

About the Author

Franziska Smolnik is working as a research assistant to the Russia/CIS division of the German Institute for International and Security Affairs in Berlin and pursuing a PhD on internal developments in the South Caucasus de facto states.

Further Reading

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Alignment with the EU's Common Foreign and Security Policy in the Southern Caucasus

Sebastian Mayer, Bremen

Abstract

This article deals with the EU's provision for Common Foreign and Security Policy (CFSP) alignment, a procedure by which a number of governments from the EU's European Neighborhood Policy program may support previously adopted CFSP documents. Although they lack the possibility to join the EU and are unable to shape the substance of the CFSP, Georgia, Armenia and Azerbaijan do make use of CFSP alignment, albeit with considerable variance. The article illustrates and attempts to explain the patterns of policy alignment by accounting for a number of key factors.

Introduction

This article illustrates and attempts to explain the patterns of policy alignment to the EU's Common Foreign and Security Policy (CFSP) in the Southern Caucasus (SC). CFSP alignment is a political decision by which a European Neighbourhood Country (ENC) supports a statement or legal act within the CFSP framework that has previously been adopted by EU members. From the EU perspective, this serves to strengthen its voice in regional and global affairs. Alignment obliges an ENC to ensure that its policies are in line with the provisions of the respective document and hence might require policy change. CFSP alignment therefore tends to lead to a convergence with underlying EU norms and rules, and the post-hoc character of this procedure clearly indicates a unilateral adaptation to given EU standards.

Unlike accession countries, ENCs are less prepared to sacrifice their foreign policy autonomy. While the former have eventually been rewarded with the possibility to shape CFSP policy contents, aligned ENCs are neither involved in the drafting of CFSP texts, nor have they a right to veto the adoption of a document. They are simply entitled to align to a previously endorsed CFSP statement, or not align to it. It is no surprise, then, that they sometimes oppose policy change by refusing to align to certain acts.

Despite the lack of influence and the limited prospects for joining the EU, all three SC states do make use of CFSP alignment to gain access to the associated benefits offered by the EU. But alignment occurs with considerable variance. An examination of aggregated data from the EC's progress reports for (non-)alignment with CFSP documents from the whole spectrum of acts

(decisions, declarations etc.) shows that Georgia and Armenia exhibit an impressive CFSP alignment record, compared to which Azerbaijan scores significantly lower. Investigating more closely 33 CFSP declarations from the first months of 2011 illuminates alignment practices more thoroughly. The subsequent sections introduce the practice of CFSP alignment, depict more precisely the alignment record in Georgia, Armenia and Azerbaijan, and give explanations for the differences.

The Procedure of CFSP Policy Alignment

In 2004, the EU included the SC countries into its European Neighbourhood Policy (ENP), and later they joined the tailor-made Eastern Partnership (EaP) initiative. One of the issue areas in which the European Union seeks to promote convergence with its norms and hence provoke policy change within these schemes is the CFSP. Since June 2007 the EU has formally invited all SC states to align to most of its statements, declarations, draft resolutions, Council decisions and (undisclosed) demarches, except for those of which the country itself is the subject. All ENC's entitled for CFSP alignment (some ENC's such as Belarus or Syria are not permitted to align) do make use of this procedure, but alignment is never complete.

It seems at first sight that due to their declaratory, apparently rhetorical and non-binding character, alignment with CFSP acts is just cheap talk and lacks substance. Yet, these acts are politically binding since EU members and aligned ENC governments affirm that their policies are consistent with their verbal commitments. Aligned countries appear by name in the respective documents. Standard formulas ending EU Declarations or Council decisions, for instance, are 'align themselves with this declaration' or 'ensure that their national policies conform to that decision'. The question of whether and to what extent an ENC indeed behaves in accordance with aligned CFSP acts is much more difficult to answer than the question of formal adoption, which is discussed here.

The functional as well as geographical scope of CFSP documents has ballooned since the early 1990s. Meanwhile the CFSP's output clearly reflects the EU's *acquis politique* with specific measures demanding behavioral compliance, including restrictions against human rights violators or concerning questions of conflict resolution at the EU's periphery, which often intrude far into third party's domestic political systems beyond the European Union and the European Neighbourhood. While the rather rhetorical declarations still represent a significant portion of CFSP policy output, there is a tendency towards increasing the adoption of common policies in the form of Council decisions (formerly 'common posi-

tions'), which usually require specific national action, mostly in the form of implementing restrictive measures against a third state. On behalf of the EU there are no immediate positive (or negative) consequences for an ENC if it aligns extensively (or refuses to do so), but ENP stipulations elucidate the general logic of positive conditionality—'more for more, and less for less.'

CFSP Alignment in Georgia, Armenia and Azerbaijan

Based on data from the EC Progress and Country Reports between 2008 and 2011, the overall record of CFSP alignment in the SC shows that Georgia and Armenia score relatively high since the inception of the procedure in mid-2007, although there was a certain decline over the years. In 2008 Georgia still aligned with 76% of those CFSP declarations which it was invited to support. This figure dropped to 67% and 64% in the subsequent two years. Armenia aligned in 2009 still to 78% of invited CFSP declarations but this fell also to 64% in 2010. By comparison, Moldova as the best-in-class of all EaP states, aligned in 2010 with an impressive 86% of the CFSP statements it was invited to support. Despite their relative decline, figures for Georgia and Armenia still contrast sharply with those of Azerbaijan. Its CFSP alignment performance fell also, but from a much lower level: from still more than 50% in 2007 to roughly 40% in the following years. Out of the 33 CFSP declarations adopted by the EU between 27 January and 18 May 2011, Georgia aligned to 17, Armenia to 14, and Azerbaijan to just four of them.

A closer inspection of country-specific (non-)alignment behaviors suggests that close proximity of a state addressed in a declaration or its being part of the Former Soviet Union (FSU) is a major factor in an ENC decision to refrain from alignment. None of the SC ENC's has aligned with any of the three declarations (out of the total 33) on the deteriorating situation in Syria, nor with the two declarations on Iran's record of human rights violations and conflict resolution, nor with the three declarations on the human rights situation in Belarus. Only declarations on far-off countries have won some SC ENC support, such as on Libya (where only Georgia aligned to three out of four declarations), on Sri Lanka and Burma/Myanmar (Armenia only), or Côte d'Ivoire and Guinea (Georgia and Armenia). It is noteworthy that Azerbaijan has only aligned with two out of those 21 declarations addressing human rights (one on the occasion of the World Press Freedom Day and one against racial discrimination). The remaining SC ENC's have occasionally aligned with some, albeit by no means all, of these human rights declarations (Georgia ten and Armenia seven out of the 21).

It is also interesting to learn how SC ENCs behave towards each other—particularly given the volatile security situation in the SC. In the period between mid-2007 and the end of 2010, 15 CFSP declarations were adopted which concerned either Georgia, Armenia or Azerbaijan. These declarations dealt with delicate topics, such as elections, the political situation in the breakaway regions or the conviction of a journalist in Azerbaijan. From the 15 declarations a SC ENC had been invited to support, Georgia (out of the six offered it) and Armenia (out of the 11 offered it), each aligned to just one: Georgia to an unfavorable declaration on the ‘presidential elections’ in Nagorno-Karabakh in July 2007, and Armenia to a chiefly positive declaration on the presidential elections in Georgia in January 2008. In amazing contrast to its general reluctance, Azerbaijan aligned to six out of the 13 declarations it had been invited to support, among others on the escalation of tensions between Georgia and Russia in May 2008, on the ‘parliamentary elections’ in South Ossetia in June 2009, on the ‘presidential elections’ in Abkhazia in December 2009, or with the positive declaration on the Georgian strategy on Abkhazia and South Ossetia in March 2010. Although close geographic proximity does largely correlate with non-alignment, these latter observations demonstrate that SC ENCs do not principally refrain from aligning with declarations addressing their neighbors.

Explanations for CFSP Alignment Patterns in the SC

The question of why Georgia, Armenia and Azerbaijan engage in CFSP alignment in the first place can be answered by looking at the connected benefits of the ENP. As has been said, alignment neither allows an ENC to shape related policies, nor does it provide a clear membership perspective. In fact, there are regular meetings for political dialogue between the EU and each ENC entitled to alignment through the Political and Security Committee, but their outcomes are non-binding. A strong motivation for ENCs to align anyway can be seen in the benefits of the EU’s ‘gift basket’, particularly the perspective of a Deep and Comprehensive Free Trade Area (DCFTA), which are offered by the EU so as to apply the logic of positive conditionality.

Yet, energy rich Azerbaijan is much less dependent on a DCFTA than are its Western neighbors, since there are generally no EU customs duties on imported hydrocarbons—Azerbaijan’s main export commodity. Given the resulting energy wealth, which qualifies it for membership within the club of rent-seeking economies, material gains offered by the EU’s EaP appear even less significant compared to both neighbors. Also, the Azeri

government pursues a multi-vector foreign and security policy that aims at practicing good relations with all neighbors. In this context, Baku recently also joined the Non-Aligned Movement to mark its distance from the ‘West’ as well as from Russia.

Georgia, on the other hand, is clearly oriented towards the ‘West’ and attempts to join both the EU and NATO. Its impressive CFSP alignment performance strongly correlates with its utterly negative perception of Russia. CFSP alignment does not imply any direct security gains since the EU falls short of offering ENCs, as an incentive, the mutual defense clause recently introduced by the Lisbon Treaty. It can be argued, however, that strong adherence to foreign- and security-related EU objectives will overall increase the likelihood for solidarity and support. In October 2008, an EU Monitoring Mission was dispatched to Georgia following its war with Russia. Tbilisi benefits greatly from this assistance since it has internationalized the conflicts and somewhat contains Russia—particularly after the US became more cautious in the region. The EU has appointed a Special Representative for the crisis over Georgia’s breakaway region of South Ossetia (Pierre Morel) and supports ongoing mediation talks in Geneva. Given its implications for new market opportunities for national businesses and industry, Georgia should also be more interested than Baku in the conclusion of a DCFTA. In mid-2010 the EU started negotiations on Association Agreements with the SC ENCs which would replace the current agreements on partnership and cooperation and foresees the possibility for a DCFTA.

The conclusion of a DCFTA should also be important for Armenia which, like Georgia, has no significant raw materials available. But Armenia’s high CFSP alignment record is still puzzling. After all, it also pursues a multi-vector foreign policy (like Baku), implying that good relations are to be maintained with competing great powers to balance external and internal threats. Like Baku, Yerevan is much less dependent on the EU as a security actor, if at all. Moscow largely supports Armenia militarily in the region and maintains large military bases in Armenia proper. In the case of Armenia, therefore, the existence of two influential external actors does not necessarily impose a structural zero-sum logic, which is a significant finding.

Conclusion

These are first-cut observations only which have to be supplemented by a more detailed analysis. Generally, this contribution demonstrates that policy change and hence convergence is even possible in less institutionalized, high politics fields. Georgia, Armenia and Azerbaijan do make use of CFSP alignment, despite the lack of

influence on the substance of the documents and even though there is no ultimate membership perspective.

This study identified a number of factors to explain variation in the alignment practices of the three countries. Interest-based logic seems to play a crucial role as

alignment turns out to be high where direct or indirect material benefits can be recognized. This suggests, conversely and in a less optimistic perspective, that the EU's transformative power in its neighbourhood is seriously hampered where related benefits carry only little weight.

About the Author

Sebastian Mayer, PhD, is a Thyssen Post-Doc Fellow at the Institute for Intercultural and International Studies, University of Bremen, Germany. He has published on security dynamics in the Southern Caucasus, on NATO and the EU's CFSP and on the internationalization of security politics. Most recently he authored *Europäische Sicherheitspolitik jenseits des Nationalstaats* (European Security Politics Beyond the Nation State, Campus, 2009).

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Eastern Partnership Civil Society Forum: The View of a Participant from Armenia

Gevorg Ter-Gabrielyan, Yerevan

Abstract

Civil Society is considered a major component in the architecture of change and development in the European Neighborhood. The EU supports civil society in its Neighborhood in a variety of ways: funding; supporting the issues raised by NGOs and public advocates; and joining in the struggle for human rights, free and fair elections, and other causes. While building the strategy of the Eastern Partnership and assimilating the lessons learned from the Arab spring, the EU leadership, particularly the European Commission, included a very specific element in the architecture of relations with eastern neighbors: the Civil Society Forum (EaP CSF). This is an entity which, if it works, will achieve a change in the traditional conduct of relations between the EU and its Eastern neighbors: diplomacy between governmental and EU officials will be complemented with interactions involving a third actor, namely civil society. For the first time, civil society is being asked to join a process which has been traditionally confined to the domain of governments. This is a challenging idea, and its significance surpasses any particular project support that the EC has given to civil society so far or is planning to give in the future. This effort is about making civil society a participant in power sharing on reform and raising the country closer to EU standards.

This article describes the experience of a group of NGOs from Armenia in the Eastern Partnership Civil Society Forum. This narrative, based on elements of a participant observation, concludes that whatever support the EU and EC provide to civil society, if NGOs are incapable of ethical and professional self-determination, the reform and Civil Society Forum will not succeed. Thus, despite the fact that EU support is crucial, what is most important is the capacity of NGOs, the media, and other pillars of civil society to be able to unite for a good cause and to clean their ranks, getting rid of those who are working for the failure of reform, based on the post-Soviet traditions of imitating reform and building Potemkin Villages instead of promoting genuine change and progress.

First Steps

The idea of a special role for civil society in the Eastern Partnership was included in its constitutional process

from the beginning: in May 2009, when the process started in Prague, there was a pre-forum civil society conference, which discussed many potential mecha-