for autonomy arises out of the desire of an ethnic group for the right of self-government of the region they inhabit. Decolonization conflicts revolve around ethnic groups trying to gain independence from a colonial power. Religious conflicts are founded on concerned ethnic parties that are organised in defence or promotion of their religious beliefs. Political voice and ideological conflicts concern the distribution of political influence among different ethnic groups as well as a challenge the dominant political or economic ideology. Resource conflicts are characterized by different ethnic groups' contesting the distribution and control of resources. Genocides are extreme cases in which the government, which in most cases represents the majority, involves in deliberate killing of the members of a specific ethnic group (Bercovitch 2003: 60-62). Most cases reflect a multitude of the above characteristics, wherein some degree of territorial conflict is also involved.

Why do territory and borders assume such an important role? Toft argues that both- the ethnic group and the state perceive territorial as an extremely important and inherent for their survival. The relationship between territory and survival is viewed differently by both. Territory for an ethnic group defines the group identity, inseparable from its past and extremely important to its identity for the future as a distinct ethnic group. On the other hand territorial borders define a state and hence, any challenge to its control over this territory is viewed as a threat to their existence. The state and the conflicting ethnic group have a very different understanding of and bonding with the territory. Ethnic groups have an emotional bond with the territory they claim to be their homeland. However, a state is a political entity which is defined by its territory and therefore, it protects its territorial integrity for the sake of its physical survival. A state views its territory as indivisible when claim of sovereignty is raised by one group as it can serve as a precedent setting for other ethnic groups in the country to demand autonomy or sovereignty on similar lines leading to subsequent secessions. A multinational state has to worry about such precedent setting as it can threaten its very physical survival. The precedent setting theory provides a better understanding of a states position regarding territory alongside arguments based on economic or strategic value of the territory. The outcome of disputes over territory largely depends on how the sate and the ethnic group view a territory, which in turn determines whether the dispute would ultimately have a negotiated settlement or war. The logic of precedent setting also explains the response of a state to react violently and swiftly to the ethnic groups demand for sovereignty. A violent and quick response would is considered important to deter any future demands of sovereignty by other ethnic groups (Toft 2001: 6-18).

David Newman also analyses different scale dimensions of territorial behaviour in case of ethnic and national conflicts in terms of the patterns of segregation and local level practices. He, too, maintains that the symbolic dimensions of territorial attachment and socialization on part of the ethnic groups have a deep impact on the intensity with which a territorial conflict is contested. This factor is intractable but can weigh over quantifiable dimensions of territory as a resource which can be gained or conceded in a conflict resolution process. Territorial organization through bordering is a political construct

which has a considerable social value as it functions as powerful mechanisms of control power at various spatial and political levels. He also contests the notion that globalization has rendered territorial discourse obsolete. Ethno-territorial conflicts are still brewing around the world, signalling that territory has not lost importance in the globalised universe (Newman 2006: 26 -27).

Territory remains at the centre of the contest between ethnic and national groups for power, Ethnic minorities seek self governance when they are spatially segregated from the majorities and are regionally concentrated gaining territorial homogeneity in a small region. Moreover, in-group feels threatened by the out-group. Newman furthers his argument by classifying territorial discourse into the following heads:

1. Territorial Scale, Power Relations and Control Mechanisms

Although borders are manifestation of territorial demarcations between states and thus, a political tool, they have a great impact on the population at local and micro levels. Ethno-territorial conflicts are also usually outcome of the process of residential segregation. Conflicting groups reside in separate housing blocks and neighbourhoods and form majorities or minorities in demarcated regions. If these territorially demarcated regions are situated in a way, which would enable the ethnic leaders to maintain the system of control, the conflict is perpetuated and the ethnic leadership tries to retain the territorial demographic homogeneity in their favour, as segregation facilitates order and management through borders. Territorial contestation at the local and micro levels is usually evident in ethno-territorial and national conflicts. For example, in the Balkans, Kosovans, Macedonians, Serbians and Albanians live in distinctly separate mono-ethnic communities, whereas earlier, these areas were home to partially mixed communities. Later, minority populations were either driven out by the majority or they chose to reside in their own urban neighbourhoods pre-empting tensions (Newman 2006: 11-12).

2. The Symbolic and Non-Tangible Dimensions of Territorial Behaviour

Borders represent the concrete and tangible dimensions of a state's territory viz. size, shape, topography etc. Borders also determine a state's proximity to its neighbouring states and explain the cause of conflict between them under certain conditions. This

deterministic approach, however, ignores symbolic dimensions of territorial attachment residents have with their territories. For them issues of border location or resource exploitation vis a vis neighbouring states may be secondary to the feeling of belongingness and rootedness in the soil. Ethno territorial conflicts show that in comparison to sharing power it is more difficult to share territory. Their claim on this territory is cultural and not political in nature, which is derived from historical priority. This primordial attachment to the territory lies at the root of many ethno-territorial conflicts, which is not weakened by the modern trends of globalisation. Even for people who have reaped benefits in a global and trans-boundary world homeland remains central to their own ethnic and national identities. Symbolic and metaphysical attachment to territory remains a critical factor in determining decisions with respect to territorial claims, as a slight sense of encroachment or disparate distribution can cause the minorities to mobilise against the governing bodies. This justifies the logic that conflicts are more likely when territories are perceived their exclusive belonging by one group of people and others are perceived as usurpers (see Newman 2006: 13). Attachment to territory is based around the identification of symbols and signs in the landscape, as well as the creation of territorial histories and myths which reflect the singular importance of one piece of territory over any other. The symbolic dimension of the territorial behaviour is often evident in formation of social constructs pursued by the political elites to mobilise the population around the common cause. It also forms the basis of the argument justifying the exclusive claim over the territory to the international community (Newman 2006: 12-17).

3. Territorial Compartmentalization, Conflict and Borders

Despite, globalisation territorial boundaries remain an important tool in the international system which demarcates power and sovereignty (Newman 2006). Borders are a dynamic factor in their own right but the physical and symbolic importance of territory and simultaneously borders as well, do not necessarily exist in isolation. In fact, if the resource and identity interface overlap, the potential for boundary conflict is at its greatest, since minority groups do not necessarily benefit from the potential economic benefits of the natural resources. Thus, identity issues can contribute as much to the

territorial conflicts as disparate distribution of natural resources such as water, oil, minerals etc. Thus, international territorial boundaries have had a significant role to play in contemporary ethno-territorial conflicts (Newman 2006: 17-18).

Territorial contestation factor involves demographic balances and hegemonies which impacts the nature of power relations. Changing territorial configurations reflect the demographic balances between majority and minority populations and impact the conflict resolution process as well. But conflict resolution does not only take place at the aggregated level of the nation or the state, they spill over beyond national borders and are also affected by the dynamics of power relations at the micro level. Power relations determine, and are determined by, patterns of residential segregation and the quality of interaction between the majority and minority in day to day scenarios viz. workplace and centres of social and cultural activity. The desire to retain separate spaces hinders the peace process, normalization of relations and cooperation among the conflicting groups (Newman 2006: 22).

Hensel too examines the role of geography as the basis of militarised conflicts. While there are many important issues that lead to war, the salience of territory increases the probability of war and conflict. This phenomenon owes its origin to the tangible, intangible and reputational importance territory possesses. Territory derives its importance from various tangible and intangible factors. The disputes over a territory arise because of certain valuable commodities or resources such as oil, fresh water or agricultural fertility related to the land, which constitute the territorial perspective. Other territories can be considered important because of their access to certain areas like sea, commerce routes or strategic waterways etc. The importance of a territory increases for the population if a certain ethnic or religious value is associated with it (Hensel 2000: 2-4).

The strategic importance of a territory is another tangible factor that adds to the state's perceived role in power and security issues. Control over such a territory can add to the strategic weight of either side, hence the likelihood of a war over it increases. Other less tangible factors that add to a territory's important for a state. The historical connections that the citizens of a state share with the territory become important, if the territory had

been a stage for culturally and historically important events or holds significance for a particular religion (Hensel 2000: 2-3).

ETHNO-TERRITORIAL CONFLICTS AND THE SECURITY DILEMMA

An important factor, that also calls for investigation is, what causes majorities to adopt policies which may make the minorities feel strangled. Barry R. Posen studies this phenomenon from a realist perspective and calls it the 'security dilemma approach'. It posits that groups find themselves responsible for their own security and when an imperial order breaks down, as the case has been after the Soviet collapse, an intense security dilemma surfaces among them. Therefore, regime collapses are succeeded by outbreak of conflicts as the left behind groups divided along ethnic, religious and linguistic lines contest to protect their right. In most cases, this contest goes beyond protecting one's rightful and the anarchy borne out of a regime collapse ultimately leads to a scramble for power which is viewed as a key to security. This would continue till the time they have more power that is required and they would begin to threaten each other. This 'relative power' is a security dilemma, because what one group does as a defensive strategy is viewed by the other as being offensive. Because the groups want to remain autonomous and secure, this is seen as a threat and causes them to mobilise to strengthen their own position (Posen 1993: 27).

The security dilemma likely precipitates when the states or groups can not distinguish the other's defensive intent and there is very less distinction between offensive and defensive military forces. This dilemma is heightened when one of the parties prefers offensive operations over defence. Offensive operations may be prioritised as they are perceived to be more effective in power struggles giving the offender a lead over the other group and thus, more effective and crucial to their survival. Hence, a political collapse encourages adoption of offensive strategy and pre-emptive wars among the disintegrated regions. The security dilemma affects the relations between an ethnic group and a state in the same way as it does between the states. Ethnic groups emerging on the scene after the collapse of the central authority calculate their power relative to each other and speculate about their standing in the future. This may lead them to conclude that they will have better prospects after waging a war and miffing the competitors. Hence, they may be lured to

capitalise on the window of opportunity opened after a much stronger authority loses grip. Many aspiring groups step up efforts to set up states on nationalist patterns and thus, a high rate of state formation is typical of a post regime collapse scenario. With the formation of new states the incentives for pre-emptive wars also gain currency as the states formed by the different groups are very different from each other in terms of access to weaponry, foreign currency reserves, raw material stocks and industrial capabilities. Therefore, the existing power differential creates incentives for preventive expropriation which can evolve into a series of action and reaction (Posen 1993: 28-34).

Several of the causes of conflict and war highlighted by the security dilemma operate with considerable intensity among the groups emerging from empires. These groups possess military power as a legacy of the previous empire or even acquired. They also have competing versions of history which often produce mutual fear and competition. Settlement patterns, in conjunction with unequal and shifting power often produce incentives for preventive war. The overall effect of conquered resources will encourage preventive grabs of military equipment and other assets (Posen 1993: 43).

V.P Gagnon Jr. also considers ethnic nationalist conflicts to be driven by the ethnic sentiments and external security concerns, wherein territory also plays a big role. These sentiments and fears are stoked by a few members of the in-group as they stand to benefit from the resulting struggle for power. He argues in his 'elite manipulation theory', that it is the political elite who invoke secessionist sentiments in the people and provoke violent conflict along ethnic cleavages. This is done by making ethnicity the only politically relevant identity. They manipulate and construct the interests of an individual in terms of the threat to the group. By doing so, they can keep their competitors at bay and secure their own political and economic power and to better position oneself for future challenges. Various actions on the state's part may cause the political elites of the ethnic group to turn to conflicting policies which are projected as threat to the ethnic nation. The ruling elite of the ethnic minority tend to mobilise their group to counter a move by the state to mobilise the politically relevant majority in a way that it convolutes the power equation, political and economic structure threatening their base of power. To minimise the threat to their reign, they deliberately shift the focus of the political debate away from

the issues which the ruling elites are most threatened to those rooted in cultural or ethnic grounds. This does not only defend their stance but also mobilises the ethnic minorities for an offensive. The differing traditions, mythologies and different versions of history are deliberately chosen by the competing elites to define the collective interest of their respective groups in a way that helps mobilising their groups in their favour. Hence, they prevent the competing groups from uniting on definite issues or along certain lines. The threat from the outside world plays an important role in defining this domestic political strategy. The strategy can be used either to provoke a conflict by citing an alleged threat to help create an image of threat. This conflict can range from political to military. The ruling elites create this image of threat and construct a political context in which those issues become the centre of political debate. The effect of creating such an image of threat to the group is to place the interest of the group above the interest of individuals (Gagnon 1994: 132-136).

MANAGING ETHNO-TERRITORIAL CONFLICTS

The ruling elites use the threats from outside as tools for agenda setting. They shift the focus of their people from domestic political issues to maximise benefits and secure their own political and economic power bases. The control over mass media creates huge political advantage as well as it facilitates mobilising the opinion of the masses. The political elite may also be inclined to use marginal neo fascist parties to create a false image of lack of options, where they become the lone viable ones. By playing the ethnic nationalism card in the political discourse and by bringing the extremists into the political arena, they can shift the political 'right' into the 'centre' (Gagnon 1994: 137-138).

Beth Simmons recognises three types of approaches that states adopt to pursue territorial conflict resolution, namely realist, rational functionalist and democratic legalistic. States pursuing the realist approach are less inclined to participate in dispute resolution; they rather pursue their own interests in the most efficacious way, which may include resorting to force. States taking a rational functionalist position are likely to consider potential benefits and risks, in case taking a cooperative approach to dispute resolution does not yield. States approaching international conflicts with a democratic legalist mind set tend to embrace cooperative, legalistic approach as part of their internal and external

commitment to democracy and the rule of law. The likelihood of states adopting a rational functionalist or democratic legalist approach is greatly diminished if any of the parties, including the third parties, tend to lose because of emergence of a new balance of power in the region (Simmons 1999 cited in the Carter Center 2010: 53).

On the issue of conflict resolution Vasquez and Valeriano believe that, it is to a great extent a function of causes of conflict. Not all territorial conflicts are equally prone to war. States rarely go to war over tangible territorial issues and territory disputed solely for economic reasons; rather, they fight when the disputed territory is infused with intangible qualities. Thus, how territorial issues are handled during times of conflict is an important variable. If they are handled in a 'power politics' manner, they are likely to re-emerge and promote rivalry. Therefore, to end territorial disputes it is important for leaders to take stock of the tactics they employ to deal with these issues. This will promote acceptance of borders as institutions, which can provide significant economic benefits to all parties involved in the dispute. Once territorial disputes are settled, neighbours and neighbourhoods can have long periods of peace (Vasquez and Valeriano 2008: 205).

Newman echoes the idea. He posits that for reconciliation and conflict resolution economic integration could prove as the first substantial step towards increased levels of inter-ethnic interaction. Equitable distribution of the fruits of economic growth and opportunities can subside the grudges, which are the mobilising factor and help weaken the promise of a better government in a new state. Moreover, conflict resolution can also harness the potential of borders as bridges between two cultures, in contrast with the traditional barrier perception of the boundary. This is where the two discourses, i.e. permeable borders in a globalised world and the primordial exclusivist of understanding of territories meet. Borders can be perceived as points of harmonious interaction and transition between two neighbouring territorial or social entities. But the territorial dialectic of the globalization can only emerge stronger if the conflicting parties are ready to concede some ground i.e. compromise on their aspirations and accommodate the others' demands (Newman 2006: 24-26). Meeting this condition in an atmosphere of

bitter animosity is a fairly difficult task, which renders this channel a hypothetical one so far.

Ethnic group demand for independence occur under two conditions. Firstly, the ethnic group believes that it has the capability to gain control over and govern the territory it claims. Secondly, it believes that its cause is legitimate. An important factor that facilitates mobilisation of group for sovereignty is the settlement patterns of the ethnic group. There are four main patterns of the physical distribution of ethnic groups within states highlighted by Toft. These are concentrated-majority, concentrated minority urban and dispersed. Urban groups have the highest capability to mobilise due to their access to resources like media, money and the capability to run tight networks. Urban groups enjoy better awareness of state policies, which gives them a clear advantage in comparison to the others. Concentrated majorities rank second as they can mobilise fighters and resources for achieving sovereignty through confrontation. In addition, they too can run dense networks and control local institutions. Concentrated minorities ability to mobilise is uncertain and it relies on if they are the largest or the smallest population group in their region. A small ethnic group cannot control resources or dominate institutions and hence, are not capable of mobilising. Out of the four the least expected category of settlement pattern to mobilise are the dispersed groups (Toft 2001: 9-10).

Conflict resolution in such cases typically involves international actors, who prefer to act as per the international law. Conflict resolution becomes a tricky affair as international law does not generally recognize group rights. Ethnic conflicts mostly revolve around a group and are not compatible with international law. International law no longer has states as its sole subjects although they are still the predominant ones. It recognises the legal personality of individuals and international organizations. Liberal-individualism forms the basis of international law and can not put to use for addressing the aspirations, needs, demands and even grudges of a group as a unit. Thus, a contradiction emerges, where on the one hand, the law acknowledges the individual as its central motive but on the other hand, there is no recognition of group rights. Resultantly, international law is restricted in its efforts to hinder ethnic conflicts without acknowledging group rights (Shahabuddin 2008: 1).

Liberal-individualism was supposed to guarantee rights to the individuals. Hence with the advancing of liberal ideology, minority rights were widely perceived to be obsolete. It is noteworthy that religious, linguistic, cultural or ethnic groupings still form the basis for association among individuals. The fallacy in the presumption is substantiated the various instances ethnic resentment, conflicts or even wars. Hence, liberal theorists reconsidered the concept of liberal-individualism to evolve it to accommodate factors like culture and identity which comply with liberal principles of freedom and equality and are justified as special rights to minorities (Shahbuddin 2008: 4-5).

Western democracies themselves grant differential rights to the national minorities, but liberalism as a theory still does not recognize groups of individuals as an entity. International law too is bound by its liberal-individualist basis and does not accommodate group rights. Thus, international law falls short of effective conflict resolution in case of ethno-national conflicts as it can not take cognisance of the means that lead to ethnic conflicts, i.e. group identity in a primordial sense, group interest in an instrumental sense or a combination of both in a constructive sense. A group is one of the conflicting parties in an ethnic conflict and is acknowledged as that in many instrumental and constructive theories of ethnic conflict. Ethnic conflicts are group phenomenon individualist approach can not yield peace if one tries to overlook the group and focus on individuals. Therefore, in plural societies, pragmatic political actors employ group-focused tactics, including special rights for minorities (Shahbuddin 2008: 5-7).

Sharing of power between the conflicting parties can provide for peace keeping and containing the conflict in plural societies marred by ethnic tensions. A pragmatic approach in such cases can be perceived as a threat to national unity and may attract criticism of the majorities. But power-sharing can be crucial in keeping the social fabric of the society intact. The pragmatic approach of sharing of power among conflicting parties in plural societies is not compatible with international law. It is criticised as for being a violation of established universal legal norms. In case of conferring of power on particular groups in excess of what is required to protect their interests in order to deny other groups meaningful participation in the process of governance, it can be perceived as

racism and thus, violation of international human rights covenants (Shahbuddin 2008: 7-8).

Experts maintain that what may seem like a violation of the international law from the individualist perspective does not necessarily amount to violation of established human rights norms. Such exceptional actions are compatible with international human rights law. He argues that such 'consociational' practices should be viewed not as creating separate or discriminatory rights for ethnic minorities but as enabling ethnic minorities to exercise their rights on a level as close to parity with dominant groups thereby ensuring the equality of groups (Shahbuddin 2008: 9).

Sharing of power between conflicting parties can be the most viable means of addressing the grudges of the ethnic minorities. It can contain ethnic conflicts which have already surfaced as well as those brewing under the crust. However, these group focused mechanisms are hard to come by in an environment where parties adopt a realist approach pursuing their interests. Moreover, they rarely feel any pressure from the international community to adopt such measures as they are inherently incompatible with established liberal-individualist norms of international law. International law is restricted in its means to address ethnic conflicts because of focus on individuals and non-cognisance of groups as entities (Shahbuddin 2008: 9).

Ethnic conflicts, like other conflicts revolve around the interests of conflicting parties but they also tend to include many intractable variables. But the conflicting parties approach the issue from a realist perspective making such conflicts very complicated. Moreover, such conflicts are seldom confined to the borders of the state embroiled in the conflict. Neighbouring states may be stakeholders in such conflicts because they may house people of the same ethnic group as one of the conflicting parties or solely due to their vicinity to the embroiled region. Such conflicts can cause a change in the balance of power in the region. Neighbouring states' actions are effectively determined by whether they want the status quo to maintain or change. In case of the former, they may intervene to keep the order intact and in the latter case, they may catalyse change.

Georgia's conflict with its autonomous regions is an example of ethno-territorial conflict which attracted the attention of the Russian neighbour. The conflict can be approached and analysed from various perspectives discussed above. Ultimately, the conflict also attracted the attention of the European Union to act as a mediator and work towards the resolution of conflict in their backyard. The Russo-Georgian conflict is analysed in depth in the next chapter.

CHAPTER 2

THE GEORGIAN-RUSSIAN CONFLICT

The aim of the chapter is to understand the nature of the conflict in totality. It will start from the early 20th century tracing the issues involved in the conflict between the Georgian state on the one hand and South Ossetia and Abkhazia on the other. The role of Russia in the conflict would be analysed in wake of the strategic importance the region has for it. An account of the factors responsible for the conflict as well as the issues that ultimately led to the War in August 2008 would be put forth. It will further explore the reasons for Russian intervention in the August War in 2008 and the precedent to such an action.

HISTORICAL BACKGROUND TO THE CONFLICT

The historical understanding of the relations between Russia and Georgia is important to understand the context in which their relations are defined today. Georgia, Abkhazia and South Ossetia have interpreted their common history in mutually exclusive ways. Cognisance of the varied interpretation of history helps to understand the roots of the conflict and their perceptions.

The Soviet Union was a federal state with a combination of political centralisation with partial administrative decentralisation. It composed of a number of nations which were identified as “titular nations” over their territories. The right to administer them was reserved for the communist elites (IIFMCG 2009b: 62). In addition, there was a hierarchical framework under which the nations existed and there were differences in terms of the administrative rights given to the elites. This in turn increased tensions between the nations resulting in conflicts between them which the Soviet leadership had to arbitrate so that they didn’t become violent or expressed openly. The recognition of certain rights and granting of administrative powers after the collapse of the Soviet Union increased their political awareness. (IIFMCG 2009b: 62).

Though the Soviet Union comprised of various ethnic groups and many nationalities, it was successful in keeping a huge empire together and keeping relative peace. It could not lay the foundation to achieve peaceful coexistence amongst the various nationalities and ethnic groups as they failed to understand the perception of the

ethnic groups and nationalities about their own national identities and interests. With the power of the Communist party decreasing at the end of the 1980s, the demand for democratisation and mobilisation along nationalistic lines kept increasing and there was no strong political framework that could integrate the conflicting national demands. Hence it led dissolution of the Soviet Union (IIFMCG 2009b: 63).

The implementation of the federal policies was the most complicated in Georgia where 30 per cent of the population consisted of non-Georgian ethnic groups, which made managing relations between Georgia, Abkhazia and South Ossetia extremely difficult (IIFMCG 2009b: 63). The various demands of the ethnic groups in terms of their culture, status, education and economic privileges were accommodated but the expression of nationalism was quelled. Despite the various privileges given to the ethnic groups, they were highly dissatisfied owing to the arbitrary nature of the policies.

There were various political disputes which included issues of self government, political participation and territorial control. All the sides depended upon historical arguments to prove the oppression of their community by the other. Therefore, the question of ancestral rights over the territory of Abkhazia and South Ossetia and also the national elites of Georgia, Abkhazia and South Ossetia were convinced of the oppression of their community by the other during the Soviet rule and in the period of Georgian independence (IIFMCG 2009b: 64). There was also the issue over the political status of Abkhazia and south Ossetia.

The historical linkage of Georgia with Russia dates back to the 19th century when the Tsars ruled over Georgia. Georgia gained independence from Russia in 1918. The Revolution of 1917 delivered a lethal blow and lead to the collapse of the Russian empire. The independence gained by Georgia was more due to the fall of the Russian empires than the Georgia national liberation efforts. A Menshevik-democrat government came to power which was considered by the Georgians as their first experience in modern democratic statehood (IIFMCG 2009b: 3, Frichova 2009: 8). Georgian independence did not last long and the Bolsheviks annexed it into the Soviet empire on 25 February 1921 establishing the Georgian Soviet Socialist Republic (IIFMCG 2009b: 4). This was followed by a brutal suppression of the national apprising against the Bolshevik policies in 1924 (IIFMCG 2009b: 4). The next year

it became a part of the Trans-Caucasian Soviet Federative Socialist Republic which included the Soviet Republics of Armenia and Azerbaijan. The three republics were incorporated into the USSR in December 1936 which led to the dissolution of Trans-Caucasian Soviet Federative Socialist Republic. Hence, the status of a separate Soviet republic was granted to Georgia in 1936. The Autonomous Republics of Abkhazia and Adjara and an autonomous district (Oblast) of South Ossetia were included in Soviet Georgia making it a complex Soviet Republic. The Georgians believed that this was done to limit the control of Georgia over its own region (IIFFMCG 2009b: 4). These three years of independence from 1918-1921 which the Bolshevik forces suppressed is taken as reference point for national liberation and modern statehood as was when gained independence on 9 April 1991 after the dissolution of the Soviet Union (IIFFMCG 2009a: 11).

For the Ossetians, the suppression of their uprising by Georgia is one of most important events in their history of relations between Georgia and Ossetia. In the province of Shida Kartli where mainly the Ossetians inhabited, the Bolsheviks organised uprisings from 1918-1920. As the Bolshevik policy was unpopular in Georgia and they viewed the dominance of the Bolsheviks in the National council of Ossetia as a threat. The issues of political status and governance clubbed with ethnic tensions led to the uprisings (Frichova 2009: 9). The Georgian army suppressed the uprising violently in 1920 (IIFFMCG 2009b: 4). The violence left thousands dead and it increased the inter-ethnic tensions (Frichova 2009: 9). The violent suppression by the Georgians is viewed by the Ossetians as genocide against their nation (Frichova 2009: 9). The Georgians on the other hand claim that it was not directed against the Ossetians but directed against the Bolsheviks (IIFFMCG 2009b: 4). Georgia blames the Russians, who they believe encouraged the Bolshevik Ossetians to destabilise the newly independent Georgia (Frichova 2009: 9).

If one looks at the Abkhazian history, they have always maintained that they were forced to be a part of Georgia during Soviet times and never desired the arrangement (Frichova 2009: 9). They also point to the fact that from 1921-1931 they were a Soviet Socialist Republic (SSR) with a constitution that was ratified in 1925, although in 1921 they had delegated some powers to Tbilisi (Frichova 2009: 9). Abkhazia became an autonomous republic in Georgia in 1931. Abkhazia has accused Georgia of following a policy of 'Georgianisation' whereby more preference was given to the

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Georgian language. Various ethnic groups comprising of ethnic Georgians, Russians and others were made to relocate to Abkhazia thereby changing its demography (Frichova 2009: 9). The situation changed in the post Stalin era when quotas were established for the ethnic Abkhaz (Frichova 2009: 9).

In Georgia, a revival of Georgian nationalism took place post Stalin (IIFFMCG 2009b: 4). This revival of nationalism was clearly visible in the protest in Tbilisi in April 1978, against the constitutional changes that would have given equal status to Russian and Georgian language (IIFFMCG 2009b: 4). Ultimately the demand of Georgians was met and the exclusive status of the Georgian language was retained (IIFFMCG 2009b: 4).

The Georgians wanted the speediest possible separation from the Soviet Union especially after the violent outburst against the anti Soviet demonstrators in Tbilisi on 9th April 1989 (Grono 2010: 10). The basic demands of the Georgians were for basic rights and liberties, competitive elections and national sovereignty. The elections in October 1990 led to one of the most peaceful legal transfer of power (Lanskoy and Areshidze 2008: 155). Therefore Georgia declared independence from the Soviet Union on 9 April 1991 (IIFFMCG 2009b: 4). The last Soviet Census of 1989 of Georgia, Abkhazia and South Ossetia suggests that Georgians were the majority in Georgia and Abkhazia. They also formed a sizeable chunk in South Ossetia.

The rising nationalist sentiment in Georgia during its national movement made the autonomous regions very cautious and alienated. The election of a nationalist, Zviad Gamsakhurdia as the Georgian President increased the nationalist leaning of Georgia which led to scrapping of the autonomous status of South Ossetia and then used force against them to suppress Ossetians aspirations for greater sovereignty (Lanskoy and Areshidze 2008: 155).

Table 2.1: Ethnic composition of Georgia (the Georgian Soviet Socialist Republic) in 1989

| | | |
|--------------|-----------|--------|
| Georgians | 3.787.393 | 70,13% |
| Armenians | 437.211 | 8,10% |
| Russians | 341.172 | 6,32% |
| Azerbaijanis | 307.556 | 5,69% |
| Ossetians | 164.055 | 3,04% |
| Abkhaz | 95.853 | 1,77% |
| Others | 267.601 | 4,95% |
| TOTAL | 5.400.841 | 100% |

Source: See IIFFMCG Vol. II: 64-65

Table 2.2: Ethnic composition of Abkhazia (the Abkhaz Autonomous Soviet Socialist Republic) in 1989

| | | |
|-----------|---------|--------|
| Georgians | 239.872 | 45,68% |
| Abkhaz | 93.267 | 17,76% |
| Armenians | 76.541 | 14,58% |
| Russians | 74.913 | 14,27% |
| Greeks | 14.664 | 2,80% |
| Others | 25.804 | 4,91% |
| TOTAL | 525.061 | 100% |

Source: See IIFFMCG Vol. II: 65

Table 2.3: Ethnic composition of South Ossetia (the South Ossetian Autonomous District) in 1989

| | | |
|--------------|---------------|-------------|
| Ossetians | 65.233 | 66,21% |
| Georgians | 28.544 | 28,97% |
| Russians | 2.128 | 2,16% |
| Armenians | 984 | 1,00% |
| Jews | 396 | 0,40% |
| Others | 1.242 | 1,26% |
| TOTAL | 98.527 | 100% |

Source: See IIFFMCG Vol. II: 65

GEORGIA'S CONFLICT IN THE 1990's

The Georgia-South Ossetia Conflict and Negotiations

Georgia declared its independence on 9 April 1991 (IIFFMCG 2009b: 4). When Georgia was a part of the Soviet Union it included two autonomous regions, Abkhazia which was an autonomous republic and South Ossetia which was an autonomous oblast. Post Georgia's declaration of independence armed conflicts ensued between Georgia and Abkhazia on the one hand and Georgia and South Ossetia on the other.

The reason for the conflict between Georgia and South Ossetia was that the South Ossetians wanted the status of "autonomous republic" and hence sent an official request to that effect to the 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 the Georgian Supreme Soviet by adopting a law to that effect. As a reaction to that Ossetians not only boycotted the elections but held their own. The newly elected Georgian Government cancelled the results of the Ossetian elections and also took away the status of South Ossetia as an autonomous oblast. This was followed by military action when several thousand Georgian troops were sent into the South Ossetian 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 (ICG 2004: 4). 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.”
(Sochi agreement 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 were included and also participation by OSCE. Various tasks were outlined in the terms of reference for the JCC which included supervision of the observance of the agreement, draft and implement conflict settlement measures, promote dialogue and political settlement, devise and carry out measures to facilitate refugee and Internally Displaced People (IDP) return, solve problems related to economic reconstruction in the zone of conflict, and monitor human rights (ICG 2004:4).

The agreement also led to the establishment of a 1500 strong Joint Peacekeeping Force (JPKF) comprising of Russians, North Ossetians and Georgians under Russian command was its outcome (CLEER 2009: 4). A mission to Georgia was deployed by the Conference for Security and Cooperation in Europe (CSCE) in December 1992, with a mandate to promote a negotiated settlement to the conflict. New tasks such as democratisation, human rights and 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 to check their compliance with CSCE principles (CLEER 2009: 4).

The result of the war was around 1000 casualties and 60,000 to 100,000 internally displaced people (IDP) and refugees who fled to Georgia and North Ossetia in Russia (CLEER 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 preliminary agreement on an 'intermediary document' that outlined four guiding principles for guiding the political settlement process, including Georgia's territorial integrity. The negotiations which came to be known as the Baden document came to an end with the election of Eduard Kokoity as South Ossetia's President (CLEER 2009: 5).

The Georgia-Abkhazia Conflict and Negotiations

The Georgia-Abkhazia conflict in early 1990s was the outcome of extreme nationalistic fervour prevalent in Georgia at that time. The dominance of radical nationalist groups created an environment of intolerance. In 1989, the State Program for the 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 to separate from 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 deterioration of relations and increased tensions. While the Georgians were against the Union treaty the ethnic minorities were supportive of it. Therefore, the Abkhaz argue by supporting the treaty they choose to leave Georgia and stay in Soviet Union, which according to them was allowed under Soviet law. Hence, when USSR disappeared they had de-jure 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 on federal or confederal relations to the Georgian state Council, but they received no reply. Thus, the Abkhaz parliament reinstated its 1925 constitution in July (ICG 2006b: 5). Thus, fighting started on 14 August 1992 when Georgian armed forces entered Gali region of Abkhazia on the pretext of rescuing government hostages and secure rail lines to Russia, but the 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 was mandated to monitor the cessation of hostilities (UNSC 1993). 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 the Georgian government and the Abkhazian leadership. It was signed under the UN auspices, with Russian facilitation (ICG 2006b: 6). According to The Agreement on a Ceasefire and separation of forces:

“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”
(Moscow Agreement 1994)

Hence, a peacekeeping force of the Commonwealth of Independent states and military observers was established. A new and expanded mandate was given to UNOMIG to verify compliance with the agreement (UNSC 1994). The responsibility to monitor the operation of the CIS peacekeepers and patrol disputed areas, including the Kadori valley was 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. In order to facilitate the conditions for the return of IDP a small, non executive police element was added into UNOMIG (CLEER 2009: 5).

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 to facilitate the political settlement of the conflict started the Geneva Process in 1994. The negotiations under the Geneva process were revived in 1997. A new coordinating Council was established comprising Abkhazia, Georgia and the UN as the main forum for negotiations (CLEER 2009: 6). In the negotiations observer status was given to the OSCE and the Group of Friends of the UN Secretary General for Georgia, which composed of America, Britain, France, Germany and Russia. But hardly any progress was made (CLEER 2009: 6).

A federal solution for Abkhazia was put forth in “basic principles for the distribution of Competencies between Tbilisi and Sukhumi” also known as the Boden Plan¹ in 2001(ICG 2007a: 9). It was the result of a more active UN initiative and was unlike previous draft proposals based on compromise between the two sides (ICG 2007a: 9). On the other hand its intention was to create consensus on the status of Abkhazia between the Group of Friends supported by the Security Council to be put forth as a basis 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:

(1) Georgia is a sovereign state based on the legal norms. The borders of Georgia, approved on 21 December 1991 may not be the subject of alteration unless it complies with the Constitution of Georgia.

(2) Abkhazia is a sovereign entity, based on the rule of law, within the State of Georgia. Abkhazia enjoys a special status, 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 multiethnic population of Abkhazia (Boden Document 2001)

The plan was rejected by Abkhazia and hence, the opportunity at some kind of solution between Georgia and Abkhazia was not utilised.

THE ROLE OF RUSSIA AS A MEDIATOR

Russia existed as an active and relevant player in the conflict between Georgia and Abkhazia even before the UN led negotiations began (ICG 2007a: 4). Russia helped broker ceasefire agreement after the conflict in 1992 and ultimately made the two sides, that is Georgia and Abkhazia sign the Moscow Agreement 1994. Russia dominated the negotiation process from 1992-1997, and tried to find a solution to the status issue and drafted protocol agreements (ICG 2007a: 5). The Russian President Boris Yeltsin and Georgian President Shevardnadze and the Abkhaz President

¹ Dieter Boden was the head of OSCE and UN missions in Abkhazia and South Ossetia.

Vladislav Ardzinba met many times during this period. The Russian foreign minister Yevgeny Primakov also pushed the two sides to find a political solution to the conflict between 1996 and 1997 (ICG 2007a: 5). The Boden plan followed which proposed a federal status for Abkhazia while upholding the territorial integrity of Georgia but was rejected by Abkhazia.

Although the Russian engagement reduced in the end of the Yeltsin years from 1997 to 2000 (ICG 2007a: 5). However, in 2003 Russia again involved itself in the negotiations. In Sochi that year Putin and Shevardnadze agreed to create working groups on the issue of the return of the IDPs initially in the Gali district; the restoration of Sochi-Tbilisi railway traffic and energy projects. The Sochi process complemented the Geneva process which was also reactivated by a meeting of Group of Friends in Feb 2003 (ICG 2007a: 5). While economics and return of IDPs was the focus of the Sochi process, the UN led Geneva process dealt with security related matters.

According to the International crisis group Russian interest in the region has evolved over the years. Though it has never been fully neutral but initially in the mid 1990's it was committed to stop the fighting in the region and help solve the status issue lest its example was followed in its own volatile North Caucasus (especially Chechnya) where the secessionist tendencies were high (ICG 2007a: 5). In addition to that, Russia wanted to be identified as a deal maker and the sole guarantor of peace in the conflict (ICG 2007a: 5).

Since 2004, the peace process was affected because the deterioration of relations between Georgia and Russia from 2004 (ICG 2007a: 5). Georgia accused Russia of annexing its territory by distributing pensions and passports to Abkhaz residents and supporting it financially as well as giving support to its demand for independence. This led Georgia to leave the Russian-led peace process (ICG 2007a: 5). Georgia, therefore, wanted modification in the Russian role within the UN led process. It rather was looking for direct talks between Georgian and Abkhaz sides 'under the patronage of the UN' where the Group of Friends would act as 'facilitators and guarantors of the commitments resulting from the peace process' (ICG 2007a: 5). In addition to that, Georgia was looking at an increased role of EU and hence wanted the EU along with the OSCE as guarantors as well as observers (ICG 2007a: 5).

GEORGIA-RUSSIA RELATIONS 1990-2003

After the collapse of the Soviet Union, Russia came out with the Principles and directions of the foreign Policy of the Russian Federation which described the ex Soviet space as its sphere of 'vital interest' (IIFFMCG 2009b: 5). The newly independent states in the post Soviet territory were referred as its "near abroad", to stress its proximity and close ties with Russia (IIFFMCG 2009b: 5). This was a move to be recognised internationally as the guarantor of peace and stability in the area and also to maintain influence in the South Caucasus to retain control over a region which was strategically important owing its closeness to Iran and Turkey as well as North Caucasus where the secessionist tendencies were on the rise (IIFFMCG 2009b: 5).

The relations between the two countries were tense from 1990-1993, during the presidency of Zviad Gamsakhurdia as well as the initial phase of the presidency of Eduard Shevardnadze (IIFFMCG 2009b: 5). It was in October 1993, in order to quell an insurrection in the province of Samegrelo by the Supporters of Zviad Gamsakhurdia that Georgia asked Russia for help (IIFFMCG 2009b: 5). This assistance was given on the pretext of re-aligning Georgia's foreign policy and hence led to the Georgian accession to the CIS in 1993 (IIFFMCG 2009b: 5). In addition to that, Georgia had to join Russian controlled Collective Security Treaty in 1994 and through a bilateral agreement signed on 15 September four Russian military bases² were to be maintained on the Georgian territory (IIFFMCG 2009b: 5-6). Along the borders of Georgia and Turkey, and also on its sea borders the Russian border troops were deployed (IIFFMCG 2009b: 5). The increased Russian presence through military bases, Russian troops on its borders and the peacekeeping forces in Abkhazia and South Ossetia undermined the territorial integrity of Georgia (IIFFMCG 2009b: 5).

While on the other hand there was growing interest of the West in the mid 1990's to develop the Caucasian-Caspian region for an independent supply of gas and oil to its markets (IIFFMCG 2009b: 5). Hence, the location of Georgia in the South Caucasus was the key to develop such an energy corridor. This increased its profile internationally and led to close relations with the West by late 1990's. Therefore, in

² In Bataumi (Adjara), In gudauta (abkhazia), in Akhalkalaki (region of Samtske-Javakheti), and in Vaziani (near Tbilisi)

1999 Georgia joined the Council of Europe and left the Collective Security treaty (IIFFMCG 2009b: 6). In 1998, an agreement was signed with Russia for the withdrawal of the Russian border forces from Georgia which was implemented in 1999. The issue of dismantling the military bases was another concern for Georgia. In 1999 in the Istanbul Organisation for Security and Cooperation in Europe (OSCE) Summit Russia promised to dismantle them (IIFFMCG 2009b: 6). This was followed by a lot of deliberations and negotiations on the issue and in 2001 one of the bases in Vazani was withdrawn while the infrastructure of the other base in Gudauta was transferred to Commonwealth of Independent States (CIS) peacekeeping force in Abkhazia (IIFFMCG 2009b: 6). The other two bases were finally dismantled in 2007.

The refusal of Georgia to give access to Russian forces during the second Chechnya war in 1999 was another issue which deteriorated the relations between the two. Russian demand was to gain military access to Georgian territory to fight the Chechens in areas like Panski Gorge which was turned down by Georgia.

Apart from the above reasons, owing to the growing closeness of Georgia with the west, first by getting involved in establishing an alternate energy corridor from the Caspian in the shape of the Baku-Tbilisi-Ceyhan pipeline (IIFFMCG 2009b: 6-7). Secondly, its desire to get integrated in the NATO as well the increased US military support to develop the Georgian army (IIFFMCG 2009b: 7). The Western leaning of Georgia was a major cause of concern for Russia, who saw it as a threat to its strategic interests in the region.

With the changed security priorities post 9/11 and the EU enlargement led to reprioritising the region and establishing relations with its neighbours. Therefore, it led to NATO's eastern enlargement and increased importance of the South Caucasus region for the EU (IIFFMCG 2009b: 7). On the other hand, the increased economic power of Russia made it more assertive in its near abroad (IIFFMCG 2009b:7). Therefore, the influence of the western countries in the region deteriorated the relations between Georgia and Russia.

The Rose Revolution

The Rose Revolution was the turning point when non violent protestors protested against the fraudulent elections of November 2003. The revolution was symbolic with

protestors holding red roses. It led to the ousting of the long serving president Eduard Shevardnadze.

His tenure as a President of Georgia lasted from 1992 to 2003 (Kandelaki 2006: 1). During his initial years as a president from 1992 to 1998, despite being marred by two conflicts he brought about lots of reform (Lanskoy and Areshidze 2008: 156). His vast political experience helped him face domestic challenges and was able to get international interest in Georgia. It was under his presidency that NATO membership process was started, Georgia was included into the Council of Europe, and the Baku-Tbilisi-Ceyhan pipeline route was finalised (Lanskoy and Areshidze 2008: 156). But it was in the latter part of his tenure that corruption increased, the government became ineffective and weak, it was unable to establish strong governmental institutions and bring about effective economic development and reforms (Lanskoy and Areshidze 2008: 156). Ultimately in 2001, with the increased support of the business community to the opposition Shevardnadze's ruling party Citizens Union of Georgia (CUG) collapsed which included the future leaders of the revolution Zuraib Zhvania and Nino Burdjanadze, both were parliament speakers and Mikheil Saakashvili the foreign minister (Lanskoy and Areshidze 2008: 156).

Hence there were various reasons which led to the discontentment of people towards his regime and led to a non violent overthrow of the government through protests. The immediate cause was of course the blatant electoral fraud in the elections but the underlying causes the rampant corruption of his regime, economic decline in terms of private sector growth and foreign investment had slowed which led to the discontentment of the people (Mitchell 2004: 343).

The New Leadership under Mikheil Saakashvili

The ousting of Eduard Shevardnadze brought a new leader in the forefront, Mikheil Saakashvili. He was elected unopposed in January 2004 due to his pro western stance, democratisation, push for reforms, anti corruption stand and most importantly his promise to reunify Georgia by restoring its authority over Abkhazia and South Ossetia. To build a strong state that can endure external pressure and fully democratise restoration of territorial integrity was seen as a prerequisite (Frichova 2009: 11). Therefore, there was a lot of emphasis on a strong state and equal importance was given to a strong security set-up (Frichova 2009: 11). For the March

2004 elections the National Movement bloc of Saakashvili merged with the parties of Zhvania and Burjanadze to form the United National Movement (UNM) (Lansky and Areshidze 2008: 158). They won the majority of seats in the elections. They got the majority support of the single mandate members of parliament which meant that they could pass legislation without worrying about getting enough support as well as bring changes to the constitution³ (Lansky and Areshidze 2008: 158). Within a short period of time through constitutional amendments he increased his powers in comparison to the parliament. He got the power to dissolve the parliament and also the financial control of the parliament was weakened (Lansky and Areshidze 2008: 160). Though the post of Prime Minister was created but it was subordinate to the President (Lansky and Areshidze 2008: 160). Hence, increased centralisation of power took place with few checks and balances and with help from the media (Frichova 2009: 12). Thus, because Mikheil Saakashvili's party won with a majority of votes and had a dominance in the parliament they could push through reforms to bring in changes to the state structure to bring in security reforms which was viewed as an answer to all the internal and external challenges (Lansky and Areshidze: 158). Therefore, within a few months of his election he started putting into practise his promise of reunifying Georgia, and established control over the autonomous region of Adjara and forced the authoritarian leader Aslan Abashidze out of office (Lansky and Areshidze 2008: 158). He tried the same thing in South Ossetia.

The 2004 Conflict in South Ossetia

In July and August 2004 conflict broke out between Georgia and South Ossetia, the first since the signing of the "Agreement on the principles of the Settlement of the Georgian-Ossetian conflict between Georgia and Russia" in 1992. Though contraband was one of the reasons, the International Crisis Group's Europe Report also observed that "Georgian government limited interpretation led to a serious escalation of tensions in South Ossetia in mid-2004 and undermined what feelings of trust had been restored" (ICG 2004: 1).

Mikheil Saakashvili since becoming the president of Georgia in January 2004, stressed on maintaining the territorial integrity of Georgia and to assimilate the autonomous regions within Georgia. While taking his oath in January 2004 over the

³ To make changes to the constitution it required two-third majority in the parliament.

grave of David VI he said: “Georgia’s territorial integrity is the goal of my life” and also promised that the reintegration of Georgia with the other regions would take place before the Presidential elections of 2009 (ICG 2004: 7). Though he did not stress on the use of force to reintegrate the area rather he set out to attract them by presenting lucrative economic opportunities (ICG 2004: 1). There was a sense of urgency to complete the reintegration of the autonomous regions into Georgia within his term of office, with Adjara first, South Ossetia second and Abkhazia third (ICG 2004: 1).

The strategy the government of Saakashvili employed in South Ossetia was similar to the one which was employed in Adjara, to oust the political leadership in South Ossetia to establish control over there. To achieve its end firstly, a massive anti-smuggling campaign was launched with the intention of blocking the authorities’ ability to gain from illegal trade. Secondly, a “humanitarian aid” offensive was launched; the motive was to get the inhabitants of South Ossetia to their side. They expected the people would turn against their leadership for not providing them with basic services, but this strategy misfired. On the contrary the South Ossetians rallied behind their de-facto president (ICG 2004: 2).

He was also pushing for NATO and EU membership and increased engagements with the two institutions. In addition to this the visit of a serving US president in 2005 to Georgia increased its international status (Lanskoy and Areshidze 2008: 158). Russia also closed its military bases in Georgia and honoured its treaty obligations (Lanskoy and Areshidze 2008: 158). Saakashvili put great emphasis on improving the access to public goods that is to provide a continuous supply of electricity, improve infrastructure, establish new communication network, improve the health and education sector (Lanskoy and Areshidze 2008: 158-159). The budgetary allocation to the army increased and he laid stress on economic reforms, for which Georgia got international recognition for the considerable progress it had shown in the economic sector (Lanskoy and Areshidze 2008: 159).

But the increasing centralisation policies clubbed with lack of accountability and transparency decreased the trust of the people in the governmental institutions and its fairness (Frichova 2009: 12). The immense power in the hands of the President through constitutional amendments made governance extremely centralised and the

government authoritarian (Frichova 2009: 12). With the amendments introduced in the electoral system, Saakashvili's United National Movement hampered the emergence of strong political parties that could have offered competition to the incumbent government (Lanskoy and Areshidze 2008: 162). This greatly upset the opposition parties. Hence in November 2007, protests took place because of the rising discontentment among public as well as the opposition regarding the over centralisation of government lack of democracy and transparency, which led to a violent crackdown against the protestors. Mikheil Saakashvili tried to project that the protests were masterminded by Russia and resultantly, the opposition as being pro Russian (Frichova 2009: 12). The government imposed a state of emergency on 7 November 2007, cracked down on the demonstrators, closed private televisions, which stunned the country's associates as well (ICG 2007c: 2). Mikheil Saakashvili was re-elected in the presidential elections held in January 2008 to resolve the crisis that emerged from imposition of emergency (Lanskoy and Areshidze 2008: 163).

THE RUSSIA-GEORGIA RELATIONS 2004-2008

Russia viewed the growing assertiveness of Georgia and its increased leanings towards the Western institutions and organisations as undermining its authority and power in its own strategic backyard. The Rose revolution was viewed as the one which inspired the Ukraine's Orange Revolution and through this wave of democratic revolutions in the region West oriented leaders came to power (Cornell 2008b: 309). Hence, it came out with the "Putin Doctrine" according to which Russia would again establish its control and domination over the ex-Soviet space (Cornell 2008b: 309). In addition to this the new President Mikheil Saakashvili's push for membership into the NATO and EU as well as his promise of restoring the territorial integrity of Georgia by assimilating the separatist regions was not seen positively by Russia. Georgia changed its strategy of isolating the unrecognised republics, rather they now started engaging with them both economically and politically (Cornell 2008b: 309). They adopted a policy of carrot and sticks which did not yield much result and never gained consistency (Cornell 2008b: 309). In 2004, Georgia got embroiled in territorial conflict with South Ossetia over the issue of contraband goods and in 2006, Georgia took control of the mountainous Kodori Gorge in upper Abkhazia, which was under the influence of a local warlord (Cornell 2008b: 309). These moves were not well received in Russia, who countered this by distributing Russian passports to the

populations of the two regions of Abkhazia and South Ossetia violating international law. This was a part of the Russian strategy of ultimately justifying its intervention in the affairs of Abkhazia and South Ossetia under the garb of defending its citizens abroad even by military means if deemed necessary. They also resisted the efforts of Georgia to internationalise mediation, negotiation and peacekeeping in the unresolved conflict zone as well as floated the possibility of annexing the two regions. By 2004 Russia began to appoint its own officials in Abkhazia and South Ossetia. This move confirmed the Russian bias and here forth Russia seized to be viewed as a neutral negotiator in the conflict. (Cornell 2008b: 309)

In 2006, Russia banned the import of Georgian wine. On 27 September 2006, Georgian authorities arrested Russian military officers accusing them of being part of an espionage network whose intention was to prevent Georgia's integration in the NATO. Russia slapped trade and financial sanctions on Georgia and Russian diplomats were recalled from Georgia (IIFMCG 2009b: 19-20). In 2007, two incidents of Russian aggression took place. First was in March 2007, when they attacked the administrative building in Kodari Gorge. Second was on August 6, 2007, when they attacked a Georgian radar station in south Ossetia (Cornell 2008b: 310). After the declaration of independence by Kosovo, Russia warned of the repercussions of such a move in other parts of the region. On April 16, 2008, direct political and economic links were established by Russia when Putin signed a decree to the effect (Cornell 2008b: 310). This opened direct trade, transportation and political ties with Abkhazia and South Ossetia and also increased military presence in Abkhazia by calling it a part of the peacekeeping operation (Cornell 2008b: 310) Also repairs were done to the railway link from Russia to Abkhazia, which were completed by July 30, 2008 and which opened an unprovoked second front to the war that had started in South Ossetia on August 8, 2008 (Cornell 2008b: 309).

MAIN ISSUES IN THE CONFLICT

Energy

The strategic location of Georgia makes it very vital for the energy security of Europe. It links the Caspian Sea region and Central Asia with the Black Sea and Western Europe. It serves as an important transit country in a region which provides an alternative route for transporting hydrocarbons from the land locked Caspian Sea

region to international market. The main driving force of European and US engagement in the area has been energy security. This important transit corridor serves as an alternative to Russian dominance in the energy sector. As it has been seen in the past, Russia uses its energy dominance as a political tool. The development of the new energy export infrastructure that bypasses Russia undermined Moscow's hegemony in its own 'strategic backyard' (German 2009: 345). The region has been a witness to many conflicts since the dissolution of the Soviet Union 1991 and is still a highly unstable region as can be seen in the recent war in Georgia in 2008. The area has become an important region for US and European foreign policy priority and hence leads to clash of interest with Russia its traditional sphere of influence. In the face of growing involvement of the Western interests in the region many regional countries like Russia, Iran and Turkey have been vying for influence in the region (German 2009: 345). Russia has always wanted to continue its dominance in the area which it considers as its own traditional source of interest.

EU and the other western powers want to reduce their over-reliance on Russia to meet their energy needs and hence have developed their own alternate pipeline routes from Central Asian countries bypassing Russia. This has led to a scramble to control the natural gas exports from Central Asia, hence Russia and EU have been competing to control Azerbaijan and Turkmenistan's natural gas output to fill their respective pipeline projects.

The Baku-Tbilisi-Ceyhan (BTC) oil pipeline came on stream in May 2005, after many years of delay. This 1768- kilometre pipeline project transports oil from Azerbaijan via Georgia to the Turkish deepwater port of Ceyhan on the Mediterranean (German 2009: 350). The BTC project was backed by the US who wanted to weaken the influence of Russia and Iran in the region and develop an export route from Central Asia through South Caucasus (German 2009:351). In addition to that the 692-kilometre South Caucasus pipeline (SCP or Baku-Tibilisi-Erzurum-BTE) runs parallel to BTC transports gas from the giant offshore Shah Deniz field in the Azeri sector of the Caspian sea through Georgia to Erzurum in Turkey (German 2009: 350). This pipeline runs parallel to the BTC pipeline. The transit countries through which these pipelines pass have really gained economically since these pipelines became commercial (German 2009: 350). Through these pipelines there has been a strengthening of economic and political links between Azerbaijan, Georgia, Turkey

and the West and help provide an alternate route to increase access of the region to the world energy markets (German 2009: 350). These provide a direct link between the Caspian region and the west that has important symbolic and geopolitical significance. This diversity of supply has greatly increased the Western energy security. Therefore the strategic importance of the area increases because it serves as a transit route which has increased the economic strength of Georgia and Azerbaijan, and altered the balance of power by reducing the dominance of Russia (German 2009:350-351).

Georgia's geographic location and its importance as a transit country for the export of energy from the Caspian region to international market bypassing Russia increase its importance. Therefore Russia loses on the transit tariffs and also the fact that the BTC, BTE and the Baku-Supsa links represent pipelines that are not under Russian control (German 2009: 351). Hence, it was postulated by many observers that the Russian military intervention in Georgia was to take control over the pipeline infrastructure (German 2009: 351). But it is to be noted that the BTC pipeline was shut down two days prior to the war as there was fire reported on the Turkish side, the responsibility of which was taken by the Kurdish separatist Kurdistan workers party PKK (German 2009: 352). The other transit route, the Baku-Supsa was closed for months for refurbishment to be opened July 2008 and was again shut down in August (German 2009: 352). This was done as a precautionary measure by its pipeline operator BP due to the proximity of the conflict. (German 2009: 352) Hence, Saakashvili's in a press conference on August 12 that the Baku-Supsa pipeline had been hit by Russian forces were untrue and even denied by its pipeline operator BP (German 2009: 352).

Therefore, rather than viewing the war to have been fought to control the pipeline infrastructure of Georgia, the Russian military incursion rather brought out the vulnerabilities of the Georgian as a secure transit country for oil and gas from the Caspian region. In addition to term the war as a Pipeline war and the showing of images on the television reiterated this fact even more (German 2009: 352).

NATO Membership

The membership aspiration of Georgia into the NATO has been argued as one of the contributory factors that led to escalation of the conflict in August 2008. It is viewed

that the aim of Russia was to not have Georgia set precedent which other countries in its sphere of vital interests may follow especially Ukraine (ICG 2008b: 10). The war in Georgia was also aimed to show the ineffectiveness and indecisiveness of NATO (ICG 2008b: 10). In addition to that, it has time again been cited that NATO made a “pledge” to Gorbachev in 1990 that if USSR consented to the unified Germany’s full membership in NATO, it would not expand into Eastern Europe. But declassified material shows no such pledge was made (Kramer 2009: 55). Georgia saw the NATO membership as a guarantee to its security against an assertive Russia (ICG 2008b: 11). For Saakashvili, the membership to NATO had been a policy priority and at every given opportunity has shown Georgia’s credentials as a candidate. He even held a referendum alongside the presidential elections, the result of which showed 77 per cent voted for the membership (ICG 2008b: 11). The US had also been pushing for the membership of Georgia and was its main advocate within NATO (ICG 2008b: 11). In the Bucharest Summit in April 2008, the US wanted Georgia as well as Ukraine to be given the Membership Action Plan (MAP) status. But owing to the reservations of certain members of EU, particularly France and Germany, only a promise of their membership was given (ICG 2008b: 11). In addition to that a reconsideration of their MAP status application would take place December 2008 (ICG: 2008b:11). According to the International crisis group report of June 2008, Russian involvement in the conflicts in Abkhazia and South Ossetia increased after the Bucharest summit. President Putin at that time had considered the promise of the NATO membership to Georgia and Ukraine as the slap on his face (ICG 2008b: 11). There had been reports that suggested that Russia since the end of the Bucharest Summit had been planning its operations in Georgia (ICG 2008b: 11) Georgia was denied the MAP because of its existing territorial conflict and which in turn completed the vicious circle and gave Russia the opportunity to attack Georgia (ICG 2008b: 11). U.S and Georgia still believe that inclusion into the NATO is the only way it can be saved from the aggression of Russia while on the other hand the other members of NATO believed that by not giving an MAP to Georgia they avoided getting involved in the conflict with Russia. In addition to that they have been critical of the recklessness on the part of the leadership of Tbilisi which gave Russia the reason to attack Georgia and they hold the view that they cannot join the NATO anytime soon (ICG 2008b: 12).

Kosovo's Independence

The February 2008 declaration of Kosovo and its subsequent recognition by various countries led Moscow to react sharply to the turn of events. The Russian Foreign Minister Lavrov said, "The territories' unlawful independence will undermine the basics of security in Europe and it would inevitably result in a chain reaction in many parts of the world including Europe and elsewhere" (quoted in ICG 2008a: 15)

The reason for such a reaction according to the International Crisis group is because Russia itself was prone to centrifugal forces demanding secession and was struggling in the case of Chechnya and this would establish a wrong precedent to other territories of the federation from North Caucasus to Tatarstan and beyond.

On the eve of the declaration of Kosovo's independence and in its recognition Moscow's reaction quoted in RIA Novosti on 15 Feb 2008 was "[recognition of Kosovan independence] will doubtlessly be taken into account in [Russia's] relations with Abkhazia and South Ossetia" (quoted in ICG 2008a: 16). Thereafter, the declaration of independence in Kosovo by citing the precedent of Kosovo the de facto authorities of both Abkhazia and South Ossetia called on to the international community to grant recognition to their independence as well. After the recognition of Kosovo Russia upgraded its ties with Abkhazia and South Ossetia and blamed the US and EU to have taken action without a Security Council endorsement and blamed them to have violated international law (ICG 2008a: 16) The Russian perceived their actions as an insult to the Russian status in the Security Council. The international community dismissed the precedent argument as it has always upheld the territorial integrity of Georgia (ICG 2008a: 16)...

As a reaction to Kosovo's declaration of independence Russia established de facto inter-state relations with local institutions with Abkhazia and South Ossetia, increased its peacekeeping force unilaterally, withdrew from CIS sanctions that banned the supply of military equipment to Abkhazia, and rebuild railway lines to Abkhazia (Popescu et al 2008: 2). Owing to such moves by Georgia considered military action in Abkhazia which it thought would be lost to Russia (Popescu et al 2008: 2). This was avoided as a result of Georgia's hope to join NATO which gave EU and US, enough leverage to change its mind (Popescu et al 2008: 2). In addition to the policies pursued by Russia in the aftermath of the Kosovo declaration, the hope of Georgia to

join NATO also faded after it was not given an MAP status in the Bucharest Summit. The growing sentiment in Georgia was that they would lose NATO membership as well as Abkhazia and South Ossetia given the increasing presence and assertiveness of Russia in the region (Popescu et al 2008:2).

On the other hand Russia was threatened by the increased engagement of EU and NATO with the ex Soviet countries to bring them closer to the western organisations, US plans to set up a defence missile shield near Russian borders, Kosovo's declaration of independence and that was used by Putin to project that it was encroachment on Russia's sphere of influence (IISS 2008).

THE AUGUST WAR OF 2008

Though the War started from 7-8 August 2008, there had been growing instances of violence between South Ossetian forces and Georgia before it turned into a full fledged war in which Russia got involved. The security situation deteriorated rapidly during the months preceding the conflict. In July, the South Ossetian de facto authorities detained four Georgian soldiers who were part of the JPKF. South Ossetia was given an ultimatum by Georgia and the soldiers were released (ICG 2008b: 1). But as a warning to Tbilisi, Russian warplanes flew over their territory soon afterwards (ICG 2008b:1). In addition to this there were gross violations of the ceasefire agreements by both Georgia and South Ossetia when both of them reinforced their forces and weaponry in the area of conflict (ICG 2008b: 1). Russia on the other hand, was also increasing its presence in both Abkhazia and South Ossetia. There were speculations of an attack on the southern part of Abkhazia (ICG 2008b: 1). On August 1, tension escalated between South Ossetia and Georgia following the death of five Georgian police officers who were injured in a car bombing in South Ossetia, which led to the evacuation of around 800 Ossetians to North Ossetia. Hostilities resumed again on 6 August and then the following afternoon on 7 August. South Ossetia was accused of instigating the crisis by a senior US diplomat, assistant Secretary for European and Eurasian Affairs. President Saakashvili was calling for urgent negotiations. Georgia announced a unilateral ceasefire on the night of 7 August 2008.

The August 2008, war started around the midnight of 7 August 2008 when Georgia decided to restore "constitutional order" in South Ossetia (ICG 2008b: 1). This

statement by Brigadier General Mamuka Kurashvili⁴ as a reason for justifying the military operation by Georgia was termed unauthorised and later on an alleged Russian invasion was given as a justification for the operation (IIFFMCG 2009a: 19). There was already fighting going on between the Georgian and Ossetian forces before a unilateral ceasefire was called by Georgia before a large scale offensive was started on 8 August 2008 by Georgia. This large scale military offensive against Tskhinvali was supported by artillery (ICG 2008b: 1). Within hours of the offensive, the tank columns of the Russian 58th Army started crossing over to Georgia through the Roki tunnel (ICG 2008b: 1). The Georgian Government had declared a unilateral ceasefire on 10 August 2008 and started withdrawing by 10-11 August from South Ossetia (IIFFMCG 2009a: 21). The ceasefire was not followed by the Russians who entered deeper into the Georgian territories. Russians along with the Abkhaz forces that joined them seized the Upper Kadori Valley in the final phase of the hostilities. (IIFFMCG 2009a: 21-22)

France who was heading the EU Presidency of the Council ultimately mediated on behalf of the EU to broker a ceasefire document on 12 August 2008 after 5 days of war. It was a six point ceasefire agreement that was signed by Russia and then by Georgia with the help from US. It was signed in Tbilisi and Moscow on 15-16 August 2008.

The terms of the ceasefire agreement were:

“(1) no resort to the use of force; (2) cessation of military actions for good; (3) free access to humanitarian aid; (4) return of Georgian military forces to their places of permanent deployment; (5) return of Russian military forces to their pre-conflict positions; awaiting an international mechanism, Russian peacekeeping forces will undertake additional security measures; and (6) opening of international discussion on the modalities of security and stability in Abkhazia and South Ossetia” (quoted in ICG 2008b: 4).

This was followed by a side letter to the ceasefire agreement which has been explained in the International Crisis Group report of August 2008 as:

⁴ He was the commander of the Georgian contingent to the JPKF.

“A side-letter from President Sarkozy on 16 August clarified that point 5 means that such “security measures” can be taken only in the area around South Ossetia and only several kilometres beyond the administrative border between South Ossetia and the rest of Georgia, such that no significant urban centre is included, including Gori; called for steps to guarantee the free circulation along all road and rail routes in Georgia; stated that security measures are to be taken in the form of patrols and only by Russian peacekeeping forces at the level authorised by the existing arrangement, with other Russian forces withdrawing to their pre-7 August positions; and concluded that all these measures have a temporary character, awaiting as quickly as possible the international mechanism, the nature of which is already being discussed at the OSCE, EU and UN in particular” (ICG 2008b: 4).

Even after the ceasefire agreement had been put in place there were reports of continued advances by Russian and South Ossetian forces into Georgia and they occupied territories under the administration of Georgia (including the Akhgori district) (IIFMCG 2009a: 22). It was only from 22 August that most of the Russian forces withdrew from beyond the administrative boundaries of South Ossetia and Abkhazia (IIFMCG 2009a: 22). Rest of the troops left after the Implementation Agreement was put in place on 8 September 2008 in Moscow and many others as late as October 2008 (IIFMCG 2009a: 22).

The low point came when in spite of the Ceasefire Agreement in place, the Russian President Dmitri A. Medvedev recognised the independence of South Ossetia and Abkhazia from the Republic of Georgia on 26 August 2008, which further deteriorated the relations between Georgia and Russia. The Russian President gave a statement on 26 August recognising South Ossetia and Abkhazia:

“The Presidents of South Ossetia and Abkhazia, based on the results of the referendums conducted and on the decisions taken by the Parliaments of the two republics, appealed to Russia to recognize the state sovereignty of South Ossetia and Abkhazia. The Federation Council and the State Duma voted in support of those appeals. A decision needs to be taken based on the situation on the ground. Considering the freely expressed will of the Ossetian and Abkhaz peoples and being guided by the provisions of the U.N. Charter, the

1970 Declaration on the Principles of International Law Governing Friendly Relations Between States, the C.S.C.E. Helsinki Final Act of 1975 and other fundamental international instruments, I signed Decrees on the recognition by the Russian Federation of South Ossetia's and Abkhazia's independence" New York Times (2008a).

Mikheil Saakashvili put forth Georgia's position by issuing a *Communiqué* after Russia recognised the independence of Abkhazia and South Ossetia. It mentions that the recognition proves that "invasion of Georgia was part of a broader, premeditated plan to redraw the map of Europe" and by recognising Abkhazia and South Ossetia Russia "has violated all treaties and agreements it has previously signed". It also said that "Today, by its actions, the Russian Federation is seeking to validate the use of violence, direct military aggression, and ethnic cleansing to forcibly change the borders of a neighbouring state." It further stated that this was a clear violation of the EU brokered ceasefire agreement. They questioned the move of recognising Abkhazia and South Ossetia by arguing that "Is it moral or legal for an ethnically cleansed area to be rewarded with independence by a neighbor?" It also called for collective solidarity of "free peoples" (New York Times 2008b)

Another important agreement was signed on 8 September 2008. This was the Implementation Agreement that concluded a fixed time frame of maximum one month for the full withdrawal of Russian peacekeeping forces from the areas adjacent to Abkhazia and South Ossetia. It was agreed to deploy at least 200 EU monitors in those areas. OSCE monitors would be able to return to Tshkinvali and will continue to carry out its mandate in the area in the same way as before hostilities broke out, UN observers will continue to remain in Abkhazia and carry out their mandate like in pre-conflict times, International discussions as envisaged in the August 12 in Medvedev-Sarkozy plan would start from 15 October 2008 in Geneva, and non use of force pledge by Georgia (Civil.ge 2008).

Georgia's Position on the Conflict

The reasons for the start of the military operations given to the Independent Fact finding mission were:

“to protect the sovereignty and territorial integrity of Georgia as well as the security of Georgia’s citizens, at 23.35 on August 7, the President of Georgia issued an order to start a defensive operation with the following objectives:

- Protection of civilians in the Tskhinvali Region/South Ossetia;
- Neutralisation of the firing positions from which fire against civilians, Georgian peacekeeping units and police originated;
- Halting of the movement of regular units of the Russian Federation through the Roki tunnel inside the Tskhinvali Region/South Ossetia” (IIFFMCG 2009a: 19-20).

They alleged a Russian invasion by citing the illegal entry of Russian troops and armour into South Ossetia prior to the war (IIFFMCG 2009a: 20).

Russia’s Position on the Conflict

The reasons for the military intervention by the Russian side were to put a stop to the genocide of the Ossetian people. Vladimir Putin was quoted as saying “what is happening in South Ossetia, - this is genocide of the Ossetian people” (See IIFFMCG 2009a: 21). In addition to that Russia also claimed to have intervened on the pretext of protecting the Russian citizens in South Ossetia and also the Russian contingent stationed there as part of the Joint peace keeping forces that were deployed as part of the Sochi agreement of 1992 (IIFFMCG 2009a: 21). The Russians also claimed that Georgia killed two Russian peacekeepers on the morning of 8 August 2008 which also left 5 wounded (IIFFMCG 2009a: 21). The Russian officials after claiming genocide in South Ossetia had put the number of casualties to 2000 which actually stood at 162 (IIFFMCG 2009a: 21).

AN ASSESSMENT OF THE CONFLICT

Many experts blame Russia for the conflict as its aggressive policies precipitated a war in the region. Stephen J. Blank opines Russian actions were merely to gratify its own imperial fantasies of resentment and revenge. A limited Russian peace enforcement operation to expel Georgian forces from South Ossetia would have sufficed and thwarted Georgian policy. Moscow rather preferred to humiliate the Georgian forces and President Mikheil Saakashvili. It tried to prove to the world that

Russia still maintains a firm grip on the CIS and it is still a great power not to be trifled with. He believes that the war was entirely a Putin led provocation, designed to achieve geopolitical and personal goals. With the war Putin countered the American advances in his backyard. He also had a personal point to prove, that it was him and not President Medvedev who held the reigns of power in Russia. Moreover, his personal hatred for Saakashvili could also have contributed to the exaggerated response (Blank 2008: 40)

Shearman and Sussex back the argument and view Russia's short war in Georgia in August 2008 as a product of renewed Russian imperialism and great power politics in the region. It was necessary for Russia to act as it faced several distinct but interlinked threats to Russian interests. The domestic political and ethnic tensions, the threat of failed and failing states in Russia's backyard, the prospects of conflict spill over into its own territory and the dangers of transnational terrorism all served as threats to the Russian security. Instability in the Caucasus threatened the security of the energy lines that transverse the region. This was perceived as a direct threat to Russia's gas exports, a major contributor to the GDP of economic dynamism and an important tool in its foreign economic policy. Russian response was predicated on the view that the West assisted the Georgian aggression and it threatened its own national security. Finally, the NATO was intentionally muscling into a region that was traditionally the Russian stronghold and had been its part of its territory during many of Russia's past empires. Russia was uncomfortable with the advance of a military security organisation closer to its borders. Although, they perceive the Russian stance to be aggressive, they maintain that to have expected Russia to act with restraint would be unreasonable. Strategically, Georgia is very important for Russia and it could not let it slip into the hands of the NATO (Shearman and Sussex 2010: 20-21).

Alexander Cooley points to the role the Western countries played in the conflict. He maintains that the West is equally liable in the Russo-Georgian conflict as mismanagement of affairs by the Euro-Atlantic community contributed to the events of August 2008. The Western indifference to Georgia's frozen conflicts, divergent transatlantic interests in with respect the Saakashvili regime, ill crafted policies regarding Kosovo's independence and NATO's expansion plans all contributed to the escalation of tensions. The transatlantic community's conflicting priorities and diplomatic misdeeds created a political environment which turned the Georgian

regime to take desperate measures. Despite close ties with Georgia, America was unable to pressure Tbilisi to resist responding to Russian provocations. Europe, too, for a long time regarded developments in Georgia as outside the sphere of its immediate interests, and remained indifferent to the urgency of Tbilisi's position once Russia took steps to unearth Georgia's frozen conflicts in the spring of 2008 (Cooley 342-344).

The West is also blamed for a biased representation of the entire conflict wherein they distorted the nature of the happenings and put the entire blame on Russia. Orlov argues that Russia prevented 'an all out ethnic cleansing of the South Ossetians and then the Abkhazians.' He blames the media of being biased for painting a picture wherein the destruction of civilian facilities in Georgia is highlighted and the Russian soldiers are depicted as the intruders into a 'peaceful neighbouring democracy'. On the other hand, the western media downplayed the destruction of Tskhinval and deliberately kept the masses at bay from learning about the real tragedy of the average peaceful Ossetians (Orlov 2008: 68).

The projection of Russia as the saviour for Ossetia and Abkhazia projects Georgia as the simultaneous aggressor. Piadysheva presents the Russian perception of the conflict and defends the Russian recognition of independence of South Ossetia and Abkhazia. He stresses that it was Georgia who attacked Ossetia first and argues that the Russian response was timely and appropriate. The Georgian leaders came to associate "genocide" with constitutional order. He also backs the opinion that the war changed the perception of Russia as a weak and second rate country. By acting like a really strong geopolitical power responsible for peace and stability in the region, Russia made a historic decision by recognising the independence of Abkhazia and South Ossetia. It demonstrated that it was capable of upholding its own interests and those of its allies including by military action if need be. He also berates the Western media for having kept silent during the early phase of Georgia's invasion of South Ossetia (Piadysheva 2008: 74-77).

Vicken Chetrian takes the debate to another level and states that the August 2008 events have changed the nature of conflict in the Caucasus. The August 2008 war moved the conflicts in the Caucasus from ethnic conflicts involving mass nationalist mobilization, to conflicts between centralised state structures around borders and

territorial control. Thus, the war has invoked a shift in the paradigm (Chetrian 2009:156).

Hafkin argues that the two conflicts in Kosovo and Georgia bring up similar issues of international law and are important for the evolution of the law of war. He has explained how these two conflicts, taken together, may contribute to a gradual change in the law of force, which may take power and influence away from the Security Council and grant it to regional alliances or even individual states to determine the circumstances that warrant humanitarian intervention. The two incidents ascertain the willingness of powerful states and blocs to work outside the purview of the United Nations Charter in the defence of certain values and political goals. Rather, he maintains that a new international norm might be in the process of development. He conjectures that in the coming decades, the purpose of Security Council deliberations may get reduced from asking for approval to invade another country to justify an invasion that has already begun. However, another factor will be how states react to future alleged breaches of human rights that occur within the purely domestic spheres of other states (Hafkin 2010: 239).

According to Popescu et al the Georgian conflict was a direct threat to the European projects that wanted to replace old paradigms such as balance of power, sphere of influence and military conquest with integration, negotiation and rule of law (Popescu et al 2008: 1)

The role of EU has evolved over the years and it increased substantially post August 2008 war between Georgia and Russia. Under the leadership of France it was able to put an end to hostilities with the six point ceasefire agreement and the subsequent policy initiatives to help initiate dialogue and establish peace in the region. The enhanced role of EU as a mediator in the August war will be dealt in detail in the next chapter.

CHAPTER 3

THE EUROPEAN UNION'S ROLE IN GEORGIA

In this chapter the focus would be on the evolving role of the European Union in the area of conflict management with Georgia as a case study. It would trace the evolution of the EU's engagement in Georgia since its independence. It started out by playing a very limited role in its conflicts with South Ossetia and Abkhazia and later taking on a more prominent role of a mediator after the war in August 2008. This evolution of the European Union as an important actor in the field of conflict management in its neighbourhood owed to the changed security dynamics post 9/11 as well as its own enlargement in 2004. This in turn made the stability in the South Caucasus extremely important.

EUROPEAN UNION'S ENGAGEMENT IN GEORGIA 1990-2003¹

Among all the post-Soviet states the difficult challenge of managing ethnic diversity was the most problematic in Georgia (Broers 2008: 275). Georgia was embroiled in conflicts with its autonomous regions of South Ossetia and Abkhazia as soon as it gained independence on 9 April 1991. The causes were the overt: Georgian nationalism during the movement seeking independence from a crumbling Soviet Union as well as the policies pursued by the Georgian President Zviad Gamsakhurdia to retain the territorial integrity of Georgia by doing away with the autonomous status of South Ossetia and curbing the demand of independence by Abkhazia. Hence during the phase of instability in Georgia the response of the EU was to help maintain stability and its engagement with Georgia was limited during the Presidency of Zviad Gamsakhurdia because of his policies against the ethnic minorities in Georgia's autonomous regions. On the other hand there was a lot of support for the following President Eduard Shevardnadze from the British, French and the Germans (IIFMCG 2009b: 49). The role of Europe in the conflict in Georgia with its autonomous regions was limited with Russia taking the role of a mediator and helping broker ceasefire agreements with both Abkhazia and South Ossetia. Owing to the unstable nature of Georgia during early 1990s the situation was not conducive to extend external aid for state building or bring in economic reforms in the country. It was marred by internal conflicts and de-industrialisation because of the disruption of economic links with the

¹ It was after the Maastricht Treaty came into force in 1993 that the European Economic Community came to be known as the European Union (EU).

Soviet Union. There was hope that the new President would bring in stabilisation and get things under control. The European position on the conflict was in line with the US. Though they supported the territorial integrity of Georgia within the UN² and CSCE³ but more importance was given to increased engagement with Russia to integrate it in a multilateral cooperation framework than any other former Soviet republics (IIFFMCG 2009b: 50).

By the mid of the 1990s, there was a marked improvement in the conflict situation and hence a more stable political situation emerged. The paramilitary forces got marginalised and its troops incorporated with the armed forces of Georgia. The federal status was being discussed as an option for the resolution of the conflict in Abkhazia and South Ossetia in the Georgian constitution of 1995 (IIFFMCG 2009b: 50). Therefore, under these slightly stable circumstances, the EU increased its interaction with Georgia. The increased interest in the region also developed because of its potential of becoming an important energy corridor transporting gas and oil from the Caspian region via the Caucasus to the western market. It would also provide an alternative to Russia and decrease the reliance of Europe on it for its energy security.

Hence on 1 July 1999 a Partnership and Cooperation Agreement (PCA) came into force and which guides the bilateral relations between EU and Georgia. The EEAS website states about the PCA as:

“The agreement is based on common values such as the respect of democratic principles, of the rule of law and human rights, as well as on adopting a market oriented economy. The PCA provides the legal framework for wide-ranging cooperation in the areas of political dialogue, trade, investment, economic, legislative, and cultural cooperation. The joint institutional mechanisms set up under the PCA (Cooperation Council, Cooperation Committee, and Subcommittee on Trade, Economic and Related Legal Affairs, as well as the Parliamentary Cooperation committee) meet on a regular basis in order to monitor the implementation of the PCA.”

(EEAS Portal 2011a)

² Georgia joined the UN in 1992

³ Georgia joined the CSCE in 1992

In addition to this a Technical Assistance for the Commonwealth of Independent States programme (TACIS) of the European Commission (EC) was started in this period. It extended help to introducing market reforms and harmonized the Georgian legislation with that of EU (IIFFMCG 2009b: 51). The TACIS programme was the instrument through which the EU supported the PCA. Therefore, when it was launched it provided only technical assistance to the partner countries, but its role evolved as the political engagements increased and was aimed to pass on the knowhow and expertise to the concerned organisations in Georgia and other partner countries. (EEAS Portal 2011b)

Apart from the PCA various other assistance programmes were started by the EU which were either economic or technical in nature. The various programmes and instruments that EU assisted Georgia in were European Instrument for Democracy and Human Rights (EIDHR), the European Agricultural Guidance and Guarantee Fund (EAGGF), the Food Security Programme (FSP), Macro Financial Aid (MFA) and the Rapid Reaction Mechanism (RRM) (Bardakçı 2010: 222).

In addition to the PCA Georgia became the member of another two EU supported programme by the name of TRACECA (Transport Corridor Europe-Caucasus-Asia) and INOGATE (Interstate Oil and gas Transport to Europe). There were great expectations from these programmes but they failed to become the EU Policy instruments in the South Caucasus (Popescu 2007:3).

Georgia became part of the Council of Europe in April 1999. It had the opportunity of initiating the process of integration into the European Union by promoting democracy, rule of law and minority rights (IIFFMCG 2009b: 51).

During the 1990s, the contribution of EU in the facilitation of the resolution of the ethno territorial conflicts in Georgia was negligible. It did not address the security issues of the region nor did it facilitate cooperation amongst the external actors to help resolve the issue (IIFFMCG 2009b: 51).

As far as the EU's role in Abkhazia and South Ossetia was concerned. It played a part in South Ossetia where the conditions were calmer and more stable since its ceasefire agreement in 1992 (IIFFMCG 2009b: 52). Hence in 1997 the EC started with small scale projects in South Ossetia. By April 2001, the EU secured the position of an observer in the meetings of Joint Control Commission (JCC) which was the

framework under which Russia and OSCE were working together in South Ossetia (see IIFFMCG 2009b: 52). The conditional nature of the assistance pushed for the continuation of the negotiations within the given framework and thus increased the link between the humanitarian aid and political issues of conflict resolution. The financial assistance in the rehabilitation programmes of South Ossetia secured EU a place as an observer in the JCC. Hence, since 2001 EU has been taking part in the economic issues of the JCC. In addition to that it has been financing the working of JCC by giving financial assistance to the JCC secretariat as well as was trying to increase cooperation between the law enforcement agencies of Georgia and South Ossetia. Although the EU was involved financially in the region the lack of political involvement was an impediment to the resolution of the conflict (Popescu 2007: 15-17).

In contrast Abkhazia was still volatile and insecure and was the focus of international attention as tensions were still high between the ethnic communities (IIFFMCG 2009b: 52). European heavyweights like Germany, France and the UK too had their eyes set on Abkhazia and did not mind the EC's programmes in South Ossetia which was not perceived to decrease their importance in the region (IIFFMCG 2009b: 52)

The reasons for the priority given to South Ossetia in comparison to Abkhazia have been highlighted by Popescu. He reasons that there was a perception within the EU that the conflict in South Ossetia was easier to resolve than Abkhazia and the 'ossified structures of the status quo' could be broken easily in South Ossetia rather than in Abkhazia. Secondly, for Georgia to be a functioning state, it was more important to solve the conflict with South Ossetia than Abkhazia. The reason being the proximity of Tskhinvali from Tbilisi and the lack of control of Georgia over South Ossetia in turn decreased its control over the borders as well as the Roki Tunnel which links Russia and Georgia (Popescu 2007: 16). Due to the lack of control over the borders and the Roki tunnel, South Ossetia became a centre for smuggling and organised crime. In addition to this, there was a heightened security threat due to the increased militarisation as well as increased presence of the Russian troops in South Ossetia. Thirdly, as part of the Group of Friends three EU countries Germany, France and UK were already involved in the conflict settlement process in Abkhazia and it would have left little scope for EU as an institution to play a major role in the conflict

settlement process. Finally, the absence of EU member countries in South Ossetia⁴ gave EU scope for greater involvement as there would not be any overlap between the foreign policy of the EU and its members (Popescu 2007: 16-17).

REASONS FOR THE LIMITED ROLE OF EU

Throughout the 1990s, the EU's role in the region was limited and was within the confines of economic assistance and programmes aimed at confidence building in the region. It did not engage itself as a mediator to resolve the conflict or involve itself in the political developments in the country. There have been various reasons cited for a lack of a coherent policy towards South Caucasus as a region and Georgia in particular. During this period, the EU itself was undergoing changes through a continuous process of reform in its structure. The various changes were brought out through treaties like the Maastricht Treaty in 1993, the Amsterdam Treaty in 1997 and the Nice Treaty in 2000 in preparation for the big bang enlargement of the EU. For the EU to become a prominent actor in the region it lacked appropriate foreign policy mechanisms at that time (Bardacki 2010: 222).

This was also a period that overlapped with instability in other regions of Europe. The crisis in Yugoslavia leading to its dissolution was another area in which the EU was preoccupied, where it was assessing its implications post its dissolution. There was also the fact as specified above that too many countries and organisations were involved in trying to resolve the conflict in Georgia at that time and there was a possibility of clash of interests and opinion amongst them. The EU was late in expressing its interest in the region and by that time there were too many actors involved (Bardacki 2010: 222).

It has also been argued that EU followed the 'Russia first' approach in its relations with the South Caucasian region especially Georgia (Popescu 2007: 3). The prominence of the role of Russia in the region finds mention in the 1995 Communication from the Commission titled *Towards a European Union strategy for Relations with the transcaucasian Republics* which stated that:

“A key element in an eventual resolution of the conflicts will be the attitude of Russia. It is not clear that Moscow considers that its interests in the region will

⁴ The South Ossetian Conflict settlement format included Georgia, Russia, South Ossetia and North Ossetia.

be best served by the pursuit of political settlements brokered by the OSCE or other international bodies.” (Commission of the European Communities 1995)

The Russian interests in the region were given prominence and its role as a mediator in the conflict was highlighted. Popescu also opines that “the South Caucasus was too far away and too messy for EU and too close and important for Russia” (Popescu 2007: 3).

The distance of the South Caucasian region was also one of the reasons for the lack of interest in the region as a whole. According to Dov Lynch, the EU was caught in the ‘proximity paradox’ concerning the South Caucasian region (Lynch 2003: 178). The region at that time was considered close enough so that it remains stable and none of its conflicts aggravate that could have a spill over affect on the EU. While on the other hand, the region was considered far enough so that the threats emerging were not viewed as immediate. The distance from Brussels was augmented as none of the countries were involved in accession talks with the EU, therefore the most important policy tool of conditionality could not be applied to further its interests to the non-members. (Lynch 2003: 178)

The lack of a lobbyist to further the interest of EU towards the region was also a cause. (Lynch 2003:179) In comparison, the other members at that time played an important part in helping formulate policies for certain regions like Finland for the Northern Dimension⁵ and Spain has been important for the Barcelona process.⁶ Though the Finnish presidency in 1999 and the Swedish presidency of 2001 brought the South Caucasus region into focus, it was not considered important enough to have an engagement policy. It was reflected in it being not included in the Commission’s Communication, *Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*. The only mention of the South Caucasus

⁵ The Northern Dimension (ND) policy, drawn up in 1999, is a common policy shared by four equal partners: the European Union, Norway, Iceland and the Russian Federation. The policy’s main objectives are to provide a common framework for the promotion of dialogue and concrete cooperation, to strengthen stability and well-being, intensify economic cooperation, and promote economic integration, competitiveness and sustainable development in Northern Europe (EEAS Portal 2011a).

⁶ The Barcelona Process was launched in November 1995 by the Ministers of Foreign Affairs of the then, 15 EU members and 14 Mediterranean partners, as the framework to manage both bilateral and regional relations. Guided by the agreements of the Barcelona declaration, it formed the basis of the Euro-Mediterranean Partnership which has expanded and evolved into the Union for the Mediterranean (EEAS Portal 2011a)

region was that in the footnote that read “given their location, the Southern Caucasus therefore also fall outside the geographical scope of this initiative for the time being.”(Commission of the European Communities 2003)

The lack of importance was given to South Caucasus region as a whole. That can be seen in the terminology used in the Partnership and Cooperation Agreements (PCA) that was signed with all ex-Soviet republics where it used the ‘former Soviet Union’ as the regional reference. While outlining the EU assistance objectives, the Commission’s TACIS programme clubbed the entire ex-soviet region and determined the EU assistance objectives for the whole region. (Lynch 2003: 179).

The EU played a limited role in Georgia’s conflict settlement mechanism during the 1990s. But there were important countries of the EU like United Kingdom, France and Germany that were involved in the Group of Friends of the UN Secretary General on Georgia along with Russia and United States. In addition, the Special Representative of the UN Secretary General Dieter Boden, a German diplomat who held the position from 1999 to 2002, played an important role in negotiations. Sir Brian Fall was appointed as the Special envoy to Georgia by the British Government which later included the whole region of South Caucasus in 2003 (Lynch 2003: 179).

During the 1990s, the EU had a policy of actively engaging countries seeking membership to the EU, whereas for the other countries it lacked any concrete policy to develop relations. This approach hampered its foreign policy and did not let EU evolve as an important actor in the region. This, however, changed with the adoption of the ‘Wider Europe’ Communication from the Commission which sought to develop relations with the countries, where EU has significant interests but the prospect of membership was not the basis of such an engagement. Therefore, the adoption of such an approach by the EU was seen as development in the area of foreign policy, whereby it sought to expand its relations outside the confines of accession or non accession to the European Union and promote its interests abroad. The failure of South Caucasus to feature in the Wider Europe Communication was because only Ukraine, Moldova and Belarus featured in the initial discussions as they would be three states it would border after its enlargement. The other countries included were added by the old members and as South Caucasus did not have a supporter in the group were not included (Lynch 2003: 172-174).

THE EU ENGAGEMENT IN GEORGIA FROM 2003-2008

The EU's role increased as a security actor from 2003 in the South Caucasus region especially in Georgia. The EU appointed a Special Representative for the South Caucasus, launched a European Security and Defence Policy (ESDP) rule of law mission and to support the post 'Rose Revolution' democratisation processes employed the Commission's Rapid Reaction Mechanism (ICG 2006a: i). In addition to that it included Georgia, Armenia, Azerbaijan in the European Neighbourhood Policy (ENP) and initiated negotiations on action plans with each country on specific issues.

The changing geopolitical circumstances at the turn of the millennium also made the region extremely important for the west. The 11 September 2001 attacks brought about a change in the approach of the West towards the region as well as a shift in the US foreign policy which became increasingly militarised. Before the 2001 terrorist attacks in US, the main interests in the region comprised of settling the conflict, securing the transport and development of the Caspian Sea energy sources to the Western markets and to check the Russian dominance over this region (Lynch 2003: 175). This, however, changed post 9/11 whereby the global war on terrorism became the most important foreign policy agenda for the US. It looked at countries where it could get access to aerospace and set camps. The South Caucasus, because of its strategic location, became extremely important for the US and it could become an important ally in its war on terror. Hence, after the Prague summit in 2002, NATO increased its role in the region (Lynch 2003: 175). In the backdrop of the Iraq Crisis and the lack of consensus over the issue, the US realised the importance of NATO partners more than its members (Lynch 2003: 175-176).

During the first part of the millennium, till the adoption of the Europe's Security Strategy in 2003, not much importance was given to the entire region of South Caucasus. It was initially in 2001 under the Swedish Presidency that that the Southern Caucasus was highlighted as the one of its priorities and a paper was produced to the existing policy of the EU towards it (Lynch 2004: 44). There was a subsequent transition of EU's approach to Georgia with changed geopolitical circumstances, clubbed with the enlargement of the EU which stretched its borders to the east. Therefore, from being mentioned as a foot note in the Communication from the Commission titled *Wider Europe-Neighbourhood: A New Framework for Relations*

with our Eastern and Southern Neighbours on 11 March 2003 stating “given their location, the Southern Caucasus therefore also falls outside the geographic scope of this initiative for the time being” (see Lynch 2003: 171)

European Union Special Representative

The importance of Georgia increased when a European Union Special Representative was appointed for the three countries of Armenia, Azerbaijan and Georgia. A Finnish diplomat Heikki Talvite was appointed as the first EUSR for the South Caucasus (European Communities 2003a).

The European Union Special Representative was appointed in July 2003 with the aim of implementing the policy objectives of the EU which were:

- (a) to assist Armenia, Azerbaijan and Georgia in carrying out political and economic reforms, notably in the fields of rule of law, democratisation, human rights, good governance, development and poverty reduction;
- (b) in accordance with existing mechanisms, to prevent conflicts in the region, to assist in the resolution of conflicts, and to prepare the return of peace, including through promoting the return of refugees and internally displaced persons (IDPs); (European Communities 2003a)

The EUSR’s mandate was further explained in Article 3 its aim was to:

- (c) contribute to the prevention of conflicts, and to prepare the return of peace to the region, including through recommendations for action related to civil society and rehabilitation of territories without prejudice to the Commission's responsibilities under the EC Treaty;
- (d) assist in conflict resolution, in particular to enable the EU better to support 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 aegis of the OSCE; (European Communities 2003a)

The appointment of an EUSR was according to Dov Lynch, a recognition by the members that their individual policies have not had considerable impact and hence an EU umbrella was needed to add value to the policies (Lynch 2004: 45).

This was followed by an internal political transition that took place in Georgia with the Rose revolution in November 2003. It led to the ousting of the Georgian President Eduard Shevardnadze and the election of the new President Mikheil Saakashvili. The revolution was a protest against the fraudulent elections, increasing corruption, lack of reforms and authoritarianism. This non-violent revolution led to the resignation of Eduard Shevardnadze and the election of the pro western Mikheil Saakashvili in January 2004. His top priority was the restoration of territorial integrity of Georgia (ICG 2007b:1). This transition to a more democratic and pro western government set the background to a more active engagement between EU and Georgia.

European Security Strategy

The regions importance was highlighted in December 2003 when the European Union came out with European Security Strategy (ESS). The European Security Strategy paper was brought out in December 2003 and it defined the Security concerns of EU. It also notes that “Violent or frozen conflicts, which also persist on our borders, threaten regional stability.” (European Communities 2003b) Hence stability around its borders was emphasised.

“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 Communities 2003b: 7).

The post enlargement security concerns were also highlighted:

“The integration of acceding states increases our security but also brings the EU closer to troubled areas. Our task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations” (ESS European Communities 2003b: 8)

It observed that there should not be emergence of new dividing lines post enlargement and therefore emphasis was given on economic and political cooperation with the eastern neighbours. The document also mentioned about the need to tackle the political problems there. In addition to that, it observed 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 Communities 2003b: 8) Therefore priority was given to ensure security in the South Caucasian region which was not there before.

There have been various reasons for the increased involvement of EU in Georgia during this period. The enlargement of the EU to the East made the South Caucasus region its neighbourhood. The enlargement added ten new members into the EU mainly from Central and Eastern Europe. In view of the changed political set up in Georgia, the new Security dynamics and its own enlargement Georgia became a part of its new policy initiatives. The addition of Georgia into the European Neighbourhood Policy was a part of such an initiative.

European Neighbourhood Policy

The South Caucasus region was initially excluded from the European Neighbourhood Policy that was announced in early 2003 (ICG 2006a: 2). It was only after the adoption of the ESS that the South Caucasian countries were offered inclusion in the ENP (ICG 2006a: 2).

Hence, the European Neighbourhood Policy Strategy paper introduced on 12 May 2004 included the three South Caucasian countries of Georgia, Armenia and Azerbaijan (Commission of the European Communities 2004). As concerning the regional conflict it stated that “the ENP should reinforce the EU’s contribution to promoting the settlement of regional conflicts.” (Commission of the European Communities 2004) The strategy paper outlines certain parameters of developing relationship between the EU and the countries included in the European Neighbourhood Policy:

“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.” (Commission of the European Communities 2004: 3)

It clearly lays down the objectives of the ENP:

“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.” (Commission of the European Communities 2004: 3)

There were to develop a country specific Action Plans with the countries mentioned in the Strategy paper to lay out the strategic objectives of the cooperation between them and it would cover the period of 5 years. The ENP explained the Action Plan:

“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.” (Commission of the European Communities 2004: 4)

The EU by introducing the ENP was testing its ability to put conditionality on aid where they could not offer membership (ICG 2006a: 3) Though it was disappointing for the citizens of the region who wished to be members of the EU, which was clearly reflected in the survey that was conducted in Georgia where citizens voted overwhelmingly in favour for the membership to the EU (ICG 2006a: 3). The desire of Georgia to join EU as well as NATO was to reduce its dependence on Russia (ICG 2006a: 3). According to the International Crisis Group report “Membership remains attractive despite the fact that the EU suffers from a credibility gap and lacks high visibility.” (ICG 2006a: 3)

EUJUST Themis

This was the first rule of law mission under ESDP and also the first ever ESDP operation in the post soviet space (Kurowska 2011: 202). Its focus was on the justice process, including policing and civil administration and was an example of the EU’s soft power approach (ICG 2006a: 2). It was launched on 16 July 2004 (Popescu 2007: 9). The brief outline of the mission was stated in the European Council document establishing this rule of law mission. It stated:

“EUJUST THEMIS, shall, in full coordination with, and in complementarity to, EC programmes, as well as other donors' programmes, assist in the development of a horizontal governmental strategy guiding the reform process for all relevant stakeholders within the criminal justice sector, including the establishment of a mechanism for coordination and priority setting for the criminal justice reform.” (European Communities 2004)

Therefore the aim of launching a rule of law mission was to help Georgia in the transition process and “assist the new government in its efforts to bring local standards with regard to rule of law closer to international and EU standards” (European council 2004). In addition to this, “a commitment of EU political effort and resources will help to embed stability in the region”, which was extremely important as instability could jeopardize regional and European security as well as the strengthening of democracy and rule of law (European Communities 2004).

The rule of law mission was specifically given four tasks firstly to “provide urgent guidance for the new criminal justice reform strategy”. Secondly, “support the overall coordinating role of the relevant Georgian authorities in the field of judicial reform and anti-corruption”. Thirdly, “support the planning for new legislation as necessary”. Fourthly, “support the development of international as well as regional cooperation in the area of criminal justice” (European Communities 2004).

Popescu has quoted Helley to give the reasons to launch the rule of law mission in Georgia:

“to send a clear political signal to the Georgian leadership about the EU’s full support to reforms and commitments to democratic values. For the EU itself, it was a good opportunity to test civilian crisis management capabilities in the field of Rule of Law[...] Since the mission was a first ever ESDP operation in the former Soviet Union, it was also a test for EU relations with Russia.” (see Popescu 2007: 10)

EUSR Border Support Team

In 2004 there was a chance for expanding EU’s role in Georgia when Russia vetoed the continuation of the OSCE Border Monitoring operation in Georgia. The Monitoring operation was being carried on the Russian-Georgian border. EU in turn

was called by Georgia to take over the Border Monitoring operation. Within the EU there was a conflict of opinion whereby one group including the Baltic States supported by UK supported the sending of such a border mission to Georgia. The opposition to it came from France, Belgium, Italy, Spain, Greece and to some extent Germany who were against the prospect of sending such a mission to Georgia. Though, the take over from OSCE BMO was technically easy but it was not so politically with concerns about Russia within the EU making it difficult to send such a mission. (see Popescu 2007: 11) Therefore it instead of deploying a full border mission, a Border support team (BST) under the EUSR was established to strengthen the border management system of Georgia. Initially a team of three experts were deployed in spring 2005. The number of experts was increased subsequently. Apart from reforming the border management system of Georgia, the EUSR BST was deployed to counter the Russian accusation that Georgia does not have control over its borders. The focus of EU was not to reduce the tensions between Georgia and its secessionist regions rather it was aimed at de-escalating the Georgian-Russian tensions. With the presence of EU it would be difficult for Russia to accuse of giving shelter to the North Caucasian terrorists and could lead to escalation of violence in the region (Popescu 2007: 11).

The EU-Georgia Action Plan

The negotiations for the Action Plan between Georgia and EU started in 2005 and ended in 2006 (Bardacki: 2010: 223). It was during the EU-Georgia Council for Partnership in Brussels on 14 November 2006 that the Action plan between EU and Georgia was approved. (Civil Georgia Daily News cited in Bardacki 2010: 223-224) There were 8 sets of priority areas mentioned in the Action plan which covered areas like 1. rule of law, democracy, human rights, 2. improvement in the business environment and tackle corruption, 3. economic, 4. cooperation in the field of justice, freedom and security, including in the field of border management, 5. regional cooperation, 6. peaceful resolution of internal conflict, 7. Foreign and security policy, 8. transport and energy (Georgia Action Plan 2006). The resolution of internal conflict was the 6 priority and it has given importance to confidence building measures as well as economic assistance to be provided if there is improvement in the conflict. The EU gave its support to the negotiating mechanism of the OSCE and the UN to try and accelerate the conflict resolution mechanisms (Georgia Action Plan 2006). Therefore, apart from the confidence building measure, push for resolution of conflict within the

confines of the existing negotiating mechanism and stress on political dialogue there was nothing which stated how the conflict settlement process could be developed (CLEER 2009:15). This can be attributed to the strategy of the EU to not get directly involved in the conflict where various other international actors like UN and OSCE are already involved (Bardacki 2010: 224). In addition to that, a direct involvement would be against the EU's long term soft power approach to resolve the conflict (Bardacki 2010: 224). EU's engagement in the conflict might lead to a loss of respect amongst the other actors of the region (Bardacki 2010:224). There was also the issue that such an involvement might lead to divisions about the CFSP amongst the member countries of the EU (Bardacki 2010: 224).

In addition to the presence of EU countries in the Group of Friends, there was another informal group which was formed known as the New Friends of Georgia in 2005. This group included EU members such as Estonia, Latvia, Lithuania and Poland and also the soon to be included EU members Bulgaria and Romania (CLEER 2009:14). They acted as policy advocates and not as mediators and wanted to increase the role of EU in the negotiations and internationalise the peacekeeping forces in South Ossetia and Abkhazia (CLEER 2009:14).

Though during this period a number of initiatives were started by the EU and the importance of the region grew for the EU yet there was not any concerted political effort to solve the conflicts in Georgia rather there was a focus on reforms. Popescu has highlighted a number of constraints on EU's actions. Firstly, Russia was opposed to a more enhanced EU involvement in the resolution of the conflicts in Georgia. The leadership of Abkhazia and South Ossetia also partly shared the sentiment. Given the importance of South Caucasus for Russia it was willing to invest more economically and politically to achieve its foreign policy goals (Popescu 2007: 6). He suggests that the EU was following a Russia Aware policy rather than a Russia First policy as envisaged by others in its engagement with Abkhazia and South Ossetia. Though, the Russia factor was important but it was not the only one. Secondly, in the greater EU neighbourhood there were other more unstable regions than the South Caucasus like Armenia, Azerbaijan around Georgia and North Caucasus, Chechnya in its North. In addition to these regions, there were Kurdish, Iranian and Iraqi problems in the South. Therefore, the level of urgency to solve the Georgian conflicts in comparison was lower. Hence, it did not become a priority for the EU foreign policy. Thirdly, due to

competing foreign policy priorities of EU in its neighbourhood it became strained with the ESDP missions and foreign contingencies from the Balkans to the Middle East (Popescu 2007: 21). Hence, it could only deal with Georgia and its secessionist regions in a limited way. Fourthly, owing to the competing foreign policy priorities the resources available to the EU was also limited and required prioritising. Therefore to launch new missions the EU CFSP budget was limited and hence required additional financial help from EU members (Popescu 2007: 7). Fifthly, EU likes to get involved in the conflicts that are solvable and in the case of Georgia it seems unlikely. Hence its impact in the conflict settlement process would be limited as also the conflicting sides were not likely to agree to an agreement (Popescu 2007: 8). Finally the EU believes that through reforms and democratisation it can achieve its priorities in Georgia without getting involved in its conflict resolution process.

Therefore Popescu concludes that:

“Georgia is too far from the EU to be really important, while it is too close to be ignored. This dilemma has resulted in a gradual, shy and hesitant EU involvement in the conflicts, but one that is increasing” (Popescu 2007: 8)

THE EU’S ROLE AS A MEDIATOR POST AUGUST 2008

The role of EU post the August war in 2008 was enhanced when it took up a more proactive role in securing peace in its Eastern neighbourhood. Therefore under the dynamic leadership of Nicholas Sarkozy as well as the cooperation of the OSCE which was headed by Finland an EU member state and which was not perceived as anti Russian helped broker a six point ceasefire agreement (Whitman and Wolff 2009: 11). On 12 August 2008 the agreement was signed between Moscow and Tbilisi after five days of war. The terms of the ceasefire agreement specified:

“(1) no resort to the use of force; (2) cessation of military actions for good; (3) free access to humanitarian aid; (4) return of Georgian military forces to their places of permanent deployment; (5) return of Russian military forces to their pre-conflict positions; awaiting an international mechanism, Russian peacekeeping forces will undertake additional security measures; and (6) opening of international discussion on the modalities of security and stability in Abkhazia and South Ossetia”(ICG 2008b: 4).

Though the ceasefire agreement was a major breakthrough in the role of EU as an important foreign policy actor/conflict manager and increased its status internationally. But despite the ceasefire agreement in place Russian advances into Georgia continued, it was only from 22 August that Russian forces started withdrawing and it continued till October 2008 (IIFFMCG 2009b: 22). In a clear violation of the ceasefire agreement signed two weeks ago the Russian President recognised the two breakaway regions (IIFFMCG 2009c: 7). Russia recognised South Ossetia and Abkhazia on 26 August 2008 which further deteriorated its relations with Georgia. The statement by the President of Russia Dmitri Medvedev read:

“The Presidents of South Ossetia and Abkhazia, based on the results of the referendums conducted and on the decisions taken by the Parliaments of the two republics, appealed to Russia to recognize the state sovereignty of South Ossetia and Abkhazia. The Federation Council and the State Duma voted in support of those appeals” (New York Times 2008a).

In addition to recognising the two regions, Russia has stated that it does not regard the status of Abkhazia and South Ossetia as independent countries and entities of international law to be a negotiable issue (Skakov 2009: 33).

The Extraordinary meeting of the European Council held on 1 September 2008 commented on the war in August:

“The European Council is gravely concerned by the open conflict which has broken out in Georgia, by the resulting violence and by the disproportionate reaction of Russia. This conflict has led to great suffering on both sides. Military action of this kind is not a solution and is not acceptable. The European Council deplores the loss of human life, the suffering inflicted on the population, the number of displaced persons and refugees, and the considerable material damage” (European Communities 2008a).

On the issue of Russian recognition of South Ossetia and Abkhazia the document of the Extraordinary meeting of the European Council stated:

“The European Council strongly condemns Russia's unilateral decision to recognise the independence of Abkhazia and South Ossetia. That decision is unacceptable and the European Council calls on other States not to recognise this proclaimed independence and asks the Commission to examine the practical consequences to be drawn. It recalls that a peaceful and lasting solution to the conflict in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity recognised by international law, the Final Act of the Helsinki Conference on Security and Cooperation in Europe and United Nations Security Council resolutions” (European Communities 2008a).

In addition to this in order to push Russia to withdraw its troops it was stated that “Until troops have withdrawn to the positions held prior to 7 August, meetings on the negotiation of the Partnership Agreement will be postponed” (European Communities 2008a).

This was followed by an implementation agreement which put forth “additional measures [had been agreed] to implement the August 12, 2008” six point ceasefire agreement (Civil.ge 2008). In addition to putting a time frame to the troop pull out by Russia and reinstating the UN and OSCE observers in Abkhazia and South Ossetia respectively. It agreed to deploy 200 EU monitors in Georgia.

The September 8 agreement read:

“It is necessary to accelerate preparations for the deployment of additional monitors in the zones adjacent to South Ossetia and Abkhazia to a level high enough to replace Russian peacekeeping forces before October 1, 2008; in effect, at least 200 monitors from the European Union.” (Civil.ge 2008)

The ceasefire agreement along with the implementation agreement signed on 8 September led to the creation of a mediation forum for talks. The Implementation Agreement stated “International discussions as envisaged in point six of the

Medvedev-Sarkozy plan signed on August 12, 2008, will begin on October 15, 2008, in Geneva” (Civil.ge 2008).

European Union Monitoring Mission

The European Union Monitoring Mission (EUMM) was established by the European Union after the August war in 2008 which was to begin deployment in September 2008 and operational phase not later than 1 Oct 2008. The Russian forces were required to withdraw within 10 days of the deployment of the EUMM from the areas outside of Abkhazia and South Ossetia. It is a civilian unarmed operation under the ESDP (CLEER 2009: 21). The mission statement of the EUMM stated:

“EUMM Georgia shall provide civilian monitoring of Parties' actions, including full compliance with the six-point Agreement and subsequent implementing measures throughout Georgia, working in close coordination with partners, particularly the United Nations (UN) and the Organisation for Security and Cooperation in Europe (OSCE), and consistent with other EU activity, in order to contribute to stabilisation, normalisation and confidence building whilst also contributing to informing European policy in support of a durable political solution for Georgia” (European Communities: 2008b).

The role of the EU was considerably enhanced as it took on the civilian peace keeping role in Georgia (CLEER 2009: 20). The separation of the Georgian and Russian forces in addition to the creation of a buffer zone around the administrative boundary lines was achieved through the deployment of the EUMM (CLEER 2009 20-21). The deployment of the EUMM also helped improve the conditions on the ground so that the peace building initiatives and conflict resolution process could be resumed (CLEER 2009 21).

The initial focus of the mission was to oversee the withdrawal of the Russian forces to the pre war positions. It shifted focus to promote stability and normalcy in the conflict zones as well as on confidence building amongst the parties across administrative lines (CLEER 2009: 21).

It helped around 30,000 IDP's to return to their homes (CLEER 2009: 22). It has also managed local conflicts and problems in its area of operation peacefully. In addition

to that it participated in the Incident Prevention and Response Mechanisms, which was set up to deal with serious crimes (CLEER 2009: 22)

The significance of the EUMM increased as a result of the withdrawal of the OSCE mission from South Ossetia on 31 December, 2008 and the Russian veto which led to the closure of the UN Observer Mission (UNOMIG) from Abkhazia making the EUMM the only internationally mandated mission in Georgia (Bardacki 2010: 225). But the EUMM was not allowed into South Ossetia and Abkhazia, this prevented it from fully implementing its mandate and hence could not monitor the situation from the other side of the administrative boundary line. This in turn was a result of the continuing political stalemate concerning the resolution of the conflict (CLEER 2009: 22). Though, it can be said that as a result of not allowing the EU monitors into the breakaway regions the full mandate of the monitoring mission was not realised and hence it underachieved its targets. Nevertheless, it was successful in persuading the Russian forces to leave the buffer zones and making conditions on the ground to be conducive to revive the peace process. The mandate of the EUMM was further extended from 14 September 2009 to 14 September 2010 (European Communities 2009c).

The European Union Special Representative for the Crisis in Georgia

Apart from the already existing EUSR for the Caucasus Peter Semneby, the European Council decided to appoint an EU Special Representative (EUSR) for the crisis in Georgia (European Communities 2008c). Therefore Pierre Morel was appointed as the EUSR for the crisis in Georgia (European Communities 2008c). This in turn hinted at the ineffectiveness of the regional capacity of the EUSR (Sasse 2009: 380). The new EUSR was required to prepare and oversee international talks in accordance with the six point ceasefire agreement alongside the UN and OSCE as well as the implementation of this agreement and the subsequent implementation agreement of September 2008 (See Sasse 2009: 380). Pierre Morel already held the post of EUSR for Central Asia (Sasse 2009: 380). The current post of the EUSR for Caucasus role was redefined and he was also required to support the EUSR for the crisis in Georgia apart from his regional role (Sasse 2009:380). The document specifying the amended mandate of the EUSR for South Caucasus stated that:

The activities of the EUSR shall be coordinated with those of the Presidency and the Commission, as well as those of other EUSRs active in the region, and in particular the EUSR in Georgia, while taking into account the specific objectives of the latter's mandate (European Communities 2008d).

It also specified that:

In the field, close liaison shall be maintained with the Presidency, Commission and Member States' Heads of Mission. They shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall provide the Head of the European Union Monitoring Mission in Georgia (EUMM Georgia) with local political guidance (European Communities 2008d).

Though the mandates of the two EUSR seem to overlap but Semneby in his speech cleared that Morel is required to focus on the Geneva talks on reconstruction and peace and he is required to engage with the domestic and the regional political actors for EUMM (cited by Sasse 2009: 380).

An International Donor Conference for Georgia was also organised by the Commission and the World Bank in October 2008, which pledged around 4.5 billion dollars in assistance (CLEER 2009: 17) The Commission pledged around 500 million Euros over a period of two years from 2008-2010 (CLEER 2009: 17). The EU organised Donor Conference had a significant impact on Georgia as it saved the country from an economic and political collapse (Weisensee 2010: 25).

If one compares the role of EU in the conflict settlement process before the conflict in August 2008, it played a limited role. It was involved in the Joint Control Commission for South Ossetia as an observer and in Abkhazia through the EU member countries that were a part of the UN Secretary General's Group of Friends (Whitman and Wolff 2010: 7). Post the war its role was enhanced and the EU was the official co-chair along with UN, U.S and the OSCE in the Geneva process where the European Commission along with the UNHCR is a co-moderator on the working group on humanitarian and IDP issues (Whitman and Wolff 2010: 7).

Geneva Talks

The Geneva talks started in October 2008 over the South Ossetia and Abkhazia conflicts. It included the EU, OSCE, UN and the US. The parties involved in the

conflict, that is Georgia and Russia and on Russia's request the officials from South Ossetia and Abkhazia also became a part of the talks. The Implementation agreement signed on 8 September 2008 outlined the aims of the forum which included the stability and security in the region, return of refugees based on the internationally recognized principles and practice of post-conflict settlement and all the other issues for discussion should be mutually agreed between the sides (Civil.ge 2008). In addition to this, at the very initial stage of talks, Georgia pushed for the replacement of Russian military by international peacekeepers, to deploy the EU monitors in the separatist regions, thereby extending the mandate of the EUMM as also to restore the territorial integrity of Georgia. These were highly ambitious targets at the very onset of the mediation talks and hence were not met. Russia on the other hand wanted the UN and OSCE to open independent offices in the separatist regions other than the one in Tbilisi. There could not be any agreement on the issue and this led to the closure of the UN and OSCE missions and they were forced to leave (Istituto Affari Internazionali 2010: 3).

The initial stages of talks there were hampered by the issue of the status of Abkhazia and South Ossetia due to which the talks were suspended. The demand of the separatist regions was to be treated as equal partners in the talks but Georgia opposed it (see Istituto Affari Internazionali 2010: 3). Therefore, initially the conflict parties met separately with the mediators and did not meet face to face with each other. Hence, there were no Georgia-Abkhazia talks or Georgia- South Ossetia talks. As a consequence the negotiations got divided into a plenary session and two informal working groups. In the plenary session Russia, Georgia and U.S were involved. In the two working groups official representatives from the breakaway regions were also included. While one of the working groups held discussions on security issues, the other one dealt with internally displaced people (IDP). As the representatives of Abkhazia and South Ossetia were involved in the working groups they met informally in cognisance of non recognition of the two breakaway regions. In addition Abkhazia and south Ossetia were not mentioned to be involved in the meetings (Istituto Affari Internazionali 2010: 3).

Another limiting factor in the talks was the rotating EU presidency because of which it was hard for the EU to maintain a single policy. A change in the presidency of the EU changed its stance in the talks. With the Czech Republic taking over presidency in

the first half of 2009, the EU adopted was vocally more critical of Russia's actions than the previous presidency of France. The oscillating positions taken by the EU affected the balance within the mediation forum as well as the Russian reaction to the proposals of the mediators (Istituto Affari Internazionali 2010: 3-4).

There were many differences which acted as challenges during negotiations in the Geneva talks. One was the issue of IDPs which was strongly opposed by Abkhazia and South Ossetia. The return of the Georgian IDP's would make the Abkhazians an ethnic minority in Abkhazia. Hence the talks on the draft of the 'Agreed Undertakings' which dealt with water supply, rehabilitation of housing and damaged facilities, the return of the refugee as also the property issues that included restitution and compensation were stalled as result of the walkout of the representatives of South Ossetia and Abkhazia (see Istituto Affari Internazionali 2010: 4).

The issue of non-use of force was another issue in which there was a lack of consensus. Georgia refused to sign agreements with South Ossetia and Abkhazia as it could be interpreted as the recognition of their status (Istituto Affari Internazionali 2010: 4). Russia on the other hand refused to sign an agreement with Georgia as it argued that it was not a part of the conflict. Rather on the question of border security the two breakaway regions signed treaties with Moscow rather than Tbilisi. Hence the authority to guard the borders of South Ossetia and Abkhazia⁷ was given to Russia. (see Istituto Affari Internazionali 2010: 4)

Though the talks were marred by many conflicting issues, it succeeded in reaching minor agreements. Thus, in Feb 2009 they drafted '*Proposals for Joint Incident Prevention and Response Mechanisms*' (European Communities 2009a). Its aim was:

“The aim of the mechanisms is to ensure a timely and adequate response to the security situation, including incidents and their investigation, security of vital installations and infrastructure, responding to criminal activities, ensuring effective delivery of humanitarian aid, and any other issues which could affect stability and security, with a particular focus on incident prevention and response” (European Communities 2009a).

⁷ Russia deployed S-300 air defence system in Abkhazia and an oil exploration contract was signed with the Abkhaz de facto government. (Istituto Affari Internazionali 2010: 4)

The mechanism included the following participants, firstly the representatives of structures with their respective responsibility in their areas for security and public order secondly the representatives of the international organisations viz. UN, OSCE and EU working within their areas of responsibility and mandates (European Communities 2009a). In order to achieve these aims it was proposed to have regular meetings between the conflict parties, and also to establish a hotline service between the participants (European Communities 2009a).

The agreement in October 2010 which led to the withdrawal of the Russian military forces from Pervei, a Georgian village, 30 km away from Tbilisi was another important achievement of the talks. (Istituto Affari Internazionali 2010: 5) The withdrawal was in accordance with the six point ceasefire agreement which EU had brokered on 12 August 2008. The parties within the talks interpreted the agreement in different ways. While Georgia felt it was a very small step as it is a very small part of the occupied territories by Russia, which also includes the Kodori Gorge⁸ where the Russian presence continues (Istituto Affari Internazionali 2010: 5). EU's High Representative for Foreign Affairs Catherine Ashton observed that the process of withdrawal would continue and stated that:

“I look forward to further progress towards the full implementation of the EU-brokered Six point agreement of 12 August 2008 and its implementing measures of 8 September 2008” (See Istituto Affari Internazionali 2010: 5)

The EU's attempt at mediation did not achieve accomplish all that it set out for. There are certain issues which lack consensus like the status of Abkhazia and South Ossetia as also the IDP and the non use of force, which in turn increases scepticism among the conflicting parties about the chances of establishing peace through negotiations (Istituto Affari Internazionali 2010: 6). Georgia believed that the conflict was firstly between itself and Russia. It also believed that instead of the Geneva talks any kind of settlement to the conflict would depend on the bilateral relations between the international mediators, that is the US and Europe's relation with Russia (Istituto Affari Internazionali 2010: 6). Georgia continued stress for increasing engagement with the west as “Tbilisi has conceived conflict settlement as an exercise of shifting power dynamics” (Istituto Affari Internazionali 2010: 6). The increased engagement

⁸ Before the August war the Kodori Gorge was administered by Georgia.

with the West in turn upset Russia which makes it reluctant to give any concession within the framework of the Geneva talks.

Nevertheless the talks have been important in a way that it gets all the conflicting parties on the negotiating table. As Mikheildze has put that the Geneva Talks:

“also offers to the external powers the opportunity to play a constructive peace-building role, moving away from the current geo-political ‘zero-sum game’ in which the EU, but in particular the US, have been embroiled without being able to develop a coherent diplomatic strategy towards the region.”

(Istituto Affari Internazionali 2010: 6)

The negotiations were restricted in achieving the goals because of divergent interests of the conflicting parties as well as a mediator with the limited leverage in the EU. The continued dialogue between the parties has helped overcome deadlock over certain issues.

The Eastern Partnership

Another initiative by the EU whose aim was to develop closer relations with its Eastern neighbours was the Eastern Partnership. The document of Commission of the European Communities in Dec 2008 set out proposals for an Eastern Partnership:

“The EAP should bring a lasting political message of EU solidarity, alongside additional, tangible support for their democratic and market-oriented reforms and the consolidation of their statehood and territorial integrity. This serves the stability, security and prosperity of the EU, partners and indeed the entire continent. The Eastern Partnership will be pursued in parallel with the EU’s strategic partnership with Russia” (Commission of the European Communities 2008).

The Eastern Partnership was established between the EU and Georgia, Azerbaijan, Armenia, Ukraine, Moldova and Belarus in Prague on 7 May 2009 by adopting a joint declaration to that effect (European communities 2009a). The goal of the Eastern Partnership was to “create necessary conditions to accelerate political association and further economic integration between the European Union and interested partner countries” (European communities 2009a). The war between Russia and Georgia acted as an impetus to launching the Eastern Partnership initiative. The President of

the European Commission Jose Manuel Barroso accepted that the war served as an impulse to launching the Eastern Partnership, but its intention was not to create new spheres of influence or dividing lines in Europe, rather it demonstrated the “soft power” of the European Union (Chedia 2010: 26)

AN ASSESSMENT OF EU’S CONFLICT MANAGEMENT CAPABILITY IN GEORGIA

Sasse analyses the limits of European Neighbourhood Policy (ENP) in terms of conflict management and the weakness of EU’s policy instruments in avoiding the war in Georgia. In the European Neighbourhood Policy document the role of EU in the settlement of the regional conflicts was given prominence, probably because of the inclusion of the South Caucasus countries⁹ in the ENP. The ENP strategy paper lacked any mention of the involvement of EU in the process of conflict management (Sasse 2009: 371). The areas of cooperation were very broad and the role of regional cooperation in the area of conflict management was not included or mentioned. Though, the ENP as in the case of the accession process was based on conditionality but they were vague and the only definite incentives given were deeper trade relations and a ‘stake’ in the internal market. Therefore, under the conditionality of the ENP there could only be limited policy, institutional and normative changes (Sasse 2009: 371).

Sasse highlights different sets of limitations of the EU in terms of its capacity in conflict management in Georgia and South Caucasus. The weakness of the EU’s instruments related to the ENP and the EUSR in avoiding a violent conflict was seen in the case of Georgia. The misinterpretation of the EU’s vague policy framework as western support contributed to the conflict. While on the one hand, the ENP and EUSR got the EU involved in the conflict in Georgia and on the other hand, the conflict demonstrated the EU’s international role as well as the statesmanship of French President Sarkozy. The Georgian case, therefore, demonstrates that there is a large scope of instrumentalisation in the EU’s vague loosely defined policy (Sasse 2009: 381-382).

⁹ The countries included in the ENP from the South Caucasus were Armenia, Azerbaijan and Georgia.

Though it has been reiterated by the European Parliament that 'EU is far from being a central actor in the conflict resolution process' can be turned into an advantage according to Sasse if firstly the parties involved in the conflict seek closer ties with the EU as well as if the divide between the policy instruments of the Council like the EUSR and the Commission like the ENP/ENPI can be overcome (See Sasse 2009: 382). The difference between the Council and the Commission in terms of its initiatives creates a gap which becomes evident in different ways and affects the effectiveness of the initiatives. E.g. the Council, the High representative and the EUSR adopt a more proactive role in conflict resolution and the Commission, on the other hand, remains focussed on the technical and financial assistance for policies that would help resolve the conflict as a consequence of economic prosperity and political stability (Sasse 2009: 382). The EU's funding mechanism is also a factor that impedes the conflict management. Though, Georgia is the only country which had a separate funding instrument in the shape of the ENPI for internal conflict resolution it failed to prevent the conflict in August 2008. The inflexibility and slow response speed is not appropriate to conflict management (Sasse 2009: 382).

The EU's hesitance in dealing with these conflicts under the framework of the ENP is highlighted in the Briefing Paper of the European Parliament, *How to Promote and Support Human Rights in Areas whose Legal And Political Status is Unclear*' (See Sasse 2009:382) Sasse argues that the lack of engagement of the EU with the actors and institutions in the conflict is due to its reluctance to give legitimacy to the separatist regions (Sasse 2009:382). Though, the institutional channels and funds have been put in place through the ENP with the partner countries, the results are modest in terms of its contribution to conflict management (Sasse 2009: 382-383). The visibility of the EU has increased through the implementation of the ENP and EUSR, but the prospects for the EU as an effective actor in conflict management is limited (Sasse 2009: 383). Conflict management in this case depends on domestic actors in the ENP countries' commitment and initiative to develop close relations with the EU and on the cooperation of Russia (Sasse 2009: 383).

Whitman and Wolf highlight the factors that limit its capability as an effective conflict manager. The lack of clarity within the EU's institutional set up in terms of conflict management lead to an overlap between policy formulations. In addition, the difference of approach in the various EU institutions towards conflict management

reduces the affectivity of EU. Majority of EU institutions have a mandate in the area of conflict management prior to the Lisbon Treaty like the Council, the Presidency, the Commission, the Director Generals concerned with foreign affairs, DG External Relations as well as EU delegation on the ground. While the Parliament had a limited role its MEPs played a prominent role in particular conflicts or a certain area of the conflict resolution. (Whitman and Wolff 2010: 15) The two main institutions involved are the Commission and the Council. There is a divergence in their approach to conflict management which lacks a common strategy. While on the one hand, the Commission puts emphasis on providing aid, and giving financial and technical assistance to bring about a change in the conditions which are more conducive to conflict settlement. On the other hand, the Council assumes a more political role though a bit hesitantly either in a particular conflict or generally. Therefore, there is a lack of common policy and approach towards managing a conflict within the EU institutions. Hence, the chances of arranging a common and coherent policy platform on the EU's part rest depend largely on the dynamism of a particular member state. In the case of Georgia, France which held the Council Presidency helped formulate a common policy towards the conflict (Whitman and Wolf 2010:15).

In the sphere of foreign affairs, all decisions within the Council are taken unanimously, which in a Union of 27 countries is a difficult task to accomplish. The task becomes even more difficult when national interests are involved. In the case of Russia formulating a clear policy was hard as each member country had a different relationship with it which was historically shaped by different political, social and economic links.(Whitman and Wolf 2010:16) This in turn affected and complicated issues regarding conflict management. Another limiting factor in terms of the institutions was the lack of an integrated policy structure and service within the EU. The absence of coordination amongst the officials in Brussels, delegations in non-EU countries, representatives of different EU bodies on the ground and member states who participate in foreign policy issues in addition to conflict management have different priorities and approaches. Hence, EU lacks a cross institutional conflict management body which would help coordinate between institutions, member states and staff and would help execute conflict management policies (Whitman and Wolff 2010: 16).

The weakness of EU conflict resolution tools are also highlighted by Whitman and Wolff. They argue that a number of policy instruments for conflict management are available as a result of the abundance of the EU institutions, like Joint Statements, Joint Actions, Common Strategies, Common Positions, EU Special Representatives, economic sanctions, ESDP civilian, police and military operations and support for civil society and democratisation projects. The policies such as ENP and Eastern Partnership have had a mixed track record while using the principle of conditionality. By citing the example of the Action Plan and the vagueness in the plan in terms of conflict management limits its affectivity. In addition to that the Action plans being based on consensus between 27 countries as well as the partner country which in itself is a tough task to accomplish (Whitman and Wolff 2010: 16).

The focus of EU on infrastructure projects and institutional reform projects to create conditions favourable for conflict resolution rather than on actual conflict management activities like mediation, confidence building activities limits its impact (Whitman and Wolff 2010: 17). The principle of conditionality in lieu of projects and financial grants is usually put in place in exchange for progress in conflict settlement (Whitman and Wolff 2010: 16-17). This kind of conditionality was not put in South Ossetia and Abkhazia.

Grono, on the other hand, argues that though EU initiated a number of initiatives as a mediator post the conflict in Georgia in 2008. Its achievements have been mixed and there are various factors responsible which limit its role as an effective mediator. E.g. Russia's vested political and security interests in the region of Abkhazia and South Ossetia, the intractable nature of the Georgian-Abkhaz and Georgian-Ossetian conflicts and the conflict is not ripe enough for resolution. In addition to the external factors, there are various internal factors like the political and the bureaucratic hurdles which limit the efficiency of EU. The internal divisions within the EU like the lack of common approach to foreign policy issues amongst the EU members as well as the lack of coordination amongst the various EU institutions in terms of their mandates and policy lines undermines the effectiveness of EU (Grono 2010: 7).

The role of EU in the conflict is described by Grono as negotiation cum mediation. The EU negotiates bilaterally with both Russia and Georgia on various issues but the EU has been unable to take strong policy positions in the bilateral talks which could strengthen its stance as a mediator (Grono 2010:7). The Georgian conflict has been

divided into three levels, the local, regional and geopolitical. There is an interconnection between the regional Russian-Georgian conflict with the local Georgian-Abkhaz and Georgian-Ossetian conflicts, which is very difficult to disentangle. The geopolitical tussle between Russia and the United States, and the European Union frame the local and regional levels. These geopolitical tensions are not likely to give way to resolution (Grono 2010:8).

The territorial integrity of Georgia is upheld by the EU which makes it partial towards the Georgians and hence, the Abkhaz and the Ossetians are wary of the EU in peacebuilding roles. Therefore, the EU should try to be even handed and should increase its engagement with Abkhazia and South Ossetia so that it gives them an alternative to a getting closer to Russia (Grono 2010: 8). She also argues that apart from giving technical assistance to engagement policies, the EU should give strong political backing to its policies to increase its credibility as a mediator (Grono 2010: 8).

The role of EU in Georgia has had a slow progression to it finally taking on the role of a mediator in the conflict that erupted in August 2008. The change in its approach to the South Caucasus region and Georgia in particular was reflected in the establishment of a EUSR for the region, its inclusion in the ESS as well as the ENP and the EUJUST Themis rule of law mission that was launched. But these initiatives were not able to prevent the conflict that broke out in August 2008. The lack of political involvement in the conflict and a lack of a coherent policy towards conflict management were two areas where the EU was deficient. This in turn was owing to its own internal dynamics that prevented it to take a collective stance. With the August war the EU under the French Presidency took the role of a mediator and brokered a ceasefire agreement. Thus the role of EU increased substantially from not being included in the conflict resolution mechanism to being a mediator during and after the war.

CHAPTER 4

CONCLUSION

A summarisation of the conflict as well as a critical evaluation of the efforts of the European Union towards conflict management would be the focus in this chapter.

The study focussed on the role of the EU in the domain of conflict management. The EU's involvement in Georgia has been the focus while examining the evolving role of the EU in the region as an important security actor. The change in the role of EU before and after the conflict was brought about in the study. From playing almost a negligible role in the 1990s to assuming the role of a mediator after the conflict in 2008. The role of EU in Georgia increased subsequently. It started off its engagement with Georgia in a very limited manner owing to its own limited capability as it was going through a phase of reform as well as it lacked appropriate foreign policy mechanisms. The programmes initiated during this time were technical and financial assistance programmes. The PCA's concluded during this time were also technical in nature, it was only after the Rose Revolution that it covered political issues. The EU's dilemma was how to balance its scale of involvement with its neighbourhood and Russia. The fact that EU was a latecomer in the field of foreign affairs gave it very little space to develop its own policies towards Georgia because of the presence of various institutions and countries there. Russia on the other hand was already involved in the conflict resolution process as an important player.

It was at the turn of the millennium that the approach of the EU and the west towards the region changed. Apart from the importance of the region as an important transit country for transporting oil and gas from the Caspian region to the western markets which would reduce its reliance on Russia. The situation after 9/11 increased the importance of the region owing to its strategic location. For the EU the impending enlargement towards the east made the security of this region extremely important. In addition to that the Rose Revolution led to the ousting of Eduard Shevardnadze and brought a pro democracy government to power. The new President Mikheil Saakashvili pushed for reforms and wanted to increase closeness with the western institutions. This was seen as a conducive time for increasing engagement with Georgia. Hence, it was included in the European Security Strategy in 2003 as well as the European Neighbourhood Policy in 2004.

The EU adopted a two pronged approach towards the secessionist conflicts in the region. Firstly, it pushed for reforms in Georgia, which could make it more attractive and acceptable to its Abkhaz and Ossetian minorities. To this end, the EU signed an ENP Action Plan with Georgia. It deployed EUJUST Themis Rule of Law Mission under the ESDP and assisted Georgia's border management reform through a EUSR Border Support Team. Secondly, it focussed on conflict resolution by targeting the secessionist entities, e.g. the EUSR South Caucasus has been an important tool for the EU to contribute to conflict resolution. The European Commission has been involved in conflict settlement talks on economic issues in South Ossetia. The EU financed the rehabilitation of the victims in the conflict zones and since 2006 it is the biggest international donor to South Ossetia and Abkhazia (Popescu 2007: 1-2).

The European Neighbourhood Policy (ENP) and other policy instruments employed by the EU in avoiding the war in Georgia proved to be weak. The ENP strategy paper lacked any mention of the involvement of EU in the process of conflict management (Sasse 2009: 371). The areas of cooperation were very broad and the role of regional cooperation in the area of conflict management was not included or mentioned. Though the ENP was based on conditionality it was not effective as they were vague and the only incentive available was trade ties and a 'stake' in the internal market (Sasse 2009: 371). Therefore, under the conditionality of the ENP there could only be limited policy, institutional and normative changes (Sasse 2009: 371).

Although, the EU started a number of initiatives during 2003-08, it did not achieve much. Though the region grew in importance for the EU there was no serious effort to resolve the conflicts in Georgia. Rather, the EU focussed much more on reforms, which did not yield much. The EU faced resistance in its task primarily because of the Russian opposition to a more enhanced role of the EU in Georgia and its surrounding region. The leadership of Abkhazia and South Ossetia also partly shared the sentiment. South Caucasus region is strategically important for Russia and it was more willing to invest economically and politically to achieve its foreign policy goals (Popescu 2007:6). Thus, Russia which is also an important energy supplier for most West European Countries, acted as an important factor contributing to the suppressed EU response. Moreover, there were other more unstable regions than the South Caucasus like Armenia, Azerbaijan around Georgia. North Caucasus, Chechnya in its North in the greater EU neighbourhood. In addition to these regions there were

Kurdish, Iranian and Iraqi problems in the South. Therefore, the level of urgency to solve the Georgian conflicts in comparison was lower. Also, due to competing foreign policy priorities of the EU in its neighbourhood, it became strained with the ESDP missions and foreign contingencies from the Balkans to the Middle East. (Popescu 2007: 21) Another important factor defining the EU's approach during this period was its preference for reforms and democratisation through which it aimed to achieve its priorities in Georgia without getting involved in its conflict resolution process.

The European Union's role was considerably enhanced after the August war in 2008, where it intervened and brokered a six point ceasefire agreement to put an end to the conflict. The Council Presidency of France helped temporarily de-escalate the violence. Under the Presidency of France and the dynamic leadership of Nicholas Sarkozy, EU was positioned itself as a mediator. It also was the only one that reacted rapidly in comparison to the others, where the US was not interested in taking on the role of a mediator and the NATO members gathered only by 19 August for a crisis meeting (Bendiek and Schwarzer 2008: 41). Important measures were initiated by the EU in the aftermath of the conflict. It appointed an additional EUSR for the Georgian crisis apart from the one appointed for the whole region of the Caucasus. A civil monitoring mission, EUMM was deployed in the Georgian controlled territory that was required to oversee the withdrawal of the Russian forces. The Russians left the buffer zones after the deployment of the mission (Weisensee 2010: 21). In addition a forum for talks known as the Geneva talks was established through the six point ceasefire agreement. The Geneva talks were a platform to hold talks between the conflicting parties with the help of the mediators.

Although it has been highlighted as an achievement of the EU to broker the six point peace agreement but it was not entirely successful in making Russia conform to it. Russia did not start withdrawing even after the agreement was in place and did so only after August 22. In addition to that it went ahead and recognised the two breakaway regions of South Ossetia and Abkhazia on 26 August 2008. The Geneva talks which followed were marred by the status issue of the breakaway regions, the return of the internally displaced people as well on the non use of force. But still its importance cannot be diminished. It is a forum where deadlock over certain issues have been addressed and some progress has been achieved.

The internal political and bureaucratic hurdles have really impaired constructive EU policy in terms of conflict management. The lack of common approach and position of the Member States towards the conflict greatly undermined its role. As has been highlighted by Bendiek and Schwarzer, the response towards the crisis indicates two foreign policy weaknesses of the EU. Firstly, the divergent positions that the Member States took after the conflict towards the conflicting parties especially towards Russia. Secondly, it highlighted the weakness of the EU in its failure to prevent a conflict in its neighbourhood.

The relationship between EU and Russia is particularly complex and is shaped by the tense relations between the Central and Eastern European security needs on the one hand and Western Europe's support towards Russia as a result of its energy dependence on the other (Bendiek and Schwarzer 2008: 41). In the sphere of foreign affairs, all decisions within the Council are taken unanimously, which in a Union of 27 countries is a difficult task to accomplish. The task becomes even more difficult when national interests are involved. In the case of Russia formulating a clear policy towards it was hard as each member country had a different relationship with it which was historically shaped by different political, social and economic links (Whitman and Wolf 2010:16). This in turn affected and complicated issues regarding conflict management. Therefore there was a lack of a common position in terms of approaching the conflict of August 2008 (Bendiek and Schwarzer 2008:41). While the Central and Eastern European Countries like Poland, Czech Republic and the Baltic States as well as Sweden saw the conflict in Georgia as a threat to their own security. As a result of which these countries took a stance more in line with Britain and favoured a harder line while dealing with Russia. On the other hand Germany, France and Italy preferred a more moderate stand towards Russia (Bendiek and Schwarzer 2008:41). The lack of consensus amongst the Member States has been a major constraint of the EU to use its foreign policy tools effectively. The national interests as well as the foreign policies of individual Member States conflict with the overall policy that the EU wants to take.

The EU is far from being a central actor in the conflict resolution process. To improve on it, the EU needs to harmonise the tools at its disposal. It needs to overcome the divide between the policy instruments of the Council like the EUSR and the Commission like the ENP/ENPI. Also, the parties involved in the conflict would have

to seek closer ties with the EU. The High representative and the EUSR's on the other hand the Commission's focus remains on the technical and financial assistance to policies that would help resolve the conflict as a consequence of economic prosperity and political stability (Sasse 2009: 382).

Puppo argues that Georgia did not embark upon a path of European integration as it did not perceive it promising enough to exit the post-Soviet status quo. The EU could not provide it a security umbrella and the prospect of EU integration also seemed difficult to achieve. As a result, Georgia prioritised NATO integration, strategic relationship with the United States and the libertarian agenda took precedence over an EU integration agenda in Georgia. Furthermore, Georgia realised that its state-building efforts and nearness to the West would be incompatible with good neighbourly relations with Russia. It foresaw that Russia would at some point put hurdles in the Georgian plan (Puppo 2010: 56).

Georgia's policy options conflicted with the EU's vision. The EU refused being pulled into a confrontation with Russia during the 2008 war which showed the limits of Georgia's geopolitical vision of its security situation. The war brought to light Russia's vision of its sphere of interests and made the EU to face up to this reality. The war also left Georgia more vulnerable and in need of an external support (Puppo 2010: 56).

The factors limiting the role of EU as a mediator emanate from the Russian interests in the region. The intractable nature of the Georgian-Abkhaz and Georgian-Ossetian conflicts, which are still simmering that hinder any progress that can be achieved in resolving the conflict. Apart from the external factors, the internal factors like political and bureaucratic obstacles constraint the role of EU. The internal divisions within the EU like the lack of common approach towards foreign policy issues amongst the EU members as well as the lack of coordination amongst the various EU institutions in terms of their mandates and policy lines undermines the effectiveness of EU as an effective mediator (Grono 2010: 7).

The failure of the EU to take strong policy positions in the bilateral setting with both Russia and Georgia that could limit the effectiveness of the EU as a mediator. The Georgian conflict has been divided into three levels, the local, regional and geopolitical. There is an interconnection between the regional Russian-Georgian

conflict with the local Georgian-Abkhaz and Georgian-Ossetian conflicts. The geopolitical standoff between Russia and the United States, European Union frame the local and regional levels. These geopolitical standoffs are more entrenched and not ripe for resolution (Grono 2010: 8).

The Abkhaz and Ossetians view the EU as being partial towards the Georgians as they upheld the territorial integrity of Georgia and hence they do not trust or accept EU in peacebuilding roles. Therefore, the EU should try and be more even handed and should increase its engagement with Abkhazia and South Ossetia so that it gives them an alternative rather than make them drift towards Russia (Grono 2010: 8). In addition to technical and financial assistance to engagement policies, the EU should have strong political backing for its policies to increase its credibility as a mediator (Grono 2010: 8).

Majority of EU institutions have a mandate in the area of conflict management. EU's institutional set up lacks clarity in terms of conflict management. The lack of a common approach by the various EU institutions towards conflict management reduces the affectivity of EU. While on the one hand the Commission puts emphasis on providing aid, and giving financial and technical assistance to bring about a change in the conditions which are more conducive to conflict settlement. On the other hand the Council assumes a more political role though a bit hesitantly either in a particular conflict or generally (Whitman and Wolff 2010: 15). Therefore when within the EU institutions there is a lack of common policy and approach towards managing a conflict then according to Whitman and Wolff its either chance or the dynamism of a particular member state like in the case of Georgia the Presidency of the French that helps formulate a common policy towards the conflict (Whitman and Wolf 2010: 15).

Another limiting factor in terms of the institutions was the lack of an integrated policy structure and service within the EU (Whitman and Wolff 2010: 16). The absence of a cross institutional conflict management body that would help coordinate between institutions, member states and staff and would help execute conflict management policies better was also lacking in the EU (Whitman and Wolff 2010 16).

The EU's focus on infrastructure projects and institutional reform projects to create conditions favourable for conflict resolution rather than on actual conflict

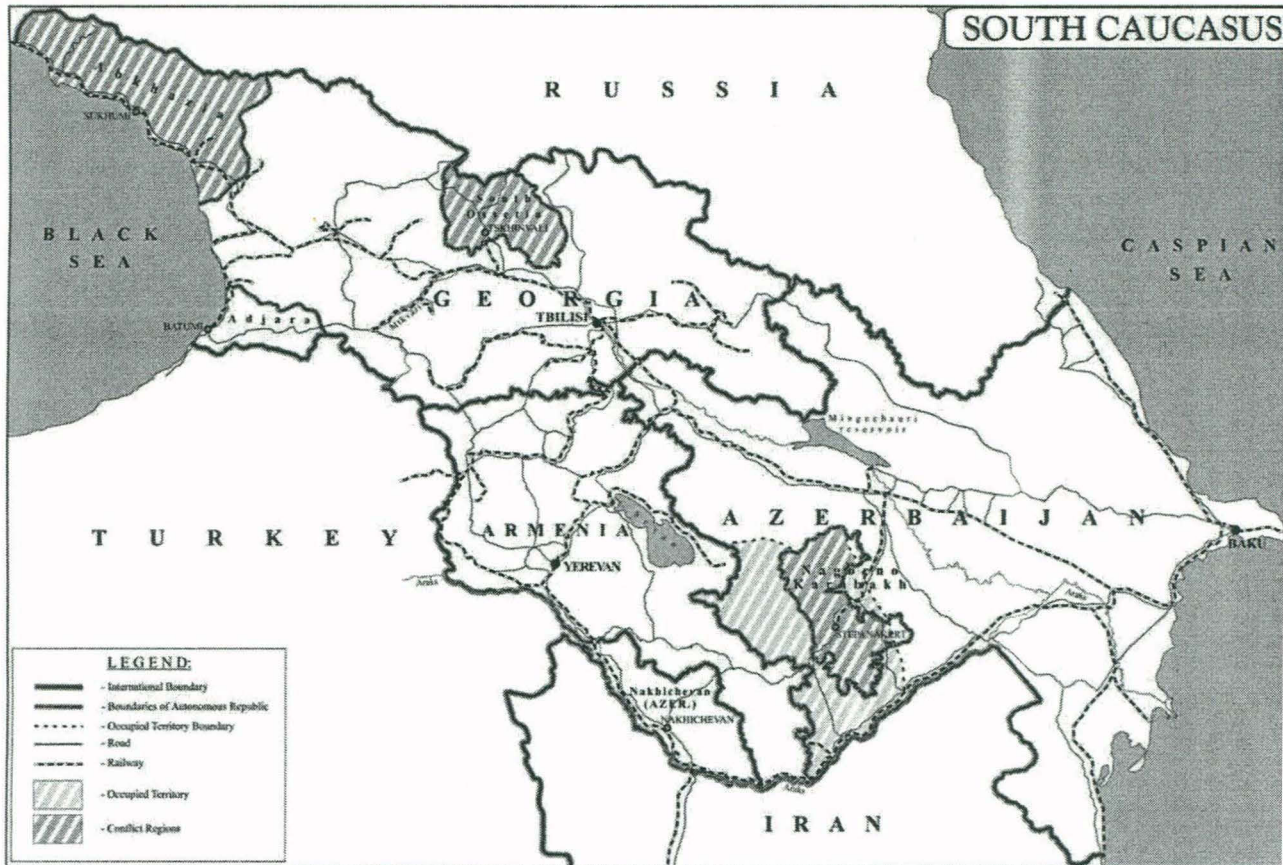
management activities like mediation, confidence building activities limits its effectiveness (Whitman and Wolff 2010: 17).

The evolution of the EU as a mediator in the conflict between the multiple conflicting parties has been uneven. The factors pushing for an increased role for the EU in the conflict are undeniable, however, the factors hindering its progress are also formidable.

The study has shown that the achievements of EU in Georgia have been mixed. While in terms of increasing involvement, it has become an important actor in the region owing to its role during and after the August war. Yet it still lacks political muscle to materialise its agenda among various actors.

APPENDIX

Map 1: Map of South Caucasus



Source: International Crisis Group (2006a), *Conflict Resolution in the South Caucasus: The EU's Role*, Europe Report N°173, 20 March, Brussels: 28

Map 2: Map of Georgia



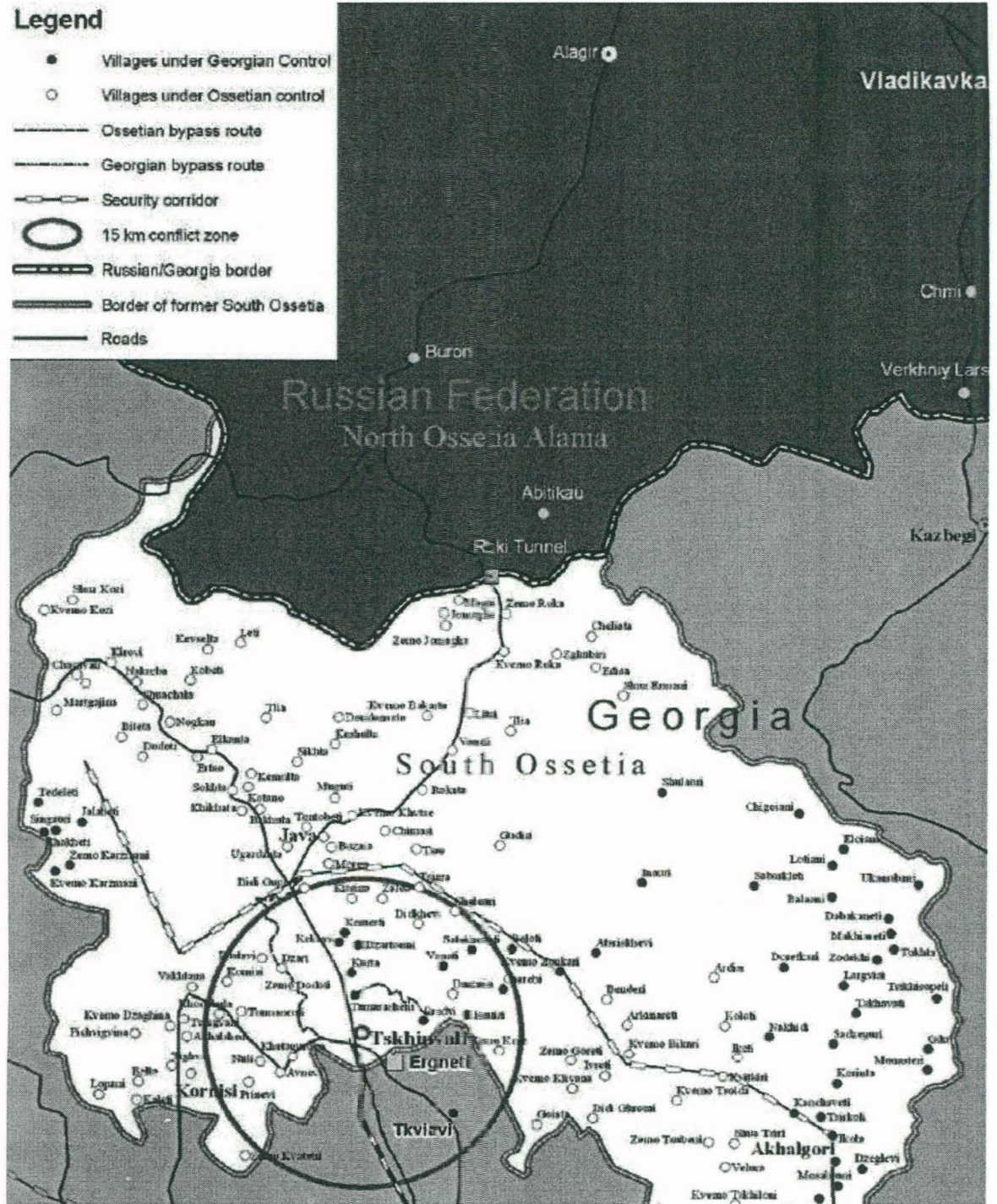
Source: IIFFMCG (2009b), *Independent International Fact-Finding Mission on the Conflict in Georgia*. Vol. II. September 2009, Brussels:1.

Map 3: Map of Western Georgia:



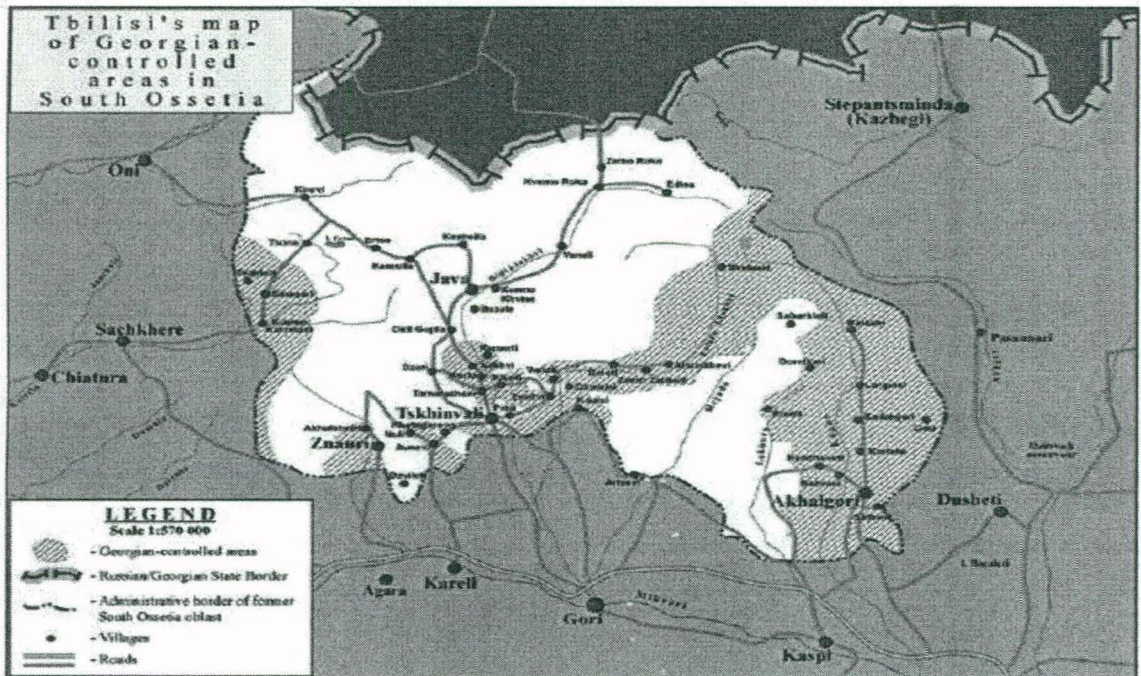
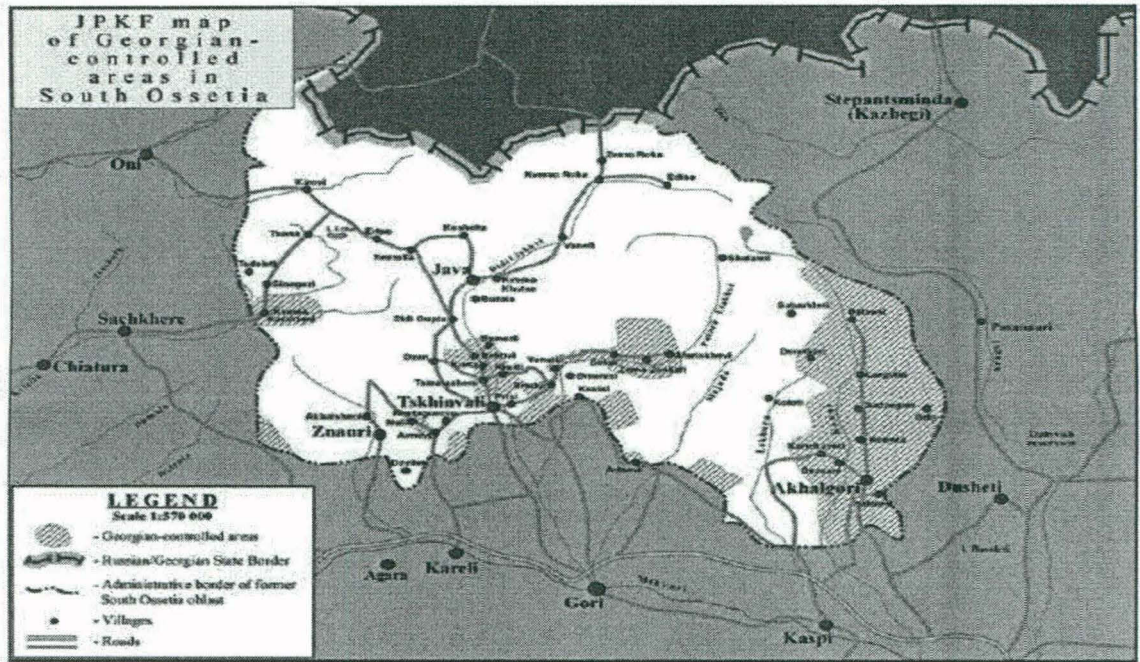
Source: International Crisis Group (2008a), *Georgia and Russia: Clashing over Abkhazia*, Europe Report N°193, 5 June, Brussels: 25.

Map 4: Map of South Ossetia Villages under Georgian and Ossetian control prior to 7 August 2008



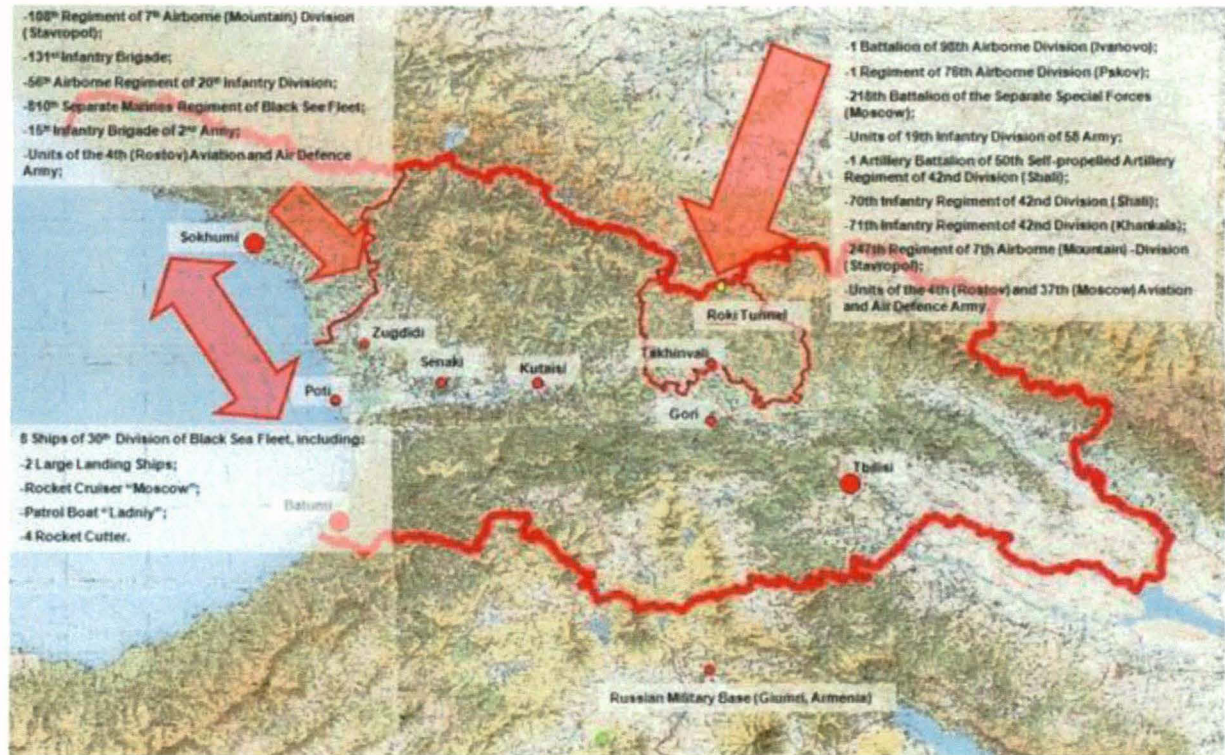
Source: International Crisis Group (2008b), *Russia Vs Georgia: The Fallout*, Europe Report N°195, 22, August, Brussels: 32

Map 5: JPKF and Tbilisi Maps of Georgian Controlled Areas in South Ossetia prior to 7 August 2008



Source: International Crisis Group (2008b), *Russia Vs Georgia: The Fallout*, Europe Report N°195, 22, August, Brussels: 33

Map 6: Russian invasion routes and forces



Source: Cornell, Svante E. et al. (2008a), *Russia's War in Georgia: Causes and Implications for Georgia and the World*, Stockholm, Washington D.C: Central Asia-Caucasus Institute & Silk Road Studies Program: 34.

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