

The EU as a conflict manager?

The case of Georgia and its implications

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On 16 October 2009 Sergei Bagapsh expressed confidence 'that the independence of Abkhazia not only is assured, but that we will thrive politically and economically ... [and that] it is only a matter of time before we are recognized by most countries of the world'.¹ What is remarkable about this is less the statement itself than the fact that it was expressed in the editorial pages of the *Washington Times*, which acknowledged Bagapsh's title as president. Giving such a platform to the leader of an as yet largely unrecognized separatist region of a country with which the US has had very close and strategically significant relations was a remarkable turn of events, given what had happened 14 months earlier. Then, in August 2008, Georgia and Russia clashed in a five-day war after Georgian troops attempted to assert full control over the breakaway region of South Ossetia, in contravention of a 1992 ceasefire agreement brokered by Russia and policed by Russian troops in the guise of CIS peacekeepers. This was a most dangerous series of events, culminating in the Russian recognition of South Ossetia's and Abkhazia's independence on 26 August 2008, in a region of great strategic significance to the EU that had seen its fair share of conflict and instability during and since the breakup of the Soviet Union. This area of the EU's eastern neighbourhood encompasses all the non-EU states that were formerly part of the Soviet Union, except for the Central Asian states. The countries in this area—Belarus, Moldova, Ukraine, Armenia, Azerbaijan and Georgia—are intended to have a special relationship with the EU and its constituent states via the new Eastern Partnership (EaP) launched at a summit in Prague on 7 May 2009.² Alongside the conflicts over Transdriestria (in Moldova) and Nagorno-Karabakh (in Azerbaijan), the two conflicts in Georgia—over Abkhazia and South Ossetia—are thus of critical importance to the EU and its member states. This has been recognized by the EU Security Strategy of 2003 (EUSS), which notes that 'frozen conflicts, which also persist on our borders,

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¹ 'Abkhazia will succeed', *Washington Times*, 16 Dec. 2009, <http://washingtontimes.com/news/2009/oct/16/abkhazia-will-succeed/>, accessed 20 Oct. 2009.

² Council of the European Union, 'Joint Declaration of the Eastern Partnership Summit', Prague, 7 May 2009, Brussels, 7 May 2009 8435/09 (Presse 78), http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/107589.pdf, accessed 11 May 2009.

threaten regional stability'.³ The EUSS states clearly that 'violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe',⁴ and goes on to demand very specifically that the Union 'should now take a stronger and more active interest in the problems of the Southern Caucasus'.⁵ The 2008 report on the implementation of the EUSS referred specifically to the conflicts in Georgia, claiming on the one hand that 'since 2003, the EU has increasingly made a difference in addressing crisis and conflict, in places such as ... Georgia' and pointing out on the other that 'the situation in Georgia, concerning Abkhazia and South Ossetia, has escalated, leading to an armed conflict between Russia and Georgia in August 2008. The EU led the international response, through mediation between the parties, humanitarian assistance, a civilian monitoring mission, and substantial financial support. Our engagement will continue, with the EU leading the Geneva Process'.⁶ Clearly, conflict management in the case of Georgia is a relatively high priority for the Union, both because of its security interests and in terms of lessons learned. As Dov Lynch aptly put it in 2006, 'Georgia matters because it embodies a key challenge facing the EU in the coming century—to support state building in a contested state on Europe's borders.'⁷

As the relationship between Georgia and the EU began to grow closer after the inclusion of the country in the European Neighbourhood Policy after 2003, the EU specifically set itself the aim of contributing to the resolution of the conflicts over Abkhazia and South Ossetia. While there is no clear definition, on the part of the EU, of what 'conflict resolution' is to mean in terms of the concrete policies that the Union is to formulate and implement, a minimum consensus exists among Commission and Council officials that it involves assisting the parties to a conflict to achieve agreement on a mutually acceptable institutional framework within which they can deal with disputes by political means rather than through recourse to violence.⁸ However, the EU's impact on the conflicts in Georgia and between Georgia and Russia was negligible until August 2008, at which point remarkably swift and decisive action resulted in a ceasefire agreement and the withdrawal of Russian troops to their positions prior to the war, before a relative lack of follow-through appeared to relegate the EU back to the sidelines, even though it has now become the sole international actor on the ground in Georgia.⁹

³ Council of the European Union, *A secure Europe in a better world: European Security Strategy* (Brussels, 12 Dec. 2003), p. 5, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>, accessed 10 Nov. 2009.

⁴ European Council, *A secure Europe in a better world*, p. 7.

⁵ European Council, *A secure Europe in a better world*, p. 8.

⁶ Council of the European Union, *Report on the implementation of the European Security Strategy: providing security in a changing world* (Brussels, 11 Dec. 2008), pp. 1, 7, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/reports/104630.pdf, accessed 10 Nov. 2009.

⁷ Dov Lynch, *Why Georgia matters* (Paris: EU Institute for Security Studies, 2006), p. 11. Regarding the importance of Georgia in terms of the EU's own security, see also Dov Lynch, ed., *The South Caucasus: a challenge for the EU* (Paris: EU Institute for Security Studies, 2003).

⁸ This claim is based on interviews conducted by Stefan Wolff in Brussels in December 2008 and January 2009 with officials from the Council and the Commission, including Kalman Mizsei, John O'Rourke, Remi Duflot, Pirkka Tapiola, Giuseppe Busini, John Kjaer, Peter Semneby, Mark Fawcett and Stefano di Cara.

⁹ Independent International Fact-Finding Mission on the Conflict in Georgia, *Report* (Brussels, Sept. 2009), pp. 35–6.

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In this article we offer an analysis of the EU's engagement in Georgia. We start with a brief narrative account of the development of relations between the EU and Georgia in the context of the country's two unresolved conflicts. This is followed by an analysis of two sets of factors—within, and external to, the EU—that, in our opinion, are crucial for understanding the nature and impact of EU efforts to manage the conflicts in, and over, Abkhazia and South Ossetia. On the basis of this analysis of the EU's role in Georgia, we conclude with some general observations about the EU's potential for assuming a wider role as an international security actor.

Background: EU–Georgia relations after the demise of the Soviet Union¹⁰

EU engagement with Georgia in areas relevant to the country's two separatist conflicts dates back to the early 1990s and was initially focused on humanitarian assistance: prior to the 2008 war and its aftermath, more than half of all of ECHO's¹¹ funding to Georgia, two-thirds of all food aid (from agriculture funds), and all exceptional humanitarian assistance was spent between 1992 and 1995. From 1997 onwards, the EU also began to commit funds to rehabilitation programmes in the two conflict zones.¹²

A marked increase in the amount of EU funding received by Georgia and a significant diversification of the programme areas in which projects were financed occurred after 1999, when relations between Georgia and the EU were put on a contractual footing with the Partnership and Cooperation Agreement (PCA) entering into force. As part of the envisioned political dialogue to be developed on issues pertaining to security, stability, economic development, institutional reform, and human and minority rights, a hope was expressed that 'such dialogue may take place on a regional basis, with a view to contributing towards the resolution of regional conflicts and tensions'.¹³ The 'Presidency conclusions' of the Cologne European Council were even more optimistic, expressing the conviction 'that this will also facilitate ... the quest for lasting solutions to persisting conflicts in the region'.¹⁴

In 2001 the European Commission issued a Country Strategy Paper for Georgia which, apart from a gloomy overall assessment of the political and economic situation in Georgia,¹⁵ identified the two conflicts in and over Abkhazia and South

¹⁰ In this section, in addition to the sources indicated, we draw on earlier work of our own, including, in particular, A. Akçakoca, T. Vanhauwaert, R. G. Whitman and S. Wolff, *After Georgia: conflict resolution in the EU's eastern neighbourhood*, EPC issue paper 57 (Brussels: European Policy Centre, 2009), and S. Wolff, 'The EU as a conflict manager in the former Soviet Union', paper presented at the conference 'Human and minority rights in the life cycle of ethnic conflicts', Frankfurt, 24 Oct. 2008.

¹¹ European Community Humanitarian Aid Office—the humanitarian aid department of the European Commission.

¹² For detailed annual expenditures, see European Commission Georgia Country Strategy Paper 2007–2013 (Brussels, 2007), p. 33.

¹³ European Communities and their Member States, of one part, and Georgia of the other part, OJL 205, 4.8.1999, pp. 1–520.

¹⁴ Council of the European Union, 'Presidency conclusions', European Council, Cologne, 3–4 June 1999, para. 93.

¹⁵ European Commission, Georgia Country Strategy Paper 2002–2006 and National Indicative Programme 2002–2003 (Brussels, 2001), pp. 4, 7–10.

Ossetia as a major ‘impediment to development in Georgia’ and a contributing factor to regional instability.¹⁶ Noting the readiness of the EU ‘to look for further ways in which it could contribute to conflict resolution, as well as post-conflict rehabilitation’, the paper also explicitly committed the EU to the support of ‘the principle of Georgian territorial integrity’.¹⁷ Less than two years later the Commission published a revised country strategy, taking account of the deteriorating political and economic situation in Georgia and restating the commitment to contributing ‘to support efforts to prevent and resolve conflicts as well as post conflict rehabilitation’.¹⁸ The latest Country Strategy dates back to 2007 and is generally more upbeat about developments in Georgia since 2003, which included the appointment of an EU Special Representative (EUSR) for the South Caucasus and the deployment of the EU’s first ever rule of law mission (EUJUST Themis). While the EU’s priorities in respect of Georgia—poverty reduction and institutional reform—remain essentially unchanged, the language on Georgia’s two conflicts is toned down, merely noting that ‘the EU attaches great importance to the resolution of conflicts in Georgia’s two breakaway regions of Abkhazia and South Ossetia and is actively involved in ongoing efforts to achieve a peaceful settlement, partly through the offices of the EUSR for the Southern Caucasus and through providing financial assistance for reconstruction and rehabilitation projects in Georgia’s conflict zones’.¹⁹ This is quite remarkable in the light of the fact that, less than a year earlier, External Relations Commissioner Ferrero-Waldner had clearly and correctly noted, with respect to the South Caucasus as a whole, that ‘three negative strands are coming together, the combination of which is, frankly, alarming’: namely, the failure of all parties to deliver on conflict settlement, increased defence expenditure, and ever more inflammatory rhetoric. Thus, she warned that ‘any further escalation of tension could re-ignite the conflicts with devastating consequences for the entire region’.²⁰

The 2007 Country Strategy must be seen in the context of the EU’s European Neighbourhood Policy (ENP), in which Georgia had become a participant in 2004. As a result, while the 1999 PCA remains the legal foundation of EU–Georgia relations, it is now the ENP Action Plan that provides the framework for EU assistance and it is the ENP instruments (principally, European Neighbourhood and Partnership Instrument (ENPI) and Neighbourhood Investment Facility (NIF)) that are the primary tools through which policy is implemented.²¹ In the PCA the issue of the conflicts in, and over, Abkhazia and South Ossetia was mentioned

¹⁶ Partnership and Cooperation Agreement between the European Commission 2001, Georgia Country Strategy Paper 2002–2006, p. 11.

¹⁷ European Commission 2001, Georgia Country Strategy Paper 2002–2006, p. 5.

¹⁸ European Commission, Georgia Country Strategy Paper 2003–2006 and National Indicative Programme 2004–2006 (Brussels, 2001), p. 4.

¹⁹ European Commission 2007, p. 7.

²⁰ European Commission, ‘Speech by EU Commissioner Ferrero-Waldner: political reform and sustainable reform in the South Caucasus’, Bled Strategic Forum, Slovenia, 28 Aug. 2006, pp. 1–2.

²¹ The ENP Action Plan also takes significant inspiration from the PCA and makes frequent reference to it. See European Commission, EU/Georgia Action Plan (Brussels, 2007), pp. 5, 6, 11, 19, 21, 25, 34, 40. The Action Plan also clearly states that PCA implementation is the top priority for future assistance to Georgia. See European Commission, EU/Georgia Action Plan, p. 19.

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only relatively briefly, mainly in article 5 of title 2 (Political Dialogue), whereas the ENP Action Plan elevated the conflicts and their settlement to the status of a priority area (no. 6 of 8 priority areas in all). As a consequence, the inclusion of Georgia in the ENP in 2004 saw a general increase in the EU's engagement with the country's two secessionist conflicts. Moreover, the change in government in Tbilisi in 2004 gave the EU greater confidence that its engagement would yield positive results, and more quickly.²² It is important to note that this major gear shift in EU engagement in the South Caucasus also reflected a break with previous thinking more generally on the South Caucasus, which now, for the first time, became more differentiated as a region of its own, rather than being treated as a part of the post-Soviet region.²³

Reflected in the policy instruments brought to bear and the funding committed to conflict resolution by the EU demonstrates a consistent EU preference for creating conditions for enabling the resolution of the conflicts in, and over, Abkhazia and South Ossetia. The bulk of EU initiatives and funding has gone to rehabilitation projects, with the aim of contributing to economic and infrastructural development and thereby also building confidence between the different parties.²⁴ The EU allocated €25 million to Abkhazia and €8 million to South Ossetia between 1997 and 2006, making it the largest foreign donor.²⁵ In addition, just over €100 million was spent on humanitarian assistance under ECHO between 1993 and 2006, primarily 'targeting population groups affected by the conflict' and increasingly concentrating on food security and income-generating activities for internally displaced people and other vulnerable groups.²⁶ This trend continued in 2007 and the first half of 2008, with a further €10 million committed to economic rehabilitation projects in the conflict zones of Abkhazia and South Ossetia and to a range of projects catering to the needs of Georgia's still significant number of internally displaced persons (IDPs) from the two conflicts.²⁷ Spending on IDPs increased further in the aftermath of the 2008 war, which created almost 200,000 more: a total of €61 million was additionally allocated under the ENPI and a further €6 million, initially committed to the Organization for Security and Cooperation (OSCE)-administered economic rehabilitation programme for South Ossetia, was reassigned to IDP projects following the closing of the OSCE mission to Georgia.²⁸

In addition to these economic and humanitarian programmes, the EU has also been politically engaged in Georgia, including in relation to its two secessionist conflicts. Apart from significant funding made available to reforms in the political

²² Compare, for example, the EU's assessment of the situation in Georgia in the 2003 Country Strategy with that of the 2007 Country Strategy.

²³ Dov Lynch, *The EU–Russia partnership in the shared neighbourhood* (Paris: European Institute for Security Studies, 2004).

²⁴ Author's interviews with Peter Semneby and Mark Fawcett, Brussels, 16 Dec. 2008, and with John Kjaer and Stefano di Cara, Brussels, 16 Dec. 2008.

²⁵ European Commission, Georgia Country Strategy Paper 2007–2013, p. 34.

²⁶ European Commission, p. 34.

²⁷ European Commission, Initial Concept Note: potential priority areas for ENPI Georgia National Indicative Programme 2011–2013 (Brussels, 2001), p. 8.

²⁸ European Commission, Report on EC assistance to Georgia (Brussels, 2009), pp. 5, 7.

and judicial institutions of the country, Joint Actions under the Common Foreign and Security Policy (CFSP) have begun to play an increasingly important part in the EU's efforts to contribute to the peaceful resolution of the conflicts in, and over, Abkhazia and South Ossetia. When the first EUSR was appointed in 2003, his mandate in relation to the conflicts in the South Caucasus was merely one of 'assisting' in their resolution. The appointment of the current EUSR, Peter Semneby, in 2006 saw the mandate amended to a more proactive 'contributing' to conflict resolution. This change has been reflected more generally in EU CFSP actions *vis-à-vis* the conflicts in, and over, Abkhazia and South Ossetia.²⁹ Indicative of this gear change is the first ENP Action Plan, endorsed by the EU–Georgia Cooperation Council in November 2006 and entering into force in 2007.³⁰ Under priority area 6 ('Promote peaceful resolution of internal conflicts'), Georgia and the EU committed themselves to a range of specific actions with regard to conflict settlement in Abkhazia and South Ossetia, 'based on respect of the sovereignty and territorial integrity of Georgia within its internationally recognised borders', including confidence-building, economic assistance and demilitarization.³¹ Under the 'disguise' of action items, the Commission also offered a broader assessment of the state of play at the time, pointing out that there was a 'need to increase the effectiveness of the negotiating mechanisms', that 'the work of the Joint Control Commission [for South Ossetia] should be measured by the rapid implementation of all outstanding agreements previously reached and in particular by the start of demilitarisation', and that 'constructive cooperation between interested international actors in the region, including the EU and OSCE Member States', was essential for further progress towards conflict settlement.³² This last point needs to be seen in conjunction with a reference to the peace plan for South Ossetia endorsed at the OSCE Ministerial Council in Ljubljana in December 2005. Together with an EU commitment to support the enhancement of the UN and OSCE mandates in Georgia, this all clearly underlines the EU's inclination towards multilateral action. Moreover, the EU's explicitly stated intention to 'include the issue of territorial integrity of Georgia and settlement of Georgia's internal conflicts in EU–Russia political dialogue meetings' reflects the clear realization that Russia in effect holds a veto over any settlement of the conflicts in Georgia and that its support needs to be secured for any such settlement to have a realistic prospect of sustainability.³³

The importance of the EU's capabilities for effective crisis management was underlined in the course and aftermath of the war in August 2008. The French presidency of the EU, together with the OSCE chair (at the time held by Finland), was instrumental in brokering the six-point ceasefire plan agreed by Russia and Georgia on 12 August. The follow-up visit by German Chancellor Angela Merkel

²⁹ Author's interviews with Peter Semneby and Mark Fawcett, Brussels, 16 Dec. 2008.

³⁰ European Commission, EU/Georgia Action Plan.

³¹ European Commission, EU/Georgia Action Plan, p. 10.

³² European Commission, EU/Georgia Action Plan, p. 10.

³³ European Commission, EU/Georgia Action Plan, p. 10. This acknowledgement is also reflected in EU–Russia discussions in the framework of the Common Space External Security. See, for example, EU–Russia Common Space External Security Roadmap (Annex 3 to the Moscow 2005 Summit Declaration).

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to both Russia and Georgia between 15 and 17 August further demonstrated that two of the 'Big Three' clearly saw eye to eye on the issue. By the time an implementation agreement was signed by Russia and Georgia on 8 September, after further shuttle diplomacy by Commission President Barroso and French President Sarkozy, an extraordinary European Council meeting in Brussels on 1 September had given full backing to the ceasefire agreement and committed the Union, 'including through a presence on the ground, to support every effort to secure a peaceful and lasting solution to the conflict in Georgia'.³⁴ The deployment of a civilian monitoring mission (EUMM) tasked with overseeing the implementation of the ceasefire agreement demonstrated with immediate force the EU's capability to act quickly in terms of decision-making, financing and deployment. In the longer term, the EUMM's significance was further enhanced by its soon becoming the only internationally mandated presence in Georgia after Russia forced the closure of the UN and OSCE missions in Abkhazia and South Ossetia, respectively. Moreover, the political weight of the EU in the Geneva settlement negotiations (technically, talks to consolidate the August ceasefire) was considerably higher than it had been in the previous roles it had played (observer status in the Joint Control Commission [JCC] for South Ossetia and involvement in the UN Secretary General's Group of Friends, through some of its member states, for the Abkhazia talks). The EU became, alongside the UN and OSCE, an official co-chair of the Geneva process, in which the European Commission is a co-moderator (with the UNHCR) of the working group on humanitarian and IDP issues.

The EU response to the August 2008 war between Georgia and Russia also served as a test for the Community Civil Protection Mechanism, which was mobilized to facilitate civil protection assistance provided by member states directly to Georgia and the two conflict regions. In addition, the Commission provided €9 million worth of immediate humanitarian aid for IDPs and co-hosted with the World Bank the Georgia donors' conference on 22 October, at which it pledged some €500 million for various rehabilitation measures—including further humanitarian assistance (€8 million), support for IDPs (€61.5 million through ENPI and €15 million through IfS)—and for the EUMM (€37 million for the first 12 months to 30 September 2009).

Following this initial flurry of activity in August and September 2008, there was widespread enthusiasm that the EU had finally made a real breakthrough in its credibility as an international security actor. During the following 12 months, however, this perception, which was by and large correct at the time, has required some adjustment. While the humanitarian assistance programmes run by the EU, especially support projects for IDPs, have continued relatively successfully, the political process has stalled and a resolution of the two conflicts in and over Abkhazia and South Ossetia is as remote now as it was at the time of the war in August 2008, if not more so. Not only has Russia gradually reneged on a number of pledges in the ceasefire agreement and implementation plan but with

³⁴ Council of the European Union, 'Presidency conclusions', Extraordinary European Council, Brussels, 1 Sept. 2008 (Brussels, 6 Oct. 2008).

its recognition of the independence of Abkhazia and South Ossetia (even though only Nicaragua and Venezuela have so far followed suit), and the consolidation of its political and military presence in both territories, Georgia's territorial integrity and sovereignty have become no more than a fiction. Georgia itself has been through a period of heightened domestic tensions, seeing a significant, though ultimately unsuccessful, challenge to the political authority of President Saakashvili and experiencing the consequences of the global financial crisis. In addition to its tense relations with Russia, Georgia's ambitions for a more concrete perspective to NATO membership, let alone an accelerated path to it via a NATO Membership Action Plan (MAP), have not been fulfilled by the alliance to date.

Georgia continues to look to the US rather than the EU for political backing. While relations between the West and Russia have prospects of improving in the wake of a US foreign policy reorientation under the Obama administration, little of substance has happened yet, limiting both EU leverage in the Geneva talks and any incentives for Russia to make compromises. As a result, the EU had, for example, to retract proposals for the inclusion of US monitors in its mission in Georgia, strongly pushed for by Tbilisi but equally vehemently rejected by Moscow. At the same time, within the EU, the appointment of Jacques Morel as EUSR for the Crisis in Georgia was a concession to the outgoing French EU Presidency, but undermined the role of the existing EUSR for the South Caucasus, Peter Semneby, even though the latter remains responsible for providing political guidance to the EUMM. The EU thus now finds itself between several rocks and hard places in relation to the two conflicts in Abkhazia and South Ossetia: it has not been able to capitalize on its achievements in August and September 2008 by providing clear international leadership for conflict resolution but rather is involved in what cannot be more than a crisis management process in the shape of the Geneva talks (i.e. not a settlement process). Where the EU has proved its worth, however, is in the broader set of assistance measures, ranging from humanitarian aid to support for political, legal and economic reform in Georgia.

Explaining EU impact, or lack thereof, 1: EU capabilities

Any third party involved in conflict management must possess three sets of capabilities to have any chance of succeeding in its endeavours: it must have the appropriate policy tools and be able to deploy them in a timely fashion; it must be capable of funding its efforts, possibly over extended periods; and it must be willing and able to coordinate and cooperate, both within its own organizational structures and with external actors. We will assess in the next section whether the actual conflict context was conducive to an externally facilitated settlement; what follows now is an assessment of EU capabilities that also sets out to identify shortcomings in the Union's overall approach to conflict management and offer some recommendations of what might be done to overcome them. Our focus on EU capabilities and the external conflict context, which together shape the likelihood of successful EU conflict management, also offers a tool with which to

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gauge in which situations the Union might be able to succeed and thus a basis on which to caution against over-ambitious and unrealistic expectations of what can be expected of the EU as a conflict manager, both in the specific case of Georgia and throughout the eastern neighbourhood and beyond.

As we have elaborated above, the EU has markedly improved its capabilities both to act and to fund its actions. Two EU Special Representatives (for the South Caucasus and for the crisis in Georgia) have been deployed; the ENP and the Eastern Partnership have made conflict management one of their priorities; and high-level intervention, for example in the (French) Presidency's shuttle diplomacy during the Georgian–Russian war of August 2008, has left a positive mark. To be sure, Georgia is far from a success story for EU conflict management; but a comparison of the relative success of the French Presidency's handling of the Georgia crisis of summer and autumn 2008 with the considerable difficulties the EU experienced in the western Balkans throughout the 1990s indicates that the EU has come a long way towards achieving some credibility as a conflict manager. Likewise, the various funding instruments available now, such as the Instrument for Stability (IfS) and ENPI, are working far more effectively in both the short and the long term than even the so-called Rapid Reaction Mechanism and other instruments did. Yet, even with improved capabilities, the will to engage *politically* remains a scarce commodity. To date, the main instrument (in terms of duration and funding provided) for EU engagement has been the ENP. Yet, as External Relations Commissioner Ferrero-Waldner pointed out as early as 2006, the ENP 'is not in itself a conflict prevention or settlement mechanism', but 'tackles the underlying issues which enable conflicts to fester'.³⁵ To insist, as she did at the time, that the example of Western Europe after the Second World War demonstrated that 'promoting prosperity, stability and security is the ultimate conflict prevention policy'³⁶ is empirically correct; but the analogy is not a suitable one. Conflicts, such as those in and over Abkhazia and South Ossetia, that are based on incompatible self-determination claims of distinct ethnic groups follow a different logic that is not comprehensively captured and addressed by an approach that seeks 'to contribute to a more positive climate for conflict settlement'.³⁷ In other words, 'impressive economic growth is not the key mechanism for turning a conflict that springs from issues of identity into a cooperative arrangement'.³⁸ This is not to say that the EU approach as a whole is flawed, but rather that it lacks a comprehensive vision and strategic follow-through: and yet, unlike the UN and OSCE, the EU has at its disposal significant economic and political instruments that it could deploy in support of a more active diplomatic role in seeking a negotiated settlement.³⁹ Rather than merely supporting existing efforts (which failed to make any

³⁵ European Commission, 'Speech by EU Commissioner Ferrero-Waldner', p. 3.

³⁶ European Commission, 'Speech by EU Commissioner Ferrero-Waldner', p. 3.

³⁷ European Commission, 'Speech by EU Commissioner Ferrero-Waldner', p. 3.

³⁸ Bruno Coppieters, *The EU and Georgia: time perspectives in conflict resolution* (Paris: EU Institute for Security Studies, 2007), p. 26.

³⁹ See International Crisis Group, 'Conflict resolution in the South Caucasus: the EU's role', Europe Report 173, Brussels, 20 March 2006, p. 3. This report is overall highly critical of the EU's reluctance 'to take on direct conflict resolution responsibilities' (p. 27).

progress over more than a decade), the EU should have mustered the political will to take a lead in the settlement process.

That this did not happen, either before or after the 2008 Georgian–Russian war, is also a reflection of the fact that the most problematic area for the EU is that of its capabilities for cooperation and coordination, both internally and externally. As already noted, being a latecomer in the arena of international conflict management, the EU has had significant difficulties finding a role for itself within broader international conflict management efforts; and its internal political dynamics have suffered from comparable difficulties. Especially in the eastern neighbourhood, and thus in relation to the conflicts in Georgia, the Union has been unable to overcome different member-state preferences on how to deal with Russia and remains fundamentally divided between a more Russia-friendly camp (composed of those, like France and Germany, which prioritize bilateral relations with Russia over a common EU approach) and a more Russia-sceptic camp (including primarily Poland, Sweden and the Baltic states, as well as at times the UK) which prefer a much tougher line.⁴⁰ This divide within the EU has meant a repetition of a well-known EU pattern of no or insufficient action until a crisis has fully escalated, rather than the pursuit of a well-conceived, strategic and properly resourced proactive foreign policy.

Relegated to observer status in South Ossetia and to providing support for confidence-building measures and economic reconstruction in Abkhazia, the EU's role in Abkhazia and South Ossetia was relatively marginal until summer 2008, despite a somewhat higher level of activity from spring 2008 onwards,⁴¹ including a visit by High Representative Solana to Georgia and Abkhazia in June that year.⁴² The Georgian–Russian war of the following month, however, coincided with the French Presidency of the EU and thus with an internationally heavyweight incumbent with an experienced and well-resourced foreign office staff and a president accepted as equal in his national role by Russia. Yet the EU needs to maintain a careful balance here, as noted by High Representative Solana, between 'unity inside the EU and commitment to our principles' and realizing that 'there is no alternative to a strong relationship' with Russia.⁴³ This realization was also

⁴⁰ See International Crisis Group, 'Russia vs Georgia: the fallout', Europe Report 195, Brussels, 22 Aug. 2008, pp. 23–4; Mark Leonard and Nico Popescu, *A power audit of EU–Russia relations* (London: European Council on Foreign Relations, 2008), pp. 31–49.

⁴¹ Cf. Commission of the European Communities, 'Commission staff working document accompanying the Communication from the Commission to the European Parliament and Council: implementation of the European Neighbourhood Policy in 2008, progress report Georgia', Brussels, 23 April 2009, p. 7.

⁴² Another high-level visit to Georgia, Abkhazia and Russia was undertaken in July by Frank-Walter Steinmeier in his dual capacity as German foreign minister and coordinator for the five-member Friends of the UN Secretary General (the other members being the US, Britain, France, and Russia). While a peace plan presented by Steinmeier was rejected, further escalation of the conflict over Abkhazia, seen as much more likely and dangerous than the situation in South Ossetia, was averted at the time.

⁴³ European Council, 'Summary of remarks by EUHR Solana to EU Parliament Foreign Affairs Committee and chairs of foreign affairs and defence committees of national parliaments', Brussels, 5 Nov. 2008. Cooperation with Russia, regardless of how reasonable it may seem from the EU's perspective, has been difficult to sustain at constructive levels. The military escalation in the summer of 2008 and the subsequent recognition by Russia of the independence of Abkhazia and South Ossetia offer a clear indication that the Road Map for the Common Space of External Security is barely worth the paper on which it was written, committing the two sides, as it did, to actions including cooperation in crisis management, the promotion of conflict

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emphasized in a Commission review of EU–Russia relations in November 2008, which acknowledged that ‘Russia is a key geopolitical actor, whose constructive involvement in international affairs is a necessary precondition for an effective international community’, and observed that the key requirement for successfully engaging Russia in conflict resolution in their common neighbourhood is ‘the will and the capacity of the EU to act as one, combining both Community instruments as well as those of CFSP/ESDP [European Security and Defence Policy].’⁴⁴

At the time of the war of August 2008 the OSCE chair was held by Finland, another EU member state and one not traditionally perceived as anti-Russian. Seizing the initiative, the French EU Presidency, in cooperation with the OSCE, brokered a ceasefire and oversaw the swift agreement on, and deployment of, EU monitors to Georgia. While member states remained divided over whether to blame Russia or Georgia or both for the outbreak of hostilities, the French Presidency managed these disagreements well enough to preserve the EU’s ability to act. While this may be seen as a major breakthrough in the EU’s conflict management capabilities, it also indicated some potential weaknesses, as one might wonder whether the same results would have been obtained if the war had happened during the Presidency of a smaller member state anchored in the Russia-sceptic camp within the EU. Moreover, there remain question marks over what the EU’s intervention actually achieved: the EU-proposed ceasefire was agreed by Georgia and Russia, but only after Russia had essentially achieved its aims; Russia recognized the independence of South Ossetia and Abkhazia despite EU opposition at the end of August 2008; and thus far little, if any, progress has been made in the Geneva talks mandated by the ceasefire agreement. Moreover, while the French Presidency managed to keep EU member states in line and on course during the crisis, and to get, and implement, agreement within the EU on the deployment of monitors to Georgia, the appointment of its own EUSR for the Crisis in Georgia (the existing EUSR for Central Asia, Jacques Morel) did little to dispel perceptions of a specific French national agenda within and beyond the EU.

Explaining EU impact, or lack thereof, 2: the conflict context

What impact did the conflict environment have on the failures and successes of EU conflict management in Georgia? Globally, as noted above, the EU is a latecomer in the area of conflict management. Throughout the 1990s the EU was focused on the Balkans, if on anything, and with little success. The ESDP, the Union’s major reservoir of conflict management instruments, became fully operational only in 2003 (a decade after its inception), and continues to lack military teeth. By the time the EU began to look to the eastern neighbourhood (the ENP, too, was inaugurated only in 2003) the field of conflict management had already been carved up

prevention and settlement, regular consultation, early warning, etc. See ‘Road Map for the Common Space of External Security’, Annex 3 to the 2005 Moscow Summit Declaration, http://ec.europa.eu/external_relations/russia/docs/roadmap_economic_en.pdf, accessed 12 Nov. 2009.

⁴⁴ Commission of the European Communities, Communication from the Commission to the Council, ‘Review of EU–Russia relations’, Brussels, 5 Nov. 2008, pp. 4, 5.

among other actors, such as the UN and the OSCE, which showed little enthusiasm to let the EU join them as a major player. The Union thus remained for the most part excluded from political efforts and was relegated to providing economic support and limited confidence-building measures in Abkhazia and South Ossetia, where the UN and OSCE, respectively, were the main 'drivers' of peace processes that stalled soon after ceasefire agreements were concluded in the first half of the 1990s. The Union did obtain observer status in the Joint Control Commission in South Ossetia, led by the OSCE and Russia, and appointed a Special Representative for the South Caucasus (and, after 2008, one for the crisis in Georgia). Through the French Presidency, the EU also filled a vacuum created in the wake of the 2008 Georgian–Russian war, and provided, together with the Finnish OSCE chair, crucial shuttle diplomacy leading to a ceasefire agreement. However, in general, the geopolitical environment offered few concrete opportunities for the EU to play an active, let alone a leading, role in managing the conflicts in Georgia.

Two further factors added to this unfavourable global context. Kosovo's unilateral declaration of independence (UDI) in February 2008, and its eventual recognition by all but five of the EU's 27 member states, created a welcome 'precedent' for Russia, as frequently emphasized by Putin even before it had happened.⁴⁵ While Russia's position here is ambivalent, of course, as it also backs Serbia, which is challenging the legality of Kosovo's UDI in the International Court of Justice, this 'successful secession' further strengthened the resolve of the Abkhaz and South Ossetian elites to pursue their course of breaking away from Georgia. The second complicating factor in this respect is Georgia's aspiration to join NATO and NATO's openness in principle to this idea, as expressed at the Bucharest summit in April 2008. Unsurprisingly, this was not welcomed by Russia and may well have confirmed to the Kremlin an essentially hostile agenda on the part of Georgia and NATO (a perception reinforced by differences at the time over the US idea of a missile defence shield). The generally deteriorating relationship between Russia and the West clearly did not facilitate progress on diffusing the ever-increasing tensions in Georgia, thus limiting further whatever conflict prevention and resolution capabilities the EU, alone or in cooperation with other international actors, might have possessed before August 2008.⁴⁶ Moreover, as the International Crisis Group argues, defeating Georgia in the August 2008 war served several of the Kremlin's strategic goals in this respect: 'to punish one nation for its NATO ambitions; to warn others, especially Ukraine, not to go down the same route; and to humiliate NATO by showing it to be indecisive and ineffective'.⁴⁷

At the regional level, constraints on EU effectiveness by and large outweighed opportunities. The main factor here is Russia. Russia, not only a regional but a

⁴⁵ The International Crisis Group notes in this context that soon after Kosovo's declaration of independence, Russia significantly increased the strength of pre-existing links with Abkhazia and South Ossetia. International Crisis Group, 'Russia vs Georgia', p. 8.

⁴⁶ The connection between the escalation of tensions between Georgia and Russia over Abkhazia and South Ossetia, on the one hand, and Kosovo's declaration of independence and the outcome of the Bucharest NATO summit, on the other, is also emphasized in the report of the Independent International Fact-Finding Mission on the Conflict in Georgia, Brussels, Sept. 2009, p. 31.

⁴⁷ International Crisis Group, 'Russia vs Georgia', p. 10.

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global player, not least through its status as permanent member of the UN Security Council, has clear security and economic interests in the area considered by the EU as its eastern neighbourhood, interests that are often at odds with those of the EU. The Russian military presence in South Ossetia and Abkhazia (in the form of CIS peacekeepers for much of the period after the break up of the Soviet Union), as well as Russian political influence and economic leverage, gives Russia a power of veto when it comes to conflict settlement. Deteriorating relations between Russia and the West, over Kosovo and NATO expansion among other things, combined with the limited leverage that the EU has over Russia, have further complicated the task for the EU. EU dependence on oil and gas from Russia, and on Russia as a major transit country for energy from the Caspian region, has so far outweighed Russian dependence on the EU as a major market. EU efforts to diversify supply and supply routes by investing in pipelines through the South Caucasus have been prominent driving forces behind increased EU conflict management efforts in this region, and in Georgia in particular, but have not decreased Russian leverage, predominantly because of the continuing influence that Russia exercises in Abkhazia and South Ossetia.

The regional situation is also characterized, however, by the influence of non-state actors. The fact that, over some 15 years, quasi-state structures have grown up in Abkhazia and South Ossetia (to the extent that both regions exhibit key criteria of statehood, such as a permanent government associated with a population and a territory), yet have remained largely unintegrated into international political and economic networks, has created opportunities for transnational organized crime groups that have become entrenched in, and are closely interwoven with, local political, social and economic structures, and in fact sustain them in many ways, both financially and militarily. These criminal networks are predominantly involved with drugs smuggling and weapons trafficking, and as such are also integrated into global east–west transit routes. Moreover, throughout the 1990s the conflict zones in Abkhazia and South Ossetia, and surrounding areas of Georgia proper, provided training and transit opportunities for jihadist fighters joining the Chechen independence struggle, thus increasing Russian security concerns. While the EU is clearly and negatively affected by this kind of organized criminal activity, it lacks effective instruments to tackle these groups at source. Moreover, from a conflict management perspective, such efforts might prove counterproductive by alienating the very local elites that will be essential for achieving a sustainable settlement.

At the state and local levels, the factors that condition the success or failure of EU conflict management in Georgia are equally unfavourable. Local elites in Abkhazia and especially South Ossetia are heavily dependent on, and controlled by, Russia and involved in organized criminal activity. While they may lack even a minimum of democratic legitimacy in the eyes of the EU, it is difficult to see how any continuing stabilization, let alone settlement, can be achieved without engaging them. While the EU is keenly aware of this, it remains committed to the territorial integrity of Georgia, which in turn resists any negotiations with

the Abkhaz and South Ossetian elites. These elites, heavily dependent as they are on Moscow for political and military backing and for economic lifelines that help them maintain a modicum of local legitimacy for their regimes, thus have very little room for manoeuvre in potential status negotiations. In other words, even though local elites may be able to claim legitimately that they represent the interests of Abkhazia and South Ossetia, they have very limited, if any, opportunity in the existing negotiations format to do so effectively because of a regional balance of power that favours Russia from the start. The Russian position, moreover, is clearly at odds with that of Georgia and those among its supporters who insist on the country's territorial integrity. Thus, even though one of the results of the war of August 2008 was the creation of a new negotiation format involving both Russia and the EU, these so-called Geneva talks have yet to produce any concrete results. The EU has earned its place in the Geneva talks through its efforts to broker a ceasefire, but its actual position within them is weak: limited, if any, leverage over Russia is matched by a Georgian preference for seeking backing from the US and NATO.

Not only have the current agendas of the immediate parties to the conflict at local and state levels in both Abkhazia and South Ossetia created a situation in which the EU is of relatively marginal significance; their perceptions of what their own interests are in relation to security, power and material gain have also meant that their willingness to move beyond the status quo and towards sustainable settlement is at best limited. Security concerns in South Ossetia and Abkhazia remain high for both separatist and Georgian officials. Internal power struggles at the state level continue in Georgia. Repeated election promises by the incumbent president to restore full sovereignty over the entire territory of the Georgian state within its internationally recognized borders from the outset limited the chances of a peaceful settlement of the two conflicts there in the light of entrenched positions, and Russian backing for the other side. Moreover, the material benefits that different sections of the elites on both sides in the conflicts derive from the status quo, and thus the threats they perceive from a negotiated solution, have created significant constituencies who benefit from the lack of a solution and are thus hardly inclined to negotiate in good faith. Abkhaz and South Ossetian leaders cannot even privately contemplate any form of reintegration into Georgia, but differ with regard to their own long-term goals. Abkhaz favour independence and fear increasing Russian dominance, while South Ossetians aim at reunification with the North Ossetian republic in the Russian Federation. At the same time, Russia struggles with a restive North Caucasus and is aware of the risk of further destabilization through continued Ossetian 'reunification' efforts.

In such a situation, much depends on the ability of a third party to offer more desirable benefits or increase the costs of continued enjoyment of those derived from the status quo, so that a negotiated settlement becomes a preferable option. We have shown in our discussion of EU capabilities that the EU faces significant constraints in this respect, despite some modest short-term successes in managing the crisis resulting from the war in the summer and autumn of 2008. This leads

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us to our final question: namely, whether any lessons can be learned from this experience for the EU's future performance as a global security provider under the Lisbon Treaty.

The EU after Georgia: one-off, short-term success or sustainable improvement?

While our analysis above identifies several objective limitations to the EU's effectiveness as a conflict manager in Georgia, it also highlights a number of shortcomings in the current EU institutional set-up for conflict management, and the tools available for the task. Overcoming these limitations is a necessary, but not sufficient, condition for greater success in future EU conflict management efforts. We thus conclude our analysis by setting out what these limitations are and what concrete steps the Union could take to overcome them. With the Lisbon Treaty finally in force, the EU and its member states now have an important opportunity to address key capacity issues when considering the establishment of the Union's External Action Service. While we aim to draw wider conclusions in this final section, we anchor them firmly in our empirical analysis of the Georgia case, which represented the first major instance in which the EU had to 'develop genuine foreign policy, using tools different from those of enlargement'.⁴⁸

The limitations of EU conflict resolution bodies

Prior to the ratification of the Lisbon Treaty, there was an abundance of EU institutions that at least theoretically had a mandate in the area of conflict management. These included, on the Council side, the Presidency, the Political and Security Committee and the High Representative, and, on the Commission side, the various Directorates General concerned with foreign affairs, above all DG External Relations, as well as EU delegations on the ground. The European Parliament has a relatively limited impact as an institution, even though a number of MEPs play an active role in particular conflicts or specific aspects of EU conflict resolution, such as human rights; the bulk of the EU's conflict management work is carried out by the Council and Commission. Commission officials generally see their institution's role as confined to providing aid and offering financial and technical assistance, all with the aim of creating conditions conducive to conflict settlement, and acknowledge that Council bodies have a greater role to play in political aspects of conflict management. Council officials accept this more political role, but are hesitant to define clearly what it entails in relation to specific conflicts or more generally. Crucially, there is an absence of a commonly agreed strategy of conflict management across EU institutions. This leaves much to chance—or, to put it more positively, to the activism, skill, determination and vision of particular individuals, as exemplified in the role played by French President Nicolas Sarkozy during the crisis in Georgia in 2008.

⁴⁸ Lynch, *Why Georgia matters*, p. 68.

A further constraint arises from the complex relationship between EU institutions and member states: in a Union of 27 states, whose institutional set-up at present confines most foreign affairs decisions to unanimity in the Council, it is very difficult to reach common positions in cases where national interests and domestic sensitivities are involved. The very different historical and contemporary relationships of individual EU member states with Russia, for example, shaped by diverse social, political and economic links, has complicated the process of making and implementing effective decisions when it comes to conflict management in the eastern neighbourhood, dividing the EU, at times sharply, between member states with dominant pro- and anti-Russian sentiment.

A final issue limiting the effectiveness of EU conflict management is the lack of an integrated EU foreign policy structure and service. As a result, officials in the institutions in Brussels, delegations in non-EU countries, the representatives of different EU bodies on the ground, and member states' embassies all participate in the EU foreign policy process, including its conflict management efforts, but all with their own priorities and capabilities. Coordination between them differs from case to case, but is often less than comprehensive. In addition, few if any local EU representatives, embassy staff of member states, or desk officers in Brussels and national capitals have specialist training in conflict analysis, a deficiency which limits the anyway underdeveloped early warning capacity of the EU. Nor does the EU have a dedicated, well-resourced, cross-institutional conflict management body that could take on the role of coordination between institutions, member states and local staff, and develop and implement effective conflict management policies. Herein lies a significant opportunity for the EU's External Action Service, and we shall return to this issue below.

The limitations of EU conflict resolution tools

Reflecting the abundance of institutions, and partly as a result of it, the EU possesses a range of policy instruments for conflict management, including Joint Statements, Joint Actions, Common Strategies, Common Positions, EU Special Representatives, economic sanctions, ESDP civilian, police and military operations, and support for civil society and other democratization projects (under the framework of the European Instrument for Democracy and Human Rights (EIDHR)).

Policies like the ENP or the new Eastern Partnership, moreover, allow the EU to use the principle of conditionality in its conflict management efforts, albeit with a mixed track record. For example, the Action Plans, where they do make specific reference to conflict settlement, are often vague and lack the kind of specificity necessary to tie them credibly to incentives that are only conditionally available to partner countries. Moreover, Action Plans have to be based on a consensus between the EU, and thus among all of its 27 member states, and the partner country. In addition, the fact that the ENP and EaP theoretically lend themselves to the application of conditionality does not mean that they are in practice deployed in this

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way when it comes to conflict management efforts. The case of Georgia has shown that the EU does not usually engage in 'traditional' conflict management activities, such as confidence-building, mediation, etc., but rather focuses its efforts on what are basically infrastructure projects or institutional reform projects that are deemed likely to establish conditions conducive to conflict management but are not in themselves actual conflict management tools. Especially in projects of this kind in Abkhazia and South Ossetia the EU did not, either alone or in cooperation with the OSCE or UN, make its grants conditional on progress in settlement negotiations.

The appointment of EU Special Representatives is a relatively widely used tool for conflict management that has also been applied to Georgia. Yet its effectiveness in this case is questionable. The EUSR for the South Caucasus has a vast mandate with three countries, three conflicts and a multitude of other problems to cover; but his staff and resources are limited. What is perhaps more important, though, is the appointment of another EUSR to take charge of the crisis in Georgia (and to retain a significant measure of French control); this has seriously undermined the credibility of the existing EUSR across the South Caucasus, especially in Georgia, and in the eyes of major regional players, while simultaneously creating overlaps of mandates and competences, stretching existing resources and complicating operations on the ground in terms of internal and external cooperation and coordination. Moreover, the EU is represented in the Geneva talks by the EUSR for the Crisis in Georgia, rather than the EUSR for the South Caucasus, whose much longer engagement with the region and its major players would have been a great advantage in the role. This indicates a lack of coherence in the EU's approach to conflict management and the loss of an opportunity to maximize the impact of existing knowledge and understanding. From this perspective it is also questionable whether any lessons learned from previous, if marginal, EUSR involvement in conflict management initiatives in Georgia can be properly utilized.

Where next for the EU as a conflict manager?

Two key issues, in our view, have prevented the EU, to date, from living up to its aspirations to become a globally significant and impactful conflict manager. The first of these is structural—the lack of a permanent External Action Service; the second is conceptual—the lack of a coherent and comprehensive conflict management strategy.

With the ratification of the Lisbon Treaty, a permanent European Union External Action Service (EAS) has become a reality, even though details of its mandate, capacities, resources, personalities, etc. have yet to be determined. Ideally, what it would contribute to conflict management is a greater level of policy coherence through joined-up thinking between delegations on the ground and EU headquarters in Brussels, offering consistency and continuity of personnel over time, enhancing the role of the High Representative as the single voice of EU foreign policy; it would combine more effectively the range of policy tools

available for conflict management, develop as yet non-existent capabilities (for example, in the area of mediation and mediation support) and ensure that there is more policy learning and establishment of best practice across the range of EU conflict management operations, thereby also enhancing the reputation of the EU as an effective conflict manager on a wider international scale. This will require a high-profile, skilled, experienced and well-regarded personality in the role of the High Representative; someone who will also enjoy unconditional backing from at least the 'Big Three', and not because he or she is considered malleable towards their individual agendas. Baroness Ashton will require a high profile as well as developing skills and experience, alongside her well-regarded personality, and enjoy the backing of the 'Big Three', and not because she is considered malleable towards their individual agendas. She will need ample room for initiative and manoeuvre, and will require a range of equally qualified deputies and/or Special Representatives on whom to draw when multiple crises need to be managed imultaneously. This political leadership of the EAS will require a core team of bureaucrats to support them on the range of conflict management tasks: people selected because of the experience, expertise and/or training they have, rather than on the basis of national quota allocations. Equally importantly, the Union needs to invest great care in the appointment of its representatives on the ground and to equip them with proper resources. They need to be incorporated into developing case-specific conflict management strategies and to coordinate their implementation closely with Brussels. Given the complexity of contemporary conflict management, especially the range of actors and interests involved, it will also be crucial to future EU success that the role of heads of delegation in the capitals of the Union's strategic partners is strengthened.⁴⁹

The most fundamental conceptual obstacle on the EU's path towards a more effective conflict management role remains the absence of a coherent and comprehensive conflict management strategy to which all the Union's institutions and member states subscribe, that is integrated into and mainstreamed in all aspects of external relations with the relevant countries, and that is implemented effectively in the EU's dealings with other players involved in each conflict. The fact that the Union too often merely reacts to developments rather than defining a clear strategic vision of, and will for, proactive and effective conflict management is partly a cause, and partly an indication, of this lack.

If the Union is serious about playing an active role in contributing to conflict management—as stated in numerous documents and statements by high-ranking officials—it needs not only to build a core human capacity in the new EAS but also to develop a proper conflict management strategy.⁵⁰ The formulation and subsequent implementation of such a strategy needs to rest on three pillars:

⁴⁹ Well-respected and well-connected heads of delegation in Washington and Moscow, and at the UN in New York and the OSCE in Vienna, for example, could have provided a far more effective response by the international community as a whole in the run-up to the Georgian–Russian war in 2008.

⁵⁰ Such a strategy would need to go well beyond the 2001 Communication on Conflict Prevention, which offered a useful starting point for the Union's thinking about conflict management, but has not been substantially revised or updated over the past nine years. See Commission of the European Communities, 'Communication from the Commission on Conflict Prevention', Brussels, 11 April 2001.

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- 1 a clear definition of EU interests in respect of a specific conflict and the context in which it occurs;
- 2 an assessment of EU strengths and weaknesses in conflict management; and
- 3 a feasible approach as to how these strengths can best be exploited and weaknesses either overcome or implied risks be mitigated.

Within such a framework, EU officials need to develop a conflict management road map for specific conflicts. These road maps need to detail how the EU will contribute to the settlement of each conflict, including establishing what local parties to the conflict and other third parties need to (or must not) do for the EU to become involved. This should also include contingencies for different scenarios regarding the impact of different local state, regional and global factors beyond the direct control of the Union, and definite exit points for the EU in case of both success and failure. The road maps would not suggest concrete solutions for each conflict but would identify what the EU considers to be an appropriate process that could lead to a just and equitable, as well as attainable, settlement in an EU-led or co-led format. At the same time, the EU should set out the benefits that would accrue to the conflicting parties (and, where applicable, third parties) as a result of their constructive engagement, or alternatively what sanctions the EU would apply in the case of their failure so to engage. In other words, in order to ensure the credibility and viability of these road maps, the EU, for each conflict, needs:

- to determine the relevant players and analyse in detail their interests and capabilities, and on this basis begin to build as broad a coalition as possible in support of an outcome-oriented settlement process;
- to develop a conflict-specific—that is, context-sensitive—strategy for each conflict, determining the incentives and sanctions the Union will bring to bear on these actors during the settlement process and the conditions that will trigger their application; and
- to define its own exit points from the settlement process if progress towards success becomes impossible or the costs of succeeding outweigh the benefits.⁵¹

In addition, five substantive principles need to guide the EU's thinking about the process and outcome of its engagement in each individual conflict, bearing in mind that each individual road map has to be based on the three pillars on which the Union's overall conflict management strategy should be built.

1 *Primacy of negotiated solutions over imposed settlements*

The eventual outcomes of settlement negotiations must not be prejudged, but must reflect what is practical and feasible given the interests of the immediate conflict parties and other relevant players. In order to attain such outcomes, the EU needs to stand ready to provide adequate resources for potentially protracted negotiations, as well as leadership and technical expertise as necessary to assist in crafting a sustainable settlement.

⁵¹ It might also be appropriate as part of this analysis to determine 'entry conditions', i.e. whether EU involvement in a particular case is likely to lead to positive outcomes.

2 *Inclusiveness of negotiations*

Comparative evidence of conflict management indicates that negotiations should include all relevant parties if whatever settlement is obtained is to have a chance of being fully implemented and sustainably operated. Such inclusion need not be unconditional, but conditions need to be determined and enforced with care. While a commitment by all parties to non-violence is essential, the non-prejudicial approach to negotiation outcomes outlined above suggests that demanding prior acceptance of certain provisions of a settlement, such as continued territorial integrity or the permanence of demographic changes, might be counterproductive by undercutting the support that negotiators need from their constituencies.

3 *Comprehensiveness of agreements*

The two conflicts in Georgia are primarily secessionist in nature. Yet a mere compromise about who is to control which stretch of territory will be insufficient for any settlement to be sustainable. Experience indicates that security, economic and cultural concerns need to be addressed alongside territorial claims. This will require the parties to make concessions and settle for compromises. This is an often painful and risky process both for the negotiators personally and for the parties they represent; mediators need to be acutely aware of 'red lines' and carefully tease out the space for compromise between them, tabling proposals at key moments. Such proposals may be specific, to address a particular impasse during negotiations, but they may also be broader, considering the interests of external parties whose support will be needed for settlement implementation and operation.

4 *Building broad coalitions of support for negotiated settlements*

Difficult as it may be to reach a settlement at the negotiating table, the process of securing its implementation is often even more fraught with the risk of failure. The EU will need to put significant effort into securing support for a particular settlement from key constituencies of those represented in negotiations, external stakeholders and interested parties, as well as to manage potential spoilers and limit their ability to undermine a settlement agreement once it has been negotiated. Such a broad coalition of support would need to include civil society and media, diaspora networks, regional and international organizations, neighbouring states and relevant great powers, in order to offer the political elites who have negotiated a settlement the necessary backing and give them the room for manoeuvre to accept compromises and make concessions.

5 *Need for long-term external assistance*

Achieving a negotiated settlement in any conflict is a difficult enough task on its own. Its subsequent implementation and operation, moreover, will be long-term projects of state-building that would, without external assistance, lack the necessary human and material resources to be completed successfully. The EU has significant experience—of both success and failure—in this from its engagement in the western Balkans over nearly two decades, and it will

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increase the likelihood of its success in conflict management if it commits to long-term, post-settlement engagement with the former conflict zones by providing security guarantees, development aid and institutional capacity-building and training.

Since the end of the Cold War, the EU has gradually expanded its conflict management efforts and has assumed a growing responsibility as a global security provider. From the western Balkans to the eastern neighbourhood, from the Middle East to Africa, and as far as the Aceh region of Indonesia, some of these efforts have been successful while others have not (or not yet). Many of the EU's efforts were ad hoc: while they have often been carefully conceived in individual cases, an overarching strategy of conflict management has yet to be developed. Using the positive momentum it has gained from its efforts in Georgia, the Union now has a real opportunity to translate these experiences into an institutionalized, global conflict management strategy. If the EU were to accomplish this, its intervention in the Georgian–Russian war of August 2008 would indeed be a defining moment in realizing the Union's aspirations for a more secure world.