

## **EU involvement in the South Caucasus: Dynamics of democratic transition in Georgia and Azerbaijan**

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## **Introduction**

In 2004 both Georgia and Azerbaijan joined the European Neighbourhood Policy (ENP) framework. The years before the societies of the respective countries experienced dramatic changes caused by the collapse of the Soviet Union... EU have concentrated on the democratization process in the South Caucasus only following the independence of those countries in 1991.

The EU relations with Georgia and Azerbaijan have been based on Partnership and Cooperation Agreements (PCAs) which date back to 1999. The set of instruments at the EU's disposal subsequently expanded from mere technical assistance at the beginning of the 1990's into the comprehensive foreign policy toolkit a decade later (Börzel et al. 2009). This relationship has gained new momentum since the Rose Revolution which resulted a year later in incorporation of those countries into the ENP which is a more comprehensive, novel and forward-looking framework aimed to promote political and economic reform (Ferrero-Valdner, 2007).

Georgia and Azerbaijan are the critical cases to compare in terms of their transition to liberal democracy. Living its second decade of independence after the disintegration of the USSR, the challenging countries of this complex region today are in direct neighbourhood with the EU. Even though they shared the same path until 2003, they constitute most different cases with regard to the dimension of democracy and good governance (Börzel et al. 2009).

In line with the analytical framework in this paper I will engage in a three-part consideration of the democratic challenges in "cooperation-willing" Georgia and "cooperation-reluctant" Azerbaijan (Franke et al. 2010). By

drawing on the ENP, which is the main reform tool in the region, the paper will examine the influence of this policy instrument, in particular of the Eastern Partnership on the democratic transition of Georgia and Azerbaijan by focusing on below-mentioned components: the combat against corruption, the violation of human rights as well as conflict resolution. First, the study will consult to the democratic history of both countries by considering the fact that the post-Soviet Georgian (before the Rose Revolution) corruption environment is still reality in Azerbaijan, - in a country once upon a time being the first democratic republic in the East of 1918. It will further analyze that in contrast with Georgia, the Azeri experience demonstrates a reverse trajectory of transition: not from authoritarianism to democracy but from a democracy-oriented rule to authoritarianism referring to a one-year democratic experiment of Elçibey's government of 1992-93 (Guliyev 2005). Accordingly, the situation of human rights in a comparative perspective will be deliberated as well. Next, since the both countries are suffering from the ongoing conflicts, the elements on which level the EU's role in the conflict resolution should be, are also considered. Consequently, while in the EU it is very much believed that democratization is a panacea to the Nagorno-Karabakh conflict (between Armenia and Azerbaijan), the incumbent government of Azerbaijan considers it the other way round, conflict being as a hindrance to democratization in the country, which is not the case in Georgia.

So, why does the EU have an influence in Georgia despite the absence of a membership perspective which is usually considered to be essential? Why the similar incentives under the same policy instrument (ENP) are "enough" for Georgia to induce domestic reforms in the fields of governance and democracy, but doesn't work on Azerbaijan? Why is the EU's "soft power"

doesn't work on Azerbaijan? To what extent Azerbaijan matters to the EU? What stands beyond Azerbaijani reluctance to integrate?

In this respect, the projected study will seek to explore and hypothesize, as one of those possible obstacles, that in Georgia economic development is an opportunity to foster democracy while in Azerbaijan it is rather an impediment. Finally, the case studies of these two dissimilar countries will allow me to test main implications of the ENP in several dimension of cooperation in order to draw profound conclusions about EU strategy towards its troubled neighbors.

**Economy is a key, democracy is a tool?  
EU's 'traditional' cautious approach.**

ENP is a major policy instrument which associates Georgia and Azerbaijan with the EU. It incorporate a set of dimensions one of which is democracy promotion. To start with, democracy promotion in neighboring countries is assumed to stabilize the EU's external borders. The EU was and is spending large sums on democracy promotion and human rights protection. The EU's European Initiative for Democracy and Human Rights for the years 2007-2013 receives an allocation from the central budget of 1 billion euros, which makes the EU financially one of the biggest donors in this sector in the world. The promotion of democracy and human rights thereby also serve geo-strategic interests since the EU's borders are assumed to be more stable with democracy and human rights spreading (Brosig, 2010:43-44).

For most EU claiming to act in the name of democracy goals but actually intent on boosting its own power or protecting its own interests. It's an important element of EU's strategic calculations. Protecting its strategic interests is possibly a natural right of any party (in this case EU) unless it prevails the basic values prescribed on EU's foundations. On the other hand, as Karin Arts notes that 'there is neither a well-established rule or general principle of international law prescribing an individual or collective right to democracy nor an absolute duty of states or governments to be democratic' although the essentials of democracy have been incorporated into human rights law. Moreover, there is an apparent discrepancy between internal Union practice and external policy objectives, which helps neither to adopt a clear strategy for achieving the objectives nor to foster external perceptions that the Union can legitimately demand that third countries improve their democratic and governance records (Smith, 2008).

Subsequently, the extent of EU dependence on third world countries (i.e. Azerbaijan) in material resources is affecting EU policy-making. Instead of openly criticizing democratic shortcomings, they reward progress of cooperation and reform. As EU commissioner once made it clear, if there are reforms we financially do support them if not we do nothing.<sup>1</sup> Roman Prodi, in his speech at the 6th ECSA World Conference in Brussels (2002) declared that 'We have to be prepared to offer more than partnership and less than membership, without precluding the latter'. What stands beyond this is pretty much unclear. But noticeably, the EU is using its political weight in international relations and its financial means to promote and enforce human rights norms globally.

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<sup>1</sup> Personal interview at the EU Commission in Brussels, 12.05.2010

Then again, it is no longer able to justify aid expenditure as necessary for geo-strategic objectives, donors have to justify it on other grounds, which resonate with domestic publics. Thus, they assert that aid should go to democracies rather than corrupt and autocratic regimes. However, the EU is the only regional organization in Europe that can combine political influence with real economic incentives (Galbreath & Gebhard 2010:172).

Of not less important is that it must be made clear that democracy is much more about than elections. EU's observatory missions regularly following the elections in the respective countries is certainly necessary but not enough. On the other hand, you cannot always expect somebody else to come from outside and resolve your problems. The promising revolutions in Tunisia and Egypt proved it by and large. That sort of indolence will not get you very far. If you do not focus on specific tasks such as meeting the requirements for the visa free regime and the priorities set forth by the European Partnership, nobody from the outside can do anything about it (McEvoy, 2010:133). It is already very much believed that human rights and democracy promoter (European Union) referring usually to the human rights and democracy producer (Council of Europe) are going to tolerate democratic wrongdoers for indefinite period.

### **Georgia: The Pursuit of Democracy**

*Georgia will easily overcome the economic problems stemming from its withdrawal from the USSR. We will join (the EEC) European Union.* This statement has been made by the Georgian official in 1990. On the whole, it showed the Georgian aspirations towards integration which is a positive sign of ENP partner country.

Following on from the EU-Georgia Partnership and Cooperation Agreement, the ENP Action Plan was adopted by the Georgian government in 2006. The Action Plan set targets for reform for the years 2006-2011 in a wide range of areas. Georgia's reform agenda is closely connected to its European and Euro-Atlantic aspirations. The reforms aim to push Georgia towards a more democratic and lawful society, to align the Georgian economy and legal system with European and international standards, and to make Georgia a better neighbour, and a more likely future member, of the EU.

Bilateral relations between EU and Georgia have further intensified since the 2003 "rose revolution" which brought to power a new Georgian administration committed to an ambitious programme of political and economic reforms. Saakashvili administration has managed to achieve remarkable advances in combating corruption. Since the Rose Revolution Georgia performs better, although on a comparatively low level. Some progress has been made but important ones are still have to be made.

**Table 1: Level of corruption in Georgia and Azerbaijan in 1999/2004/2010**

|                   | <b>Year</b> | <b>Ranking</b> | <b>Score</b> |
|-------------------|-------------|----------------|--------------|
| <b>Georgia</b>    | <b>1999</b> | <b>84</b>      | <b>2.3</b>   |
|                   | <b>2004</b> | <b>133</b>     | <b>2.0</b>   |
|                   | <b>2010</b> | <b>68</b>      | <b>3.8</b>   |
| <b>Azerbaijan</b> | <b>1999</b> | <b>96</b>      | <b>1.7</b>   |
|                   | <b>2004</b> | <b>140</b>     | <b>1.9</b>   |
|                   | <b>2010</b> | <b>158</b>     | <b>1.9</b>   |

Source: Transparency International.

Not less important is the withdrawal of the Russian military bases from Georgian territory. Among others are: a new opposition party is formed, a new law on media transparency is proposed, parliament approved changes to the constitution which limits presidential rights and giving more power to the parliament, as well as visa-free travel for North Caucasus citizens is introduced.

### **Hereditary 'Democracy': Azerbaijan**

In 1918 the political world map 'welcomed' the first democratic republic in the East: Azerbaijan Democratic Republic (ADR). Today Azerbaijan is in the top of authoritarianism and appears to be in most urgent need for improving governance. While Georgia has made some progress Azerbaijan appears to be "stuck in transition" (Börzel et al. 2009).

Syria and North Korea ....

The EU's relations with Azerbaijan are a primary example of how considerations of democracy have been downplayed. Azerbaijan, through its natural resources and conditions, is considered to be the wealthiest country in South Caucasus and, if measured by its GDP growth rate, unsurprisingly can claim to be the richest in the world, mostly because of its energy supplies. But as regards to democracy the situation is far more nuanced. Therefore many EU member states have simply been unwilling to put any pressure on Azerbaijan to conform to democracy and human rights standards. What makes the two relations risky is the lack of Azerbaijani aspirations. Because dialogue will only work if the third country is ready to cooperate and is genuinely committed to pursuing change. Azerbaijan however is not very



much interested in integrating into the Euro-structures. Even Foreign Minister of Azerbaijan once made it clear that Azerbaijan wants to be like Switzerland of Europe, implying to politically staying away from EU but economically cooperating, though Switzerland is a modern democracy. Following Franke et al. (2010), by considering reflections of the democratic challenges in “cooperation-willing” Georgia (re-modified from Ukraine due to relative similarity) and “cooperation-reluctant” Azerbaijan I want to add that Azerbaijan is not totally reluctant, it is economically motivated but politically reluctant.

**Table 2: Level of press freedom in Georgia and Azerbaijan in 1999/2004/2010**

|                   | Year | Ranking | Rating | Status      |
|-------------------|------|---------|--------|-------------|
| <b>Georgia</b>    | 1999 | -       | -      | -           |
|                   | 2004 | 114     | 54     | Partly Free |
|                   | 2010 | 126     | 59     | Partly Free |
|                   |      |         |        |             |
| <b>Azerbaijan</b> | 1999 | -       | -      | -           |
|                   | 2004 | 156     | 71     | Not free    |
|                   | 2010 | 172     | 79     | Not Free    |

Source: Freedom House.

There is in fact a skepticism and according to Franke et al. (2010), it is largely based on the misfit between ENP demands and rewards. But it is less likely to be a reason for Azeri reluctance. Georgian case as a frontrunner however proved it that strong political will by reform-willing assertiveness and ‘impatience’ to move forward is essential for successful cooperation.

Another important issue is, while Azerbaijan is experiencing one of the dangerous turn-point in its democratization history, its obligations on EU

partnership agreements, in particular within the frameworks of the European Neighbourhood Policy (ENP), have not been fulfilled yet and pessimistically seems to stay on paper for a long time due to the current trends happening in the country's political arena (Shafagatov, 2010). Accordingly, The history has recorded this rich-but-poor country, rich in energy but poor in democracy, as authoritarian since its parliament has taken steps to eliminate presidential term limits which is considered to be a huge step back in terms of democracy according to local analysts. Interestingly, the proposed constitutional change has passed through the parliamentary commissions, general parliament vote, and constitution court's approval in less than ten days with no public debate on the issue. Consequently, as it was expected, the Constitutional Court on December 24, 2008 ruled to allow a referendum in which the possibility of unlimited presidential terms would be put to the public and the parliament, dominated by pro-government parties, overwhelmingly confirmed the date scheduled on March 18, 2009. The proposed constitutional amendment has been widely criticized by opposition parties, though. In spite of attempted demonstrations protesting against the amendment, police over-managed to break it up instantly. According to Ali Kerimli, previous elections were falsified, and all levels of the election commissions are under the control of the government. So the upcoming plebiscite will be falsified as well, considers the chairman of the Popular Front Party. Meanwhile, civic activists consider the proposed amendment contradicts the fundamental nature of the country. Taking into account the circumstances of the society, the lack of political freedoms, the lack of a legitimate process of elections, and the lack of free media and a free market – if you take them altogether, removing the constitutional clause which limits the number of presidential terms would

eventually lead to some sort of monarchy-like state. On January 1, 2009 the Azerbaijani government terminated radio broadcasts of the BBC, Voice of America and Radio Free Europe/Radio Liberty on the national frequencies. An embarrassed ban on broadcasting of international radio stations as an argument was supported by the requirements of the current legislation, though it was a political decision. A cutting off one of the last remaining sources of independent news and information in Azerbaijan in the XXI century is a 'courageous' step enough which will certainly take the country into the Soviet period. The parliamentary elections in 2010 recorded the worst elections ever simply because there was in fact no opposition represented in Milli Mejlis. The fraudulent elections is also followed by recently arresting the leadership of the Islamic Party of Azerbaijan which is another example of negative trend.

Comparatively, in the light of Georgian president's recent initiative to limit the presidential rights in Georgia and instead giving more power to the parliament, the proposed constitutional amendment and a ridiculously justified ban on broadcasting of the major international radio stations in Azerbaijan looks quite unreasonable and bizarre.

Therefore, it gives us an impulse to believe that the government is guilty of stifling democracy and freedom of speech by violating its international obligations and in this case one can unquestionably argue that President Aliyev is an office-seeking politician who is trying to manipulate economic policy to increase his chances of being re-elected. A question might arise: Why the incumbent government doesn't take corrective action???

However the establishment of the Commission on Combating Corruption of the Republic of Azerbaijan is an essential step forward. Now it is of vital importance to make it work efficiently. As a whole, there are more or less a legislative basis for the implementation of the reforms, most of them either not working or being regularly violated. Following the uprising in the Arab world (Tunisia, Egypt, Libya and a few others) in the early 2011 Azerbaijani authorities officially declared anti-corruption 'campaign' in the country, apparently, in order to prevent the possible negative influence from the African revolutions. These are called anti-revolutionary measures by the opposition implying that the government is not sincere in its deeds.

## **Conflict Resolution**

South Caucasus is not only rich in oil and gas resources but also full of thorny conflicts prevailing in the region for decades. After the disintegration of the Soviet Union violent conflicts erupted in Georgia and Azerbaijan. Though they had been different by nature the violence in both were on its peak. A territorial conflict between Armenia and Azerbaijan over Nagorno-Karabakh which broke out in 1988 is still unresolved due to ongoing ineffective negotiations. Another separatist conflict in nature is Abkhazia and South Ossetia. What is clear is that in both cases Russian 'invisible' but unwanted hand is present. Its dominance and direct support of separatists is a logical consequence of deadlocked conflicts in the region. Accordingly, it also puts the EU face-to-face with Russia and the respective countries with two different foreign policy choices.

The EU is more active in the field of post-conflict activities rather than being involved in conflict resolution. Also, the OSCE has developed into an organization highly specialized in conflict prevention though its continuing incapability in those conflicts. According to Richard Burchill, one commentator has described the OSCE as a 'playground' for the EU to experiment with its foreign relation policies and peace and security initiatives. However, the Russian-Georgian clash in 2008 was a haunting reminder of how quick 'frozen' conflicts can become hot (Galbreath & Gebhard 2010:177). It certainly changed a lot in political landscape of the region. Most importantly, it was a clear signal of Russia to the neighboring countries to be cautious in their conducts.

The Union's efforts to prevent conflicts in and between third countries are based in part on the belief that lack of good governance and respect for human rights are causes of conflicts, and that support for democracy should help prevent conflicts (Smith, 2008). Azerbaijan in contrast considers it the other way round, conflict being as a hindrance to democratization in the country. Overall, we can see that there are elements of truth in both cases which is difficult to judge. But it gives us to speculate that the government using the conflict as an excuse. Because whenever there is a demand for real political reforms, e.g., freedom of gathering, press freedom, judicial reforms, human rights violations and not less important combating corruption, the incumbent government ask for taking a solid stance in conflict resolution.

Civil societies of both conflicting countries however consider that a major key for the resolution of the long-standing conflicts goes through the democratization. Because it is very much easier to communicate with each other when the countries are free from oppression and there exist a

considerable level of freedom. While Georgia is on its way to achieve such freedoms Azerbaijan is still in the dark tunnel with no green light ahead. It must be made clear to Azerbaijani government that democratic wrongdoers cannot be tolerated ever and should be punished like Belarus gets such a punishment from the EU. Azerbaijan 'deserves' similar punishment certainly not less than Belarus.

## **Conclusion**

The 'one size fits all' approach that has evolved at the regional level sets the institutional framework within which the EU seeks to promote democracy in the South Caucasus (Börzel et al. 2009). Although the South Caucasus is referred to as 'region' in relations with foreign actors, none of the latter cooperates with the three countries as a region; rather, each of the international actors, including the EU, has different relations and cooperation level with each of the countries (Gazaryan, 2010). Apparently, 'one size fits all' approach is less likely to work in this volatile region. It would be more relevant to give each what they deserve, carrot (reward) to Georgia, stick (punishment) to Azerbaijan.

According to Franke et al., the success of any EU strategy depends on three factors:

- The willingness of an ENP partner country to cooperate;
- The asymmetric interdependence between the EU and an ENP partner country;

- Adaptation costs of EU demands that are linked to the continuation of path-dependent, persisting Soviet-era mentalities and a particular type of incumbent regime in an ENP partner country

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