

## Georgia on the EU Mind

By Antonio Missiroli, Brussels

### Abstract

The Tagliavini report provided support for backers of both Georgia and Russia in the August 2008 conflict, fulfilling its mission of producing a text acceptable to all European Union members and perhaps paving the way for a common policy. While the US and United Nations stood by, the EU under strong French leadership played the key role in resolving the conflict. Unfortunately, the situation in the Caucasus is far from settled and the EU alone will not be able to address the underlying issues moving forward. An additional complication is the presence of robust energy interests that may interfere with and limit the potential improvements in EU foreign policy generated by the relevant provisions of the new Lisbon Treaty.

### Support for Both Sides

The 1100-page-thick Report delivered in late September by the Independent International Fact-Finding Mission led by Ambassador Heidi Tagliavini, following a Council decision from last December, has ended up vindicating both European perceptions of the August five-day-conflict between Georgia and Russia.

By highlighting Tbilisi's key responsibility in triggering the war on the night between 7 and 8 August, in fact, the Report has strengthened the hand of those inside Europe who had sharply criticized Georgian President Mikheil Saakashvili's leadership and actions and denounced his populist and undemocratic drift, especially since 2006.

By underlining Russia's provocative behavior before the outbreak of the armed conflict and pinpointing its military over-reaction afterwards, however, the Report has also supported those who believe that Tbilisi was primarily the victim of a Russian scheme that was conceived long before August 2008 – with a view to reestablishing influence in the “near abroad” and rolling back the “color revolutions” of 2003/04 – and which has led to the break-up of Georgia and the secession of Abkhazia and South Ossetia.

These competing and potentially irreconcilable views reflect not only the political differences that still exist inside the EU as to how to deal with Moscow, but also different attitudes vis-à-vis the importance of promoting democracy and the rule of law as part and parcel of a common foreign policy as well as the appropriateness of a “geopolitical” approach to the space between the enlarged EU and the Russian Federation. They had already emerged a few months before the conflict, when European members of NATO in particular dramatically disagreed over whether to open up the Alliance to Georgia and Ukraine at the Bucharest summit in April 2008.

As such, therefore, the Report has broadly met the main goals it was meant to achieve, namely to offer a neutral and balanced assessment of the events of August 2008 that could be accepted by the entire EU (and possibly most of the international community) in order also to lay the ground for a common approach to the situation in the South Caucasus.

### The Role of the EU

It is no secret that the Union's forceful and decisive diplomatic intervention during the conflict – spearheaded by France's President Nicolas Sarkozy and flanked by Finland's Chairmanship of the OSCE – drew upon a temporary “suspension” of the assessment of the specific responsibilities for its outbreak, which in turn concealed a latent disagreement among the member states over who was to be blamed most for “the guns of August”. While the EU did not eventually succeed in keeping Russia to its initial word and commitments, it managed at least to keep its monitoring mission (EUMM Georgia, launched already one month after the end of the armed conflict) in place and the Geneva talks alive. Yet these modest results do not amount to a proper success – in a conflict that has indeed seen many losers.

Interestingly, albeit understandably (considering that it was the EU that mandated it), the Tagliavini Report does not enter into a detailed analysis of how the Union acted in the month between 08/08/08 – the somewhat symbolic date that has been seen since as a sort of turning point in international relations, as it coincided also with the opening ceremony of the Beijing Olympics – and 8 September, when the terms of the initial ceasefire were translated into a formal settlement.

In retrospect, one can argue that the Union filled a spectacular vacuum on the international stage, as both the US and the UN looked impotent, and managed to do so thanks mainly to the personal initiative of the

French President – but did so at a price, namely the de facto infringement of a number of internal procedures and practices related to EU crisis management. President Sarkozy, in particular, brilliantly played his double role as leader of France (a permanent member of the UN Security Council and a country respected and heard in both Moscow and Tbilisi) and leader of the EU 27. Yet he did so in a way that sidelined both the Commission and Javier Solana, the High Representative for Common Foreign and Security Policy (CFSP) and Secretary-General of the Council: the consequences of that are still being felt today as France remains in charge of some aspects of EU policy.

Similarly, the launch of EUMM Georgia was an unqualified success: it was the first European Security and Defense Policy (ESDP) operation to have applicants for deployment in excess, and to boast of involving up to 24 member states (only Belgium, Cyprus and Slovakia were not on board). In spite of its official “civilian” nature, it was also the closest thing to a military operation in disguise, with officials wearing uniforms all along. Still, the mission has only preserved the status quo, as the Russian troops have neither withdrawn from the two breakaway provinces nor fully implemented the terms of the 8 September agreement.

Last but not least, the aftermath of the conflict has seen a further increase in complexity and fragmentation as regards the Union’s policy and action towards Georgia. In fact, alongside a) EUMM, which has a specific and separate mandate, budget and chain of command, the EU also acts through b) a long-standing Special Representative (EUSR) for the entire South Caucasus region; c) a Special Representative for Georgia proper, who is in charge of the Geneva talks; and d) the bilateral Action Plan in the framework of the so-called European Neighborhood Policy (ENP), whose relevant tools have just been incorporated into the newly launched Eastern Partnership (EaP, May 2009), mainly run by the European Commission.

This hardly amounts to a coherent and synergic policy (or set of actions). Moreover, paradoxically, such fragmentation has little to do with intra-EU divisions over what to do – although some may still exist, at least in terms of instincts and preferences. It has much more to do with bureaucratic politics, peculiar national interests, and pre-existing procedures and formats that could not be altered to fit the Georgian case. Yet, taken together, all these factors contribute to weakening the hand of the only player who had proved its worth during and immediately after the conflict.

On top of that, the de facto disappearance (provided it ever existed) of any prospect of EU membership for

Tbilisi in the foreseeable future – what “Georgia”, in fact, could become a candidate? – makes it almost impossible for the Union to resort to the conditionality-based approach typical of its enlargement policy.

### Assessing the Failure of Conflict Prevention

Equally understandably, the Tagliavini Report does not provide an assessment of US conduct or NATO’s role before, during and after the conflict. However, such inevitable lacuna limits the scope of the overall analysis, which is otherwise very balanced and thorough in its evaluation of the root causes and historical origins of the war. The Report is certainly right in pinpointing the general failure of conflict prevention policies – still, responsibilities for such failure are spread among a number of different players.

For its part, the Union could certainly have done more and better in the run-up to the conflict, as it had all the pieces of the Georgian puzzle well in sight – but the blame game should not end with Brussels and national capitals. It remains to be seen whether it could have done more and better also in the war’s aftermath, considering the state of affairs on and off the ground. After all, the summer 2008 conflict in the South Caucasus has been the first real experience of “crisis management” proper by the EU, if one considers that what is called “crisis management” in official EU parlance (namely ESDP) is essentially about peace-building missions. As such, it largely exceeded the expectations, seizing also the opportunity to address old problems like the visa regime for Georgian citizens – although it is now mired in a stagnating situation.

### Moving Forward

The Lisbon Treaty, which is widely expected to be ratified soon and enter into force in early 2010, is meant to streamline and strengthen the Union’s external action by bringing it under the authority of the multi-hatted High Representative for CFSP and Vice-President of the European Commission (HR/VP). As a result, all the various strands of the Union’s presence in and policy towards Georgia should be brought together – at least in principle – and generate value-added rather than dispersion. They are also likely to become much more foreign policy-driven (from trade to visas, from funding for infrastructure to support for civil society and capacity building) than hitherto, and to produce better outcomes.

This will much depend on the extent to which the member states will agree on foreign policy, as all the basic tools are already there: the EaP scheme in the ENP context (currently an empty shell, or rather an endowment in

search of a mission), ESDP resources, and access to the EU for both Georgian goods and people. In other words, the Lisbon Treaty represents a necessary condition for a more effective EU presence and action in Georgia and the South Caucasus – as it provides the software required to use the existing hardware – but not a sufficient one. It will be up to the new leaders (in Brussels as well as the capitals) to generate the political will and unity of purpose which can make a difference in the region.

Even if these emerge and materialize, however, the EU alone is unlikely to be able to solve the conflict and set in motion a constructive dynamics between the major players. It will need flanking and complementary action by the US, NATO, the UN, the OSCE – along with a more cooperative stance by Russia itself. As Zbigniew Brzezinski has repeatedly underlined, the Caucasus risks becoming in this second decade after the end of the Cold War what the Balkans were in the first one – “the Balkans of Eurasia”, that is, only made worse by the high stakes related to energy production, transit and supply.

#### *About the Author*

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While the comparison with the Balkans evokes the other unresolved post-conflict situation (namely Kosovo) both the EU and the international community are confronted with – and may have to consider at some stage as linked – the energy issue has been to date the missing (or weakest) link in EU policy towards the region, as epitomized by the sparse order in which the various EU member states and their corporate ramifications have operated in the energy sector (Nabucco, South Stream, the Baku–Tbilisi–Ceyhan pipeline) whenever confronted with Russian interests and strategic options. Incidentally, it has also been dealt with only tangentially by the Tagliavini Report itself.

The role that a post-Lisbon EU may play in pacifying Georgia and the South Caucasus, in fact, will depend as much on the implementation of the new treaty as on the coordination of old policies in the energy sector, which is not going to be much affected by legal provisions and institutional structures since robust business interests and strategic calculations are at play.

## The Aggression by the Russian Federation against Georgia

By Temuri Yakobashvili, Tbilisi

### **Abstract**

On August 7, 2008, Russian armed forces, already pre-positioned on Georgia's northern border with the Russian Federation, launched a massive, coordinated, and – given the scale of the enterprise – premeditated assault on Georgia. Russian forces crossed the border into South Ossetia/the Tskhinvali region and, hours later, into Abkhazia. The highly calculated, full-scale attack took place on land, at sea, by air, and via cyberspace. The reason Moscow gave for its invasion of Georgia – to stop a genocide – was debunked as a lie by the Independent International Fact-Finding Mission on the Conflict in Georgia. Also, the report confirms the Georgian government's position that Russia has indeed violated international law by invading Georgia and later recognizing the independence of Abkhazia and the Tskhinvali region/South Ossetia.

### **Georgia's Act of Defense**

By August 26, 2008, the Russian Federation, in blatant violation of the ceasefire agreement its President had signed just two weeks earlier, had formally recognized these two territories as independent. This was clearly the culmination of a long-term plan to subvert the Georgian state and control Georgian territories. For nearly two decades of this interstate conflict between Russia and Georgia, Moscow had succeeded in using the separatists as their proxies;

now, Russia effectively had occupied and was attempting to fully annex these Georgian territories.

As evidence mounted of the scale of the Russian incursion, the Georgian Government concluded that it had been left with no choice but to order military action to counter what was rapidly becoming an invasion – with aims that went far beyond a dispute over two Georgian territories. The principal intent of Georgian military action was to slow the Russian advance so