

W O S C A P

ENHANCING EU PEACEBUILDING CAPABILITIES



## Assessing the EU's conflict prevention and peacebuilding interventions in Georgia

Nana Macharashvili, Ekaterine Basilaia,  
Nikoloz Samkharade

Ivane Javakhishvili Tbilisi State University

## Colophon

# ASSESSING THE EU'S CONFLICT PREVENTION AND PEACEBUILDING INTERVENTIONS IN GEORGIA

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Nana Macharashvili, Ekaterine Basilaia, Nikoloz Samkharade

Ivane Javakhishvili Tbilisi State University



## Whole of Society Conflict Prevention and Peacebuilding

The Case Study Report on Georgia was produced as part of the project “*Whole-of-Society Conflict Prevention and Peacebuilding*” (WOSCAP). It contains the research findings on the EU’s interventions in conflict prevention and peacebuilding in Georgia. The report covers the period from 2008 until now and focuses on three cases: the European Union Monitoring Mission in Georgia (EUMM), the Geneva International Discussions (GID), and Confidence Building Early Response Mechanism (COBERM). These cases were chosen as they correspond to the three types of the EU interventions the project focuses on: Multi-track Diplomacy, Security Sector Reform and Governance Reform. Further, it focuses on possible areas for improvement and recommendations regarding the EU capabilities. This case study report is based on both a desk review and field research, which contains in-depth Interviews with the representatives of local and international actors. More information at [www.woscap.eu](http://www.woscap.eu).

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## Acronyms

**ABL** – Administrative Boundary Lines

**CFSP** – Common and Foreign Instrument Joint Actions

**CIS** – The Commonwealth of Independent States

**COBERM** – Confidence Building Early Response Mechanism

**CPCC** – The Civilian Planning and Conduct Capability

**CRRC** – The Caucasus Research Resource Centres

**CSB** – Civil Service Bureau

**CSDP** – Common Security and Defence Policy

**CSOs** – civil society organisations

**DCFTA** – Deep and Comprehensive Free Trade Area

**DHS** – Department of Homeland Security

**EaP** – Eastern Partnership

**ENI** – European Neighbourhood Instrument

**EAGGF** – European Agricultural Guarantee and Guidance Fund

**ECHO** – European Commission Humanitarian Aid & Civil Protection

**EEAS** – European external action service

**EIDHR** – European Instrument for Democracy and Human Rights

**ENP** – European Neighbourhood Policy

**ENPI** – European Neighbourhood and Partnership Instrument

**EPLO** – European Peacebuilding Liaison Office

**ESDP** – European Security and Defence Policy

**EUCO** – Conclusions of the European Council

**EUJUST THEMIS** – EU Rule of Law Mission to Georgia

**EUMM** – Monitoring Mission of the European Union

**EUSR** – European Union Special Representative

**FSB** – Russian Federal Security Service

**FSP** – Food Security Program

**GID** – Geneva International Discussions

**GSP** – Generalised Scheme of Preferences

**CISPKF** – CIS peacekeeping force

**HROAG** – Human Rights Office Abkhazia, Georgia

**ICRC** – International Committee of Red Cross

**IDP** – Internally Displaced Person

**IFS** – Instrument for Stability

**IIFMCG** – International Independent Fact-Finding Mission on the Conflict in Georgia

**IPRM** – Incident Prevention and Response Mechanism

**IcSP** – Instrument contributing to Stability and Peace  
**JCC**– Joint Control Commission  
**JPKF** – Joint Peacekeeping Force  
**MDF** – Municipal Development Fund (Georgia)  
**MFA** – Macro-Financial Assistance  
**MTD** – Multi-Track Diplomacy  
**NATO** – North Atlantic Treaty Organisation  
**NCL IDPs** – New case load IDPs (IDPs from the war of 2008)  
**NGO** – Non-governmental organisation  
**OCL IDPs** – Old case load IDPs (IDPs from the wars of the 1990s)  
**ODA** – Official Development Assistance  
**OSCE** – Organisation for Security and Cooperation in Europe  
**PADOR** – Potential Applicant Data On-Line Registration  
**PCA** – Partnership and Cooperation Agreement  
**RRM** – Rapid Reaction Mechanism  
**RC** – Red Cross  
**SDC** – Swiss Agency for Development and Cooperation  
**SIGMA** – Support for Improvement for Governance and Management  
**TACIS** – Technical Assistance to Commonwealth of Independent States  
**TAIEX** – Technical Assistance and Information Exchange  
**TRACECA** – Transport Corridor Europe Caucasus Asia  
**UNDP** – United Nations Development Programme  
**UNHCR** – United Nations High Commissioner for Refugees  
**UNSCR** – UN Security Council Resolution  
**UNOCHA** – United Nations Office for the Coordination of Humanitarian Affairs  
**UNOMIG** – United Nations Observer Mission in Georgia  
**UNV** – United Nations Volunteers  
**USAID** – United States Agency for International Development  
**USSR** – Union of Soviet Socialist Republics

# 1. Introduction

This report presents an overview of the European Union (EU) capabilities in peacebuilding and conflict prevention interventions in Georgia. It was prepared by the 'Whole of Society Conflict Prevention and Peacebuilding' (WOSCAP) team at the Ivane Javakhishvili Tbilisi State University. The report mostly deals with the period from 2008 until 2016. In particular, it focuses on three cases: the European Union Monitoring Mission (EUMM), Geneva International Discussions, and the Confidence Building Early Response Mechanism (COBERM), a joint initiative by the EU and the United Nation Development Programme (UNDP). These cases were chosen for the study as they correspond with three categories of interventions taken on by the WOSCAP research project: multi-track diplomacy, governance reform, and security sector reform. The present study is based on desk research in combination with in-depth interviews. The WOSCAP team conducted a total of 30 interviews with representatives of relevant local and international actors.

Since Georgia regained independence from the Soviet Union, protracted conflicts have seriously affected the country's development and its transformation into a democratic state. The conflicts over the two breakaway republics of Abkhazia and South Ossetia caused several hundred thousands of refugees and internally displaced persons (IDPs) and inflicted serious economic damage to the country. The international community and different peace and security organisations (UN, OSCE, Red Cross, EU, etc.) have been involved in conflict management activities between 1992 and 2008. Following the war in August 2008, the existing mandates of the UN Observer Mission to Georgia (UNOMIG) and the OSCE were blocked by Russia. Consequently, the EU's Monitoring Mission (EUMM) became the only international mandated organisation. Thus, the EU became a crucial factor for peacebuilding and conflict prevention in the country.

The local and international actors interviewed for this study have different approaches to the European Union's possibilities in the field of conflict prevention and peacebuilding. Representatives of local organisations or the Georgian government mostly adhere to the viewpoint that the EU has to become more proactive towards Russia (seen as the main aggressor in Abkhazia and South Ossetia). On the contrary, most representatives of international organisations or of EU member states consider that the conflict has to be dealt with primarily in political terms by the administrations of Tbilisi and the breakaway regions.

The study indicates that Georgian experts and policymakers perceive all three key instruments (EUMM, Geneva International Discussions, and COBERM) to be relevant. Local actors also perceive the EU as relatively efficient in its various peacebuilding and conflict prevention capacities. Nonetheless, these same local actors also consider that the EU's role in the ongoing Georgian conflicts is limited. This assessment relates to the functioning of each of the three key instruments. COBERM is jointly implemented by EU and UNDP. In the framework of the Geneva International Discussions the EU does not have a great deal of leverage. Instead, it holds shared responsibilities with other international actors. Finally, the EUMM has limited operational capacity inside the breakaway territories, since its access to these regions is highly restricted. Still, out of the three key instruments, Georgian experts and policymakers name the EUMM as the EU instrument with the most substantial impact on peacebuilding.

The scientific literature identifies the Russian-Georgian conflict in August 2008 as a watershed for EU engagement in conflict resolution and peacebuilding in Georgia (Bardakçzi 2009). Popescu (2009) notes that 'the breakout of the war demonstrated the inadequacy of EU conflict prevention and management policies in the region. The EU's long-term approach to conflict resolution simply did not keep pace and was overturned by a rapid deterioration of the security situation on the ground, led by an ever more assertive Russia and a new government in Georgia that sought to unfreeze the conflict resolution processes' (Popescu 2009, 1). As the EU stepped up its engagement since 2008, the focus of this study is on the deployment of EU civilian capabilities in three selected cases of peacebuilding and conflict prevention. The study answers the following question: how can EU civilian capabilities be enhanced in order to make the EU conflict prevention and peacebuilding efforts in Georgia more inclusive and sustainable. The study underlines the importance of the multi-track diplomacy (MTD) for the case of Georgia, while also acknowledging the relevance of interventions in the fields of security sector reform (SSR) and governance (GOV). Below, the relevance of various tracks of EU diplomacy is briefly highlighted based on the WOSCAP scoping study framework which distinguishes between high-level diplomacy, unofficial dialogue and problem-solving, and grassroots interactions (Dudouet & Dressler 2016, 10).

For Georgia, the relevance of Track I (high-level diplomacy) is quite significant as the conflict between Georgia and Russia over the status of South-Ossetia and Abkhazia in 2008 presented a case in which 'the EU's Presidency at the time, led by President Sarkozy, working with High Representative Solana, acted swiftly to mediate between Georgia and Russia' (Dudouet & Dressler 2016, 15). Although France acted in its role as EU president, the high level mediation was portrayed as a "French" initiative in the international press. In addition, the EU Special Representative (EUSR) for the South Caucasus and the crisis in Georgia was explicitly appointed to assist international mediation efforts during the whole period of post-conflict transformation. The mandate of this EUSR was established in 2008 to prepare international talks and increase the visibility of the EU's role in the peace process. The current office holder (the EUSR for the South Caucasus and the crisis in Georgia) has a broader mandate to 'contribute to a peaceful settlement of conflicts in the region, including the crisis in Georgia and the Nagorno-Karabakh conflict', notably by co-chairing the Geneva International Discussions on the consequences of the 2008 conflict in Georgia (Council of the European Union 2013, 9).

The relevance of Track II (unofficial dialogue and problem-solving) in Georgia is evidenced by the European Union Monitoring Mission (EUMM). The EUMM mandate around stabilization, normalisation and confidence-building is designed to conduct activities 'conducive to achieving political settlement, to implementing the provisions of a peace agreement or to sustaining confidence in the peace process' (Dudouet & Dressler 2016, 18). Therefore, while the mission is not mandated to directly engage in Track I mediation, the staff has constant working relationships with government officials and representatives from civil society, with strong potential to impact Track II and III level mediation, as well as 'Track 1.5' activities involving government representatives in informal dialogue (Dudouet & Dressler 2016). For example, within the format of the Incidence Prevention and Response Mechanism (IPRM), the EUMM was tasked to host meetings to discuss the security situation at the borders of South Ossetia and Abkhazia in order to reduce violent incidents. These meetings were attended by

relevant authorities from all parties. Hence, the EUMM was effectively engaged in dispute resolution (Dudouet & Dressler 2016).

The relevance for Track III diplomacy (grassroots interactions) in Georgia is evidenced in the EU's financial assistance to grassroots mediation efforts. Since 2007 the Instrument for Stability (IfS), later replaced by the Instrument contributing to Stability and Peace (IcSP), has provided short-term funding for peace initiatives of different levels, from formal talks to grassroots dialogue initiatives. The funding under Article 3 (which covers most of the budget) targets 'the provision of technical and logistical assistance for the efforts undertaken by international and regional organisations and by state and civil society actors in promoting confidence-building, mediation, dialogue and reconciliation' (Council of the European Union and the European Parliament 2014, Article 3(2)). For instance, in 2008 the IfS funded an external mediation specialist to advise the Office of the State Minister for Reintegration on conflict resolution (MediatEUr 2012). And although EU institutions do not facilitate direct dialogue encounters at the Track III level, relevant EU instruments have funded NGOs to conduct such activities, two examples being the IcSP (previously known as IfS) and the European Instrument for Democracy and Human Rights (EIDHR). For example, the IfS has funded international experts to facilitate dialogue between young leaders across conflict lines between South-Ossetia and Georgia. For its part, the EIDHR is described as 'a soft policy instrument, non-prescriptive, grassroots and focused on social development' (Marchetti & Tocci 2011, 189), aiming to support 'measures to facilitate peaceful conciliation between segments of societies, including support for confidence-building measures relating to human rights and democratisation (European Union 2014, 89). Funding has been provided to European NGOs to support grassroots dialogue and capacity-building for peace and support civil society efforts to promote reconciliation in Georgia and the surrounding region. A particular feature of these two instruments (EIDHR and IcSP) is that their funding can be disbursed to local civil society organisations without requiring cooperation and consent of the host governments (Marchetti & Tocci 2011). The present study focuses on the case of the EU-UNDP joint initiation under the name Confidence Building Early Response Mechanism (COBERM).

The structure of the report is as follows. It consists of three main parts: (a) an overview of the national context and international involvement in Georgia (Chapter 2); (b) an overview of the EU presence in Georgia, which takes into account EU politics and policies during different phases of the conflict, and its relations with other national and international stakeholders (Chapter 3); and (c) a review of the three selected EU interventions, with a focus on EU capabilities to act, coordinate and cooperate. Chapter 5 presents an overview of the main findings and a concluding reflection. This report will feed into broader recommendations by WOSCAP regarding the enhancement of EU capabilities in peacebuilding and conflict prevention. To aid the assessment of existing EU capabilities, and to develop forward looking proposals consistent with WOSCAP approach, the report incorporates a number of cross-cutting themes relevant for Georgia: Multi-stakeholder coherence, local ownership, gender, and Information and Communication Technologies (ICT). These relate to the range of principles, processes and tools that enhance coherence and context-specificity of EU interventions in Georgia. The cross-cutting themes are used as an analytical device for assessing existing capabilities, and as criteria for benchmarking EU policies, tools and actions.

## 2. National context

The conflicts in Abkhazia and South Ossetia date back to the early years of the 20th century. Violence between the Georgian government and ethnic Ossetians broke out in the 1920s following a number of Ossetian rebellions in favour of independence. Soon afterwards, Georgia came under Soviet control and South Ossetia was given the status of “autonomous republic” within the Georgian Soviet Socialist Republic (Jentzsch 2009). Breakaway Abkhazia shares a very similar history. Abkhazians attempted several times to secede from Georgia, especially in the early years of the 20<sup>th</sup> century. Substantial change in the status of the region appeared after the breakup of the Soviet Union, when the Autonomous Republic of Abkhazia turned into a breakaway region and came to be ruled by the de facto administration.

**Situation in South Ossetia until 2008.** In 1991, the South Ossetian Democratic Republic declared its independence from Georgia. Under the leadership of Zviad Gamsakhurdia, the first president of the republic after Georgia regained independence from the Soviet Union, the Georgian administration resisted all South Ossetian independence efforts. The South Ossetian National Guard engaged in armed confrontation with Georgian forces and a full-scale war erupted in 1991, which also involved guerrilla forces. Reports indicated that Russian forces were aiding South Ossetian rebels. Russian President Boris Yeltsin and the second elected president of independent Georgia Eduard Shevardnadze brokered a ceasefire agreement in 1992 known as the Sochi agreement.<sup>1</sup> Under this agreement, Russian troops were stationed in South Ossetia as part of the Joint Peacekeeping Forces (JPKF). Russia commanded the JPKF, composed of 1500 troops, which also involved Georgian and Ossetian servicemen. In subsequent years, South Ossetia established de facto state institutions (self-proclaimed presidency, parliament and armed forces).

Georgia was internationally recognized in 1992 with the borders of the former Georgian Soviet Socialist Republic and became a member of the United Nations (31 July 1992). The territory of South Ossetia was considered to be a part of the new sovereign State. South Ossetia's declaration of independence of 29 May 1992 was regarded to be legally irrelevant by the UN member states (Nußberger 2013).

The Organisation for Security and Cooperation in Europe (OSCE) was responsible for the creation of the broader political framework and for the establishment of contacts with local authorities and representatives of the population. It maintained a visible presence throughout the area. The OSCE was actively involved in the activities of the Joint Control Commission (JCC), facilitating co-operation with and among the parties concerned. Additionally, from December 1999 until 31 December 2004, the OSCE's Border Monitoring Operation (BMO) was mandated to observe and report on movements across parts of the border between Georgia and the Russian Federation.

In August 2006 South Ossetian de facto president Eduard Kokoity announced that a referendum would be held in the region on 12 November 2006 to reaffirm its independence. South Ossetian officials reported that 95% of the 55,000 registered voters turned out and that

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<sup>1</sup> Agreement on Principles of Settlement of the Georgian – Ossetian Conflict. Sochi, 24 June 1992, Government of Georgia & Government of the Russian Federation. Available at: [peacemaker.un.org/sites/peacemaker.un.org/files/GERU\\_920624\\_AgreemenOnPrinciplesOfSettlementGeorgianOssetianConflict.pdf](http://peacemaker.un.org/sites/peacemaker.un.org/files/GERU_920624_AgreemenOnPrinciplesOfSettlementGeorgianOssetianConflict.pdf) [Accessed 12 July, 2016]

99% of them approved independence. In a separate vote, 96% re-elected Kokoity as president. The OSCE and the U.S. State Department did not recognize the referendum and the election. In alternative voting among ethnic Georgians in South Ossetia (and those displaced from South Ossetia) and South Ossetians, the pro-Georgian candidate Dmitry Sanakoyev was elected governor and a referendum was approved supporting Georgia's territorial integrity. As the head of the new, self-proclaimed government of South Ossetia, Sanakoyev demanded representation at the Joint Control Commission (JCC), a commission set up in 1992 after the South Ossetian War which consisted of four members with equal representation - Georgia, North Ossetia, Russia, and South Ossetia. Kokoity opposed this move. On 26 March 2007, Saakashvili proposed a new peace plan for South Ossetia. It involved creating administrative districts throughout the region under Sanakoyev's authority. The de facto South Ossetian officials did not accept the plan. The Joint Control Commission finally held a meeting in Tbilisi, Georgia, on 23–24 October 2007, but the Russian Foreign Ministry claimed that the Georgian emissaries made unacceptable demands to deliberately sabotage the results of the meeting. No further meetings have been held since late January 2008.

**Situation in Abkhazia until 2008.** Serious clashes between Abkhazians, a group of 80,000 people who constitute a 17% minority in the Republic, and Georgians, making up 46%, led to a number of deaths in July 1989. Abkhazia declared independence in July 1992. Armed conflict followed. Soon after the Georgian National Guard began military operations in Abkhazia in August of 1992, both sides entered Russia-mediated ceasefire talks. These agreements resulted in four ceasefire agreements. Since 1993, the United Nations Security Council has been involved in the conflict in a watchdog role and has sent UN observers to monitor the conflict zone. A peacekeeping force of Russian troops, which was formally under the control of the Commonwealth of Independent States, was deployed in a border zone between Georgia and Abkhazia. Although Russia officially maintained neutrality, there were reports that Russian troops in the conflict zone often assisted the Abkhaz forces. In May 2006, Georgia offered an alternative peace plan, which Abkhazia rejected as unconstructive. The Deputy Assistant Secretary of State worked with the Special Representative of the United Nations Secretary General and the Group of Georgia's Friends to facilitate a settlement. The Group of Georgia's Friends was formed by Bulgaria, Estonia, Latvia, Lithuania, Moldova, Poland, Romania, and Ukraine in 2005 to advocate increased EU and NATO attention toward a settlement. Main points have included Georgia's demand that displaced persons be allowed to return to Abkhazia, after which an agreement on autonomy for Abkhazia would be negotiated (Nichol, 2008). The Abkhazians have insisted upon recognition of their independence as a precondition to large-scale repatriation. Since 2002, Abkhaz authorities have refused to consider a draft negotiating document prepared by the United Nations and the Group of Georgia's Friends. Russia renounced the draft negotiation document proposed by Georgian officials, raising concerns among some observers that Russia might openly endorse Abkhaz independence. In 2006 the de facto republics of Abkhazia and South Ossetia formed a coalition along with another former Soviet republic, Moldova's secessionist region Transnistria, to jointly work out the strategy for further steps toward independence.

**Georgia and Russia.** The conflict between Moscow and Tbilisi goes back to the period of the collapse of the Soviet Union. In April 1989, Soviet tanks quelled massive demonstrations in the Georgian capital that speeded up Georgia's secession from the USSR two years later. Georgia was the first former Soviet republic to leave the Soviet Union, and relations between it

and Russia have been tense ever since Georgia's secession. In 1993, Russian troops intervened in support of Eduard Shevardnadze, the former Georgian president. Since then, tensions have risen steadily over a number of issues, from the presence of Russian military bases on Georgian territory to Russian allegations that Chechen rebels used Georgia as a safe haven. After Vladimir Putin became president in 2000, the restoration of the Kremlin's authority has become evident. This is also the result of the recovery of the Russian economy powered by high oil and gas prices. For some years, these developments allowed Moscow to rebuild its influence over Georgia. Since the 2003 Rose Revolution, Georgian-Russian relations have become even more complicated. Russia started to feel that its influence over the country and region in general was declining. Russia banned imports of Georgian mineral water and wine, and cut air links with Georgia. Although the air links were restored in the beginning of 2008, Georgians viewed these actions as political and retaliated by withholding approval for Russia's bid to join the World Trade Organisation (Indans 2007). After the recognition of Kosovo in 2008 and Georgia's aspiration to join NATO, Russia began openly supporting the Abkhaz and South Ossetian secessionist governments, recognizing them as independent states (Samkharadze 2016).

**The August 2008 war.** According to materials handed over by the Georgian government to the Independent International Fact-Finding Mission over the Conflict in Georgia (IIFMCG), South Ossetian irregulars started to shell Georgian peacekeepers' posts at the end of July 2008. On 2 August, the de facto authorities ordered the evacuation of the population from Tskhinvali and Ossetian controlled villages. Thereafter, Georgian villages were shelled by South Ossetian irregulars in the course of the next four days. The road connecting these Georgian villages to each other were bombed, cutting the villages from the rest of Georgia. The Georgian government revealed intelligence information indicating that, in early hours of 7 August, units of Russian regular troops entered the Roki tunnel, connecting Georgia and Russia through North Ossetia (Fact Finding Mission 2009, 30). However, Russia denies this. South Ossetian leader Kokoity in an interview to a Russian TV channel threatened Georgian peacekeeping forces and police with annihilation unless they would withdraw. In the afternoon of 7 August, after the shelling of a Georgian peacekeeping post, two Georgian peacekeepers were killed and five wounded. In the evening of 7 August, Saakashvili declared unilateral cease-fire in a televised address to the nation and once again offered a large degree of autonomy to South Ossetia under international guarantees. He invited Russia specifically to 'act as a guarantor of South Ossetian autonomy within Georgia' (Civil Georgia 2008a). After Saakashvili's address, the shelling of Georgian villages intensified and Georgian leadership received intelligence reports on another 150 armoured carriers of Russian troops passing through the Roki tunnel. A cyber-attack on websites belonging to the Georgian government was launched that same night. At 23:35, the Georgian president ordered his armed forces to protect the civilian population by neutralizing Ossetian shelling positions. Georgian peacekeeping units and police mobilised to stop the movement of the Russian army through the Roki tunnel. At first, Georgian units quickly advanced and took control of large parts of Tskhinvali and several Ossetian villages. Soon, however, these units were forced to withdraw from South Ossetia altogether as a result of a massive military operation carried out by Russian ground forces and aviation (Fact Finding Mission 2009).

Russia forwarded the 'responsibility to protect' commitment to justify its intervention though this was not sanctioned by the UN. Putin immediately accused Georgia of conducting genocide. Georgian official sources reported the death of almost 2000 civilians, an allegation

that later was refuted by the investigations of the Russian Prosecutor's Office, putting the civilian death toll at 162 (Fact Finding Mission 2009, 21). Despite appealing to 'responsibility to protect', the Russian intervention barely met the "just cause" criterion for protecting its own peacekeepers. Moscow's version of the events emphasizes that President Medvedev ordered the military operation to 'compel Georgia to peace' and to 'protect lives and dignity of Russian citizens' in South Ossetia. It also claims it occurred in response to attacks on Russian peacekeepers in the afternoon of 8 August. Here, Russia suffered their first losses with 2 peacekeepers killed and five wounded in Tskhinvali around noon that day (Fact Finding Mission 2009, 248). However, Medvedev provided a different account two years later when he said that he took the decision for a missile attack at 4:00 am on 8 August. In this version, the Russian offensive commenced 2.5 hours after Georgian army started military activities, and almost 8 hours before the first Russian peacekeepers were killed (Illarionov 2012). At any rate, diplomatic means of peaceful resolution were not exhausted to qualify for a last resort, and the measures lacked proportionality, as the Russians sent 20,000 soldiers and more than a 100 tanks into a small neighbouring country. The intervention was furthermore used for alteration of borders.

On 10 August, Russia opened a second front around Abkhazia, occupying the Kodori gorge as well as the cities of Zugdidi, Senaki and Poti. The international community tried to mediate the conflict and called for a ceasefire. In a telephone conversation between US State Secretary Rice and Russian Foreign Minister Lavrov, the latter demanded the return of the Georgian army to the barracks, a non-use-of-force pledge, and the resignation of Saakashvili (Asmus 2010, 182). On 12 August, as the Russian army conquered Gori and effectively cut Georgia in two, the French President Sarkozy, in his capacity of the EU rotating president, arrived in Moscow to negotiate a peace plan. The negotiations were difficult. Sarkozy's national security adviser Jean-Davide Levitte recalled Putin was fixed on overthrowing Saakashvili. Sarkozy nevertheless managed to push through a very vaguely formulated ceasefire agreement. At the same time, the United States conveyed a message to Moscow that democratically elected governments may not be toppled (Civil Georgia 2008b).

The initial version of the so-called six-point plan negotiated by Sarkozy envisaged the following points:

- 1) non-resort to force;
- 2) cessation of all armed activities;
- 3) free access for humanitarian assistance;
- 4) withdrawal of Georgian armed forces to their permanent positions;
- 5) withdrawal of armed forces of the Russian Federation to the line where they were stationed prior to the beginning of the hostilities. Prior to the establishment of international mechanisms, the Russian peacekeeping forces will take additional security measures;
- 6) the start of international negotiations on the future status of South Ossetia and Abkhazia to ensure their lasting security (Government of Georgia 2008).

After the Georgian leadership's attempt to include a clause on territorial integrity of Georgia failed, Tbilisi objected to the final point of the plan. Georgia feared that the status negotiations implied that territorial integrity of Georgia was not sacrosanct anymore. Therefore, Saakashvili

asked for reformulation. As a result, the last point was rephrased as 'to start of international negotiations on conditions of security and stability in South Ossetia and Abkhazia'. This turned out to be an important Georgian mistake. The reformulation freed Russia to recognize the breakaway regions because now the two regions were identified without presenting their affiliation to Georgia (Government of Georgia 2008).

The six-point plan ended the five-day war. After the cease-fire agreement was signed by all parties, Russian forces occupied Akhagori district, which administratively belonged to South Ossetia, but was never controlled by secessionists. Georgia lost control over 127 additional towns and villages in Abkhazia and South Ossetia that it had controlled before 8 August 2008, resulting in an additional 30 000 IDPs from these areas. Ossetian paramilitaries bulldozed Georgian villages. De facto president Kokoity admitted that Georgian villages were deliberately destroyed to not allow Georgians back (Kommersant 2008). De facto parliament chairman Gassiev was more explicit: 'We did a nasty thing, we burned all their houses in enclaves. Georgians will never return here. There was no other way to stop the war and cut the knot' (Komsomolskaia Pravda 2008). Thus, through the August 2008 war, Russia enhanced its control over the Abkhaz and South Ossetian regions. Russia never implemented the fifth point of the ceasefire agreement and did not return to positions held prior to hostilities, although Russian forces did withdraw from the rest of Georgia (Samkharadze 2016).

The Russian role in the conflict generated international criticism and concern. Presidents of Latvia, Lithuania, Estonia and Poland issued a joint statement condemning the action of Russian military forces against sovereign Georgia (Joint Declaration 2008). The Russian invasion was compared to the 1968 Prague Spring by Czech Prime-Minister Topolaneck in a joint letter with the future Prime-Minister of the UK Cameron, US President Bush called the Russian invasion of a sovereign neighbouring state 'unacceptable'<sup>2</sup>. Most of the statements however included the caveat that Georgian leadership also behaved irresponsibly. 'Disproportionate use of force' by Russia was condemned by the EU member states at an emergency summit leading to a freezing of relations with Moscow (European Council 2008). Sanctions on Russia were also considered, but later dropped (Samkharadze 2016). But, by then, Russia had already recognized Abkhazia and South Ossetia as independent states.

The European Union dispatched the Independent International Fact-Finding Mission over the Conflict in Georgia (IIFFMCG), which issued a report in September 2009 blaming both Georgia and Russia for violation of international law. The information provided by the sides of the conflict was identified as biased. This is also why, in a broader sense, before the EUMM's reporting started, all conflict-related information presented by the sides of the conflict lacked credibility. The IIFFMCG concluded that Georgia violated international law by using force against Russian peacekeepers and by shelling Tskhinvali with rocket launchers, which was qualified as a disproportionate response to the South Ossetian attacks on Georgian villages. The mission did not find proof that Russia was engaged in an armed attack prior to the Georgian offensive. Therefore, the attack on Russian peacekeepers was illegal (Fact-Finding Mission 2009, 22-23). The IIFFMCG furthermore considered that Russia had the right to defend its peacekeepers and therefore its actions in the first phase of the conflict were legal.

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<sup>2</sup> 'Vladimir Putin threatened to hang Georgia leader by the balls', The Telegraph, 13 November 2008. Available at: [www.telegraph.co.uk/news/worldnews/europe/russia/3454154/Vladimir-Putin-threatened-to-hang-Georgia-leader-by-the-balls.html](http://www.telegraph.co.uk/news/worldnews/europe/russia/3454154/Vladimir-Putin-threatened-to-hang-Georgia-leader-by-the-balls.html) [Accessed 28 August, 2016]

However, the subsequent military campaign deeper into Georgia was neither necessary nor proportionate, and therefore contrary to international law (Fact-Finding Mission 2009, 23-24). The report also concluded that Russian military actions could not be justified by invoking the need to protect its citizens, or as a 'humanitarian intervention'. Russia was also found guilty of violating international law by using force in Abkhazia (Fact-Finding Mission 2009, 23-24).

The August 2008 war held strong local as well as global implications, in part by bringing out 'many ghosts of the past' (Chow 2008, 1). The 2008 International Crisis Group report entitled "Russia vs. Georgia" argued that the Russia-Georgia conflict transformed the contemporary geopolitical world, with large consequences for peace and security in Europe and beyond. The International Crisis Group experts wrote that Russia's move was, in part, a response to Georgian miscalculation. Georgian leadership had become impatient with the Russian-dominated negotiations process and with the state of affairs in the secessionist regions. But Russia's disproportionate counter-attack augured a dramatic shift in Russian-Western relations (Basilaia 2009).

To understand the effects of the 2008 war another issue that has to be underlined is the departure, in July 2009, of UN observers from Georgia. After 16 years of service, the mission was not extended due to a Russian veto. Furthermore, based on the findings of the IFFMCG, the International Criminal Court authorised an inquiry into the possible war crimes committed by Russian, Georgian and South Ossetian forces during the August 2008 war. This authorisation was announced on January 27, 2016. However, the most significant impact of the war is the process of crawling occupation of Georgian territories by Russia or Russian-oriented forces, particularly in the north of Georgia. Hence, the Georgian government and other Georgian stakeholders emphasize the demand for controlling the Georgian border lines. They consider that the European Union should put pressure on Russia to allow monitors of EUMM to control the conflict zones, as this would increase security and transparency.

In this sense, it is relevant to point out that the areas bordering South Ossetia and Abkhazia remain tense with reported shootings, kidnappings, improvised explosive devices, booby-traps, and other acts of violence. These acts target mostly police and military personnel but civilians have also been affected. Perceptions of insecurity heightened after the departure of the United Nations Observer Mission (UNOMIG) and the Organisation for Security and Cooperation in Europe (OSCE) in 2009.

Georgia's commitment to the EU has significant political implications for the future of the EU's Eastern Partnership (EaP) at large. The situation has dramatically changed since the 2013 Vilnius Summit. The idea of the Eastern Partnership has weakened and its future has become blurred as Armenia and Ukraine withdrew from the association process before the summit in favour of the Russian-led Customs Union. Belarus withdrew even earlier from the EaP- prior to the Eastern Partnership Summit in Warsaw in 2011. As for Azerbaijan, it has only been negotiating the political part of the Association Agreement (AA), without considering the economic reforms and endorsement of the most crucial part of the deal, the Deep and Comprehensive Free Trade Area (DCFTA). Thus, the future of the EU's engagement and political impact in the region is uncertain. Among the original six EaP partners, currently only three – Georgia, Moldova and Ukraine (the latter made a U-turn on EU Association Agreement after the 2014 Ukrainian revolution) proclaim European integration as a foreign policy priority and express readiness to conclude their association with the EU.

Finally, it is worthwhile to note that the signature of the EU-Georgia AA and the subsequent NATO summit in London in September 2014 had serious consequences. In November 2014, Russian president Vladimir Putin signed the agreement “on alliance and strategic partnership” with Georgia’s breakaway region of Abkhazia. The treaty implies coordination of Abkhazia’s foreign, defence, economic and social policy with Moscow. Besides, it mandates the creation of a joint Russian-Abkhazian military unit and a ‘joint information/co-ordination centre of the organs of internal affairs’ (Khuntsaria 2014, 126). Therefore, in the process towards EU association, the EU and Georgia should ensure that constructive dialogue with Russia prevails. It needs to be clear that EU association is not a choice between Moscow and Brussels, and that both the EU and Georgia seek good relations and cooperation with Russia.

### 3. Overview of EU policy in Georgia

Since officially establishing cooperation in 1992, the EU has provided Georgia with significant economic and political support through a number of development programmes. The most recent EU foreign policy tool introduced to Georgia has been the Eastern Partnership (EaP). Within the framework of the EaP, the EU has offered Georgia close political and economic association through the Association Agreement (AA), including the Deep and Comprehensive Free Trade Area (DCFTA), and the Visa Liberalisation Action Plan (VLAP), providing the prospect of a visa free regime between the EU and Georgia.

The EU assistance to Georgia between 1992 and 2009 amounted to approximately 865 million euro (EEAS 2009). This support functioned through different instruments and programmes, such as Technical Assistance to the Commonwealth of Independent States and Georgia (TACIS), European Commission Humanitarian Aid & Civil Protection (ECHO), Food Aid Operations through the European Agricultural Guarantee and Guidance Fund (EAGGF), the Food Security Programme (FSP), Macro-Financial Assistance (MFA), European Instrument for Democracy and Human Rights (EIDHR), Rapid Reaction Mechanism (RRM) and Common and Foreign Instrument Joint Actions (CFSP).

TACIS (Technical Assistance to the Commonwealth of Independent States and Georgia) was the world's largest aid program of its kind, with initial 400 million euro funding in 1991 (it was established in 1990). The beneficiaries of the program along with Georgia were the other 11 CIS states and five focal sectors: energy (115 million euro), training (103 million euro), food distribution (74 million euro), transport (45 million euro), and financial services (37.5 million euro) (European Commission, 2015). Among the biggest projects implemented in the framework of TACIS was the Transport Corridor Europe Caucasus Asia (TRACECA), which focused on improving transport, communication and trade between Black Sea basin countries, South Caucasus and Central Asia. It financed railway, road transportation and civil aviation systems connecting this region (Frenz 2006). TACIS was also the founder of the INOGATE programme, which also covered Georgia and other Eastern European and Central Asian states. This programme mainly concentrated on oil and gas, electricity, renewable energy and energy efficiency (INOGATE 2016). TACIS also funded numerous project aimed to explore the potential of Georgia as a transit country. With the support of TACIS, Georgia helped finance important rail and road transportation projects, attracting private as well as international financing (Khuntsaria 2014).

From 2007 onwards, the EU assistance has also been provided through a set of new instruments. TACIS was replaced by the European Neighbourhood and Partnership Instrument (ENPI). Other instruments include Technical Assistance and Information Exchange (TAIEX), Support for Improvement for Governance and Management (SIGMA), Instrument for Stability (IFS), and Thematic Programmes. The ENPI (with its national, regional and interregional programmes) has been the main tool for providing assistance to Georgia (Delegation of the European Union 2010).

**Political relations.** The EU supports peace and stability in Georgia as well as programmes focused on political and economic reform to enable development (EEAS, 2016). In June 2014, the EU and Georgia signed an Association Agreement (AA), which entered into force on July 1 2016. This, along with the Deep and Comprehensive Free Trade Area (DCFTA) Agreement, serves as a foundation for Georgian political and economic integration with the EU. The AA is

an outcome of the EU's European Neighbourhood Policy (ENP), an important part of the EU's foreign policy. Georgia is one of the 16 partner countries under this policy. The launch of the EU's Eastern Partnership (EaP) in 2009 extended cooperation with Georgia and further highlighted the importance of the region.

**Economic relations.** The EU supports Georgia in developing its economic potential through international cooperation. This includes assistance in alignment with EU legislative standards. The EU is also helping Georgia implement Public Finance Management reform. Efficient budgeting, accounting and auditing of public resources are to result in more effective budget allocation. The DCFTA deepens Georgia's economic ties with the EU, systematically removing all import duties on goods and opening up markets for services, investment and public procurement. It also includes agreements on issues such as common customs' rules, along with technical and sanitary standards for goods such as food items, intellectual property rights and competition rules. Georgia also continues to benefit from the Generalised Scheme of Preferences (GSP). Under the current GSP Regulation (2014), Georgia qualifies for a special incentive which rewards sustainable development and good governance (GSP+) with advantageous access to the EU market. According to the EU Delegation's website, 31 % of Georgia's trade was with the EU in 2015. EU imports from Georgia increased by 12 % (to 742 million euro), whereas EU exports slightly decreased by 3.5 % (to 1,84 billion euro).

**Education and training.** In line with Goal 4 of the 2030 Sustainable Development Agenda, the EU is committed to 'ensure inclusive and quality education for all and promote lifelong learning' (United Nations 2016). The EU supports education in Georgia through direct contributions to the state budget and by providing funds for specific projects. Additionally, a number of study and exchange opportunities within the EU are open to Georgians. These opportunities are designed to facilitate exposure to the workings of the EU and its policies, as well as promote inter-cultural understanding by supporting exchange between countries.

**Civil society.** The EU recognizes the valuable contribution that civil society makes to Georgian reform and development. It supports Georgian civil society in a variety of ways. The EU provides financial support to civil society actions through instruments such as the European Neighbourhood Instrument (ENI), European Instrument for Democracy and Human Rights (EIDHR), the thematic programme for Civil Society Organisations and Local Authorities, and the Instrument contributing to Stability and Peace (IcSP). EU funding is allocated through Calls for Proposals. To be able to benefit from EU funding, all applicants must register in the Potential Applicant Data On-Line Registration (PADOR). The EU also holds regular consultations with civil society. The main framework for this is the Georgian Civil Society National Platform, which was established in 2010 and includes over 70 organisations.<sup>3</sup>

**Governance reform.** When it comes to governance reform support, the most crucial instruments are the Instrument for Pre-Accession (IPA), Association Agreements, European Neighbourhood Policy (ENP), European Neighbourhood Instrument (ENI), and Eastern Partnership (EaP). The ENP, EaP, and the 2014 Association Agreement have been the main instruments for EU governance reform support in Georgia. Key EU interventions in the area of governance have focused on support for stable and effective institutions and rule of law as well as juridical and legal reform (Khuntsaria 2014). EU subsidies also went to the UNDP project

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<sup>3</sup> For information on the Civil Society Forum in Georgia, see <http://eap-csf.eu/en/national-platforms/georgia> [Accessed 29 October 2016]

Dialogue Coordination Mechanism, which aims to empower NGOs and civil society organisations (CSOs) at the local level to participate in decision making and agenda setting (EUMM 2016a, 2016b).

### 3.1 The EU policy in the conflict zones

EU engagement with Georgia in areas relevant to the country's two separatist conflicts dates back to the early 1990s (Whitman & Wolff 2010). The EU initially focused on humanitarian assistance. To illustrate this, more than half of all of ECHO's funding was spent on Georgia. Also two-thirds of all food aid (from agriculture funds) and all exceptional humanitarian assistance between 1992 and 1995 went to Georgia (Samkharadze 2016). From 1997 onwards, the EU also began to fund rehabilitation programmes in the two conflict zones. The Partnership and Cooperation Agreement (PCA) between the EU and Georgia entered into force in 1999 (Popescu 2009). Before that, EU-Georgian relations were defined by a framework modelled on the type of relations the EU was developing with all the Commonwealth of Independent States (CIS) members and Mongolia. The relationship between Georgia and the EU became more intense after the inclusion of the country in the European Neighbourhood Policy after 2003. Since then, the EU set itself the aim of contributing to the resolution of the conflicts over Abkhazia and South Ossetia (Whitman & Wolff, 2010).

The EU policy on Georgia focused on conflict resolution and was concretised under the Common and Foreign Instrument Joint Actions (CFSP) and the European Security and Defence Policy (ESDP). Actions included the rule of law mission to Georgia (EUJUST Themis) and the EUSR Border Support Team in Tbilisi. EUJUST Themis was launched on 16 July 2004. By launching the mission, the EU aimed to help the transition process in Georgia and 'assist the new government in its efforts to bring local standards with regard to rule of law closer to international and EU standards', and to embed stability in the region, a region in which instability could seriously endanger regional and European security (Popescu 2009, 1). On a technical level, the mission aimed to help Georgia address problems in the criminal justice sector and to advise on future criminal justice reform (Popescu 2009).

The first type of EU contribution towards tackling the conflicts in Georgia has been through rehabilitation assistance for the conflict zones. The European Commission started to finance such activities in 1997. Between 1997 and 2006, the EU committed some 25 million euro for projects in Abkhazia. EU-funded projects have been as depoliticised as possible and were not conditional on progress in the conflict resolution process. They have also been very technical (Popescu 2009). In South Ossetia, the EU has funded projects of approximately 8 million euro between 1997 and 2006. These projects concerned the rehabilitation of drinkable water supply networks, rehabilitation of schools, electricity and gas networks, railways, support for agricultural development in various towns and villages of the conflict region. More political projects were related to confidence-building activities, including Track II diplomacy between Georgian and South Ossetian representatives, as well as financial support for the Joint Control Commission (JCC). The EU has also facilitated a constructive dialogue across the conflict divide and has kept open communication channels between parties on different levels.<sup>4</sup> Thus, initially,

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<sup>4</sup> Website of the Delegation of the European Union to Georgia. Available at: [https://eeas.europa.eu/delegations/georgia\\_en](https://eeas.europa.eu/delegations/georgia_en) [Accessed 29 October 2016]

according to representatives from the EU delegation in Georgia, EU support to conflict-affected people was humanitarian in nature.<sup>5</sup> It aimed to offer a quick response to the instant needs created by the conflicts, both in terms of food and shelter. Over the past years, EU support has moved from this short-term humanitarian assistance to a medium-term, developmental perspective. Instant shelter provision has given way to durable housing and the establishment and maintenance of community infrastructures. Direct food assistance has been replaced by longer-term socio-economic integration of IDPs and livelihood programmes. In fact, livelihood support has become a keyword in the EU's new support initiatives for IDPs. The final aim of such a policy is to raise the socio-economic standards of IDPs to those of the average Georgian citizen and fully facilitate their integration into their respective local socio-economic fabric.

New EU support to conflict-affected persons after the August war of 2008 is identified as crucial, especially in comparison to other international actors. Already before August 2008, the EU was the largest donor in support of the needs of conflict-affected persons from South Ossetia and Abkhazia. Aid was dispensed both to those who had returned to these regions and those who remained in internal displacement. The August 2008 events caused a new wave of internal displacement from these regions and served as a catalyst for further EU engagement on behalf of those affected by the conflicts. At a donor conference on Georgia held in Brussels on 22 October 2008, the EU pledged funding of up to 500 million euro to be used for a variety of activities, including assistance for the resettlement of internally displaced persons, economic rehabilitation, recovery projects, macro-financial stabilisation, and support for Georgia's infrastructure. EU assistance for conflict affected persons in Georgia is primarily channelled through the Georgian government, but also via international organisations or international and local non-governmental organisations. Currently, the EU also remains one of the largest contributors in the breakaway region of Abkhazia. Projects there focus on confidence-building, education, health and livelihoods. Although, in principle, South Ossetia is eligible for similar projects, EU-funded projects have almost come to a halt after August 2008, due to the political preconditions forwarded by the de facto authorities of that region.

Immediately after the August 2008 war, in the emergency phase, the EU provided humanitarian assistance to help internally displaced persons live through the winter. ECHO provided 12 million euro destined to relieve the immediate needs of the newly displaced people for food, shelter and psychological support. This assistance was delivered through UN agencies and non-governmental organisations. Furthermore, the EU provided 29 million euro for small scale economic activities, such as professional training and micro-credit for farmers, to enable displaced persons to create a stable income. These projects also included the protection of the rights of displaced persons, for example, through free legal aid. The EU provided 105 million euro towards durable housing in order to provide decent living conditions for internally displaced persons. With its support to the Georgian government (of a total of 105 million euro, 90 million euro has been disbursed so far) and numerous grants to international organisations and NGOs, the EU has been an important factor in providing internally displaced persons (IDPs) from both the 1990s conflicts and the 2008 war with decent and durable housing conditions. In addition, numerous projects have been implemented in order to rehabilitate schools, drinking

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<sup>5</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

water supplies, irrigation systems, roads, etc. Also, livelihood assistance has been an important component of the EU's IDP support programme to Georgia (19 million euro from 2012 to 2015). The programme aims to support the socio-economic integration of IDPs by creating opportunities for IDPs and host communities to reach self-sufficiency through vocational training and small grants, support for investments, enhancement of employability, strengthening of community organisations, agricultural development, and also supporting the Georgian government provide opportunities at the local level. Local and international representatives interviewed for this study consider that the aim of such activities in the longer term is to mainstream IDPs into regional development processes and, in case of IDP farmers, help them reach the level of average Georgian farmers. Besides, the EU remains committed to strengthening sustainable and stabilizing solutions in support of Georgia's own efforts by continuous engagement in a constructive dialogue across the conflict divide and other social and productive activities involving local communities, surrounding populations, civil society and relevant authorities.<sup>6</sup> While assessing the contribution for IPDs, the representative of the EU funded project underlined that: 'the government of Georgia, together with donors, assisted the IDPs in various ways in their housing needs'.<sup>7</sup> Until 2016, the EU supported the housing needs of 34000 IDP families.<sup>8</sup>

In sum, EU-Georgian relationships started in the beginning of the 1990s, and they intensified after the Rose Revolution. They were partially reformulated after the war in 2008. On the one hand, the EU was very actively involved in assistance to people affected by conflict, especially after the 2008 war. On the other hand, the EU developed institutional support systems such as the EUMM, the Geneva International Discussions and the EU-UNDP Confidence Building Early Response Mechanism (COBERM). Besides, the EU provides significant economic and political support through a number of development programmes. In the form of free trade and association agreements lifting visa regulations or the promise of future direct investments, the EU also provides an important incentive to governance reform (Khuntsaria 2014). Pre-Accession (IPA), the Association Agreement, European Neighbourhood Policy (ENP), European Neighbourhood Instrument (ENI), and Eastern Partnership (EaP) could be considered to be part of that same list. They are all used as a conflict prevention strategy through governance reform and the promotion of human rights and democracy (Dudouet & Dressler 2016). In general, EU strategy toward breakaway regions of "engagement without recognition," is quite acceptable by the Abkhaz and South Ossetian sides and is assessed quite positively. For example, in 2010 the former Abkhaz Prime Minister Sergei Shamba lauded the EU's such strategy. Although, the both Abkhazian and South Ossetian official representatives still blame EU and incriminate in pro-Georgian positions. Sergei Shamba underlined that in the event that the post of special EU representative for the South Caucasus is abolished, Abkhazia will not consent to continue those talks with EU representatives based in Georgia<sup>9</sup>.

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<sup>6</sup> Interview with expert, representative of the Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Radio Free Europe, Radio Liberty. 2010. Abkhazia 'temporarily suspends' participations in Geneva talks. June 25. Available at: [http://www.rferl.org/a/Abkhazia\\_Temporarily\\_Suspends\\_Participation\\_In\\_Geneva\\_Talks/2082758.html](http://www.rferl.org/a/Abkhazia_Temporarily_Suspends_Participation_In_Geneva_Talks/2082758.html) [Accessed 10 March, 2017]

## 3.2 EU and Others

It has been argued that the EU's most successful cases of peacebuilding through mediation and dialogue (such as in Aceh, Indonesia and Mindanao, Philippines) have involved a multi-level and multi-stakeholder approach (Dudouet & Dressler 2016). There are very few instances where the EU acts alone (Dudouet & Dressler 2016). While assessing the main third-party interventions in Georgia's territorial conflicts prior to the 2008 war, the role of United Nations and the Organisation for Security and Co-Operation in Europe (OSCE) has to be underlined. Until 2008, the EU played a secondary role in Georgia, though it began to increase its contribution to the peace process in the first half of the new millennium. This policy upgrade notwithstanding, Brussels neither had an operational role with regard to peacekeeping forces for the two break-away territories, nor was it a member of the principal multilateral negotiation formats dealing with the management and resolution of the conflicts – the JCC and the Geneva process (Frichova 2010, 20).

After the conflicts of the 1990s, the international organisation operating in Abkhazia was the United Nations, while the OSCE was active in South Ossetia. This was related to the way in which both conflicts ended. The Russian Federation established the Ossetian ceasefire, and a Joint Control Commission (JCC), including Russia, North Ossetia, South Ossetia, and Georgia, was set up to work out a final settlement. OSCE was invited to act as an observer on the JCC from the beginning. The case of Abkhazia received the mediation of the Friends of the UN Secretary General (Russia, U.K., France, and Germany) and a UN Mission was established to carry forward the negotiating process. The United Nations Observer Mission in Georgia (UNOMIG) was established in August 1993 to verify compliance with the ceasefire agreement between the Government of Georgia and the Abkhaz authorities in Georgia. UNOMIG's mandate was expanded following the signing by the parties of the 1994 Agreement on a Ceasefire and Separation of Forces. Although both the UN and OSCE missions had different mandates, the cooperation that developed between the two missions was very helpful in looking at different approaches to conflict settlement and learning from each other's experiences (Shelest 2012).

The United Nations interventions were relevant to the political settlement process. In 1994, the UN initiated what came to be known as 'the Geneva process'. After languishing for some years, it was revived in 1997 to bring all negotiations on the conflict under the UN umbrella. The process allocated the role of 'facilitator' to the Russian Federation and granted observer status to the OSCE and the 'Group of Friends of the Secretary General on Georgia'. The Geneva process involved setting up three working groups on security issues, refugee and internally displaced persons (IDP) return, and economic and social questions. This in turn institutionalised the role of other UN agencies which had, up to that point, played greater or lesser roles in the management of the conflict and in dealing with the situation on the ground in Abkhazia and Georgia. While the UNOMIG Chief Military Observer headed the working group on security issues, the other two were chaired by a UNHCR representative and the UNDP Resident Coordinator, respectively.

Other UN agencies concerned with the Georgian-Abkhazian situation were the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), involved in tracking development projects in the region and in the implementation of IDP integration projects, and United Nations Volunteers (UNV), which has discreetly been involved in a number of small

development-type projects in the territory of Abkhazia (Stewart 2003). In terms of outside cooperation, the UN shared information with the OSCE on developments in Abkhazia and included the OSCE in a limited fashion in conflict management attempts. Furthermore, UNOMIG observers cooperated closely with the CIS peacekeeping force (CISPKF) in Abkhazia, whose activity they monitored, but on whom they were also dependent for providing a certain degree of security for UN operations.

The OSCE mission to Georgia was established in December 1992. The Mission assisted the Government of Georgia in conflict settlement, democratization, human rights and the rule of law. The OSCE's tasks gradually increased since the start of the mission, and included the politico-military dimension of security and conflict resolution. The mission promoted negotiations between the conflicting parties in the area of the Georgian-Ossetian conflict, and supported the UN-led peace process in the area of the Georgian-Abkhaz conflict. It was a participant in the Joint Control Commission and monitored the peacekeeping forces in the area of the Georgian-Ossetian conflict. The OSCE led an initiative funded by international donors for economic and infrastructure rehabilitation projects in the conflict zones, and was involved in other projects helping to bring communities together and to build the capacity of the NGO sector.

After hostilities broke out in South Ossetia in August 2008, the OSCE mission refocused its work toward urgent stabilization and the humanitarian crisis, rapidly incorporating 20 new monitoring officers. It supported the Geneva discussions co-chaired by the EU, the UN and the OSCE to bring stability to the region and the joint incident prevention mechanisms agreed at during these discussions. In relation to the Georgian-Abkhaz conflict, the mission was tasked to support the UN-led efforts, and it seconded a human rights officer to the UN Human Rights Office Abkhazia, Georgia (HROAG) (OSCE 2016).

The International Committee of Red Cross (ICRC) helps people affected by the administrative boundary lines, improves living conditions for people affected by the conflict, supports mine victims, visits detainees, and promotes international humanitarian law (ICRC 2016). The ICRC is the sole international organisation that has access to the South Ossetian Territory after the 2008 war. In South Ossetia, its main focus is to help restore family links, clarifying the fate of displaced people and missing persons, and supporting their families.

In Georgia there were 7,553 official development assistance (ODA) projects implemented between 2000 and 2013, of which 3,510,909,560 USD was spent and 9,502,265,618 USD was committed (Open Aid Data 2013). The distribution of this support varies by sector. 9.22% of the total donor's contribution has been granted to the sector Conflict, Peace & Security with EU assistance featuring as decisive (Open Aid Data 2013, ICRC 2016).

One of the Georgian experts, former government official interviewed for this study said: 'the EU remains the most outstanding actor in our region and in the country owing to its position and resources. If Russia holds a grudge against the United States, they feel more respectful towards the European Union... . The same goes for Abkhazians and South Ossetians. If we compare the United States and EU potential in the prevention, management, and transformation of these conflicts, the EU has more experienced employees as well as more

diverse programmes and projects. It definitely has a more positive image. It can be said that the USA is a more efficient player as a regional geopolitical power.<sup>10</sup>

Nonetheless, a Georgian government representative interviewed for this study considers that the 2016 Global Strategy for the European Union's Foreign and Security Policy proposed recently inadequately reflects developments in the broader region, underrating the existing situation in Georgia, Ukraine and entire Black Sea region (European Commission 2016).<sup>11</sup> The perception is that EU thinking about security does not live up to current challenges. The document poorly reflects the key security topics in the Black Sea region, once again indicating the weakness of the EU's security policy. One Georgian government representative argued that 'the European Union has to take on a more proactive role to ensure security and stability in the post-communist area'.<sup>12</sup> This idea is shared by many Georgian politicians and officials. 'Reintegration of the conflict zones will be made possible with the intervention of international community'.<sup>13</sup> At the same time, most of the participants in this study, both at the local and at the international level, do not identify this scenario as realistic.

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<sup>10</sup> Interview with former Georgian government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>11</sup> Interview with Georgian government official. Personal interview by authors. Nana Macharashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>12</sup> Ibid.

<sup>13</sup> Interview with former Georgian government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016. The same idea was also forwarded in several other interviews.

## 4. Selected cases

### 4.1 European Union Monitoring Mission in Georgia (EUMM)

#### 4.1.1 Introduction

The European Union Monitoring Mission in Georgia (EUMM) is an unarmed civilian monitoring mission established by the European Union on 15 September 2008. It is the only mission operating under the Common Security and Defence Policy (CSDP) of the EU in Georgia (EUMM 2016a). Over 200 civilian monitors were sent by EU member states to contribute to the stabilisation of the situation on the ground following the August 2008 conflict. They monitor compliance by all sides of the EU-brokered six-point agreement of 12 August 2008 and of the Agreement on Implementing Measures of 8 September 2008.

The Mission started its monitoring activities on 1 October 2008, beginning with the oversight of the withdrawal of Russian armed forces from the areas adjacent to South Ossetia and Abkhazia. EU member states have contributed personnel, female as well as male, from a variety of civilian, police and military backgrounds. EUMM has its headquarters in Tbilisi. It has three regional field offices, located in Gori, Mtskheta and Zugdidi. Since 2008, the mission has been patrolling day and night, particularly in the areas adjacent to the South Ossetian and Abkhazian Administrative Boundary Lines. The EUMM's efforts have been primarily directed at observing the situation on the ground, reporting on incidents and contributing to an improved security situation through its presence in relevant areas (EUMM 2016a).

#### 4.1.2 EUMM: structure and functioning

The EUMM's mandate consists of stabilisation, normalisation and confidence-building, and also includes reporting to the EU in order to inform European policy-making, and thus contribute to EU engagement in the region. Originally authorised for 12 months, the mandate has since been extended five times and is currently effective until 14 December 2016.

EUMM priorities are:

- to ensure that there is no return to hostilities;
- to facilitate the resumption of a safe and normal life for the local communities living on both sides of the Administrative Boundary Lines (ABL) with Abkhazia and South Ossetia;
- to build confidence among the conflict parties;
- to inform EU policy in Georgia and the wider region.

The Memorandum of Understanding signed between EUMM and the Georgian Ministry of Internal Affairs in October 2008 introduces a degree of transparency (and imposes restrictions) on the equipment used and the activities performed by the Georgian police forces in the adjacent areas. A subsequent Memorandum of Understanding signed between EUMM and the

Georgian Ministry of Defence in January 2009, and amended in July 2010, limits the Georgian Armed Forces' positioning of troops and heavy equipment in the areas adjacent to the Administrative Boundary Lines (ABL). This unilateral engagement contributed to substantiating the Georgian government's commitment to the principle of non-use of force, as contained in the six-point agreement. Security would be further enhanced if reciprocating measures were introduced by the Russian Federation.

Under an agreement reached at the Geneva Discussions in February 2009, regular meetings under the Incident Prevention and Response Mechanism (IPRM) take place between the parties to the conflict. Participants from the EUMM, UN, OSCE, Georgia, Russia, Abkhazia and South Ossetia have taken the opportunity to discuss and resolve specific incidents and issues. The meetings have proven useful in developing greater confidence and co-operation between the parties. Attached to the IPRM is a "hotline" telephone system working in both theatres. Brussels representatives underline that the hotline has proven very useful for participants to quickly establish a common understanding of events surrounding specific incidents and it has repeatedly helped to de-escalate possible tensions.<sup>14</sup>

EUMM operates particularly in the areas adjacent to the ABL with Abkhazia and South Ossetia. EUMM has around 200 monitors from various EU member states working on the ground. While its headquarter is in Tbilisi, the EUMM uses Gori, Mtskheta and Zugdidi offices as bases from where operations are conducted, and where cooperation with partners and interlocutors is coordinated. In Eastern Georgia, the Mtskheta and Gori field offices cover the activities inland and along the ABL with South Ossetia. In the western corner of the country, the Zugdidi field office covers the ins and outs of the entire Western Georgia (EUMM 2016a, 2016b).

More than 300 mission personnel work in the EUMM in Georgia. Approximately two thirds of these come from EU member states and one third are Georgian residents. With different backgrounds, the EUMM monitors bring a broad array of qualifications and experience. All monitors are from EU member states, while local staff occupy positions as translators and within administration. Since the EUMM began its operations in 2008, monitors from all EU member states have served in the mission. The EUMM aims to recruit monitors of various ages. The average age of EUMM full time monitors is 38 years. One out of four monitors is a woman. This ratio has remained almost unchanged since 2011, although the mission welcomes and encourages member states to improve the gender balance by sending more female monitors. The majority of the staff consists of full time monitors operating in four daily shifts to maintain 24/7 monitoring. Others contribute to monitoring work on a part time basis along with administrative or logistical responsibilities. The total number of monitors as of 10 July 2016 is 205.

Taking into consideration the different monitoring functions, the EUMM conducts three different types of patrols from each of the field offices:

1. **Administrative Boundary Line Patrols** – Monitor the Administrative Boundary Lines and the adjacent zones; Liaise with security actors at the local level;
2. **Human Security Patrols** – Liaise with NGOs, local and regional authorities; Monitor the human rights situation including freedom of movement; Host civil society

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<sup>14</sup> EU Representatives. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, July 7, 2016.

information sharing meetings; Monitor issues relating to Internally Displaced Persons (IDP's) and their settlements;

3. **Compliance Patrols** – Monitor compliance with the Memorandums of Understanding between the EUMM and the Ministry of Internal Affairs; Ministry of Defence and State Security Services of Georgia; Visit Georgian security actor's (police, military) bases and facilities; Observe significant military exercises and activities; Assess the capability and intentions of units of security actors.

The mission is unarmed, but all monitors have a set of body armour and helmet for their personal protection. Handheld radios, in addition to smartphones, enable monitors communicate in the field. Handheld GPS navigation is used to ensure accurate navigation. Powerful binoculars are the most widely used instrument for monitoring. The mission uses a variety of ultra-high performance binoculars. Some binoculars have built-in laser range finders. Long distance laser rangefinders are used to get accurate distance measurements to any object. The latest models of rangefinders come with a powerful magnification monocular.

The EUMM monitors focusing on human security matters specialize in specific issues such as freedom of movement, the right to education for school children, internally displaced persons' rights, and other human rights issues. The human security patrols are diverse in their range but include hosting civil society information sharing meetings and meeting with NGOs to follow up on sensitive cross boundary line matters. EUMM information sharing meetings with the consultative function began in 2009 in Zigdidi. In order to assess the scope of these activities, it has to be mentioned that the 50th meeting took place in 2016. The purpose of the meetings is to share information between the EUMM and the strong and active civil society community in Western Georgia. 'We share our findings and observations with the participants and they inform us about their current priorities, results and needs. The meetings also provide a unique networking opportunity for the attending NGOs and an opportunity for any NGO to approach us on a one-to-one basis for a discussion of bilateral issues' (EUMM 2016a, 6). NGOs from Samegrelo, Adjara, Imereti and Abkhazia participate during the meetings. Meetings take place every 6-8 weeks.

#### 4.1.3 EUMM: challenges and achievements

Local as well as international stakeholders generally assess the functioning of the EUMM positively, highlighting the importance of the mission in spite of its narrow profile. The EUMM's importance tends to be evaluated by local as well as international stakeholders in similar terms. EU member states and other international stakeholders perceive the EUMM as an important factor in ensuring security and stability in the areas adjacent to the regions of Abkhazia and South Ossetia (EUMM 2016a, 2016b). The EUMM itself identifies stabilization and a greater sense of security among the parties to the conflict and the population on the ground among its top achievements (EUMM 2016a, 2016b). With regard to the EUMM, 'a little bit more flexibility would be helpful. It [EUMM] also depends on some bureaucratic processes. ... So, in terms of implementation the mission is meeting the objectives, because the mandate is very narrow. Now whether that meets the wider goals is something different. Because the objective of the monitoring mission is just one instrument that is supposed to meet the wider goal of the

EU conflict prevention and stability'.<sup>15</sup> The same person believes that the fact that the conflict has reached a stalemate turns the continuation of the EUMM into a matter of utmost importance. 'It [EUMM] has to remain, because there is the ceasefire to watch'.<sup>16</sup>

The fact that the EUMM does not have a long-term mandate affects its functioning. Periodically, the issue of the possible exit of the mission arise. According to a former Georgian government official, 'this is conditioned by two things - first is that it is expensive to keep the mission on the ground and the second one is political feasibility. And this always happens right before the time comes for the extension of the mandate'.<sup>17</sup> Before the Ukrainian crisis, some EU member states were talking about an exit strategy for the mission. 'This was stemming from the economic crisis in the EU. Also, some states did not see the need to fund the mission in Georgia. I believe that the Ukrainian events largely influenced the way the EU member states look at Russia now', a former Georgia state official said.<sup>18</sup> One EU representative argued that cutting back the amount of EU monitors in Georgia would send the wrong signals to Georgia and Russia, and make these forces speculate that the EU is changing its priorities in the region.<sup>19</sup>

The EUMM is not viewed positively by everyone. A former state official recalled how a former EUMM head was "somewhat unpopular" among the Abkhaz officials. This, the source said, was used by Abkhaz officials to withdraw from IPRM in Gali.<sup>20</sup> The process was re-established recently. There is a deeper dimension to this kind of behaviour, however. 'The Abkhaz side does not look at the EUMM as an impartial player. Also, bearing in mind that Abkhazians would not act without Russia's backing, it can be said that Russians also dislike the monitoring mission'.<sup>21</sup>

International and local stakeholders share the same view regarding the non-fulfilment of point five of the 2008 six-point agreement, whose content was cited earlier in this document. The EUMM underlines that 'the 2008 Six-Point Agreement, together with the Implementing Measures, remains the basis for the continued presence of EUMM on the ground and its efforts towards stabilising the situation. Point Five of the Agreement remains to be implemented, as the continued presence of Russian Federation military personnel and equipment in both South Ossetia and Abkhazia represents a violation of this part of the Agreement' (EUMM 2016a, 2016b).

In spite of the fact that the EUMM mandate covers the entire territory of Georgia, as defined by the country's internationally recognized borders, the de facto authorities in Abkhazia and South Ossetia have so far denied the Mission access to the territories under their control, though a few joint visits have taken place in relation to specific cases. According to one EU

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<sup>15</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

<sup>16</sup> Ibid.

<sup>17</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>18</sup> Ibid.

<sup>19</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

<sup>20</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>21</sup> Ibid.

representative, it will be impossible for the EUMM to access the breakaway regions unless further agreement is reached by the sides to the conflict on what constitutes Georgian territory.<sup>22</sup> Abkhazian and South Ossetia leaderships do not think of breakaway regions as part of Georgia. EUMM can only access South Ossetia and Abkhazia in the IPRM format mentioned earlier. Abkhazia and South Ossetia breakaway territories are, however, accessible to the European Union Special Representative for the South Caucasus and the Crisis in Georgia. Visits by the EUSR take place for specific purposes, such as meetings with the de facto authorities and including visits by the GID Co-Chairs during their regular regional trips prior to the GID rounds that are helpful also to inform the discussions in Geneva on the situation on the ground within the breakaway territories. Though key to the EUMM's effectiveness, the mission has been unable to guarantee full implementation of the six-point ceasefire plan's third item concerning free access for humanitarian assistance. This constitutes one of the EUMM's main weaknesses.<sup>23</sup> In this regard, a former government official notes that the Russian government has always been against the EUMM intervention. 'The EU member states pledged their political responsibility and therefore there is an agreement among the member states regarding this format [EUMM]. What Russia did was that it prevented the mission from entering the territories of de facto republics by violating the six-point peace plan... Russia does what it is allowed to do'.<sup>24</sup> The relative weight of the EUMM's lack of access to the breakaway regions is evaluated in different ways within Georgia itself. For example, a Georgian NGO representative believes that, since the EUMM cannot reach the de facto regions, the mission cannot be regarded a successful intervention.<sup>25</sup> However, others think that overall efficiency of the mission should not be downplayed.<sup>26</sup> For example, the EUMM is seen as a good and reliable source of information.<sup>27</sup> The EUMM's credibility can be of crucial importance when the politics of "my word against yours" is being exercised.<sup>28</sup>

The EU representatives also stressed the importance of the EUMM's data collection function to determine the EU strategic approaches. According to one of the EU representatives, the EUMM is providing factual information together with assessment of developments in the form of weekly, monthly briefings and briefings for ambassadors, together with updates prior to the Geneva International Discussions (GID).<sup>29</sup> These focused briefings started recently and are extremely useful in informing the Co-Chairs and their teams on the situation on the ground in TAT and along the ABLs and in this way benefitting

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<sup>22</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

<sup>23</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>24</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>25</sup> Representative of the Georgian Institute of Public Affairs (GIPA). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>26</sup> Former government representative. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>27</sup> International Relations expert. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, September, 2016.

<sup>28</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>29</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

their mediation role in GID/IPRM.<sup>30</sup> EU representative referred to the recently introduced pre-GID updates for the moderators and their teams on the situation on the ground that are being used for informing the discussions in GID. 'We are not talking about evaluations of GID as such. The pre-GID briefings are shared with the UN and OSCE Co-Chairs'.<sup>31</sup>

'The EUMM's capability to serve as a liaison agent between the Georgian government and breakaway republics' administrations if there is a crisis related with the disappearance and kidnaping of village dwellers after they have allegedly crossed the administrative boundary lines of South Ossetia and Abkhazia' deserves further highlighting.<sup>32</sup> In relation to this point, a former Georgian governmental official said that the people are still dissatisfied and disappointed with the role of EUMM because they believe that the EUMM bears the responsibility to prevent such incidents; if not, it fails to meet this specific goal.

The opinions of international and local stakeholders diverge when it comes to the evaluation of the EUMM's confidence building activities. EU representatives assess this problem in the following manner: 'While results on the stabilisation component of EUMM's mandate are tangible, significant work remains to be done as far as confidence building is concerned. At the same time, the mission insists that access also to South Ossetia and Abkhazia would help increase transparency, bring clarity on incidents that have already taken place and thus decrease the risk of future destabilising incidents'.<sup>33</sup> In the eyes of one EU representative, there is sometimes a risk of 'over-monitoring' with the mission's large number of monitors in combination with its relatively narrow mandate. This might be an issue in relation to the monitoring of IDP living conditions, where frequent monitoring may raise expectations while it is beyond the scope of the mission to provide assistance.<sup>34</sup> The perceptions of local and international stakeholders regarding the visibility of the mission also diverge. A representative of Georgian NGOs considers that the visibility and dissemination of EUMM activities has been very limited. This creates loopholes in public perception as 'the people have to know what EU does for them'.<sup>35</sup>

#### 4.1.4 Counterarguments from Russian, Abkhazian and South Ossetian sides

The EU's firm support for the territorial integrity of Georgia within its internationally recognized borders and use of different formats and occasions to call on the Russian Federation to fulfil its obligations under the ceasefire agreement of 12 August 2008 and provide the EU Monitoring Mission in Georgia access to the breakaway regions<sup>36</sup>, is highly criticized by Abkhazian, South Ossetian and Russian sides. In 2012 Breakaway Abkhazia's foreign ministry accused the head of

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<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Security sector analyst. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>33</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

<sup>34</sup> Ibid.

<sup>35</sup> Representative of the Georgian Institute of Public Affairs (GIPA). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>36</sup> EU, Georgia Hold Third Association Council Meeting Civil.ge 2012. Sokhumi Slams EUMM Head. April 25. Available at: <http://www.civil.ge/eng/article.php?id=24693> [Accessed 9 March, 2017]

the Andrzej Tyszkiewicz, of “disrespect” towards Sokhumi and declared him as “an undesirable person on the territory of Abkhazia”. In a statement on April 25, the breakaway region’s foreign ministry expressed “utmost bewilderment” over, as it put it, “confrontational position taken by Head of the EU Monitoring Mission in Georgia”, accusing him of “attempts to politically blackmail the Abkhaz side”. “Mr. Tyszkiewicz is ignoring our requests and appeals and is putting forth unacceptable demands to allow EUMM on the territory of Abkhazia,” – was underlined in the official statement. A day earlier a meeting of the Incident Prevention and Response Mechanism (IPRM) in Gali did not take place after the Abkhaz side refused to participate in it in protest against the head of EUMM. Sokhumi wanted EUMM to be represented at the IPRM meetings by other representatives instead of the mission head. The Russia Foreign Ministry backed Sokhumi’s claim against the head of EUMM and said on April 27 that “the Abkhaz position has its logic”<sup>37</sup>.

#### 4.1.5 Conclusions

In sum, different relevant stakeholders assess EU civilian capabilities in the framework of the EUMM in a relatively positive way. Some contradictions and shortcomings are nonetheless highlighted. The EUMM’s focus on stabilization, normalization and confidence-building mandates is concretised mostly through activities that can be classified under multi-track diplomacy. The EUMM activities and strategies support unofficial dialogue and problem-solving activities aimed at building relationships between authorities and civil society leaders, while also contributing to people-to-people interactions at the grassroots level to help build confidence between communities. The link of EUMM with Security Sector Reform or Governance Reform issues is, as of yet, very limited.

The Incident Prevention and Response Mechanism (IPRM) is assessed as the most successful mechanism by all stakeholders within and outside the country. These meetings offer an opportunity for all participants to discuss events and incidents, and to raise concerns on the security situation and the conditions for the civilian population. The EUMM’s participation in this mechanism also effectively turns the mission into an important political player in the conflict with the function to mediate and resolve various small and, at the same time, significant topics (including kidnappings and personal assaults).<sup>38</sup> The information sharing meetings organised by the EUMM with representatives of NGOs are considered a key forum for EUMM monitoring updates in Western Georgia, and constitute a clear indication that local ownership is being exercised.

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<sup>37</sup> EU Expresses 'Full Confidence' in EUMM Leadership <http://www.civil.ge/eng/article.php?id=24707>

<sup>38</sup> Former government representative. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

## 4.2 Geneva International Discussions

### 4.2.1 Introduction

The Geneva International Discussions (GID) is the most important EU initiative directed at resolution of the conflict in Georgia. In fact, it is the only international mechanism, accepted by all relevant stakeholders, local as well as international, that deals with regulating consequences of the 2008 war. Considering the leading role of the European Union in setting up this format and in mediating between the sides for the last 8 years, it becomes indispensable for any research on EU's capabilities in conflict resolution in Georgia to take the Geneva talks into account.<sup>39</sup>

The Geneva International Discussions were launched in Geneva, Switzerland, in October 2008, to address the consequences of the 2008 Georgia-Russia war and Russia's subsequent recognition of independence of Abkhazia and South Ossetia. Co-chaired by the EU, the OSCE, and the UN, the Geneva process brings together representatives of the parties to the conflict, Georgia and Russia, and includes the United States as an interested party. For the last 8 years the GID has been the only platform where the conflict resolution issues are discussed, including security, the return of displaced persons, and the humanitarian needs of the conflict-affected population. The discussions are held four times per year at the UN Palais Des Nations building. They take place in one official and two unofficial formations, and last for two days. On the first day, the co-chairs meet with the delegations from Georgia, Russia and the US at the official plenary session. On the second day, the meetings continue in two parallel unofficial working groups, one dealing with security and stability, and the other with humanitarian issues, including IDPs and refugees. The Abkhazian and South Ossetian de facto authorities, as well as the exiled governments of Abkhazia and South Ossetia, take part in the working group sessions. In order to avoid status and legitimacy issues regarding participation of these representatives, these participants function in their personal capacities and not as members of official delegations.

The 2008 war ended the six-point peace plan agreed on 12 August 2008 by the presidents of France, Russia and Georgia. This plan, also known as the Sarkozy-Medvedev plan, envisioned the launch of international discussions on the modalities of security and stability in Abkhazia and South Ossetia. However, as Russia neglected the six-point plan by not returning to positions held before the start of the war and by recognizing the independence of Georgia's breakaway entities on 26 August 2008, France was compelled to negotiate an implementation plan of the six-point plan with Russia on 8 September 2008. The implementation plan stated that the international discussions would begin on 15 October 2008 in Geneva, covering the following topics: ensuring stability and security in the region, the return of refugees based on the internationally recognized principles and practice of post-conflict settlement, and any other issue put forward for the mutual approval of the parties.

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<sup>39</sup> Due to sensitivity of the conflict the GID deals with, and because of the researchers' lack of access to representatives from Russia and from the Abkhaz and Ossetian de facto authorities, the data for the present case study research has been generated through interviews with Georgian officials and ex-officials, Georgian civil society members, and EU diplomats.

The negotiations on the format of the GID were held in September 2008. Former Georgian Deputy Foreign Minister Kapanadze recalls that 'it took two very long nights with intensive shouting and fighting until the agreement on the format was reached, which every participant knows is a consensual one' (Heinrich Böll Stiftung 2013). Pierre Morel, the newly appointed EU Special Representative for the Crisis in Georgia, secured the consent of Georgians and Russians to turn Geneva discussions effectively into a 3+3 format, where UN, OSCE and EU are represented as co-chairs of the negotiations, based on their previous experience in mediating the conflicts in Georgia (Radio Liberty 2008). Indeed, the UN and the OSCE had been involved in the Abkhazia and South Ossetia conflicts respectively since early 1990s and the EU was instrumental in stopping the 2008 war. Apart from 3 mediators, the format also included the participation of Georgia and Russia, as well as the United States as an interested party.

Russia consistently pushed for participation of Abkhaz and South Ossetian delegates at the discussions, whereas Georgia categorically rejected their participation on an equal footing as this would elevate their status an official one. Therefore, a compromise had to be reached. The discussions were divided into two levels. It was agreed that the three co-chairs, Georgia, Russia and the United States would participate in plenary sessions, whereas technical issues would be tackled at the lower level in the working groups. In the working group meetings, participants attend in personal capacity and not as official delegation members in order to avoid status disagreements. Two working groups were established under this framework. The first working group is dealing with the non-use of force and international security arrangements, as well as confidence building measures, while the second working group is discussing the return of IDPs/refugees, humanitarian aid and human rights issues (Turunen 2011). The Deputy Foreign Ministers of Georgia and Russia lead the delegations at the discussions, thereby pointing at the technical character of the discussions. Georgia is also usually represented by officials from the Ministry of Interior and Ministry of Reconciliation.

#### 4.2.2 Geneva International Discussions: structure and functioning

The different parties held diverse expectations regarding the talks. Georgia aimed at the return of displaced persons, the replacement of Russian armed forces with international peacekeepers, the clearance of EUMM operations in separatist entities, and, ultimately, the restoration of territorial integrity. Russia, in turn, tried to win recognition of the independence of Abkhazia and South Ossetia. It also attempted to modify the mandates of the UN Observer Mission and OSCE in the conflict regions by opening independent missions in Sokhumi and Tskhinvali (Mikhelidze 2010). As no agreement was reached on these issues at the initial sessions in 2008, Russia vetoed prolongation of OSCE and UNOMIG mandates in Georgia. These missions were closed down in December 2008 and June 2009 respectively. With this, GID became the only international platform where issues related to conflict resolution in Georgia could be addressed.

Since 2008, 36 rounds of discussions have been held at the working group level. The only notable success of these 36 rounds is the establishment of Incident Prevention and Response Mechanisms (IPRM) for Abkhazia and South Ossetia to discuss the security situation and solve minor incidents at the ABL. The agreement on the establishment of IPRM was reached in February 2009, at the GID's 6<sup>th</sup> round. IPRM's aim is to ensure a timely and adequate response to security challenges, including incidents and their investigation, the

security of vital installations and infrastructure, response to criminal activities, the effective delivery of humanitarian aid, and any other issues which could affect stability and security, with a particular focus on incident prevention and response (Proposals for Joint Incident Prevention and Response Mechanisms 2009). The IPRM provides recommendations as to prevent future incidents and provides a platform to verify the accuracy of information in the aftermath of incidents. IPRM is to meet regularly, and might additionally be convened at short notice at the request of any of the participants. A meeting could be preceded by contact over a 24-hour "hotline" between the participants. This hotline is run by the EUMM. IPRM had been disrupted for quite some time as both Ossetian and Abkhaz sides stopped participation in IPRM in 2009-2010 and 2012-2016 respectively. IPRM meetings co-facilitated by OSCE/UN and EUMM have been held usually in Ergneti and Gali, near the ABL. 69 IPRM meetings have been held up-to-date in Ergneti and 38 in Gali.

Apart from establishment of IPRM, Geneva discussions did not produce any tangible outcome so far. As a former National Movement government representative claims, the intensity of the meetings was higher at the initial stage and there was more pressure exerted on Russia to have immediate deliverables.<sup>40</sup> In early 2009, the sides worked on two documents in parallel with the establishment of IPRM. One document focused on non-use of force and the other on the return of displaced persons. However, these two documents have not been signed. Successive Georgian governments argue that the document on non-use of force should be signed between Georgia and Russia as the two sovereign nations party to the conflict. Russia, however, denies that it is party to the conflict and therefore proposes that Georgia signs the agreement with the de facto authorities of Abkhazia and South Ossetia. This option is a no go for Georgia.<sup>41</sup>

Frustrated with the lack of progress in Geneva, Georgia tried to play a constructive role and, in 2010, unilaterally declared that it will not use force to bring Abkhazia and South Ossetia back into its jurisdiction. It also expressed readiness to sign the non-use of force agreement with Russia (Civil Georgia 2010). This pledge was made during Georgian President Saakashvili's address to the European Parliament. The respective letters were sent to the co-chairs of the Geneva talks. After Saakashvili's address, Abkhaz and South Ossetian de facto presidents Bagapsh and Kokoity also declared that they will not use force against Georgia and called on Georgia to sign a non-aggression pact with them. This move of de facto presidents was praised by the Russian Foreign Ministry as a step to lasting peace in the Caucasus (Russia Today 2010). EUMM is not allowed to operate in Abkhazia and South Ossetia, thus the mission is unable to execute its mandate in full. Meanwhile, Russia signed agreements with the Abkhaz and South Ossetian de facto authorities on the deployment of Russian armed forces for 49 and 99 years respectively in 2010.<sup>42</sup> The Russian Federal Security Service also deployed border guard units

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<sup>40</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>41</sup> Former government representative. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>42</sup> See f.e. the Agreement between Abkhazia and the Russian Federation on Alliance and Strategic Partnership. Available at: <http://www.abkhaziagov.org/president/press/news/2014-11-19> [Accessed 22 June, 2016]

and started to build border infrastructure, including barbed wire fences along the administrative boundary lines in South Ossetia and Abkhazia.<sup>43</sup>

### 4.2.3 Geneva International Discussions: challenges and achievements

The Geneva International Discussions, thus far, have failed to produce agreements on the return of IDPs and refugees and on improving the human rights situation in conflict regions. There has been no agreement on international security arrangements either. Throughout the GID, disagreements over the status of Abkhazia and South Ossetia proved to be the most controversial topic. Frequent walk-outs of Abkhaz and South Ossetian participants from the working groups, obstruction by the Russians to the holding of plenary sessions, attempts to unify two working groups and upgrade status of participants from breakaway regions to delegation status, all served the purpose to present Abkhazia and South Ossetia as full-fledged participants of the GID.<sup>44</sup> Tbilisi blocked any upgrade of Abkhaz and Ossetian status. The co-chairs and the US continued to support the territorial integrity of Georgia.

Another huge barrier for the success of the GID, as identified by the research participants, is the issue of Georgia's and Russia's divergent interpretations of the vaguely-worded six-point peace plan.<sup>45</sup> Georgia asserts that Russia is violating the ceasefire agreement by not withdrawing its forces to the positions held before the war. Russia on the contrary asserts that it has fulfilled all points of the plan, and that it withdrew its military forces from Georgian territory. According to the Russian stance, the army units deployed in Abkhazia and South Ossetia are legally stationed there on the basis of international agreements between independent states. Tbilisi considers that the conflict between Georgia and Russia is ongoing. Moscow in turn does not regard itself as a party to the conflict, and forwards that there are two separate conflicts: one between Tbilisi and Tskhinvali and the other between Tbilisi and Sokhumi.<sup>46</sup> These disagreements have an adverse impact on the talks. So far, they have made any progress on substantial issues unreachable.<sup>47</sup>

Georgian stakeholders underline that the GID failed to build trust among the parties to the conflict. This hampers the transformation of conflict to a more constructive mode. Nonetheless, the situation has stabilized and bellicose rhetoric has practically vanished.<sup>48</sup>

One important weakness is that, due to the format of the talks, civil society is completely excluded from the process. The co-chairs prepare the discussion topics for each round during the preparatory visits to Tbilisi, Tskhinvali, Sokhumi and Moscow. Discussions then are held behind closed doors and the wider public is not informed about results of the

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<sup>43</sup> Security sector analyst. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>44</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>45</sup> International Relations expert. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, September, 2016.

<sup>46</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>47</sup> Ibid.

<sup>48</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

sessions. Civil society does not know what topics are discussed during the meetings. No information is available on the issues presented during the meetings, the points made by different participants and the results of the talks. Georgian stakeholders therefore complain that it is impossible to monitor the Geneva talks.<sup>49</sup>

A recent exchange of prisoners between Tbilisi and Sokhumi reignited hopes that the Geneva talks might still be capable of producing positive results. However, government official downplayed the role of the GID in this rare example of successful cooperation, and argued that the prisoner exchange was a result of direct negotiations between the sides. Allegedly, the GID's co-chairs were not even aware of it.<sup>50</sup>

Despite the lack of progress in the talks, all parties are still participating in the GID after 8 years. As one EU diplomat put it 'Geneva is extremely important because this is a unique place where obstacles are resolved. They [the parties] disagree, but at least they meet and exchange information'.<sup>51</sup> Another EU representative also asserted that there is no doubt that all parties are keen to maintain this format.<sup>52</sup> Both former and incumbent Georgian officials agree that Geneva talks are important for Georgia due to several reasons. Senior diplomats under Saakashvili administration, and former leaders of the Georgian delegation at the talks, argued that this is the best international format on conflict resolution that Georgia has ever had, with the EU as mediator and the United States as participant.<sup>53</sup> 'The most important thing is that for the first time we have a format, wherein Georgia is no longer in a minority, wherein Russia has no false role as mediator,' Bokeria told journalists at the first round of talks in Geneva. 'These are talks between Russia and Georgia on the problems existing between us and here we have respected international organisations. That was our objective for many years' (Civil Georgia 2008a). Furthermore, as a former National Movement government representative claims, for the first time in history, representatives of the exiled governments of Abkhazia and South Ossetia are also able to participate in the working groups. For close to five years, the GID served as a venue where only Georgian and Russian officials could meet and negotiate. With the change of government in Georgia in 2012, Georgian and Russian officials have started to meet in the absence of bilateral diplomatic relations under the so-called Abashidze-Karasin format. Here, officials discuss trade, transport, cultural, consular and humanitarian issues between Georgia and Russia. The current Georgian government underlines the importance of the Geneva talks and of maintaining the existing format (Heinrich Böll Stiftung 2013).

GID also provide the only opportunity to the Abkhaz and South Ossetians to bring their concerns to the attention of the international community. It is a platform for the unrecognized entities to lobby for their stance and score some diplomatic points, even if only for internal consumption. The room to manoeuvre for representatives of breakaway entities is, however,

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<sup>49</sup> Representative of the Institute of Political Science. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>50</sup> Government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>51</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>52</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>53</sup> Former government officials. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

very limited. The extent of their independence is minimal. In the eyes of Georgian officials, they basically follow the plot written in Moscow.<sup>54</sup>

One EU representative considers GID to be a conflict transformation tool, rather than a conflict resolution one. 'It is not a conflict resolution mechanism. The objective was made to try to transform the conflict, more human beings at the centre of attention, to promote some consensus on practical steps'.<sup>55</sup> In a similar vein, Mr. Bechler, the Swiss ambassador to Georgia, considers that Geneva talks should be used to transform conflicts by changing the *modus vivendi* with Russia, with breakaway regions and with the society (Geneva Process and Peaceful Transformation of Conflicts 2013). Unfortunately, as already mentioned above, GID are exclusively elite-driven and civil society is excluded from participation. Furthermore, the concept of conflict transformation these sources use seems quite limited.

As years pass without much progress, calls for change are mounting. One former Georgian state representative underlines the need for changing the format of the talks. 'Half of the meetings are lost to childish games of who will stay, who will walk out, who will not participate. It is like kindergarten'.<sup>56</sup> This source compared Geneva talks to a vicious circle, since 'Georgians are not talking to the Abkhaz and South Ossetians and they are not talking to Georgians, and Russians are not talking to Georgians and Georgians are not talking to Russians'.<sup>57</sup> According to him, all parties realize that it is time to change things. Some consider Georgia should not be afraid of changes, even if this results in a breakdown of the talks. 'So many years have passed and we got nothing, so I do not see it as a tragedy if the format is cancelled. If anyone is losing in Geneva talks it is Georgia'.<sup>58</sup> However, this comment represents a minority opinion. The overwhelming majority of the respondents noted that the [GID] format should not change. An EU representative noted that 'from today's perspective it is hard to see how the format could be changed; however there might be certain limits with regards to time, if the negotiation climate deteriorates and no tangible results are achieved...'.<sup>59</sup>

All respondents, both local and international underline the leading role of the EU in the talks. Among the three co-chairs, the EU is perceived to be the most active. The EU co-chair chairs the discussions. An EU diplomat stated that 'especially with the appointment of Herbert Salber as the EU Special Representative, the profile has become more prominent and the EU is taking the leading role'.<sup>60</sup> The "closed doors" nature of the talks and overall lack of transparency makes it very difficult for an outside observer to evaluate the EU's performance during the talks. However, certain patterns could be inferred from the interviews with stakeholders.

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<sup>54</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>55</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>56</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>60</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Tbilisi, September, 2016.

The divided structure and tense nature of the negotiations push the EU to play the role of a facilitative mediator transmitting the messages among the sides (Makhashvili 2013). Russia, another heavyweight participant of the Geneva talks is a major hindrance to the EU's mediating power. Due to diverging interests that Russia and the EU pursue, Russia severely restricts EU's capabilities to bring conflicting parties to the agreement. The EU and other co-chairs aim at regulating the conflict within the framework of Georgia's territorial integrity, according to international law, whereas Russia does not recognize Georgia's territorial integrity since 2008. This fundamental difference in interpreting where Georgia's borders end is the key factor obstructing further regulation of the conflict.

#### 4.2.4 Counterarguments from Russian, Abkhazian and South Ossetian sides

The most disputed document of the Geneva International Discussions is the draft of the 'Agreed Undertakings', which deals with the supply of water, the rehabilitation of housing and damaged facilities as well as the return of refugees and property issues, including restitution and compensation.<sup>61</sup> The discussion on these topics ended abruptly with a walk-out by the Abkhaz and South Ossetian representatives, in July 2010. As for 2011, a considerable part of IDPs' property has been sold out. Restitution or compensation is thus a highly sensitive issue. That was the reason for several cycles of Geneva Talks that have been ended by walkout By Abkhaz, South Ossetian Delegates. Base on these arguments, in 2014, Abkhazia and South Ossetia representatives, backed by a Russian negotiator, after demanding the issue of internally displaced persons (IDPs) and refugees be removed from the Geneva Talks agenda, saying the issue had been "politicised" by Tbilisi. The de-facto Foreign Minister of Georgia's breakaway Abkhazia, Viacheslav Chirikba was demanding changes to the Geneva Talks, which are a formal way where Georgian and Abkhaz authorities can discuss only humanitarian affairs<sup>62</sup>.

Another highly controversial issue in the Geneva talks is the non-use of force. Russia urges Georgia to sign agreements on the non-use of force with Abkhazia and South Ossetia. Georgia rebuffs that it has already taken this commitment by signing the Six-point Agreement. Tbilisi does not intend to sign any document with non-recognized entities, which could be seen as a recognition of their status. Instead, Tbilisi has declared its readiness to sign a bilateral agreement with Russia. Moscow, in turn, refuses to sign such a document, arguing that it is not a party to the conflict. The consensus is far off the horizon and instead of engaging with Georgians, Abkhazs and South Ossetians on the question of border security, the Kremlin signed border treaties with the breakaway regions<sup>63</sup>.

#### 4.2.5 Conclusions

In the Balkan region, the EU successfully applied measures of conditionality and social learning as a tool for conflict resolution. Here, the prospect of EU membership 'either directly coerces

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<sup>61</sup> <http://www.iai.it/sites/default/files/iai1025.pdf>

<sup>62</sup> Agenda.ge 2014. Breakaway Abkhazia demands changes to Geneva talks. September 19. Available at: <http://agenda.ge/news/21323/eng> [Accessed 12 March, 2017]

<sup>63</sup> Caecilia J. van Peski. 2011. Diplomacy and life on Georgia's boundary line. Security and Human Rights, No 4. Pg 358-371

the parties in conflict into agreeing on an acceptable solution or indirectly shifts the domestic balance of power by encouraging moderate groups and discouraging hard-liners' (Emerson et al. 2004, 24). This is not working well however in the Georgian conflicts, or in the rest of the Caucasus (Makhashvili 2013). This is mainly due to the fact that Russia acts as a heavy counterweight to the EU. It functions as a patron of the Abkhazian and South Ossetian de facto states, it opposes initiatives directed at de-isolation of the breakaway regions, and it counteracts the access of the EUMM to these territories. The "statehood" of the breakaway regions is heavily dependent on Russia in military, financial and political terms. Therefore, the de facto authorities do not have room for independent action. Representatives of the de facto authorities furthermore do not trust the EU as an impartial broker, because the EU adheres to the principle of territorial integrity of Georgia. Therefore, the de facto authorities follow the script provided by Moscow and are unwilling to compromise on the change of the status-quo.<sup>64</sup> The EU, in turn, lacks substantial 'sticks and carrots' that would make either Russia or the de facto authorities cede to its mediation efforts. Thus far, the EU fails to influence the deep-rooted preferences of Russia and the separatists through its instruments. Hence, EU's capabilities in this process are quite weak.

The Geneva talks and the EU mediation in these should thus be understood mainly as a prevention tool of a new conflict between Georgia and Russia. One of the challenges for the implementation of the EU goals in the GID is to broaden people's understanding of the security dimension. It is not just about tanks and weapons, but it needs to be understood as what the EU calls 'human security'.<sup>65</sup> GID help solve some non-political issues based on mutually profitable cooperation, as it did recently in relation to bug problems in Abkhazia. In such cases, the EU could also consider facilitating funding for such initiatives as a way to enhance the leverage of the GID. Therefore, despite the fact that the Geneva talks ultimately did not produce any success in the conflict resolution process, the mere fact that it exists as a venue where the conflicting sides can meet and discuss conflict-related issues regularly, still proves that it is an important mechanism that needs to be sustained.

## 4.3 The joint EU-UNDP programme Confidence Building Early Response Mechanism (COBERM)

### 4.3.1 Introduction

The Confidence Building Early Response Mechanism (COBERM) is a programme funded by the EU and implemented by the United Nations Development Programme (UNDP). It connects to multi-track diplomacy efforts in Track 1.5-II and Track III. The COBERM programme is oriented to stimulate people-to-people contacts across conflict divides, and to generate increased capacities within communities as well as CSOs to mediate political differences in constructive ways. COBERM also takes into account the crosscutting themes of gender, ownership and stakeholder synergies. COBERM was designed for the early post-conflict environment, but it

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<sup>64</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>65</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

remains relevant today. It has been the only mechanism to engage successfully with civil society across de facto Georgian divisions, both at the intra-community level, as well as at the inter-community level (UN 2012).

The COBERM programme unfolds in the context of serious human security concerns generated through the two cycles of the conflicts, one in the 1990s and one in 2008. The country remains divided. A lack of trust and respect permeates society, manifested both in physical as well as psychological barriers. Although the situation remains calm and open military confrontation has ceased, the potential for relapse into inter-communal violence remains ever present. Aside from the unresolved Abkhaz and South Ossetian conflicts, a number of internal difficulties rooted in past historical, institutional and geopolitical realities constitute impediments to the consolidation of peace and security. Faced with the consequences of the 2008 war and the international economic and financial crisis, Georgia now stands at a decisive point in its transition. COBERM provides opportunities for dialogue with communities, political forces and civil society actors across conflict divides. It presents opportunities for confidence building through direct people-to-people contacts. It also helps to build an enabling environment in the divided communities to strengthen respect for the democratic processes as a basis for confidence building.

COBERM is designed to provide rapid early support to confidence building opportunities emerging from the grassroots level in an effort to either transform conflicts or prevent them. Its area of operation includes communities in Abkhazia, South Ossetia, on the cross administrative boundary lines (ABL) and in other parts of Georgia. COBERM seeks to complement the ongoing projects/programs of the UN, EU and other international and national actors. Its overall objective is to enhance peace dividends and foster a peaceful transformation of conflicts in Georgia.

COBERM effectively constitutes the only initiative of its kind. Responses to COBERM clearly demonstrate the need for this kind of support amongst communities, civil society and authorities. COBERM has been able to engage increasingly with stakeholders in the breakaway regions, in spite of considerable distrust towards the initiative at its launch. COBERM design also permits a large degree of flexibility. All stakeholders view this as positive. It enables a variety of responses to identified needs at very different levels.<sup>66</sup>

COBERM kicked off in May 2010 and implemented in three phases: 2010-2012; 2012-2015 and 2016-2018 (COBERM 2016a, 2016b). All research participants, locals as well as internationally oriented ones, underline that COBERM is an impartial, apolitical and flexible mechanism. It centres on people and their needs and priorities. Furthermore, COBERM has proved to be a valuable tool for strengthening civil society and for confidence building at the grassroots level. It is able to respond adequately to acute needs. This is often not the case with the major interventions of other donors (COBERM 2014).

During its first phase, COBERM provided 62 grants to civil society organisations and other institutions. Initiatives supported conflict affected communities in different ways: public diplomacy events, youth education initiatives, livelihood improvement, joint cultural endeavours and peace journalism trainings, among others. The challenges identified during the implementation of the first phase of COBERM were connected with building credibility among the representatives of the parties in conflict that could potentially participate in the

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<sup>66</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016

programme. An UNDP representative outlines the process as follows: 'It was not so easy, it was, I think, constructive dialogue and you know really diplomacy. We have discussed and shared information and then they have got to see with their own eyes by getting involved that we are not political. And we, over and over, emphasised that EU and UNDP, ..., we are neither for Abkhaz or Georgian [parties], but we are trying to build a neutral platform where everybody could be engaged. And our objective is conflict prevention, fostering sustainable peace in the region'.<sup>67</sup>

COBERM II was launched in 2012. Like its predecessor, it continued to support confidence building opportunities, seeking to prevent and transform local conflicts through the provision of a rapid response mechanism, as well as strengthening those actors who positively influence these dynamics. COBERM II also continued to focus on building capacities of civil society by using innovative approaches. For example, 'Elva's Peace Park', a digital game aimed to foster dialogue and communication between divided communities, was funded, showing how COBERM supports local organisations in leveraging communication and networking functions. Overall, however, the inclusion of ICT as a policy consideration is still limited (Gaskell et. al 2016). A particular emphasis was placed on strengthening skills, improving organisational capacity and increasing knowledge in the concepts and strategies of confidence building. For example, more than 450 representatives of local and international organisations were provided with the opportunity to deepen their knowledge in peacebuilding and project management and/or implementation. Overall, 75 projects were funded (COBERM 2014).

COBERM III was launched in January 2016, aiming to focus on a) Projects that strengthen relations and communication between experts, professionals, organizations and local communities affected by conflict and propose scaled-up cooperation on pragmatic issues of mutual concern, with an observable impact on peaceful conflict transformation; b) Projects that propose particularly new approaches that respond to the broader spectrum of confidence building and address the challenges of communities living in conflict affected areas, and c) Projects envisaging intra-society discussions on peace initiatives, internal crafting of public opinion, change of stereotypes within the society, which positively shape the attitudes and behaviors, broaden the base for peace-building and ensure local ownership of peace initiatives.<sup>68</sup> Project ideas were solicited from registered local and international non-governmental organizations, priority being given to the former. of civil society, including registered local and international non-governmental organisations. The total amount available for COBERM III is 3,199,466 USD. In its first round, COBERM III approved 1,767,283 USD of funding. COBERM III continues the capacity building of CSOs initiated previously. A specific focus is put on strengthening the skills and capacities in conflict-sensitive programming, increasing knowledge of confidence building concepts and peace-building strategies, and improving organisational capacity of CSOs. To date two general orientations, a series of trainings on Project Cycle Management (PCM), as well as over 200 individual consultations have been provided to over 200 representatives of local as well as international civil society organisations (COBERM 2016a, 2016b).

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<sup>67</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016

<sup>68</sup> Ibid.

### 4.3.2 COBERM: structure and functioning

UNDP representative underlined that, through COBERM, the EU and UNDP have established very good relations.<sup>69</sup> The organisations are jointly involved in the approval and evaluation of the projects. Two joint EU-UNDP committees exist: the evaluation committee and the steering committee. The evaluation committee reviews all the project concepts and full proposals. It makes preliminary recommendations for the steering committee regarding the next step. The steering committee is a consensus-based committee that functions as COBERM's main decision-making organ. COBERM's steering committee members include the ambassador of the EU delegation and UNDP representatives. 'This is a very unusual arrangement, because very rarely such kind of high-level officials will be involved in programming, but because of the sensitivity and importance, they are involved'.<sup>70</sup>

International as well as local stakeholders value the importance of COBERM. They see it as the first big scale confidence building effort after the 2008 war. The representative of UNDP underlines the need to divide confidence-building efforts by international actors in the periods before and after 2008. Confidence-building efforts have taken place since the 1990s with the funding of different donor organisations. It had its largest achievements in the 2006-2007 period, because there was a positive grassroots dynamic among the people affected by conflicts of the 1990s. After the 2008 war, there was a second cycle of post-conflict confidence-building efforts that was very important, but very challenging at the same time. The UNDP representative, as well as the EU representatives agree that COBERM constitutes a more structural way of assisting confidence-building efforts than what was undertaken before 2008.<sup>71</sup>

While assessing the impact of COBERM, one expert highlights the role of COBERM in generating a network of collaborators consisting of professionals located on both sides of the conflict. As a result, journalists, academics, and researchers have been meeting from time to time to talk about the different issues that concern them. This expert says 'this is the semi-official track. This is not direct dialogue, but it can be seen as an informal dialogue. We cannot be sure whether this is a sufficient tool to resolve the conflict but this is quite important in the current state of affairs. Furthermore, it should be applied in more formal political and diplomatic framework'.<sup>72</sup> While discussing the larger impact of COBERM in the long run, one of the experts said that this programme cannot be seen only as a conflict resolution tool. 'It is a fact that since the 2008 war we have not seen any serious instances of ethnic-cleansing. If we ask the NGOs that have carried out COBERM funded projects, they will tell you some good and interesting stories about how the people from Abkhazia and South Ossetia are coming to Samegrelo to Kutaisi for trade and how they are supported by the Georgian government. But it is good for building trust and rebuilding bridges between the sides. There is a bigger trust to it, which is Russia. What the EU has to do here is to minimize their dependence on Russia. This can work in Abkhazia, but I am doubtful about South Ossetia though. Imagine that 70-80% of

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<sup>69</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016; EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Representative of East-West Management Institute (EWMI). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016.

Abkhaz government is financed by Russia and 90% of Tskhinvali Government is financed by Russia. What the EU can do is to use conditionality on Georgia's further development in a manner that will attract conflict regions to become more affiliated with Georgia'.<sup>73</sup>

According to international experts, COBERM offers same funding opportunities for the two conflict regions of Abkhazia and South Ossetia. However, only Abkhazia manages to make the most of the available funding. This is, as the EU representative said, due to the fact that civil society is much more developed in Abkhazia.<sup>74</sup> Thus, an underdeveloped civil society is a major drawback for full realization of COBERM's potential. Among the positive assessments shared by local and international experts and beneficiaries of the program is that COBERM has relatively strong internal visibility, though without seeking much publicity. The EU and UNDP logos are included in the visual productions of COBERM. Nonetheless, the EU as well as UNDP representatives stress the sensitivity of the publicity around COBERM activities, especially in the preparatory phase, as to not undermine the implementation of the project.<sup>75</sup> The local experts, as well as representatives of the public sector, stress on the necessity of COBERM's modest publicity profile to be continued.<sup>76</sup>

#### 4.3.3 COBERM: challenges and achievements

Research participants at local level underline that the EU kept a very low profile before 2009.<sup>77</sup> It shared little information with the Georgian government.<sup>78</sup> EU projects did not aim for a multiplier effect.<sup>79</sup> After 2009, the EU acquired the obligation to formally notify Georgian government about EU activities in Abkhazia and South Ossetia. As one Georgian official forwarded: 'the UNDP always has contact with the State Minister of Reconciliation and Civic Equality about the projects funded, and the state ministry was involved in the monitoring of the project aims and goals from the perspective of avoiding non-reconciliatory discourse and from the logic of status recognition'.<sup>80</sup> In 2011, the Saakashvili Government introduced a law according to which all projects funded by donor organisations should be approved by the relevant state ministry office. Hence, COBERM had to report the projects it funded to the State Ministry of Georgia for Reconciliation and Civic Equality. One of the experts stresses that, for a long time before 2009, the EU exercised the politics of engagement without

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<sup>73</sup> Expert, Open Society Foundations. Personal interview by authors. Nana Macharashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>74</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Chris van der Borgh, Tbilisi, January, 28, 2016.

<sup>75</sup> Ibid.

<sup>76</sup> Security Sector analyst. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016; Representative of the Georgian Institute of Public Affairs (GIPA). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016; Expert at 'Caucasian House'. Personal interview by authors. Nana Macharashvili, Tbilisi, May-August, 2016.

<sup>77</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>78</sup> Former government representative. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>79</sup> Ibid.

<sup>80</sup> Government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

recognition.<sup>81</sup> This type of politics meant that EU representatives were meeting, for example, the Abkhazian side without formally recognizing them.<sup>82</sup> In the last few years, the EU has presented more concrete forms of cooperation like IPRM and project-level interventions like COBERM, as well as EC assistance projects to people affected by conflict in Georgia.

The issue of COBERM's local ownership is complex and sometimes creates concerns among the local and international stakeholders. One of the Georgian experts expressed his concern as follows: 'the programme is not the part of the Georgian government strategy [regarding the conflict regions]'.<sup>83</sup> In other words, in his perspective, COBERM could be more effective if it is linked with the government's strategic priorities towards conflict regions. One research participant underlines the problematic legal aspects of COBERM's local ownership.<sup>84</sup> In contrast, international stakeholders stress that, initially, representatives of the Abkhazian and the South Ossetian administrations identified COBERM with the Georgian government. Thus, representatives from the EU delegation, as well as UNDP continuously emphasize the impartiality of COBERM programme.<sup>85</sup>

One of the experts, who was also involved with a project funded through COBERM targeting the academic communities in Abkhazia and Georgia, said that for the last three years there has been a discussion initiated by the Georgian government that there should be some support for Abkhaz youth to receive education in Europe.<sup>86</sup> Nevertheless, the funding allocated for individual projects is not enough to cover actual study costs. Thus, although the total amount of funding provided by COBERM is quite substantial, it is possible to think about ways to use these funds more resourcefully.<sup>87</sup> A related critique is that of a certain indecisiveness about COBERM's strategic priorities.<sup>88</sup>

The second issue raised by the local experts is that individual projects funded by COBERM do not have the continuity, which means that the most important thing is to have innovative and creative ideas in order to get funding.<sup>89</sup> 'Nevertheless, these projects do not have a perspective in the future'.<sup>90</sup> Local experts also pointed out that some successful COBERM funded projects had not been continued just because the programme now only

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<sup>81</sup> Expert, former representative of current government. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>82</sup> Security Sector analyst. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>83</sup> Expert, former representative of current government. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>84</sup> Representative of East-West Management Institute (EWMI). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>85</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016

<sup>86</sup> Expert, former government representative. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>87</sup> Ibid.

<sup>88</sup> Representative of Eurasia Partnership Foundation in Georgia. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>89</sup> Former government representative. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>90</sup> Ibid.

provides funding for new projects and new ideas.<sup>91</sup> A representative from UNDP contrasted this position by listing the projects that have a long-term life-cycle and that fully correspond to the criteria of sustainability. Among them are projects oriented on learning languages, publishing dictionaries, developing an Ossetian and Georgian phrasebook, building e-library platforms for Abkhaz studies, financing archive projects, etc. The UNDP representative also stresses the livelihood projects supported through COBERM.<sup>92</sup>

The third mayor issue local stakeholders raise is connected to the risk of project funding being used more as a business model than to provide opportunities to beneficiaries. Projects can easily become a source of income for those who develop them. For example, local experts agree that it is very easy to bring at least 20 people from different sides together under claims of building confidence, while the actual value and the impact of such an effort might not really be consistent.<sup>93</sup> Another Georgian expert further claims that usually, in most of the projects, the same people participate '... and they agree on the issues over which others disagree. This does not change anything'.<sup>94</sup> A representative of a local NGO, in line with other respondents, stated that the COBERM programme, as a whole, cannot generate a substantial dynamic because the projects funded are limited in scope and impact.<sup>95</sup> The EU delegation as well as UNDP representatives agree that there are some problems regarding the scope of COBERM's efforts, forwarding several aspects. First, they stress the difficulties Georgian NGOs have in searching new opportunities and partners in Abkhazia and South Ossetia. Georgian NGOs tend to build project applications on the basis of existing networks, which limits the possibilities for further involvement of the potential partners.<sup>96</sup> Furthermore, only a limited group of people is actually well-prepared and well-informed in order to access COBERM funds. In spite of COBERM's efforts to boost local civil society's capacities, this situation has not really changed much over time.<sup>97</sup>

Another issue on which the Georgian government and the EU differed was that of COBERM's target groups. The Georgian government stressed that the programme beneficiaries should be motivated young people full of energy and ideas<sup>98</sup>. The trust fund proposed by the Georgian government should have served as a reservoir of donor money by which young and less experienced project applicants would get their ideas funded. 'New CSOs, new young people [journalists, IT specialists, and others] who would talk less about politics and more about the developments that Georgia reached in the last few decades to make the country more

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<sup>91</sup> Representative of East-West Management Institute (EWMI). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>92</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016; EU Representative, Personal interview by authors. Nana Macharashvili, Chris van der Borgh, Tbilisi, January, 28, 2016

<sup>93</sup> Representative of the International Centre on Conflict & Negotiation (ICCN). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>94</sup> Expert at the Institute of Political Science. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>95</sup> Representative of the International Centre on Conflict & Negotiation (ICCN). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>96</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016; EU Representative, Personal interview by authors. Nana Macharashvili, Chris van der Borgh, Tbilisi, January, 28, 2016

<sup>97</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016

<sup>98</sup> Ibid.

attractive to those on the other side. [These people] who were applying for COBERM funding were mostly failing just because they did not know how to write projects. Nevertheless, they were proposing some nice and innovative ideas'.<sup>99</sup>

The degree of local ownership is largely contingent on the possibilities of developing strategic coordination with local authorities and other stakeholders. However, in a situation of conflict, strategic coordination might compromise neutrality. Indeed, the level of strategic coordination for the COBERM implementation process receives critical assessment. Research participants identify a lack of coordination among donors on the one hand, and between donors and the current Georgian government on the other.<sup>100</sup> There seems to be a lack of consensus among different stakeholders (like the COBERM steering committee, US Embassy, etc.) regarding the direction in which to aim its resources. Nonetheless, a Georgian official assesses the local ownership of the COBERM project much more positively than before, and stresses the importance of the procedural mechanisms for the engagement of different stakeholders from the public and private sector into each new step of the project implementation.<sup>101</sup> Another research participant further explained that the EU's argument was that if it agreed with the former Georgian government's requests, it would have lost credibility among Abkhazians and South Ossetians. 'The EU was cautious that COBERM could have been perceived as a [Georgian Project] and that the EU could have been seen as an extension of the Georgian government ... Thus, it was an attempt to maintain neutrality and this neutrality was negatively affecting Georgian government's local ownership possibilities... Abkhazians and South Ossetians are in the same position... In another words, the local ownership is low'.<sup>102</sup>

In a similar vein, when speaking about the EU's role in conflict prevention, management and resolution, a research participant from Brussels said: 'Definitely not neutral, I would offer the fact that simply by having signed the association agreement with Georgia, the EU has taken a side ..., and we see Georgia as a whole, so Abkhazia and South Ossetia are included in the association agreement, and hence we are not impartial ... of course'.<sup>103</sup> Nonetheless, the same respondent stresses that the EU has also maintained the role of impartial observer. 'That is not incoherent with EU foreign policy, only to the degree that there is a slight mismatch, but I think that is quite unique actually to Georgia, simply because of the circumstances in which the mission was deployed. I think now there is a lot more emphasis on the CSB [Civil Service Bureau] action being more coherent with rest of EU's foreign policy..., which has as an entity that has to be impartial in observing the parties in the conflict. So let's say Georgia is a little bit of an exception to the rule. I think it is also the consequence of the way the EU foreign policy has developed. Because the monitoring mission is on the ground since 2008, and the EU has taken steps forward since then [while] trying to be coherent'.<sup>104</sup>

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<sup>99</sup> Ibid.

<sup>100</sup> Expert, former representative of current government. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016; Security Sector analyst. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016; Expert, Open Society Foundations. Personal interview by authors. Nana Macharashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>101</sup> Government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>102</sup> Ibid.

<sup>103</sup> Representative of UNDP. Personal interview by authors. Nana Macharashvili, Tbilisi, October, 3, 2016

<sup>104</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

#### 4.3.4 Counterarguments from Russian, Abkhazian and South Ossetian sides

Mikhelidze, Abkhazians see the EU as a resource for conflict resolution. According to the Abkhaz respondents, the EU never goes beyond statements of its readiness to assist the Georgian-Abkhaz negotiation process. Ordinary people on both sides tend to have only a superficial view of EU policies and confidence building measures (including COBERM). Abkhaz civil society distrusts the EU. As pointed out by a CSO representative, the Abkhazians 'need a process of confidence building with the EU itself, before [they] can talk about confidence building with Georgia'. Locals suspect that the EU is merely an external player intent on competing with Russia<sup>105</sup>.

#### 4.3.5 Conclusions

The COBERM programme exemplifies the difficulties involved in the process of planning, implementing and evaluating EU whole-of-society conflict prevention and peacebuilding efforts from the programme-level perspective. By comparing a range of assessments of different stakeholders regarding the operational level intervention of EU, the case study draws out the dilemmas of local engagement in a context in which ownership by one party in the conflict is detrimental to the possibilities of trust and ownership of the other party. The political intricacies of the EU's attempted identification as a neutral and impartial actor in the framework of COBERM reflect the dilemmas of EU engagement in a conflict so close to its own borders and sphere of influence. This is reflected particularly in the strong divergence of perceptions of local and international stakeholders regarding COBERM's performance and impact.

### 4.4 WOSCAP cluster perspective

In order to help assess existing EU capabilities in Georgia, the research looked at a number of cross-cutting themes relevant for Georgia. These relate to principles, processes and tools connected to the coherence and context-specificity of the EU interventions in Georgia. WOSCAP works with five of such cross-cutting themes: multi-stakeholder coherence, local ownership, gender, civil-military synergies, and information and communication technologies (ICT). The present study provides some input on the aspect of multi-stakeholder coherence, while the aspects of gender, ICT, and local ownership are touched upon superficially.

**Multi-stakeholder coherence:** the research looked at the EU's choice of partners, the effectiveness of key multilateral relationships, such as with the UN, the OSCE and other regional actors, and the potential for more creative peacebuilding partnerships including civil society and the private sector. When it comes to the EU's future role in conflict resolution and peacebuilding, the political will of the EU's leading countries will be decisive. 'Those in Berlin, Brussels and Paris, and their attitude toward Russia, that's what defines such political

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<sup>105</sup> Mikeladze N. 2012. National and European cultures of governance in Georgia and Abkhaz conflict resolution (Report based on I and II round field work results). CORE Working Paper. August. Peace Research Institute Oslo (PRIO), Norway. Available at: [http://www.iai.it/sites/default/files/2012\\_core-working-paper.pdf](http://www.iai.it/sites/default/files/2012_core-working-paper.pdf) [Accessed 2 March, 2017]

willingness'.<sup>106</sup> Brussels-based EU officials consider there is very limited political willingness on the side of the breakaway region and the Tbilisi administration to come to any substantial agreement in the short term.<sup>107</sup> Nonetheless, EU diplomats seem to imply that it is up to the Tbilisi Administration and de-facto leaders from Abkhazia and South Ossetia to move the conflict forward.

Most research participants from Georgia label the EU interventions as driven mostly by inertia. 'The intervention tools have the potential. But the full exploitation is questionable'.<sup>108</sup> One research participant stated that 'the existing modalities have exhausted themselves'.<sup>109</sup> This statement is underwritten by most research participants. There are differences in opinion, however, on what new modalities could be most useful. From a civil society perspective, it makes sense to think about updating intervention strategies to include more of an educational dimension.<sup>110</sup> One research participant considered that the EU should support infrastructural projects in Abkhazia and South Ossetia.<sup>111</sup> The EU representatives underline the need for developing NGO sector development assistance programmes in Abkhazia and South Ossetia.<sup>112</sup> The list of alternatives is quite long. Different options depend on the openness of the breakaway regions to consider them. Some consider that the Association Agreement between Georgia and the EU might also motivate the breakaway regions to some kind of renewed engagement.<sup>113</sup> From the multi-stakeholder coherence perspective, the EU and the Georgian government officials at times engaged in strategic dialogue regarding the EU policy towards the conflict zones. This kind of engagement included bringing different positions closer together in preparation of rounds of the GID. Such meetings took place several times, but have not had any follow-up since.

**Local ownership:** The present study revealed very limited accountability of the EU policies and interventions towards local stakeholders. The level of inclusiveness of the interventions differ, but it is particularly limited in the case of Geneva International Discussions, a mechanisms which was assessed as very elitist and closed off. To enhance local ownership, there is a strong need for more, and more effective and efficient, application of the horizontal, as well as vertical coordination mechanisms. The research participants, especially those from Georgia, underline the need for increased involvement of non-state actors in the EU

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<sup>106</sup> Former government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>107</sup> EU Representatives. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

<sup>108</sup> Georgian state official. Personal interview by authors. Nana Macharashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>109</sup> Government official. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>110</sup> Representative of East-West Management Institute (EWMI). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016.

<sup>111</sup> Former representative of the Ministry of Foreign Affairs of Georgia. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>112</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Chris van der Borgh, Tbilisi, January, 28, 2016.

<sup>113</sup> EU Representative. Personal interview by authors. Nana Macharashvili, Ekaterine Basilaia, Brussels, July, 7, 2016.

interventions. One aspect of this is for the EU to develop better local engagement strategies surrounding its interventions and operations.

**Gender:** While assessing the gender component, many research participants refer the importance of a gender friendly environment and underline the importance of UN Security Council resolution 2122 (2013) on women and peace and security.<sup>114</sup> Women's and girls' empowerment and gender equality are critical to efforts to maintain international peace and security. Persisting barriers to full implementation of resolution 1325 (2000) will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making (United Nations 2013). Local as well as international research participants underline the importance of the gender-friendly environment. The EUMM and COBERM comply with gender policy quite adequately in the opinion of the research participants. The Geneva International Discussion format, however, is dominated by men, and pays little attention to gender aspects.

**Information and Communication Technologies (ICT):** The research team paid attention to formal and informal ICT practices by various actors in specific peacebuilding contexts. One research participant considers that a more proactive ICT strategy in the regions would enhance a smooth and efficient implementation of the activities.<sup>115</sup> Another research participant stresses that the interventions' performance around ICT represents a good example of the weak strategic vision.<sup>116</sup> There is close surveillance from the local intelligence and authorities on the residents of Abkhazia and South Ossetia, which disables free engagement in online activities. Hence, the discussion about ICT for peacebuilding becomes a contentious topic. Nevertheless, there are some potential resources that could be used, i.e. using e-learning formats.

## 4.5 Overview of findings

All three case studies identified several relevant challenges that EU interventions have to deal with. Our analysis of EU capabilities in the cases of the European Union Monitoring Mission (EUMM), the Geneva International Discussions (GID) and the EU-UNDP programme Confidence Building Early Response Mechanism (COBERM) confirm the importance and need for more effective and efficient application of the horizontal as well as vertical coordination mechanisms. This finding connects with the argument made by Dudouet and Dressler (2016) concerning the need to better anticipate the increased complexity of the field of mediation and dialogue support. The field as such is marked both by a horizontal expansion of multilateral actors engaged in peace-making, and by a vertical expansion of non-state actors playing

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<sup>114</sup> Representative of the International Centre on Conflict & Negotiation (ICCN). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016; Expert at the Open Societies Foundations. Personal interview by authors. Nana Macharashvili, Iveta Gogava, Tbilisi, May-August, 2016; Representative of East-West Management Institute (EWMI). Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Iveta Gogava, Tbilisi, May-August, 2016; Security Sector analyst. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>115</sup> Representative of Eurasia Partnership Foundation/Georgia. Personal interview by authors. Nana Macharashvili, Kristine Margvelashvili, Tbilisi, May-August, 2016.

<sup>116</sup> Georgian state official. Personal interview by authors. Nana Macharashvili, Iveta Gogava, Tbilisi, May-August, 2016.

complementary roles to formal diplomacy, and sometimes acquiring mediation roles themselves.

Most Georgian research participants emphasize the need for a stronger engagement of non-state actors in the whole process of the EU interventions, including its several stages of design, implementation and evaluation. This plea was strongest in relation to the Geneva International Discussions. Research participants assessed the current format and proceedings of GID as very elitist and closed off to outsiders not only because of its format but also because of the lack of transparency and information provision. In response, from the local level a demand arises towards a vertical expansion of EU interventions. In a broader sense, research participants perceive the need for the EU to use better and more comprehensive engagement strategies. The idea that the process of EU operations and decision-making in relation to Georgia should be more transparent is supported not only by Georgian research participants, but also by most international research participants. The latter mostly point at the lack of human resources and of a more proactive engagement of EU member states as the most important bottlenecks. International research participants, including EU officials, view EU engagement in conflict prevention and peacebuilding activities in Georgia as fundamentally driven by the European Union delegation, with relatively limited involvement by member states. The level of consciousness of EU member states regarding Georgia and its conflicts is similarly limited, which eventually also has its impact on the EU policy agenda.

Despite the fact that the EU portrays its interventions in Georgia as successful cases of internal coordination, it is important to acknowledge that the multiple EU actors have been involved in multi-track diplomacy efforts in Georgia, including EUSRs, the EU Council Presidency, the European Commission delegation, and the EUMM. This profusion of actors with overlapping roles and mandates has created some confusion on the ground and thus undermined the coherence and effectiveness of EU's mediation capacity (Dudouet & Dressler 2016). Stronger internal coordination can enhance the EU capacity to leverage or channel its peacebuilding efforts through different state and non-state actors in Georgia.

As underlined by several local stakeholders and experts, the EU's lack of a coherent foreign policy strategy with regard to Georgia presents a major challenge for the EU's capacity to act as a mediator. This is an essential problem, because it contributes to the EU allowing for a 'gap to open up between their role as "apolitical" peacebuilders and their role as politically engaged peace brokers' (Merlingen & Ostrauskaite 2009,1). Without a comprehensive and consistent policy framework, the EU institutions might end up applying distinct policies and interventions (such as terrorist listing, counter insurgency, rule of law intervention, DDR programmes, dialogue and mediation) that, in practice, contradict each other, or that, in the eyes of the parties to the conflict, are incompatible or contradictory, especially if they target the same audiences. In addition to the lack of a coherent EU foreign policy strategy in relation to Georgia, several research participants also identified the lack of coherent Georgian foreign policy as an impediment to the EU's capacity to act as a mediator and to take on a proactive role in the process of conflict prevention and peacebuilding.

In the case of Georgia, the principle of impartiality or neutrality (most research participants used these terms interchangeably) in effect clashes with other values upheld by the EU, like for example the principle of territorial integrity. Impartiality here is understood negatively, in the sense of being not connected to either disputant, not biased towards either side, and having nothing to gain from aiding either protagonist. It could also be translated more

positively in terms of balance, or even-handedness. Given the fact that the international system is state-centric, 'multilateral actors with commitment to state sovereignty may have difficulties remaining impartial or avoiding perceptions of partiality in conflicts that involve demands for autonomy or independence of parts of a country' (Gündüz & Herbolzheimer 2010, 17). In relation to Georgia, it has been argued that undertaking a status-neutral position with regard to Abkhazia and South Ossetia must be a precondition for the EU to obtain a significant role in the resolution of the conflict (Khintba 2010). Others strongly disagree with this position.

Research participants underline that the EU was not perceived as a neutral actor by the representatives of breakaway regions. This has conditioned EU activities in all three of the interventions discussed in this study. The activities of the EUMM have been most affected. The reliance on the UN as the main partner in the COBERM programme was informed in part by the fact that the UN is identified as neutral by all the involving parties.

Most dialogue initiatives are based on the assumption that bringing together representatives of conflicting parties is inherently positive. While, in the case of Georgia, there is no doubt that many Track II and III dialogue projects have contributed significantly to creating "islands of peace", these dialogue initiatives might also bear the risk of concealing structural inequalities, and of ultimately reinforcing an unequal status quo. Others argue that EU support for grassroots initiatives might lead to the de-politicisation of civil society by prioritising support for technical and professional NGOs to the detriment of more overtly political organisations or collectives, such as trade unions, social movements or religious charities (Dudouet & Dressler 2016). For example, it has been argued that the ENP Action Plan for Georgia takes an "externalist" approach fostering confidence-building measures without including significant efforts to transform the structural conditions underpinning the conflicts. Indeed, it is possible that this approach might have impacted the credibility and influence of EU actors among the Abkhazian and South Ossetian population and elites (Khintba 2010).

The research participants confirmed that the issue of EU neutrality is tied in with the regional presence of Russia as a geopolitical factor and the fact that not all EU member states have the same historical appreciation of Russia as a geopolitical factor. Hence, as the external policies of the EU are driven by the distinct – and at times opposite – strategic interests of its member states, a coherent collective EU vision is difficult to achieve. For instance, the EU approach to the conflicts in Georgia and Ukraine is mediated by distinct visions of the EU's relations with Russia among its member states, from the hard stance of the so-called young European states that scrambled out of Soviet influence to the pragmatic positions of the "old democracies" such as Germany, Italy and France (Khintba 2010). This has impacted on the EU's role in Georgia. For example, the EU approach to the Geneva International Discussions fluctuates according to the rotating presidencies of the Union. The geopolitical dimension of the conflict in Georgia also helps explain why Georgian research participants consider that the EU is in fact is an interested mediator, rather than a fully impartial one, when intervening in its Eastern neighbourhood. These same research participants also tend to assess the EU engagement as insufficient and incomplete, as they would like to see a stronger role for the EU as a counterweight to Russian influence.

The case studies clearly illustrate that the Georgian government and the EU hold different intentions towards the conflict regions. The Georgian government wants to resolve the conflict by restoring its territorial integrity, while the EU's intention is to prevent recurrence of the conflict, while simultaneously supporting its transformation, and recognizing Georgia's

claims to territorial integrity. The Georgian government would like the EU to simply follow the Georgian policy. The EU, however, is interested in exerting its influence over the region in a broad sense. This may lead to contradictions between the EU and the Georgian governments, for example when the EU seeks to talk with Abkhazian and South Ossetian de facto authorities. Such an initiative generates suspicion among Georgians that the EU might eventually move towards the recognition of the breakaway territories.

## 5. Conclusion

Relations between Georgia and the European Union can be classified into three phases. The first phase starts at the beginning of the 1990s. The second phase starts with the 2003 Rose Revolution and is characterized by the intensification of EU-Georgian relations. The 2008 war propelled EU-Georgian relations into a third phase, in which peacebuilding aspects acquired a prominent role. Together with significant support for governance reforms in the framework of Pre-Accession (IPA), Association Agreements, European Neighbourhood Policy (ENP), European Neighbourhood Instrument (ENI), and Eastern Partnership (EaP), the European Union is especially relevant to the post-2008 conflict prevention, management and resolution in the context of human rights and democracy promotion in Georgia. Especially after the departure of United Nations Observer Mission (UNOMIG) and the Organisation for Security and Cooperation in Europe (OSCE) in 2009, the EU's strategic importance in Georgia increased significantly, with the EU Monitoring Mission (EUMM) becoming the sole officially mandated international peace mission operating in Georgia. Furthermore, EU assistance provided to the conflict-affected people in Georgia has also been crucial in mitigating some of the negative impacts of the conflict while helping to restore trust among different parties. EU support remains a very significant contribution today.

The present research project focused on three ongoing EU interventions in Georgia in the field of conflict resolution and peacebuilding, identified as the most relevant, significant and substantial interventions in this field. The three interventions are the European Union Monitoring Mission (EUMM), the Geneva International Discussions (GID), and the joint EU-UNDP programme Confidence Building Early Response Mechanism (COBERM).

The EUMM is currently the most concrete instrument used for conflict prevention and peacebuilding in Georgia. With its role in this mission, the EU is identified as a deterrent force, one that ensures the non-resumption of hostilities, the prevention of kidnapping and assault on individuals leaving the areas adjacent to the administrative boundary lines with Abkhazia and South Ossetia. EUMM gets active only in ad-hoc situations when there is a crisis and immediate involvement becomes necessary. Even if EUMM has limited power to operate on the other side of the boundary line, inside the breakaway regions themselves, its impact is still very significant.

The Geneva International Discussions (GID) is the only substantial diplomatic platform functioning around the conflict in Georgia. Even though the conflict has evolved into a kind of stalemate, the platform offers a venue for diplomats, politicians and decision-makers to exchange information and resolve certain ad hoc issues. Nonetheless, GID has not been able to find diplomatic solutions to the conflict. The EU capacity within the GID format is seen by most research participants as restricted. The elite character of the platform and its lack of transparency constitute important restrictions, particularly from the perspective of local civil society organisations.

The EU-UNDP joint programme Confidence Building Early Response Mechanism (COBERM) invests in grassroots dialogue and trust building. Different stakeholders inside Georgia generally evaluate this programme as useful and positive, since it is able to stimulate people-to-people contact across conflict divides, and to generate increased capacities within communities, as well as CSOs to mediate political differences in constructive ways. However,

measures are needed to make the programme more permeable to new actors and to allow it to increase its impact beyond the small groups that have been participating thus far.

Different stakeholders in Georgia view different roles for the EU in pushing for a change of the status-quo in Georgia. Some view that EU power should be directed towards deterring Russia, and EU interventions should prioritize high-level politics and engagement with relevant elites. Others think that it is important for Georgia, South Ossetia, Abkhazia, and Russia to all bear more responsibility in the management of the conflict. The EU and its member states cannot be the only actors promoting conflict resolution and peacebuilding. Still others consider that the EU has to reformulate its security strategy in order to include Georgia and the surrounding region as an extension of Europe.

At any rate, while assessing the EU conflict prevention and peacebuilding interventions in Georgia, the importance of Russia cannot be neglected. Most stakeholders view the EU neither as an influential, nor a unitary international player in power politics in Georgia, particularly when confronting Russia. Yet, the EU's firm support for Georgia's territorial integrity and non-recognition of Abkhazia and South Ossetia is vital for the country's diplomatic efforts to resolve these conflicts and its fragile relationship with Russia. For example, the EU continues to remind Russia that it has to comply with the six-point agreement. Concerns regarding the security of the administrative boundary lines have grown, and reiterated EU support to Georgia is one of the few diplomatic instruments with which the country may confront an aggression from Russia. It is in Georgia's interest that the EU remains fully engaged in conflict resolution efforts, using the variety of tools at its disposal, and engaging with different levels of society.

In this sense, many research participants manifested concerns regarding the 2016 Global Strategy for the European Union's Foreign and Security Policy proposed recently. These participants consider that it inadequately reflects the developments in the broader region, underrating the severity of the existing situation in Georgia, Ukraine and entire Black Sea region. Many research participants consider that the European Union needs to take on a more proactive role in order to be able to ensure security and stability in the post-communist area.

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## ANNEX 1: Methods

Research presented throughout of this report reflects work collectively done by the three authors with assistance of two analysts over one year, including 6 months of data collection and interviews, conducted in May-October of 2016. In March, 2017 two additional skype interviews with the representatives of Russian civil society and academia were conducted to assess the EU capabilities. We have made extensive use of publicly available information and archived all related documents, reports, and data available. The analysis in the selected case studies was based on the collection and review of secondary and tertiary data. In-depth interviews were the main method of primary data collection. In addition, all relevant secondary and tertiary documents were reviewed, including EU Country Reports, EU-Georgia Progress Reports, European Commission Assessment Reports, all respective Agreements, Action Plans and all available reports on their implementation. But the core of the report derives from a set of interviews that have been conducted with relevant actors, local and international, involved in peacebuilding and conflict prevention efforts in Georgia.

Interviews were conducted with all relevant stakeholders: the elites of all the key Ministries and agencies, representatives of relevant parliamentary committees, EU Delegation representatives as well as NGOs and experts working on the conflict. Additionally, the study was based on the interviews with recipients of EU funded projects. In total, 30 interviews were conducted. As the study covers the periods of two different governments (United National Movement and Georgian Dream), interviews were conducted with representatives of both governments. A number of respondents, especially representatives of the EU delegation as well as some of the participants in the Geneva International Discussions, were not available in Georgia. The WOSCAP Brussels meeting at the beginning of July 2016 was used to interview several representatives. Some representatives of Geneva Talks (mostly from Russian side as well as from the breakaway regions) may not be willing to participate in any kind of research, and were not interviewed. The number of the interviews per case was not fixed, but in principle we interviewed at least 8 respondents for each case, reflecting different actors' perspectives (EU, public institutions, CSOs, academia). The interview strategy was to ask a limited number of basic relevant questions, relying on probes when necessary to extend discussion.