

Cross-border Structures and Europeanism

Georgia: From Neighbour to Partner of the European Union

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Abstract: The main purpose of this paper is to present the institutional dynamics and political developments of the European Union regarding its Eastern neighbours. This research is important in the field of European Construction because it studies how the continental organization approached the question of foreign relations towards countries that belonged to a different system of values. This paper wants to bring a deeper approach regarding the activity of the European Union towards the Republic of Georgia. The method used was a case study of the EU institutions and politics created towards the Georgian state. Through the systematization and interpretation of previous empirical studies and press articles this work offers a clear image of the activity and results of the EU foreign policy towards Georgia. This paper may elicit a more analytical interest for research groups interested in the efficiency of some entities that define the European construction but it can also be useful to European or local political decisional factors. The key contribution of this paper consists of providing a pertinent analysis of EU foreign policy towards Georgia in the context of exceptional internal problems caused by the economic crisis and also considering the dependence of EU to another major player in Eurasia-Russian Federation- whose stake in Georgia is obviously extremely high.

Key words: European Construction; Republic of Georgia; EU foreign relations; European Neighbourhood Policy.

1. Introduction

Since it was created, the European Union (EU)/European Economic Community (EEC) had struggled to make its own way, as an autonomous actor on the international scene². The Treaty of Rome (1957) and the Fochet Plan (1961) were steps taken by the community to open its way for external relations based, for the beginning, on economic considerations. An important step in the diplomatic field was taken when Davignon Report (1970) was adopted by the foreign ministers of the member states. The report introduced the principle of political cooperation and consultation on all major questions of foreign policy (Bindi 2010, p. 13-18).

Many other documents were signed and institution such as the European Political Cooperation (EPC), were created in order to establish a decision-making core related to the problems on the international agenda. The collapse of URSS put some very important themes on the Community's agenda: the German problem and the void space created from the lack of power in Eurasia are some of them. The first one was quickly solved by incorporated the unified Germany in the Community without need to revise the EEC treaties. Leaders of EEC also decided to create the European Monetary Union (EMU) and to complete it with a political union that would ensure democratic legitimacy, institutional

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² For the subject of EU foreign relations also see: (Keukeleire & Macnaughtan, 2008; Tonra, Christiansen (eds.), 2004; Lucarelli & Manners (eds.), 2006).

efficiency, the EEC's unity, and coherence in the economic, monetary, and political sectors and eventually a common foreign and security policy (Bindi 2010, p. 26).

The Maastricht Treaty, signed on February 7, 1992, created the European Union and, in the field of international relations, established a Common Foreign and Security Policy (CESP) which constituted the second pillar of the new three-pillared EU (Smith 1999, 44). In the Lisbon Report (1992) the areas of interest to EU were defined geographically: central and eastern Europe (including Eurasia); the Balkans; Maghreb and the Middle East; transatlantic relations (the United States and Canada); etc. (Bindi 2010, p. 27).

The CESP was further reinforced by later treaties such as the Amsterdam Treaty (1999), the Nice Treaty (2003) or the Lisbon Treaty (2009). The creation of the European Security and Defense Policy (ESDP) completed the image and the credibility of the EU as a security policy actor. Other institutions created for enforcing EU as a distinguished actor on the international scene are the High Representative of the European Union for Foreign Affairs and Security Policy and the European External Action Service. This new created minister for external affairs, who is also Vice-President of the European Commission, gives the Union greater clout on the impact in the international arena as well as enhancing its coherence and visibility(http://diplomatie.belgium.be/en/policy/policy_areas/peace_and_security/in_international_organisations/ european_union/cfsp/.).

2. The European Neighbouring Policy (ENP)

With the decision of the fifth wave of enlargement, came the creation of a new and quite unique instrument in foreign relations –the European Neighborhood Policy (ENP)¹ - that would be the institutional way of approaching countries with which the EU would soon have common borders. It was clear that the, soon to become, 27 members state organization wanted to promote a closer cooperation with its new gained boundary countries. In June 2004, therefore, the EU adopted ENP. This initiative, which at first focused on Ukraine, Moldova and Belarus, was then extended to the countries of the Southern Caucasus (Armenia, Georgia and Azerbaijan) as well as to the countries on the southern and eastern rims of the Mediterranean (Algeria, Palestinian Authority, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria and Tunisia) (Warvick & Olaf 2007, p. 11).

It is a new overview in international relations, a new look at what borders represent because of the specific of the European Union, as a union of culturally different states. This original policy² is presented as carrying a deeper or wider set of intrinsic European characteristics and qualities (Ifversen & Kolvraa 2007). It refers to the "outsiders" from the East and from South and it wants to bring stability, security and welfare both in the EU and it's new neighbouring countries by increasing cooperation in the political, economical, social and cultural areas as well as on security issues³.

The ENP expands over a very large geographical area, and incorporates a wide diversity of countries. The ENP concentrates on developing "privileged" bilateral relations between the EU and individual neighbouring countries (Bindi 2010, 113). The principal aim of the ENP is to bring stability in the area and to create good economical relations⁴. It also supplements, though it does not replace, other frameworks for relations with the Union's neighbours: the Euro-Mediterranean partnership (also the related Euro-Mediterranean agreements and the MEDA assistance programme which is the principal

² The name of the initiative has been changed as many times as the list of neighbours included in it: from 'wider Europe' to 'proximity policy' to 'new neighbourhood policy', and finally to 'European Neighbourhood Policy'.

¹ See also: Fraser Cameron, An Introduction to European Foreign Policy, Routledge, New York, 2007.

³ "The European Neighbourhood Policy (ENP) was developed in 2004, with the objective of avoiding the emergence of new dividing lines between the enlarged EU and our neighbours and instead strengthening the prosperity, stability and security of all." cf. www.http://ec.europa.eu/world/enp/policy_en.htm.

⁴ "The objective of the ENP is to share the benefits of the 2004'enlargement with neighboring countries in strengthening stability, security and well-being for all concerned" in Commission of the European Communities, COM(2004) 373 final, "Communication from the Commission. European Neighborhood Policy. Policy Strategy Paper" (Brussels, May 12, 2004).

financial instrument of the EU for the implementation of the Euro-Mediterranean partnership), and the Partnership and Cooperation Agreements (PCAs) and TACIS assistance programme with the former Soviet republics. Two ENP countries, Belarus and Libya, are not formally linked to the EU by an agreement and have in fact been the subject of EU sanctions.¹

In this picture a particular place is held by the East border's states. These countries are very important for the economy, security and policy of the EU; they represent a possible space for enlargement, a big sale market for the products coming from EU and an important security area (Popescu 2011, 4-6). So we can see from the beginning that the European Union in its neighbourhood policy has a different approach regarding the East neighbouring countries from those of the South. Relations with the shore of the Mediterranean Sea are treated in the ENP most of all from an economical point of view while the neighbours from the East are, for the EU, possible future member states, so the politics regarding them are made in this context².

3. UE Relations cu the Southern Caucasus Countries

A very big problem following the collapse of the Soviet Union in 1989, the European Union had to deal with was represented by the power vacuum created in Eurasia. EU was willing to support the transition of the Southern Caucasus Countries towards the establishment of democratic states based on the rule of law and a market economy³. EU stepped forward in developing good political, economic and cultural relations with these countries in order to ensure peace and stability in the region. EU concluded – with each of these countries – a Partnership and Cooperation Agreement (PCA) intended not only to provide an institutional framework for political dialogue and economic cooperation but also to promote sustainable development and the democratic process (http://diplomatie.belgium.be/en /policy/ european_union/belgium_and_the_eu/external_relations/europe_and_the_world).

In 2004, EU decided to include the Southern Caucasus Countries in the European Neighbourhood Policy (ENP). In March 2005, with a view to implementing the ENP, the European Commission presented individual reports on the three Southern Caucasus Countries as a starting point for developing action plans and guidelines to implement the ENP (Warvick & Olaf 2007, pp. 54-6).

Five-year action plans for each of the three Southern Caucasian Republics were agreed by the Cooperation Councils in November 2006. The European Commission issues an annual progress report on the implementation of the action plans for the year under review. The three Southern Caucasian countries are also included in the Eastern Partnership, inaugurated in Prague on 7 May 2009 (UE Council 7 May 2009). The Eastern Partnership is meant to complement the Northern Dimension and the Union for the Mediterranean by providing an institutionalized forum for discussing visa agreements, free trade deals and strategic partnership agreements with the EU's eastern neighbours, while avoiding the controversial topic of accession to the European Union. Its geographical scope is to of Belarus, Armenia, Azerbaijan, Georgia, Moldova and Ukraine (http://eeas.europa .eu/eastern/index en.htm). Unlike the Union for the Mediterranean, the Eastern Partnership will not

european_neighbourhood_policy/index.jsp).

[&]quot;The European Union is open to any European country which is democratic, has a market economy and possesses the administrative capacity to handle the rights and obligations of membership. This means enlargement is an ongoing process.", official statement of the EU regarding the enlargement process (http://europa.eu/pol/enlarg/index_en.htm).

³ For more information about EU policies regarding Southern Caucasian Republics see also: Syuzanna Vasilyan, The EU's Ambitious Regionalization of the South Caucasus in Philippe De Lombaerde, Michael Schulz (eds.), The EU and World Regionalism, Asgate Publishing Limited, Surrey, 2009; Karen Henderson, Carol Weaver (eds.), The Black Sea Region and EU Policy. The Challenge of Divergent Agenda, Asgate Publishing Limited, Surrey, 2010; Annie Jafalian (ed.), Reassesing Security in the South Caucasus: Regional Conflicts and Transformations, Asgate Publishing Limited, Surrey, 2011; Nicu Popescu, Europe's Unrecognised Neighbours: The EU in Abkhazia and South Ossetia, CESP Working Document No. 260, March 2007; Development in Eastern Europe and the South Caucasus:armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine, OECD Publishing, 2011 cf. http://:dx.doi.org/10.1787/97889264113039-en. 898

have its own secretariat, but would be controlled directly by the European Commission (EC). In this regard, the General Affairs and External Relations Council of 14-15 September 2009 decided to initiate negotiations for new framework agreements for the Caucasian Republics. These negotiations, which are to replace the Partnership and Cooperation Agreements and assume the form of association agreements, are linked to internal reforms. The negotiation guidelines for the three association agreements were accepted by the General Affairs Council of 10 May 2010. The Eastern Partnership also provides prospects for free trade agreement and visa facilitation in combination with readmission and visa liberalization in the long term (http://eeas.europa .eu/eastern/index_en.htm). Since 1 January 2007 EU assistance to the Southern Caucasus Countries has been mainly provided through the European Neighbourhood and Partnership Instrument (ENPI), which covers national, regional and thematic aspects. Moreover, specific assistance can be provided in conflict situations through the Stability Instrument (f).

4. EU and the Republic of Georgia

EU's commitment to Georgia dates back to the early '90s, after Georgia regained its sovereignty in the wake of the break-up of the Soviet Union, and has resulted mainly in humanitarian aid for the Georgian state. Since 1997 the EU began to allocate funds for reconstruction programs in the two conflict zones- South Ossetia and Abkhazia (Whitman & Wolff 2010, 2-4).

The Partnership and Cooperation Agreement, signed in 1999, brought a significant increase in financial aid from the EU and diversification in the types of programs from witch Georgia would receive funds. The document forms the legal framework for the contractual relations between the EU and Georgia (http://eur lex. europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2002:293E:0096:0100: EN:PDF).

In 2001 the European Commission released the Country Strategic Paper (CSP) for Georgia were the two conflicts in Abkhazia and South Ossetia² were identified as a major obstacle in the process of the development in Georgia and a factor of regional instability³ ().

The EU has significantly increased its commitment to the South Caucasus, therefore in Georgia, in 2003-2005. In 2003 a post of EU Special Representative (EUSR) for the South Caucasus was established. It received responsibilities in supervising and managing relations between the EU and South Caucasus countries, to encourage regional cooperation and to support the settlement of the conflicts. The mandate was adjusted in 2006 to increase official support for operations conducted by the United Nations and OSCE (http://www.eumm.eu/en/eu_in_georgia/eusr_border_support_team.). In 2005, the EU has established a team to monitor the Russian-Georgian border due to the fact that the border monitoring mission under the OSCE was interrupted because of Russian veto against mechanism in 2005 (http://www.un.org/en/peacekeeping /missions/ past/unomig/). The EU operation was established as part of EUSR's efforts.

In 2004-2005, the EU integrated Georgia, Armenia and Azerbaijan in its neighborhood policy (ENP) for further cooperation with countries in the immediate vicinity. The Rose Revolution of 2003 was a strong signal to Brussels, according to which Georgia does not have a distant, stagnant and indifferent vision towards genuine European values, as the failed reforms of the former President of Georgia, Eduard Shevardnadze, showed.

EU favored a regional approach in the ENP. The ENP Action Plans were signed simultaneously with the three Caucasus countries (Armenia, Azerbaijan and Georgia) in 2006

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¹ http://eeas. europa.eu/eastern/docs/eap_vademecum_en.pdf.

² For more about the frozen conflicts in Georgia see also: (Nodia, in Bertsch, et al., Michael Beck (eds.), 2000; Posen, in Michael E. Brown (ed.), Ethnic Conflict and Institutional Security, 1993; Morar, 2010; MacFarlane et. al., 1996; Melander, 1999; Kvarchelia, 1998, p. 18-27.

³ http://www.eeas.europa.eu/georgia/csp/ 02_06_en.pdf.

(Kaufmann 2009, 65-70). But each country has come to hold different horizons. Thus, Georgia has sought time to obtain the status of acceding country, in accordance with post revolutionary ambitions to quickly become a full member of the Euro Atlantic community (www.crisisgroup.org). It also emphasized its identity as the Black Sea state, rather than one with a strong identification with the South Caucasus. In the ENP Action Plan, which Georgia has negotiated with the EU, the issue of conflict resolution has taken a prominent place. The Commission has implemented projects in Abkhazia and South Ossetia on action plans, funded by the ENP body. on post-conflict reconstruction, particularly The focus was in areas along main administrative boundary lines (http://ec.europa.eu/world/enp/documents en.htm). It was in the interest of Georgia to see a stronger commitment from the EU; at the time, the EU was thought like a third actor involved in the conflict resolution process, with a role relatively less politicized of navigating between U.S. and Russian antagonistic approaches to Tbilisi and Sukhumi relation, respectively Tskhinvali, although, politically, the EU granted from the beginning un equivocal support for Georgia's territorial integrity.

After two years from the Rose Revolution, Tbilisi's power began to declare its self in favor for the internationalization of the conflicts resolution's process. In summer of 2006, Georgia has issued a memorandum for the internationalization of conflict resolution formulas and for direct EU involvement at the negotiating table.

The ENP Action Plan endorsed by the EU-Georgia Cooperation Council of 14 November 2006 aims to fulfill the provisions of the PCA and to contribute to a closer relationship with Georgia, involving a significant degree of economic integration and deepening the political co-operation. It covered a period of five years (http://eeas.europa.eu/georgia/index_en.htm).

5. The European Response to the "Five Days War". European Monitoring Mission in Georgia (EUMM)

On the outbreak of the Russo-Georgian conflict, French President Nicolas Sarkozy took the lead in brokering the ceasefire negotiations, on behalf of the French EU presidency. He visited Moscow and agreement for ceasefire Tbilisi secure an a plan (http://www.smr.gov.ge/uploads/file/Six Point Peace Plan.pdf). The plan provided a cessation of hostilities, but it was a challenging goal because of the vague formulation, open to competing interpretations by the parties, and the fact that there was no time period specified. On 8 September, the parties signed a second ceasefire plan which set clear guidelines for the implementation of both agreements. Since then Sarkozy's plan was always undermined by Kremlin. Moscow withdrew its troops from Georgia by the deadline of October 15, 2008, but failed to comply with the provision that his troops should withdraw to positions held before the conflict. A large number of Russian troops and border guards remained in Abkhazia and South Ossetia.

On September 15, 2008, the EU established the EU Monitoring Mission in Georgia (EUMM) in accordance with the arrangements set out in the EU-mediated agreements between Moscow and Tbilisi after the August war. The civil monitoring mission has a mandate to cover the entire Georgian territory, but so far Abkhazia and South Ossetia denied access to EU observers in the territories under their de facto rule (www.eumm.eu). Over 200 civilian monitors were sent to contribute to the stabilization of the situation on the ground following the five days conflict and to monitor compliance by all sides with the EU brokered Six-Point Agreement and the Agreement on Implementing Measures. The first task for the Mission was to oversight the withdrawal of the Russian armed forces from the area adjacent to South Ossetia and Abkhazia.

The main objectives of the Mission are to bring stabilization, normalization and to take confidence building measures, as well as reporting to the EU about the situation on the ground. The mandate of the Mission was extended three times and is current effective until 14 September 2012 (www.eumm.eu).

EUMM signed with the Georgian Ministry of Defense two Memorandums of Understanding, in 2008 and 2009, related to internal administrative measures regarding the areas adjacent to the Administrative Boundary Lines. The agreement reached at the Geneva Discussions in February 2009 is the legal basis for holding the regular meetings between all the parties of the conflict (www.eumm.eu).

The problem of the Internally Displaced Persons (both from the 1991-1993 and the 2008 wars) is another point on the agenda of the Mission, along with the restoration of the rule of law in the areas directly affected by the 2008 conflict.

6. EU Financing Georgia

Macro-financial assistence (MFA) to non-EU countries is an important external financial instrument set up by the EU in 1990 primarily to alleviate the external shocks experienced by transition countries, many of which were candidates for EU accession (European Commission 7 June 2011). This instrument has contributed to strengthen macroeconomic and financial stability in countries neighbouring, or geographically close to, the EU, while encouraging their implementation of appropriate structural reforms.

Beside it, the EU has several athors instruments through wich is giving financinal support to non-EU countries like Georgia¹. The total amount of grants given by EU to Georgia from 1992, when the two organisms started their relation, until 2006, before the last wave of UE enlargement is about EUR 500 milion: EUR 129 milion through Technical Assistance to the CIS (TACIS), 102 through EC Humanitarian Office (ECHO), 63 in food aid from DG AGRI funds, 6 from Exceptional humanitarian assistance, 91 through the Food Security Programme, 23 for reabilitation in conflict zones and EUR 65 EUR milion from MFA (European Commission 2006, Gergia Country..., 33). In June 2004, the European Commission co-chaired a donors' conference with the Worl Bank and pledged, for its part, a total of EUR 125 milion (from a total EUR 850 milion), doubling total EC assistence to Georgia for the period 2004-2006 compared with the previous period (European Commission 2006, Gergia Country..., 16).

Georgia absorption capacity was dramatically limited before the Rose revolution; factors like institutional and politic instability, widespread corruption, poor public finance management, deterioration of governance hampered the effectiveness of EC assistance in Georgia. The new Saakashvili administration committed to build democratic institution, take measures in fighting corruption and promote the rule of law- developments that are essential for a better absorption of EC financial assistence.

The Country Strategy Paper (CSP) 2007-2013 covers EC financial assistance to Georgia under the new European Neighbourhood and Partnership Instrument (ENPI). It is accompanied by an ENPI National Indicative Programme (NIP) for 2007-2010 whose main priorities are: support for democratic development, the rule of law and governance; support for economic development and ENP Action Plan implementation; support for poverty reduction and social reforms; support for peaceful settlement of Georgia's internal conflicts. Georgia also participates in different regional and thematic programmes under the ENPI, such as the European Instrument for Democracy and Human Rights (European Commission 2006, Gergia Country..., 5-6).

EC assistance over the period covered by this CSP will mostly focus on supporting Georgia in fulfilling its commitments under the ENP AP and contributing to the attainment of the Millennium Development Goals (MDGs). Priorities for EC assistance under the CSP have been broadly based on the seven headings of the EC-Georgia ENP Action Plan. They will be implemented mainly through bilateral ENPI financial assistance, but also through other relevant EC external instruments available

¹ These programmes are: TACIS, ECHO, Food Aid, Exceptional humanitarian assistance, Food security Programme, Rehabilitation in conflict zones, Aid to mitigate the effects of the Russian financial crisis, CFSP and RRM, European Initiative for democracy & Human Rights.

to Georgia. Following the establishment of the European Neighbourhood Policy (ENP) in 2004, support for the Eastern ENP economies has risen, accounting for around two-thirds of new MFA committed since then. By contrast, new operations in the Mediterranean neighbours were limited to the one for Lebanon approved in 2007. Since 1 January 2007, EU assistance to Georgia has been mainly provided through the ENPI. In the 2007-2013 period, assistance to Georgia is geared specifically to the objectives set out in the Partnership and Cooperation Agreement and the ENP Action Plan as well as on the MDGs (including poverty reduction in particular). The total ENPI indicative allocation to Georgia for the 2007-2010 is about EUR 120 million and is geared to the following strategic objectives: supporting the democratic process and the consolidation of the rule of law; promoting economic growth and the implementation of the ENP Action Plan; combating poverty and supporting social reforms; conflict resolution. The European Commission's new indicative ENPI programme for the period 2011-2013 provides for EUR 180.30 million for Georgia. ¹

Furthermore, the EU will finance a range of projects through regional ENPI programmes in the transport, energy and environmental sectors as well as in the fields of border management and the fight against organised crime²

In the period following the conflict between Georgia and Russia, the EU was already a major donor, with EUR 6 million provided for humanitarian assistance. At the international donors' conference for the reconstruction of Georgia, held on 22 October 2008, a total of more than EUR 3.45 billion were made available. Furthermore, the European Commission offered a €500 million stability and growth package for Georgia for the 2008-2010 period (http://europa.eu/rapid/pressReleasesAction.do? reference=MEMO/08/645&format=HTML &aged=0&language=EN&guiLanguage=en). The package included a wide range of financial instruments to provide assistance in four different areas: internally displaced people; economic recovery and rehabilitation; macro-economic and macro-financial stabilisation; support for the development of infrastructures, mainly in the energy sector.

7. Analysis of Results

After this historical analysis of political and institutional developments of the EU's external relations with its Eastern neighbourhood, especially with the Republic of Georgia, we can conclude that the EU possesses a unique vision over the space located in the immediate Eastern vicinity. This vision is based on so-called "soft diplomacy", different from the ones that the two states with major interests in the region have - the United States, with their "isnsular behaivor" and the Russian Federation, whose policy regarding Georgia is based on the historical rights argument.

For the eurasian space and especially for Georgia, one can notice a significant growth in the interest shown by the EU from 2004 when came the decision of the fifth round of enlargement. Although the EU has developed specific relationships with Georgia since the early '90, by signing the Partnership and Cooperation Agreement, relations between the two organizations have enjoyed a significant increase since 2004, with the creation of the ENP and other institutions and policies focused strictly on the relations with the East.

The war in August 2008 led the EU to enter into peace negotiations and to play a very active role in resolving the Georgian-Russian dispute. But the intersection of the two power vectors, the West and Russia, the diametrically opposite visions of the future of this region had as a result a win for the second one - a more limited territory controlled by Georgia and a recognition of the independence of South Ossetia and Abkhazia by Moscow.

EU has not acted aggressively and its response to the crisis in Georgia in August 2008, considered by many as too soft, should be analyzed in a wider context given the relations of the organisation with

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 $^{^1}$ http://diplomatie.belgium.be/en/policy/european_union/ belgium_and_the_eu/external_relations/Europe_and_the_world/eastern_europe/#8.

²http://ec.europa.eu/world/enp/pdf/country/enpi_csp_nip_georgia_en.pdf

Russia and the importance of ensuring energy for the Union. EU seemed surprised by the developments in 2008 and unable to speek with one voice. Member States have pronounced each rather according to personal interests and their relations with Russia. Eu has gone from a foreign policy focused on trade relations to an attempt to reach a coherent foreign policy, as the very creation of the post of foreign affaires minister by the Treaty of Lisbon shows. But that does not mean, as shown above, that its member states will act in every situation as they committed themselves to do. The European Union seemes to be in a waiting situation: the announcement of installing military bases in South Ossetia made by Russia has not raised a prompt response from Brussels and recent statements (March 2012) of the Russian Prime Minister, Vladimir Putin, according to which Russia is preparing a major rearmament¹, remained without response from the Union. This silence may be strategic advantageous and can be explained by the movement of the main themes of EU's political agenda from outside to inside, caused by the economic crisis. In the new paradigm of war between not two systems ideological different, but a war of influences, especially regarding small countries, the EU hardly finds a place among the giants U.S. and Russia, trying a policy of "white gloves", using soft diplomacy and creating unique instruments such as the EUMM.

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