



# Analizy *natolińskie*

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## The European Union posture towards the war in Georgia in 2008

### The assessment, implications and the aftermath

#### THE EUROPEAN UNION TOWARDS GEORGIA BEFORE THE WAR

**T**he beginning of the political presence of the European Union in the South Caucasus coincided with the collapse of the Soviet Union. In December 1991 the European Communities presented recommendations to recognize independence of Former Soviet Republics. Those republics needed to obey the Helsinki Accords and the Charter of the United Nations, to realize disarmament treaties and the inviolability of borders. The main aim of the EU activity in this region was to support domestic transformation. In comparison to the engagement of the United States the EU pursued to avoid antagonisms, to cooperate with regional states as well as with Russia and to build up the financial support through the international institutions.<sup>1</sup> In order to realize this target the EU launched its own initiative to promote democracy and to strengthen local economy - TACIS ( Technical Assistance for Commonwealth of Independence States (CIS)). From 1991 to 1999 the budget amounted to

over 4 billion EURO and Russia got over 1 billion, Azerbaijan – 303 million, Georgia – 266 million. In years 2000 – 2006 the budget was over 3 billion EURO. In 2007 the program was replaced by European Neighborhood and Partnership Instrument – (ENPI)<sup>2</sup>.

In 1997 the importance of the South Caucasus for the European security was raised when the NATO Secretary General Javier Solana visited this region. He said that Europe could not be fully safe without the stable situation in the South Caucasus and Central Asia<sup>3</sup>. In 1999, Georgia and the EU signed a Partnership and Cooperation Agreement which established legal foundation for further cooperation<sup>4</sup>. However, this tool was ineffective mainly due to the lack of political will from both sides to tighten the cooperation<sup>5</sup>. In 2003 the EU appointed a Special Representative for the South Caucasus<sup>6</sup>. This fact coincided with the Rose Revolution which brought to power Mikheil Saakashvili. The EU decision was a signal of stronger engagement in the region as well as attracting Brussels attention to specificity and importance of this region<sup>7</sup>. In 2004 the EU developed a new initiative of cooperation with neighboring countries - European Neighboring Policy. In the initial project Georgia was not included but in the final version the three Caucasus countries were added<sup>8</sup>. However, for most of the 90s and the beginning of 21 century the European countries were focused primarily on the relationships with Moscow and because of it avoided closer contacts with Former Soviet Republics.

There was also an important issue of the projects of building the oil and gas pipelines which would be able to transport natural resources from Central Asia and Azerbaijan. The EU planned to restore the mythical Silk Route<sup>9</sup> and launched two programs TRACECA ( Transport Corridor Europe-Caucasus-Asia) and INOGATE ( Interstate Oil and Gas Transmission to Europe). Their main aim was to build a net of roads, train tracks and what was the most important new pipelines to transport gas and oil. These ideas were strongly opposed by Moscow due to the danger of its position as the main supplier of natural resources to Europe<sup>10</sup>. However, the strong opposition from Russia and a small fund caused that in 20 century these projects developed very slowly.

The situation changed at the beginning of a new decade when the Americans actively engaged in the South Caucasus. The construction of Baku-Tbilisi-Ceyhan and later Baku-Tbilisi-Supsa pipelines gave a chance to build a Nabucoo pipeline. Georgia would play a crucial role in this project. Constructing this gas pipeline would extend the Caspian route to

the European Union. The strategic plan prepared by Western Countries was to create a corridor of transporting gas and oil to Europe in order to get free from Russian gas monopoly. Nabucco would pass through the territory of Turkey, Bulgaria, Romania, Hungary, Austria. The probability of this project fulfillment increased after creating a Turkey-Greece gas passage. However, Nabucco met serious obstacles. The European countries were concerned about the lack of guarantee of the future delivery of supplies essential to proper operation of gas pipeline. Also some Western politicians doubted about the real demand for Nabucco gas. Moreover, this project would seriously harm Russian interests because Moscow was the biggest exporter of gas to the EU members<sup>11</sup>.

Kremlin presented a counter offer. The South Stream should pass from Russia through the bottom of the Black Sea to Bulgaria where it would divide into two branches: one to Serbia and the second to Greece<sup>12</sup>. The South Stream and Nabucco could not exist together for many reasons - mainly economic. Moscow attempted to maintain its position of the main gas supplier to Europe and also to hold influences in the South Caucasus. There was not any agreement within the European Union about Nabucco. The Eastern European countries led by Poland were the staunch proponent of this project. They saw the chance to end gas dependence from Russia. This organization was divided into supporters and opponents of the Russian project. The dispute within the EU caused the inability to assume a coherent position toward this problem. The work over Nabucco was seriously delayed as a result of it<sup>13</sup>.

What is more, Georgia's issue divided the EU countries on the NATO summit in Bucharest on 2 – 4 April 2008 where Germany and France effectively blockaded granting Member Action Plan (MAP) to Georgia where the Eastern European countries, Great Britain and the United States actively engaged in supporting Tbilisi aspiration<sup>14</sup>. Edward Lucas wrote that the summit had showed the split in the Western countries camp and only encouraged Moscow to more aggressive actions and to increase tensions in region<sup>15</sup>.

To sum up, before the war, Georgia did not play an important role for the EU. There were not any special programs like The Union for the Mediterranean<sup>16</sup>, The Northern Dimension<sup>17</sup>. Georgia was mentioned in Black Sea Synergy<sup>18</sup> but this project was quite new and did not bear expected fruits. The EU conducted their policy in the South Caucasus in a very delicate way not to provoke Russia. The Western countries perceived Moscow as a stabilization factor in the region. What is more, there was a lack of grand strategy toward this

region. The EU could not decide whether focused their action on single states or treated the South Caucasus as a one entity.

Georgia was a subject of interest for only certain countries in Europe and was a cause of several clashes among the EU members. Even within the group of states who were interested in a closer cooperation the opinions were different. Germany was actively engaged in solving the problem of Abkhazia as a member of group - the Friends of Georgia. In order not to provoke Russia Germans avoided any decision which could be harmful for Moscow. Other countries like Poland, Great Britain and Baltic States saw the chance to gas diversification in the engagement in the South Caucasus. They were determined even to risk worsening relationship with Moscow. In the wake of the coming war the EU was divided.

## **THE EUROPEAN UNION STANCE TOWARD THE WAR IN GEORGIA**

After the NATO summit in Bucharest the situation on the South Caucasus became more and more tense especially around Abkhazia but the only reaction from politicians of the European Union was limited to easing the Georgian side and suggesting avoiding actions which could provoke Russians. The United States, the main ally of Georgia engaged in a diplomatic activity to resolve the situation on the South Caucasus. Americans also pressured the European politicians to do the same but they got a weak response. The EU restricted their action to the accusation both sides of escalation of conflict<sup>19</sup>. However, in May the group of EU members consisted of Poland, Lithuania, Latvia, Sweden and Slovenia – the holder of the EU presidency, went to Tbilisi to show the support for Georgia. It is important to stress the lack of Javier Solana - European Union's High Representative for Common Foreign and Security Policy (CFSP) and representative of France - the next holder of presidency after Slovenia. This event showed the lack of cohesion in the EU toward the South Caucasus and the lack of interests from pivotal European powers<sup>20</sup>. However, this situation implied the European Council decision to conduct diplomatic actions in the South Caucasus alongside with Washington. Javier Solana travelled to this region in June and proposed the deeper engagement of the EU<sup>21</sup>. He achieved some success which could lead to building mutual trust. The EU initiatives like conferences in Sukhumi and Brussels, sending teams to help the border guards and organizing a meeting between the Georgian and Abkhazian authorities was a good beginning to find diplomatic solution and dismiss the risk of war. Nevertheless the do-

mestic divisions within the EU implied the inability to deepen engagement. What is more, representatives of breakaway provinces despite the initial agreement rejected the EU initiatives<sup>22</sup>.

In meantime the European Parliament adopted, by an overwhelming majority, a resolution that asserted that “The Russian troops have lost their role of neutral and impartial peacekeepers” in Abkhazia. The resolution also postulated sending the EU border mission to Abkhazia as part of the European Security and Defense Policy (ESDP). Also it included the demand of the immediate withdrawal of supplementary Russian troops, recently deployed to Abkhazia. It also expressed the “deep disapproval” to Russia presidential decree which order to engage in direct relationships with South Ossetia and Abkhazia<sup>23</sup>.

The Georgia issue was mentioned during the Russia-EU summit in Khanty-Mansiysk. However, the EU was unable to put enough pressure on Russia to urge them to change their policy in the region as well as the EU failed in persuading them to replace Russian peacekeepers with the international ones. Moscow wanted to discuss the Abkhazia issue in bilateral talks in order to minimize the role of the EU<sup>24</sup>.

The growing tension around Abkhazia caused an anxiety in Germany. Berlin as a member of a Group of Friends of Georgia wanted to ease the situation in the region. Germany pursued to avoid the Georgian confrontation with Moscow because they were afraid that it would have a detrimental effect on their interest in Russia. Germany proposed their own initiative presented by its Foreign Minister Frank-Walter Steinmeier: “Georgia/Abkhazia: Elements for a Peaceful Settlement of the Conflict”. This plan urged both sides to avoid violence and encouraged them to engage in dialogue within the UN. What is more, the plan also assured the return of displaced persons, encouraged Abkhazia and Georgia to build up the trade relations and to create a working group to determine the political status of Abkhazia. However, this plan did not mention Georgia’s territorial integrity. Both sides reacted positively on this initiative although the Georgian side insisted on the statement confirming its territorial integrity. Also the record about Russia forces stay in Abkhazia was controversial and unfavorable for Georgia.<sup>25</sup> Saakashvili did not trust Germans and perceived them as naïve toward Russia and was afraid that Berlin would agree on Moscow conditions. What is more, Georgians treated Germany as the main obstacle in their way to join NATO. Germany as well as the majority of the EU members pursued the policy of “appeasement” toward Russia

and Georgia was afraid to become a victim of it. Despite this fact, Georgian politicians saw the chance in German involvement and the coming visit of German Foreign Minister. They counted that Steinmeier after the visits in Tbilisi would change his mind<sup>26</sup>. Vladimir Socor from American think-tank Jamestown Foundation claimed that the whole plan was "far-reaching concessions to Russian interests"<sup>27</sup>.

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However, the initiative failed because the lack of cohesion among European countries as well as the misunderstanding in relationships with the US. An American intention was to push the EU in deeper engagement in the region. On the other hand the EU counted that Washington would stop Saakashvili from his aggressive behavior. The unsuccessful initiatives of the EU implied the reduction of Georgian trust in European countries as an effective mediator. The US did not want to act unilaterally without the support of the EU because it could only end with the eruption of conflict<sup>28</sup>. However, the visits of American Secretary of States and German Foreign Minister gave hope that the conflict around Abkhazia could be solved and tensions started to decrease<sup>29</sup>. In meantime the situation in South Ossetia became worse after the shelling of the Georgian peacekeepers and villages<sup>30</sup>.

Just before the outbreak of the conflict Javier Solana European Union's High Representative for Common Foreign and Security Policy during the phone call with Saakashvili appeal for peace negotiations with the South Ossetia. It is important to stress that he was an only Western high-place politician interested in situation on the South Caucasus just before the war<sup>31</sup>.

At the beginning of the European countries struggled with the same problem as the American did. The politicians and the people in the EU were thinking who had started the war. This matter split the EU. When the leaders of Poland, Baltic States and countries reluctant to Russia claimed that the war had been an example of neo imperial policy, western politicians accused a hot-head Saakashvili of erupting the conflict<sup>32</sup>.

The majority of the Western politicians were in Beijing on the opening of the Olympic Games including French President Nicolas Sarkozy. In that time France was

holding the EU presidency. France similarly to other Western European countries was surprised by the outbreak of conflict. The Washington decision to act as a supportive power meant that Paris would act as a leader of Western countries and the main mediator in this conflict. This kind of situation was unimaginable during Jacques Chirac presidency when the relationships between Paris and Washington were very cold but it changed when Sarkozy took an office. George W. Bush decision was influenced by the aim not to make this war in Georgia a confrontation between Russia and US. Also Americans did not want to allow European powers to avoid responsibility. On the other hand, critics claimed that this decision was affected by the weakness of Washington and its inability of effective action. Paris was one of the strongest powers in Europe able to achieve a positive outcome even during negotiations with such a powerful opponent as Russia. The next advantage was the French leader. According to Ronald Asmus, Sarkozy loved to be in the center of international attention and eagerly aspired to shine and pretended to show that France still was the leading power in the world. What is more, he had pretty good personal relationships with Saakashvili and during his campaign he harshly criticized Russia. On the other hand, the South Caucasus never was an area of French interests so they did not have enough intelligence there. Additionally, for long time Russia had played an important role in French diplomacy as a key ally and Paris did not want to worsen good relationships with Moscow because of the war. The initial main aim of French diplomacy was to avoid a dispute in the EU and to find the golden means between the stances of the countries which demanded harsh restrictions toward Russia and the ones which did not want to punish Moscow. The war was also a test for the EU to prove the US that the EU was ready and strong enough to take responsibility for the security in the neighborhood. Any success achieved in negotiations was a success of France and Sarkozy<sup>33</sup>.

In China the French President tried to influence Russian Prime Minister Vladimir Putin and asked for time to conduct mediation process but without any effects. Sarkozy and French diplomats acknowledged that Putin was not interested in fast ending of the war and Russia pursued to smash Georgia. Sarkozy returned to France to work on the diplomatic solution<sup>34</sup>.

In that kind of situation the standard procedure in the EU was a broad spectrum of consultations within the EU, then building up a common position and eventually undertook the actions aimed at enforcing it. But the situation was developing so fast that it was not time

for it. Sarkozy was afraid that this conflict could endanger the security in Europe and cause a deep crisis in the relationships with Moscow. Majority of French diplomats were angry at the Georgian President accusing him of starting the conflict. This kind of posture determined later the whole negotiations process because Paris was convinced of Georgian guilt and was more favorable to Russian proposals. The most important aim of French diplomacy was to finish the conflict at any cost. They did not want to let Russia occupant Georgia but simultaneously they were not determined to fight for the Georgia territorial integrity. Avoiding the “cold war” in relationships with Moscow was more important<sup>35</sup>.

The next step which Sarkozy made was to contact with Russian President Dmitri Medvedev who – according to Sarkozy, represented a new generation of politicians in Russia and the dialogue with him would be easier<sup>36</sup>.

The French fears about the domestic disputes within the EU came to reality soon. There were different postures in the European Union countries. Robert Potocki enumerated several groups of countries: first one was represented by Greece and Cyprus which assumed the favorable position for Russia and were ready to put own interests over the EU solidarity. These two countries doubted Eastern policy of the EU. The second group was entitled “strategic partners” and consisted of France, Spain, Germany and Italy who had strong economic, trade and energy relationships with Russia and were afraid of worsening them in wake of the conflict. The third group called the “friendly pragmatic” embraced Austria, Belgium, Bulgaria, Finland, Luxembourg, Malta, Portugal, Slovakia, Slovenia and Hungary. These states mostly did not affect the foreign policy of the EU and frequently agreed with the German and French actions. The fourth group – “chilly pragmatic” comprised of Czech Republic, Denmark, Estonia, the Netherlands, Ireland, Latvia, Romania, Sweden and Great Britain. These countries took care of their economic interests but simultaneously did not forget about the human rights and also they were able to stand against Russia. The last one called by Potocki “warriors of new confrontation” embraced two countries: Poland and Lithuania which because of the historical heritage and dependence from the Russian gas supported the “color revolutions” and the EU Eastern policy<sup>37</sup>. The division was nearly equal, half of the countries demanded a strong condemnation of Russia actions and the second half was for the gentle reaction. It only showed the difficulty which French diplomacy met during the negotiation of the cease fire accord.

From the beginning of the conflict one of the most active European countries was Poland. Polish President Lech Kaczyński expressed his anxiety about the development of the situation in Georgia, he also stressed that interference in domestic affairs of Georgia by the external forces was unacceptable. Similar comments were repeated by Foreign Ministry of Poland and Polish Prime Minister who pointed out the situation on South Caucasus as unacceptable. Both appealed to the European Union and international organization for active engagement into solving the crisis on the South Caucasus<sup>38</sup>. What is more, Estonia and Poland made available servers for Georgian websites which after the cyber-attacks were deactivated<sup>39</sup>.

The Foreign Minister of Poland Radosław Sikorski appealed to France to convene urgently a meeting of the EU Council at the level of Foreign Ministers<sup>40</sup>. In that time the Foreign Minister of Lithuania Petras Vaitiekunas was in Tbilisi in order to examine the situation in Georgia. He informed: "Russian military forces have gone through all the red lines by crossing an internationally-recognized border into the sovereign territory of Georgia"<sup>41</sup>.

The leaders of Poland, Lithuania, Latvia and Estonia in joint statement condemned the actions of Russian forces which were aimed at the sovereign and independent nation of Georgia. They demanded from the European Union to stop treating Russia as a strategic partner for the EU, end the "visa facilitation" program and take into consideration Russia aggressive behavior during the negotiation over new Partnership and Cooperation Agreement<sup>42</sup>. Polish President was even harsher and described the Russian actions as "an act of aggression" and stressed that the South Ossetia and Abkhazia were the part of Georgia<sup>43</sup>. It is important to mention that this tough statement spurred the European leaders to action. First declarations from them were in conciliatory tone and could be treated by Moscow as an agreement on the invasion<sup>44</sup>. For example the Italian Prime Minister Silvio Berlusconi warned against the EU adopting an "anti-Russian" posture<sup>45</sup>. The European Commission claimed in a very mild tone claimed that Russian intervention changed the dimension of the conflict<sup>46</sup>. In his first statement Bernard Koucher the French Foreign Minister described "the war as a brutal and dangerous fight for microscopic stake"<sup>47</sup>. Meantime the EU special representative Peter Semneby sent information that Georgian forces would not survive the next 24 hours of fight which activated the Western countries diplomatic efforts<sup>48</sup>.

On 9 August the French Foreign Minister Bernard Kouchner arrived at Tbilisi with the Finnish Foreign Minister Alex Stubb, who was representing the OSCE, to examine the situation on the spot and to negotiate with Georgian President. Kouchner achieved a success, negotiating a ceasefire with the Georgians. The initial ceasefire trust embraced:

- Cessation of hostilities.
- Recognition of Georgia's territorial integrity
- Rapid re-establishment of the status qua ante<sup>49</sup>.

However, Paris informed Kouchner that his task was to recognize a situation and not to negotiate with Saakashvili. President Sarkozy did not want to have a limited area in negotiations because of the document negotiated with Georgians and signed by the person hated on Kremlin. The second ceasefire document was prepared by the Jean-David Levitte, French national security advisor. Both plans were not taken into consideration in negotiations with Russia even though Georgian sided accepted it. Later Kouchner went to North Ossetia and heard the relations of refugees who told him about the Georgian forces atrocities. It only assured French politicians that Saakashvili was guilty of the outbreak of conflict<sup>50</sup>.

The perception of conflict in Russian press is worth mentioning. The local newspapers were certain that the EU would not punish or would not impose any sanctions because Moscow played a vital role as a natural resources supplier. Their opinion did not change even though France warned Russia about the potential worsening of bilateral relationships between the European Union and Moscow<sup>51</sup>.

The Russian newspaper *Rossijskaja Gazieta* accused Western countries of hypocrisy and claimed that the European support of Georgian President would mean the support for the mass murderer and would be against the Western values. The newspaper also expressed the astonishment that the EU turned back from Moscow in the moment when Russia was necessary for this organization in solving many important issues e.g. energy security, terrorism. The Russian press could not imagine the bilateral cooperation with Brussels which in their opinion supported the man who was killing Russian citizens<sup>52</sup>.

On 12 August the Chancellery of the Polish President announced that the President would go to Tbilisi with the Polish Foreign Minister and the leaders of the Baltic States and Ukraine to support Georgia in this conflict. The Polish initiative was supported by the

American President George W. Bush<sup>53</sup>. Earlier Polish President with the leaders of the Baltic States and Ukraine prepared document called “Kaczynski Plan” and sent to Sarkozy. It consisted of 7 points:

- Immediate ceasefire
- Unconditional and immediate beginning of talks between Georgia and Russia
- Replace Russian peacekeepers with the international ones
- Establish an international control over the Roki tunnel
- Immediate beginning of the humanitarian aid for Georgia
- Assurance of the economic aid for reconstruction of Georgia
- Organization of international conference about Georgia<sup>54</sup>.

On 12 August the French President went to Moscow to negotiate with President Medvedev. However, Sarkozy’s trip was very risky. French intelligence intercepted the message in which Russian generals informed that the way to Tbilisi was clear and asked for permission to seize the capital city. From French perspective it seemed that the Russian administration was divided whether to oust Saakashvili from office or not. In Paris similarly to Washington the diplomats were not sure about the ultimate aim of Russian actions. There was some information that the White House tried to persuade Sarkozy not to go to Moscow because Americans were certain that Russians would seize Tbilisi and disgrace the President of France. The White House officially denied it. Despite the Medvedev assurance that Russia would not attack Tbilisi, French diplomats were afraid that Russians would capture capital city and Sarkozy would stand *fait accompli*. This kind of situation would disgrace the EU and France especially. Sarkozy was in constant contact with President Bush and both politicians planned out three main goals in negotiations:

- Maintain the Saakashvili government
- Return of the Russian forces to the position before the outbreak of war
- Simultaneously convince Russia that it made a mistake but do not bring about the international crisis<sup>55</sup>.

The French diplomatic posture was shaped by two main factors: first of all Sarkozy was aware of a very bad situation of Georgia but at the same time he was convinced that the Georgian President had led to this situation. The main aim of French President was to cease fire and avoid worsening in relationships with Moscow. Sarkozy did not intend to return to *status quo ante bellum*.<sup>56</sup> France was aware that Russia was a strategic partner for the EU and both Russia and France had the long-term goals – to build a multilateral world and limit the domination of the US<sup>57</sup>.

When President Sarkozy was landing in Moscow, Russian announced the cease fire. Earlier the Georgian side did the same. However, the French delegation got the information that the Russian forces were still marching toward Tbilisi. It was a pressure to persuade the French President to accept the Russian proposals. Negotiations were conducted with Putin and Medvedev. Russian diplomats presented a map with the security zones which were localized in crucial points of Georgia and would effectively stop the reconstruction of this country. The negotiations were so difficult that Sarkozy threatened to leave Moscow. It was obvious for everyone that Russia broke the longstanding rule of post Cold War order – invasion of another country. However, French diplomats were also aware that no one had measures to force Russia to sign ceasefire on the conditions dictated by Western countries. Moscow with the tanks near Tbilisi had a better negotiations position and French President wanted to stop the Russian forces at any cost being aware that it would mean some concessions to the Russian side. Finally, both leaders hammered out the agreement<sup>58</sup>. During Medvedev and Sarkozy press conference the 6 point ceasefire plan was announced which included:

- “Do not resort to the use of force”
- “The absolute cessation of all hostilities”
- “Free access to humanitarian assistance”
- “The Armed Forces of Georgia must withdraw to their permanent positions”
- “The Armed Forces of the Russian Federation must withdraw to the line where they were stationed prior to the beginning of hostilities. Prior to the establishment of international mechanisms the Russian peacekeeping forces will take additional security measures”

- “An international debate on the future status of South Ossetia and Abkhazia and ways to ensure their lasting security will take place”

President Sarkozy in his speech stressed that the territorial integrity and sovereignty of Georgia was out of the discussion and had to be prevented. On the other hand, he acknowledged the Moscow right to defend the Russian people outside the borders. Elaborating the ceasefire plan he especially focused on the 5<sup>th</sup> point explaining that the Russian peacekeeping forces meant the Russian Armed Forces present in South Ossetia under Organization of Security and Cooperation in Europe mandate. Journalists asked about the lack of reference to the territorial integrity of Georgia. Sarkozy answered that the document did not resolve all issues and it was a base for further negotiations. In his opinion it was better to have even an inaccurate document which partially was solving some issues that had nothing. The success of the French President was to persuade Medvedev to publicly assure the Georgian independence and sovereignty<sup>59</sup>.

Sarkozy was convinced about his own success that under the French leadership the EU proved to become an important international actor ready to solve even the most complex problems. Additionally, he rescued Georgia and simultaneously did not risk the relationships with Moscow.

After the conference in Moscow, Sarkozy flew to Tbilisi to negotiate with Georgian President. Saakashvili and his advisers were terrible scared of the content of the document and angry that the records of it were changed in comparison to the first document presented by Kouchner. Sarkozy arrived at Tbilisi in the evening. Georgians wanted to negotiate the principles of the accord, especially the most controversial for them point 6 but Sarkozy’s intention was to persuade Saakashvili that signing this ceasefire was the only way to save Georgia<sup>60</sup>. In the same time the Presidents from Poland, Baltic States and Ukraine arrived. In front of the massive crowds of Georgians they said a tough “no” for Russian domination. They also appealed many times to the international organizations especially to the European Union for the strong reaction against Moscow. Their main target was to draw the world attention to the conflict<sup>61</sup>. On the other hand, it also showed the lack of

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proved that  
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strength

unity within the EU. However, it later was described by the Polish President as “moral victory of Europe”<sup>62</sup>.

In Tbilisi Sarkozy did want to speak publicly to avoid annoying Russians. He also did not discuss the situation with the leaders of Poland and Baltic States which was not the perfect example of European solidarity<sup>63</sup>. But it was not surprise because Sarkozy was reluctant to the Kaczynski travel to Georgia. In the phone call which took place before, the French President put pressure on the Polish President not to go to Tbilisi and let him solve the problem. On the other hand, the Polish side was anxious that Paris would make an agreement with Russia at cost of Georgia<sup>64</sup>.

The French President left Georgia but without the signature of Saakashvili. Sarkozy threatened Georgian President that if he did not sign a document the Russian tanks could start attack. But Saakashvili rejected to sign it because he was afraid of the content of the ceasefire especially points 5 and 6. Both sides looked with hope at US expecting American help in negotiations. The Secretary of State Condoleezza Rice went to Tbilisi and discussed the cease fire document with Saakashvili. The word “status” from the six point was deleted and also there were some improvements in the demarcations line. Sarkozy sent a letter with explanation of the point 5. The most important principles embraced:

- “Additional security measures' can only be implemented in the immediate proximity of South Ossetia to the exclusion of any other part of Georgian territory”
- "More precisely, these 'measures' may only be implemented within a zone of a few kilometers from the administrative limits between South Ossetia and the rest of Georgia, in such a way that no major urban centre is included, particularly the town of Gori”
- “Special arrangements will have to be defined to guarantee freedom of movement along the road and rail routes of Georgia”<sup>65</sup>

This document alongside with American support persuaded the Georgian President and on the press conference Saakashvili confirmed signing the document but also strongly attacked Western European countries accusing them of provoking the conflict. This statement was clearly showed what Georgian President thought about French diplomatic action<sup>66</sup>.

Sarkozy was criticized for the negotiated document because it gave too much space for Russians and was inaccurate<sup>67</sup>. There were no records about the independence, sovereignty and territorial integrity of Georgia. Adam Eberhardt from Center of Eastern Studies pointed out that this document looked like dictated by Russians and what is more they did not obey the principles of it<sup>68</sup>. Russian army only minimized the use of force and also the problem lied in the activation of the Ossetian paramilitary groups. It was a violation of the first and the second point. The third one was also contravened because the international organization access was hindered. It meant that humanitarian aid was only delivered from Russia. Moscow also did not withdraw their units on the position before the outbreak of conflict which broke the fifth point<sup>69</sup>. Robert Potocki enumerated several loopholes in the agreement indicated the lack of additional protocol which would precisely determine the time of Russian forces withdrawal and their occupational status. What is more, the document did not include any records about refugees and their possibility to return home. Majority of them were Georgians from the South Ossetia and Abkhazia territories and as a consequence of this situation the ethnic changes were made. It deprived Tbilisi from the argument about the multiethnic composition of the breakaways provinces<sup>70</sup>. An old diplomatic principle “words have a meaning” and what is not stated does not bind could be use as a description of this document. Russian exploited it very effectively<sup>71</sup>.

Russian decision to sign a ceasefire and not to attack Tbilisi was interpreted in many ways. Some commentators claimed that the mission and manifestation of support in Tbilisi initiated by Lech Kaczyński was decisive. The others argued that the Russian army was too weak to attack and capture Tbilisi. This thesis sounded controversial but both R. Pukhov and Ronald Asmus wrote that Georgian intervention in South Ossetia surprised Russian 58<sup>th</sup> army which was preparing to attack several days later<sup>72</sup>. According to Pukhov it was the cause that the ultimate aim - overthrowing Saakashvili, was impossible<sup>73</sup>. Similar opinion was shared by independent Russian war analytic Pavel Felgenhauser who indicated the similar reasons why Moscow stopped the tanks. The problems with supplies and the weakness of irregular Ossetian militants mainly implied the decision of not seizing Tbilisi<sup>74</sup>. Ronald Asmus basing on the interviews with main actors of these events claimed differently that Russian army was ready to seize Tbilisi. However, two things are commonly assumed as a reason: Russia was

afraid that countries unfavorable to Kremlin would dominate the EU foreign policy and also possible confrontation with the US<sup>75</sup>.

## THE RESULTS OF THE WAR

The division within the European Union during the war continued aftermath. One group of countries demanded harsh response toward Russia when others appealed for mild criticism and return to the talks. The voices were also divided who had started this war. Politicians from Eastern European countries as well as the Baltic States believed that Russia was the only perpetrator responsible for outbreak of the conflict. In Western Europe the dominant belief was that hot-headed Saakashvili started this war. According to the information of Western intelligence the Georgian forces were prepared to attack and Saakashvili wanted to conduct *fait accomplis* policy<sup>76</sup>. There was only a common understanding that the Russian reaction was disproportionate<sup>77</sup>. This domestic rift had an influence on the EU policy toward the Eastern neighbors as well as toward Russia. It was used by Moscow to divide the EU and implied the weakness of policy of this organization toward the Eastern countries as well as Russia<sup>78</sup>.

The conflict in Georgia was the first one since the Balkan war when Americans handed over the negotiations to Europeans about such an important issue. In 1991 the Bush administration claimed that European countries should take responsibility for their own backyard. However, the lack of success in that time echoed during the war in Georgia when the Bush junior administration “outsourced” negotiations to France. But this time European diplomatic actions were more effective<sup>79</sup>.

It was a first test of this kind for the European Union as a mediator in the conflict which broke out in neighborhood. Cornelius Ochmann wrote that Russia was forced to accept a leading role of the EU in conflict despite the fact that Moscow tried to present Sarkozy as a representative of France not the EU<sup>80</sup>. However, Russia was eager to negotiations and signed the ceasefire because it was in its interests not because of the EU pressure. It was much easier for Moscow to negotiate with European politicians than with the American ones. Russia had an advantage over the EU but not over the US and in Europe there were much

more politicians favorable to Russia. It was a moral victory of Russia after the US left out of the process.

The war also changed the situation of the EU on the South Caucasus area. The involvement of French President and Foreign Minister during the conflict on the behalf of the EU showed that the situation in Georgia concerned the European countries. What is more, the involvement of the EU was reaffirmed by creation of the European Union Monitoring Mission (EUMM). Till 2008 this region was an area of interest of the United States and Russia. After the conflict the EU entered in this region too<sup>81</sup>. However, only after 2 years the European Parliament passed the resolution about the EU strategy toward the South Caucasus<sup>82</sup>. There were even the speculations that the greater involvement in region would cause the Turkey accession to the EU because this country had an influence in South Caucasus<sup>83</sup>. But this forecast was mistaken and inevitably Turkey would not join the EU in the foreseeable future. Admittedly, the EU deeper involved after the conflict in the South Caucasus but the simultaneously the war undermined the position of the EU as a guarantor of post-Soviet republic security. It also proved that the EU did not have any measures to put pressure on Moscow because of its status on the international area as well as the lack of cohesion among the members. The breaking of the ceasefire clearly confirmed this thesis<sup>84</sup>. The EU was even incapable of clearly stated whether the South Caucasus was the part of Europe or not which was important for further cooperation<sup>85</sup>.

The conflict also confirmed the inability of the European institutions to act effectively during the unexpected crisis and shown that EU was not a uniformity and centralized power. The cooperation between institutions was difficult and a lot of procedural problems appeared. It led to conclusion that there were too many agendas and other bodies within the EU and their worked overlapped and slowed the reaction on crisis.<sup>86</sup> What is more, two figures responsible for Common Foreign and Security Policy Javier Solana and Benita Ferrero-Waldner - European Commissioner for External Relations and European Neighborhood Policy were inactive and invisible<sup>87</sup>. From perspective of time many commentators made a mistake seeing in the Lisbon Treaty which included CFSP reform a cure for the problems of the EU foreign policy<sup>88</sup>. The situation after the treaty ratification did not improve.

The war only reaffirmed Western European powers like Germany and France that Georgia was not ready to join the NATO and the European Union. What is more, it crossed

out the Georgian hopes to join these organizations. The European leaders would not agree to the integration with country which partially was occupied by the Russian forces.<sup>89</sup> The conflict showed that former Soviet republics which considered joining the EU or NATO should be aware of their pro-western course. Russia could use every measure to stop them from this idea and the Western countries would not defend them to avoid worsening relationships with Moscow. Majority of the EU countries did not resign from the policy of the “Russian first” which has been existing in the European countries foreign policy since the end of the Cold War. The biggest threat in eyes of many European politicians was the destabilization on the post-Soviet area. Russia was a factor which could guarantee it. The war did not change the perspective and the EU did not acknowledge in its foreign policy the fact that Kremlin was a seeder of instability in the region.

The conflict showed that the security system in Europe which was being built from the beginning of the 1990s failed completely. Especially before the war when the Europeans ignored the signals about aggressive Russian movements and appeals of Georgian side. All organizations and mechanism failed in wake of the coming conflict and were unable to stop it<sup>90</sup>. Therefore some commentators foresaw that the war would redefine the architecture of security in Europe with the new role of OSCE but it did not happen as well as the EU did not involve deeper in security issues<sup>91</sup>.

The war could be also perceived as a Russian rebellion against the existing architecture of security in Europe, which in Moscow opinion, was imposed by the Western powers to weaken Moscow. Moscow in August showed the determination to change the existing system and readiness to repel the Western, especially American interests from post-Soviet area. It was also a signal that Russia would use any measure to block the Western organization and institution expansion on post-Soviet area. The war was the conflict between two ideas: the Western one from 21<sup>st</sup> century which was based on expansion of stability by building a democracy and the second one the Russian perception of international relations through the eyes of 19<sup>th</sup> century sphere of influences. What is more, Moscow perceived the Western idea as a threat to own interests. After the war Russian politicians eagerly offered drafts of new European security architecture<sup>92</sup>. These plans were aimed at breaking the monopoly of Western Institution in security issues and diminished the American influence in Europe<sup>93</sup>. The War in August 2008 showed the aggressive behavior of Moscow and the further discussion

about the Medvedev idea could not be continued. For example Just before the conflict Germany responded positively on the Russian proposal and encouraged other European countries to engage in this project but after the conflict this posture changed<sup>94</sup>.

According to Ronald Asmus the war meant the end of building a common European house which was based on the idea of constructing Europe consisted of democratic states. The war in 2008 was a strong reaffirmation of Russian course which started at the beginning of

European countries decided to back to “business as usual” with Moscow and quickly improve their relations with Russia

the 21<sup>st</sup> century that Moscow no longer sought a membership in Western countries family and returned to anti-western rhetoric<sup>95</sup>.

The energy aspect could not be forgotten during the discussion about the effects of the war. In the EU’s Second Strategic Energy Review there was a record about the problem of “overwhelming dependence on single supplier”. Political incidents in supplier or transit countries, accidents or natural disasters were mentioned as a danger of the dependence on a single supplier<sup>96</sup>. This document also suggested the close cooperation with Azerbaijan, Turkmenistan in constructing so-called southern gas corridor. It was the first time when the EU mentioned the purchase mechanism for Caspian gas which might facilitate the European private sector investments in the region. However, not always the Brussels legislative acts were enforced into life<sup>97</sup>. This

time it was similarly. However, the events from August rather convinced people that building of new gas and oil pipelines on the Georgian territory ruled by the hot-headed maverick Saakashvili could be very risky. The demonstration of Russian power realized that in any time Moscow was able to conduct similar action which could effectively block the transport of the natural resources as it happened in August 2008<sup>98</sup>. In the result of it the Nabucco project was effectively hampered which questioned the future project of European gas diversification<sup>99</sup>.

The war also influenced the decision of certain countries. Poland signed the accord with the US to place parts of American anti-ballistic missile system on own territory. The

decision was made quickly after the war. Before the conflict the negotiations significantly prolonged<sup>100</sup>.

The events which took place in August influenced also the assessment of the French Presidency in the EU Council. The most important thing for Sarkozy - the implementation of Lisbon Treaty, was blocked by Irish referendum. Also his idea about the Mediterranean Union was scuttled by Germany. The crisis on the South Caucasus gave a chance to Sarkozy to act as a great leader and influential politician and made France a pivotal European Country as well as written down the French Presidency in history of the EU<sup>101</sup>.

Most of the commentators perceived this war as a factor which would change the international relationships and the European security system. Obviously the conflict which broke out in August was shocking for majority of the people on the world, especially for Europeans who disaccustomed from wars. They commented that the conflict showed that Russia was a determined, still dangerous country with solid military strength. It also realized European politicians that the 19<sup>th</sup> century world with the sphere of interests did not disappear<sup>102</sup>. On the other hand the war showed the weakness and anachronism of Russian army what only reaffirmed the Western politicians that Kremlin was too weak to threatened the Western countries<sup>103</sup>.

After the conflict, the world of international relationships as well as the European security architecture did not change. Neither changed the perception of Russia. European countries backed to "business as usual" with Moscow, even countries which demanded determined reaction of the EU like Poland improved their relationships with Russia. The initiatives toward Eastern neighbors like the Eastern Partnerships which could indicate that post-Soviet area would become more and more important for the EU were short-distanced. The same situation happened with hopes that the EU after a successful mediation in the conflict would become an important player on the international area very quickly disappeared. Roman Kuźniar claimed that the conflict in August did not bring deeper geopolitical changes because it was a limited war and Russian politicians were aware that their country was too weak for the new arm race with West<sup>104</sup>. In opinion of this polish professor the conflict showed that the West reached the border of their extension and was a harbinger of coming multilateral world<sup>105</sup>.

## AFTER THE WAR

On August 13 the General Affairs and External Relations Council held a meeting. In conclusions it expressed “the grave concern at recent developments in Georgia”, called both sides to obey the principles of ceasefire as well as emphasized the necessity to deeper engagement of the EU in securing the ceasefire<sup>106</sup>.

Despite the fact that Georgian side agreed on the Sarkozy-Medvedev ceasefire plan Russia continued air attacks against Georgian villages and the ground forces entered into one of the Georgian villages and offered Russian citizenship. There was also information about the Russian tanks movement in Gori and other Georgian cities. Russians were destroying the Georgian infrastructure and stopped refugees from coming back home. Moscow started to create security zones which embraced the Georgian territory even 25 kilometers inside. Russia invoked the principle of the ceasefire to justify this movement. Despite the Western countries pressure Russian did not resign<sup>107</sup>. The ceasefire was signed by the President Medvedev on 16 August. Meanwhile the German chancellor Angela Merkel travelled to Moscow. It was a demonstration of the close German-French cooperation on this issue<sup>108</sup>.

On 20 August the first signs of Russian forces leaving the Georgian territory were spotted.<sup>109</sup> But on the same day Russian ambassador vetoed the UN resolution which called for military forces return to pre-conflict position<sup>110</sup>. Georgian side criticized the EU for no reaction on slowly withdrawn of Russian forces and annexation of Akhgori and Perevi<sup>111</sup>. Instead of criticizing Russia Sarkozy preferred to stress the success of the ceasefire implementation. He was afraid that Russians could withdraw from the accord signed in Moscow. According to Radosław Grodzki it was a good tactics because Sarkozy maintained the neutrality and built a credible position to further negotiations<sup>112</sup>. The United States criticized Sarkozy behavior and suggested that he should strongly claim that Russia was breaking the ceasefire. In the opinion of Washington Russia had much more to lose than the EU. However, Paris did not intend to risk worsening relationship with Moscow and was continuing negotiations<sup>113</sup>.

On the 26 August President Medvedev announced Russian decision to recognize the independence of Abkhazia and South Ossetia. All members of the European Union condemned this decision. The French presidency supported by European Commission expressed the statement that recognition of South Ossetia and Abkhazia was “contrary to the

principles of Georgia's independence, sovereignty and territorial integrity"<sup>114</sup>. This situation was commented in a very harsh way by Swedish Foreign Secretary Carl Bildt, who said that the Russian position was "certainly just as unacceptable" as Nazi Germany "defending its rights" in Sudetenland in 1938<sup>115</sup>. Russia decision broke the the Helsinki Final ACT - the founding charter of the OSCE, of which Russia is a member as well as the Article 2 and 4 of UN Charter<sup>116</sup>.

On the 1 September the extraordinary summit of the EU took place. Before the meeting it was a heated debate in media about the way of actions towards Russia. The variety of propositions embraced punishing Russia to continuing cooperation had not given any reasons to believe in success of the summit. The French Prime minister claimed that the most important in this moment was to show unity. Germany proposed to enhance assistance to Georgia instead of punishing Russia. The Italian Foreign Minister claimed that Russia should be treated as a strategic partner not as an enemy and was strongly against any sanctions<sup>117</sup>. Great Britain called for freezing the talks with Russia about new partnership agreement. The other idea of punishing Moscow was invented by Czech Republic diplomats who wanted to boycott the Winter Olympic Games in Sochi. This variety of postures presented by countries clearly showed that the achieving of common point of view would be extremely difficult. According to Polish professor Jerzy Pomianowski in diplomatic game Russia easily dominated the EU. The foreign policy of Kremlin was well organized and planned in advance when the EU actions were conducted "ad hoc"<sup>118</sup>.

It was the first extraordinary meeting of the heads of state and government since February 2003 when the EU was unable to achieve a common point of view on the war in Iraq. The recognition of South Ossetia and Abkhazia independence changed the situation and influenced the French President decision to discuss further steps. Sarkozy reminded that the EU was the only mediator and had a chance to play a crucial role in solving the international problem for the time in history of this organization. In his opinion it was a chance to make the EU an important actor on international area - the dream of the European politicians since de Gaulle time. Despite the fact that during the debate critical voices appeared, European countries agreed that the Council had to show unity<sup>119</sup>. The EU leaders backed up Sarkozy actions and authorized both the Commission and the high representative to examine ways in which the EU could strengthen the ceasefire. The participants condemned

the recognition of South Ossetia and Abkhazia independence and claimed that lasting peace and stabilization in the region could be guaranteed only by obeying an international law considering the territorial integrity and sovereignty. However, the role of cooperation with Russia was stressed as a key element of enforcing the ceasefire plan. As it was expected there were no sanctions imposed on Russia. Even the leaders who demanded a tough posture toward the Moscow like Carl Bildt or Anders Fogh Rasmussen shared the opinion that sanctions could be interesting if they were effective. They were sure that even if the EU implemented sanctions they would not have a detrimental effect on Russia<sup>120</sup>. As an example they pointed out that visa ban had little effect on Uzbekistan, a country which has only a fraction of the economic muscle of Russia<sup>121</sup>.

The heads of the EU states decided that the talks about new partnership and co-operation agreement would be continued if Russia withdrew their troops on the position before the outbreak of the conflict<sup>122</sup>. Therefore the EU commission chief decided to postpone the meeting with Russian side about the new partnership agreement to the time when Moscow would withdraw the Russian forces from the region. The negotiations were resumed despite the opposition from Polish and Lithuanian Presidents who claimed that it was only leverage on Russia<sup>123</sup>. Also all initiatives aimed at deepening the relationships with Moscow should be reviewed. Additionally, the EU Council pledged to support every effort to secure peace in the region. What is more, the decision about the initial preparation for a security mission deployment was undertaken as well as sending the European Union Special Representative. The EU Commission was made responsible for organizing an international conference on Georgia reconstruction and for examining ways of the natural resources supplies diversification. Also the necessity to build special ties with Ukraine was mentioned. However, Sarkozy refused to answer whether he perceived Georgia as a European state or not<sup>124</sup>.

The meeting in Brussels produced a harsh criticism toward Russia but did not propose any measures which could stop Moscow from similar actions in future. However, the common point of view achieved on this meeting was a great success of the EU<sup>125</sup>. Critics indicated that the results of the summit were the reflection of the whole EU policy during and after the conflict. From one hand achieving a common view was inevitably a success but the difficult negotiations which had preceded the results led to the final decision which was weak and ineffective. It was a big compromise which did not please anyone. Additionally, experts

pointed out that Russian diplomacy brilliantly exploited the weakness of the EU and the domestic conflicts within it<sup>126</sup>.

The summit was positively assessed by the EU politicians who saw it as a presentation of the EU strength and ability to act together as well as by the Georgian politicians who perceived it as a next step in bilateral cooperation. It could be surprising but the summit was also positively perceived by Russian newspapers which wrote that the results confirmed the eagerness to further cooperation with Moscow and the countries which demanded stronger position toward Russia were defeated. In their opinion the majority of Europeans did not want to have a row with Kremlin<sup>127</sup>. Polish political scientist Olaf Osica claimed that the success of the EU was the statement about freezing the talks about the new partnership with Russia till the military forces would not leave the Georgian territory. He claimed that most observers expected only verbal condemnations of Russian actions. Bartosz Cichocki an analyst from The Polish Institute of Foreign Relations thought that the summit was mainly crucial for the EU and would not have a big impact on relations with Moscow<sup>128</sup>. The former German chancellor Gerhard Schroeder warned the EU against freezing the dialogue with Moscow. In his opinion the Western countries policy before the outbreak of conflict led to the war<sup>129</sup>. Rafał Trzaskowski indicated that the summit was a success if we considered the situation before it. He enumerated several points which in his opinion could be perceived as a success: the strong, in diplomatic language condemnation of Russian actions, given a clear ultimatum, the promise to tighten the ties with Georgia and support for Eastern Partnership and the announcement of new energy initiative. More skeptical about the results of summit was Przemysław Żurawski vel Grajewski from University of Lodz. He claimed that Moscow disregarded the EU by recognizing the independence of the breakaways provinces and breaking the principles of ceasefire plan and this kind of Russia policy did not influence the results of summit. In his opinion the

The war could be also perceived as a Russian rebellion against the existing architecture of security in Europe, which in Moscow opinion, was imposed by the West

EU “soft power” had not impacted much weaker Yugoslavia during the Balkan crisis and did not achieve a success with the more powerful Russia<sup>130</sup>.

From the time perspective we could see that all measures which could be perceived as a punishment for Russia were mentioned during the summit to ease the group of countries which demanded a stronger reaction. Today Georgia is not closer to the EU or NATO, Eastern Partnership is far away from being an effective tool and the new energy projects did not appear.

On September 3 the European Parliament passed the resolution that did not impose sanctions on Russia. However, it decided that consultations on a new Partnership and Cooperation Agreement could be continue after the Russian troops withdrawal from Georgia. Both Georgia and Russia were accused of invoking the conflict. The EP strongly condemned the recognition of the independence of South Ossetia and Abkhazia. The EP also suggested sending EU observer to Georgia as well as calling for international investigation<sup>131</sup>.

On September 8 in Moscow the EU delegation consisted of Nicolas Sarkozy, the European Commission President Jose Manuel Barroso, Javier Solana and Bernard Kouchner, visited Moscow, and then Tbilisi. Russians expected only Sarkozy but Paris was insisting on the presence of the EU key figures. Despite the fact that atmosphere before the meeting was tense and negotiations were difficult, Sarkozy threatened several times that he would walk out, all sides agreed on the supplement to the 6 point ceasefire. It is important to mention that the situation had changed since the 6 point ceasefire plan was signed because Moscow broke the 6<sup>th</sup> point by recognizing the independence of South Ossetia and Abkhazia<sup>132</sup>. The main points of supplement document embraced:

**Section one. Withdrawal of troops.**

“Point one. Russia will withdraw all of its peacekeepers from the five observation posts along the line from Poti to Senaki inclusive within a maximum deadline of seven days, taking into account the signature on September 8, 2008, of legally binding documents providing guarantees of non-aggression against Abkhazia.

“Point two. Russia will withdraw in full its peacekeepers from the zones adjoining South Ossetia and Abkhazia to the positions where they were stationed before the start of hostilities. This withdrawal will be carried out within ten days following the deployment of international

mechanisms in these zones, including at least 200 observers from the European Union, no later than October 1, 2008, taking into account legally binding documents guaranteeing non-aggression against Abkhazia and South Ossetia.”

“Point three. The complete return of Georgian armed forces to their home stations by October 1, 2008.”

### **Section two. International observation mechanisms.**

“Point one. UN international observers in Georgia will continue to carry out their mandate in their zone of responsibility in accordance with the number and deployment scheme as at August 7, 2008, without detriment to possible future adjustments decided by the UN Security Council.”

“Point two. International observers from the OSCE will continue to carry out their mandate in their zone of responsibility in accordance with the number and deployment scheme as at August 7, 2008, without detriment to possible future adjustments decided by the Standing Council of the OSCE.”

“Point three. Speed up preparations for the deployment of additional observers in the zones adjoining South Ossetia and Abkhazia in number sufficient to replace the Russian peacekeepers by October 1, 2008, including at least 200 observers from the European Union.”

“Point four. As guarantor of the principle of non-aggression, the European Union will actively prepare the deployment of an observer mission in addition to the existing observer mechanisms.”

### **Section three. International discussions.**

“Point one. The international discussions stipulated in point six of the Medvedev-Sarkozy plan of August 12, 2008, will begin on October 15, 2008 in Geneva. Preliminary discussions will begin this September.”

“Point two. These discussions will examine the following issues in particular ways to ensure security and stability in the region ; settling the issue of refugees and displaced persons on the basis of internationally recognized principles and post-conflict resolution practice ; any other issue put forward with the mutual approval of the parties”<sup>133</sup>.

The talk in Moscow was crucial for the reliability of Nicolas Sarkozy whose reputation was damaged after the Russia broke the principles of ceasefire plan<sup>134</sup>. The only two first points of it were kept by Russian side. In addition French President wanted to improve some unclear points of the previous accord like the point 5 which allowed Russian to create bases on the territory of Georgia<sup>135</sup>. However, this time it was an action of the European Union, not only France as a country which was holding the Presidency. It was the test how the European Union was able to manage the crisis. If the negotiations failed, the EU didn't know what to do because there was not the agreement on the next steps in case when Moscow would continue to break the principles of ceasefire. But it is also important to mention that Russia had an interest in signing the new document. The EU was an important market for their natural resources. Politicians in this country were seeking normalization in bilateral relationship. Russia tried to present the actions in Georgia as an extraordinary case and did everything to stress that it was not a reactivation of imperial policy<sup>136</sup>. If the negotiations failed the position of countries in the EU who demanded harsh policy toward Russia would strengthen and could have a detrimental effect for Russia e.g. could threatened the new Partnership and Cooperation Agreement. Russians wanted to return "business as usual" and promoted the new security architecture. Despite the fact that the signing a new supplement was a success of the EU, still there were some dubious points which could be used against Georgia e.g.: there was an unclear status Ossetian forces who alongside with Russian army seized the Georgia territory, there were a 8 checkpoints between Poti and Senaki when the document only mentioned withdrawn from 4. What is more, negotiations over the heads of Georgian leaders meant that this country had a little impact on the situation concerning it<sup>137</sup>.

On the press conference Sarkozy was very proud of the agreement and claimed that any other political power beside the EU would not be able to negotiate ceasefire in less than ten days since the conflict outbreak. He stressed that signing of the supplementary agreement with Moscow without worsening relationship and starting new "cold war" was a great success. In Tbilisi he assured that the EUMM observers would have an access to the conflict zone but the truth was different<sup>138</sup>. The Polish writer Antoni Rybczyński was very critical toward the new agreement between Medvedev and Sarkozy. He even compared it to the Munich accord from 1938 which sanctioned the partition of Czechoslovakia. In his opinion the agreement did the same with Georgia. Additionally, Rybczyński argued that Moscow humiliated the EU

because Russia kindly agreed that the EU observes would enter on the territory of other sovereign country. What is more, the French President again accepted without hesitation the deadline postponement of Russia forces withdrawal<sup>139</sup>.

Russians withdrew from Poti and Senaki after October 18, 2 weeks after the deadline defined in the document<sup>140</sup>. What is more, Moscow did not want to negotiate withdrawal of Russian troops from South Ossetia and Abkhazia. It was the failure of Sarkozy because his mandate given on September 1 entitled him to demand fulfill this condition. Russia also rejected to reverse the recognition of the breakaways independence<sup>141</sup>. What is more, the Russian Foreign Minister Sergey Lavrov announced that Russia would base two contingents of troops in the breakaways provinces. He clearly stated that there were not a peacekeepers but military contingents.<sup>142</sup> It was a clear violation of the agreement and showed the disrespect for the EU and inability of this organization to pressure Russia.

On September 25, 2008 the EU appointed Pierre Morel as the European Union Special Representative for the crisis in Georgia. His mandated expired on August 31, 2011 and now this position is exercised by Philippe Lefort till 30 June 2013<sup>143</sup>. His main aims embraced the support for the EUMM, prevention of the outbreak of conflicts in area of the South Caucasus, finding a solution in lasting conflicts in South Ossetia, Abkhazia and Nagorno-Karabakh conflict and encouraging main actors to engage in dialogue etc.<sup>144</sup>. The appointment of the European Union Special Representative was the next step to confirm the growing the EU interests in South Caucasus region. However, critical voices appeared that his mandate was too weak and his implementation was done without a support of heavy-weight member states<sup>145</sup>.

The EU engaged also in financial aid for Georgia. On 22 October 2008 altogether with World Bank organized a conference of donors in Brussels. The main aim was to gather funds to rebuild Georgia after the conflict. Three main areas were identified which needed special care: rapid restoration of confidence, support for social needs and support for critical investments.<sup>146</sup> The thirty-eight countries and fifteen international organizations pledged to aid Georgia. The sum of money which amount to \$4.5 billion for the 2008-2010 was by It was even higher than sum drafted in the Joint Needs Assessment report. The European Commission pledged 500 million euro<sup>147</sup>. Sabine Fischer, from the European Union Institute for Security Studies in Paris said that "The international community has pledged to give

Georgia an unexpected and unprecedented amount of foreign funds to deal with the economic consequences of the war<sup>148</sup>.

On the beginning of the November the EU commission ended the review of EU-Russia relationships as it was decided during the extraordinary summit. The commission supported the idea of resuming talks with Moscow as well as assumed a soft position toward the

Russia tried to present war in Georgia as an extraordinary case and did everything to stress that it was not a reactivation of imperial policy

Russian-Georgian war. Simultaneously it indicated several problems in bilateral relations like the fees for the flights over Siberia, restrictions in timber export or problems in energy cooperation<sup>149</sup>.

On November 10 during the Foreign ministers summit of the EU the decision of continuation of negotiations with Moscow about the new Partnership and Cooperation Agreement was undertaken. France and the Commission declared that unanimity of members was not necessary because negotiations with Russia had been postponed not freeze and due to this fact the European Commission was not deprived of the negotiation mandate. The only country which protested against the resume of talks was Lithuania<sup>150</sup>. The Foreign minister of this country stated that the EU decision was tantamount to sending a signal for the Ukraine, Moldova, Belarus that changing border by using power was allowed.. The EU in this was legitimized occupation<sup>151</sup>. Others opponents like Poland, Great Britain, Swede withdrew their opposition<sup>152</sup>.

On November 14 the first Russia-EU summit since the war in August took place. The EU did not see further reasons to freeze cooperation with Moscow, despite the fact that a small number of Russian forces stayed in Georgia and Moscow did not withdrawn from its recognition of the breakaways provinces. However, the summit focused more on the global financial crisis than on Georgia. The talks were held in fair and positive atmosphere<sup>153</sup>.

At the end of November Polish Foreign Minister proposed so called “Sikorski Doctrine”. It was a call for the EU and the United States to reshape their policy toward Moscow. In Sikorski’s opinion Russian was a grave threat to Ukraine where the significant Rus-

sian minority lived. Polish Foreign Minister referred to Moscow's statement about the readiness to defend, even with using the military power, Russian citizens abroad. However, the proposition of Polish Foreign Minister did not meet with any response in Europe what meant the lack of support for this proposition. "Sikorski Doctrine" showed that, despite the war in Georgia, European countries did not want to change their policy toward Moscow<sup>154</sup>.

The war also confirmed the necessary for common Polish-Swedish project of Eastern Partnership<sup>155</sup> which was proposed in June 2008 and was accepted by the European Commission in December 2008. During the discussion in June the idea was perceived negatively by France and Germany. Russia was even more concern and accused the EU of interfering into the Russia sphere of influence<sup>156</sup>. Despite these voices the Eastern Partnerships came into force.

## THE EUROPEAN UNION MONITORING MISSION

On the basis of the accord from 8 September 2008 there were following components of the mechanism of stabilization on the Caucasus: UN and the OSCE mission. On September 15, 2008, the Council of the EU adopted the Council Joint Action 2008/736/CFSP which determined the mandate, composition, and financing of the EUMM in Georgia<sup>157</sup>. The approximately 200 observers were sent. There were some ideas to send also military peacekeeping forces but the strong opposition from Spain and Cyprus blocked this idea. The decision of creating this mission was a part of the EU strategy to increase the presence in Russia's neighboring countries but simultaneously did not annoy Moscow<sup>158</sup>. The main aims of European Union Monitoring Mission (EUMM) were:

### **"Stabilisation"**

"Monitor, analyze and report on the situation pertaining to the stabilization process, centered on full compliance with the six-point Agreement, including troop withdrawals, and on freedom of movement and actions by spoilers, as well as on violations of human rights and international humanitarian law".

### **"Normalization"**

"Monitor, analyze and report on the situation pertaining to the normalization process of civil governance, focusing on rule of law, effective law enforcement structures and adequate public

order. The Mission will also monitor the security of transport links, energy infrastructures and utilities, as well as the political and security aspects of the return of internally displaced persons and refugees”.

### **“Confidence building”**

“Contribute to the reduction of tensions through liaison, facilitation of contacts between parties and other confidence building measures”<sup>159</sup>.

### **Contribute to informing European policy and to future EU engagement.**

On October 1, 2008 observers started to patrol the buffer zone. It was the fastest development mission in the history of the EU<sup>160</sup>. However, many procedural, jurisdiction, law and technical problems appeared due to the lack of time, qualified personnel. It showed the weakness of civil structure of European Common Security and Defense Policy (CSDP). The conclusions from EUMM preparation should be taken into consideration in planning next operations<sup>161</sup>. On November 3, 2008 in Brussels Georgia and the European Union signed the agreement on the status of the European Union Monitoring Mission in Georgia<sup>162</sup>. There were some ideas put forward by Georgian sides to add Americans experts to this mission but it was quickly rejected by Washington who praised the work of the EUMM<sup>163</sup>. But the activity of the mission was effectively hampered by Russian troops who did not allow observers to come to South Ossetia and Abkhazia despite the fact that President Sarkozy on September 8 2008 in Tbilisi assured Georgian side that EUMM would be also allowed to the territory of breakaway provinces. But in both agreements there were no such information<sup>164</sup>. France again made a diplomatic mistake in negotiations. Moscow supported the idea presented by the breakaways province authorities that till the EU did not recognize the independent of them, the observers could not enter. The EU authorities claimed many times that the mandate covered the whole territory of Georgia so from the legal point of view the South Ossetia and Abkhazia too but their appeals were ignored<sup>165</sup>. The problem with no access to breakaway province was related with another one. Because the inspectors patrolled the line which in Russian opinion should indicate the new Georgian border the EU mission accidently could be guard of new order in region.<sup>166</sup> What is more, the cooperation between the leaders of mission and the local commanders of Russian army was very difficult<sup>167</sup>. These problems did not appear in the communication with Georgia. Tbilisi signed with the EUMM the Memorandum of

Understanding which limited the number of Georgian troops in neighborhood of breakaways provinces<sup>168</sup>.

At the beginning the mission was so limited that it had problems with guarantying a security for the people in the buffer zones. Diplomats reported about the existence of grey area where the complete impunity was dominating. Few, unarmed observers was unable to assure the public order<sup>169</sup>. Another problem implied because of lack of people skillfully enough to communicate in Georgian and Russian language as well as majority of the members of EUMM did not know a lot about the local customs. Also the negotiations stalemate in Geneva Talks was a cause why mission could not contribute more to help refugees or introduce the initiative to ease tensions. The main aim was limited to observation and informing Brussels about the potentially disorders in region<sup>170</sup>.

Another problem appeared when the authorities of rebel province accused this mission of being biased. Two other missions' one led by the OSCE in South Ossetia ended in 31 December 2008 and the second UN mission in Abkhazia was also ended and was not prolonged in result of result of Russian veto in the UN Security Council<sup>171</sup>. According to the 6<sup>th</sup> point plan and 3<sup>rd</sup> point supplement the EU mission should closely cooperate with OSCE and UN missions but the termination of them led to the situation where the EU was the only international observer in the South Caucasus. It gave a great responsibility to Europeans countries as well as weakened the control of situation in this area<sup>172</sup>.

Even with its limit the EUMM achieved the biggest success - prevented the outbreak of the next conflict. Also the monitoring task was successfully done e.g. during the election 2012 when the EUMM informed about the movements of Ossetian and Russia forces<sup>173</sup>. In addition the presence of EUMM influenced the decreasing of borders incidents as well as facilitated the exchange of the prisoner of wars<sup>174</sup>. Unfortunately the mission failed in reconciled Georgia with Russia and breakaways provinces.

## GENEVA TALKS ON GEORGIA

According to the 6<sup>th</sup> point of cease-fire plan sides were obliged to discuss about the security and stability on the South Caucasus and future of South Ossetia and Abkhazia. However, the Russian unilateral decision to recognized independence of the breakaway prov-

inces changed the aim of talks. According to the supplement document arranged in Moscow, the future discussion forum should embrace questions of security and stability of the region and the problems of refugees. The first meeting took place on 15 October. In that time the situation in the conflict area was tensed and the military incidents happened .

From the technical point of view Geneva talks included three mediators: the OSCE, the UN, the EU and three sides: Georgia, the United States and Russia. This formula of three mediators was criticized because of lack of clarity about the responsibility of the talks. What is more, after the OSCE and the UN mission termination, these organizations lost an ability to have a deep insight in matters of region. Additionally, the EU mission was accused by Russians and representatives of breakaways province of being biased especially when presidency was held by traditionally, critical toward Russia - Sweden. At the beginning of the Geneva Talks the EU was represented by the Javier Solana, Benita Ferrero-Waldner and Bernard Kouchner. This representation consisted of the highest rank politicians. It confirmed the importance of these talks for the EU. After the 4 round the EU was represented by the The European Union Special Representatives for South Caucasus and Georgia<sup>175</sup>.

The main aims of the EU since the beginning of Geneva talks were to prevent escalation of the conflict, to promote security in region and to build up a trust between participants. The EU was pursuing the goal to create a sphere of security, democracy, and stable economy growth in Georgia neighborhood. It would influence the stability of the EU. The EU was using its “soft power” what meant promotion of human rights, the rules of law, democracy and other typical western. The EU posture in Geneva talks was the closest to this represented by the US. The weakness of the EU lied in the structure of its CFSP which was based on the cooperation between member states. In the situation where the countries represented different point of view on Russia the common stance is difficult to

The war showed that most effective diplomacy was conducted by states not by institutions that according to the treaties were responsible for foreign policy of the EU

achieve. Some of the EU countries were uneager to annoy Russia due to vital economy interests with Moscow<sup>176</sup>.

The only real success of Geneva was return of the displaced persons as well as the establishing of IPRM (Incident Prevention and Reaction Mechanism) which established forum for weekly meetings between the warring parties<sup>177</sup>. But the failure of the Geneva talks was not the EU blame. Since the beginning the Geneva Talks had only limit chance to achieve success. The turbulent situation in South Caucasus and completely different postures presented by the participants contributed to the failure of this undertaking. The only failure of the EU was the inability to persuade Russia to become a constructive partner in discussion.

## INDEPENDENT INTERNATIONAL FACT-FINDING MISSION ON THE CONFLICT IN GEORGIA

The European Union pursued to examine the events which happened in August 2008. In this aim, the first time in history of the EU a special mission under the leadership of former UN Special Representative to Georgia, Heidi Tagliavini was created. It consisted of 19 experts from different research branches. The main aims were to recognize who started the war, to examine the potential break of human rights and humanitarian law and to investigate the accusations brought by both Russia and Georgia<sup>178</sup>. The Report was released at September 30, 2009.

The EU sponsored Independent International Fact-Finding Mission on the Conflict in Georgia in its report mentioned “open hostilities began with a large-scale Georgian military operation against the town of Tskhinvali and the surrounding areas, launched in the night of 7 to 8 August 2008 started with a massive Georgian artillery attack”<sup>179</sup>. However, also the Russian counteractions were “far beyond the reasonable limits of defense”<sup>180</sup>.

The Russia's EU envoy Vladimir Chizhov said that “report provides an unequivocal answer to the main question of 'Who started the war?’”<sup>181</sup>. Georgian side also was satisfied with the conclusions of the EU report. The announcement claimed that the EU report mostly followed the Georgian point of view of events and stressed the constant Russia provocations before the August 2008<sup>182</sup>. Most commentators pointed out that Tagliavini achieved a success assuming the neutral stance in this complex issue<sup>183</sup>.

But the most important conclusion of mission was the statement: “The Mission believes that there can be no peace in the South Caucasus as long as a common understanding of the facts is not achieved”.

## **ASSESSMENT OF THE EU ACTION DURING AND AFTER THE WAR**

The Polish Foreign Minister Radosław Sikorski claimed that the ceasefire was a success of the European politicians and France who had a mandate to represent the EU<sup>184</sup>. Similar opinion was shared by the European Council on Foreign Affairs, which claimed that “the EU has established itself as the main diplomatic broker in the conflict between Russia and Georgia<sup>185</sup>. However, Sikorski noticed that points of ceasefire were very broad but acknowledged that in that moment the most important thing – stop fighting, was achieved. He also stressed the importance of Kaczyński mission to Tbilisi as well as the previous harsh statements addressed to Russia. In his opinion, this visit allowed creating a framework to further negotiations<sup>186</sup>. Sikorski called the Presidential initiative “noble intention to remind for the whole world” that Russia was breaking the international law<sup>187</sup>. The high activity of the Eastern European countries especially Poland, the Baltic States within the EU from the beginning of the conflict were pointed at drawing the international and European attention to the events which took place on the South Caucasus. It was time of Olympic Games and the politicians were on the holidays so Poland and the Baltic States which saw at Russian actions against Georgia threat to their countries too played actively to popularize this topic among people and politicians who did not know much about it. This aim was successfully achieved.

There were also critical voices about Kaczyński travel. Przemysław Oziński claimed that the ceasefire plan negotiated by Sarkozy was the reason why the Russia stopped their forces and the presence of the leaders of Poland, Baltic States and Ukraine did not have any influence<sup>188</sup>. It is hard to agree with him, because it is rather obvious that attacking the city where 5 leaders of other countries were staying was very risky. However, it is not true that the Kaczyński mission stopped the tanks individually. The initiative of Polish President contributed to ceasefire.

Svante E. Cornell, the research director of the Central Asia-Caucasus Institute & Silk Road Studies Program at Johns Hopkins University wrote “French President Nicolas

Sarkozy, serving also as the EU President and representative of 27 countries, did react rapidly to secure a ceasefire”. But he also wrote that Sarkozy chose unilateral mission over the discussion with the partner from the EU and working out on common posture<sup>189</sup>. Cornell is right but it is important to remember that Sarkozy was aware that any negotiations with the partners from the EU would be time-consuming because of the variety spectrum of opinions. So achieving the common position could be impossible. In this situation Sarkozy was right to act unilaterally because the most important aim during the conflict was to cease the fire and stop the Russian tanks from reaching Tbilisi.

According to Roman Kuźniar the EU was the only actor which could influence Russia. Neither the United States NATO nor OSCE could do it. Russia signed a ceasefire because it was afraid of the EU sanctions which could have a devastating impact on Moscow. Russia was convinced not by the military power of the EU but by their whole potential which embraced: limits in trade and other dimensions of bilateral cooperation ( culture, research) or even political sanctions aimed at some Russian diplomats. Additionally, Kuźniar stressed that the EU kept uniformity in wake of danger and Moscow did not tear the EU<sup>190</sup>.

A completely different posture was assumed by Alekander Dugin who wrote that the EU had a limited number of options during the crisis because any harder pressure on Russia could invoke a situation when the Moscow would shut the gas flow. In situation when the majority of the EU countries were dependent on the Russian gas it would have a detrimental effect on their economies<sup>191</sup>.

Russian newspaper Wremia Nowostiej assessed the European Union was unable to formulate an unanimous position and the voice of this organization was barely audible. The diplomatic initiative was in hands of single countries. All common instruments responsible for the European Union external relations failed<sup>192</sup>.

Ronald Asmus in his brilliant book praised and appreciated French action in two dimensions. Firstly France stopped the war and secondly the President Saakashvili was still in power. What is more, Paris avoided a new “cold war”<sup>193</sup>. With a high degree of probability the French diplomatic intervention saved Georgia from Russian occupation and President Saakashvili from losing power. But on the other hand it did not prevent territorial integrity of Georgia<sup>194</sup>.

Polish professor Bogdan Koszel claimed that France behaved cautiously toward Russia because of the tradition, respect for Moscow and common economic interests. According to professor Paris played a role of third power as de Gaulle tried to do it in 60s. In Koszel opinion the most important for Nicolas Sarkozy was to end the Georgian-Russian conflict as fast as it was possible even on the unfavorable for Georgian side conditions. The successful mission of French President could be a positive signal that the EU could play an important role on the international area. But professor claimed that Sarkozy was outwitted by Russians and results of his mission could be assessed as partial success<sup>195</sup>.

According to the Polish political scientist Radosław Grodzki the European Union proved that it was able to influence the international area and had enough power to solve the crisis in neighborhood. He also added that France created the image of the EU as the neutral actor on the international area which was able to manage conflicts and conduct mediations<sup>196</sup>. Similar opinion was shared by the Javier Solana who said that “The EU rose to the occasion. We have acted in unity, with determination and we have achieved clear result.” The similar record appeared in the EU Council report on the implementation of the European Strategy that “our Georgia mission has demonstrated what can be achieved when we act collectively with the necessary political will”<sup>197</sup>. But it was not a success of the European Union but rather the initiative of single country, even though France was a country holding the presidency in the European Union Council and was responsible for conducting the foreign relations of the EU. However, it was a lucky coincident that the one of the most powerful European countries with the ambitious leaders, who before August personally engaged in many international crisis, was in that time representing the EU. As McNicol wrote “France historic experience with great power politics and its extensive, well-oiled diplomatic machine undoubtedly lent Sarkozy that extra degree of credibility when negotiating with Moscow”<sup>198</sup>. It is hard to imagine the effective negotiations like those Sarkozy made in Moscow when the presidency would be hold by Malta, Cyprus or other small countries without the big impact on international area. It was France which achieved a success not the EU. However, Peter Ludlow the Chairman of Eurocomment commented this in other way that some kind of symbiosis between France and the EU was showed during the conflict. In his opinion the EU without presidency of powerful European country would be unable to solve the crisis. On the other

hand France, Germany or Great Britain without the support of the EU would be helpless in solving the crisis because no European country was a pivotal state on the international area<sup>199</sup>.

A lot of people wanted to see that Russian foreign policy was changed and would never return to the imperialistic impulses but even though there was no Soviet Union the war in South Caucasus showed that the external actions of Moscow did not change. But the Western Europe did not see or did not want to see it. It is worth reminding words of first democratic leader of Georgia Noe Zhordania in wake of the Russian invasion in 1921: "If Europe bears in silence the crying injustice committed against Georgia by the government of Soviet Russia then this will mean the sanctioning of the right of any great power to attack its neighbors and seize their territory"<sup>200</sup>. This time the Europe reacted but still this reaction was weak and insufficient. It is obvious that the pace of reaction of French President should be

EU had a limited number of options during the crisis because any harder pressure on Russia could invoke a situation when the Moscow would shut the gas flow

praised. If we compare it with the pace of reaction of the EU on the Chechen war or economic crisis in 1998 in Russia, the France President made a diplomatic "blitzkrieg". It was inevitably the success of the EU which consisted of 27 countries which had a different posture toward the conflict and cooperation with Russia. However, the content of the ceasefire could be highly criticized. Beside the point of stop fighting, other were vague and gave a huge space for interpretation. The most crucial gap was the lack of the guarantee of territorial integrity of Georgia. The only factor which could be for France in this situation was that President Sarkozy acted under the pressure of time. What is more, the breaking of the 5<sup>th</sup> and 6<sup>th</sup> point and recognition of South Ossetia and Abkhazia independence undermined the credibility of France and the European Union as actors who were capable to solve the conflict. The successful mission in Moscow was just saving a face of the EU. After it Russia again broke the principles included in supplement and was not punished. It

created the image that Moscow could do everything in "near abroad" and the EU would not react.

The similar situation happened during the Balkan Crisis where the European Union negotiated the ceasefires with fighting sides which were later broken. The European Countries did not have any influence on Balkan countries to obey principles of the ceasefires. The similar situation repeated during the crisis in Georgia which was the biggest threat for the EU and European security since the beginning of 90s. Moscow violated both documents negotiated by the EU and was not punished. Firstly it was caused by the domestic lack of understanding, some countries were against any hostile steps toward Russia. Secondly the EU did not have any tools or mechanism which could harm Russia. Thirdly most of the EU countries depended on the Russian natural resources, some of them even in 90 % and turning the tap off could have a detrimental effect on their economy. Fourthly Western Countries especially Germany and France continued to conduct foreign policy to Russia through the doctrine "Russia First" because in their opinion Moscow guaranteed the stabilization on the post-Soviet area. All these factors influenced the EU reaction on the Moscow policy during the war and after it.

The question appeared if the EU would be able to response in similar way as during the crisis in 2008 after the Lisbon Treaty reform. The question was whether the High Representative of the Union for Foreign Affairs and Security Policy Catherine Ashton and her successors supported by the External Action Service would have enough strength to manage the conflicts in future. The war in 2008 showed that most effective diplomacy was conducted by the country not by Javier Solana or Benita Ferrero-Waldner - the figures that according to the treaties were responsible for foreign policy of the EU. Despite this fact many commentators believed that the effective actions during the crisis in South Caucasus was a good signal and gave hope that the reform of Common Foreign and Security Policy (CFSP) announced in Lisbon treaty would bear fruits<sup>201</sup>. Three years after the ratification of Lisbon treaty it can be concluded that the CFSP remains weak and ineffective.

## **THE COMPARISON OF THE US AND EU POSTURE TOWARD THE**

In the process of analyzing the posture of the US and the EU, firstly we need to notice that common foreign policy of the EU is the result of compromise of 27 countries.

First difference between the EU and the US could be revealed in their involvement in the region before the war and the place of Georgia in foreign policy. For the Bush administration Georgia played a crucial role as an ally in fighting terrorism and in American gas and oil pipeline projects. What is more, the US strongly supported the Georgian pro western course after the Rose Revolution in 2003. The EU did not play a crucial role in the South Caucasus before the war from two main reasons. European countries did not want to annoy Russia by interfering in their “sphere of influence”, and secondly there were more important regions like the Mediterranean Sea. Only Poland and the Baltic States supported Georgia as far as the US did.

Initially during the conflict both the EU and the US were surprised by the outbreak of war and appealed for peace. However, the Americans were harsher in comments and threatened Moscow when the EU played a role of “god cop” and limited their negative comments toward Russia. In the EU there were some countries which assumed a similar to the US stance like Poland and the Baltic States. But Americans limited their reaction to words and statements and outsourced the negotiation process to France. France as a representative of the EU played a leading role and for the short time it seemed that full success was achieved. The United States were passive and their foreign policy in the conflict was chaotic and ineffective. Admittedly, Washington allowed the EU to negotiate, but ultimately only after the intervention of the Secretary of State, Saakashvili agreed to sign a ceasefire by Georgia.

However, the EU and the US made similar mistakes which provoked the conflict. The recognition of Kosovo was one of things which irritated Moscow and created a really dangerous precedence in the international law. The Western countries made a huge misapprehension because they did not notice that Kosovo case would influence the situation on the South Caucasus. Western politicians thought that they would be able to isolate the case of Kosovo only to the Balkan region and it would not be used in similar cases. There was not any mechanism which could prevent Georgians from the similar scenario in case of South Ossetia and Abkhazia. They ignored Saakashvili’s remarks that recognition of Kosovo independence would be dangerous for Georgia<sup>202</sup>.

Also the summit in Bucharest was a mistake because it showed the lack of unity in Western countries camp. The weakness and division was highlighted. The only thing which

could prevent the war was a strong and united voice of the US and the EU in response to the provocative Russian statements about the potential conflict in the South Caucasus region. But after the most serious crisis in transatlantic relationships in 2003 the EU and the US were not able to speak united in many issues. Russia used this rift 5 years later attacking Georgia. After the outbreak of conflict neither the US nor the EU was able to prevent it. Both the US and the EU posture should be assessed negatively and despite the some success achieved mainly by France during the conflict the US and the EU did not put enough pressure on Russia before the August 2008 to prevent the outbreak of the war. But it was a result of the drift in transatlantic relationships after 2003.

(Styczeń 2012)

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<sup>2</sup> Alexander Frenz, *The European Commission's Tacis Programme 1991- 2006. A success story.*, p. 6.

<sup>3</sup> Glen Howard, *NATO and the Caucasus: The Caspian Axis* [in:] NATO After Enlargement, retrieved from URL:  
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<sup>5</sup> Olga Pliszczyńska, *Polityka "niebezpieczeństwa" Gruzji*, Instytut Europy Środkowo-Wschodniej, Lublin 2010, p. 25.

<sup>6</sup> *Council Joint Action 2003/496/CFSP of 7 July 2003 concerning the appointment of an EU Special Representative for the South Caucasus*, retrieved from URL:  
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<sup>7</sup> Olga Pliszczyńska, op. cit. p. 25 - 26.

<sup>8</sup> Maciej Raś, *Polityka Unii Europejskiej na obszarze Wspólnoty Niepodległych Państw*, [in:] *Polityka zagraniczna i bezpieczeństwa na obszarze Wspólnoty Niepodległych Państw*, red. Agnieszka Legucka, Kazimierz Malaka, Oficyna Wydawnicza RYTM, Warszawa 2008, p. 115 – 116.

<sup>9</sup> In the Middle Ages it was a transporting route where the commodities from China, India etc. were transported to Europe and it was used as the place of exchanging ideas and the contact between civilizations.

<sup>10</sup> Marcin Andrzej Piotrowski, op. cit., p. 74 – 75.

<sup>11</sup> BP in Georgia – *Sustainability Report 2005*, retrieved from URL:  
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<sup>12</sup> Gas Pipeline Route, retrieved from <http://south-stream.info/index.php?id=10&L=1> (16.01.2013)

<sup>13</sup> Olga Pliszczyńska, op. cit., 2010 ,p. 41.

<sup>14</sup> Paul Gallis, *The NATO Summit at Bucharest 2008*, Order Code RS22847, Congressional Research Service, updated 05.05.2008.

<sup>15</sup> Edward Lucas, *Nowa Zimna Wojna, Jak Kreml zagraża Rosji I Zachodowi*, Wydawnictwo Rebis, Warszawa 2008, p. 213

<sup>16</sup> It was an idea of French President to tighten the political and economic cooperation between the EU and North Africa and the Middle East countries. (more information on this issue you can find at URL: [http://eeas.europa.eu/euromed/index\\_en.htm](http://eeas.europa.eu/euromed/index_en.htm))

<sup>17</sup> The Project proposed by Finland and embraced the European Union, Norway, Iceland and the Russian Federation. The main aim was to promote cooperation between states mentioned above. ( more in this issue you can find at URL: [http://eeas.europa.eu/north\\_dim/index\\_en.htm](http://eeas.europa.eu/north_dim/index_en.htm))

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<sup>18</sup> It was a cooperation of the EU with the countries of Black Sea Region. ( more Information on this issue you can find at URL: [http://ec.europa.eu/world/enp/pdf/com07\\_160\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com07_160_en.pdf))

<sup>19</sup> Ronald Asmus, *Mała wojna, która wstrząsnęła Światem. Gruzja, Rosja i przyszłość Zachodu.*, Res Publica 2011, op. cit., p. 265.

<sup>20</sup> Przemysław Żurawski vel Grajewski, *Bruksela-Tbilisi-Moskwa*, "Komentarze Natolińskie" 2/2008, received from URL: [http://www.natolin.edu.pl/pdf/komentarze/Natolin\\_Komentarze\\_2\\_2008.pdf](http://www.natolin.edu.pl/pdf/komentarze/Natolin_Komentarze_2_2008.pdf) (22.01.2013)

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<sup>22</sup> Vladimir Socor, *Solana Returns Empty-Handed From Abkhazia*, 13.06.2008, retrieved from URL: [http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews%5Bsword%5D=8fd5893941d69d0be3f378576261ae3e&tx\\_ttnews%5Bany\\_of\\_the\\_words%5D=solana&tx\\_ttnews%5Bpointer%5D=2&tx\\_ttnews%5Btt\\_news%5D=33717&tx\\_ttnews%5BbackPid%5D=7&ccHash=ad8f34f0314674431529688338a6f442](http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Bsword%5D=8fd5893941d69d0be3f378576261ae3e&tx_ttnews%5Bany_of_the_words%5D=solana&tx_ttnews%5Bpointer%5D=2&tx_ttnews%5Btt_news%5D=33717&tx_ttnews%5BbackPid%5D=7&ccHash=ad8f34f0314674431529688338a6f442) (01.20.2013)

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<sup>25</sup> *Some Details of German Abkhaz Plan Reported*, 23.07.2008, retrieved from URL: <http://www.civil.ge/eng/article.php?id=18830> (20.01.2013)

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