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Unrecognized States in the International System

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9 The limits of international conflict management in the case of Abkhazia and South Ossetia¹

Stefan Wolff

In August 2008, Georgia and Russia clashed in a five-day war after Georgian troops attempted to assert full control over the breakaway region of South Ossetia, in contravention of a 1992 ceasefire agreement brokered by Russia and policed by Russian troops in the guise of CIS peacekeepers. French President Nicolas Sarkozy, representing the EU Presidency, offered an impressive example of leadership and diplomacy and helped broker a ceasefire between the two countries after five days of fighting. Despite the quick end of military hostilities, the political situation escalated further, culminating in the Russian recognition of South Ossetia's and Abkhazia's independence on 26 August 2008. Sarkozy's diplomacy not only was that of a political leader who saw an opportunity to leave his mark on the European and global stage but also reflects the significance of unresolved conflicts over statehood issues that date back to the break-up of the Soviet Union. Alongside the conflicts over Transnistria (in Moldova) and Nagorno Karabakh (in Azerbaijan), the two conflicts in Georgia – Abkhazia and South Ossetia – are of critical importance, especially to the EU and its member states, as the Union engages with the ~~region as part of its neighbourhood~~ through its European Neighbourhood Policy and the Eastern Partnership. The implications of these conflicts over unrecognized states for European and EU security have also been recognized by the EU Security Strategy of 2003 (EUSS), noting that “frozen conflicts, which also persist on our borders, threaten regional stability” (Council of the European Union 2003: 5). The EUSS makes clear that “violent conflict, weak states where organized crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe” (ibid.: 7) and goes on to demand very specifically that the Union “should now take a stronger and more active interest in the problems of the Southern Caucasus” (ibid.: 8). The 2008 report on the implementation of the EUSS referred specifically to the conflicts in Georgia, claiming on the one hand that “[s]ince 2003, the EU has increasingly made a difference in addressing crisis and conflict, in places such as ... Georgia” and pointing out on the other that:

[t]he situation in Georgia, concerning Abkhazia and South Ossetia, has escalated, leading to an armed conflict between Russia and Georgia in August 2008. The EU led the international response, through mediation





between the parties, humanitarian assistance, a civilian monitoring mission, and substantial financial support. Our engagement will continue, with the EU leading the Geneva Process.

(Council of the European Union 2003: 1, 7)

One year on, the Geneva process had succeeded in keeping all sides of the conflict engaged, but had otherwise made little substantive progress, when, on 16 October 2009, Sergei Bagapsh (2009) expressed confidence “that the independence of Abkhazia not only is assured, but that we will thrive politically and economically ... [and that] it is only a matter of time before we are recognized by most countries of the world”. There were many remarkable things about this statement. The first was the optimism that Bagapsh displayed about Abkhazia’s independence and future development. As the president of this entity, this may be expected of him, but his country remains unrecognized by all but Russia and Nauru, Nicaragua, and Venezuela, as well as by the even less recognized Transnistria. Nor has Bagapsh’s election as president received any wider recognition. And even the use of the term “independence” is arguably misleading – Abkhazia and its leadership may perceive the post-August 2008 status as such, but their dependence on Russia has, if anything, increased and reduced the little room for manoeuvre that Abkhazia might have had before. Seen from this perspective, even more remarkable than the statement itself is where it was expressed: in the editorial pages of the *Washington Times* that also acknowledged Bagapsh’s title as president. A defacto recognition, if not of Abkhazia so at least of the new status quo, giving Bagapsh such highly prestigious column space is an indication of two closely linked dimensions of the politics of unrecognized states: on the one hand, there is the frequent failure to resolve their status and to do so by peaceful means; while on the other the need persists to engage with them. This fine line between recognition and engagement – often presented as a choice between recognition and non-engagement – is what this chapter will explore in more detail in relation to the case of EU conflict management in the two separatist conflicts that have plagued Georgia and Georgian–Russian relations for most of the post-Soviet period. The focus on Abkhazia and South Ossetia is justified in that it offers an excellent case study of the dangers associated with unrecognized statehood left poorly managed in a region of significant geostrategic importance. While the EU is not solely responsible for the lack of effective conflict management, examining its role is instructive in that it can shed light on a number of core problems associated with international conflict management more generally. The chapter proceeds in three steps: it begins with an overview of EU–Georgia relations from the early 1990s to the aftermath of the Georgia–Russia war of August 2008. It then offers two complementary explanations for the ultimate failure of conflict management – the EU’s lack of appropriate capabilities and the multi-layered context of the two separatist conflicts. Against this background, the chapter concludes with a broader evaluation of the utility of international conflict management strategies in relation to unrecognized states.

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The EU's engagement with post-independence Georgia

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EU efforts to engage with Georgia over the country's two separatist conflicts date back to the early 1990s and were initially focussed on humanitarian assistance: more than half of all ECHO funding to Georgia prior to the 2008 war and its aftermath were spent between 1992 and 1995, two-thirds of all food aid (from DG Agriculture funds), and all exceptional humanitarian assistance. From 1997 onwards, the EU also begins to commit funds to rehabilitation programmes in the two conflict zones.²

A major boost in the amount of EU funding received by Georgia and a significant diversification of programmatic areas in which projects are financed occurs after 1999 when relations between Georgia and the EU were put on a contractual footing with the Partnership and Cooperation Agreement (PCA) entering into force. As part of the envisioned political dialogue to be developed on issues pertaining to security, stability, economic development, institutional reform, and human and minority rights, a hope was expressed that “[s]uch dialogue may take place on a regional basis, with a view to contributing towards the resolution of regional conflicts and tensions” (European Commission 1999: 6). The Presidency Conclusions of the Cologne European Council were even more optimistic, expressing the conviction “that this will also facilitate . . . the quest for lasting solutions to persisting conflicts in the region” (Council of the European Union 1999: §93.)

In 2001, the European Commission issued a Country Strategy Paper³ for Georgia, which, apart from a gloomy overall assessment of the political and economic situation in Georgia (European Commission 2001: 4, 7–10), identified the two conflicts in and over Abkhazia and South Ossetia as a major “impediment to development in Georgia” and a contributing factor to regional instability. Noting the readiness of the EU “to look for further ways in which it could contribute to conflict resolution, as well as post-conflict rehabilitation”, the paper also explicitly committed the EU to the support of “the principle of Georgian territorial integrity” (ibid.: 5). Less than two years later, the Commission published a revised country strategy, taking account of the deteriorating political and economic situation in Georgia (European Commission 2003) and restating the commitment to ~~contributing~~ “to support efforts to prevent and resolve conflicts as well as post conflict rehabilitation” (European Commission 2003: 4). The latest Country Strategy dates back to 2007 and is generally more upbeat about developments in Georgia after 2003, which included the appointment of an EU Special Representative for the South Caucasus and the deployment of the EU's first-ever Rule of Law mission (EUJUST Themis). While the EU's priorities vis-à-vis Georgia – poverty reduction and institutional reform – remain essentially unchanged, the language on Georgia's two conflicts is toned down, merely noting that:

the EU attaches great importance to the resolution of conflicts in Georgia's two breakaway regions of Abkhazia and South Ossetia and is actively





involved in ongoing efforts to achieve a peaceful settlement, partly through the offices of the EUSR for the Southern Caucasus and through providing financial assistance for reconstruction and rehabilitation projects in Georgia's conflict zones.

(European Commission 2007: 7)

This is quite remarkable in light of the fact that less than a year earlier, External Relations Commissioner Ferrero-Waldner had clearly, and correctly, noted, with respect to the South Caucasus as a whole, that “[t]hree negative strands are coming together, the combination of which is, frankly, alarming”, namely the failure of all parties to deliver on conflict settlement, increased defence expenditure, and ever more inflammatory rhetoric. Thus, she warned that “[a]ny further escalation of tension could re-ignite the conflicts with devastating consequences for the entire region” (European Commission 2006: 1f).

The 2007 Country Strategy must be seen in the context of the EU's European Neighbourhood Policy of which Georgia had become a participant in 2004. As a result, while the 1999 PCA remains the legal foundation of EU–Georgia relations, it is now the ENP Action Plan that provides the framework for EU assistance and it is the ENP instruments (principally, ENPI and NIF) that are primary implementation tools.⁴ In the PCA, the issue of the conflicts in, and over, Abkhazia and South Ossetia only got relatively brief mentions, especially in Article 5 of Title 2 (Political Dialogue), whereas the ENP Action Plan elevated the conflicts and their settlement to a Priority Area (no. 6 among 8 priority areas in total). As a consequence, the inclusion of Georgia in the ENP in 2004 saw a general increase in the EU's engagement with the country's two secessionist conflicts. Moreover, the change in government in Tbilisi in 2004 gave the EU greater confidence that its engagement would yield positive results and more quickly so.⁵ It is also important to note that this major gear shift in EU engagement in the South Caucasus also reflected a break with previous thinking on the South Caucasus more generally, which now, for the first time, became more differentiated as a region of its own, rather than being treated as a part of the post-Soviet region (Lynch 2004b).

Reflected in the policy instruments brought to bear and the funding committed to conflict resolution by the EU is a consistent EU preference for creating enabling conditions for the resolution of the conflicts in, and over, Abkhazia and South Ossetia. The bulk of EU initiatives and funding has gone to rehabilitation projects with the aim to contribute to economic and infrastructural development and thereby also build confidence between the different parties.⁶ Being the largest foreign donor, the EU allocated €25 million to Abkhazia and €8 million to South Ossetia between 1997 and 2006 (European Commission 2007: 20). In addition, just over €100 million was spent on humanitarian assistance under ECHO between 1993 and 2006, primarily “targeting population groups affected by the conflict” and increasingly concentrating on food security and income generating activities for internally displaced people and other vulnerable groups (*ibid.*). This trend continued in 2007 and the first half of 2008 with a further





1 €10 million committed to economic rehabilitation projects in the conflict zones
2 of Abkhazia and South Ossetia and to a range of projects catering to the needs of
3 Georgia's still significant number of IDPs from the two conflicts (European
4 Union Delegation to Georgia 2010: 2). Spending on IDPs increased further in
5 the aftermath of the 2008 war, which created an additional almost 200,000 IDPs:
6 a total of €61 million was additionally allocated under the ENPI and a further €6
7 million, initially committed to the OSCE-administered economic rehabilitation
8 programme for South Ossetia, was reassigned to IDP projects following the
9 closing of the OSCE mission to Georgia (European Commission 2009: 5, 7).

10 In addition to these economic and humanitarian programmes, the EU has
11 also been politically engaged in Georgia and in relation to its two secessionist
12 conflicts. Apart from significant funding made available to reforms in the polit-
13 ical and judicial institutions of the country, Joint Actions under CFSP have
14 begun to play an increasingly important part in the EU's efforts to contribute to
15 the peaceful resolution of the conflicts in, and over, Abkhazia and South
16 Ossetia. When the first EU special representative (EUSR) was appointed in
17 2003, his mandate in relation to the conflicts in the South Caucasus was merely
18 one of "assisting" in their resolution. The appointment of the current EUSR,
19 Peter Semneby, in 2006 saw the mandate amended to a more proactive "con-
20 tributing" to conflict resolution. This change has been reflected more generally
21 in EU CFSP actions vis-à-vis the conflicts in, and over, Abkhazia and South
22 Ossetia.⁷ Indicative of this gear change is the first ENP Action Plan, endorsed
23 by the EU-Georgia Cooperation Council in November 2006 and entering into
24 force in 2007 (European Commission 2006). Under Priority Area 6 (Promote
25 peaceful resolution of internal conflicts), Georgia and the EU commit to a range
26 of specific actions with regard to conflict settlement in Abkhazia and South
27 Ossetia, "based on respect of the sovereignty and territorial integrity of Georgia
28 within its internationally recognised borders", including confidence building,
29 economic assistance, and demilitarization (European Commission 2006: 10).
30 "Disguised" as action items, the Commission also offers a broader assessment
31 of the state of play at the time, pointing out that there is a "need to increase the
32 effectiveness of the negotiating mechanisms", that "[t]he work of the Joint
33 Control Commission [for South Ossetia] should be measured by the rapid
34 implementation of all outstanding agreements previously reached and in par-
35 ticular by the start of demilitarisation", that "constructive cooperation between
36 interested international actors in the region, including the EU and OSCE
37 Member States" is essential for further progress towards conflict settlement
38 (ibid.). This latter point needs to be seen also in conjunction with a reference to
39 the peace plan for South Ossetia, endorsed at the OSCE Ministerial Council in
40 Ljubljana in December 2005. Together with an EU commitment to support the
41 enhancement of the mandates of the UN and OSCE in Georgia, this all clearly
42 underlines the EU's multilateral inclination. Moreover, the EU's explicitly
43 stated intention to "[i]nclude the issue of territorial integrity of Georgia and set-
44 tlement of Georgia's internal conflicts in EU-Russia political dialogue meet-
45 ings" (ibid.) reflects the clear realization that Russia is a veto-player whose





support needs to be secured for any conflict settlement to have a realistic prospect of sustainability.⁸

The importance of the EU's capabilities for effective crisis management was underlined in the context and aftermath of the war in August 2008. The French presidency of the EU, together with the OSCE Chairmanship (at the time held by Finland), was instrumental in brokering the six-point ceasefire plan agreed by Russia and Georgia on 12 August. The follow-up visit by German Chancellor Angela Merkel to both Russia and Georgia between 15 and 17 August further demonstrated that two of the "Big Three" clearly saw eye-to-eye on the issue. By the time an implementation agreement was signed by Russia and Georgia on 8 September, after further shuttle diplomacy by Presidents Barroso and Sarkozy, an Extraordinary European Council meeting in Brussels on 1 September had given full backing to the ceasefire agreement and committed the Union "including through a presence on the ground, to support every effort to secure a peaceful and lasting solution to the conflict in Georgia" (Council of the European Union 2008a). The deployment of a civilian monitoring mission (EUMM) tasked with overseeing the implementation of the ceasefire agreement had its immediate significance in demonstrating the EU's capability to act quickly in terms of decision-making, financing and deployment. Longer term, the EUMM's significance was further enhanced because it soon became the only internationally mandated presence in Georgia after Russia forced the closure of both the UN and OSCE missions in Abkhazia and South Ossetia, respectively. Moreover, the political weight of the EU in the Geneva settlement negotiations (technically, talks to consolidate the August ceasefire) was considerably higher than the previous roles it had played (observer status in the JCC for South Ossetia and involvement in the UNSG Group of Friends for the Abkhazia talks through some of its member states). The EU became, alongside the UN and OSCE, an official co-chair of the Geneva process, in which the European Commission is a co-moderator (with UNHCR) of the Working Group on humanitarian and IDP issues.

The EU response to the August 2008 war between Georgia and Russia also served as a test for the Community Civil Protection Mechanism, which was mobilized to facilitate civil protection assistance provided by member states directly to Georgia and the two conflict regions. In addition, the Commission provided €9 million worth of immediate humanitarian aid for IDPs and co-hosted with the World Bank the Georgia donors' conference on 22 October where it pledged some €500 million for various rehabilitation measures, including further humanitarian assistance (€8 million), support of IDPs (€61.5 million through ENPI and €15 million through IfS), and for the EUMM (€37 million for the first 12 months to 30 September 2009).

Following this initial flurry of activity in August and September 2008, there was wide-spread enthusiasm that the EU had finally made a real breakthrough in its credibility as an international security actor. During the 12 months since, however, this perception, which was by-and-large correct at the time, has required some adjustment. While the humanitarian assistance programmes run

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1 by the EU, especially support projects for IDPs, have continued relatively suc-
2 cessfully, the political process has stalled and a resolution of the two conflicts in,
3 and over, Abkhazia and South Ossetia is as, if not more, remote than it was at
4 the time of the war in August 2008. Not only has Russia gradually reneged on a
5 number of pledges in the ceasefire agreement and implementation plan, but with
6 its recognition of the independence of Abkhazia and South Ossetia (even though
7 only Nicaragua, Venezuela, and Naura have so far followed suit) and the consol-
8 idation of its political and military presence in both territories, Georgia's territo-
9 rial integrity and sovereignty are no more than a fiction. Georgia itself has been
10 through a period of heightened domestic tensions, seeing a significant, yet ulti-
11 mately unsuccessful, challenge to the political authority of President Saakashvili
12 and experiencing the consequences of the global financial crisis. In addition to
13 tense relations with Russia, Georgia's ambitions for a more concrete perspective
14 to NATO membership, let alone an accelerated path to it, have not been fulfilled
15 by the alliance to date. Nonetheless, Georgia continues to look to the US rather
16 than the EU for political backing. While relations between the West and Russia
17 have prospects of improving in the wake of a foreign policy reorientation of the
18 US under the Obama administration, little of substance has happened, limiting
19 both EU leverage in the Geneva talks and any incentives for Russia to make
20 compromises. As a result, the EU, for example, had to retract proposals for an
21 inclusion of US monitors into its mission in Georgia, strongly pushed for by
22 Tbilisi, but equally vehemently rejected by Moscow. At the same time, within
23 the EU, the appointment of Jacques Morel as EUSR for the Crisis in Georgia
24 was a concession to the outgoing French EU presidency, but undermined the role
25 of the existing EUSR for the South Caucasus, Peter Semneby, even though the
26 latter remains tasked with providing political guidance to the EUMM. The EU
27 thus now finds itself between several rocks and hard places in relation to the two
28 conflicts in Abkhazia and South Ossetia: it has not been able to capitalize on its
29 achievements in August and September 2008 by providing clear international
30 leadership for conflict resolution but rather is involved (again) in what has
31 become an almost meaningless settlement process in the shape of the Geneva
32 talks. Where the EU has, however, proven its worth is in the broader set of assist-
33 ance measures from humanitarian aid to support for political, legal, and eco-
34 nomic reform in Georgia. In other words, the EU has been able to maintain its
35 engagement with both Georgia and the two unrecognized states of Abkhazia and
36 South Ossetia while avoiding the issue of the latter's recognition, arguably by
37 insisting on their non-recognition through the continuing emphasis on Georgia's
38 territorial integrity. While this may have contributed to containing the conflicts,
39 it has done little to resolve them.

Explaining the limitations of conflict management

43 How can we explain the lack of any tangible progress towards a negotiated set-
44 tlement of the conflicts over the unrecognized states of Abkhazia and South
45 Ossetia after close to two decades of international involvement, including by the





EU? In the case of the Union, the question could also be phrased slightly differently: how can we explain that the EU's impact was close to negligible before the summer of 2008, then for a short period of time very significant, before declining again quite steeply? As I will illustrate in the next two sections, there are two complementary sets of factors at work here – the EU's insufficient capabilities and the context in which the two conflicts are played out at local, state, regional, and global levels, and their interfaces.

Insufficient EU capabilities

Any third party involved in conflict management must possess three sets of capabilities to have any chance of succeeding in its endeavours: it must have the appropriate policy tools and be able to deploy them in a timely fashion, it must be capable of funding its efforts possibly over extended periods of time, and it must be willing and able to coordinate and cooperate within its own organizational structures and with external actors.⁹ While we will assess in the next section whether the actual conflict context was conducive to an externally facilitated settlement, what follows now is an assessment of EU capabilities meant to identify also shortcomings in the Union's overall approach to conflict management and offer some recommendations of what might be done to overcome them. Our focus on EU capabilities and the external conflict context that, together, shape the likelihood of successful EU conflict management also offers a tool of gauging in which situations the Union might be able to succeed given its capabilities and the conflict context and thus to caution against over-ambitious and unrealistic expectations of what can be expected of the EU as a conflict manager in the case of Georgia, and throughout the Eastern Neighbourhood and beyond.

As noted above, the EU has markedly improved its capabilities to act and to fund. Two EU special representatives (for the South Caucasus and the crisis in Georgia) have been deployed, ENP and the Eastern Partnership have made conflict management one of their priorities, and high-level intervention, such as in the case of the (French) presidency's shuttle diplomacy during the Georgian–Russian war in August 2008, has left a positive mark. To be sure, Georgia is far from a success story for EU conflict management, but comparing the relative success of the French presidency's handling of the crisis in summer and autumn 2008 to the considerable difficulties the EU experienced in the Western Balkans throughout the 1990s indicates that the EU has come a long way in achieving some credibility as a conflict manager. Likewise, the various funding instruments available now, such as the IfS and ENPI, are working far more effectively in the short- and long-term than even the so-called Rapid Reaction Mechanism and other instruments did. Yet, even with improved capabilities, political will to engage *politically* remains a scarce commodity. The main instrument (in terms of duration and funding provided) for EU engagement to date has been the ENP. Yet, as External Relations Commissioner Ferrero-Waldner already pointed out in 2006, the ENP “is not in itself a conflict prevention or settlement mechanism”,





1 but “tackles the underlying issues which enable conflicts to fester” (European
2 Commission 2006). Insisting, as she did at the time, that the example of Western
3 Europe after the end of World War II has demonstrated that “promoting prosper-
4 ity, stability and security is the ultimate conflict prevention policy” is empiri-
5 cally correct (*ibid.*), but not a suitable analogy. Conflicts, such as those ~~in and~~
6 ~~over~~ Abkhazia and South Ossetia, that are based on incompatible self-
7 determination claims of distinct ethnic groups follow a different logic that is not
8 comprehensively captured and addressed by an approach that ~~sees~~ “to contribute
9 to a more positive climate for conflict settlement” (*ibid.*). In other words,
10 “impressive economic growth is not the key mechanism for turning a conflict
11 that springs from issue of identity into a cooperative arrangement” (Coppieters
12 2007: 26). This is not to say that the EU approach as a whole is flawed, but
13 rather that it lacks a comprehensive vision and strategic follow-through: unlike
14 the UN and OSCE, the EU has significant economic and political instruments
15 that it could deploy in support of a more active diplomatic role in seeking a
16 negotiated settlement.¹⁰ Rather than merely supporting existing efforts (which
17 failed to make any progress over more than a decade), the EU should have must-
18 ered the political will to take a lead in the settlement process.

19 That this has not happened either before or after the 2008 Russia–Georgia
20 war is also a reflection of the fact that the most problematic area for the EU is its
21 internal and external capabilities to cooperate and coordinate. As already noted,
22 being a latecomer in the arena of international conflict management, the EU has
23 had significant difficulties finding a role for itself within the broader interna-
24 tional conflict management efforts. This has been as much a problem in relation
25 to the EU’s internal political dynamics. Especially in the Eastern Neighbour-
26 hood, and thus in relation to the conflicts in Georgia, the Union has been unable
27 to overcome different member state preferences on how to deal with Russia and
28 remains fundamentally divided between a more Russia-friendly camp (com-
29 prised of those, like France and Germany, who prioritize bilateral relations with
30 Russia over a common EU approach) and a more Russia-sceptic camp (includ-
31 ing primarily Poland, Sweden, and the Baltic states, as well as at times the UK
32 who prefer a much tougher line).¹¹ This divide within the EU has meant a repeti-
33 tion of a well-known EU pattern of no or insufficient action until a crisis has
34 fully escalated, rather than the pursuit of a well-conceived, strategic, and prop-
35 erly resourced proactive foreign policy.

36 Relegated to observer status in South Ossetia and to providing support for
37 confidence-building measures and economic reconstruction in Abkhazia, the
38 EU’s role in Abkhazia and South Ossetia was relatively marginal until summer
39 2008, despite a somewhat higher level of activity from spring 2008 onwards
40 (European Commission 2009: 7), including a visit by High Representative
41 Solana to Georgia and Abkhazia in June 2008.¹² The ~~Georgian–Russian~~ war in
42 August that year, however, coincided with the French presidency of the EU and
43 thus with an internationally heavy-weight incumbent with an experienced and
44 well-resourced foreign office staff and a president accepted as equal in his
45 national role by Russia. Yet, the EU needs to maintain a careful balance here, as





noted by High Representative Solana, between “unity inside the EU and commitment to our principles” and realizing that “there is no alternative to a strong relationship with Russia” (Council of the European Union 2008b).¹³ This was also emphasized in a Commission review of EU–Russia relations in November 2008, acknowledging that “Russia is a key geopolitical actor, whose constructive involvement in international affairs is a necessary precondition for an effective international community” and observing that the key requirement for successfully engaging Russia in conflict resolution in the common neighbourhood is “the will and the capacity of the EU to act as one, combining both Community instruments as well as those of CFSP/ESDP” (European Commission 2008: 4f.).

At the same time, the OSCE chairmanship was held by Finland, another EU member state and one not traditionally perceived as anti-Russian. Seizing the initiative, the French presidency, in cooperation with the OSCE, brokered a ceasefire and oversaw the swift agreement on, and deployment of, EU monitors to Georgia. While member states remained divided over whom to blame, Russia or Georgia or both, the French presidency of the EU managed these disagreements well enough to preserve the EU’s ability to act. While this may be seen as a major breakthrough in the EU’s conflict management capabilities, it also indicated some potential weaknesses, as one might wonder whether the same results would have been obtained if the war had happened during the presidency of a smaller member state anchored in the Russia-sceptic camp within the EU. Moreover, there remain question marks over whether the EU’s intervention actually achieved much at all: the EU-proposed ceasefire was agreed by Georgia and Russia, but only after Russia had essentially achieved its aims; Russian recognition of the independence of South Ossetia and Abkhazia happened despite EU opposition at the end of August 2008; and thus far little, if any, progress has been made in the Geneva talks, mandated by the ceasefire agreement. Moreover, while the French presidency managed to keep EU member states in line and on course during the crisis and to get, and implement, an EU-internal agreement on the deployment of monitors to Georgia, the appointment of its own EUSR for the crisis in Georgia (the existing EUSR for Central Asia, Jacques Morel) did little to dispel perceptions of a specific French national agenda within and beyond the EU.

The conflict context

How did the conflict environment impact on failures and successes of EU conflict management in Georgia?¹⁴ Globally, the EU is a latecomer in the area of conflict management. Throughout the 1990s, the EU was, if anything, focused on the Balkans, with little success. ESDP, the Union’s major reservoir of conflict management instruments, only became fully operational in 2003 (a decade after its inception), and continues to lack military teeth. Thus, by the time the EU began to look to the Eastern Neighbourhood (ENP, too, was inaugurated only in 2003), the field of conflict management had already been carved up among other





1 actors, such as the UN and the OSCE, who showed little enthusiasm to let the
2 EU become a major player as well. The Union, thus, remained mostly excluded
3 from political efforts and was relegated to providing economic support and
4 limited confidence-building measures in Abkhazia and South Ossetia where the
5 UN and the OSCE, respectively, were the main “drivers” of peace processes that
6 stalled soon after ceasefire agreements were concluded in the first half of the
7 1990s (see below). The Union did obtain observer status in the OSCE and
8 Russia-led Joint Control Commission in South Ossetia and appointed a Special
9 Representative for the South Caucasus (as well as after 2008 for the crisis in
10 Georgia). Through the presidency, held at the time by France, the EU also filled
11 a vacuum created in the wake of the 2008 Russia–Georgia war, and provided,
12 together with the OSCE Chairman-in-Office (Finland at the time), crucial shuttle
13 diplomacy leading to a ceasefire agreement. However, in general, the geopoliti-
14 cal environment offered few concrete opportunities for the EU to play an active,
15 let alone leading, role in managing the conflicts in Georgia. Given their promi-
16 nence, it is, therefore, worth briefly exploring here the role of two international
17 organizations – the OSCE and the UN – as part of the broader global conflict
18 context.

19 As already noted, for most of the period after the outbreak of violence in
20 Abkhazia and South Ossetia, the OSCE and the UN were the most significant
21 external mediators involved in any of the conflict’s settlement processes. Their
22 engagement was guided by three principal objectives: to bring active hostilities
23 to an end and to prevent their resumption; to deal with the humanitarian con-
24 sequences of the two conflicts; and to achieve durable settlements. Yet, with the
25 underlying objective of at least some of the Western members of the two organi-
26 zations having been to consolidate the independence of Georgia and to effect its
27 integration into European and transatlantic structures, tug-of-war games, in
28 which Abkhazia and South Ossetia, as well as eventually Georgia, would
29 become nothing more than pawns, were inevitable: locally between pro-Western
30 and pro-Russian forces, within regional organizations (such as the OSCE and the
31 CIS), and geopolitically between Russia and the West.

32 This geopolitical dimension of Georgia’s contested statehood requires some
33 further analysis of another third-party actor: the United States. US engagement
34 was driven primarily by its own national security and energy agendas. The
35 Baku–Tbilisi–Ceyhan (BTC) pipeline serves major US interests, including diver-
36 sification of supplies and limiting Russia’s (and potentially Iran’s) control over
37 Caspian hydrocarbon resources by providing alternative supply lines to world
38 markets. The security of the pipeline, however, remained crucially dependent on
39 stability in Georgia, which established an initial US interest in what was con-
40 sidered Russia’s backyard throughout the first half of the 1990s. With the begin-
41 ning of the “Global War on Terrorism”, the region rose to higher prominence on
42 the US security agenda because of its strategic location in relation to Afghanis-
43 tan, Iraq, and the Middle East, necessitating the use of Georgian airspace and
44 leading to the establishment of two (joint US–Turkish) airbases in Georgia. In
45 2002, as part of an effort to widen the coalition of countries supporting the





US-led war on terrorism, the Georgia Train and Equip programme was initiated, funded with \$64 million and designed to increase the capabilities of Georgia's armed forces by training and equipping four 600-strong battalions of the Georgian army and some additional troops under the command of the ministry of the interior, including border guards. A follow-up to the Train and Equip programme was the Georgia Sustainment and Stability Operations programme, tied more specifically to Georgian troop deployments in Iraq and providing an additional \$60 million in military US assistance in 2005/2006.¹⁵ In addition, around \$400 million worth of military surplus goods were delivered to Georgia.¹⁶

While the sustained commitment by the US to Georgia had a significant impact on the country's economic performance, especially since 2004, and arguably contributed to a number of social and political reforms, it also exacerbated Georgian–Russian tensions, especially because of US support for, if not encouragement of, Georgia's aspirations to join NATO. While US policy in the early 1990s acknowledged Russia's claims that Georgia (and other ex-Soviet republics) should be respected as part of its zone of influence, US military and energy security interests over the last decade have turned the South Caucasus into somewhat of a battleground for regional influence. In the context of generally worsening relations between Russia and the West, a perceived US agenda to press ahead with Georgia's NATO membership bid at the Bucharest Summit in April 2008 was at least a contributing factor to the outbreak of violence in South Ossetia over the summer.

These complex strategic configurations of power and the opportunities and constraints they establish for the realization of the interests of each involved player at least partly explain the failure of international conflict management efforts in facilitating a durable political settlement of the conflicts over Abkhazia and South Ossetia. Much like the EU, the UN, OSCE and US were part of the same conflict context and insufficiently able to shape it to their advantage and thus be in a better position to affect progress towards conflict settlement. Consequently, it would be unfair to lay all the blame for the lack of sustainable settlements in the two conflicts in Georgia on third parties alone. Yet, seeing them just as victims of the intransigence of local conflict parties and of the self-interested agendas of other external actors, chiefly Russia, does not tell the entire story of failure either. While the US pursued a predominantly national security agenda in Georgia which limited the degree to which it could play a more constructive role in conflict settlement, the UN and OSCE were proactively engaged as key players in international conflict management efforts, but proved themselves at the same time extremely protective of "their" settlement processes and prevented (for a long time successfully), a more multi-track and multi-actor approach. In the same way that the OSCE maintained its lead role in South Ossetia, the UN had been keen to keep other actors at bay from its efforts in Abkhazia. This exclusion of other third parties from the core conflict settlement processes limited their effectiveness in two ways. On the one hand, it deprived them from capacities that they did not, or not sufficiently, have themselves. For example, the EU's proven track record to facilitate economic reconstruction and reintegra-





1 tion and assist with civilian police and border management has, if anything, been
2 activated only very late. On the other hand, despite the “protectionism” of the
3 UN and OSCE, the number of external actors on the ground who are keen to
4 contribute to the settlement of these conflicts has steadily increased, but the mul-
5 tiple efforts made by them and the respective key players have not always been
6 sufficiently coordinated, and objectives have at times been contradictory.

7 Moreover, there were two further factors that added to this unfavourable
8 global context. Kosovo’s unilateral declaration of independence in February
9 2008, and its recognition by now all but five of the EU’s 27 member states,
10 created a welcome “precedent” for Russia as frequently emphasized by Putin,
11 already in the run-up to February 2008.¹⁷ While Russia’s position here is ambiv-
12 alent, of course, as it also backed Serbia before the ICJ challenging the legality
13 of Kosovo’s UDI, this “successful secession” further strengthened the resolve of
14 the Abkhaz and South Ossetian elites to pursue their course of breaking away
15 from Georgia. The second complicating factor in this respect is Georgia’s aspira-
16 tion to join NATO and NATO’s principal openness to this idea, as expressed at
17 the Bucharest summit in April 2008. Unsurprisingly, this was not welcomed by
18 Russia and may well have confirmed to the Kremlin an essentially hostile agenda
19 on the part of Georgia and NATO (in connection also with the then still ongoing
20 US-inspired missile defence shield). The overall worsening relationship between
21 Russia and the West clearly did not facilitate any progress on diffusing ever-
22 increasing tensions in Georgia, thus limiting further whatever conflict prevention
23 and resolution capabilities the EU, alone or in cooperation with other interna-
24 tional actors, may have possessed before August 2008.¹⁸ Moreover, as the Inter-
25 national Crisis Group argues, defeating Georgia in the August 2008 war served
26 several of the Kremlin’s strategic goals in this respect: “to punish one nation for
27 its NATO ambitions; to warn others, especially Ukraine, not to go down the
28 same route; and to humiliate NATO by showing it to be indecisive and ineffec-
29 tive” (International Crisis Group 2008: 10).

30 At the regional level, constraints on EU effectiveness, by-and-large, also out-
31 weighed opportunities. The main factor here is Russia. Russia, at the same time
32 a global player, not least through its status as permanent member of the UN
33 Security Council, has clear security and economic interests in the area con-
34 sidered by the EU as its Eastern Neighbourhood, interests that are often at odds
35 with those of the EU. The Russian military presence in South Ossetia and Abk-
36 hazia (in the form of CIS peacekeepers for much of the period after the break-up
37 of the Soviet Union), as well as Russian political influence and economic lever-
38 age makes Russia a veto power when it comes to conflict settlement. Deteriorat-
39 ing relations between Russia and the West, over Kosovo and NATO expansion
40 among others, combined with the limited leverage that the EU has over Russia,
41 have further complicated the task for the EU. EU dependency on oil and gas
42 from Russia and on Russia as a major transit country for energy from the
43 Caspian region has so far outweighed Russian dependency on the EU as a major
44 market. EU efforts to diversify supply and supply routes by investing in pipe-
45 lines through the South Caucasus have significantly driven increased EU conflict





management efforts in this region, and Georgia in particular, but not decreased Russian leverage, predominantly because of the continuing influence that Russia exercises in Abkhazia and South Ossetia.

The regional situation, however, is also characterized by the influence of non-state actors. The fact that, over some fifteen years, quasi-state structures have grown in Abkhazia and South Ossetia (to the extent that both regions exhibit key criteria of stateness, such as a permanent government associated with a population and a territory, yet remain largely un-integrated into international political and economic networks) has also created opportunities for transnational organized crime that has become entrenched and is closely interwoven with the local political, social, and economic structures, and in fact sustains them in many ways, financially and militarily. These criminal networks are predominantly involved with drugs smuggling and weapons trafficking and, as such, also integrated into global East–West transit routes. Moreover, throughout the 1990s, the conflict zones in Abkhazia and South Ossetia, and surrounding areas of Georgia proper, provided training and transit opportunities for jihadist fighters joining the Chechen independence struggle, thus increasing also Russian security concerns. While the EU is clearly and negatively affected by this kind of organized criminal activity, it lacks effective instruments to tackle them at their source. Moreover, from a conflict management perspective, such efforts might prove counter-productive by alienating the very local elites that will be essential for achieving a sustainable settlement.

At the state and the local levels, the factors that condition the success or failure of EU conflict management in Georgia are equally unfavourable. Local elites in Abkhazia and especially South Ossetia are deeply dependent on, and controlled by, Russia and are involved in organized criminal activity. While they may lack even a minimum of democratic legitimacy in the eyes of the EU, it is difficult to see how any continuing stabilization, let alone settlement, can be achieved without engaging them. While the EU is keenly aware of this, it remains committed to the territorial integrity of Georgia, which in turn resists any negotiations with the Abkhaz and South Ossetian elites. These elites, heavily dependent as they are on Moscow for political and military backing and for economic lifelines that help them maintain a modicum of local legitimacy for their regimes, thus have very little room for manoeuvre in potential status negotiations. In other words, even though local elites may be able to claim legitimately that they represent the interests of Abkhazia and South Ossetia, they have very limited, if any opportunity, in the existing negotiations format to do so effectively because of a regional balance of power that favours Russia from the start. The Russian position, moreover, is clearly at odds with that of Georgia and those among its supporters that insist on the country's territorial integrity. Thus, even though one of the results of the Georgia–Russia war in August 2008 was the creation of a new negotiation format involving both Russia and the EU, these so-called Geneva talks have yet to produce any concrete results. The EU has earned its place in the Geneva talks qua its efforts to broker a ceasefire, but its actual position within them is weak: limited, if any, leverage over Russia is matched by

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1 a Georgian preference for the US and NATO as backer. Moreover, the EU's role
2 is constrained structurally.

3 The current agendas of the immediate conflict parties at the local and state levels
4 in both conflicts have not only created a situation in which the EU is of relatively
5 marginal significance but their perceptions of what their own interests in relation to
6 security, power, and material gain are have also meant that their willingness to
7 move beyond the status quo and towards sustainable settlement is at best limited.
8 Security concerns in South Ossetia and Abkhazia remain high for both separatist
9 and Georgian officials. Internal power struggles at the state level continue in
10 Georgia. Repeated election promises by the incumbent president to restore full sove-
11 reignty over the entire territory of the Georgian state in its internationally recog-
12 nized borders from the outset limited the chances of a peaceful settlement of the
13 two conflicts there in light of entrenched positions, and Russian backing, on the
14 other side. Moreover, the material benefits that different sections of the elites on
15 both sides in the conflicts derive from the status quo, and thus the threats they per-
16 ceive from a negotiated solution, have created significant constituencies who benefit
17 from the lack of a solution and are thus hardly inclined to negotiate in good faith.
18 Abkhaz and South Ossetian leaders cannot even privately contemplate any form of
19 reintegration into Georgia, but differ with regard to their own long-term goals.
20 Abkhaz favour independence and fear increasing Russian dominance, while South
21 Ossetians aim at reunification with the North Ossetian republic in the Russian Fed-
22 eration. Yet, Russia struggles with a restive North Caucasus and is aware of the risk
23 of further destabilization through continued Ossetian "reunification" efforts.

The international management of unrecognized states

24 The gradual escalation of the conflicts over Georgia's two separatist entities –
25 the unrecognized states of Abkhazia and South Ossetia – demonstrates the
26 dangers inherent in international efforts to manage such conflicts. As the forego-
27 ing analysis has demonstrated in its focus on the EU, there are several objective
28 limitations to the effectiveness of international conflict management in a situ-
29 ation as multifaceted and complex as the context in which the conflicts over
30 Abkhazia and South Ossetia have evolved over the past two decades. The focus
31 on the EU, however, has also highlighted a number of capability gaps that have
32 prevented more effective conflict management, some of which are clearly not
33 unique to the EU but constitute a broader set of problems for third-party actors
34 involved in conflicts related to unrecognized states. Yet, the relative failure of
35 international conflict management in the case of these two unrecognized states in
36 the South Caucasus also offers some important lessons.

37 What was crucially lacking in the case of Abkhazia and South Ossetia, on the
38 part of the EU and third-party actors more generally, was a proper conflict man-
39 agement strategy. The formulation and subsequent implementation of such a
40 strategy would need to be based on a clear definition of third-party interests vis-
41 à-vis a specific conflict and the context in which it occurs; a context-sensitive
42 assessment of third-party strengths and weaknesses in conflict management; and
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a feasible approach as to how these strengths can be best leveraged and weaknesses overcome.

In addition, there are five substantive principles that have so far not been comprehensively appreciated in their significance for the effectiveness of international conflict management in cases involving unrecognized states.

Primacy of negotiated solutions over imposed settlements

The eventual outcomes of settlement negotiations must not be prejudged, but reflect what is practical and feasible given the interests of the immediate conflict parties and other relevant players. In order to attain such outcomes, the relevant third-party actors need to stand ready to provide adequate resources for potentially protracted negotiations, as well as leadership and technical expertise as necessary to assist in crafting a sustainable settlement.

Inclusiveness of negotiations

Comparative experience of conflict management indicates more generally the need for negotiations to include all relevant parties if whatever settlement obtained is to have a chance of being fully implemented and sustainably operated. Such inclusion need not be unconditional, but conditions need to be determined and enforced with care. While a commitment by all parties to non-violence is essential, the non-prejudicial approach to negotiation outcomes outlined above, suggests that demanding prior acceptance of certain parameters of a settlement, such as continued territorial integrity or the permanence of demographic changes, might be counter-productive by undercutting the support that negotiators need from their constituencies. This point also emphasizes the need for engaging the leaderships of unrecognized states without at the same time linking such engagement to recognition.

Comprehensiveness of agreements

The two conflicts in Georgia, ~~for example~~, are primarily secessionist in nature. Yet, a mere compromise about who is to control which stretch of territory will be insufficient for any settlement to be sustainable. Experience indicates that, apart from accommodating territorial claims, security, economic, and cultural concerns too need to be addressed. This will require the parties to make concessions and settle for compromises. An often painful and risky process for the negotiators personally and the parties they represent, third-party mediators need to be acutely aware of “red lines” and carefully tease out the space for compromise between them, tabling proposals at key moments. Such proposals can be specific to address a particular impasse during negotiations, but they may also be broader, considering the interests of external parties whose support will be needed for settlement implementation and operation.

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1 **Building broad coalitions of support for negotiated settlements**

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Difficult as it may be to reach a settlement at the negotiation table, the process of securing its implementation is often even more fraught with dangers of failure. Third-party actors will need to put significant effort into securing the support of a particular settlement from key constituencies of those represented in negotiations, external stakeholders and interested parties, as well as manage potential spoilers and limit their ability to undermine a settlement agreement once it has been negotiated. Such a broad coalition of support would need to include civil society and media, diaspora networks, regional and international organizations, neighbouring states, and relevant great powers to offer the political elites who negotiated a settlement the necessary backing and give them the room for manoeuvre to accept compromises and make concessions.

15 **Need for long-term external assistance**

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Achieving a negotiated settlement in any conflict is a difficult enough task on its own, and is often additionally complicated by painful compromises over status issues involved in conflicts with unrecognized states. The subsequent implementation and operation of settlements, moreover, will be long-term projects of state and nation-building: (re-) building a single common state or consolidating two separate ones. Without external assistance, implementation and operation of settlements will almost certainly lack the necessary human and material resources to be completed successfully. Third-party actors normally have significant experience – of success and failure – in this (the EU, for example, from its engagement in the Western Balkans over the past almost two decades), and it will increase the likelihood of its success in conflict management if it commits to long-term, post-settlement engagement with the former conflict zones by providing security guarantees, development aid, and institutional capacity-building and training.

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~~Overall, the case~~ of international, and in particular EU involvement in the management of conflicts over the unrecognized states of Abkhazia and South Ossetia demonstrates that third-party actors rarely face the stark choice between non-engagement and recognition. Rather, to the extent that engagement can happen without recognition, the international track record of conflict management may not be that poor after all: before and after the 2008 war, economic and social reconstruction efforts and humanitarian relief for IDPs did result in some concrete benefits, even though these were clearly not enough to prevent the outbreak of war. This also illustrates that avoiding the recognition issue is no long-term strategy for conflict management either, postponing, as it does meaningful, outcome-oriented status discussions. *In extremis*, and the examples of Abkhazia and South Ossetia are cases in point here, the status issue is “resolved” by force and recognition extended partially and without broad international consensus. Sergei Bagapsh’s optimism to one side, this does not do away with unrecognized states.



**Notes**

- 1 The author acknowledges the support of the Economic and Social Research Council (ESRC) through award number RES-451-26-0419 (The European Union as a Global Conflict Manager). This chapter draws, in its empirical part, on two previously published works: Whitman and Wolff (2010) and Akçakoca *et al.* (2009).
- 2 For detailed annual expenditures, see European Commission (2007: 33).
- 3 According to the Commission's 2001 Communication on Conflict Prevention, such Country Strategy Papers are "the instrument for ensuring [...] an integrated approach of conflict Prevention" (European Commission 2001: 11).
- 4 The ENP Action Plan also takes significant inspiration from the PCA and makes frequent reference to it (European Commission 2007: 5, 6, 11, 19, 21, 25, 34, 40) and clearly states that PCA implementation is the number-one priority for future assistance to Georgia (*ibid.*: 19).
- 5 Compare, for example, the EU's assessment of the situation in Georgia in the 2003 Country Strategy with that of the 2007 Country Strategy.
- 6 Interview with Peter Semneby and Mark Fawcett, Brussels, 16 December 2008, and John Kjaer and Stefano di Cara, Brussels, 16 December 2008.
- 7 Interview with Peter Semneby and Mark Fawcett, Brussels, 16 December 2008.
- 8 This manifests itself also in EU-Russia discussions in the framework of the Common Space External Security.
- 9 This argument is developed in greater detail in Wolff (2008b) and Peen Rodt and Wolff (2010).
- 10 Cf. International Crisis Group (2006b: 3). This report is overall highly critical of the EU's reluctance "to take on direct conflict resolution responsibilities" (*ibid.*: 27).
- 11 Cf. International Crisis Group (2008: 23f.) and Leonard and Popescu (2008: 31ff.).
- 12 Another high-level visit to Georgia, Abkhazia, and Russia was undertaken in July by Frank-Walter Steinmeier in his dual capacity as German foreign minister and coordinator for the five-member Friends of the UN Secretary-General (including also the United States, Britain, France, and Russia). While a peace plan presented by Steinmeier was rejected, further escalation of the conflict over Abkhazia, seen as much more likely and dangerous than the situation in South Ossetia, was averted at the time.
- 13 Cooperation with Russia, regardless of how reasonable it may seem from the EU's perspective, has been difficult to sustain at constructive levels. The military escalation in the summer of 2008 and the subsequent recognition by Russia of the independence of Abkhazia and South Ossetia is a clear indication that the Road Map for the Common Space of External Security is barely worth the paper on which it was written, committing the two sides, as it did, to, *inter alia*, cooperation in crisis management, promoting conflict prevention and settlement, regular consultation, early warning, etc. See European Commission (2005).
- 14 For a more detailed exploration of the dimensions of "context" and their impact, see Wolff (2008b) and Cordell and Wolff (2009).
- 15 Information from <http://georgia.usembassy.gov>.
- 16 Information from www.state.gov/p/eur/ci/gg/c7008.htm.
- 17 The International Crisis Group (2008: 8) notes in this context that soon after Kosovo's declaration of independence, Russia significantly increased the strength of pre-existing links with Abkhazia and South Ossetia.
- 18 The connection between the escalation of tensions between Georgia and Russia over Abkhazia and South Ossetia, on the one hand, and Kosovo's declaration of independence and the outcome of the Bucharest NATO Summit, on the other, is also emphasized by the Independent International Fact-Finding Mission on the Conflict in Georgia (European Union 2009: 31).

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