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Introduction

The topic of 'unresolved conflicts' has received increased attention both in 'high' politics and academia as a result of the Caucasus crisis of mid-August 2008. Within the territory of the former Soviet Union, four regional conflicts are defined as 'unresolved': Transnistria, Nagorno-Karabakh, South Ossetia and Abkhazia. While ethnicity plays a critical role in the latter three, the former is often viewed as a primarily economic dispute (although it also has an ethnic dimension). Breaking out between 1988 and 1992, all four conflicts ended with the creation of unrecognised states. While Russia was the first actor to become involved in the South Caucasus and the Moldova/Transnistria conflicts, the European Union's (EU) engagement in the region has become visible only in the 21st century.

Originally portrayed as 'frozen conflicts', after the Caucasus crisis these disputes should, according to Uwe Halbach, be referred as "unresolved separatist conflicts in the post-Soviet region" (Halbach 2008: 22). EU officials more frequently use the term 'protracted conflicts'.[1] Meanwhile, even before the August war, the conflicts had been 'frozen' only to outsiders. The observation made by Elkhan Nuriyev, an Azerbaijani expert, with regard to the Nagorno-Karabakh conflict, is also relevant for the other Caucasus disputes: "the conflict itself is alive, since people are still dying in sporadic fighting at the ceasefire line" (Nuriyev 2007: 10). Moreover, as it will be shown in this paper, the conflicts over South Ossetia and Abkhazia began 'unfreezing' long before August 2008.

This paper attempts to contribute to the hotly disputed topic of international conflict management in the post-Soviet space. Conflict management is here referred to as the actions of states and unions of states, and their separate and joint efforts aimed at the pacification of conflicts. Such actions can include states assuming a mediating role, exercising leverage on the parties involved and creating incentives for settlement (Coppieters 2007: 27). As regards the EU's and Russia's respective roles in conflict management in the post-Soviet space, several distinctions have to be made. Formally, Russia can be understood as an external actor when considering these conflicts. As it will be shown in this paper, Russia has been represented in all international mediating formats, in addition to Russian peacekeeping forces having been sent to three of the four conflicts. Meanwhile, on the ground, Russia has never been an impartial actor, not only in the sense that it has been biased in dealing with the conflicting parties, but also because the conflicts have had strong internal implications for Russia itself (due to its geographic proximity, economic ties, and the presence of Russian citizens in the zones of conflict). In August 2008, Russia openly clashed with Georgia over Abkhazia and South Ossetia. Nevertheless, even while expressing strong critic over Russia's actions, experts have to recognise that in practice, Russia cannot be excluded from international mediating efforts in the post-Soviet region. Thus, with certain limitations, Russia's role can be understood as that of an external actor.

Unlike Russia, the EU has made an effort to be impartial in its approach towards the conflicting parties. Meanwhile, due to its own limitations (e.g. the EU's fear that secessionists may take an example from the Kosovo precedent), the EU has been cautious in establishing a dialogue with the secessionist entities on the ground. This fact considerably limits both the EU's leverage over the breakaway entities, and thus the EU's contribution to conflict management. Finally, before, as well as after, August 2008 the EU and Russia have made attempts to include the issue of conflict management on the common political agenda, even if such interaction has not resulted in a breakthrough in conflict settlement. In this regard, the EU and Russia can both be understood as third parties trying to mediate the conflicts.

Within the field of EU foreign policy, the EU's role in conflict areas has been a subject of considerable preoccupation. While in terms of practical policy the EU has institutionalised its Common Security and Defence Policy (CSDP), adopted a number of core security documents

1 The European Commission and Secretariat of the Council of the EU, interviews by author, 8-9 March 2010, Brussels, Belgium.

including the European Security Strategy (ESS), and developed relevant instruments for deploying EU missions in various parts of the world, in the academic arena a number of researchers have taken these developments as reason to examine the EU's growing actorness in civilian and/or military crisis management. This has mainly taken the form of case studies of conflict resolution in the Balkans and Africa, since the EU has been particularly active in these regions.[2] Only few studies relate to the EU's approach towards the post-Soviet secessionist conflicts. These can be divided in two groups: one analysing the EU's role 'from the inside out' (Barbe/Kienzle 2007; Coppieters 2007; German 2007; Popescu 2005, 2007; Coppieters et al. 2004), and the other focusing on local actors' perceptions of the EU's activities in the region (Alieva 2006; Nuriyev 2007). The EU's involvement in resolving the regional conflicts in the common neighbourhood with Russia has frequently been characterised as "hesitant" at best (E. Stewart 2008b: 1) or even "reluctant" (Popescu 2009: 457). Moreover, according to experts, the political leaders of the countries with secessionist conflicts within their territories have followed the development of EU-Russian relations, and interpreted the EU's "Russia-first" approach as a signal that "the EU's involvement in the conflict resolution is not serious enough" (Kratochvil/ Lippert 2008: 3).

Russia's experience in conflict management in the territory of the Commonwealth of Independent States (CIS) has not produced a very diverse response in academic studies. In the West, it has traditionally been stated that Russia is only interested in maintaining the status quo – the frozen status of the conflicts (Lynch 2006: 3; Popescu 2006a: 7). Academically reputable studies in Russia have also been quite critical towards Russia's policy in the CIS in general, and its involvement in conflict resolution in particular (e.g. Bolshakov 2008: 34; Oznobischev 2008; Hrustalev 2007). Only a few scholars have called for closer cooperation between Russia, the EU and the United States (US) on conflict management (Suhov 2006: 117; Trenin 2006: 17). It should also be noted that most of the existing publications are predominantly empirical and that there are very few notable exceptions to this, in which the authors theoretically conceptualise the EU's and Russia's approaches towards the secessionist conflicts in the post-Soviet space (Bolshakov 2009; Coppieters 2007). This may be explained by the fact that policy-oriented studies in Russia predominate over theoretical research in the field of foreign policy. As far as the EU's experience in conflict resolution is concerned, it is also 'under theorised'. This is due to a number of reasons, such as the lack of comparative analyses of EU actions across various cases and the lack of theoretical studies of the EU's role in conflict resolution outside enlargement countries (Popescu 2009: 459-461).

As the following analysis will show, the EU and Russia have pursued their own policies towards secessionist conflicts, while neglecting issues on the common agenda. Against this background, the approaches and efforts of both actors have often been studied separately. The EU's involvement in managing regional conflicts in the CIS has been studied mainly by European experts, while Russia's role has received the attention of Russian scholars. Some exceptions are the studies of Uwe Halbach and Nicu Popescu (Halbach 2005, 2008; Popescu 2005, 2006a, 2007, 2009), who have conducted research on both the European and Russian experiences, but without contrasting or comparing them in a single analysis. In addition, an edited volume (Coppieters/Legvold 2005) including separate chapters on Russia's role in the conflict in Abkhazia (written by Antonenko, a Russian scholar), the troubled Russian-Georgian relationship (contribution of Devdariani, a Georgian expert), and security in Georgia and the role of the West (a joint contribution of Gogia, a Georgian author and Helly, a French scholar) has

2 See, for example, Mace, Catriona (2004): "Operation Concordia: Developing a 'European' Approach to Crisis management?" *International Peacekeeping* 11(3): 474-490; Youngs, Richard (2006): "The EU and Conflict in West Africa." *European Foreign Affairs Review* 11: 333-352; Emerson, Michael/Eva Gross (eds.) (2007): *Evaluating the EU's Crisis Missions in the Balkans*. Brussels: CEPS; Merlingen, Michael/Rasa Ostrauskaite (2005): "ESDP Police Missions: Meaning, Context, and Operational Challenges." *European Foreign Affairs Review* 10: 215-235; Gibert, Marie (2007): "Monitoring a region in crisis: the European Union in West Africa." *Chaillot Paper* 96. Paris: European Union Institute for Security Studies.

been published.

However, there has been no lack of general studies looking at EU-Russia relations. Indeed, the contrasting interests of the EU and Russia in the so called *common neighbourhood* has become a common narrative (Popescu/Wilson 2009; Leonard/Popescu 2007; Lynch 2005; S. Stewart 2009; Aghayev 2009; Halbach 2005; Allison et al. 2006; Light 2008). A very prominent analytical framework suggests that there is an obvious values' gap between the EU as a post-modern normative power and traditionalist Russia acting as a realist power with zero-sum thinking (Lynch 2005a: 17; Barbe/Kienzle 2007: 534). This argument is used to explain both Russia's competitive attitude towards the EU (and the absence of such an attitude vice versa) in the shared neighbourhood, as well as Russian attempts to keep this region as its traditional sphere of influence. Russia's active intervention in the 2004 elections in Ukraine, its attempts to restrict its neighbours' sovereignty and exercise political pressure, its assertive policy towards Georgia, trade disputes with neighbours and the subsequent policy of trade bans – all these examples of "Moscow's increasing assertiveness on a number of foreign policy issues" (Balfour/ Missiroli 2007) simply reiterate the conclusion that Russia acts according to the logic of a zero-sum player.

The Georgian-Russian war of August 2008 brought about a new wave of publications. The main reaction to the Caucasus crisis came from leading experts (Allison 2008; Schroeder 2008; Dembinski et al. 2008; Akcakoca et al. 2009; Emerson 2008; Fischer 2008, 2009; Popescu 2009). In addition, an international editorial team responded by establishing the *Caucasus Analytical Digest*, a monthly internet publication aimed at analysing the political, economic, and social situation in the three Caucasian states, with a special focus on the security dimension of the region.[3] The academic debate provoked by the August war focused on four important issues: the provision of a critical reassessment of external actors' previous involvement in conflict resolution efforts; the recognition of the EU's competition with Russia in the post-Soviet space (both the scientific and applied research are 'realist' driven; the 'value gap argument' is practically absent in recently published studies); the analysis of the unresolved conflicts in the CIS in connection with debates on a broader security order in Europe; and finally, the necessity of renewed security cooperation with Russia by including the latter in key security institutions in Europe.

To sum up, several problems in the existing studies need to be mentioned. First, before the war of August 2008, separate analyses of the EU's and Russia's role in conflict management in the post-Soviet space had often led to general statements suggesting that little had been done by the relevant actors with regard to protracted conflicts. Such judgments have left three interrelated questions unanswered: Does this mean that the respective actor (the EU or Russia) has not invested sufficient resources and effort in the post-Soviet region in comparison with other parts of the world? Or does it mean that a certain player has achieved 'little' in comparison with another external actor? Or does it mean that virtually nothing has been done for the needs of the region in terms of conflict settlement? Second, 'the value gap argument', that is often used to explain Russia's competitive behaviour, is not very helpful in explaining the EU's own hesitant approach to the conflicts (e.g. why then does the EU exercise a 'Russia-first' approach, despite the value gap between the EU and Russia?). Finally, 'the value gap argument' seems to collide with recommendations that the EU and Russia should renew security cooperation in general, and coordinate their policies on the unresolved conflicts in particular. Meanwhile, these conclusions are dictated by the current reality: the inability of both actors to suggest solutions on their own and the very real danger that an escalation of these conflicts could pose to the prosperity and security of the common neighbourhood (proven by the war in Georgia), which is an indispensable part of the wellbeing of the European continent.

The goal of this paper is to provide a comparative analysis of both EU and Russian policies towards secessionist conflicts, as well

3 See http://www.res.ethz.ch/analysis/cad/. As of December 2010, twenty two reports have been published.

as EU-Russian attempts at joint diplomacy in the region during the last decade. This paper is therefore not concerned with questions of the origin, evolution, historical roots and nature of the conflicts, which have already been paid considerable attention in various ethno-political studies.[4] The main research question to be answered is: Which factors have hindered EU-Russian cooperation in conflict management in the post-Soviet space over the past decade? The paper argues that both the EU's and Russia's approaches towards these conflicts show similar weaknesses and shortcomings. These weaknesses seem to stem from different interests in the region, the different natures of each actors' own engagement in conflicts and the impact of external factors (such as political dynamics in the region, the role and involvement of other actors, etc.), and are not conducive to the cooperation of both actors in conflict management. This paper argues further that 'the value gap argument' has a certain explanatory limitation in illustrating the reasons for non-cooperation between the EU and Russia in conflict management and that other factors have to be taken into consideration, such as the lack of EU internal cohesion in defining policies, real competition between Russia and the EU in the common neighbourhood and Russian scepticism with regard to the EU's common foreign policy. A decisive and crucial factor, which explains both the ineffectiveness of the EU's and Russia's respective policies and the lack of substance in joint work on the unresolved conflicts, relates to the fact that the goal of political conflict resolution *per se* has been substituted by the actors' interest in avoiding negative consequences from a possible re-escalation of the conflicts.[5] Therefore, this paper claims that despite each actor having its own set of limitations for a proactive policy towards the secessionist conflicts, both the EU and Russia have largely avoided searching for *political* solutions for a phased settlement of the conflicts. Thus, it is not surprising that both the EU and Russia have demonstrated limited political will for joint diplomacy with regard to the conflicts.

The paper is composed of three main parts. The first part analyses Russian involvement in the conflicts since the 1990s, and argues that Russia's attempts to contribute to conflict resolution were quite reluctant and did not break the negotiation deadlock in any of the four cases (chapter 1). The second part of the paper examines the EU's engagement in conflict management. The EU's hesitant policy in the region and the limited use of the tools at its disposal are explained by a set of internal and external constraints (chapter 2). The final part of the paper addresses the formal interaction between the EU and Russia on the unresolved conflicts in the shared neighbourhood before the Caucasus crisis of 2008. It also analyses the repercussions of this crisis on the EU-Russia dialogue on conflict management and discussions on a future model of European security (chapter 3). The paper concludes by summarising the weaknesses and shortcomings of both the EU's and Russia's policies towards the conflicts through a comparative lens. Policy recommendations are suggested, which could help to enhance the efficiency of EU-Russian joint conflict management in the region.

4 Broers, Laurence (ed.) (2005): *The limits of leadership. Elites and societies in the Nagorny Karabakh peace process*. London: Conciliation Resources; Green, Elliott (2005): *On the Endogenity of Ethnic Secessionist Groups*. Development Studies Institute. London: London School of Economics; Hughes, James/ Gwendolyn Sasse (eds.) (2002): *Ethnicity and Territory in the Former Soviet Union: Regions and Conflict*. London: Frank Cass; King, Charles (2001): "The Benefits of Ethnic War. Understanding Eurasia's Unrecognized States." *World Politics* 53: 524–552; Ishiyama, J. (2000): "Institutions and Ethnopolitical Conflict in Post-Communist Politics." *Nationalism and Ethnic Politics* 6 (3): 51-67; Kingston, Paul/Ian Spears (2004): *States Within States – Incipient Political Entities in the Post-Cold War Era*. Birmingham; Zurcher, Christoph/Jan Koehler/Pavel Baev (2002): *Internal Violence in the Caucasus – The Economics of Political and Common Violence*. Washington, DC: The World Bank Development Economic Research Group; Coppieters, Bruno (ed.) (1996): Spornie granitsi na Kavkaze. Moscow: Ves' Mir. http://poli.vub.ac.be./publi/ContBorders/rus/, last accessed 28 August 2008; Koehler, Jan/Christoph Zurcher (eds.) (2003): *Potentials of Dis/Order: Explaining Conflict and Stability in the Caucasus and in the Former Yugoslavia*. Manchester: Manchester University Press; Zdravomislov, A. (1996): *Mezhnatsionalnie konflikti v postsovetskom prostranstve*. Moscow: Aspekt Press; Kavtaradze, S. (2005): *Etnopoliticheskie konflikti na postsovetskom prostranstve*. Moscow: Ekzamen.

5 The author thanks Dr. Bruno Coppieters for raising this aspect as one of possible perspectives. Prof. Dr. Bruno Coppieters, the Vrije Universiteit Brussel, interview by author, 9 March 2010, Belgium, Brussels.

I Russia's policies towards the unresolved conflicts in the post-Soviet space

Russia's general approach

Before analysing Russia's involvement in each conflict separately, some common features of Russia's stance on all four regional conflicts will be described.

Russia has been involved in managing conflicts in Georgia, Moldova, and between Armenia and Azerbaijan since their escalation at the end of the 1980s and in the early 1990s. Russia's policy towards the conflicts can be categorised as follows: (1) deployment of peacekeeping forces to the zones of conflict, and (2) participation in international mediation efforts. In academic studies Russian peacekeeping forces have received more attention than Russia's involvement in political negotiations. Moreover, Russia is consistently criticised for its ineffectiveness and bias in terms of its support for separatists (Popescu 2006a: 2). It is important to remember that the existing formats of negotiations (see below), as well as peacekeeping forces, were set up in the 1990s, and that they were designed to stop violence. However, the peacekeepers were not supposed to find resolutions for the conflicts.

On the one hand, historical, economic, political, and social ties between Russia and the countries of the post-Soviet space made Russian intervention in the conflicts in the 1990s foreseeable. On the other hand, Russia was very weak (economically and geostrategically) at this time and its new post-Soviet diplomacy was in the process of being formed. As such, Russia's participation in conflict settlement had obvious shortcomings, but other international actors were not ready to become deeply involved in conflict management in the post-Soviet space. However, it is significant that despite the changes in the international environment, situations in the analysed countries, and even in Russia's own domestic and foreign policies, there has been no serious revision of Russia's diplomacy in the region since the 1990s. "Abandoning Yeltsin's 'near abroad' doctrine has not meant that Moscow has abandoned all of its underlying assumptions" (Zagorski 2005: 69). Russia has not been able to elaborate any serious, clear strategy in its relations with the CIS generally, and towards conflict resolution in particular. Rhetorically it has been stated that the CIS should be made the (top) priority of Russian diplomacy (Ministry of Foreign Affairs of the Russian Federation 1995, 2008), but on the ground there has been no evidence of Russia pursuing a well thought-out and consistent policy towards its neighbours (Hrustalev 2007). The Russian approach towards its closest neighbours is often misinterpreted, and the lack of a long-term foreign policy line is not recognized by foreign experts who characterise Russian policy within the territory of the CIS as coercive, assertive and aimed at building up a zone of Russian influence by all political, diplomatic, economic and military means, looking as the commentators do more at rhetoric than actual policy (Emerson 2008: 4; Aghayev 2009: 6-7).

Another common feature of Russia's approach towards the four conflicts relates to the undeniable fact that it has tried to use its presence as political leverage. According to the Russian scholars Dmitri Trenin and Andrey Ryabov, the continued presence (after ending the violence) of Russian peacekeepers in separatist entities has been aimed at putting pressure upon Georgia and Moldova so that they would change their pro-Western policy and begin cooperating more with Russia. However, this policy has served only to further alienate both states, and what had been planned as a short-term tactic has become Russia's strategy in maintaining the status quo (Trenin 2006: 13; Ryabov 2006: 35-36). By employing such methods, Russia has therefore failed to enduce the cooperation of its neighbours. Maintaining the status quo of the conflicts is said to be the most frequent characteristic of Russia's diplomacy in the region (Racz 2010: 3). However, this argument is disputable. As will be shown below, Russia has made attempts, whether constructive or destructive in terms of ensuring the territorial integrity of its neighbours, to change the status quo, especially in the 21st century. Nevertheless, these Russian efforts cannot be defined as steps towards the political

resolution of the conflicts. This is particularly evident in Transnistria and South Ossetia. As Dmitri Trenin points out, although there were real difficulties in bringing the conflicting parties to a compromise, and Russia itself was weak in the 1990s, the crucial factor was the fact that Russia did not invest much in conflict resolution. Indeed, Russia was in principle satisfied with the situation, which allowed it to enjoy the privileges of being the only peacekeeper despite its formal recognition of the territorial integrity of Georgia and Moldova (Trenin 2006: 13).

Finally, Russia has sent peacekeeping forces to three of the four conflicts (the exception is Nagorno-Karabakh). In each case, these troops were deployed under the CIS mandate, without the involvement of the United Nations (UN), and were either composed exclusively of Russian forces (in the case of Abkhazia), or a combination of Russian contingents and forces from the conflicting parties (in the case of Transnistria). Russia has also provided financial, technical and material assistance to the breakaway regions, and many of their citizens have been given Russian passports. Although no Russian President had ever visited the unrecognised entities until 2008, deputies of the Russian Parliament, regional leaders and members of the Presidential administration paid visits to the separatist territories on numerous occasions.

Despite the above mentioned general features, Russia's involvement in conflict management and its policies towards their settlement have varied considerably in each case.

Nagorno-Karabakh

The dispute between Armenia and Azerbaijan over Nagorno-Karabakh is the longest running and most serious unresolved conflict in the South Caucasus, involving two sovereign states. The six-year civil war (1988-1994) caused at least 20,000 deaths, and any new escalation would have very serious implications for wider European security. According to Nasimi Aghayev, "the Nagorno-Karabakh conflict remains the greatest impediment for the regional cooperation and integration in the South Caucasus, and the region's effective integration into Euro-Atlantic structures" (Aghayev 2009: 10).

Russia is just one of three co-chairs (together with France and the US) of the so-called OSCE Minsk Group mediating direct talks between Armenia and Azerbaijan. As Sergey Lavrov, Russia's Foreign Minister, said in Yerevan in April 2007, "the Nagorno-Karabakh conflict is unique in the sense that there is no such unity of mediators concerning other regional conflicts. We hope to reach a compromise on Nagorno-Karabakh very soon, and that this will suit the interests of Erevan, Baku and all living in Nagorno-Karabakh" (Lavrov 2007).

Officially, Russia supports the idea that the content of the final resolution should be a matter between Armenia and Azerbaijan. Russia believes that regional conflicts should be approached on the basis of collective actions of the international community proceeding from the premise that modern conflicts cannot be solved by the use of force and that their settlement should be sought through engagement in dialogue and the negotiation of all parties rather than through the isolation of one of them. However, in practice little has been done to foster negotiations. In an interview with an Azeri newspaper, Dmitri Trenin highlighted that Russian participation had merely been of a symbolic nature, without the investment of significant resources towards resolving the conflict (Trenin 2009). Despite this passive stance, on the ground Russia is not perceived by Azerbaijan as a neutral actor in the conflict. Due to Russia's economic and military assistance to Armenia, the country is in fact viewed to be pro-Armenian. Armenia and Russia are also members of the Collective Security Treaty Organization (CSTO)[6], in which Azerbaijan does not participate. At the same time, it is widely recognised in Azerbaijan that Russia should be a key player in the conflict's resolution (Nuriyev 2007: 19). Potentially, Russia's role can consist both in assistance towards finding an optimal solution to the conflict and the provision of peacekeeping forces to oversee the implementation of this

6 The CSTO was formed with the aim of strengthening peace, international and regional security and stability. By joint efforts the members coordinate and deepen political-military cooperation. The members of the CSTO are Russia, Armenia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan.

solution. The possible provision of a Russian peacekeeping contingent to Nagorno-Karabakh was raised twice during 2006 by the then Russian Minister of Defence, Sergey Ivanov, in Baku. However, this can be a matter for discussion only once the negotiation deadlock is broken. Taking into account the uncompromising positions of the conflicting parties and the absence of international peacekeeping experience in Nagorno-Karabakh, the prospect of such a deployment looks from the very beginning to be very unlikely. As the Russian expert Alexei Vlasov claims, "international peacekeeping forces in the zone of the conflict would change the situation in principle, and neither Erevan nor Baku are ready for it" (Trend News 2010). As far as Russia's contribution to the political resolution of the conflict is concerned, its leverage seems to be limited as well. Besides fruitless discussions between the Armenian and Azeri leaders on a possible compromise, there are two other principal factors that limit Russia's political influence. First, together with the efforts of international organisations, the US, France and Russia in mediating the conflict, the role and interests of important regional actors such as Iran and Turkey are recognised by Russian experts and policy-makers. In this diverse club of mediators, Russia alone cannot provide a breakthrough. Second, Russia's influence over Armenia, its main strategic partner in the South Caucasus, is limited. To force Armenia into a compromise (something likely to involve the return of Armenian-held territories to Azerbaijan), Russia needs to be able to suggest something substantial. Drawing a parallel between the EU's involvement in the dispute between Kosovo and Serbia, and Russia's role in the Nagorno-Karabakh conflict, Dmitri Trenin believes that Russia does not have resources comparable to those of the EU (i.e. a potential membership perspective for both Serbia and Kosovo) to stimulate Baku and Erevan into action. Indeed, Russia has been unable to suggest anything other than the venues to hold mediation summits (Trenin 2009).

One such meeting took place on 2 November, 2008 in Moscow, when the Presidents of Russia, Armenia and Azerbaijan signed a Declaration on Nagorno-Karabakh. The initiative was taken by the Russian side, and should be considered in close connection with the Caucasus crisis of 2008, which pushed Russia to play a more active role in managing other regional conflicts. It is important to note that Russian officials pointed out the difference between the Nagorno-Karabakh conflict and the conflicts in Georgia, and clearly emphasised the territorial integrity of Azerbaijan. Although the Declaration was the first of its kind on such a level (Aghayev 2009: 8), it did not bring anything new towards resolving the long-running standoff. Both sides confirmed the mediating role of the OSCE Minsk Group and their intentions to search for political solutions to the conflict based on the principles of international law (Regnum 2008).

The Russian President has made other attempts to force the leaders of Azerbaijan and Armenia to sign a peace agreement, including during tripartite meetings in Sochi (January 2010) and Saint Petersburg (June 2010). Meanwhile, the activism of the Russian side has not brought any practical results. The most recent statement of the Presidents of the OSCE Minsk Group's Co-Chair countries was made at the G8 Summit in Toronto (June 2010). The elements of a future settlement were elaborated on the basis of the principles of the 2007 Madrid agreement and include: (1) the return of the occupied territories surrounding Nagorno-Karabakh; (2) an interim status for Nagorno-Karabakh guaranteeing security and self-governance; (3) a corridor linking Armenia to Nagorno-Karabakh; (4) final status of Nagorno-Karabakh to be determined in the future by a legally-binding expression of will; (5) the right of all internally-displaced persons and refugees to return; (6) international security guarantees, including a peacekeeping operation (The White House 2010). Generally supported by the Azeri side, the statement has not received any clear response from Armenia. The most controversial point of the statement is that referring to the final status of Nagorno-Karabakh, since the document, whether deliberately or not, does not specify if only the inhabitants of Nagorno-Karabakh or the whole of Azerbaijan will be polled. It is interesting to note that on the Kremlin's official website, the Russian translation of this ambiguous

point does not correspond to the official English version and reads as follows: the final status of Nagorno-Karabakh is to be determined in the future by a legally-binding expression of will by its population.[7]

In conclusion, Russia's involvement in the Nagorno-Karabakh dispute has been less visible in comparison with its involvement in other regional conflicts. However, this has not pushed other international actors, including the EU, to play a more active role in the settlement of the conflict (see below). Additionally, until the Caucasus crisis in 2008, the Nagorno-Karabakh dispute was considered the most difficult regional conflict to resolve.

Transnistria

According to Andrey Zagorski, like Armenia and Azerbaijan, Moldova has not registered strongly on Russia's radar (Zagorski 2005: 72). The current political format of managing the Transnistria conflict is known as '5+2', and includes Moldova, Transnistria, Russia, Ukraine, the OSCE and two observers – the US and the EU. The aim of negotiations is to find an appropriate solution for the return of the breakaway region of Transnistria to Moldova. The negotiations were stopped in 2006 but recommenced in 2008. Peacekeeping is carried out by an operational group of the Russian army (about 1300 military officials) as well as Moldovan and Transnistrian contingents. Subsequently, these have been joined by military observers from Ukraine. In addition to these forces, a Russian military base still remains on the territory of Transnistria.

The most famous attempt by Moscow to settle the conflict was the 'Kozak plan' of 2003. At a meeting held in Kiev in July 2002, the conflicting sides agreed for the first time to build a federal state. Soon after, to the surprise of the Western partners, Moscow unexpectedly suggested its own settlement plan, which proposed the establishment of an asymmetric federation. Mediated by Dmitri Kozak, the proposal was to be signed on 26 November, 2003. However, Vladimir Voronin, the President of Moldova, refused to sign it. Russian experts have suggested several explanations for what happened. Most conclude that Chisinau's aspirations for European integration were the cause of the denouncement of the Moscow-brokered settlement proposal (Tolkacheva 2006: 54; Zagorski 2005: 72). Moldova was interested in widening the format of negotiations and at the same time looking for an alternative settlement plan. Some Russian experts (as well as some European ones) saw the direct involvement of the EU in Moldova's denouncement of the Moscow-brokered settlement (Trenin 2006: 14; Barbe/ Kienzle 2007: 532). Other experts cautiously pointed out that Russian activism in Moldova simply coincided with the efforts of the Dutch government (then holding the chairmanship of the OSCE) "to push for faster settlement of the conflict and to consider the idea of an eventual EU-led peacekeeping operation in the area" (Zagorski 2005: 72).

It is important to stress that alternative settlement attempts have also failed. In particular, after the Orange Revolution, the new Ukrainian leadership offered another settlement plan, known as the 'Yushchenko plan'. Envisaged to be implemented over a period of 18 months, the plan included seven points, aimed at the democratisation of the breakaway entity. In fact, only one point was realised when in July 2005 Moldova adopted a law recognising the special status of Transnistria as a part of the unitary state of Moldova. The law received a negative response in Transnistria, and negotiations were blocked again. Since 2006, Moldova has pushed the '3D' Strategy aimed at democratisation, decriminalisation, and demilitarisation of Transnistria, which is also supported by Western partners (Tolkacheva 2006: 54-57).

After the failure of the Kozak plan, Russia toughened its policy towards Moldova by putting a ban on the import of wine, fruit and vegetables from the Republic. All formal contacts between the two countries' Presidents were postponed. Relations were renewed only in August 2006, when Vladimir Voronin attended an informal summit of the CIS, where a meeting with Vladimir Putin was agreed upon. According to Anna Tolkacheva,

7 See http://news.kremlin.ru/ref_notes/623, last accessed 10 December 2010.

the President of Moldova might have changed his foreign policy line due to the pressure created by Moldova's serious economic dependence on Russia, and as a result of disillusionment with the lack of support from the EU and Ukraine (Tolkacheva 2006: 61). In October of the same year, there was a meeting between the Russian and Moldovan Foreign Ministers, and the Russian-Moldovan intergovernmental Commission on trade and economic cooperation resumed its work.

In principle, it is in Russia's interests to have Moldova and Transnistria as a united state (Trenin 2006: 17), but inconsistency between Russian policy and that of other interested actors (foremost the EU and Ukraine) has been the main obstacle to finding an appropriate solution for this conflict. Again, Russia intensified its mediation efforts after August 2008. Moscow hosted a trilateral Russia-Moldova-Transnistria meeting on 18 March, 2009. In the tripartite statement, signed by Dmitri Medvedev (Russia), Vladimir Voronin (Moldova) and Igor Smirnov (Transnistria), the importance of the '5+2' negotiation format was underlined. The sides also recognised the role of the current peacekeeping operation in the region, but did not exclude its transformation into a peacekeeping operation under the auspices of the OSCE upon an eventual settlement of the Transnistria conflict (Medvedev/Voronin/Smirnov 2009). The political crisis in Moldova, which broke out after the April 2009 elections, resulted in the formation of a new government in autumn 2009. It is yet to be seen what policy towards Transnistria the new Moldovan leadership will adopt in the longer term. However, it is significant that in one of his first official statements, Vladimir Filat, the new Prime Minister, called for the withdrawal of the Russian contingent from Transnistria in accordance with the decisions of the 1999 Istanbul summit of the OSCE, and their replacement by an international civil mission (RIA Novosti 2009).

It seems that the search for a political solution to the Transnistria dispute, which would suit both conflicting parties, is often substituted by the quarrel over the right to have a mission on the ground. While appreciating Moldova's annoyance at the continued Russian military base and peacekeepers on its soil, one should also recognise that Transnistria sees the Russian presence as a guarantee that its interests will eventually be taken into account. The widening of the negotiation format has not brought about any meaningful political settlement to the conflict, which remains locked in a stalemate.

South Ossetia and Abkhazia

Russia's involvement in conflict settlement on the territory of Georgia had always been the most controversial, even before the events of August 2008. After breaking out in December 1990, the conflict in South Ossetia was ended in June 1992 by the signing of a ceasefire agreement in Dagomys. According to the agreement, Russia was to act as a guarantor of peace and security. In August 1992, there was a further escalation in another conflict on Georgian territory – in Abkhazia. According to experts, in the years prior to this (1991-1992) and during the first month of the war, Russia played a double role, providing military aid both to Georgia and Abkhazia. There was no consensus among the Russian policy-making elites with regard to the conflict. Only after September 1992 did Russia begin to support Abkhazia more actively (Antonenko 2005: 251-257). Shevarnadze had no other choice but to sign another ceasefire agreement with Russia, the so-called Moscow Agreement of 1994 on Abkhazia. The Georgian leadership acted under the threat of a further escalation of the conflict and a possible large-scale confrontation with their much stronger neighbour. This explains why the Georgian President had to agree to negotiation formats and mechanisms of conflict settlement with Russia in the leading role, although Georgia would have preferred greater involvement of other international actors in conflict resolution efforts.

Although the peacekeeping forces stationed in Abkhazia had a mandate from the CIS, they were exclusively Russian troops. For political negotiations, two formats were established: the Geneva process (with the participation of Georgia and Abkhazia and the UN Secretary-General's Group of Friends of Georgia, involving representatives from Russia, Germany, the United Kingdom, France and the US) and the Sochi process, which was agreed to in 2003 with the

participation of Russia, Georgia and Abkhazia. In South Ossetia, the Joint Peacekeeping Force was formed, composed of battalions from Russia, Georgia and North Ossetia, whereby the latter has not participated in peacekeeping efforts since 1994 (Golts 2006: 69-71). The Joint Control Commission (JCC) was established for negotiations on the settlement of the conflict. Together with representatives from Russia, Georgia and South Ossetia there were again participants from North Ossetia in the JCC and, as experts rightly point out, Georgia was not in an advantageous position, as Russia was in fact represented twice (Popescu 2006b: 42, Nalbandov 2009: 27).

After the Rose Revolution in 2003, the new leadership under President Mikheil Saakashvili made the restoration of Georgia's territorial integrity a priority. Despite the withdrawal of Russian troops from Adzharia (another region of Georgia demanding greater autonomy from the central authorities), relations between Russia and Georgia did not improve. Moscow's tougher policy towards Tbilisi (a ban on imports of wine, mineral water and other goods) did not force Georgia into giving up its ambition to become a member of NATO. From Russia's point of view, Georgia's aspiration for NATO membership has become the most contentious issue in Russia-Georgia relations.

Despite uneasiness in relations between Georgia and Russia, the latter did not question the territorial integrity of the former. Between 5 and 6 December, 2005, there was another attempt to settle the conflict regarding South Ossetia at a meeting of the Ministers of Foreign Affairs of the OSCE member states, held in Ljubljana, Slovenia. The meeting resulted in a document that confirmed the territorial integrity of Georgia and approved a peace plan for Georgia composed of three points – demilitarisation, economic rehabilitation and political settlement. Russia signed the document along with the other participants, although the plan was finally set aside due to disagreements between Tbilisi and Tskhinvali (Sukhov 2006: 120).

These 'frozen' conflicts began 'unfreezing' before the five-day war of August 2008. In this sense, the war was just the culmination of the changes that had taken place in previous years. Sergey Markedonov believes that both Moscow and Tbilisi had their own reasons for overturning the status quo established in the conflict zones at the beginning of the 1990s and for unfreezing the conflicts. While Georgia wanted to widen the negotiation format by including new participants such as the OSCE and the EU and by questioning the legal basis of the conflicts' resolution, Russia supported the separatist provinces more actively.

Georgian impatience was identified by Bruno Coppieters as one of the factors, which could lead to the conflicts' escalation (Coppieters 2007: 5). Indeed in summer 2004, Georgia tried to regain control of South Ossetia and the sides came close to a new war. In 2006, Georgia took over the upper Kodori Gorge by military means, and set up a so-called 'parallel administration' for Upper Abkhazia. This move clearly demonstrated that Georgia did not want to recognise the existing status quo of the conflict. According to Andrey Ryabov, these actions had negative repercussions for the negotiation process. Abkhazia no longer had any illusions that Tbilisi was ready to use military force to return the self-proclaimed entity to its control (Ryabov 2006: 33). Russia supported both breakaway entities financially and through a policy of conferring Russian citizenship to the populace of both republics. However, until 2008 these measures were pursued only unofficially; the political leadership did not encourage an open political debate on their motives and reasonability. Only in March 2008 did Russia officially lift the trade, finance, and transport sanctions that had been imposed on Abkhazia in 1996, although informally Russia had not followed the sanction regime since 1999 (Antonenko 2005: 267). On 21 March, 2008, members of the State Duma adopted a resolution (with the support of 441 of 450 deputies) suggesting a discussion on whether it would be practical to recognise the independence of Abkhazia, South Ossetia and Transnistria. Although the measure was a non-binding recommendation, it included a call by the deputies to recognise Abkhazia and South Ossetia's independence (Markedonov 2008: 6).

The issue of independence was not raised accidentally in spring 2008. Although rejecting it rhetorically, Russia followed the Western policy

on Kosovo. Russian experts had speculated on possible conditions that would make Russia give up its adherence to the principle of the inviolability of post-Soviet borders long before 2008. In 2006, Andrey Ryabov suggested four hypothetical conditions that would push Russia to support Abkhazia's independence (Ryabov 2006: 37). Abkhazia was considered the most likely case for independence next to South Ossetia and Transnistria. The conditions were as follows: (1) the recognition of an independent Kosovo by the international community; (2) Georgia's decision to leave the CIS; (3) the start of Georgia's NATO membership bid; (4) the end of the mandate for Russian peacekeepers in the region.

Meanwhile, the Parliament's resolution seems to have been more a rhetorical act than a trumpet-call. Despite the actual existence of two of the conditions by the summer of 2008 – Kosovar independence and talks about Georgian NATO membership –. Russia was in no rush to recognise the international sovereignty of the breakaway republics. This suggests that originally Russia was not in favour of radical scenarios, even in the case of Abkhazia. As far as South Ossetia was concerned, there was even more room for manoeuvre and, were it not for the August war, Russia may well have continued the policy of gradual efforts to strengthen South Ossetian *de facto* independence, while stopping short of legal recognition. The declaration of Kosovar independence certainly pushed Abkhazia and South Ossetia to expedite the process of their separation from Georgia, so they also worked towards 'unfreezing the conflicts'.

Instead of investigating who bears responsibility for triggering the war, the important question is whether it would have been possible to prevent the escalation. This question is answered differently by Russian and Western scholars. European experts see the EU influence in the South Caucasus as very limited, mainly due to Russia's political leverage in the region. As Emma Stewart notes "while local actors are responsible for the conflict, preventive engagement by the EU may have helped to curb Georgian President Mikheil Saakashvili's rash actions in South Ossetia" (E. Stewart 2008b: 2). However, according to Andrey Ryabov, if the US and the EU did in fact have a monopoly (economic, political and military) in managing the conflicts in the Balkans, there was a parity of influence of international actors in the South Caucasus. In the case of a new escalation, warned the scholar in 2006, Moscow, Brussels and Washington would be unable to prevent the use of military force (Ryabov 2006: 38). To better understand the potential of EU influence in the South Caucasus, it is worth analysing its policies towards the region more in detail.

In conclusion, Russia's experience in managing conflicts within the territory of the CIS has been uneven. As Dmitri Trenin concludes, the 'frozen conflicts' can be neither a guarantee for Russia's security nor an effective instrument for retaining neighbouring states in its sphere of influence (Trenin 2008: 28). Russia's moves to contribute to conflict resolution have been quite reluctant, and have not broken the negotiation deadlock in any of the four cases. Russia constantly felt both the pressure of Georgia and Moldova, which have questioned the legitimacy of Russian peacekeeping forces, and that caused by the interest of other international actors in launching civil and civil-military missions of their own. In sum, it has invested much (both rhetorically and in practice) in defending its right to remain in the zones of conflict. However, as Ivan Sukhov has rightly noted, the presence of a Russian contingent in Georgia should not have been a goal in itself. Unlike the situation in the 1990s, a Russian peacekeeping mission would have made sense only if it was combined with active Russian efforts towards conflict settlement, together with the US and the EU (Sukhov 2006: 117). This chapter has shown that Russia has not demonstrated much interest in finding a political solution for the conflicts. Its steps were more tactical, aimed at avoiding a re-escalation of the conflicts. The question is to what extent this Russian reluctance has pushed other actors (notably the EU) to suggest their own scenarios for the political settlement of the conflicts. This will be the focus of the next chapter.

II EU involvement in conflict management in its Eastern neighbourhood

Instruments for conflict management

Until 2008 the EU's involvement in the management of regional conflicts beyond its Eastern borders had been characterised as "cautious" (Coppieters 2007: 17), "low profile" (Kienzle 2008: 15) "visibly invisible" (German 2007: 357), and "reluctant" (Popescu 2009: 457). But, if in the 1990s the EU played hardly any role in conflict management in the CIS, this situation gradually changed after 2003. Nicu Popescu provides the best account of why the EU has reinforced its engagement in the South Caucasus, explaining it as a mixture of broader trends in the development of the EU and the region. The EU enlargement of 2004, progress in institutionalising the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP), and by extension, the adoption of the ESS and the European Neighbourhood Policy (ENP), the Rose Revolution in Georgia and the new leadership's ambition to reunify the country, all represent changes that contributed to the EU's increasing role in the region (Popescu 2007: 4-5). In 2002-2003 the EU also joined the process of conflict resolution in Moldova/Transnistria contributing to discussions on the text of a Constitution for a potential unified state of Moldova.

It is difficult to make a clear distinction between the EU's instruments with regard to conflict management, which are taken by the European Community or under the CFSP/ESDP. As some experts have written "the implementation of conflict prevention activities has so far highlighted a strong complementarity between EU instruments and the CFSP/ESDP. In several cases, the RRM [Rapid Reaction Mechanism] managed by the Commission was used as a first step for feasibility studies or needs assessment assignments before launching a mission under the CFSP/ESDP" (Delcour/Tulmets 2009: 518). As far as the European Commission is concerned, it has issued a number of documents highlighting the danger of the so-called 'frozen conflicts' on the borders of the EU. In particular, the 2001 Communication from the Commission on Conflict Prevention defined "projecting stability" as the EU's long-term conflict prevention policy (European Commission 2001: 6). The Commission has also provided financial assistance for Moldova and for the rehabilitation of the conflict zones in Georgia.

When it comes to the second pillar, for the conflict management in the Eastern neighbourhood, the EU has used a wide range of tools: (1) Statements of the EU High Representative (HR); (2) Common Positions; (3) Conclusions of the Council; (4) Presidency Declarations; (5) the appointment of EU Special Representatives; (6) the launch of ESDP missions (see below). One should also mention the ESS of 2003, emphasising conflicts as the key threats to European security. The document also calls for "a stronger and more active interest in the problems of the Southern Caucasus" (European Council 2003: 8). However, there is a lack of clarity as to how exactly and by what instruments the Union intends to contribute to the resolution of these conflicts. The Strategy simply states that "preventive engagement can avoid more serious problems in the future" (European Council 2003: 11).

The ENP, conceived as a cross-pillar policy, also has provisions concerning regional conflicts. The very idea of the ENP is "to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union" (European Commission 2003: 4). In a Strategy Paper of May 2004, the Commission specified that the ENP should reinforce the EU's contribution to promoting the settlement of regional conflicts (European Commission 2004b: 6). However, it is interesting to note that the language of the document is again very cautious with regard to instruments of conflict resolution. In mentioning the possible involvement of partner countries in aspects of CFSP and ESDP, conflict prevention, crisis management and possible participation in EU-led crisis management operations, the document does not specify the regions in which joint action may be possible. One may assume that such involvement does not necessarily cover the

territory of neighbouring states, since "the further development of a shared responsibility between the EU and partners for security and stability in the neighbourhood region" is named as "another important priority", without specifying by what means (European Commission 2004b: 13). The ENP envisages the use of instruments such as an Action Plan, worked out for each country. In the respective Action Plans for Georgia, Armenia, Azerbaijan and Moldova, making a contribution to the peaceful solution of conflicts is named as one of the priorities (European Commission 2005, 2006b, 2006c, 2006d). Meanwhile, the documents envisage finding a "peaceful solution to conflicts" only with the central authorities. In practice therefore, the ENP and the respective Action Plans do not seek to involve breakaway entities in cooperative measures.

It should be noted that the ENP is often criticised for achieving little, even in improving trade and economic relations (traditionally the most elaborated and advanced spheres of cooperation between the EU and the countries without prospects of membership). As far as political cooperation is concerned, the ENP is not particularly inspiring (Smith and Webber 2008: 94). Since the ENP was not a specific tool for conflict management *per se*, the outputs with regard to conflict resolution have been very modest. This was recognised by the European Commission at the end of 2006 (European Commission 2006a: 4).

In May 2009, the EU launched the Eastern Partnership (EaP), a continuation of the European Neighbourhood Policy aimed at deepening relations between the EU and its six Eastern neighbouring states. It is too early to assess if this format will be more successful in building partnerships between the EU and its Eastern neighbours. However, it seems that the EaP scheme is even vaguer with regard to regional conflicts. In its Communication of December 2008, the European Commission stressed that one of the goals of the EaP should be the consolidation of the sovereignty and territorial integrity of partners and that one of the results of the policy should be increased internal stability. Regional conflicts as such and the goal of their resolution have disappeared from the document. The document simply mentions that early-warning arrangements should be enhanced, with particular focus on conflict areas (European Commission 2008a: 11). The Joint Declaration of the Prague Eastern Partnership Summit of May 2009 is very brief on the issue, saying only that conflicts (without any specification) impede cooperation activities and a peaceful settlement needs to be found at the earliest possible date on the basis of the principles and norms of international law (Council of the European Union 2009a: 6). Council Conclusions on the South Caucasus have not made any reference to the issue of conflict resolution either (Council of the European Union 2009b).

In light of recent institutional changes in the EU, brought about by the ratification of the Lisbon Treaty, it remains to be seen what implications this will have for the EU's conflict resolution policy. In an interview to the Azeri news agency in November 2009, Antonio Missiroli claimed that "solving conflicts in neighbouring EU countries is a major issue for the cabinet of the first EU Foreign Minister. However, whether it is a priority for the EU will become clear only in several months" (Trend News 2009). Indeed, the High Representative Catherine Ashton has made a number of statements concerning the unresolved conflicts during her first months in office (see below).

Thus, in the last few years, the EU has claimed the need for conflict resolution in its Eastern neighbourhood on a number of occasions. The question is, how has the EU contributed to conflict management on the ground. As will be shown, the EU has, similar to Russia, demonstrated differing degrees of involvement in the four conflicts.

Nagorno-Karabakh

The EU has not formally received the status of official mediator in managing this conflict. The OSCE Minsk Group and its three co-chairs (France, Russia and the US) have mediated peace talks. According to experts, the process is highly confidential and the EU has no direct access to the process, having instead to rely on the French co-chair to remain informed (Akcakoca et al. 2009: 15). Moreover, France is often viewed by experts

as opposing the EU's greater involvement.[8]

The appointment of an EU Special Representative (EUSR) for the South Caucasus was aimed at demonstrating the deeper involvement of the Union in conflict management. In 2003, Heikki Talvitie was appointed as the first EUSR for the South Caucasus and was replaced in 2006 by Peter Semneby. According to the revised EUSR mandate, the Special Representative must contribute to the settlement of conflicts and facilitate the implementation with the UN and OSCE (Council of the European Union 2007b: 76). For the conflict settlement on Nagorno-Karabakh the EUSR works closely with the co-chairs of the OSCE Minsk Group.

The ENP Action Plans designed for Armenia and Azerbaijan, have reflected the EU's ambivalent position on the conflict over Nagorno-Karabakh and experts have noted interesting variations in both documents (German 2007: 362; Alieva 2006: 12-13). The respective Action Plans accommodate two contradictory principles: 'territorial integrity' in the case of Azerbaijan, and the 'right of nations for self-determination' in the case of Armenia. This has produced mistrust among the conflicting parties in the EU's ability to contribute to the conflict resolution process. On the one hand, a "'peaceful solution of the Nagorno-Karabakh conflict' represents the first priority area in Azerbaijan's Action Plan, but only the seventh in Armenia's" (German 2007: 362). On the other hand, the EU's original refusal to stress 'territorial integrity' in Azerbaijan's case (although this principle was included in the Action Plans for both Georgia and Moldova) "was perceived as a double standards approach both by the government and society of Azerbaijan" (Alieva 2006: 12-13).

In general, the EU has adopted an approach very similar to the Russian one; namely that an agreement on the conflict's resolution must be reached between Armenia and Azerbaijan. As Benita Ferrero-Waldner, the former Commissioner for External Relations, claimed, there is only one acceptable decision which must be agreed upon by the two sides. As far as the EU's role is concerned, it is too early to say if the EU can play a more active role in the resolution of the regional conflicts (Ferrero-Waldner 2009). Despite some speculation concerning the possible deployment of EU peacekeeping forces into the conflict zone, the Press Secretary of the then EU High Representative Javier Solana also stated in November 2009 that it was still too premature to discuss such an action. "If such step is needed and useful, the EU will be ready to make its contribution to this issue" (APA 2008). High Representative Catherine Ashton appears to be giving special attention to this conflict, having made two statements recently (Ashton 2010a, 2010b). However, these simply reiterate the EU's full support to the efforts of the OSCE Minsk Group and the work of the three co-chairs. Ashton cautiously recalled the EU's readiness to offer further support in order to find a negotiated solution to the conflict. However, the form of support and the concrete steps that this would take were not specified. As Nicu Popescu rightly asserts in assessing the EU's approach to the Nagorno-Karabakh conflict: "the EU was waiting for peace to act rather than act to promote peace" (Popescu 2009: 473).

Transnistria

Since October 2005, the EU has been involved in the '5+2' format (Moldova, Transnistria, OSCE, Russia, Ukraine, with the US and the EU as observers), a new negotiation format aimed at the settlement of the Transnistria conflict. In March 2005, the EU also appointed Adriaan Jacobovits as the EUSR for Moldova. In 2007, Kalman Mizsei replaced him with a mandate to strengthen the EU's contribution to the resolution of the Transnistria conflict and to assist in the preparation of an EU contribution to the implementation of an eventual conflict settlement (Council of the European Union 2007a: 60).

EU actors consider the Transnistria dispute the least complicated of the four conflicts (considered in this paper) in terms of reaching a settlement.[9] Despite this fact and repeated calls from Moldova for a greater EU role in resolving the conflict, the

8 European Policy Center, interview by author, 9 March 2010, Brussels, Belgium.

9 European Commission, interview by author, 8 March 2010, Brussels, Belgium.

EU has not elaborated any consistent strategy for achieving a political settlement. Most measures taken by the EU have been aimed first and foremost at strengthening the Moldovan economy. Moldova has received substantial financial assistance from the EU with a view to making the idea of a united country more attractive for the breakaway entity.

The establishment of the EU Border Assistance Mission to Moldova and Ukraine (EUBAM) was another step aimed at undermining the economic independence of Transnistria. Deployed in December 2005, the mission formally has the following goals: to assist Moldova and Ukraine in harmonising their border management practices with those of EU countries, to enhance the professional capacities of customs officials and border guards, and to improve cooperation between border guards and customs services.[10] Meanwhile, its special focus was on the Transnistrian-controlled section of the border. In order "to reduce the benefits of the secessionist status quo", the mission aimed at reducing smuggling and trafficking activities around Transnistria (Popescu 2009: 462). Experts see the first results of EUBAM differently. According to some scholars, the mission reduced smuggling opportunities (Barbe/Kienzle 2007: 528; Popescu 2009: 462). However, according to Xymena Kurowska and Benjamin Tallis, "there has been little demonstrable progress [in terms of] the mission's possible contribution to the betterment of the Transnistrian situation" (Kurowska/Tallis 2009: 63). It is also worth mentioning that the leadership of the breakaway entity perceived actions aimed at the integration of Ukrainian and Moldovan customs services as an 'economic blockade' of Transnistria. Igor Smirnov, the Head of the unrecognised Republic, called for a withdrawal from political negotiations on the settlement of the conflict (Tolkacheva 2006: 57). Since 2006, Transnistrian companies wanting access to the Ukrainian and EU markets have been obliged to register with the official Government in Chisinau and to ensure that export goods bear the customs stamps of Moldova. Again, this measure had the goal of reintegrating the Transnistrian businesses into the Moldovan economy. Yet it is questionable if this registration has made the Transnistrian business community more loyal to the Moldovan government, and more importantly, whether it has made them ready to question the legitimacy of Smirnov's regime. Unlike in Moldova, there has been no change in the ruling elite in Transnistria over the last 19 years.

The restrictive measures taken by the EU against the leadership of the Transnistrian region demonstrate another of the EU's instruments. The last time the Council adopted a decision on the visa ban applying to a number of persons in Transnistria was in February 2010 (Council of the European Union 2010: 1-2). Meanwhile, this decision provided for the suspension of the visa ban until 30 September, 2010, in order to encourage progress towards a political settlement of the Transnistrian conflict. As in the case of Nagorno-Karabakh, HR Catherine Ashton, has recently turned her attention to Transnistria. In her statement on 17 May, 2010, she confirmed the EU's commitment to the resumption of negotiations in the '5+2' format, and invited all sides to support the efforts of the Republic of Moldova in implementing confidence building measures (Ashton 2010c).

One of the most debatable questions with regard to the EU's policy towards Moldova deals with the issue of providing EU peacekeeping forces for the contested region. Nicu Popescu believes that the EU's failure to get involved with peacekeeping in Moldova is indicative of its hesitant role in the region (Popescu 2009: 463). This paper takes the view that the issue of peacekeeping should not be prioritised. More significant is the fact that the EU's involvement in the '5+2' conflict settlement format has not brought any meaningful results. Working *around* the Transnistrian conflict, the EU has not suggested any plan for political settlement comparable with those suggested by Russia in 2003 and Ukraine in 2005.

South Ossetia and Abkhazia

Even before the Caucasus crisis of August 2008, the EU had been involved in the international management of the secessionist conflicts in Georgia, but again mainly in the economic domain.

10 For more detail, see www.eubam.org, last accessed 10 December 2010.

As far as the EU's political role was concerned, the Union had received observer status in the JCC on South Ossetia, which aimed "to foster political reconciliation between the various sides" (German 2007: 364). Individual member states (Germany, France and Britain) were also members of the UN Secretary-General's Group of Friends of Georgia, established to mediate in the Abkhazia dispute. Nicu Popescu claims "the EU policies on the secessionist conflicts have been pursued at two levels. At a first level, the EU supports Georgia's transformation and reforms, which could make Georgia more attractive to Abkhazians and South Ossetians. The second level of EU policies specifically targets the secessionist entities. The EU has financed the rehabilitation of the conflict zones and from 2006 became the biggest international donor to South Ossetia and Abkhazia" (Popescu 2007: 13-15). Meanwhile, there have been certain limitations to the EU's programmes. The goal of making Georgia economically attractive does not necessary mean that it will potentially lead to rapprochement between the conflicting parties. As far as the second level is concerned, the EU had to reach consensus on its activities (e.g. the ENP instruments) in the breakaway entities with the Georgian government. This, as Bruno Coppieters notes, created an imbalance between Georgia and its breakaway entities. Instead of building trust between the conflicting parties, the EU could potentially become part of a confrontational policy (Coppieters 2007: 19).

In July 2004, the EU also launched a mission in Georgia under the ESDP. The Rule of Law mission EUJUST Themis was aimed at "assisting the new government in its efforts to bring local standards with regard to rule of law closer to international and EU standards", as well as to assist with the reform of the criminal justice system. The mission ended in July 2005.[11] Although it is often considered to be an instrument of conflict management, many scholars recognise that it was at the same time "relatively un-ambitious in scale" (Smith and Webber 2008: 92), and "distantly related to EU involvement in conflict resolution" (Popescu 2007: 12).

In sum, the EU increased its involvement in Georgia during the period 2003-2008. However, its efforts have often been criticised as 'insufficient', both by the Georgian authorities and the expert community. The case of Georgia is probably the most representative in terms of the constraints that the EU has experienced for its eastward policies.

Constraints on EU policies in the Eastern neighbourhood

EU policies towards unresolved conflicts within the territory of the CIS are constrained by two sets of challenges: internal and external.

Internal challenges

Coherence is the most disputed topic in academic analysis of EU foreign policies. Michael Smith distinguishes between horizontal coherence (related to the harmonious application of EU foreign policy mechanisms and goals between different EU institutions) and vertical coherence (referring to the degree to which the policies of member states support common EU positions (Smith 2004: 27). Cross-pillar competition was evident in the launching of the EUBAM, when both the Council and the Commission competed for the institutional ownership of the mission: "Importantly, the institutional haggling over EUBAM illustrates how the realm of civilian crisis management offers political opportunities potentially accessible to both the Council and the Commission with consequent struggles to define given political situations according to the relative applicability of the tools at the disposal of each actor" (Kurowska/Tallis 2009: 50). The lack of horizontal coherence was revealed, for instance, in the case of disagreements between the member states on the issue of taking over the OSCE Border Monitoring Mission in Georgia, which was terminated by the Russian veto. According to a study conducted by Nicu Popescu, "inside the EU, the Baltic states, supported by the UK, were in favour of a border mission to Georgia, while France – with the support of Belgium, Italy, Spain, and Greece – and partly Germany opposed such a move" (Popescu 2007: 11).

Besides the above-mentioned dichotomies,

11 For more detail, see http://www.consilium.europa.eu/showPage.aspx?id=701&lang=En, last accessed 10 December 2010.

some experts note that certain EU policies (e.g. ENP and ESDP) have the potential to contradict one another. The launch of a military operation under the ESDP ('interventionist' option) "would mean the failure of the neighbourhood policy, which builds upon the traditional instruments of financial support, free trade and dialogue" (Diedrichs, et al. 2005: 10).

The previously mentioned challenge is not of a merely hypothetical nature. It can be argued that the EU has been torn between relatively rapid progress in the ESDP, which allowed the launching of several missions within a short period of time, and the constraints of using the same instruments in certain regions, including in its Eastern neighbourhood. Another crucial issue is raised by Emma Stewart, who concludes that "[the EU's] conflict prevention is becoming more and more associated with short-term crisis management, at the expense of long-term structural solutions to security problems" (E. Stewart 2008a: 253).

Finally, one of the most provocative questions relates to the overall motivation of the EU's external policy. Is it driven by an altruistic wish to help neighbouring states in adopting democratic values, establishing the rule of law, and enjoying security, peace and stability, or rather by a selfish interest in curbing immigration and trafficking? The EU's self-perception as a normative power does not always correspond to external perceptions. Moreover, some official EU documents give quite material explanations when advocating the need for greater involvement in the discussed region. Thus, for example, the European Commission Communication on the ENP in December 2006 called on the EU to engage more actively in resolving frozen conflicts in the South Caucasus, as these may produce "major spillovers for the EU, such as illegal immigration, unreliable energy supplies, environmental degradation and terrorism" (European Commission 2006a: 2). The lack of clarity over EU intentions and final goals in the region, as well as in the instruments at its disposal, has been reinforced by some external challenges.

External challenges

The core external challenge must be identified with specific reference to the characteristics of the region under analysis. However, to take into account all the peculiarities of the unresolved conflicts in the post-Soviet space, a separate study would be required (e.g. Bolshakov 2009). For this paper it is important to note that the EU's diplomacy has been met by a lack of trust on the part of local actors. Additionally, if the elites of Abkhazia and South Ossetia have suspected the EU of favouring Georgia (Fischer 2008: 5), Georgia itself has seen the EU as valuing relations with Russia instead of opposing Russia's aggressive policy towards it (Popescu 2007: 11).

Another external challenge for the EU's engagement in conflict management within the territory of the CIS countries deals with the interests and involvement of other actors. Even if the activities of such players as the OSCE and the UN, aimed at supervising the process of international conflict management, have not been challenging for the EU, the same cannot be said of the role played by the US (and, by extent, NATO) and Russia. Again, the role of the US in the region and the issue of NATO's programmes and eventual membership for the countries under analysis deserve a special study. Even before the Caucasus crisis of 2008, some experts warned that "Georgia's integration into NATO – in particular, its prospective membership – is inevitably having a negative impact on conflict transformation and conflict settlement, and the lack of clarity surrounding these issues can only be perceived by the breakaway polities and Russia as being even more threatening" (Coppieters 2007: 14-15). Recent studies reveal that "too little coordination has taken place between the EU and other important external actors, notably the US" (Fischer 2008: 5).

The role of 'the Russian factor' in EU calculations is important for this analysis. It has become notorious to stress that the EU (forced by particular member states) has been hesitant to clash with Russia in its traditional 'zone of influence' (Kienzle 2008: 15; Popescu 2009: 474; Aghayev 2009: 6). Scholars suggest various reasons as to why the EU was not interested in jeopardising

its relationship with Moscow: dependence on Russia's energy supplies, the importance of Russian cooperation on the Iran issue and a general need for engaging constructively with Russia, articulated by such large member states as France, Germany and Italy. Meanwhile, Russia's growing proactive and self-confident policies in the region have played a decisive role in the EU's calculations (Barbe/Kienzle 2007: 534). Russia's involvement has been perceived by the EU as an obstacle for its own engagement. However, it may be argued that the EU was more informed, not by Russia's real policy in the common neighbourhood, but by one constructed in accordance with European perceptions of Russia's rhetoric. Real Russian involvement (and its capacity to react to the interference of other actors) has been very questionable, and to some extent, exaggerated. As mentioned above, until recently Russia has lacked a consistent and well thought-out policy towards the post-Soviet space, including the unresolved regional conflicts. If there had been a serious assessment of Russia's foreign policy towards its 'near abroad', these shortcomings would have become evident. However, the EU policy-makers and expert community (following the logic of the EU's own development in the ESDP domain) focused too much on criticising Russian peacekeeping forces, and speculated on the possibility (or, more precisely, on the impossibility due to fierce Russian opposition[12]) of their replacement with an international contingent, presumably under the EU flag. Therefore, the EU missed the chance to become more deeply involved in the political dialogue on the protracted conflicts. It would make sense to discuss instruments for the post-settlement period once an appropriate political solution was found.

It may be concluded that by summer 2008 the EU had played a certain role in conflict management in the post-Soviet space, but many have argued that the EU needed to become still more involved (German 2007: 359). It seems that the EU did not have enough time to adopt its policy to the rapid changes in the South Caucasus. As Bruno Coppieters wrote in December 2007, "the EU works on the basis of a long-term conflict resolution perspective […] Differences in timing create mutual fears. The EU fears that Georgian impatience may be one of the factors leading to the escalation of the conflicts to a violent level" (Coppieters 2007: 1). As mentioned above, it was not only Georgia that worked on changing the status quo. Paradoxically, in 2008, the EU must have been more interested (in comparison to Russia) in maintaining the status quo in the South Caucasus in order to win time to find a new approach for the conflict's management.

The outbreak of war in Georgia had many repercussions, which were not limited to the geo-strategic situation in the region. The EU's conflict prevention policy had obviously failed. The burden of responsibility rests by no means solely on the EU, however. Russia and the US were much more to blame as external actors in the situation. However, while South Ossetia had been given priority over Abkhazia in the EU's policies, it was there that the conflict boiled over. As EU diplomacy after the five day war of August 2008 occurred in close cooperation with Russia, this will be considered in the next chapter.

12 For more details, see Bretherton, Charlotte/ John Vogler (2006): *The European Union as a Global Actor*. 2nd edition. London: Routledge: 210.

III The issue of conflict management in EU-Russia relations

EU-Russia dialogue on conflict management (1999-2008)

Dialogue on conflict management is a part of the broader EU-Russia security cooperation. The importance of coordination between the EU and Russia on various security questions, including regional conflicts, is recognised in a number of key documents developed by both partners. The Common Strategy of the European Union on Russia (CSR), approved at the Cologne European Council in June 1999, states that EU-Russia cooperation promotes not only regional, but also global security. The Common Strategy does not exclude the possibility of developing "joint foreign policy initiatives" nor of Russian participation in Western European Union (WEU) missions, just as the necessity for closer cooperation in the "new European security architecture within the framework of the OSCE" is also emphasised (European Commission 1999).

The Russian government responded with a similar document half a year later. The "Medium-Term Strategy for the Development of Relations between the Russian Federation and the European Union (2000–2010)" can be viewed as the start of Putin's European policy (Ministry of Foreign Affairs, the Russian Federation 1999). According to the document, Moscow is interested in helping shape the CFSP of the EU. Such cooperation will help to build European security without isolating the US and NATO, but, at the same time, also without their monopoly on the continent. Thus, the need to create a counter-balance to 'the NATO-centrism in Europe' will help to establish a pan-European security system, in which non-NATO member states are allowed to play a larger role. According to this strategy, Russia should promote aspects of cooperation such as peacekeeping and conflict settlement (Ministry of Foreign Affairs, the Russian Federation 1999).

An analysis of key Russian documents on foreign policy and national security has confirmed that, at the beginning of the 21st century, Russia did in fact, consider modalities of joint conflict management. The National Security Concept of the Russian Federation (January 2000) envisaged possible Russian cooperation on the prevention and settlement of regional conflicts with international partners including the EU (Ministry of Foreign Affairs, the Russian Federation 2000). However, recently approved documents – the Foreign Policy Concept of the Russian Federation (July 2008) and the National Security Strategy until 2020 (May 2009) – do not include similar references (Ministry of Foreign Affairs, the Russian Federation 2008, 2009). This may be explained by Russia's general disillusionment with the practical outcomes of cooperation with the West (such as the suspension of work on a new Partnership and Cooperation Agreement and difficulties on the way towards a visa free regime between the EU and Russia).

The prospects for EU-Russia security interaction, including on matters of conflict management, have been regularly addressed at European Councils. The European Councils in Helsinki (December 1999) and Feira (June 2000) concluded that Russia "may be invited to take part in EU-led operations" (European Council 1999, 2000). At the Nice European Council in December 2000, Russia was offered (along with Ukraine and Canada) a framework for consultation with the EU's Political and Security Committee (PSC) on matters relating to the ESDP and military crisis management during the 'routine phase'. During a 'crisis situation', this framework (or, alternatively, direct consultations with the Secretary-General/ High Representative) would permit the sharing of views and the consideration of possible participation by Russia in a crisis-management operation. Should such participation become a reality, Russia would have the right to appoint officers to the EU Planning Staff and to attend the Committee of Contributors "with the same rights and obligations as the other participating states" (Webber 2001: 416-417).

Since 1999, EU-Russia summits have also addressed issues related to international crisis management. The EU-Russia Summit in Moscow

(May 2000) confirmed an EU invitation made to Russia to participate in future crisis management operations, and the summits in Paris (October 2000), Moscow (May 2002) and Rome (November 2003) issued joint declarations on strengthening dialogue and cooperation on political and security matters in Europe, including work towards a joint approach in the field of crisis management (Council of the European Union 2000, 2002: 5-6). However, omitting the repeated broad statements, Russian practical involvement has been cautiously marked by the word 'possible'. In particular, the EU acknowledged "possible Russian participation in the EU Police Mission in Bosnia and Herzegovina" (Council of the European Union 2002: 6). In January 2003, this participation did in fact become reality, but it was limited to just three Russian officers.

Since the St. Petersburg EU-Russia Summit (May 2003), EU-Russian relations have been driven by the long-term project of creating four common spaces: a common economic space, a common space of freedom, security and justice, a space of co-operation in the field of external security, as well as a space for research and education (Council of the European Union 2003: 1). The Moscow EU-Russia summit (May 2005) adopted a single package of road maps for the creation of the four common spaces (Council of the European Union 2005). 'The Common Space of External Security' became a good example of the two parties reaching a rhetorical compromise at the expense of eventual concrete fulfilment. While initially Russia did not want to commit to having to cooperate and consult on its neighbourhood policy, the EU rejected the idea of the mutual recognition of the processes of regional cooperation. From the perspective of the EU, it would have looked as if it had supported Russian influence and attempts at re-integration in the post-Soviet space, even if it meant that Russia exercised coercive policy towards its neighbours. A compromise was found and Russia agreed on enhancing "dialogue and cooperation on security and crisis management in order to address [...] existing and potential regional and local conflicts, and give particular attention to securing international stability, including in the regions adjacent to the EU and Russian borders". In turn, the EU agreed "to recognise that processes of regional cooperation and integration in which Russia and the EU participate and which are based on the sovereign decisions of States, play an important role in strengthening security and stability" (Council of the European Union 2005: 32).

The security dialogue between the EU and Russia, including on the unresolved conflicts, is assessed differently by EU officials and scholars. While the former argue that the protracted conflicts are a centrepiece of EU-Russia political dialogue and that they are always on the agenda at the highest political level as well as in informal consultations[13], the latter often criticise the EU for the absence of discussions with Russia on the regional conflicts.[14] This ambiguity may be explained by the fact that, first, the process is highly confidential, and second, the intensity of talks does not necessary bring results that are reported to the public. Many studies describe the EU-Russia security interaction as "over-institutionalised", "heavy on process and light on substance", an "illusion of activity" (Allison et al. 2006: 78) and "largely declaratory" (Lynch 2005: 123). It is also important to add that the EU's ability to act in the foreign policy domain has often been perceived sceptically by both the Russian policy making elite and expert community (Karaganov 2007).

EU-Russia security interaction has been mainly dominated by (sometimes avoidable) disagreements on technical issues which blocked the path for discussing fundamental strategic questions. In particular, protracted debates about Russia's possible contribution to the ESDP and its reluctance to accept that it could not have an equal place in EU decision-making processes related to the planning and implementation of operations[15] show the importance of technicalities in the EU-Russia dialogue. Russia finally rejected the 2002

13 European Commission and Secretariat of the EU Council, interview by author, 8-9 March 2010, Brussels, Belgium.

14 European Policy Centre, interview by author, 8 March 2010, Brussels, Belgium.

15 European Commission, interviews by author, June 2005, Brussels, Belgium.

'Seville arrangements', which would have enabled its participation in ESDP missions (albeit not on an equal footing with the EU member states). Moreover, the issue of joint peace support units and military or civil-military operations should have been considered by the EU and Russia as complementary to their political dialogue on conflict settlement. Finally, as it is known, the EU dialogue on the ESDP was difficult even with non-EU NATO members (namely, the US and Turkey). As such, Russia was obviously not the easiest partner for discussions on its possible involvement in the ESDP.

It can therefore be claimed that EU-Russia interaction on a joint conceptual framework for managing conflicts in the post-Soviet territory is largely a story of missed opportunities. Generally, tensions relating to the shared neighbourhood have been accumulating since 2003. It seems that 'the common neighbourhood' has become a real litmus test that has significantly altered the EU-Russia dialogue since 2003. Divergent views between the EU and Russia on conflict resolution in Moldova in late 2003 were followed by different interpretations of the 'Rose Revolution' in Georgia (November 2003) and misunderstandings during the Orange Revolution in Ukraine one year later. "These events highlighted not only divergent perceptions but also clashing interests in the neighbourhood" (Lynch 2005: 126). A Communication of the European Commission (February 2004) notes that divergence between EU and Russian positions on a number of issues may have implications for Russia's relations with the enlarged EU, including for efforts to resolve frozen conflicts. Meanwhile, the document recommends that "the EU should work with Russia whenever possible to resolve frozen conflicts" (European Commission 2004a: 4). The idea of joint EU-Russian operations in the zones of conflict has been advocated by both Russian and European experts. While Dmitri Trenin proposed the idea of a joint police mission specifically for South Ossetia (Trenin 2006: 17), Dov Lynch advocated generally a necessity to develop a joint conceptual framework for peace support operations (Lynch 2005: 135). These concerns of the respective expert communities seem, however, to have been left on paper and have not been utilised by decision makers.

Cooperation within the CIS, and by extent on the unresolved conflicts, has become less and less visible on the EU-Russia agenda since 2005. The EU and Russia have worked on their own, and have not been able to elaborate a common approach for conflict management. In such a situation it is no wonder that an "urgent interaction channel" to handle crises, as the one agreed to by Russia and the EU in October 2001 (Allison et al. 2006: 80) was not activated on the eve of the August war in 2008. Thus, the partners only began interacting once the conflict had actually boiled over.

The EU's role and interaction with Russia in the August war of 2008

Barbara Lippert warned that "the interest profile of the EU, e.g. toward the Southern Caucasus, but also toward Belarus and Moldova, is still unclear, leading to a situation in which the current dynamism of the ENP could rapidly flatten and only flare up again at the sign of a crisis in the neighbourhood" (Lippert 2007: 20). Indeed, the August war in 2008 did become a mobilising factor for the EU. French President Nicolas Sarkozy, on behalf of the EU Presidency, brokered a ceasefire agreement between Georgia and Russia. The latter, in turn, agreed to the intermediary role of France for two reasons. First, Russia and France have a long tradition of good bilateral relations. In this sense, it is not certain that the EU's role as broker would have been so successful had another country held the EU Presidency. Second, articulating the idea of a multi-polar world (a cornerstone of all Russian foreign policy documents since the 1990s) Russia is not generally inclined to act unilaterally, and was quick to accept the EU's role in negotiating a ceasefire.

As Emma Stewart notes, "instead of investing in conflict prevention, the EU has gone into crisis response mode" (Stewart E. 2008b: 3). On 1 September, 2008, France called an extraordinary Council meeting, which took the decision to deploy a fact-finding mission to Georgia with the task of gathering information and defining the modalities for an increased EU commitment on the ground, under the ESDP (Council of

the European Union 2008: 3). By its decision of 2 December, 2008, the Council established this mission with Heidi Tagliavani at its Head. The result of its work is a lengthy three-volume report released in September 2009 (Independent International Fact Finding Mission 2008). Without going into the details of this work, it is important to underline its significance in two respects. Firstly, the independent international fact-finding mission on the conflict in Georgia was the EU's first mission of this kind. Secondly, the report raised both political and legal issues related to the conflict, which, according to experts, is essential for understanding the dispute.[16]

On 8 September, 2008, the EU mediated an agreement to hold talks between the conflicting parties in Geneva. The 'Geneva talks' are chaired by an EU/UN/OSCE troika, and divided into two working groups – on security and stability, and on internally displaced persons and refugees. On 15 September, 2008, the EU also launched the EU Monitoring Mission in Georgia (EUMM), which became the fastest in terms of deployment and having 330 staff contributed by 26 member states. Its core aim is 'to contribute to long-term stability throughout Georgia and the surrounding region', and the mission mandate includes four tasks: stabilisation, normalisation, confidence building and information. The initial mandate of one year was extended until 14 September, 2011 (EU Council Secretariat 2010).[17] Another measure was the EU appointment of French diplomat, Pierre Morel, as Special Representative in charge of conflict resolution in Georgia. This, however, duplicated the activities of Peter Semneby who remained the EUSR for the South Caucasus (Popescu 2009: 469-470). These activities confirm the EU's increased involvement in Georgia. However, turning to the practical results of this engagement, both EU experts and officials underline that the main disappointment with regard to the EUMM, for instance, is the monitors' lack of access to South Ossetia and Abkhazia. According to EU officials, the EU constantly raises this question in discussions with the Russian side in Brussels, Moscow, and during sessions of the 'Geneva talks'.[18] In this regard, the question needs to be posed as to what the EU could potentially offer if it was able to get access to the breakaway entities. The resumption of hostilities is very unlikely until both Russia and the EU provide a presence on the ground – on the opposing sides respectively, to ensure the short-time stabilisation of the situation. As far as the long-term task of 'conflict settlement' is concerned, the situation has not changed dramatically in comparison to how it was before the outbreak of the war. The EU still cannot stop the process, which was referred to by Bruno Coppieters as "a negative form of conflict transformation", when "the identities and interests of the parties are drifting farther and farther apart" (Coppieters 2007: 28). It is also very questionable whether EU access to Abkhazia and South Ossetia could help to overcome those constraints, which have not allowed the EU "to bring the sides closer together" at previous stages (Coppieters 2007: 17).

The intensity and form of the EU's attention to Georgia after the Caucasus crisis has had quite a peculiar dynamic.[19] In the five months following the five day war, the Council met four times, approving relevant conclusions with regard to the situation in Georgia while the then HR Javier Solana made remarks only once, after his meeting with Lado Gurgenidze, Prime Minister of Georgia, on 1 September, 2008. The year 2009 was marked by one statement from the HR (7 August, 2009), Council Conclusions on Georgia (27 July, 2009), and one Declaration by the Presidency on the situation in Georgia (4 August, 2009). Whereas during the first eight months of 2010, the Council has not adopted any conclusion or declaration with regard to Georgia, Catherin Ashton has made two statements, one declaration, and paid a visit to Georgia. The first President of the European Council Herman Van Rompuy has also made

16 Law office (Global Law Research), interview by author, 26 January 2010, Berlin, Germany; the Vrije Universiteit Brussel, interview by author, 9 March 2010, Belgium, Brussels.

17 For a more detailed analysis of the EUMM, see Fischer 2009.

18 European Commission and Secretariat of the EU Council, interviews by author, 8-9 March 2010, Brussels, Belgium.

19 Cf. report on EU relations with Georgia, available at http://www.consilium.europa.eu/showPage.aspx?id=397&lang=EN, last accessed 10 December 2010. .

one statement to the press, confirming the EU's intention to remain actively involved in confidence building measures and conflict resolution (Rompuy 2010). Therefore, two assumptions can be made in this regard: First, the task of conflict settlement in the South Caucasus has indeed become a priority for the newly elected supranational leaders of the EU, as was anticipated by some experts; second, in 2010, the EU member states (i.e. the Council, and particularly Spain as holder of the EU Presidency in the first half of 2010) have lost the political initiative on policy towards Georgia due to a) the absence of an acute crisis situation, which would serve as a consolidating factor; b) disagreements among themselves on content of possible conclusions; or c) acceptance of the situation that the High Representative formulates the EU's position on Georgia, and by extension its regional conflicts, acting on behalf of the EU. Thus, in this particular case, member states are unlikely to curb the High Representative's room for manoeuvre as they do in some other cases (Kaszynski et al. 2010). However, such assumptions about the new political balances between the different institutions in EU foreign policy making require further elaboration, and the issue is beyond the focus of this paper.

In sum, the five-day war had a profound impact not only on the region, but also on EU-Russia relations, and wider European security. Instead of elaborating on the negative or even catastrophic repercussions of the war and its human, economic and social costs for the South Caucasus[20], it is here important to analyse the consequences of the war for EU-Russian joint conflict management and a broader European security order.

Repercussions of the August war for the EU-Russia dialogue on conflict management

As far as EU-Russia interaction in crisis situations is concerned, the Caucasus crisis of 2008 has highlighted several points. On the positive side is the fact that the EU and Russia have shown that they are able to search for a compromise and come to an agreement even at the peak of a conflict. At the same time, the question of leadership inside the EU is of particular importance in such situations. Secondly, assumptions that Russia sees the CIS exclusively as its own backyard and sphere of influence are to some extent misleading. Indeed, the fact that Russia was willing to accept the EU playing an intermediary role during the hot phase of this conflict and beyond, indicates that the EU could in fact have been more actively engaged in previous years. However, as Laure Delcour and Elsa Tulmets wrote "the EU has so far failed to build bridges between its policies in the former USSR owing to its neglecting the role played by Russia in the region" (Delcour/Tulmets 2009: 514). In this respect, there is also a need to reassess the results of the work of previous EU Presidencies. In particular, one question might be prompted – why Germany, which held the EU Presidency in the first half of 2007, did not notice a negative dynamic in the escalation in the South Caucasus and did not approach Russia on this matter. A peace proposal for Abkhazia, initiated by the former German Foreign Minister Frank-Walter Steinmeier, and followed up by visits to the breakaway region in May/June 2008, were obviously too little.

On the negative side is the fact that the EU and Russia seem not to have learned the lessons from the August war. Since then there have been five EU-Russia summits, but the issue of joint conflict management has not received a higher profile in the partners' relations. While prior to the Nice Summit (November 2008), the President of the European Commission, José Manuel Durao Barroso, said that "the conflict in Georgia has emphasised the crucial need for permanent political dialogue between the EU and the Russian Federation" (European Commission 2008b), such dialogue has not been visible at subsequent EU-Russia summits in Khabarovsk (June 2009), Stockholm (November 2009) and Rostov-on-Don (June 2010). According to official press-releases from Khabarovsk, the "Russian President spoke about the fight against Somali pirates [...] The Russian and EU leaders discussed the Middle East settlement [...] The situation surrounding Afghanistan and Iraq was also addressed [...] Georgia was discussed very briefly" (Interfax

20 On the implications of the conflict for the potential escalation of the Nagorno-Karabakh conflict see Ismailzade 2008: 10.

2009: 22). In Stockholm, talks on the frozen conflicts in the common neighbourhood resulted in the observation, made by Dmitri Medvedev at a press conference afterwards, that "our positions on the South Caucasus are different, and we have to recognise it openly" (Medvedev 2009a). The summits have brought neither a joint declaration nor practical results with regard to conflict management. Both sides are responsible for the lack of progress with regard to the settlement of secessionist conflicts. EU policy towards Russia is a subject of internal debate among the member states, and the lack of coherency complicates the task of elaborating conflict resolution strategies, which, in Nicu Popescu's words, "might upset Russia" (Popescu 2009: 457). It seems that Russian elites do not agree either to what extent and in what fields Russia should closely coordinate its foreign policy with the EU. But, the crucial explanation for the lack of joint work on conflict resolution is the fact that neither in Russian nor EU foreign policy thinking the issue of conflict settlement in the common neighbourhood has been given a top priority. Thus, the Russian-Georgian war has not pushed Russian and EU decision makers to search for practical solutions for managing conflicts in the common neighbourhood.

Meanwhile, the Caucasus crisis has brought out a new, more 'realist' driven discourse in recent academic studies of EU-Russia interaction in the Eastern neighbourhood. The EU's role as a normative power in the region and the notion of the values' gap in EU and Russian perceptions of processes in the post-Soviet area are less articulated in recently published studies. At the same time, a considerable body of research recognises that EU-Russia relations are driven by competition for influence in the post-Soviet space, which, according to some papers, has come about as a consequence of the 'big bang' enlargement (Fischer 2008: 4). The results of this competition are perceived differently: from commending Russia for being an effective power in the region (even one wielding soft power!) and calling on the EU "to take a leaf out of Russia's book" (Popescu/Wilson 2009: 48) to stating that "the EU is asserting itself more strongly in 'the common neighbourhood' just as Russia's loss of influence starts to become increasingly apparent" (S. Stewart 2009: 3). It seems very doubtful that "the success of Russia's activism in the neighbourhood shows up the weakness of the EU's approach" (Popescu/Wilson 2009: 48). Alexey Bogaturov's conclusion is more convincing: "Russia, unlike the US and the EU, cannot provide substantial economic benefits for the small countries of the region […] Russian diplomacy is obviously loosing in competition with the EU and the US, and cannot slow down the process of their power consolidation in the region" (Bogaturov 2008). At the same time, the competition discourse does not discourage experts from making recommendations that the EU and Russia seek to cooperate with each other wherever possible and contribute equally to shaping a broader European security architecture.

Impact of the August war on debates about an evolving model of European security

The Russian-Georgian war has obviously stimulated talk on the reconstruction of the European security architecture – both among academics and decision-makers. Again, it remains to be seen if something practicable will result from President Medvedev's initiative to create a new pan-European security architecture (Medvedev 2009b). Originally, experts assessed his proposals as "generally still quite vague" (Klein 2009: 7; Lukyanov 2009: 3), and EU officials described it as "a bizarre draft as if from the 19th century"[21]. Meanwhile, the Russian initiative has definitely had an impact on similar discussions in Europe, where alternatives to the Medvedev plan are most certainly under construction, both at the expert level and in the political realm.

The recent proposal made by German Chancellor Angela Merkel and Russian President Dmitri Medvedev in Meseberg should be viewed as a further elaboration of the European security model. The Meseberg Memorandum suggests exploring "the establishment of an EU-Russia Political and Security Committee (ER PSC) on the ministerial level (HR C. Ashton – FM S. Lavrov)". In particular, the new structure should

21 European Commission and Secretariat of the EU Council, interviews by author, 8-9 March 2010, Brussels, Belgium.

establish rules for joint EU-Russia civil/military crisis management operations, exchange views and draft recommendations on various conflicts and crisis situations. In particular, the document envisages cooperation in finding a resolution for the Transnistria conflict (Merkel/Medvedev 2010a). The proposal is significant in two respects. First, the European leaders are considering more practical and rapid mechanisms to resolve security issues. Second, the initiative was put forward by one member state. As Angela Merkel claimed "there are situations when one particular EU member country discusses this or that issue in more detail, and this is just one of the EU's work methods. It would be very complicated and not very realistic to expect all 27 EU members to reach agreement among themselves, and only then present this or that initiative to Russia" (Merkel/ Medvedev 2010b). As is clearly shown in the above quotation, it is still a challenge for the EU to design a coherent vision with regard to Russia and how to deal with it. Thus, it is unclear if the proposed initiative will receive the approval of the Council.

The future of a European security architecture has also been discussed in several studies conducted by policy analysists after the August war. They recognise that European security has been guaranteed primarily by NATO and the EU, and that Russia is not included in this traditional system of institutions. Therefore, the Caucasus crisis should be the turning point for redesigning the European order with the aim of engaging Russia (Schroeder 2008: 5; Dembinski, et al. 2008: 24-25; E. Stewart 2008b: 3; Delcour/Tulmets 2009: 516). "Renewed cooperation", "rapprochement" or a "grand bargain with Russia" should rest on the OSCE in its present form (E. Stewart 2008b: 3), or on a revived one – practically achievable by signing "Helsinki-2" (Dembinski, et al. 2008: 26; Bogaturov 2008). Others call for the creation of a completely new European security architecture, since "the existing structures – NATO, EU, OSCE and CIS – are plainly unable to prevent conflict between hostile countries" (Schroeder 2008: 6).

To sum up, although it is difficult to see any demonstrable progress in EU-Russian interaction on conflict management after the Caucasus crisis, the issue is touched upon in the context of broader discussions on the evolving system of European security.

Conclusions

This paper has conducted a joint analysis of both EU and Russian policies towards the conflicts and explored their attempts to include the issue of conflict management on the common political agenda.

As the first chapter found, although Russia has made several attempts (especially evident in the case of Transnistria and recently Nagorno-Karabakh) to change the status quo and suggest some plans for conflict settlement, these moves were quite reluctant, and did not break the negotiation deadlock in any of the four cases. Instead of working on potential scenarios for the political resolution of the conflicts, Russia invested much (both rhetorically and in practice) in defending its right to remain in the zones of conflicts.

The second chapter looked at the EU's policies towards the conflicts and argues that despite the passive Russian approach to the task of political conflict resolution, the EU has not elaborated any plans for conflict settlement either. Despite having a number of instruments for conflict management at its disposal, the EU has mainly used these to make general statements concerning the need for conflict settlement in the Eastern neighbourhood. These are reflected in a number of EU documents. However, the EU has faced certain internal and external challenges to its actual policies towards the protracted conflicts. A number of academic studies stress the role of 'the Russian factor', namely, that the EU has been hesitant to clash with Russia in its traditional 'zone of influence'. This hesitance is said to explain the EU's cautious engagement. However, this paper argues that the EU was not informed by real Russian policy in the common neighbourhood, but more by one constructed in accordance with European perceptions of Russia's rhetoric. If there had been a serious assessment of Russian foreign policy towards its 'near abroad', the absence of a consistent and well thought-out policy would have become evident.

Thus, one may conclude that both the EU and Russia fulfilled the task of conflict management in the common neighbourhood only partly: they acted as mediators, and tried to avoid re-escalation of the conflicts. Meanwhile, both actors invested little in the search for a political resolution of these conflicts. While the EU has seen its role primarily in providing economic assistance and supporting existing negotiation formats, Russia has constantly justified the necessity to keep its peacekeeping forces in the zones of conflict. However, a consistent long-term strategy for political conflict settlement has been absent in both EU and Russian policies towards the region. This analysis confirms that, until the August war, both actors seemed to be less interested in searching for a means of conflict resolution *per se*, but rather in avoiding the negative consequences of their possible re-escalation. This may be illustrated by the fact that before the Caucasus crisis of 2008, conflict settlement in the common neighbourhood had not been an urgent issue, deserving special attention, in either Russian or EU foreign policy thinking.

Therefore, while the EU and Russia are often characterised as the two poles of Europe (Marsh 2008: 201), with obvious differences on a number of issues, their approach to conflict management in the post-Soviet territory has certain similarities. The following comparison will sum up these similarities, which have turned out to be fundamental weaknesses in the strategies of both actors.

First, for a certain period of time (albeit for different reasons), the EU and Russia were interested in maintaining the status quo in the conflict regions. The EU instruments of 'projecting stability' were expected to bring results in the long run, so any negative dynamics would undermine the effectiveness of the EU's work. In turn, Russia mistakenly believed that the presence of its peace keeping contingents would enable it to keep the conflicts under control, and additionally provide it with a certain political leverage over its neighbours.

Second, both the EU and Russia have demonstrated different involvement in the four conflicts. The conflict over Nagorno-Karabakh has received less engagement from both actors, although it has the potential to be the most dangerous in the case of a re-escalation. Both the

EU and Russia have paid more attention to the conflicts in Transnistria and South Ossetia as these seemed to them to be the most solvable.

Third, neither the EU nor Russia has managed to provide a forum for equal dialogue between the conflicting parties. While Russia has preferred to support breakaway entities, the EU has worked more closely with central authorities, ignoring separatists. Such strategies have been counterproductive for building confidence among the authorities and the secessionists, and cannot be seen as a step on the way to conflict settlement.

Fourth, the EU and Russia have widely debated the possibilities of launching or keeping their respective missions in the zones of conflicts. Thus, both actors have obviously prioritised short-term instruments over long-term political dialogue for conflict resolution.

The third chapter aimed at analysing the EU-Russia dialogue on conflict management. It concluded that such interaction has not brought any practical solutions either. Again, it is important to underline that the EU and Russia have prioritised other issues in their relations, and that there was little interest in a *political* resolution of the conflicts. Therefore, despite formalised consultations on the matter and declarations of possible joint actions, the partners did not have the political will and motivation to suggest any workable plans to ensure the settlement of the conflicts in the shared neighbourhood. This is the main factor having negative consequences for joint diplomacy.

Along with this, the paper has also taken other factors into consideration, which have hindered the partners' cooperation with regard to the shared neighbourhood and its conflicts. In particular, while the EU lacks internal cohesion vis-à-vis Moscow, Russia underestimates the ability of Brussels to act in the domain of common foreign policy. In addition, the existence of competition for influence in the post-Soviet space (especially evident since 2003/04) is not to be underestimated.

The result of such interaction has been the limited influence on the part of both actors on the conflict in South Ossetia. The EU turned out to be unable (and Russia unwilling) to prevent the escalation of the conflict in August 2008. In clashing with Georgia, Russia openly became a part of the conflict. The EU played a crucial intermediary role to stop the war, proving that it acted more efficiently and coherently under the crisis situation. Although somewhat paradoxical, one of the immediate lessons from the Caucasus crisis, made by many experts and practitioners both in the West and Russia, relates to the need for an EU-Russian joint approach to conflict management in the region. This paper takes a similar approach, but argues that it is important to stay realistic about the scope of such cooperation.

The issue of joint conflict management has two dimensions: substance and form. Although ideally it would be preferable to find common ground or a universal formula for addressing all secessionist conflicts (as advocated by some legal scholars[22]), this task is politically unfeasible. The conflicts are too complex and divisive, all the more so as they are all at different stages of development. Thus, the EU and Russia should develop separate dialogues and policy options for each conflict. The most difficult cases are South Ossetia and Abkhazia. Despite the argument that the Kosovar sovereignty dispute was unique, it was short-sighted not to foresee an obvious 'domino effect', produced by Kosovar sovereignty on the post-Soviet conflicts. International recognition of Kosovo became a signal for those involved in other conflicts to attempt to change the status quo, thus unfreezing the conflicts in negative terms. As soon as self-proclaimed independence is recognised by any regional or global powers, this becomes a matter of international politics, and an element of 'big play' among key actors rather than a dispute between a state and its breakaway entity. No actor (whether the US, Russia or the EU) would question its international reputation, and call back its recognition. On the other hand, it is unlikely that the other key players would risk supporting a struggle for the return of a breakaway region when its independence has already been recognised by an influential sponsor. This means that the cases of Kosovo, Abkhazia and South Ossetia are practically irreversible. Thus, we are

22 Law office (Global Law Research), interview by author, 26 January 2010, Berlin, Germany.

witnessing the creation of a new divide when particular regions are recognised by some key international actors and renounced by others. Such precedents of establishing parallel systems of norms and principles (under the supervision of the strongest countries) are highly dangerous for security and stability in Europe and worldwide.

What options are available for the EU and Russia? At the moment, the political resolution of the conflicts in Georgia has little chance for success, as the 'Geneva talks' are demonstrating. Thus, Russia and the EU can only work to prevent any new escalation in the unstable region of the South Caucasus. This could be done by deploying parallel peacekeeping missions – the EU's mission in Georgia proper, and the Russian mission in South Ossetia and Abkhazia (as it is well known, the Russian military is stationed in both breakaway entities). Any economic assistance for all three republics – whether by the EU or Russia (and ideally by any third donor) must be a subject to strict conditionality aimed at preventing new clashes.

However, potentially the other two conflicts – in Transnistria and Nagorno-Karabakh – can be approached jointly by the EU and Russia. Both actors remain key players in the established negotiation formats, and may have sufficient political leverage in suggesting plans for settlement. However, as the Caucasus crisis revealed, real (versus rhetorical) EU-Russian relations are 'conflict-driven'. The EU and Russia should learn how to develop an effective dialogue on a regular basis, and not just under the pressure of crisis. The recent initiative of Angela Merkel and Dmitri Medvedev to establish a joint Political and Security Committee may be a step that will help to develop more practical and regular mechanisms of consultations on security issues.

The EU and Russia should develop comprehensive strategies for a phased conflict settlement in Nagorno-Karabakh and Transnistria. Similar to the EU-Russia energy dialogue, the partners could establish dialogues (with respective coordinators) on each conflict. Russia should also consider the possibility of appointing special representatives to Moldova and the South Caucasus (similar to the EUSR) with a mandate for close interaction with their respective EU counterpart. The Russian Ministry of Foreign Affairs (and Russia's Mission to the EU in Brussels, respectively) should intensify its consultations on the issue with the relevant EU institutions. The work of EU-Russia summits should also be redesigned to be structured around a series of topic-oriented forums, including on the regional conflicts.

But, even more important is to give substance to the EU-Russian consultations. Together with institutionalised channels, which are still important in external relations, a space should be created for more informal and precise discussions. As one EU official claimed, there are too many formalised meetings between the EU and Russia and holding two summits per year is not productive either. The dialogue can be led with less choreography (i.e. less planned meetings, rigid structures and institutions), and more on an ad hoc basis if something important happens.[23] Moreover, it should be more open to experts and the general public.

The existence of a joint conceptual framework for conflict settlement would also be an advantage for the conflicting parties. When the EU and Russia come with one single answer, they will not be damaged by competing plans for conflict resolution. A joint EU-Russia approach can be viewed as an important element of confidence building. However, to find such a solution, the EU and Russia should work both with central and secessionist governments.

After devising a joint strategy, Russia and the EU could try to coordinate on such sensitive issues as joint peacekeeping missions for the post settlement period. If the existing formats (ESDP or Russia's peacekeeping practice) do not allow for a solution to the problem of 'equality' in decision-making, then the partners should explore other modalities (division of responsibilities, establishing formats for certain missions on an ad hoc basis).

Finally, the respective expert communities of Russia and the EU should develop better expertise

23 Secretariat of the EU Council, interviews by author, 8 March 2010, Brussels, Belgium.

in the regional policies of the other in order to bridge the gap in the perception and understanding of their counterpart's actions.

To sum up, it is in the mutual interest of the EU and Russia to coordinate their answers to security challenges on the European continent. Reconstructing a pan-European security architecture is an ambitious but time consuming project. Furthermore, institutional agreements do not necessarily lead to the bridging of differences. Not excluding the possibility of a completely new European security system in the future, Russia and the EU should work further within the existing structures. It is also important to give substance to EU-Russian negotiations on various levels, to make them open to a wider audience. Precise decisions for the current problems (including the unresolved conflicts) should not be lost in the discussions of grand, ambitious but fuzzy projects such as creating a new pan-European security architecture.

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