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# CAN THE EU WIN THE PEACE IN GEORGIA?

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## SUMMARY

The EU has established itself as the main diplomatic broker in the conflict between Russia and Georgia. It should use this position to help forge a positive peace from a war which threatens the foundations of the European security order. Russia has used its conflict with Georgia to display its military power, reclaim a sphere of influence and frighten its neighbours. Rather than looking for punitive measures, the EU should respond to Russia's demonstration of force with much stronger engagement for democracy, prosperity and security in the broader region - keeping tough measures towards Moscow on the table if Russia resists.

This war was caused in part by the dysfunctionality of the previous 'peace-keeping' process in Georgia. The EU must work hard towards ensuring that any new arrangements are not unilateral and do not merely legitimate Russia's de facto control. The EU should promote an international peace-keeping mission and offer to deploy a civilian reconstruction mission dealing with development, building confidence and security between both sides, and tackling wider political issues. It should also encourage the United Nations to set up a commission of enquiry to help establish the truth on the causes and conduct of the war.

Instead of focusing on short-term sanctions against Russia, the EU should move quickly to raise its profile in the Eastern Neighbourhood and to help stabilise other conflict regions - paying attention both to old 'frozen' conflicts and potential new flashpoints. The EU should also make a special commitment to Ukraine: It should recognise its right to EU membership in the future, agree to a more liberal visa regime, offer a solidarity clause backing Ukraine's territorial integrity, and move to integrate Ukraine into the EU's energy market.

European nations looked on helplessly as war broke out in Georgia. Now that the heavy fighting is over, a political battle rages to determine which lessons and consequences must be drawn. This is a conflict in which the European Union has much at stake. Because the EU has emerged as the principle mediator between Moscow and Tbilisi, European leaders have a new chance to influence events. If they seize it, the EU could 'win the peace', not by trying to restore the old and unstable status-quo in Georgia or by punishing Russia, but by changing the rules of engagement in the whole post-Soviet space.

Like the wars in the Balkans, the Georgian conflict is a direct threat to a European project that seeks to replace old paradigms such as the balance of power, spheres of influence and military conquest with integration, negotiation and the rule of law. EU member states must respond with a strategy to protect and extend the liberal security order on the European continent. They need to look beyond the immediate crisis and rethink many of their favoured policies in the Eastern neighbourhood.

Europeans will obviously need to liaise with Washington, but they cannot this time rely on the US to manage the crisis. The US may become more deeply involved, but it is unlikely to offer much of a presence on the ground given its commitments in Iraq and Afghanistan; and Russia would most likely reject it as a mediator. The US will be called to act within the UN, the OSCE, and participate in any donors' conference; and American influence in Tbilisi remains important. But it is up to the EU to take the lead.

Some argue the EU cannot tackle the job because it is itself too divided about how to handle Moscow. But EU leaders know that they must chart a joint way forward or risk having others make the weather and determine relationships on their continent. This paper will argue that a joint EU course towards Russia is possible as long as it eschews the two divisive extremes of ‘unconditional partnership’ and ‘punitive action’. The new strategy we suggest is tailored around four points. It entails re-thinking the EU’s approach to Georgia; creating a shared understanding of both Russia’s motivation and the challenge it poses to European security; resisting a twisted use of the Kosovo precedent; and changing the dynamics of the European neighbourhood.

### Saakashvili’s Blunders

Mikheil Saakashvili likes to see himself as a founding leader of his nation in the mould of David Ben Gurion, Charles De Gaulle, and Kemal Atatürk. Having put Georgia on a path of impressive economic growth, his big project was to bring the secessionist regions of Abkhazia and South Ossetia back into the Georgian fold<sup>1</sup>. One of his first moves as president in 2004 was to use political and military brinkmanship to reintegrate the semi-secessionist region of Ajara (its corrupt and unpopular local ruler fled to Moscow when threatened with a Georgian incursion). Between May and August 2004, he tried the same tactics in South Ossetia, but Georgian troops were rebuffed by local fighters.

Since then, Georgia’s strategy had appeared to have changed. Georgia spoke of ending the isolation of Abkhazia and South Ossetia but hardly meant it. Road blocks and customs checks were used to make life difficult for South Ossetians, while Georgia projected the image of an increasingly prosperous country rapidly advancing towards greater wealth, democracy and Euro-Atlantic integration. Part of this strategy was based on an attempt to divide and rule the Ossetians by setting up an alternative pro-Georgian South Ossetian administration. Georgia achieved a major coup when it secured the defection of Dmitri Sanakoyev, a former South Ossetian combatant, defence minister and interim prime-minister of the secessionist region. Tbilisi immediately recognised him as the legitimate authority in South Ossetia. With huge Georgian financial support, the Sanakoyev administration started to build discotheques, supermarkets, cinemas and football pitches just a few hundred metres from the South Ossetian capital Tskhinvali which had seen little if any reconstruction since the war in the early 90s.

The European Union could have invested in supporting this strategy – trying to convince the impatient Saakashvili of the benefits of playing it long. Instead, European diplomacy in the Balkans unintentionally brought this project to a premature end. Recent events in Serbia have shown that the recognition of Kosovo did not destabilise the Balkans as many had predicted; but the EU should have done far more to defuse the effects of Kosovo’s independence in the Caucasus through stronger engagement with both Russia and Georgia. Over the past few years, Russia offered Russian passports and pensions to Abkhazians and South Ossetians, and appointed Russian officials as prime minister and defence minister. Following Kosovo’s declaration of independence, Moscow established de facto inter-state relations with local institutions, expanded its peacekeeping force unilaterally, withdrew from CIS sanctions banning the supply of military equipment to Abkhazia, and dispatched military railway engineers to rebuild the train lines to Abkhazia (Russia’s favoured means for deploying troops). For Georgia, this amounted to a near casus belli. From spring onwards, Georgian decision-makers seriously considered military action in Abkhazia to prevent what they feared would become an irreversible loss of the renegade province to Russia.

Georgia’s hopes of NATO membership gave US and EU policymakers enough leverage to talk Georgia out of an attack in the spring. It also strengthened the moderates inside the Georgian government. But in recent months Georgia’s hopes of joining NATO had faded – with signals from European countries that Tbilisi would not receive the Membership Action Plan it craved in December. Meanwhile, hawks in Tbilisi argued that their country faced losing NATO membership as well as South Ossetia and Abkhazia. A sense of crisis, disappointment with the EU, but above all impatience and miscalculation led to the launch of a military attempt to recapture Tskhinvali on 8 August 2008.

Further uncertainty arose from the format for the peacekeeping and conflict-settlement negotiations, which maintained the fiction that Russia was an impartial mediator. Because the Russian peacekeepers were in fact parties to the conflict, they did too little to prevent provocations, creeping militarisation, or breaches to the cease-fire agreement. The one development serving Georgia’s interest that the war has achieved beyond doubt is to prove unequivocally that Russia’s involvement is anything but neutral. But the price that Tbilisi has paid for this is exorbitant. Destroyed infrastructure, a conflict settlement delayed for decades, shattered credibility in many EU member states, and disappointment with lack of Western help will all haunt Georgia for years to come.

<sup>1</sup> For more background history of the conflicts see Dov Lynch, ‘Why Georgia Matters’, EU ISS Chaillot Paper No. 86, February 2006; Nicu Popescu, ‘Europe’s Unrecognised Neighbours: The EU in Abkhazia and South Ossetia’, CEPS Working Document 260, 15 March 2007, Brussels; Bruno Coppieters, ‘The EU and Georgia: time perspectives in conflict resolution’, Occasional Paper 70, EU ISS December 2007.

## Russia's revision of the European order

Moscow has responded to Saakashvili's military attack on South Ossetia by escalating a conflict over a secessionist region into a full-scale inter-state war with Georgia. The ensuing occupation of parts of Georgia challenges the entire European security architecture as it has developed since the 1990s. For Kremlin ideologues, Russia's 'humiliation' in that decade is now an established fact. Three recent rounds of NATO expansion have brought the alliance right up to Russia's borders without, so they argue, changing its *raison d'être* of opposing Russia, despite so many reforms to NATO's operations and strategy. The 1999 NATO campaign in Kosovo was seen in Russia as the West's unilateral imposition of new rules in a unipolar world. Then, with Georgia's Rose Revolution in 2003 and Ukraine's Orange Revolution in 2004, Moscow saw these new rules being applied in the post-Soviet world. From this perspective, NATO's unrestrained and unilateral intervention in Kosovo created a precedent for Russian policing of its post-Soviet backyard. Today's Russia wants to avenge these perceived slights and revisit the rules of European security and post-Soviet arrangements. The EU must deal with the reality of Russia's growing ambitions in the region.

Russia's most immediate goal is to thwart Georgia's NATO aspirations. Moscow is well aware that – despite the oft-repeated phrase about Russia not having a veto on Georgia's accession – few NATO members wish to extend a security guarantee to a country at war with the EU's biggest neighbour.

Russia was also keen to end moves to expel Russian peacekeepers from South Ossetia and Abkhazia. But Russia is not a status quo player anymore. Having consolidated its control of the secessionist regions, Moscow has moved to create buffer zones around them and has expelled Georgian peacekeepers from the conflict zones. Russia will likely retain the ability to project military power deep inside Georgia through "peacekeeping" patrols close to Gori and the highway linking Western and Eastern Georgia.

A more difficult Russian goal is regime change in Georgia. From Moscow's perspective, Saakashvili is a foreign-sponsored thorn in its side, the hostile leader of "Russia's Cuba"<sup>2</sup>. The plan is not to run Georgia or turn it into a failed state, but to transform it into a pro-Russian state. Russia knows that the short-term consequences of the war will be to rally Georgians around the flag. But in the long term, Saakashvili must face the consequences of a lost war, perhaps irreversibly lost secessionist regions, and a failed bid to join NATO. Moscow hopes he will be discarded in the same way that a weakened Milosevic was toppled a

year after the Kosovo campaign. Yet a change of presidents will likely not change the reality that every single Georgian president since the dissolution of the USSR has tried to recapture the secessionist regions.

With all this, there is no doubt that the most important message Russia aims to deliver is addressed to other neighbours such as Ukraine, Moldova, and Azerbaijan. It signals that the new Russia will respond much more aggressively to what it perceives as anti-Russian behaviour.

Russia's neighbourhood policy is clearly a force to be reckoned with. In recent years Russia has radically renewed and extended the policy instruments it uses in the CIS. Through policies such as exporting the concept of "sovereign democracy", financing NGOs and political parties, or trade embargoes, Russia has demonstrated its commitment to defending or regaining its influence in the post-Soviet space. The use of military force in Georgia means all the options are now on the table. The ultimate goal is the construction of a new Europe.

Kremlin analysts have floated the idea of an East European Union – comprising the post-Soviet states and even Turkey – that would mimic EU integration, serve as interlocutor for the EU, and counter-balance it<sup>3</sup>. The form of such a Union would be secondary. What matters here is Russia's drive to become the centre (and the sheriff) of a pole of influence in a multipolar world and a bipolar Europe.

For Russia, the attack on Georgia amounts to a tactical victory which might well turn into a major strategic setback. The war dashed a lot of the goodwill associated with Medvedev's ascent to the presidency. Even Gleb Pavlovsky, a Kremlin-connected expert, questioned whether it is possible for the country to pursue its economic modernisation in parallel with its military posturing<sup>4</sup>. The war in Chechnya brought Putin into power, the war in Georgia showed the extent to which he is still in control. It also provided new arguments for greater US and EU engagement in Eastern Europe, and it strengthened Poland's determination to proceed with a missile defence system.

As importantly, the war has clearly exposed Russia's remarkable lack of allies. Not a single country – not even Belarus – openly backed Russian actions. Military action had to be taken because all other forms of Russian power – economic, political or ideological – failed in Georgia. Russia's readiness to play Cold War will also have consequences for Russia's credibility as a partner of the EU. Its participation in institutions like the G8, the NATO-Russia Council, the

<sup>2</sup> A term used by Ivan Krastev.

<sup>3</sup> Sergei Markov – "Yushchenko – eto voploshchenie porazheniia!", *Stolichnye novosti*, no. 28-29, 29 July – 26 August 2008; at <http://cn.com.ua/N515/politics/exclusive4/index.html>

<sup>4</sup> See Gleb Pavlovsky, "Nam nado videt chertu gde my ostanovimsya" (We have to see the limit where we will stop), 12 August 2008, [http://russ.ru/interv\\_yu/nam\\_nado\\_videt\\_chertu\\_gde\\_my\\_ostanovimsya](http://russ.ru/interv_yu/nam_nado_videt_chertu_gde_my_ostanovimsya)

Parliamentary Assembly of the Council of Europe, the World Trade Organisation, and the OECD will be questioned. Some of the foundations of the EU-Russia partnership are likely to be challenged, such as the visa facilitation agreement, plans for visa-free travel, the new EU-Russia agreement under negotiation, and even the existing Partnership and Cooperation Agreement which grants Russia some EU trade preferences.

### The West's Loss of the Moral High Ground

A striking element is the professionalism with which the Russian government is waging the information war. Rather than fighting against Western rhetoric, the Kremlin has turned it on its head. Moscow has wheeled out all the phrases and concepts that Western governments used to legitimate their bombing of Kosovo and Serbia in 1999. Russia argues that the Georgians have engaged in ethnic cleansing, and that Russia is conducting a humanitarian intervention and peace enforcement operation in defence of its own citizens (although many Georgians argue that the only reason Moscow distributed passports to secessionist Abkhaz and South Ossetians was to legitimate its infringements on Georgian sovereignty).

Rather than behaving defensively as it did in the Balkan wars, Moscow conducted an active diplomatic campaign. It has drafted resolutions for the UN Security Council, instructed the Russian Prosecutor's office's investigative committee to look for Georgian human rights abuses, and called for an international tribunal for crimes committed in South Ossetia.

Politically, the European Union cannot afford to allow the comparison with Kosovo to stand. Rather than claiming – as they have done in the past – that the situation in Kosovo does not create a precedent, EU leaders need to be explicit about what precedent it actually sets. NATO's intervention in Kosovo followed a long period of oppression of the majority Albanian population, including massive displacement of civilians in the recent past, and came when all diplomatic avenues had been exhausted. The UN Security Council did not authorise the bombings, but recognised the existence of large-scale repression committed by Yugoslavia.

The Russian action in Georgia was different. It pre-empted any diplomatic attempts to resolve the latest crisis, and there was no independent evidence of the scale of humanitarian emergency that would have justified a large-scale military response across the whole of Georgia, though actions to protect civilians in South Ossetia were justified.

Moscow's bombing of multiple targets across Georgia shows that its agenda is to weaken the Tbilisi government rather than simply oust it from South Ossetia and Abkhazia. In this, it feels it is following the Western example of a Kosovo campaign aimed at toppling Milosevic. Russia has

deliberately made it very expensive for Georgia to rebuild. It has bombed the port in Poti, targeted military infrastructure all over Georgia, and bombed practically all the airports. It also opened a second front in Abkhazia and moved its troops into big towns such as Gori (near South Ossetia) and Zugdidi (near Abkhazia).

### The New Frontline ?

The war has sent shockwaves through the post-Soviet space, and prompted anxious debate about the role of both Russia and the West in the wider region. South Ossetia and Abkhazia are just two of the many local secessionist disputes. Transnistria and Nagorno-Karabakh harbour well-entrenched conflicts, but tensions in Crimea in Ukraine and in North Azerbaijan might increase as well.

In Ukraine, the internal debate about the crisis has covered almost every possible opinion. Prime Minister Yuliya Tymoshenko has so far said remarkably little; President Viktor Yushchenko flew to Tbilisi on 12 August and expressed solidarity with Georgia without mentioning Russia. Former Defence Minister Anatoliy Hrytsenko declared "there is no greater threat to Ukraine than ourselves" and internal arguments within Ukraine.<sup>5</sup> Other voices have been more alarmist. On 12 August Ukraine's most famous web site ran a headline with the simple question 'Is Ukraine Next?'<sup>6</sup> The article expressed not just concerns about Russia, but also disappointment with the purported "weakness of the West", said to be more inclined to "peacefully watch the Olympics", or deplore the non-ratification of the Lisbon Treaty than stand up for its own values.

Since the 2004 'Orange Revolution', Russia has sought to counter the appeal of Europe's soft power by offering more support for a pro-Russian civil society "repeating what the United States is doing there...think-tanks, round tables, conferences, supporting media, exchanges".<sup>7</sup> Russia has also built a functioning "kickback economy" relationship with key political and economic groups in Ukraine. It is likely to play on deep rifts within Ukraine on the 'Russia question' to try and influence the country's future. This would go hand in hand with Russian attempts to encourage separatist movements in Sevastopol and Crimea. As of 2001, 58.3% of the population on the peninsula were ethnic Russians; hundreds of thousands are thought to be covert Russian passport holders. Russia has already begun a war of words, accusing Ukraine of being the key arms supplier to the 'madman' Saakashvili and an accomplice in ethnic cleansing<sup>8</sup>. In July, the countries clashed openly over renewing the twenty year lease on Russia's Black Sea Fleet

<sup>5</sup> Interviewed in Dzerkalo tyzhnia, <http://www.zn.ua/1000/1550/63775/>

<sup>6</sup> Oleksandr Sushko, 'Is Ukraine Next?', [www.pravda.com.ua/news\\_print/2008/8/12/79803.htm](http://www.pravda.com.ua/news_print/2008/8/12/79803.htm)

<sup>7</sup> Interview with Sergey Markov, 19 December 2007.

<sup>8</sup> Statement of the Foreign Ministry of the Russian Federation, 1150-09-08-2008, 9 August 2008, [www.mid.ru](http://www.mid.ru)

in 2017. While the terms of basing may be spelled out in this agreement, the Georgian conflict has revealed starkly that the terms of the fleet's operation are not. This threatens future conflict over where the fleet sails and what it does.

In Moldova the key risk is the derailment of negotiations between the government in the capital Chisinau and the leadership of the breakaway, pro-Russian 'Transnistrian Republic' in Tiraspol. In sharp contrast to Georgia and Ossetia, some agreement had previously seemed possible there either before or after the elections in March 2009. But when war broke out in Georgia, Tiraspol suspended all contacts with Moldova after the latter chose not to condemn "Georgia's military aggression". Even if negotiations resume, a self-confident Transnistria backed by a resurgent Russia is likely to push Moldova's President Voronin beyond any price he could justifiably pay for a 'legacy' settlement before he steps down when his second term ends in March.

Other countries in the region fear similar spillover effects. Azerbaijan has recently complained that Russia is stimulating Lezgin separatism in its northern region as a means of pressuring Baku on its proposed Transcaspian pipeline and its carefully nuanced support for Georgia. The main Azerbaijani news web site, *www.day.az*, was hit by cyber attacks because of its supposedly pro-Georgian stance. Azerbaijan is now much less likely to make any military move against Russia's ally Armenia over the disputed region of Nagorno-Karabakh. What seems like a positive side effect might well mean increased Armenian self-confidence and intransigence and the likely stagnation of this particular peace process. The weak statements of support for Georgia from the EU have convinced the Azerbaijani government and public of the rightfulness of its "balanced foreign policy" between Russia and the West.

To justify its military operation in Georgia, Russia spoke of the need to defend Russian citizens abroad. Many of Russia's neighbours fear that a dangerous precedent has been created, as there are significant numbers of Russian passport holders throughout the post-Soviet space, including the Baltic States.

These anxieties define how post-Soviet states see Russia and the West. And there is a clear risk that their foreign and even their domestic policies will be affected or shaped by the perceived weakness of the West vis-à-vis Russia.

### **The EU's Mixed Record**

After the Rose Revolution which brought him to power, Mikheil Saakashvili put EU flags on all government building in Tbilisi to signal his desire to join the European club. His affection for Brussels has only been partially reciprocated. In broad terms, the EU has been good at delivering technical assistance, but it has proved itself much less able to deliver big political decisions.

In the immediate aftermath of the Rose Revolution, the EU included Georgia in the European Neighbourhood Policy, launched an EU rule of law mission to Tbilisi, deployed an EU border support team and significantly increased its financial contribution to the rehabilitation of the conflict zones in Abkhazia and South Ossetia. But as tensions around Abkhazia and South Ossetia flared, the European Neighbourhood Policy with its long-term focus looked increasingly out of touch with the pressing realities on the ground.

In the last three months, the High Representative Javier Solana and the German Foreign Minister Frank-Walter Steinmeier visited Tbilisi and Abkhazia in separate attempts to stop the move towards war. The EU had been loath for years to ask Russia tough questions about its role in Abkhazia and South Ossetia, or to push for transforming the negotiation formats and the peacekeeping operations in these regions. And the EU failed to push for greater scrutiny of the Russian peacekeeping operation in South Ossetia even when the OSCE reported persistent breaches of the security regime there, and an excessive militarisation of the region.

The EU's biggest failure has been its reluctance to put people on the ground. In 2005 Russia terminated a 150-person strong OSCE Border Monitoring Mission on the Russian-Georgian border, and Georgia invited the EU to take over. The EU response was to send three persons (later extended to twelve) to help Georgia reform its border management system. In January 2007, an EU fact-finding mission suggested a number of modest steps such as financing for civil society, the opening of European Information Centres, and the appointment of EU police liaison officers in Abkhazia and South Ossetia. But even these small-scale measures were blocked and delayed by a minority of EU member states afraid of irritating Moscow.

People in the region have long suspected that EU institutions and member states were more interested in the Middle East (Palestine and Lebanon) than in the South Caucasus. While John McCain visited South Ossetia in May 2007, too few similarly powerful European politicians have ventured outside Tbilisi or attempted to mediate the conflict. It was, in part, this sense of isolation that has driven Saakashvili to take major risks. Europe's supposed indifference simply emboldened the Russians and the Georgians to escalate the situation.

### **How to Win the Peace?**

It is now time to relearn one of the central lessons of the Balkan wars: the best way to keep the peace is to get involved rather than stand on the sidelines. The EU now needs to salvage what it can from a very difficult situation. The worst outcome would be for Moscow to take away the lesson that it can act with impunity in the post-Soviet space, violating

the sovereignty of its neighbours and using military force to encourage regime change. The EU must ensure that Russia's military victory in Georgia comes at a high political cost. It is important for the EU to show that a 'partnership for modernisation' with Russia is incompatible with Russian military incursions into neighbouring states.

There is no doubt that the EU faces a dilemma. It cannot ignore the Russian invasion of a neighbouring country, but it will need to cooperate with Moscow to stabilise the region. This alone excludes an essentially punitive approach to Russia. The EU can either get involved in efforts to support the peace on Georgian territory including the secessionist regions, and therefore cooperate with the Russians, or it can seriously consider sanctions. It cannot do both. The priority for the EU should be to get involved in Georgia and throughout the neighbourhood. A greater EU presence on the ground is essential to improve long-term conditions for peace while involving the Russians. If it pushes Russia away, if it kicks it out of the G8 and keeps it out of the WTO with no possibility for rehabilitation, the West will soon find out that much is lost and little gained.

From a Russian perspective, limited cooperation in the future is more threatening than short-term Western diplomatic sanctions. The European Union should thus move quickly to promote a security order compatible with its values – and give Moscow the choice of cooperating or facing a freeze in relations. The EU's strategy will have to encompass responses to Georgia's conflicts, and be embedded in a wider neighbourhood strategy.

### 1. Stabilising the Conflict Regions

By brokering the six-point ceasefire plan, the EU has already become Russia's main negotiator for the post-conflict arrangements. All sides must recognize that the pre-war peacekeeping system was dysfunctional, and that it can hardly be expected to perform any better after what has occurred. Had there been an international peacekeeping presence in South Ossetia, Georgia most likely would not have launched its military strike. Nor would Russia have been so quick to attack. Continuing the peace support mechanisms of the past might pave the way for future conflict. Maintaining peace in Georgia will require a strong international commitment, both military and civilian. South Ossetia and Abkhazia, which currently oppose this, should accept an international peacekeeping force as they have the highest stake in maintaining peace.

*Sending Armed Peacekeepers.* The EU should therefore promote a new peacekeeping format.

- The new peacekeeping operation should take place under OSCE or UN mandate, with peacekeeping contributions from Russia, the European Union, and regional partners such as Kazakhstan, Azerbaijan, Armenia and Ukraine.

- The mission, to which the EU should contribute several hundred soldiers, should monitor a buffer zone, deter the parties from military action, and provide peaceful conditions for a longer-term reconciliation process.

*Sending Civilian Peacemakers.* In parallel, the EU should deploy a substantial EU Civilian Mission dealing with humanitarian, reconstruction and political tasks.

- It should be headed by a double-hatted EU Council-European Commission official. Its responsibilities would include dealing with the return of internally displaced persons and refugees, conflict-mediation, confidence-building, disarmament, demobilization, and reintegration of former combatants. Such a mission could follow on Georgia's invitation and would not need UN approval.

The EU should also set up a Contact Group meeting half-yearly at Ministers' level and monthly at Political Directors' level to oversee the progress of the peace plan

*Post-Conflict Rehabilitation.* The EU has to prepare the ground for the long-term stabilisation and reconciliation of Georgia, South Ossetia and Abkhazia. The international community and Georgia will have to engage more deeply with the secessionist regions. Georgia should revise its strategy towards the conflict zones by emphasising engagement instead of pressure. Having failed militarily, Georgia will have to focus on the "beauty contest" for hearts and minds in Abkhazia and South Ossetia. And Georgia will have to show greater trust in EU actions in the conflict regions.

- The EU should propose a World Bank assessment mission to catalogue Georgia's reconstruction requirements and co-sponsor a donors' conference to finance the reconstruction of the whole of Georgia, including South Ossetia and Abkhazia.
- Georgia should be offered simple free trade, with the future prospect of transformation into a deep free trade area (presupposing regulatory alignment). The trading provisions should be extended to the breakaway regions.
- Georgian citizens have to be offered a visa facilitation deal and a road-map for visa free travel in the near future.
- A NATO Membership Action Plan for Georgia should still be on the table. Georgia needs all the assistance it can get in rebuilding its democracy and armed forces.
- It is high time for Georgia to lift its blockade of Abkhazia, and accept a greater degree of inclusion of Abkhazia and South Ossetia in the European Neighbourhood Policy and Black Sea Synergy. Isolation of the secessionist regions only furthered their integration into Russia.

- Neither Abkhazia nor South Ossetia can be fully included in the ENP right away, but they can benefit from ENP projects in areas such as trade, education, environment, culture, civil-society-building, poverty reduction, transport infrastructure, and people-to-people contacts.
- The EU should urgently open Europa Houses in both regions, and finance courses on European history and politics in local universities.
- Turkey, which is home to a big Abkhaz diaspora, should be strongly involved in these efforts.
- The Ukrainian foreign minister should be invited to the next meeting of EU foreign affairs ministers to give a briefing on Ukraine-Russia relations.
- The EU should offer Ukraine access to the four freedoms of the EU and a road map for visa-free travel.
- The EU should also offer full support for Ukraine's efforts to obtain a road-map for the withdrawal of the Russian Black Sea Fleet in Crimea in 2017.

*Establishing the Truth.* In order to preserve the credibility of the international rule of law, it is essential that misleading accounts of the legal justification for the war do not take hold. Europe has a strong interest in challenging the use of war as an instrument of foreign policy while defending the principle that the protection of individuals from mass atrocity can ultimately take precedence over national sovereignty. It must not allow false claims of humanitarian emergency to become established as a justification for illegitimate military action. The EU should therefore support the application of international law in Georgia by proposing an international commission of inquiry on the Georgia conflict. Such a commission could be modelled on the Independent International Commission on Kosovo (set up through a Swedish initiative), and would submit its report to the Secretary-General of the United Nations. This commission would be able to investigate the background and justification for military actions offered by both Georgia and Russia, and assess whether there was a genuine humanitarian case for the use of force by either side.

## 2. Dealing with the Neighbourhood

Rather than striving for simplistic retaliation, the best way to deal with Russia is to refuse to accept a bi-polar Europe and engage more firmly in the neighbourhood. The European Neighbourhood Policy was designed with a very long-term focus in the hope that slow, incremental change will take root. But the EU badly needs to complement this with some shorter term measures. Above all, it needs to develop ways of showing solidarity with neighbouring countries that are faced with challenges to their territorial integrity – be it in Crimea or in Transnistria. Contributing to conflict settlement in the European Neighbourhood should be a joint priority for the EU's current and future presidencies (France, the Czech Republic and Sweden).

*A Special Focus on Ukraine.* The next focal point for security tensions - although not for war - might be Ukraine. As a signal both to Kiev and Moscow, EU member states and institutions need to develop a broad strategy to show solidarity to Ukraine. There is a powerful opportunity to do this at the EU-Ukraine summit in Evian on 9 September. In the mid-term, the following measures should be included:

- As part of the new EU-Ukraine agreement, the EU should accept a solidarity clause, building on the 1994 Budapest Memorandum, whereby the EU would commit to an obligation to consult and assist Ukraine in case of challenges to the territorial integrity and sovereignty of Ukraine, in accordance with the UN Charter.
- The EU should launch a comprehensive study on the future of natural gas transit from Russia to the EU, the impact of the “by-passing” pipelines (Nordstream and Southstream) and the integration of Ukraine into the European natural gas market.
- The EU should recognise Ukraine's right to join the EU.
- Ukraine should be offered a clearer perspective towards a NATO Membership Action Plan. As NATO accession is currently highly contentious in Ukraine, the December NATO meeting should concentrate on outlining the technical and political conditions that would allow Ukraine to receive a MAP, and encourage it to meet those conditions.

The political lessons of the Georgian-Russian war will be defined in the coming months. If the EU wants to win the peace, it must demonstrate that an escalation of tensions in the post-Soviet space will be met with more, not less, engagement in the Eastern neighbourhood.

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