



## **Institute for European Studies**

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### **The European Union's role in conflict resolution process Cases of Georgia and Moldova**

**MAES**

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## I. Introduction

In early 90's collapse of the Soviet Union was accompanied by a number of violent conflicts in many Post-Soviet countries - in the Caucasus, which was far-away from Europe, and in Eastern Europe, which was very close to it. Over the last twenty years many regions in the world has been touched by armed conflicts. Confrontation which took place in Balkans, once again reminded Europe, that continent was not secured. The Post-soviet conflicts were complex affairs, involving different actors, interests, global or regional powers from the European Union to Russia and the United States. It was absolutely new reality in the context of political transformation, ideology and economic transition.

The processes which took place in post-soviet arena did not pass unnoticed for the EU either, which gave it new opportunities to redefine its external policy towards this part of the world. The European Union is unique example of its structure and role in international affairs, which has been modified and developed during decades, gaining more and more importance. Its interests and ambitions, foreign policy tools and resources gives the EU ability to be actively involved in assistance and co-operation and nobody doubts that the EU should play its part in these efforts. Through the process of enlargement and development, Union itself is interested in stability on its own borders: "In its neighborhood and beyond, the EU cannot confine itself to the economic and political spheres; it also needs to be able to guarantee stability, prevent conflicts and manage crises on its own doorstep." <sup>1</sup> The post-soviet conflicts in the Eastern neighborhood are important tests of the EU's relations with different regional or global powers and at last, with eastern European countries.

This Master Thesis targets to analyze the European Union's role in the conflict resolution process in the framework of the European Neighborhood Policy. For the case study we have chosen post-soviet conflicts of Georgia and Moldova. Both these countries are part of the ENP; policy which took Europe closer to troubled regions and conflicts which endanger stability of the EU. It is desirable to compare these conflicts, to make clear analyses of the

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<sup>1</sup> Communication from the Commission to the Council and the European Parliament, *Building our Common Future: Policy Challenges and Budgetary Means of the Enlarged Union 2007-2013*, February 2004

EU's involvement in this development and provide some conclusions. As far as the thesis covers the process of the EU's contribution I would formulate the research question as follows: How the EU has employed its foreign policy instruments in the conflict resolution process. The sub-questions will help us help to go deeper in problem description for providing the picture - how active is the EU in this development , how the implementation of its instruments has contributed to the conflict resolution and at last what is the EU's soft power impact in conflict resolution process.

Several hypotheses are stated as ideas behind the chapters, which cover the problematic issues, deal with the problem solution and relation with Russia. The main issue we are going to state is the European Union's capabilities and limitations in the conflict resolution process.

## **1.1. Methodology**

In this part we are going to present methodological instruments which will be used for our research, the structure of the thesis and the factors which determined us to choose Georgia and Moldova as a case study.

The case study is a good choice for clarification the issue, especially in case when we are going to compare two conflicts. Communications of the European Union, Policy papers and Strategies, documents of Partnership and Cooperation Agreement (PCA), European Neighborhood Policy (ENP) and Action Plans (AP) were used by us as primary sources. The Secondary literature, which gave us considerable information about mentioned issue, is based on researchers working on eastern European countries, done by Nicu Popescu, Natalie Tocci, Elena Gnedina and others. Also we add interview method from first source for making some conclusions.

There are many reasons for selection of this topic. Georgian and Moldavian conflicts are cases which examines the Union's capabilities in conflict resolution process, especially Georgia after August War. It is also important to look at the factors which determined the EU to become actively involved in conflict resolution and how the Union uses its foreign

policy instruments for this; if the new initiatives are introduced timely and on purpose. One of the reasons for our choice is based on European Security Strategy (2003), which clearly stated, that: “It is in the European interest, that the countries on our borders are well-governed. Neighbors who are engaged in violent conflicts [...] pose problems of the Europe”<sup>2</sup>.

Secondly, after Rose Revolution situation radically changed in Georgia, the way straight to European was announced and the rapid development process started; the same process took place in Moldova, preceded with the transformation of the country. But still, there are territorial disputes, which need peaceful solution.

Thirdly, the launch of the European Neighborhood policy re-examined and re-defined relations with neighboring countries. After Enlargement in 2002 Moldova was left aside, political elite was disappointed, in spite Romania was lobbying the country strongly. Moldova was immediately included in the ENP, but we could not say the same about South Caucasus and especially Georgia, because of instability and because of conflicts in this region country was absent. In official document there is stated, that : “Given their location, the Southern Caucasus therefore also falls outside the geographical scope of this initiative for the time being” <sup>3</sup> Only later on South Caucasian countries joined the Neighborhood Policy.

The August war in 2008 made under doubt stability and security issues not only for Georgia, for the Caucasus and for the EU itself. The important issue is transatlantic relations, a key factor for success, because other organizations, like the OSCE, the UN and the global powers- the USA are involved in conflict resolution process in Georgia and Moldova. Involvement of different international actors in these countries will give us a better possibility for examining the EU’s contribution and impact on conflict settlement. The case study will help us to provide the image of the EU with difference of other international actors. Russia is important country, which is supporting the separatist entities and the

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<sup>2</sup> European Security Strategy, 2003, p.g 8

<sup>3</sup> Communication from the Commission to the Council and the European Parliament, “Wider Europe— Neighborhood: A New Framework for Relations with our Eastern and Southern Neighbors,” Brussels, 11 March 2003, Com (2003) 104 final, p. 4.

interests of the EU and Russia in this region are not the same. Finally, the case study will help us to provide the effectiveness of the EU's involvement in conflict resolution process.

### **1.1.1 Concept**

As the variables are thematically certified within the research paper, the European Union is considered to be an independent variable, because we focus in our thesis on the EU's role in conflict resolution process and it is the initiator of the policies are launched. Russia also happens to be the independent variable, because it is considered as an actor, which conducts its policies independently and in many cases affects the Unions policies in the post-soviet space. The European neighborhood policy is measured as dependent variable, because, it is the EU's defined new policy initiative for neighboring countries, through which we are discussing the achievements of Georgia and Moldova.

### **1.1.2 Time frame**

Time should be considered as an important factor of my master thesis, because we have to define clear time frame through which we are analyzing the European Union's role in conflict resolution process in Georgia and Moldova and here we stress that it is a process, which is defined in long-term perspective.

My research paper examines the EU's role in conflict resolution process since relations with Georgia and Moldova were clearly outlined and new the perspectives of close relation appeared with the Union. This process started in 90's when Partnership and Cooperation Agreement was signed with both of them until the August war, which took the whole web by surprise.

### **1.1.3 The structure of the research paper**

Thematically, my master thesis consists of Introduction, two sections and conclusion. Each chapter is connected to the next, which gives the reader possibility to follow the basic facts and events. The aim of first section is to give an overview on the historical background of post-soviet countries - Georgia and Moldova; and the secessionist entities of Abkhazia, South Ossetia/Tskinvali Region and Transnistria; evolution and an understanding on the complexity of the conflicts; to analyze similarities between them and the review the last developments. At the same time, political History of the country is briefly provided, which will be followed by the conflict resolution efforts from the EU side.

The second section of my research paper part is dedicated entirely to the EU's relation to Georgia and Moldova. To make picture clear, I am examining the facts from the very beginning, how bilateral relations started and became intensive time by time. The disintegration of the USSR changed the political map entirely. From this period, the EU appears in post-soviet space supporting the transitional process from socialism to democracy. This section aims to present the EU offers to Georgia and Moldova. In 2004, these countries joined the European Neighborhood policy, which gave them new possibilities to achieve their policy goals and at the same time gave the EU more responsibility to be actively involved in conflict resolution process.

The final section provides some conclusions for illustrating the importance of these conflicts, to internationalize them, show that it is not problem only for Georgia and Moldova, but it is connected to security issues for its neighbors too. To analyze the EU's developments in conflict resolution process, where is the crossing point of the EU and Russia, and in which aspect remains the EU's attitude weak.

#### 1.1.4 Abbreviations

USSR	The Union of Soviet Socialist Republics
CIS	The Commonwealth of Independent States
FSB	Federal Security Service
ROGT	Russian Operative Group Troops
SSA	Supreme Soviet of Abkhazia
UN	United Nations
JCC	Joint Control Commission
JPKF	Joint Peacekeeping Forces Group
OSCE	The Organization of security and Cooperation of Europe
NATO	The North Atlantic Treaty Organization
PACE	Parliamentary Assembly of the Council of Europe
PCA	Partnership and Cooperation Agreement
AP	Action Plan
CPN	Conflict Prevention Network
CFSP	Common Foreign and Security Policy
ESDP	European Security and Defense Policy
GSP	General System of Preferences
ENP	European Neighborhood Policy
ENPI	European Neighborhood Policy Instrument
CEFTA	Central European Free Trade Area
IFI	International financial Institutions
EUBAM	EU Border Assistance Mission
PSC	Political and Security Committee
EUMC	EU Military Committee
EUMS	EU Military Staff
EUSP	EU Special Representative
BMO	Border Monitoring Mission
EUMM	EU Monitoring Mission
BOMMOLUKK	Improving Management on the Mold-Ukrainian State Border
JD	Joint Declaration
EIDHR	European Instrument for Democracy and Human Rights



## Section A

### 2.1 Heritage of the Soviet Union

“When empires come crashing down, they leave hunks of institutional ruins scattered across the landscape: pieces of bureaucracies, military units, economic networks, administrative districts, as well as demographic and cultural patterns that bear the marks of the imperial past.”<sup>4</sup> Above presented picture was close to the situation, when Soviet Union collapsed. Disintegration into independent states began in the mid 80’s. The country was in a situation of stagnation, with deep economic and political problems.

The collapse of the Soviet Union began on the peripheries; the Baltic region was the first, preceded with the same movements in other countries. It became increasingly evident, that if all periphery countries demanded independence it would be starting point of disintegration. The National movements emerged in Georgia, Ukraine, Moldova, Byelorussia, and the Central Asian republics.

The situation came to the end in August of 1991 when a group of "hard-line" Communists organized a coup d'état.<sup>5</sup> On December 25, 1991, Gorbachev resigned as a president of USSR. A day later on December 26, Council of Republics of the Supreme Soviet of the USSR recognized the dissolution of the Soviet Union and dissolved itself by December 31, 1991; all official Soviet institutions had ceased operations as individual republics assumed the central government’s role.<sup>6</sup>

The Soviet Union collapsed, but Russia still tried to catch former soviet countries under the rule. Leaders of Belarus, Russia and Ukraine created an organization of **Commonwealth of Independent States** (CIS) as a successor entity to the USSR, which was designed to replace the Union. The treaty recognized current borders, each republic's independence, sovereignty, equality and etc... The recognition of current boundaries may

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<sup>4</sup> Barnett R Rubin, Snyder Jack Post-Soviet Political Order: Conflict and State Building, Hardcover, 1998, pg.1.

<sup>5</sup> The cold war museum, [http://www.coldwar.org/articles/90s/fall\\_of\\_the\\_soviet\\_union.asp](http://www.coldwar.org/articles/90s/fall_of_the_soviet_union.asp)

<sup>6</sup> [http://en.wikipedia.org/wiki/History\\_of\\_the\\_Soviet\\_Union\\_\(1985-1991\)#Post.E2.88.92Soviet\\_restructuring](http://en.wikipedia.org/wiki/History_of_the_Soviet_Union_(1985-1991)#Post.E2.88.92Soviet_restructuring)

be meant to save the time for not exploding the conflicts in many countries and save the USSR itself. In December 21, 1991, eight additional states with initiators (Moldavia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, and Kyrgyzstan) confirmed their intention to join the CIS. The organization had several goals, including coordination of members' foreign and security policies, development of a common economic space, maintenance of the military assets of the former USSR, creation of shared transportation and communications networks.<sup>7</sup>

Collapse of the USSR created atmosphere of instability. Moscow tried to bring soviet countries closer by creating a “new” identity based upon the Communist ideology. The regions (country), as an integrated part of the Soviet economy, were providing specific commodities to the centre, so each country has its role in this system and when Soviet collapsed the regions suddenly became out of chain.

After the disintegration of the USSR a number of conflicts appeared in former Soviet Republics with lots of victims, refugees and material damage. Then due to the Russia's intervention most of them were considered as “frozen conflicts”. The newly independent states soon faced secessionist demands in their own boundaries, as a kind of nested “bombs” which would explode as soon as Soviet collapsed, but it is also remarkable, that the Soviet regime in its existence has slept these conflicts. Eric Hobsbawn argued, that “fear and coercion kept the USSR together” and helped to prevent ethnic and communal tensions from degenerating into mutual violence.<sup>8</sup> Nowadays nobody doubts that Russia stands behind this disputes and suspends the process of conflict resolution. It is clear, that Russia manipulates with this conflicts, trying not to lose influence in this region.

In the next chapter we are going to review the situation in Georgia during Soviet disintegration and provide the brief history of the conflicts, because we consider it important while analyzing the problematic issues.

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<sup>7</sup> <http://www.answers.com/topic/commonwealth-of-independent-states>

<sup>8</sup> Hughes James, Sasse Gwendolyn, *Ethnicity and Territory in the Former Soviet Union: Regions in Conflict*, London, 2006, pg.1.

## 2.2. Georgia

Mid 80's in Georgia as in many soviet countries was characterized by raising national aspiration, which became the main motive power of the political life. The disintegration of the Soviet Union has turned country into political turmoil. The fact which took place on April 9 radicalized country's politics, Georgian communists lost its influence in the Republic; opposition pressure on the socialist government was manifested in popular demonstrations which resulted in a first open, multiparty and democratic parliamentary election. Zviad Gamsakhurdia became the president of the country. The referendum on independence was approved by 98.9% of the votes, preceded with declaration of formal independence from the Soviet Union. Government strongly opposed Russian dominance; even they declined to join the CIS. The Autonomous regions of Abkhazia and South Osetia/Tskinvali Region were demanding independence, which was abolished by Georgian parliament.

The **Georgian-Abkhazian conflict** like many other conflicts cannot be understood without knowledge of its historical roots. This disagreement can be considered as part of a geopolitical conflict in the Caucasus region, intensified at the end of the 20th century in connection with the Collapse of the Soviet Union.

In 1921 Georgia was incorporated into the USSR. During the early years of Soviet rule, Abkhazia was granted the autonomous status, which since that period became their main issue of dissatisfaction, preceded with Abkhaz protests in 1957, 1965, 1967, and 1978 demanding independence.

Perestroika raised national movements both in Georgia and Abkhazia. In 1988 a gathering took place in the village of Lykhny, where the "Lykhny Appeal" renewed the demands for separation Abkhazia and gave the status of Soviet republic, put forward in the "Abkhazian Letter". We should mention that this group of people constituted only 17% of the whole inhabitants, and the entire population of course was not supporting this gathering. Communist party conference of course supported Abkhazian demand; even they were not hiding imperial plans for country's dissolution. Russia was behind this process and their aim was to increase the movement, which would lead to conflict. In contrast, the

Georgian national movement demanded to abolish the autonomous status of Abkhazia. On its own, it increased Abkhazian fears that the independence of Georgia would spell the end of Abkhazian autonomy. In March, after a few months later violent clashes erupted in Abkhazia between Georgians and Abkhazians in Gagra. The Supreme Soviet of Abkhazia (SSA) adopted a declaration of state sovereignty. In March 1990 a declaration was passed by Georgian parliament that denounced the annexation of Georgia in 1921. In July 1992, in the absence of the Georgian deputies, the Abkhazian Supreme Soviet reinstated the draft Abkhazian constitution of 1925, declaring that Abkhazia was no longer a part of Georgia.

In summer, president Shevardnadze gave the order for Georgian troops to advance on Abkhazia. The aim of this military action was to protect the rail links and this fact was agreed with Ardzinba government. There was little chance of possible armed conflict. For several days Georgian troops controlled the territory of Sokhumi, only later with aid from Chechen and other partisans from the North Caucasus as well as the Russian military, the Abkhaz separatists gained the upper hand and expelled Georgian forces from Abkhazia. Virtually the entire Georgian population of Abkhazia fled with them and became refugees. A peacekeeping force of Russian troops (formally CIS) was deployed in a border zone along the river Inguri. The UN observers were sent to monitor their activity.<sup>9</sup>

Several times Georgian government offered autonomy to Abkhazia, but separatist government and opposition refused any forms of union with Georgia. Abkhaz consider their independence as a result of a war of liberation from Georgia, while Georgians state, that historically Abkhazia has always been part of the country. During the war, the Abkhaz separatist side carried out full scale ethnic cleansing campaign which resulted in the removal of 250,000 ethnic Georgians and more than 15,000 were killed. The ethnic cleaning of Georgians has been recognized officially by the OSCE conventions of Lisbon, Budapest and Istanbul<sup>10</sup> (also mentioned in UN General Assembly Resolution GA/10708).

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<sup>9</sup> Circasian World, [www.circasianworld.com/Georgian-Abkhaz\\_Conflict.html](http://www.circasianworld.com/Georgian-Abkhaz_Conflict.html)

<sup>10</sup> [http://www.mfa.gov.ge/index.php?lang\\_id=GEO&sec\\_id=511&info\\_id=3546](http://www.mfa.gov.ge/index.php?lang_id=GEO&sec_id=511&info_id=3546)

In early 20's **South Ossetia/Tskinvali Region** made unsuccessful attempts to declare its independence. Following the 1921 Red Army invasion of Georgia, the Soviet Government declared South Ossetia to be an autonomous oblast within the new Transcaucasian Republic in April 1922. According to treaty, which was signed between Georgia and Russia, South Ossetia was recognized as an integral part of Georgia. During the Soviet period, South Ossetians were granted a certain degree of autonomy over matters of language and education in their territory. At the same time, however, nationalist groups in Georgia were beginning to gain support, leading to renewed South Ossetian-Georgian tensions, which would come to a head in the late 1980s. <sup>11</sup>

By 1989, the Popular Front came to power in South Ossetia. The leaders, Ademon Nykhas, Alan Chochiev, published an open letter supporting Abkhazian campaign against the opening of a Georgian branch of Tbilisi University in Sukhumi, Abkhazia. <sup>12</sup> By that time Georgia was preparing for declaring independence from the Soviet Union. South Ossetia's idea of autonomy was immediately rejected by Georgian side. Soviet leaders approved unification with North Ossetia, located in Russia, but Georgian leaders rejected.

The first major crisis was in the South Ossetian Autonomous Region. A group from the Supreme Council of South Ossetia demanded that its status should be changed from autonomous Oblast to autonomous republic. Georgian side declared that the fact was illegal and that the Supreme Council of Georgia had the right to veto any Soviet law against Georgian interests. In December 1990, president Gamsakhurdia abolished the region's autonomous status, affirmed a state of emergency in the region and forces entered in the territory. The conflict caused thousands of casualties and refugees on both sides. Russia mediated a cease-fire between the Georgian and South Ossetian sides, Sochi Agreement defined both a zone of conflict around Tskhinvali and a security corridor along the border of South Ossetian territories. The Agreement also created the Joint Control Commission (JCC), and a peacekeeping body, the Joint Peacekeeping Forces group (JPKF), consisting of Ossetian and Georgian troops together with six Russian battalions. The JCC was

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<sup>11</sup> <http://www.globalsecurity.org/military/world/war/south-ossetia-3.htm>

<sup>12</sup> <http://www.caucasus.dk/chapter4.htm>

charged with demilitarizing the security zone in the conflict region and facilitating negotiations; it is Co-Chaired by Georgian, Russian, South Ossetian, and North Ossetian representatives. The JPKF was under Russian command comprised of peacekeepers from Georgia, Russia, and Russia's North Ossetian autonomous republic.<sup>13</sup> The Organization for Security and Cooperation in Europe (OSCE) agreed to monitor the ceasefire and facilitate negotiations and the United Nations has chaired negotiations toward a settlement since 1993. The United States has urged the sides to make progress within the U.N. framework in areas such as human rights, civilian policing and the return of internally displaced persons.<sup>14</sup>

New government which came in power in 2003 tried to intensify efforts in conflict resolution. From 2004 to 2008, country has proposing broad autonomy for Abkhazia and South Ossetia within the unified Georgian state, which was all the time rejected by the separatists demanding full independence. On January 26, 2005 president presented a new vision for resolving the South Ossetian conflict at the Parliamentary Assembly of the Council of Europe (PACE) session in Strasbourg.<sup>15</sup> His proposal included broader forms of autonomy, including a constitutional guarantee of free and directly elected local self-governance. Saakashvili stated that South Ossetia's parliament would have control over issues such as culture, education, social policy, economic policy, public order, organization of local self-governance and environmental protection. At the same time South Ossetia would have a voice in the national structures of government as well, with a constitutional guarantee of representation in the judicial and constitutional-judicial branches and in the Parliament. President proposed a transitional 3-year conflict resolution period, during which time mixed Georgian and Ossetian police forces, under the guidance and auspices of international organizations, would be established and Ossetian forces would gradually be integrated into a united Georgian Armed Forces. Saakashvili also said that the international community should play a more "significant" and "visible" role in solving this conflict, he proposed that the EU would function as a "peace guarantor" without leaving Russia any

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<sup>13</sup> <http://www.globalsecurity.org/military/world/war/south-ossetia-3.htm>

<sup>14</sup> Global Security.org, <http://www.globalsecurity.org/military/world/war/south-ossetia-3.htm>

<sup>15</sup> [http://www.coe.mfa.gov.ge/index.php?lang\\_id=ENG&sec\\_id=141&info\\_id=5601](http://www.coe.mfa.gov.ge/index.php?lang_id=ENG&sec_id=141&info_id=5601)

role in this respect.<sup>16</sup> But actually agreement on this issue was not achieved, because they have different views on the role of international guarantors in conflict resolution process.

In 2006 Georgian administration set up government led by Dmitry Sanakoyev granted it a status of a provisional administration. Since then significant recourses were spent for well-being of South Ossetian population: “We solved real problems of real people. We built roads, schools, a theater and a hospital. As families began immigrating to our regions from separatist-controlled areas, the Kokoity regime, with Russian encouragement, blocked roads, harassed visitors, and spewed false anti-Georgian propaganda.”<sup>17</sup>

In March 2007, President Saakashvili proposed another peace plan for South Ossetia that involved establishment of a commission to work out South Ossetia’s “status” as a part of Georgia. The JCC finally held a meeting but the Russian Foreign Ministry claimed that the Georgian emissaries made unacceptable demands in order to deliberately sabotage the results of the meeting.<sup>18</sup> No further meetings were held.

In 2008 situation escalated again in Ossetia. The August War was an armed conflict between Georgia on one side, and Russia together with Ossetians and Abkhazians on the other aiming to change the political route in Georgia to the direction of Russia. The confrontation was planned and provoked by Russia intended putting the South Caucasus and Central Asia region under control. After “Color revolutions” situation changed in Georgia and Ukraine, Russia’s power within the post-soviet space seemed unrealistic. The “unfreezing” of these conflicts won’t be profitable for Russia to limit its monopolistic plans and role in the peace process. It is clear that Russia involved Georgia into military provocations and forcefully invaded Georgia and violated all norms of international law, occupied a part of its territory and later annexed both the former Soviet South Ossetian Autonomous Region and Abkhazia. Military actions which took place in the night of 6–7 August was not the starting point of the war, it was top of the escalation, drama, which was prepared and organized by Russia. President Mikheil Saakashvili called for reopening

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<sup>16</sup> H.E President Mikheil Saakashvili to the Parliamentary Assembly of the Council of Europe, 26 January 2005, available at: <http://www.president.gov.ge/?|=E&sm=0&st=3&st=120&id=153>

<sup>17</sup> Sanakoev, Dimitry, International talks in Geneva, 2008, 14 October.

<sup>18</sup> CEDR, November 1, 2007, Doc. No. CEP-950449.

peace talks and reiterated that Georgia would provide the region with maximum autonomy within Georgia as part of a peace settlement.<sup>19</sup>

Russian President Medvedev addressed an emergency session of the Russian Security Council on August 8 and denounced Georgia's invasion into South Ossetia, asserting that "women, children and the elderly are now dying in South Ossetia, and most of them are citizens of the Russian Federation." He stated that "we shall not allow our compatriots to be killed with impunity. Those who are responsible for that will be duly punished." He appeared to assert perpetual Russian control in stating that "historically Russia has been, and will continue to be, a guarantor of security for peoples of the Caucasus."<sup>20</sup> Russia launched large-scale air attacks in the region and elsewhere in Georgia. On August 11, Russia bombed apartment buildings in Gori and occupied the city.

On 12 August, Russian President ordered to stop military operations in Georgia, saying that, the operation has achieved its goal; security for peacekeepers and civilians has been restored.<sup>21</sup> Later on the same day, he met the EU President-in-Office, French President Nicolas Sarkozy, and approved a six-point peace plan.<sup>22</sup> On 14 August, *de-facto* leaders of South Ossetia and Abkhazia President signed the peace plan as well:

- ❖ No recourse to the use of force.
- ❖ Definitive cessation of hostilities.
- ❖ Free access to humanitarian aid (addition rejected: and to allow the return of refugees).
- ❖ The Armed Forces of Georgia must withdraw to their permanent positions.
- ❖ The Armed Forces of the Russian Federation must withdraw to the line where they were stationed prior to the beginning of hostilities. Prior to the establishment of international mechanisms the Russian peacekeeping forces will take additional security measures.
- ❖ An international debate on the future status of South Ossetia and Abkhazia and ways to ensure their lasting security will take place.

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<sup>19</sup> Nichol Jim, Russia-Georgia Conflict in South Ossetia: Context and Implications for US Interests, in: CRS Reports in Congress, 2008, 29 August.

<sup>20</sup> CEDR, August 8, 2008, Doc. No. CEP-950325.

<sup>21</sup> [http://www.absoluteastronomy.com/topics/2008\\_South\\_Ossetia\\_war](http://www.absoluteastronomy.com/topics/2008_South_Ossetia_war)

<sup>22</sup> <http://euobserver.com/?aid=26635>



Despite numerous calls from international community, the ceasefire agreement has not yet been implemented by the Russian Federation, they ignored majority of agreement points and is still occupying the Georgian territory. Cease-fire agreement envisages that the parties should give free access to the humanitarian assistance (point 3). Despite this, the Russian Federation's armed forces have blocked access of the humanitarian aid in the conflict zone. Withdrawal of the Russian military forces (point 5) to the positions prior to the outbreak of hostilities implies that they have to go back to the positions they held before August 6.<sup>23</sup> Unfortunately, Russian Federation has not yet fulfilled this provision. Until then core principles of the cease-fire agreement are being violated.

During war, the Union has raised the visibility of its politics being involved in ceasefire agreement, once again the EU showed, that it has ability to tackle the different issues in a high level; president Sarkozy underlined in the meeting with Russian president Medvedev that his primary goal was to call for an end to the fighting and not to solve all the problems the region currently faces<sup>24</sup>.

In August 26, 2008 Russian president Dmitri Medvedev signed a decree recognizing the independence of two breakaway regions of Georgia. Mr. Medvedev said the decision was not easy, but it offered the only possibility to save people's lives and added, that recognition was based on the desire of the Ossetian and Abkhaz peoples for independence.<sup>25</sup> For Russia, recognition of Abkhazia and South Ossetia constituted a time bomb in the Caucasus, because may be other people, like Chechens, Ingushes would have feeling to leave Russia. President's decision looked somehow like raising ethnic awareness throughout Russia. Many in the west also consider Russia's action as a return to Soviet-style intervention in neighbor countries' affairs.

The OSCE also decried the move: "The recognition of independence for South Ossetia and Abkhazia violates fundamental OSCE principles, as all OSCE participating States, Russia is committed to respecting the sovereignty and territorial integrity of others. Russia should immediately withdraw all troops from Georgia and implement the ceasefire

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<sup>23</sup> Violations of the August 12 six-point Ceasefire Agreement, July 2009

<sup>24</sup> Voice of America , <http://www.voanews.com/english/archive/2008-08/2008-08-12-voa7.cfm?CFID=197897305&CFTOKEN=25469165&jsessionid=0030993c34da9c74f169404446e1fd6a4780>

<sup>25</sup> <http://en.rian.ru/russia/20080826/116291407.html>

agreement, including the modalities defined in the 16 August letter of French President Nicolas Sarkozy. The international community cannot accept unilaterally established buffer zones" OSCE chairman Alexander Stubb said.<sup>26</sup>

European governments, including the UK, France, Germany, and Italy also spoke out against the move. Signing the declaration "further complicates an already complicated situation," Italian Foreign Minister Franco Frattini said in Rome. "It's a unilateral decision that doesn't have international support that makes it legally binding." The office of the French president, Nicolas Sarkozy, wrote in a statement: "This is contrary to the principles of the independence, the sovereignty and the territorial integrity of Georgia."<sup>27</sup> The British foreign secretary, David Miliband, said that, Russian recognition of Georgia's breakaway regions was "unjustifiable and unacceptable".

International support for Georgia's sovereignty and territorial integrity in August was proof, that the EU strongly encouraged European aspirations of Georgia, but at the same time the Union measured its support for Georgia to make sure, not to irritate Moscow too much. Europe preferred to cooperate with the country in less politicized areas, its dependency on Russia's energy resources is important issue of European foreign policy. But some observers called for sanctions against Russia. These included no longer inviting Russia to participate in the Group of Eight (G-8) industrialized democracies, withdrawing support for Russia as the host of the 2014 Winter Olympics in Sochi, and re-examining Russia's suitability for membership in the World Trade Organization (WTO). U.S. analyst Ariel Cohen urged the West "to send a strong signal to Moscow that creating 19th century-style spheres of influence and redrawing the borders of the former Soviet Union is a danger to world peace."<sup>28</sup> Some old European leaders thought, that it would be unreasonable to put its relationship with Russia at a risk because of Georgian crisis. German Chancellor, Angela Merkel in her speech stated that: "Russia's action recognizing independence of Abkhazia and South Ossetia was illegal act, and violation of international standards, but in

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<sup>26</sup> <http://s9.invisionfree.com/21c/ar/t2125.htm>

<sup>27</sup> <http://www.theotherrussia.org/2008/08/26/russia-recognizes-georgian-breakaway-regions---reactions/>

<sup>28</sup> Ariel Cohen, "The Russian-Georgian War: A Challenge for the U.S. and the World," *Heritage Foundation WebMemo*, August 11, 2008.

future we'll have to continue talks with Russia", although she stated that such a dialogue presupposed "shared values, and those include respecting the territorial integrity of individual states, as well as the use of international mechanisms to resolve conflicts."<sup>29</sup> But after Russia has invaded Georgian territories, after recognition the independence of Breakaway regions, the EU has clearly stated its position: "There would be no business with Russia, until Russian troops had fully pulled out of Georgia". The new member states, like Baltic States, Poland which are more fearful of Russia's aggression unlike other EU member states, strongly supported Georgia. "I see the main weakness that the 27 member states did not manage so far to achieve a common position towards Russia and therefore also a "EU strategy for the Southern Caucasus" did not materialize so far, but since the "Rose Revolution" Georgia has been more and more included into EU policies, starting with PCA in 1996, ratified in 1999, then the inclusion into ENP in 2004 and finally the Eastern Partnership."<sup>30</sup> The different opinions was the reason, that on one hand no sanctions were imposed to Russia in order to keep the door open for cooperation with Moscow, but on the other hand, the EU-Georgia relations still continues without promises of the EU membership.

### **2.3. Moldova**

Transnistria also belongs to the post-soviet conflicts, which is not still resolved For Moldova and the international community, Transnistria belongs to the country and the separatist regime is considered to be illegal. In 2006, David Kramer, Deputy Assistant Secretary for the European and Eurasian Affairs, US Department of State stated at a Conference lead in Chisinau " Transnistria is a part of Moldova and no questions asked " <sup>31</sup>

The Republic of Moldova is situated in Europe, sandwiched between Romania and Ukraine. Harvard Professor of Economics Dani Rodrik believes that geography has a

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<sup>29</sup> *Associated Press*, August 26, 2008.

<sup>30</sup> Interview with the member of the EC Delegation, 2009, May 27.

<sup>31</sup> Pinteau I., « The Military aspect of the conflict settlement in the Eastern zone of the Republic of Moldova », Institute for Public Policy, April 2001, p. 10.

significant impact on a country's economic performance.<sup>32</sup> The country lacks natural resources, which makes Moldova heavily dependent on its neighbor intensifies Russia's key role in the Transnistria-Moldova conflict. Moreover, as N.Popescu argues, "Transnistria is dependent on the West more than any other authoritarian entity, recognized or unrecognized, in the former Soviet Union. Russian energy subsidies to Transnistria, estimated to be worth approximately \$20 million annually, are almost the equivalent of the budget of the Transnistrian government. The dependence of Moldova on energy supplies from Russia provides the latter with further political leverage. In addition, some experts have expressed concern about alleged Russian efforts to extend its hegemony over Moldova through manipulation of Moldova's relationship with its breakaway Transnistria region and energy supplies."<sup>33</sup>

In 1924 Transnistria became the Moldavian ASSR of Ukrainian SSR. The present boundary between Moldova and Romania was established in 1947.<sup>34</sup> Republic of Moldova has been created with a part of Bessarabia, taken from Romania by the Molotov-Ribbentrop Pact made by the ex-URSS and Germany in August 1939 and the left bank of the Dniester River in Ukrainian territory.<sup>35</sup>

During the last years of the 1980s national movement became the leading political power in Moldova. In 1990 Mircea Snegur became president of the republic, which made many changes that did not please the minorities, including changing the republic's name from the Moldavian Soviet Socialist Republic to the Soviet Socialist Republic of Moldova and declaring it sovereign the same month.<sup>36</sup>

On 27 August 1991, Moldova declared independence whose territory included Transnistria. The Moldovan Parliament asked the Government of the Soviet Union "to

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<sup>32</sup> <http://www1.american.edu/ted/ice/moldova.htm>

<sup>33</sup> American University Washington DC, <http://www.american.edu/ted/ice/moldova.htm>

<sup>34</sup> Russian news Network, <http://www.russiannewsnetwork.com/moldova.html>

<sup>35</sup> Beamuont F., « The Romanian-Ukrainian frontier and the real importance of the question of the minorities », In Cybergo : Revue européenne de géographie, n°303, 2005, 24 February .

<sup>36</sup> [http://www.mongabay.com/reference/country\\_studies/moldova/HISTORY.html](http://www.mongabay.com/reference/country_studies/moldova/HISTORY.html)

*begin negotiations with the Moldovan Government in order to put an end to the illegal occupation of the Republic of Moldova and withdraw Soviet troops from Moldovan territory*".<sup>37</sup> At the same time, leaders of separatist regions of Gagauzia and Transnistria declared their support to the Soviet Union and they interpreted this as a legal basis for the secession, keeping in mind the fact that before 1940 the area was part of Moldovan ASSR of the Soviet Union. Official Chisinau of course did not accept that position.

In December 1991 Transnistria and Gagauzia boycotted the presidential elections in Moldova and instead, they held own elections. Self-proclaimed republic remained de-facto occupied by the former Soviet 14<sup>th</sup> Army. The Moldovan government had little chances to resolve the conflict with Tiraspol through the use of force.<sup>38</sup> On March 29, 1992 the government of Moldova declared a state of emergency and ordered military offensive into Transnistria. In June president declared that "we are at war with Russia".<sup>39</sup> The armed conflict reached its culmination in early summer of 1992. A cease-fire agreement was signed on July 21, 1992 by the presidents of Russia and Moldova. The document included the establishment of a security zone and provided for peacekeeping forces formally trilateral but de facto dominated by 5 battalions of ROG (former 14<sup>th</sup> Army) and 2 battalions of Transnistrian Republican Guard.<sup>40</sup> The agreement set out principles for a peaceful solution of the conflict, including:

- ❖ Respect for the sovereignty and territorial integrity of Moldova
- ❖ The need for a special status of the left-bank Dniester region, and
- ❖ The right of the population of the left bank to decide on its own future if Moldova was to reunite with Romania.

Agreement also provided for trilateral peacekeeping forces, consisting of 5 Russian, 3 Moldovan and 2 Transnistrian battalions. However, this agreement violates the international laws of peacekeeping. According to international law, peacekeeping forces

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<sup>37</sup> [http://www.experiencefestival.com/a/Transnistria\\_-\\_History/id/2051905](http://www.experiencefestival.com/a/Transnistria_-_History/id/2051905)

<sup>38</sup> Ethnic conflicts border disputes ideological clashes terrorism,  
[http://www.conflicts.rem33.com/images/moldova/nistru\\_konflikt.htm](http://www.conflicts.rem33.com/images/moldova/nistru_konflikt.htm)

<sup>39</sup> <http://www.american.edu/ted/ice/moldova.htm>

<sup>40</sup> [http://www.conflicts.rem33.com/images/moldova/nistru\\_konflikt.htm](http://www.conflicts.rem33.com/images/moldova/nistru_konflikt.htm)

must be composed of **neutral forces**. During the whole year of 1992 the government of Moldova was under unprecedented diplomatic pressure from Russia demanding serious concessions on several major issues that included but were not limited to:

- ❖ The question of seeking NATO membership
- ❖ The question of re-unification with Romania
- ❖ The status of Transnistria
- ❖ The status of Russian language in the republic.

Moldova was left in total isolation and at the same time did not help to restore territorial integrity. Official Chisinau refused the idea proposed by Moscow of confederation with Transnistria and Gagauzia. This meant, that breakaway regions were offered broad autonomy in the territory of Moldova. It is worth mentioning, that even secessionists did not favored this initiative, and Tiraspol refused any other form of re-integration into Moldova. Negotiations between Chisinau and separatist leadership failed to reach any constructive agreement and were frozen in mid-1996.

On 8 May 1997, the Moldovan President and the separatist leader Igor Smirnov, have signed, the "Memorandum on the principles of normalizations of the relations between the Republic of Moldova and Transdniestria" also known as "Primakov Memorandum" with the mediation of the Russia, Ukraine and the OSCE Mission in Moldova.<sup>41</sup> In accordance with the memorandum, the relations between Moldova and Transdniestria shall be developed within the framework of a common state, within the borders of the Soviet Moldova. Russia and Ukraine expressed their readiness to become guarantors of the Transdnestrian status.

In July 2002, OSCE, Russian, and Ukrainian mediators approved a document for reuniting Moldova under a federal system.<sup>42</sup> It admitted two sub-entities: Gagauzia and Transnistria and gave the second one a potential blocking power in legislation. It means that if Moldova one day became the candidate country of the EU, Transnistria can block it. In mid-November 2003, Russia unexpectedly provided more detailed memorandum proposing a united *asymmetric* federal Moldavian state with an attached key proposal to locate a Russian military base on Moldavian soil for the next 20 years. The memorandum

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<sup>41</sup> [http://www.search.com/reference/History\\_of\\_Transnistria](http://www.search.com/reference/History_of_Transnistria)

<sup>42</sup> <http://www.state.gov/r/pa/ei/bgn/5357.htm>

presented an end to the previous Moscow policy, which assumed that the region would have equal status in federation with the rest of the country.<sup>43</sup>

Demonstrations took place in Chisinau against the Kozak memorandum. Government declined to sign memorandum without the coordination with the European organizations. In 2005, President Voronin made a statement rejecting Kozak memorandum because of contradiction with the Moldovan constitution which defines country as a **neutral state** and could not allow the country to join military alliances. Moldova and the Kozak memorandum was a key issue at the OSCE ministerial meeting in Maastricht in December 2003, and disagreement between Russia on the one hand, and the EU and the US on the other. Moldova was one of the principal reasons why a final joint declaration was not adopted after the meeting.<sup>44</sup>

In May 2005 Ukraine proposed a seven-point plan by which Transnistria and Moldova would be separated through a negotiated settlement and free elections. Under the plan, Transnistria would remain an autonomous region of Moldova. Members of Moldovan civil society proposed **3D Strategy**, a plan that provides specific policy recommendations for governments and multilateral organizations and calls for the implementation of three principles:

- ❖ **Demilitarization**-withdrawal of the Russian troops and decommissioning of military plants and disarmament of the Transnistrian military and security forces;
- ❖ **Decriminalization**-curbing and suppressing the rampant contraband, arms and human trafficking, and other criminal activities;
- ❖ **Democratization**-ensuring a free flow of information and freedom of speech; implementing international human rights standards; and promoting rule of law.<sup>45</sup>

The 3D Strategy outlines key objectives to be met by 2012. They include expanding negotiation talks to encompass the EU, the US and Romania, in addition Russia, Ukraine,

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<sup>43</sup> <http://politicom.moldova.org/news/transnistrian-conflict-52-format-to-prevent-negative-developments-205374-eng.html>

<sup>44</sup> [http://en.wikipedia.org/wiki/History\\_of\\_Transnistria](http://en.wikipedia.org/wiki/History_of_Transnistria)

<sup>45</sup> The 3D Strategy & Action Plan for the Settlement of the Transnistrian conflict. <http://foundation.moldova.org/pagini/eng/125>

the OSCE, and Moldova, and removing negotiators from the Transnistrian leadership. The plan also recommends establishing an International Executive Council that would monitor progress toward settling the conflict, and an International Civil Provisional Administration to help govern Moldova's eastern districts.

## 2.4. Similarities

Georgia and Moldova belong to the Post-Soviet area, which is often characterized with many similarities. The predictor of armed conflicts during post-communist period was the fact, that ethnic minorities enjoyed some form of territorial autonomy before the soviet regime began to weaken. This was hidden activity of Soviet Regime to hold these countries together and of course, creators knew that as soon as Soviet collapsed, these Autonomous regions would have problems with central government. The events leading to the *de facto* separation of the former three were very similar and many speculated they were simply a product of the old Soviet regime trying to "punish" Moldova and Georgia. Like in Georgia (Abkhazia and South Ossetia) in Moldova too Transnistria was falsely created Autonomous Region, which during Soviet Regime was granted certain degree of territorial autonomy.

The disintegration of the Soviet Union caused new reality. The national movement was the leading power in many countries, preceded with independence in early 1990's. On the one hand, these countries came back to their "homes" and histories, try to restore the lost identity, but on the other hand, they faced many internal problems. However, history also consists of many differences that makes difficult to find a common identity. Sometimes ethnic minorities that controlled existing territorial subunits were also more likely to be seen as a threat, so the governments were more likely to use force against these minorities when they were demanding the autonomy.<sup>46</sup> 1991-92 was period of armed confrontation in

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<sup>46</sup> Bunce, V. *Subversive Institutions: The Design and Destruction of Socialism and the State*, Cambridge: Cambridge University Press, 1999.



Georgia and Moldova, accompanied with thousands of IDP's, destroyed infrastructure, divided societies and etc.

One of the most common observations on the conflicts that arose from the collapse of communism was that they were calls of earlier disputes. This view is shared across the spectrum of thinkers of **nationalism**, which was one of the characteristics for Soviet countries in last decade of 1980's and 1990's. For a Modernist liberal like Ernst Gellner Soviet communism was an "intervening" force that "defeated" nationalism so long as it captured and controlled the state. In this sense, communism had been a deep freeze for nationalism (religions and language as components of national identity) and it was difficult to predict.<sup>47</sup> As Olcott notes, 'the only chance...to retain power... is to play the nationalist card by mixing religious and nationalist themes in a way that captures the popular imagination.'<sup>48</sup> HBS Professor Rawi Abdelal in a new working paper, "the quintessential status quo state in Eurasia." talks about nationalism, which can powerfully influences the world economy, particularly in post-imperial societies: "Nationalism is the use of the symbol of the nation for specific political, economic and cultural purposes," Abdelal writes. "It is the nation connected to a project."<sup>49</sup> Why was the CIS designed by Russia? They knew perfectly that it was predestined for failure. The CIS was ruins from Soviet Union, designed to replace it. The treaty recognized current borders and each republic's independence, sovereignty, and equality, but the CIS was not guarantor, that territorial conflict would not explode, Russia camouflaged its forces granted the status of "peacekeepers", it meant, that Russia continued its presence in conflict region benefiting from Status quo . But the chain of processes which started in 1990's was inevitable; collapse of Soviet Union has started in many countries. They were demanding independence, which was the main achievement for these countries. Even the CIS, which was designed to pack Russia's politics in sparkling paper, could not stop this process.

Unlike Abkhazia and South Ossetia, Transnistria's economic position is probably better that of any of the unrecognized states. Transnistria was the basis of Moldavian industry during the Soviet period, with heavy machine industries ad power-generating plants

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<sup>47</sup> Hughes J, Sasse G, Ethnicity and Territory in the Former Soviet Union: regions in conflicts, London, 2006, pg.1

<sup>48</sup> Olcott, Brill, Martha, Central Asia's Post-Empire Politics.' *Orbis*, 1992, pp. 253-268

<sup>49</sup> Harvard Business school working knowledge, <http://hbswk.hbs.edu/item/1568.html>

concentrated there. A high-quality rolled steel facility in northern part was one of the main capabilities of Soviet Moldavian industry, and it has function under Transnistrian control, while in 2004 the EU introduced a double-checking system for the steel exported from Moldova without imposing any quantitative restrictions. In fact, this was a measure to enhance the transparency of steel exports from Transnistria to the European Union. This meant in effect that the Transnistrian steel factory in Rybnitsa would not be able to export steel without Moldovan custom stamps or supervision by Moldovan authorities.<sup>50</sup>

The links between corrupt central governments and the secessionist regions, especially in Georgia and Moldova, have further imperiled already weak state structures. For example, the illegal trade with Russia benefits people in both South Ossetia and Georgia proper. In early 2004, President Saakashvili closed down the market selling illegal goods in Ergneti that had passed through the Roki Tunnel.<sup>51</sup>

Here is one issue: If the main goal of nationalism movements is to establish an independent national-state, then nationalist secessionism is the most extreme challenge to the territorial integrity of an existing state. Secession may also, declare its “territory” as a national state and try to legitimize it. The most basic characteristic of secession is that it is a **political act** against an existing state. Secession may result in the international recognition or partial recognition of a new state, or in non-recognition but *de facto* independence. The Separatist regimes in both cases even now are supported by Russia, which are the main tools of implementation its intensions.

Such situation was in the Post-Soviet countries, when the EU appeared in this area. As the EU’s policy comes closer to trouble regions, which have unresolved territorial disputes, it has also assumed growing responsibilities in the direction and conduct of the international missions in the post-conflict areas. The European component of those missions- both military and civilian – is today much more important, at least in relative terms, than it was at their perception. This tendency will continue in the coming years.

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<sup>50</sup> <http://revistas.ucm.es/cps/16962206/articulos/UNIS0606130247A.PDF>

<sup>51</sup> <http://www.worlddialogue.org/content.php?id=439&PHPSESSID=d7b3be53562e532a259745a18bd7f6fa>

Indeed, there are plans for further Europeanization of the international missions, mainly through the transfer of new operational responsibilities to the EU.

In the next section I want to talk about the European Union's role in conflict resolution process, to discuss mechanisms and capacities it is using. I think, that it is important to point out what is the EU offering us and what the demanding countries should expect from these bilateral relations.

## Section B

### 3. Widening without Enlargement

After gaining the independence, the South Caucasian states became the object of strong interest not only for their powerful neighbors (Iran, Russia and Turkey) but also for the world's leading powers (the US, the EU) due to the region's significant oil reserves and its attractive geo-economic and geostrategic location - its potential role as a transit corridor between Europe and Asia.

In early 90's, European Organizations have been involved in Eastern and Southern Eastern Europe for promoting universal values, such as democracy, human rights, rule of law and etc. From 1993 The OSCE has started monitoring peacekeeping missions in Moldova and Georgia; in the same year the UN observer mission, UNOMIG, was deployed to monitor the peacekeeping operations conducted by Russian forces. From this period the EU appeared on the South Caucasian landscape as a supporter of the process of transition towards market economy and democracy that started in these countries. One should mention that with the relation to Georgia, the EU has primarily been an aid provider rather than a political actor. Between the period 1997-2005 the EU assistance these regions amounted to 33 million Euros and from 2006, the EU significantly increased its budget and became the biggest international donor in the conflict regions.<sup>52</sup>

The European Security Strategy (2003) states that it 'is in the European interest that countries on the EU's borders are well-governed' because, 'neighbors who are engaged in violent conflict, weak states where organized crime flourishes, [and] dysfunctional societies...all pose problems for Europe.'<sup>53</sup> The South Caucasus was also mentioned in the Strategy as an area where the EU should take a "stronger and more active interest." Regarding to the conflict resolution in the region Popescu argues that "it is relatively difficult

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<sup>52</sup> [http://www.caucaz.com/home\\_eng/breve\\_contenu.php?id=291](http://www.caucaz.com/home_eng/breve_contenu.php?id=291)

<sup>53</sup> European Security Strategy 2003

to talk of an EU policy towards the conflicts in the South Caucasus in the 1990. There was virtually none.”<sup>54</sup>

With the launch of the **European Neighbourhood Policy** (ENP) and the development of a European Security and Defense Policy the EU has necessary instruments for involvement in conflict resolution. In 2004 The European Neighborhood Policy was introduced with the objective of avoiding the emergence of new dividing lines between the enlarged the EU and our neighbors and instead strengthening the prosperity, stability and security of all concerned.<sup>55</sup> The ENP was approved in June 2004 by the General Affairs and External Relations Council (**GAERC**) and was based on the conclusion of Action plans to be negotiated within the framework of the bilateral Partnership and Cooperation agreements or Association agreements.<sup>56</sup> The ENP offers more, but it cannot resolve all problems, like in our case conflict resolution. While introducing the ENP the EU knew this geographic area was full of unstable zones, conflict regions.

The Enlargement not only brought the EU close to countries, which were affected by secessionist conflicts, but also raised the sense to become involved in conflict resolution process. It is in Union’s interests to secure its borders and borders of neighbor countries to be well-governed because: “Neighbors who are engaged in violent conflicts, weak states where organized crime flourishes, dysfunctional societies (...) all pose problems for Europe”.<sup>57</sup> Success of the ENP will be achieved through spreading stability and security in the neighborhood as a way to avoid any kind of instability in the borders of the EU. These issues are linked with the active and frozen conflicts across the neighborhood; conflict prevention within the ENP has to be as a main priority.

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<sup>54</sup> Popescu, Nicu , Europe’s Unrecognized Neighbors. CEPS Working Document, No 260/March 2007

<sup>55</sup> [http://ec.europa.eu/world/enp/policy\\_en.htm](http://ec.europa.eu/world/enp/policy_en.htm)

<sup>56</sup> [http://ec.europa.eu/world/enp/documents\\_en.htm](http://ec.europa.eu/world/enp/documents_en.htm)

<sup>57</sup> European Security Strategy: A secure Europe in an better world, Brussels, 12 December 2003, pg.9

### 3.1. The EU-Georgia relations

Because of ethnic conflicts and instability in the middle of the 1990s, it was doubtful if it was possible to sign a Partnership and Cooperation Agreement with the countries of the region. Already in 1995 the European Commission's Communication on South Caucasus clearly outlined that the EU interests in the region are related to supporting democracy, promoting regional stability, lessening humanitarian suffering, having access to energy supplies in the Caspian and protecting the environment.<sup>58</sup> In 1995 The EU signed a Partnership and Cooperation Agreement (**PCA**) with Georgia which was completed in 1996 and entered into force in 1999.<sup>59</sup> The PCAs concluded with the South Caucasian countries are similar to other Eastern European and Central Asian countries. They provide trade liberalization, economic cooperation and cooperation in various other areas, including prevention of crime and illegal migration. Joint bodies, including a Cooperation Council at ministerial level and a Parliamentary Cooperation Committee, ensure a regular political dialogue.

The South Caucasus is energy transit corridor that allows the EU to expand access to energy resources from the Caspian region. The three possible alternative gas transit routes from the Caspian Sea to the EU – the Nabucco, Baku-Tbilisi-Erzurum and the trans-Black Sea pipeline projects all depend on stability in the South Caucasus, which raises its attractiveness. The EU's new energy interest in the region gave it an additional reason to be involved in this region. At the same time, there is still considerable unwillingness from some EU Member States to get deeply involved in security matters in the South Caucasus, not because of Russia, and not because it is in its interests to secure its borders, because conflict resolution is not the EU's ultimately goal. Nicu Popescu adds in his paper, that: "The nature of the EU efforts depends on the willingness of the conflicting parties to discuss the issue with the EU, and willingness to understand the reasons driving the EU desire for greater engagement in conflict settlement".<sup>60</sup>

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<sup>58</sup> <http://europa.eu/bulletin/en/9906/p103098.htm>

<sup>59</sup> [http://ec.europa.eu/delegations/georgia/eu\\_georgia/political\\_relations/index\\_en.htm](http://ec.europa.eu/delegations/georgia/eu_georgia/political_relations/index_en.htm)

<sup>60</sup> Popescu, Nicu, "The EU in Moldova: Settling conflicts in the neighborhood", Occasional Paper n°60, European Union Institute for Security Studies, Paris, October 2005, p.10.

Since 2003 the EU has become more of a security actor in the South Caucasus, particularly in Georgia. Ambassador Heikki Talvitie was appointed as the first **EU Special Representative for the South Caucasus**. The mandate of the EUSR is to develop contacts with governments, the judiciary and civil society groups in the region in order to encourage the countries of the region to cooperate on issues, such as region's common security threats, the struggle against terrorism, trafficking and organized crime. The Representative is also supposed to assist in conflict resolution, especially to improve the possibility for the EU to access in the conflict regions and support its activities.<sup>61</sup>

After "Rose revolution" government clearly expressed the relations with Euro-Atlantic structures for foreign policy priorities. The Council's decision on 14 June 2004 including Georgia in the ENP was considered as a one step forward in relation with EU, stating: *"This marks a significant step forward in the Union's engagement with the region. Each country will be given the same opportunity to develop its links with the EU, including through action plans, and will be treated in its individual merits in line with the general policy of the ENP"*.<sup>62</sup>

Under the European Neighborhood Policy, the EU and Georgia agreed on a joint **Action Plan** for reforms and cooperation in November 2006. Its implementation will also help to fulfill the provisions of the PCA, but some of them are paid more attention: Strengthen rule of law especially through reform of the judicial system, Strengthen democratic institutions and respect for human rights and fundamental freedoms. Improve the business and investment climate, Encourage economic development, promote sustainable development, Enhance cooperation in the field of justice, freedom and security, including in the field of border management.<sup>63</sup>

The EU country strategy paper on Georgia stated that "the EU wants Georgia to develop in the context of a politically stable and economically prosperous Southern Caucasus. In this respect, the conflicts in Abkhazia and South Ossetia remain a major

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<sup>61</sup> <http://www.cacianalyst.org/?q=node/1355>

<sup>62</sup> Georgia's ENP report 2005, pg.3.

<sup>63</sup> the EU-Georgia Action Plan

impediment” and “the resolution of internal conflicts also appears as a major condition for sustainable economic and social development.”<sup>64</sup>

Georgia has achieved progress on improving the business climate, reforming Customs and Taxation. Some important legislative improvements were achieved in the area of democracy, the functioning of state and local administrative bodies, human rights and fundamental freedoms. Progress was made on judiciary reform, improving state revenues and the fight against corruption was achieved. Economic growth in 2007 has been visible despite external factors occasioned by higher energy and food prices, but after August war Georgian economy was seriously damaged and now it has still many problems unresolved. Nevertheless, to increase the confidence of Georgian citizens in the judiciary and in the rule of law, the independence and impartiality of the judiciary as well as strengthening the ombudsperson institution remains a crucial objective for the country.<sup>65</sup>

In the EU-Georgia action plan conflict resolution was listed as Priority Area 6.<sup>66</sup> The EU showed readiness for contribution to the conflicts settlement in Abkhazia, South Ossetia based on respect of the sovereignty and territorial Integrity of Georgia”. The Action Plan mentions, that there is a need to increase “effectiveness of the negotiations mechanisms” to develop the EUSR’s role in the South Caucasus in conflict resolution and to include the issue of the settlement of Georgia’s conflicts in EU-Russia political dialogue.<sup>67</sup> In spite Georgia is great demander for EU’s involvement in conflict resolution process, the AP did not mention any concrete steps of the EU contribution. Georgia seeks the EU support for implementing the “peace plan for settlement of the conflict in South Ossetia”, including assistance in demilitarization, confidence building, and economic development, and would like the Action Plan to include more instruments from the ESDP toolbox to promote regional stability and crisis management.<sup>68</sup> For the EU it is more gainful to consider AP as

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<sup>64</sup> European Commission, Country Strategy Paper 2003-2006: Georgia, September 2003

<sup>65</sup> EU-Georgia progress report 2008

<sup>66</sup> EU-Georgia Action Plan, pg.10

<sup>67</sup> ibid

<sup>68</sup> EU/Georgia ENP Action Plan”, amended draft, 20 December 2005, IV section.



a general documents, which would define areas for development and, which will not include immediate steps for resolving all problems.

It should be noted, that some experts share idea, that the EU is well observing the situation, but is not doing much, as the EU does not intensify its involvement in conflict resolution(not to take into consideration EU missions). Somehow, it seems like, the EU, is waiting for the security situation in the South Caucasus to become stabilized before engaging itself more effectively in the region. But stabilization process, we are talking about is the process, condition, which will be met after the objectives are fulfilled. Indeed, Mrs Ferrero-Waldner has clearly stated that it is the task of local political leaders to bring about regional stabilization through conflict resolution, with local elites being responsible for identifying solutions to the settlement of conflicts.<sup>69</sup>

It is worth to pay attention that the EU is realistic on implementation of its goals and if we look deeper in documents, they do not include primary statements of the EU policy objectives when it will be achieved, it is acting realistically and cannot say how long it will take them to reach democratic modernity. Europe is observing the process in which country is moving for achieving political stability, attention is paid to conflict resolution and prevention. "The EU is trying to define its role in a new neighborhood which is neither at war nor at peace", says Nicholas Whyte, Director of Crisis Group's Europe Program. "If the EU fails to implement its strategic vision for a secure neighborhood, its credibility in the region will suffer. More troublingly, if the South Caucasus conflicts continue to deteriorate, the EU may find itself unprepared for responding to wars among its neighbors".<sup>70</sup>

The August war took closer the EU-Georgia relations. The Unions involvement in negotiation process however constituted a timely response in a situation when Russian troops were near Tbilisi. The EU has expressed its support for Georgia's sovereignty and territorial integrity and called Russia for withdrawal its troops from Georgian territory. In September 2008, Commissioner of External Relations and the ENP, Mrs. Ferrero-Waldner

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<sup>69</sup> Kochladze M., Challenges and prospects of implementation ENP in Georgia, pg.4

<sup>70</sup> A. Reuters, Source: Crisis Group in Georgia, Abkhazia and S.Ossetia, Conflict resolution in South Caucasus- the EU's role, 2006, May 24.

in her speech underlined the importance of Humanitarian Aids for countries, which have still unresolved conflicts and mentioned Georgia's case after August War.<sup>71</sup>

President of the European Commission Jose Manuel Barroso said in his opening speech at the conference that the international community had a "moral imperative" to help Georgia. The aim of the conference was to mobilize external assistance to support the country in the reconstruction of damaged infrastructure, reintegration of IDP's and in accelerating Georgia's recovery from the impact of the August 2008 conflict on its economy. The European Commission has provided humanitarian assistance which will be up to €500 million.<sup>72</sup> Mrs. Waldner mentioned that: *"The constructive and rapid EU response to the Russia-Georgia crisis demonstrates that the EU is committed to its neighborhood partners and county needs support more now than never before."*<sup>73</sup>

In October The EU Monitoring Mission (**EUMM**) has been deployed in Georgia after August war to monitor the ceasefire. The mission is autonomous, planning contribute to stabilization, normalization and confidence building through Georgia and surrounding region. About this mission we will talk in the previous chapters.

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<http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/08/549&format=HTML&aged=0&language=EN&guilanguage=en>

<sup>72</sup> European Commission, [http://ec.europa.eu/external\\_relations/georgia/conference/index\\_en.htm](http://ec.europa.eu/external_relations/georgia/conference/index_en.htm)

<sup>73</sup> Commissioner of External relations and ENP, Speech, October, 2008.

### 3.2. The EU-Moldova relations

After the collapse of the Soviet Union, Moldova found itself in a new reality. In its first years of independence, country was ignored by the union, not only because member states had stronger interests in Central Europe or the Balkans, but also because Moldova failed to define its clear foreign policy, with membership as a strategic orientation and EU member states as strategic partners.

The EU-Moldova **Partnership and Cooperation Agreement** was concluded in 1994 and came into force in 1998. As in case of Georgia, this PCA constitutes the basis of the EU-Moldova relations. The objectives of the document are follows: to provide and appropriate framework for the political dialogue between parties, to promote trade and investment and harmonious economic relations between the Parties, to provide a basis for legislative, economic, social, financial, and cultural co-operation and to develop and to complete the transition into a market economy.<sup>74</sup> The country could benefit from the PCA implementation even it did not provide clear perspectives for the EU Membership. Russia's strong role in post-soviet conflicts rehabilitation is considered as important and especially in both our cases. Moldova tried to conduct bilateral relations with EU and Russia in the same level and quality and it was not always successful.

Since 2002, the EU has stepped up its attention and actions towards Moldova. The EU now raises the Transnistrian issue in relations with Russia and Ukraine. The Union has also used an array of CFSP instruments to support the conflict resolution process. Because of Enlargement a 2002 Commission paper on EU approaches to Moldova stated: 'Moldova's stability clearly matters to the EU. Within a few years, Moldova will be on the borders of an enlarged EU. It has been destabilized by weak government, armed conflict and secession, near economic collapse, organized crime and emigration [...] The EU needs to help Moldova address these problems'<sup>75</sup> Enlargement stimulated the EU to develop a neighborhood policy.

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<sup>74</sup> The EU-Moldova PCA

<sup>75</sup> The EU approach to Moldova (2002)

In November 2002 president Voronin established National Commission for European Integration (NCEI) aimed at the elaboration of the European Integration Strategy of the Republic of Moldova.<sup>76</sup> Later the establishment of Parliamentary Commission for European Integration; setting up the European Integration Department (**EID**) within the Ministry of Foreign Affairs.

The Commission's communication which was published in March 2003 stated that the new policy was introduced, with the aim of closer integration between the EU and its neighbors. On one side, Moldova welcomed the EU's initiative to deepen its relations with the country, but on the other hand it was more or less disappointment, as Moldova was not offered the EU membership. The Commission refused to say whether any of these countries<sup>77</sup> could become members of the EU and it offered the "ring of friends" participation in all EU policies, but not in its institutions<sup>78</sup>. Moldova as the other ENP countries has not been offered perspective of the EU membership. The fact, that Moldova was united in the same basket with not only neighbor countries-Ukraine and Belarus, but also with Morocco and Algeria led to disappointment in Chisinau. The hopes of the Moldovan authorities and political elite were not fulfilled. Moldova does not want to be part of a policy, such as the European Neighborhood Policy, rather, it wants to be a member of the family, with relations upgraded to a legally binding agreement, similar to those offered to the Balkan countries<sup>79</sup>, to be included in enlargement and to have a legally binding agreement similar to those offered to other candidate countries, but in Chisinau this initiative was conceived as additional way of relation with the EU. Even in Moldova say that, only Action Plans could not help them to resolve all problems and it would once more underline, that Moldova is not European enough to be taken into account in future enlargement processes.

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<sup>76</sup> Buscaneanu Sergiu, "How far is the ENP a substantial offer to Moldova?", 2006,pg. 6.

<sup>77</sup> ENP covers 16 countries with a population of 400 million people: Moldova, Ukraine, Belarus, Algeria, Tunisia, Libya, Syria, Morocco, Jordan, Israel, the Palestinian Autonomy, Egypt, Lebanon, Armenia, Azerbaijan, Georgia.

<sup>78</sup> Speech by Romano Prodi, former President of the European Commission, "Looking Ahead in Transatlantic Relations", 24 June 2003, [http://ec.europa.eu/comm/external\\_relations/news/prodi/sp03\\_322.htm](http://ec.europa.eu/comm/external_relations/news/prodi/sp03_322.htm)

<sup>79</sup> Action Plan documents are agreements signed by the two parties, but are not subject to ratification, which would give them the status of treaties. "A New Agreement between the EU and Russia: Why, what and when?", CEPS Policy Brief, No. 103/May 2006

The EU has recognized the European aspirations of Moldova, but has not put Moldova on the EU's enlargement agenda, as it was requested by Chisinau. There were many problems, unresolved conflict, which erupted immediately after Soviet collapsed and which is connected to Russian politics. At the same time, conflict has influence on Moldova's internal affairs and plus a lot of problems: lack of democracy, illegal migration, trafficking, smuggling and etc, in one word, enough for rejecting. On one hand the EU has bilateral relations with Russia, but at the same time leaves this problem between Moldova and Russia. In the recent article written by Graeme P. Herd in which he argued that the Moldovan (security) politics is a tale of three cities: Tiraspol, Kyiv and Moscow – but not Brussels.<sup>80</sup>

After Romania entered the EU, Moldova was left aside, but the EU can't take country with a lot of problems, and for the first stage the ENP included Moldova as a member state, which was invited to enter into close relations with the EU, shared responsibility in conflict prevention and resolution. One of the key objectives of this action plan will be to further support of solution to the Transnistrian conflict. The level of relation is more depended on member countries how they implement jointly agreed priorities. It is remarkable, that the new policy was also developed because of security and strategic considerations, with the EU's first European Security Strategy of 2003 signaling that "integration of acceding countries increases our security but also brings the EU closer to troubled areas"<sup>81</sup> Of course the EU knew, that ENP was not only beneficial policy for member countries, but at the same it was risky for the EU approaching "conflict regions".

Co-operation for the settlement of the Transnistrian conflict is priority for Moldavian government as in previous case, which also matters the EU. This dispute poses considerable security challenges to the enlarged Europe as the separatist region geographically stands close to the border of Romania. Somehow situation in conflict region appears to be calm, but situation is far from stable, which can worsen at any moment.

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<sup>80</sup> Graeme P. Herd, "Moldovan Security Politics: The Tale of Three Cities," *Connections*, vol. III (4), 2005, p.13–20.

<sup>81</sup> European Security Strategy, 2003.

By 2003 negotiations about conflict settlement was unhopeful. The five- sided mechanism and the peacekeeping format have not worked and were slowed down. The peacekeeping operation was perceived as sustaining the status quo rather than solving the conflict, but in contrary, the negotiation format was legitimizing them. The UK Government memorandum on the appointment of an EU Special Representative to Moldova is clear: 'After another year without progress on the five-sided settlement talks [...] there is recognition within the EU of the need for greater engagement in Moldova.'<sup>82</sup>

Russian policies towards Moldova attracted the EU's attention too. Russia's unilateral diplomacy and pressure to weaken the OSCE has destabilized the five-sided format in this conflict. Kozak memorandum developed a unilateral settlement plan that would have opened the way to a Russian military presence until 2020 and Transnistria's de facto domination of the whole of Moldova. In addition, Russia failed to withdraw its troops and armaments before the end of 2002 in accordance to its OSCE Istanbul commitments.<sup>83</sup> Russia has not cease supporting Transnistrian separatism even after an initially pro-Russian communist government took power in Moldova.

Moldova was the first country to conclude the negotiations over the document on 21 February 2005. The EU-Moldova Action Plan was signed on 25 February in Brussels for a three-year term.<sup>84</sup> Since then, the EU has increased significantly its political visibility and influence in Moldova; the political cooperation become more active and deeper; the harmonization process of Moldovan legislation with the *Acquis Communautaire* in the areas of democracy, economy, trade, energy, transports and other fields has been accelerated; the Moldova's trade relations with the EU have expanded; the mobility of Moldovan citizens in the EU has been improved; the people-to-people contacts have become more intense with an increased level of discussions referring to the domestic and external issues. "As partners become actively engaged in negotiation and implementation of Action Plans, their expectations and priorities become clearer and they formulate their own goals more precisely – all of which will prepare them for a deeper political and

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<sup>82</sup> Information from the Committee on European Security of the United Kingdom Parliament, House of Common, 11 Report of Session 2004-2005, Point 12 'FCO (26397) EU Special Representative for Moldova'.

<sup>83</sup> Popescu Nicu, *The EU and Transnistria*, 2006, pg. 3

<sup>84</sup> Buscaneanu Sergiu, "How far is the ENP a substantial offer to Moldova?", 2006,pg. 19.

economic relationship with the EU.”<sup>85</sup> The financial instrument of the ENP is the European Neighborhood and Partnership Instrument that supports in particular the implementation of Action Plans, with a budget of almost 12 billion Euros for 2007-2013.<sup>86</sup>

Main achievements of Moldavian government after adopting the Action plan are: Opening of the European Commission Delegation in Chisinau; Adoption of the Law on the modification of some legislative acts on justice, Abolition of death penalty under all circumstances, introducing a new article in the Criminal Code that establishes punishments for applying the torture, Adoption law of equal chances to women and men; Appointment of EU special representative in Moldova, Participation of the EU as an observer in the negotiation process of the Transnistrian conflict; Creation of the Border Assistance Mission to Moldova and Ukraine.<sup>87</sup>

In March 2005 the EU appointed an EU Special Representative for Moldova Ambassador Jacobovitz de Szeged, and in September 2005, together with the USA, joined the mediation process (known as the 5+2) as an observer.<sup>88</sup> The EU also launched a successful EU Border Assistance Mission (EUBAM) in November 2005. So far, only meetings between the international mediators and observers have taken place. Moldova has made important progress, with Ukraine, on pending border questions along the Transnistrian section of their shared border. Cooperation with Ukraine has been strengthened, including through steps towards an effective exchange of information about the flows of goods and people across their common border.

Despite the fact that the ENP Action Plan signed with the Republic of Moldova is called bilateral, the EU doesn't make any concrete commitments in regard to Transnistrian conflict, may be somehow Moldova lacks the political will, which is much more important. The peacekeeping mission needs to be reformed and internationalized, for this the EU has

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<sup>85</sup> Rutger Wissels, "The Developments of the European Neighborhood Policy", Foreign Policy in Dialogue: The New Neighborhood Policy of the EU, <http://www.deutsche-aussenpolitik.de>, 27 July 2006

<sup>86</sup> This means an increase of 32 % in real terms above the amounts available for the period 2000-2006. Ibid.

<sup>87</sup> The EU-Moldova progress report 2008

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[http://diplomatie.belgium.be/en/policy/european\\_union/belgium\\_and\\_the\\_eu/external\\_relations/europe\\_and\\_the\\_world/eastern\\_europe/](http://diplomatie.belgium.be/en/policy/european_union/belgium_and_the_eu/external_relations/europe_and_the_world/eastern_europe/)

the tools, the experience, and the interest to support solution for one of the most resolvable conflicts in its neighborhood.

Overall, during 2008 year, Moldova made progress in most areas of the ENP Action Plan. Major achievements were the reform of the judicial system: Legislation adopted in December 2008 reformed the Public Prosecutor's Office although it did not fully take into consideration the Council of Europe's advice on the independence of the prosecution and amended the status of judges as well as the composition of the Supreme Council of Magistracy; important anti-corruption laws entered into force. In April 2008, new legislation provided the regulatory framework for enforcing the decisions of the European Court of Human Rights (ECHR) in Moldova. The government positively cooperated with the EU Border Assistance Mission (EUBAM), In December 2008; the 7<sup>th</sup> Trilateral meeting on border issues took place in Brussels. All sides confirmed the progress made in border security at the Moldovan-Ukrainian border and emphasized that cross-border cooperation had improved significantly. Bilateral **trade** in goods between the EU and Moldova continued to grow in 2008. Imports from Moldova increased by 2.7% and exports by 14.1% compared to 2007. Trade with the EU accounted for 50.2% of total Moldovan trade in 2007 thus making the EU by far the first trading partner of Moldova. Since March 2008 Moldova benefits from the comprehensive EU Autonomous Trade Preferences (ATPs) and made an extensive use of available quotas under this regime, notably for wine, sugar and cereals.<sup>89</sup>

The **visa facilitation** and **readmission** agreements between Moldova and the EU entered into force in January 2008 at the same time, Estonia joined the Common Visa Application Centre in Chisinau which opened in April 2007. In 2008, the Centre issued 7,487 visas, a significant increase on 2007. Moldova worked actively to prepare the protocols to be signed with the EU Member States under the readmission agreement, and established a readmission fund.

Moldova continues to cooperate with the EU on Transnistrian issue, including confidence building measures. Country wants the EU to raise the conflict issue on the agenda of its

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<sup>89</sup> The EU-Moldova progress report 2008



political dialogue with the Russian Federation, government would like to see the EU more concrete its decisions and actions concerning the conflict resolution.

### **3.3. The European Union's Missions to Georgia**

Since 90's the UN and the OSCE have taken the leading role in promoting conflict settlement. It is also remarkable, that post-conflict situation often creates difficulties between parties for the cooperation. Even more, some countries highlight more importance of the EU's involvement in certain region in conflict resolution process, while for others it is only priority. One should mention that the EU generally is more contented with a post-conflict rehabilitation and peace building role, than in conflict resolution itself.

The EU's involvement in the eastern neighborhood has been most visible in Georgia and Moldova. These two countries are the EU's neighbors, (Moldova closer bordering Romania) which have still many internal problems, and they need strong external support for strengthening democratic institutions. Both, Georgia and Moldova are demanders of the EU's involvement in conflict resolution process; and plus one important aspect, the post-soviet space is one of the places in which the EU's involvement is not welcomed by Russia. On one hand, it is the EU's relation with Georgia and Moldova, on the other hand plus with Russia.

Despite elements of engagement, the EU chose not to play visible role in conflict resolution process in Georgia, in contrary; it chose to focus on Georgia's reform and transformation which is one of the preconditions for settling the disputes. In 2004-2005 the EU deployed a one year long "rule of law" mission to Georgia (EUJUST THEMIS) - the first in the former Soviet Union, a clear example of the EU's soft power approach with its focus on the justice process, including policing, and civilian administration.<sup>90</sup> The government of Georgia issued the decree about the cooperation between the following institutions:

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<sup>90</sup> [http://www.parliament.ge/index.php?lang\\_id=ENG&sec\\_id=491&info\\_id=11055](http://www.parliament.ge/index.php?lang_id=ENG&sec_id=491&info_id=11055)

Ministry of Justice, Ministry of Home Affairs, Ministry of Foreign Affairs, and The State Minister in the Sphere of European Integration issues, Office of General Public Prosecutor, Secretary of National Security Council and The Chairman of Highest Court.<sup>91</sup> In seven months, team of the EU legal experts assisted the Georgian government in implementing reforms of the criminal-justice system to bring it up to international standards. The EU team was led by Sylvie Pantz, a veteran French judge. The mission consisted of several senior the EU experts to be located at key positions within the Georgian government. It received 2, 5 million euro on its activities in addition to 4, 65 million provided by the European Commission under the Rapid Reaction Mechanism.<sup>92</sup>

General directions of EUJUST THEMIS were:

- ❖ supporting the Georgian government in working out the horizontal strategy, which will extend on every appropriate structure participating in Criminal Law reform system;
- ❖ managing the process of reforming the Criminal law for achieving the international and national standards in human rights by receiving the qualified advices and monitoring;
- ❖ supporting the authorities, competent in management of Criminal law system, in working out the appropriate mechanism of coordinating;
- ❖ supporting the law making process (for example: Criminal law) in case of need;
- ❖ Supporting the development of international and regional cooperation in the sphere of Criminal law.<sup>93</sup>

The EUJUST THEMIS was important mission from the EU side, an excellent tool in helping post-soviet countries, like Georgia, to reform their criminal-justice systems.

At the end of the 2004 Russia vetoed the continuation of OSCE Border Monitoring Mission in Georgian-Russian border. In 2005, Georgia requested the EU to deploy the EU border monitoring mission to replace the OSCE mission. The EU decided to send a team of experts under the EUSR to help Georgia renovate its border management and at the same

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<sup>91</sup> The Parliament of Georgia, [http://www.parliament.ge/index.php?lang\\_id=ENG&sec\\_id=491&info\\_id=11055](http://www.parliament.ge/index.php?lang_id=ENG&sec_id=491&info_id=11055)

<sup>92</sup> The Rapid Reaction Mechanism is a financial instrument aimed at financing the EU foreign and security policy actions which were not provided for in the EU budget.

<sup>93</sup> Legislative acts and other instruments, Council Joint Action on the European Union Rule of Law Mission in Georgia, 22 June 2004, Brussels

time encouraging the country for reforms. Taking over the OSCE BMO was easy to do for the EU technically, but not politically.<sup>94</sup> The OSCE BMO was less than 150 people, and it was probably feasible for EU to deploy such a number of the personnel.

Failing to deploy the full Monitoring Mission, in April 2005, the EU deployed three civilian experts under the EUSR to help Georgia to transform border management. The function of the EUSR support team was to: “provide the EU with reporting and a continued assessment of the border situation and to facilitate confidence-building between Georgia and the Russian Federation, assist the Georgian Border Guard and other relevant government institutions in Tbilisi; work with the Georgian authorities to increase communication between Tbilisi and the border, including mentoring.”<sup>95</sup> In November 2005, this mission finished and they gave recommendations for reform. One of the key issues, which were advised to have, was professional border police. The EU has kept the profile of the EUSR border support mission as low as possible in order to avoid any irritation from Russia.<sup>96</sup>

The Second EU mission was sent in territory of Georgia after August War in 2008 under ESDP to monitor the ceasefire, decided in the Extraordinary European Council on 1 September 2008. It is fastest deployable autonomous mission, planning to contribute to stabilization and confidence building through Georgia. On October 1<sup>st</sup> the EU Monitoring mission (EUMM) became operational in Georgia, with a staff around 350; the budget was initially set at 31 million Euros and later has been increased to 35 million Euros due to the enlarged number of staff.<sup>97</sup> German diplomat Hansjorg Haber heads the Mission. The initial duration of the mission is twelve months. The EUMM mounts patrols from field offices in Tbilisi (headquarter), Gori, Poti, Khashuri and Zugdidi.<sup>98</sup> The objective of the mission is

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<sup>94</sup> Interview with the former member of EUSR border support team, Brussels, June 2006.

<sup>95</sup> Council Joint Action 2006/121/CFSP of 20 February 2006 appointing the European Union Special Representative for the South Caucasus, Official Journal of the European Union, 21.02.2006, L 49/14.

<sup>96</sup> CEPS Working Document No. 260/March 2007, EU's unrecognized neighbors , pg. 13.

<sup>97</sup> [http://europeanjournal.typepad.com/my\\_weblog/2008/10/georgia-eu-miss.html](http://europeanjournal.typepad.com/my_weblog/2008/10/georgia-eu-miss.html)

<sup>98</sup> <http://www.delukr.ec.europa.eu/page48904.html>

to contribute to the stabilization of the situation, in accordance with the six-point Agreement, also tasked with monitor human rights; civil governance; rule of law; security of transport links; energy infrastructure, as well as the political and security aspects of the return of internally displaced persons and refugees.

"The objective of the mission is to allow Russian forces to withdraw," the High representative for the CFSP, Javier Solana said. "I am optimistic that all the parties will comply, as we have done, with the terms of the agreement," he said. Italian Foreign Minister added, that "We need the agreement of all sides involved, because we do not want to act as an occupying force."<sup>99</sup> During his visit in Georgia Solana talked about the high importance of the EU's presence in conflict regions, once more underlined that the Union has strong interests participating in conflict resolution process: "For the EU, it is great honor and responsibility to be in Georgia, we work for the stability of the country, our engagement is serious, the EUMM is an unarmed civilian mission, and its role is to monitor the situation on the ground in order to ensure that there is no return to violence, that people can return in peace to their homes and that normal life can resume."<sup>100</sup> and he stressed the importance of co-operation with Russia, which is the EU's partner and at the same time conflicting party.

Under the August 12 and September 8 agreements, Russia agreed to withdraw its forces to pre-August 7 lines by October 10.<sup>101</sup> It means that, all the peacekeepers that were in those territories before the war must leave. Furthermore, the EU mission statement says: "the EUMM shall provide civilian monitoring of parties' actions, including full compliance with the Six-point Agreement and subsequent implementing measures throughout Georgia." In 1<sup>st</sup> of October Haber told Reuters on: "We do not expect to be allowed to go there soon." On the eve of EUMM deployment, Russian peacekeeping force spokesman Manushko said that the Europeans could patrol only "up to the southern border of the

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<sup>99</sup> Deutsche Welle, <http://www.dw-world.de/dw/article/0,2144,3682047,00.html>

<sup>100</sup> <http://www.dw-world.de/dw/article/0,2144,3645793,00.html>

<sup>101</sup> [http://www.acus.org/new\\_atlanticist/european-monitors-must-head-abkhazia-south-ossetia](http://www.acus.org/new_atlanticist/european-monitors-must-head-abkhazia-south-ossetia)

security zone." <sup>102</sup> However, the next day, Russian President Dmitry Medvedev said, "We will do everything on time." In spite of Russia's promise they have not withdrawn troops from occupied zones yet, on the contrary they are still occupying the territories of Georgia and preventing the normal working process of the EUMM. <sup>103</sup>

Talks on how to regulate relations between Russia, Georgia and the breakaway republics of South Ossetia and Abkhazia started in Geneva in October 15. Co-chairs include the Special Representative of the U.N. Secretary General and representatives of the EU and OSCE. Delegations from Georgia, Russia, the United States, *de facto* and Georgia-recognized Abkhaz and South Ossetian leaderships participate in discussions. The Russian delegation was not present in the first session because separatist leaders were not invited. According to South Ossetia's envoy to Russia, Dmitri Medoyev, the peace plan outlines that the republics in question should have equal status in the talks. <sup>104</sup> Halkie Talvitie, Special Envoy of the OSCE Chairman-in-Office in the meeting once more underlined the importance of Russia, participating in negotiations and he was sorry, that stability and security had been understood in wrong way by Russian officials: "Our three organizations are fully committed to take this process forward. Our aim is very practical; to strengthen stability in the region and improve the humanitarian situation". The fact, that Abkhazia and South Ossetia were invited in the second round in Russia was perceived as an achievement for Russian foreign policy, which continues manipulation with ethnic elements of breakaway regions.

The second round was considered more successful. In spite of the fact that Georgia, Abkhazia and South Ossetia were participated in an equal status the Georgian Foreign Ministry, however, stressed in its statement that meetings "took place on an informal basis in individual capacity." As mediators say, in third round of international talks the parties made a progress during towards agreeing working-level mechanisms to tackle security-related

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<sup>102</sup> [http://www.acus.org/new\\_atlanticist/european-monitors-must-head-abkhazia-south-ossetia](http://www.acus.org/new_atlanticist/european-monitors-must-head-abkhazia-south-ossetia)

<sup>103</sup> *ibid*

<sup>104</sup> <http://www.mn.ru/news/20081016/55351197.html>

incidents on the ground. Agreement was reached on adopting an incident-prevention mechanism in fourth round in Geneva.<sup>105</sup>

As negotiations has been moving for adopting the concrete security arrangements Russia accompanied by separatist negotiators boycotted the first day of the meeting on May 18. It seems, that Russia tries to “stabilize” situation in region by its own rules and as deputy foreign minister Karasin mentioned, there were different interpretations of security arrangements in the meetings: “Intensive, sometimes tough exchange of opinions took place during today’s negotiations about the issues related with security and stability in the region”.<sup>106</sup> In spite the EU’s will for active involvement in negotiation process, there won’t be any solutions without the consent of all conflicting parties. Southern Caucasus is more important for Russia, than for the Europe, as Russia’s interests’ makes country alarmed not to miss any point concerning this issue. In this regard, there are some weaknesses from the EU side which needs more visibility. The last issue of six point agreement about international debates on status of breakaway regions was like many other issues understood in wrong way by Russian officials. As soon as they have recognized the independence of separatist regions, they demanded the participation of *de facto* delegations in international negotiation process, and this fact was considered as a big achievement of Russia’s foreign policy, but when the process was moving forward for reaching some arrangements, Russia boycotted the negotiation process demonstrated their importance and role of its participating in this development.

Even before, Russia has blocked the extension of the OSCE international monitoring mission in Georgia. After recognizing the independence of Abkhazia and South Ossetia, the OSCE clearly stated its position indicated that Russia should respect the territorial integrity and sovereignty of Georgia. Finnish Foreign Minister Stubb also stressed, that Six-point agreement was not fulfilled and Russia should withdraw all troops from Georgia and

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[http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear\\_en\)/64FD12F05BEEE7C5C125756100611B78?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/64FD12F05BEEE7C5C125756100611B78?OpenDocument)

<sup>106</sup> <http://www.civil.ge/eng/article.php?id=20949>

implement the ceasefire agreement,<sup>107</sup> including the issues defined in the 16 August letter of French President Nicolas Sarkozy.

The mandate of the OSCE Mission in Georgia expired on January 1, because Russia blocked the extension of the mission, which may have lead to worsening the situation. It is good opportunity for the European Union to raise the visibility of its presence and fill the vacuum in the OSCE's wake. The EU will face a similar challenge in Abkhazia when the United Nations mission's mandate expires in February. That's why, the EU's presence is vitally important in conflict region, it is the only political actor operating in conflict region.

Political analyst of East European affairs, Vladimir Socor in his publication states that Russia finds it easy to show up the OSCE by exploiting the organization's veto system, known as consensus-based decision-making. He talks also about the OSCE's 2009 Greek chairmanship, which in his opinion continues the 2008 Finnish chairmanship's course for a bureaucratic cover up solution acceptable to Russia and the main goal behind these attempts are the legal formulations and operating powers in a possible new mandate. The OSCE and some EU members know perfectly, that Russia's goal is to minimal the OSCE presence in South Ossetia and that's why the EU and the OSCE were trying to keep this mission alive in 2009.<sup>108</sup>

Anvar Azimov, the permanent representative of Russia to OSCE perfectly sounded Russia's desires. In his conversation to ITAR TASS Azimov said: "Russia has been crusading for continuation of the presence of the OSCE both in Georgia and South Ossetia." And even he did not hide, that decisions coming from west served the new international order and Russia is against: "However, a scheme, suggested to us by Western partners and which is based on a premise that nothing has happened supposedly in the region after the act of Georgian aggression and nothing has changed, runs counter to the new international legal and political realities, it will not be viable, since it will not be

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<sup>107</sup> press realize, Vienna, august 19, 2008

<sup>108</sup> Eurasia Daily Monitor Volume: 6 Issue: 3, January 7, 2009

accepted, above all, by South Ossetians, while we should like that OSCE presence in the field would work efficiently and would bring practical results”.<sup>109</sup>

To sum up this chapter, it is not doubt, that the European Monitoring Mission is important for us, because it raises visibility of the EU presence. In spite, that the mission is monitoring and it has not other functions, they are reporting the situation in breakaway region, what is going there, how people are treated and etc. After Russia recognized the independence states, wants from other countries and organizations to delight it as such. The fact, that Geneva talks started, it is considered as a victory for Georgia, really innovation for this region, because such negotiation format in which different countries and organizations are involved will help on the one hand to internationalize conflicts and on the other hand to achieve concrete decisions.

### **3.4. The European Union’s mission to Moldova**

Since 2002 the EU had expressed big interest towards the Transnistrian conflict, because of Enlargement. A 2002 Commission paper on the EU approaches to Moldova stated: “Moldova’s stability clearly matters to the EU. Within a few years, Moldova will on the border of an enlarged EU. It has been destabilized by weak government, armed conflict and secession, near economic collapse, organized crime and emigration [...] The EU needs to help Moldova address these problems.”<sup>110</sup> The EU has used a wide array of CFSP instruments to support the settlement of the conflict in Transnistria.

In summer 2003 the EU discussed the possibility of contributing to a peace-support operation in Transnistria. This initiative was discussed in EU Political and Security Committee.<sup>111</sup> By 2003, the conflict settlement mechanisms were not effective, even more,

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<sup>109</sup> <http://www.georgiatimes.info/en/?area=articleCommentationController&action=add&article=12323>

<sup>110</sup> Popescu ,Nicu, “The EU in Moldova - Settling conflicts in the Neighborhood”, Occasional Paper 60, European Union Institute for Security Studies, Paris, October 2005.

<sup>111</sup> Popescu ,Nicu, The EU and Transnistria, pg. 2.



five-sided mechanism has not worked; the process became frozen. Transnistrian authorities were opposing any Western involvement in this process, even more, prolonging the *status quo*. The failed negotiations had not any real achievements. Since 2003 Moldova has called for the EU (and for US) to become a full mediator in the Transnistrian, sending from time to time diplomatic missions to Moldova, raising the problem with Russia and Ukraine and expressing options about this issue.

After Orange Revolution and changes in Ukraine, government had made great interest for conflict resolution in Moldova. Changes took closer the EU-Ukrainian relations. All knew that, the elites in the separatist region have been involved in smuggling and trafficking activities, which passed mainly through Ukraine and during Kuchma period interest groups benefited from corrupt activities in Transnistria. President Viktor Youshchenko included this problem in his reform agenda.

Since 2003, series of trilateral negotiations were held between Ukraine, Moldova and the EU in Brussels on the issue of joint border control on the Moldovan-Ukrainian border. The ENP Country Report on Moldova from 2005 mentions that “a key element in any effort to achieve a settlement relates to ensuring Moldova’s control over its entire customs territory”.<sup>112</sup> The EU supported Moldova’s proposal for a creation of a joint border control on the Ukrainian territory to ensure control over all of Moldova’s external borders and the EU, also supported financially this initiative. In February 2003 the EU and the US introduced restrictions in the form of a travel ban against representatives of the Transnistrian leadership. The joint statement said: “The leadership of the secessionist Transnistrian region has continually demonstrated obstructionism and unwillingness to change the status quo, thereby impeding meaningful negotiations”.<sup>113</sup>

In 2005 Victor Yushchenko and Vladimir Voronin signed the joint letter, which requested the EU to assist in the creation of an “international customs control arrangement and an

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<sup>112</sup> <http://www.lumeamilitara.ro/index.php?mod=articol&idart=41&numar=1/2006&sectiune=Mondo%20militare>

<sup>113</sup> ‘Moldova: Council adopts restrictive measures against the Transnistrian leadership,’ Brussels, 27 February 2003, 6679/03 (Presse 56), Annex 1 ‘Joint Statement of the European Union and the United States on Sanctions against the Transnistrian leadership.’

effective border monitoring mechanism on the Transnistrian segment of the Moldova-Ukraine State border”.<sup>114</sup>

In August 2005, the EU presented a memorandum on the creation of the EU Border Assistance Mission, which was signed in October. The mission would monitor and assist customs and border controls on the whole frontier between Moldova and Ukraine, including its Transnistrian sector. In declaration there was mentioned, that it was very important initiative in the development of cooperation between the EU and the Moldovan and Ukrainian authorities in the fight against uncontrolled situation. According to the mandate the mission would last for 2 years, but it was extended by November of 2009. The Mission was involved in an EC-financed EUR 9.9 million project called BOMMOLUK <sup>115</sup> (Improvement of Border Controls at the Moldova-Ukraine border). The first part of the project was focused on equipment procurement and training for officers at jointly controlled border crossing points.

The main reasons for the launch of the EU BAM was to guarantee better border management in the conflict area and control the economic activities by which Transnistrian separatist regime benefited. The Mission also helps to improve security and stability in the region [...] the EU hopes that the Mission will contribute to wider efforts to find a viable and sustainable solution to the Transnistria conflict”.<sup>116</sup> 16 member countries took part in this mission and the total number of people working with the mission was extended up to 233. The Head of Mission is a Hungarian Brigadier General Ferenc Banfi. The Headquarters of the Mission is in Odessa, Ukraine. There are five field offices of the Mission in Timkove-Slobidka, Platonovo and Kuchurgan in Ukraine and Otach and Palanca in Moldova. The mission operates only on the territory of Ukraine and the Moldovan territory controlled by the Moldovan authorities. The mission does not work with the de facto border guards and

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<sup>114</sup> Gnedina Elena. , Popescu Nicu, CFSP for CIS: European Union's missions in Moldova and Georgia, pg.13.

<sup>115</sup> European Union's Border assistance Mission to Moldova and Ukraine

<sup>116</sup> EU BAM - Declaration by the Presidency of the European Union, 30 November 2005, op.cit.

custom officials of Transnistria. Kurchugan is the most important border crossing between Transnistria and Ukraine and at the same time the biggest the EU BAM field office.<sup>117</sup>

The mission is an advisory does not have executive functions. But it has the rights to visit the border and custom units and to check the visitors. This mission is not political but technical, more acceptable for Ukraine and less irritating for Russia, which has its own interests in Transnistria.

The objectives of the mission are:

- ❖ To work with Moldova and Ukraine to harmonize their border management standards and procedures with those prevalent in EU member states
- ❖ To help enhance the professional capacities of the Moldovan and Ukrainian customs and border guards services at operational level
- ❖ To develop risk analysis capacities
- ❖ To improve co-operation and complementarity between the border guard and customs services and with other law enforcement agencies
- ❖ To promote cross-border co-operation.

The Mission was at first funded from the Rapid Reaction Mechanism, and thereafter from TACIS. The budget for the Mission up to November 2007 was EUR 20.2 million but after its extension costs increased about EUR 40 million. In addition EU BAM personnel also get per diems from the EU budget.<sup>118</sup>The USA has also supported the mission's efforts by sending equipment to the Ukrainian border guards.

To sum up, this session, we can't say that the mission was fully successful, but a lot of work has done, the initiative of the EU's involvement from both sides was very important fact, and both sides think that one of the major achievements of the Mission had been contribution to the implementation of the Joint Declaration (JD). The mission was useful in highlighting problems in borders and creating an environment for cooperation between two

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<sup>117</sup> European Union's Border assistance Mission to Moldova and Ukraine

<sup>118</sup> EU border assistance mission in Moldova and Ukraine, Press release, December 2007

countries. And such problems are still much, we can't say that after this mission ends, all these problems will be resolved, but it will be great job done and highlight the way for further actions.<sup>119</sup> The objectives of the mission –decreasing the benefits of the status quo for the leadership of Transnistria - are slowly being realized through small concrete actions.

### 3.5. Russia

Russia is an important country of the EU foreign policy calculation, part of the Caucasus problems at the same time certainly the part of the solution. The Russia factor constrains the EU in many cases to measure its actions while engaging in post-soviet conflicts. One can prove that the political elite is making country capable in relationship with other global players, but on its own terms and rules, at least in post-soviet space, which is very important issue for Russian foreign policy. Russia's influence on secessionist regime became tool for bilateral conflicts, besides country is using the energy dependence, including gas prices and common borders as means of political pressure against the "disobeyed neighbors". On the one hand, we can say that Southern Caucasus is unstable zone because of its conflicts and they needed to be resolved urgently, but there are many unstable zones in the ENP, like Middle East of North Sahara. So, it seems, that South Caucasus is urgent, but not the most urgent task for the EU's foreign policy.

European Commission's report in 2004 on relations with Russia stressed the same: "The EU should make its full use of influence with Russia to promote and defend its interests and to ensure balanced relationship. This means bringing together issues in which Russia is anxious to see progress with our own goals".<sup>120</sup> The communication also stressed, that the EU should demonstrate readiness for cooperation with Russia whenever it is possible. No one could look at this process like unilateral, Russia is its partner in many issues and without bilateral relations problems won't be solved. In case of Georgia, the EU was also realistic about the Russian role in the region as it acknowledged that "it is not clear that Moscow considers that its interests in the region will be best served by the pursuit of

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<sup>119</sup> Karl von Wogau, [http://www.wogau.de/07/action=speeches/2\\_speeches\\_92\\_EN.htm](http://www.wogau.de/07/action=speeches/2_speeches_92_EN.htm)

<sup>120</sup> Communication from the Commission to the Council and the European Parliament on relations with Russia, COM (2004) 106, Brussels

political settlements brokered by the OSCE or other international bodies.”<sup>121</sup> Situation is little bit different with Moldova. Like Georgia, Moldova is the Post-Soviet country, which shares still some typical characteristics with Georgia plus relation with Russia. Moldova is closer geographically to the EU, and also needs greater EU foreign policy commitment. Preparing for enlargement before in 2002, in Commissions approaches on Moldova was stated, that “Moldova’s stability really matters to EU. Within the years, Moldova will be on borders of Enlarged EU.”<sup>122</sup>

The chief of Russia’s Federal Security Service (FSB) argued, that “Our opponents try to weaken Russia’s position in the CIS countries in the international arena as a hole (...) the latest events in Georgia and Ukraine proved it”.<sup>123</sup>

Russia aims at controlling transport routes. That is why the EU’s active role in this respect will cause trouble for the country. Russia’s view in this issue is traditional and natural for them; it should secure the territorial integrity of the former “empire”. The core aim is creation of sphere of influence and interests and in this respect post soviet space is in Russia’s calculation. After Soviet disintegration Russia aimed to hegemonic role. The Prime-Minister of Russian Federation, Vladimir Putin in his interview said: “The collapse of the Soviet Union was the greatest geo-political catastrophe of the century. And for the Russian people, it became a real drama. Tens of millions of our citizens found themselves outside the Russian Federation...” The President made it clear that democracy would be tailored to Russia's own needs and that Moscow would not be lectured to. "Russia ... will decide for itself the pace, terms and conditions of moving towards democracy," he told the country's ruling élite at the Kremlin. "We are a free nation and our place in the modern world will be defined only by how successful and strong we are."<sup>124</sup> Russia somehow considers on its duty to secure post-soviet sphere from external powers. As president

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<sup>121</sup> Communication from the Commission, op. cit., 1995, p. 6.

<sup>122</sup> Popescu Nicu, The EU in Moldova – Settling conflicts in the neighborhood, October 2005.

<sup>123</sup> Gutterman S., “Security chief: Russia prevents U.S other foreign spy activity under covers of NGO’s “Associated press, 12 May 2005.

<sup>124</sup> The Independent, <http://www.independent.co.uk/news/world/europe/putin-collapse-of-the-soviet-union-was-catastrophe-of-the-century-521064.html>

Medvedev said: “Russia is historically been a guarantor for the security of the peoples of the Caucasus and this remains true today”.<sup>125</sup>

To sum up, the role of Russia was agreed to be absolutely central. Russia’s behavior in the region is mainly driven by the country’s ambitions to play the central role in the post-Soviet countries politics. “Color revolutions” in Georgia and Ukraine alarmed Moscow and stimulated country to control the foreign affairs of neighboring countries, to avoid appearance of other external powers, projecting “new” democracy in post-soviet space, which would undermine Russia’s political system.

On its own, it is obvious, that the European policy towards Russia was aiming to create new kind of competition and cooperation, both on the South Caucasus and on wider issues, but the quality of this dialogue is still low, especially concerning region’s issues. Yet the West needs cooperation with Russia in many aspects and issues like: counter-terrorism, in the area of energy security, Uranium Enrichment in Europe, conflict resolution, of the EU and particularly NATO enlargement, which is crucial for Russia, because it means that country will lose all of its access to the Black Sea, weakening Russia’s influence in this region.

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<sup>125</sup> PRESIDENT OF RUSSIA DMITRY MEDVEDEV Statement on the Situation in South Ossetia, August 2008

## Conclusion

In the conclusion, I would like to sum up the whole paper for understanding the main point of my research. In order to answer the research question I presented historical background of conflicts and further intensification of relations between the Union and case study countries. Through its policies towards Georgia and Moldova, the EU has aimed to spread the universal values such as democracy, rule of law, human rights; it has gradually developed the tools for playing its role across the Eastern Neighborhood, but the process itself is far from completion. The European Neighborhood policy has been introduced as an instrument of foreign policy, a framework through which Georgia and Moldova were given a chance to use all resources offered by the Union to realize them in practice. Moreover, the ENP is not the only tool for spreading universal norms and values, but also there are other projects and policies guided by the Union that serve as an instruments for achieving policy goals.

The August war showed how quickly situation can change in Caucasus from peace to war. This fact reminded us, that still the world is not formed by universal values, such as democracy, rule of law and etc. It is indicator for the European Union that stability on its borders is not achieved yet, that the conflicts are not “frozen” any more and need resolution through the policy defined for Georgia and Moldova concentrating on reforms and development. Instability which causes disputes in the South Caucasus is a threat to Europe’s security which matters to the Union. In both cases, Georgia and Moldova has strong interest to internationalize conflicts, that would be additional pressure for Russia to abstain from separatists, but on the other hand somehow internationalization of conflicts could make it difficult to regain control over what are defined as a priority. As we mentioned in previous chapters, the EU is more comfortable in post-conflict rehabilitation and in the process of creating the incentives for the settlement. The main weakness of the EU in conflict resolution in Georgia was due to its inability to act in a single voice. In case of Moldova, for example, it means, that the EU was not able to play more active role beyond its current observer status in the 5+2 talks on Transnistria, even though a 2+2 format (EU/Russia + Moldova/Transnistria) would be far more promising for reaching a durable settlement.

It is also remarkable, that the EU sees conflict resolution process as a long term process, which needs time and conditions, which should be met. This view is not fully shared by the authorities of Moldova and especially by Georgia. The projects and programs, policies and tools, which are used for conflict-resolution, are aimed at strengthening the EU's role, by raising the confidence and trust between conflict regions and the government. Conflict resolution process should be achieved gradually, step by step. Conflict transformation programs should be supported in spite of setbacks and failures, because the results need time to work in practice. To solve the territorial conflicts, the Union should use all its experience gained from other European conflicts. Nowadays great attention is paid for the peace settlement of the Georgian conflicts; the Union is working on this direction to make a good example – how to resolve the post-soviet conflicts. The Programs in this field may not have led to impressive changes in the short time period, because on its own conflict resolution is the last point of this development, for the partner countries on the first stage important conflict settlement.

It is important to mention, that other organizations like the NATO and the OSCE should be involved in this processes too, but on the other hand it could make bad perceptions from Russia, who is not willing to see the NATO's involvement in this region. Russia uses well the separatists for accomplishing its foreign policy goals. May be on the one hand it makes certain limitations of the EU's actions and its attitude remain weak in this aspect?! But, at the inter-state level the EU is also interested in relation with Russia, which in some aspects remains a strong partner.

For further actions the EU should develop a strategy for each conflict, to make concrete provisions for defining further steps and aspects for support, It is very important for Georgia and Moldova to see the Union as an actor, which is expressing common position and speaking on behalf of the member states. In this regard, transatlantic cooperation on all issues related to conflicts, including the withdrawal of Russian troops etc. Intensification of relations with Russia including secessionist leaders on conflict issues will help to define the problems, what has to be done for conflict settlement. But still, there are some issues, on which it is difficult to reach any solution. Territorial integrity and sovereignty of Georgia and



Moldova is internationally recognized and on this issue no other compromise needs to be achieved.

The European Union is very much interested in containing the numerous conflicts, trying to mediate and participate in all international attempts to create peace. The Union has capabilities and the political will to contribute post-agreement security guarantees, helping for institutional reforms, economic rehabilitation etc. The peaceful resolution of these conflicts is vitally important for the future of both countries. In the long-term perspective it is achievable; stable democratic countries, market economies, secured conditions for investment are the best guarantee for peace and prosperity. That's why, the European Union focused on reforms and transformation, instead of direct involvement in conflict resolution. It is seen as a precondition for settling the conflicts, because these disputes cannot be solved without democracy and stability. It is important to undertake confidence building measures in and around the conflict regions. The EU stands ready to play its part as well, including through the use of EU instruments to promote peace and stability in the eastern neighborhood.

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