



Anna Steiner

# Enhanced Relations – Protracted Conflict(s)?

The EU's Non-Recognition and Engagement Policy (NREP)  
towards Abkhazia and South Ossetia in Georgia

**WISSENSCHAFTLICHE BEITRÄGE  
AUS DEM TECTUM VERLAG**

Reihe Politikwissenschaft



# WISSENSCHAFTLICHE BEITRÄGE AUS DEM TECTUM VERLAG

**Reihe Politikwissenschaft**

Band 82

Anna Steiner

## **Enhanced Relations – Protracted Conflict(s)?**

The EU's Non-Recognition and Engagement Policy (NREP)  
towards Abkhazia and South Ossetia in Georgia

Tectum Verlag

Anna Steiner

Enhanced Relations – Protracted Conflict(s)? The EU's Non-Recognition and Engagement Policy (NREP) towards Abkhazia and South Ossetia in Georgia

Wissenschaftliche Beiträge aus dem Tectum Verlag:

Reihe: Politikwissenschaft ; Bd. 82

© Tectum – ein Verlag in der Nomos Verlagsgesellschaft, Baden-Baden 2019

E-Book: 978-3-8288-7236-3

(Dieser Titel ist zugleich als gedrucktes Werk unter der ISBN 978-3-8288-4304-2 im Tectum Verlag erschienen.)

ISSN: 1861-7840

Umschlagabbildung: The Bridge of Peace (Tbilisi), © Anna Steiner

Besuchen Sie uns im Internet

[www.tectum-verlag.de](http://www.tectum-verlag.de)

### **Bibliografische Informationen der Deutschen Nationalbibliothek**

Die Deutsche Nationalbibliothek verzeichnet diese Publikation in der Deutschen Nationalbibliografie; detaillierte bibliografische Angaben sind im Internet über <http://dnb.d-nb.de> abrufbar.

<https://doi.org/10.5771/9783828872363-1>

Generiert durch IP '3.138.126.81', am 03.05.2024, 15:18:13.

Das Erstellen und Weitergeben von Kopien dieses PDFs ist nicht zulässig.

## Acknowledgements

I want to express my sincere gratitude to Priv.-Doz. Mag. Dr. Werther-Pietsch, who supervised my thesis – the basis of the book at hand. Her guidance and kind advice as well as her encouragement to publish my thesis in the first place were instrumental in developing this project. Thank you so much, Ursula!

Sincere thanks are given to Ass.-Prof. Mag. Dr. Benedikt Harzl, MA. Our talk at the very beginning of my research process helped me (re-)structure my thoughts and develop a deeper understanding of the conflict context. Furthermore, Mr. Harzl provided me with a solid network of contacts.

Furthermore, I want to thank Mag. Ursula Fahringer, Mag. Katharina Wieser and their colleagues for inviting me to a specially set-up background talk at the Austrian Foreign Ministry. I also had a very informative background talk with Siegfried Wöber, today Senior Policy Support Officer at the OSCE's Caucasus Desk, who generously provided me with expertise and contacts. I am grateful to all of you for giving me your precious time and valuable insights!

I am deeply thankful to the informants whose names cannot be disclosed. I had the pleasure of speaking to a number of experts who voluntarily shared their experience and insights with me in an open manner and ready for inquiries, even providing me with further contacts or literature. The information obtained during expert interviews and background talks were crucial and have only made this publication possible.

Special thanks to Univ.-Prof. Irena Zavrl, PhD, Programme Director of “European Studies” at the University of Applied Sciences Burgenland, who always had an open ear and good advice for “her students”.

Finally, my deep and sincere gratitude to my family and friends for their love, help and support. I am especially grateful to my boyfriend Christian who kept my back free and supported me in every possible way.

Thank you!

## Table of contents

Foreword.....	9
Executive Summary.....	10
Abbreviations and Acronyms.....	11
Introduction.....	13
(Non-)Recognition of States in the International System.....	15
EU Basis for the Recognition of Georgia and the Non-Recognition of the de facto States .....	19
Protracted Conflicts in Georgia.....	22
South Ossetia – Roots of the Conflict .....	22
Georgian-Ossetian War.....	23
Abkhazia – Roots of the Conflict .....	25
From the Georgian-Abkhaz War to the Georgian-Russian War .....	27
The August 2008 War.....	29
Russia’s Motives .....	30
The August 2008 War under International Law.....	31
Human Rights in the de facto States .....	32
Policies towards the Non-Recognised States.....	36
The EU’s Non-Recognition and Engagement Policy.....	36
Georgia’s Policy towards the “Occupied Territories”.....	38
United States’ Policy: Non-Recognition of “Occupied Territories”..	39
The EU’s External Governance.....	41
The EU as a Neighbour.....	45
The Global Strategy .....	45
Priorities of the Global Strategy.....	47
Assessing the Global Strategy.....	48
The European Neighbourhood Policy.....	50
Establishing Relations with the South Caucasus.....	54

Georgia as a Model Student .....	59
The Kremlin’s View on EU Integration of Post-Soviet Countries.....	61
Excursus: Information and Actions against Disinformation .....	62
<b>Indeed “The Balcony of Europe”: Georgia and the EU.....</b>	<b>64</b>
EU-Georgia Association Agreement and DCFTA.....	65
Visa Liberalisation.....	68
<b>The EU as a Conflict Manager in Georgia.....</b>	<b>70</b>
Emergence of a Strategy – from Soft to Hard Security Measures.....	70
Coordination with other Institutional Actors .....	73
Organisation for Security and Cooperation in Europe.....	73
United Nations .....	74
EU Support to Conflict Resolution after the 2008 War .....	75
Ceasefire Agreement.....	76
The European Union Monitoring Mission to Georgia.....	77
The European Union Special Representative for (the South Caucasus and) the Crisis in Georgia.....	78
Crisis Management Bureaucracy .....	79
The Geneva International Discussions .....	80
Excursus: Other Mediation Platforms .....	81
Obstacles to Conflict Resolution .....	82
The Role of Financial Engagement.....	82
<b>Expert Interviews .....</b>	<b>86</b>
Conception and Evaluation of the Interviews.....	86
Paraphrasing.....	87
Thematic Order .....	87
Expert A .....	87
Expert B .....	90
Expert C.....	94
Expert D .....	99
Expert E .....	103



Thematic Comparison .....	105
Main challenges in Abkhazia and South Ossetia.....	105
NREP and Georgian Policies.....	106
Enhanced Relations: Visa Liberalisation and DCFTA.....	107
Russia's Role and Influence .....	108
EU Engagement in Abkhazia.....	110
EU and Conflict Transformation .....	111
Assessing the NREP and Recommendations.....	113
<b>Conclusion and Recommendations .....</b>	<b>115</b>
<b>Literature .....</b>	<b>122</b>

## Foreword

Anna Steiner examines Georgia's breakaway regions in the context of EU policies – a highly topical, yet unresolved matter.

The author sheds light on the wider contexts of EU-Russian relations, the politico-normative framework of EU-Georgian relations, neighbourhood relations and finally, on applicable governance concepts. The accuracy of the author in dealing with protracted conflicts, resilience and conditionality on the ground makes the book an exciting reading.

A rich body of relevant policies, strategies, interviews and documentation, including formal road maps and non-papers, results in an excellent analysis of the various strands in policy development. Moreover, the description of the status of isolation, lack of statehood and legitimacy of governmental structures underpins the necessity of an engagement of the EU as a conflict manager.

The thesis offers a series of practical proposals by cautiously widening the horizon towards political solutions, while being realistic. This makes the book at hand a model for future diplomatic engagement.

Priv.-Doz. Dr. Ursula Werther-Pietsch

Institute of International Law and International Relations

University of Graz

## Executive Summary

The central question of this thesis is whether and how the European Union's Non-Recognition and Engagement Policy (NREP) for Abkhazia and South Ossetia/Tskhinvali Region has been successful in increasing conflict management capabilities and governance in Georgia. Since the NREP's launch in 2009, relations between Georgia and the EU have become closer (Association Agreement and DCFTA, Visa Liberalisation).

Other than Georgian policies as well as U.S. policies, the EU does not use the term "occupied territories" when talking about Abkhazia and South Ossetia/Tskhinvali region. Thereby, the EU to a certain extent defines Sukhum/i and Tskhinval/i as counterparts of its non-recognition framework and differentiates between the diverging realities on the ground. The thesis examines how the NREP has been implemented in various EU tools and instruments, in line with the EU's comprehensive or integrated approach to conflict. It analyses to what extent the enhanced EU-Georgia relations have had or could have impact on resolving the protracted conflicts. Based on expert interviews, the implementation and success of the NREP is reviewed.

The NREP is a flexible policy that has not been designed to solve the protracted conflicts in Georgia but to nonetheless engage in the breakaway territories. With regard to this, the EU definitely has something to offer: In its programmes, the focus is on people's needs and skills development, thus contributing to resilience and stabilisation of the conflicts. In practice, EU engagement is limited in Abkhazia and could not be implemented in South Ossetia/Tskhinvali region. Enhanced relations with Georgia could have the potential to add a wide range of opportunities for the residents of the breakaway territories to the EU's engagement portfolio. These additional measures have not gained momentum yet for various reasons, including the territories' dependence on Russia and Russian passportisation, lack of confidence in Georgia and fear of stigmatisation at home.

However, the measures offered as part of and alongside other instruments of the EU's integrated approach to conflicts, and especially the ongoing dialogue with Georgia, Russia and the breakaway territories, have already contributed to stabilising the conflicts. Once Abkhazians would (be allowed/able to) take full use of the benefits offered, NREP together with enhanced EU-Georgia relations could have the potential to contribute to positive peace, making Abkhazia a role model not only for South Ossetia but also other areas of protracted conflicts within the European Union's Eastern Neighbourhood.

## Abbreviations and Acronyms

AA	Association Agreement
ABL	Administrative Border Line
ACF	Action Contre la Faim
CEPA	Comprehensive and Enhanced Partnership Agreement
COBERM	Confidence Building Early Response Mechanism
COREPER	Committee of Permanent Representatives
CIS	Commonwealth of Independent States
CPI	Corruption Perception Index
CSDP	Common Security and Defence Policy
CSO	Civil Society Organisation
DCFTA	Deep and Comprehensive Free Trade Area
DG	Directorate-General (European Commission)
DIPECHO	Disaster Preparedness ECHO Programme
DRG	Democratic Republic of Georgia (1918-1921)
DRC	Danish Regional Council
East StratCom	East Strategic Communication
EAEU	Eurasian Economic Union
EaP	Eastern Partnership
EC	European Commission
ECHO	European Civil Protection and Humanitarian Aid Operations
EEAS	European Union External Action Service
ENP	European Neighbourhood Policy
ENPARD	European Neighbourhood Programme for Agriculture and Rural Development
ENPI	European Neighbourhood Policy Instrument (2007-2013)
ENI	European Neighbourhood Instrument (2014-2020)
EIDHR	European Instrument for Democracy and Human Rights
ESS	European Security Strategy
EU	European Union
EUGS	European Union Global Strategy
EUISS	European Union Institute for Security Studies
EUMC	European Union Military Committee
EUMM	European Union Monitoring Mission to Georgia
EUSR	European Union Special Representative

EU HRVP	High Representative of the Union for Foreign Affairs and Security Policy
FAO	Food and Agriculture Organization of the United Nations
GID	Geneva International Discussions
IDP	Internally Displaced Person
IfS	Instrument for Stability (2007-2013)
IcSP	Instrument contributing to Stability and Peace (2014-2020)
IIFMCG	Independent Internat. Fact-Finding Mission on the Conflict in Georgia
IPRM	Incident Prevention and Response Mechanism
LoOT	(Georgian) Law on Occupied Territories
NGO	Non-Governmental Organisation
NIS	Newly Independent States
NREP	Non-Recognition and Engagement Policy
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Cooperation in Europe
PCA	Partnership and Cooperation Agreement
PESCO	Permanent Structured Cooperation
PSC	Political and Security Committee
TACI	Technical Assistance to the Commonwealth of Independent States
UN	United Nations
UNDP	United Nations Development Programme
U.S.	United States of America
USSR	Union of Soviet Socialist Republics