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Business as Usual?
Konsekwencje konfliktu rosyjsko-gruzińskiego

Business as Usual?
Consequences of the Russian-Georgian Conflict

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Introduction

Łukasz Kulesa

The developments that followed the Russian-Georgian ceasefire agreement have verified some early predictions, whether these were alarmists forecasts of Russia's continued strong-arm expansion or expectations that a conflict-induced shock would mobilize the West to form a uniform front in order to contain Russia. For yet another time, though, it turned out that events originally seen as a breakthrough in international relations tended, with time, to assume a different—even if no less momentous—meaning.

PISM analysts' contributions to the present issue of *Research Papers*, devoted to the consequences of the Russian-Georgian conflict, reflect the intention to present the South Caucasus clash in a broader context of international interactions and activities by actors such as NATO or the European Union. Taking this approach, one can attempt evaluating the short- and long-term significance of the conflict and its impact on international politics.

In particular, what is needed is an assessment of the August 2008 events in the context of the Russian policy goals. The author of the first chapter leaves us in no doubt: for Russia it was not a local feud over specific developments in South Ossetia, but rather part of a drive to restore the Russian zone of influence in the post-Soviet area. Following a “chess player's strategy,” Russia prepared conditions for a tactical victory, which it used to the maximum extent to promote its goals, but now its further actions will be largely contingent on reaction from other players, particularly the United States and European countries. If Russia finds that proper conditions have emerged for next moves, it may well take them, for instance by attempting to transform Central Europe into its buffer zone.

The next chapter analyzes the conflict's consequences in a field of special importance for Poland: the security of energy supplies. Viewing the August war as one for a commodity-transit corridor would be an oversimplification. Russia, in fact, was keen not so much to eliminate the competition as to stage a demonstration of force meant to bring it home to other producers and consumers that the same can be easily repeated in the course of a successive crisis. The message was well understood, especially by Caspian Sea and Central Asian states, which greatly complicates the diversification plans linked to these countries. Neither the United States nor the European Union currently have adequate means with which to influence those producers who cannot be guaranteed security in the event of a conflict with Russia.

What many observers found the most surprising were the activities of the European Union, and especially France, which held the EU presidency during the conflict—and these are presented in the third chapter of the publication. Having undertaken the mediation mission, the EU proved to be the largest external actor involved in the search for a solution. But at the same time the effects of President Sarkozy's efforts and EU decisions on relations with Russia remain controversial, especially in view of sharp differences lingering in the bloc over how to react to the crisis. This assessment is not changed by a smooth deployment of the EUMM observation mission in Georgia. According to the authors of the third chapter, there are two possible scenarios for EU–Russia relations: one is a *de facto* recognition of a zone of Russia's influence in the CIS area; the other, more difficult to materialize, is a double-track policy, where the expansion of relations with Russia would not be achieved at the expense of the EU's involvement in other post-Soviet states.

The fourth chapter contains an analysis of the activities of the North Atlantic Alliance during the crisis and the impact which the August conflict made on NATO. It gives a positive appraisal of NATO's reactions in a situation where Georgia was not covered by collective defense guarantees and where it actually contributed to the conflict's outbreak. As a result of the conflict, the process of enlargement to the Eastern Europe has virtually come to a halt, and relations with Russia were temporarily frozen. And although these relations are likely to return to their previous level, no positive breakthrough should be expected. The likeliest scenario for NATO is that a discussion will be initiated about its future (with work launched on a new strategic concept) and that—importantly for Poland—there will be some kind of a back-to-roots evolution, with emphasis placed on NATO as a military alliance defending its member states, rather than an instrument of stabilization and political transformation in its immediate surroundings.

Russia and the Conflict with Georgia

Bartosz Cichocki

Sides' objectives and responsibility

An analysis of internal Russian developments should be preceded by a presentation of the outbreak and course of the South Ossetia conflict. This is warranted not only in view of the weight of the charges leveled on the parties involved—genocide in the case of Georgia and intention to unleash a new cold war in the case of Russia. As it happens, Russia's activities were in fact compared, by Swedish Foreign Minister Carl Bildt, to the policy of Nazi Germany.¹ Without taking up the question of responsibility and the objectives guiding Moscow and Tbilisi, building scenarios of future developments will not be possible.

At this point, two major reservations are in order. First, we do not have a full picture of what was taking place, and, second, a forecast of the August conflict's consequences is considerably distorted by the current financial and economic crisis in Russia, coming as part of the global downturn.

In the months leading up to the conflict, Russia claimed on different occasions that Georgia was planning to restore control over South Ossetia through a military action.² Indeed, the Georgian offensive in the rebellious province was accompanied by statements issued by President Mikheil Saakashvili and other senior officials about "restoration of constitutional order" in areas belonging to Georgia and about the "liberation" of successive villages. The claims about the Tskhinvali attack being a response to earlier Russian-inspired Ossetian provocations and about Russian units' presence south of Roki Tunnel prior to 8 August were actually presented at a later time, and have yet to be corroborated. It would be hard to question the fact that Georgia did play an active role in "de-freezing" the conflict.

However, it should also be noted that the Georgian activities were used by Russia as justification for its own preparations for a military offensive and disintegration of Georgia. Among Russia's actions were: the partial recognition of the two splinter republics on 15 April 2008, the strengthening of the "peacekeeping" military contingent in Abkhazia in the spring of 2008, and violations of Georgian air space.³

Dismissing Russian preparations was no doubt a grave mistake on the part of Georgia, which ignored the possibility of a large-scale Russian armed intervention. This can be inferred from the course of the fighting and the absence of obvious tactical moves, such as cutting off the Roki Tunnel–Tskhinvali road or launching acts of sabotage after the entry of the main Russian forces, lack of armor-piercing weapons and insufficient stocks of anti-aircraft weapons, and finally Georgians' helter-skelter retreat, involving dropping arms and materiel on territories captured by the Russians. It cannot be ruled out, though, that President Saakashvili's actual goal was not to take over the whole or part of South Ossetia, but rather to provoke Russia to take actions to which the Western states and international organizations would have to respond.

Russian charges of Georgian-perpetrated genocide against Tskhinvali population should also be examined. The use of highly inaccurate Grad rocket launchers to shell South Ossetia's capital on the night

¹ "Sweden's Bildt heads to Georgia, urges ceasefire," Reuters, August 11, 2008.

² See e.g.: Russian MFA statement, March 28, 2008, "Stenogramma otvetov na voprosy SMI Ministra inostrannykh del Rossii S.V. Lavrova na press-konferentsii po itogam zasedaniya SMID SNG, Moskva 28 marta 2008 goda," www.mid.ru/Brp_4.nsf/arh/7738D40DDAFF111FC325741E00283A0C?OpenDocument; Russian MFA statement, April 2, 2008, "Russian MFA Information and Press Department Commentary in Connection with Mikhail Saakashvili's Interview Published in the Newspaper Kommersant on March 31, 2008," www.mid.ru/brp_4.nsf/sps/52A0D898B39B5400C325741F005B6D90; Russian MFA statement, April 3, 2008, "On the Reply of President of the Russia Vladimir Putin to the Messages of President of Abkhazia Sergey Bagapsh and President of South Ossetia Eduard Kokoity," www.mid.ru/brp_4.nsf/sps/AF03C091EE962106C3257424002C1427; Russian MFA statement, April 29, 2008, "Russian MFA Information and Press Department Commentary Certain Facts about Tbilisi's Policy," www.mid.ru/brp_4.nsf/sps/EA78FD5CBE093FDCC325743B0030E5B2; Russian MFA statement, August 8, 2008, "Statement by Russian Minister of Foreign Affairs Sergey Lavrov at Press Conference for Russian and Foreign Media in Connection with the Situation in South Ossetia," www.mid.ru/brp_4.nsf/sps/51C36F4C57FE3900C32574A200465B75.

³ Russian MFA press release, March 6, 2008, "Russian Federation Withdraws from Regime of Restrictions Established in 1996 for Abkhazia," www.mid.ru/brp_4.nsf/sps/79C58F476CAEC4E8C32574040058934C; Russian MFA press release, April 16, 2008, "The Russian President's Instructions to the Russian Federation Government with Regard to Abkhazia and South Ossetia," www.mid.ru/brp_4.nsf/sps/B75734BAC2796EFBC325742D005A6F7C; W. Górecki, K. Strachota, "Tension escalates over the Abkhazia and South Ossetia conflict," *Eastweek* 15 (124), April 23, 2008; M. Menkiszak, M. Falkowski, "Russia puts more pressure on Georgia," *Eastweek* 19 (128), June 4, 2008.

of 7 August carried the risk—bordering on certainty—of major human and material losses for the enemy. Immediately after the offensive, South Ossetia leader Eduard Kokoity and also Russia's foreign minister with other senior officials were putting the civilian deaths number at around 2,000. An investigation by independent observers was rendered impossible by Russian armed intervention and subsequent refusal to grant these observers broad and continuous access to the captured territories. The credibility of Russian allegations was also put in question by the preliminary findings of the Russian National Prosecution Office's investigation taskforce of 5 October 2008, which spoke of 134 casualties among the civilian population and 59 among the Russian "peacekeeping" forces. The charges and the casualty figures given by various sources require an impartial investigation. But whatever outcome such an investigation would produce, one can observe that the Russian charge of genocide was motivated not so much by the assessment of ongoing developments as by the requirements of propaganda, including invoking humanitarian intervention arguments in an effort to justify its own actions.

The instrumental use of the genocide accusation is not the only indication that the Georgian offensive only served as a pretext. The Russian operation was prepared much in advance and its goals transcended the officially stated defense of Russian citizens' rights in South Ossetia and putting an end to genocide. This is reflected in the pace and scale of Russian reaction, its geographical extent, Russian pronouncements describing as inadmissible the acceptance of Georgia and other CIS states into NATO and its statements about zones of "privileged interests," and finally the recognition of Abkhazia and South Ossetia by President Dmitry Medvedev on 26 August 2008.⁴ In this context, one cannot ignore the mass-scale issuance of Russian passports to South Ossetians over a long period prior to the conflict⁵. That practice, as well as defending the country's citizens living in another country with the use of force, infringes the rules of conduct established, for instance, within the OSCE, of which Russia is a member.

There can be no doubt that when the conflict is viewed from a broader perspective, responsibility lies with Russia. It was Russia which—with Soviet Union declining—stirred up authentic Ossetia-Georgia and Abkhazia-Georgia antagonisms with a view to keeping Georgia within the USSR. After the latter's break-up, Russia got involved militarily, politically and economically on the side of Ossetia and Abkhazia separatists, and it consistently hindered moves to overcome both crises in the 1990s and in the early 2000s. The "freeze" of these crises provided Moscow with an instrument to block the process of the former Soviet republic's integration with Euro-Atlantic organizations. And in this context one can hardly ignore the fact that over the same period Russia acted in a similar way to influence the course of crises in Transdniestria and (via Armenia) in Nagorno-Karabakh. The genuine process of Tskhinvali and Sukhumi's emancipation from Tbilisi was accompanied by construction of the Russian protectorates.

When analyzing the Russian-Georgian conflict through the prism of tendencies in international relations over the past several years, one can notice its direct relation to the changes initiated by Russia. The South Caucasus developments should be viewed in the context of a crisis of the post-Cold War system of European security. The roots of this crisis lie in the pursuit of Russia's worldwide aspirations, initiated under

⁴ See e.g.: L. Barber et al., "Medvedev fires warning shot at Nato expansion," *Financial Times*, March 25, 2008; D. Medvedev, "Speech at Meeting with German Political, Parliamentary and Civic Leaders," Berlin, June 5, 2008, http://kremlin.ru/eng/speeches/2008/06/05/2203_type82912type82914type84779_202153.shtml; interview with Russia's envoy to NATO Dmitri Rogozin, "U Rossii yest otvet na razshireniye NATO," *RBK Daily*, April 1, 2008; "Vladimir Puotine: 'Elargir l'OTAN, c'est riger de nouveaux murs de Berlin'," *Le Monde*, May 31, 2008; interview with Russia's deputy Foreign Affairs Minister Aleksandr Grushko, "Sblizheniye Saakashvili s NATO – eto politika voyny," *Vremya novostey*, August 19, 2008; interview with Russia's deputy Foreign Affairs Minister Grigorii Karasin, "People want to label Russia as the aggressor," *Spiegel-Online*, August 25, 2008; D. Medvedev's foreign policy five principles – see: "Interview given by Dmitry Medvedev to Television Channels Channel One, Russia, NTV," Moscow, August 31, 2008, http://kremlin.ru/eng/speeches/2008/08/31/1850_type82912type82916_206003.shtml; D. Medvedev on Russia's zone of influence – see: "Transcript of the Meeting with the Participants in the International Club Valdai," Moscow, September 12, 2008, http://kremlin.ru/eng/speeches/2008/09/12/1644_type82912type82917type84779_206409.shtml; D. Medvedev, "Speech at World Policy Conference," Evian, October 8, 2008, http://kremlin.ru/eng/speeches/2008/10/08/2159_type82912type82914_207457.shtml; "Ukaz Prezidenta Rossii 'O priznanii Respubliki Abkhaziya'," No 1260, Moscow, August 26, 2008, <http://document.kremlin.ru/doc.asp?ID=047559>; "Ukaz Prezidenta Rossii 'O priznanii Respubliki Yuzhnaya Osetiya'," No 1261, Moscow, August 26, 2008, <http://document.kremlin.ru/doc.asp?ID=047560>.

⁵ See e.g.: "My ni v chem ne narushayem norm mezhdunarodnogo prava": Intervyu zamministra inostrannykh del Yuzhnoy Osetii Alana Pliyeva," *Regnum*, July 2, 2003; C.J. Chivers, "Threat of Civil War is Turning the Abkhaz into Russians," *The New York Times*, August 15, 2004; "Sergey Ivanov: Strany NATO nezakonno snabzhayut Gruzuyu sovetskimi oruzhiyem," *Regnum*, September 29, 2006; "Mekhanizm obruseniya," *Vlast*, September 22, 2008.

President Vladimir Putin.⁶ The intention to regain the status of a superpower which co-shapes the global order in an equal manner with the U.S.—a status resting on the country's domination in the CIS area—found its reflection in, for instance, interference in the 2004 Ukrainian presidential election and, once that interference failed, a campaign against the OSCE's involvement in the transformation of post-Soviet states (especially against the ODIHR agency, which guards the fairness of the electoral process). The worsening of European security climate was impacted, in unprecedented ways, by the use of energy resources for political purposes in relations with some CIS and EU member states, resumption of flights by strategic bomber aircraft, unilateral suspension of the Treaty on Conventional Armed Forces in Europe (December 2007), threats of aiming missiles at Poland and the Czech Republic if these countries consent to the deployment on their territories of elements of the U.S. missile defense system, and also Russian representatives' numerous public pronouncements describing as inadmissible Ukraine and Georgia's entry in NATO and claiming Russia's privileged rights in the CIS area. The South Ossetia conflict by no means represents the last stage in this process of collapse of European security architecture, as demonstrated by Russia's announcements of opening of military bases in Georgian rebellious provinces as well as Kremlin unilateral attempts to resolve the Transnistria problem.⁷

Internal developments in Russia

There are two possible paths for Russia's internal developments in the wake of the conflict with Georgia: consolidation of power in the hands of Vladimir Putin or—a scenario that could be considered probable not earlier than in several years' time—internal divisions among the country's power brokers. Under the former scenario, the process of eliminating the remnants of democratic embellishment in the Russian political system would accelerate, while under the latter this process would slow down or even discontinue.

The consolidation scenario is associated with Prime Minister Vladimir Putin, who played the most important role on the Russian side since the early hours of the conflict. On the day of its outbreak, taking advantage of the presence at the opening ceremony at the Beijing Olympics, he held a series of bilateral talks with leaders of other countries, where he presented the Russian view of the conflict. By way of comparison, President Dmitri Medvedev was then on holidays. Putin flew to North Ossetia's capital, Vladikavkaz, right on 9 August, to preside over a crisis meeting. And he conspicuously took the initiative on several more occasions—e.g. during Medvedev's meeting with President Nicolas Sarkozy in Moscow on 12 August—thus demonstrating the extent of his power in Russian system.

The change of presidential guard in Russia has prompted many commentators to speculate about possible conflicts between President Medvedev and Prime Minister Putin. But after the Georgia war and a crisis in Russia's relations with the Euro-Atlantic community, it has become much harder for Medvedev to cultivate the image of a liberal open to dialogue with the West (in contrast to his predecessor). Actually, Medvedev is now even more dependent on Putin and the so-called "chekist faction" led by Deputy Prime Minister Igor Sechin and the head of the Federal Service for Drug Trafficking Control, Viktor Ivanov.

The consolidation scenario's likelihood is further strengthened by the ideological nature of the crisis in Russia's relations with the West. This process has been developing almost since the beginning of Vladimir Putin's term in office; he came to the conclusion that Western states' involvement in CIS democratization is actually aimed at pushing Russia out of its natural zone of influence and weakening the country internally (even splitting it up). According to the dominant Russian way of thinking, the West has lost its right to promote democratic values after the attacks on Serbia and on Iraq. This claim is allegedly confirmed by Western states' uncritical support for Saakashvili, who, according to the Russian version, bears full responsibility for the conflict. In Russia's internal context, the ideologization of the conflict means that criticism of state leadership over a new imperial policy or the undemocratic nature of Russian internal politics is regarded as betrayal serving the interests of the West. Such circumstances may lead to a still tighter censorship and restrictions on the operation of political organizations, NGOs or businesses that do

⁶ A. Monaghan, "An enemy at the gates' or 'from victory to victory'? Russian foreign policy," *International Affairs* 2008, No 84, pp. 717–733; A. Monaghan, "The Russo-Georgian Conflict," *Immediate Report*, NATO Defense College, Research Division, Rome, August 2008; N. Popescu, M. Leonard, A. Wilson, "Can the EU win the peace in Georgia?," *Brief Policy*, European Council on Foreign Relations, August 2008.

⁷ "U.S. Opposes Russian Military Bases in Abkhazia, South Ossetia," *America.gov*, February 6, 2009; A. Cohen, "Georgia: Russia plans three military bases in Abkhazia," *EurasiaNet.org*, February 6, 2009; V. Socor, "Voronin-Medvedev accord demolishes Moldova's negotiating position on Transnistria," *Eurasia Daily Monitor* 2009, No 6.

not toe the government's line (or even their outright elimination). The Russian public may well approve the initiatives of the leadership in what is seen as its drive to fight the external enemy.

In the scenario of a split-up within the Russian ruling team, the possible negative consequences of the Georgia crisis for Russia—this crisis being instigated by the Kremlin's "chekist faction," tangibly benefiting from the existence of Abkhazia and South Ossetia protectorates—would provoke a reaction from competitive groups within the power apparatus. This is especially true of those members of the elite whose interests have already suffered, or may suffer, following the deterioration of investment climate in Russia, a fall in the state's credit standing, and a possible verification of Russian energy projects by Western partners.

These groups' position *vis-à-vis* the "chekists" may be strengthened by an array of circumstances, beginning with the ongoing financial crisis and ending with the destabilization of North Caucasus republics. The chekist faction's opponents may count on the support of some segments of the special services whose formal or informal leaders have been sidelined during the closing period of the Putin presidency (e.g. General Viktor Cherkesov, former chief of the Federal Service for Drug Trafficking Control). The release on 21 October 2008 (after almost a year's arrest) of Igor Storchak, deputy to Finance Minister Alexei Kudrin – one of Russia's most influential advocates of liberalization, and the dismissal on 30 October of Ingushetia's President Murat Zyazikov, a protégé of Igor Sechin and Viktor Ivanov, may indicate a weakening of the chekists' position. It is true that individual Kremlin factions were engaged in rivalry already under the Putin presidency, without any consequent liberalization of internal or foreign policies, but in that period the chekists' opponents did not feel so endangered. This may mean that during the power struggle they could seek support from Western states and from Russian society, promising a liberalization of the country's political and economic system.

Russia's foreign policy

Following the Georgia war, Russian foreign policy may take two directions, in close linkage with the previously described scenarios of internal developments. Under the first one, which is more likely in the immediate future, Moscow will seek to increase its control of CIS states and, if this policy succeeds, will proceed to building a buffer zone in Central Europe. This will mean a continuation of the confrontational stance in relations with the U.S. and NATO, although the policy towards the EU and its member states will be more nuanced. The much less likely second variant—internal divisions within the power structure and victory of a "liberal" faction—may bring about a restoration of European and transatlantic mechanisms of collaboration.

Russia has exploited the Georgia conflict to put in practice the concept of zones of influence extending to the CIS, for years present in the rhetoric of Russian authorities. The August conflict has demonstrated to the leaders of post-Soviet republics that even loyalty to the United States—the Georgian contingent in Iraq was the third largest in August 2008—is no guarantee of assistance in the event of an armed conflict with Russia. One motive behind the decision to recognize Abkhazia and South Ossetia was to force CIS area states into submission to Russia. Hence the intensity of Russian diplomatic effort in the post-Soviet area soon after the beginning of the Georgia conflict. On 28 August, a summit meeting of the Shanghai Cooperation Organization was held in Dushanbe, and the Collective Security Treaty Organization had its summit in Moscow on 5 September. And although a recognition of Abkhazia and South Ossetia, an optimal outcome for Moscow, was not achieved, the attending leaders' meeting with President Medvedev soon after the Russian armed action served to legitimize Russia's leadership in the CIS area.

It should be noted that this policy brought fruit for Russia even in Ukraine, where only the highly unpopular president, Viktor Yushchenko, pronounced himself unambiguously on the side of Georgia. The leader of the Party of Regions, Viktor Yanukovich, expressed support for Russia and Yulia Tymoshenko, seeking support of the east and south of the country in the run-up to the 2009 presidential election, stayed neutral.

Those CIS states whose loyalty to Russia remains uncertain are being subjected to pressure, as exemplified by the practice of fast-track issuance of Russian passports to Russian speakers in the Crimea and to members of ethnic minorities in Azerbaijan. Still, a repetition of the Georgian scenario in a successive CIS state seems an unlikely prospect. In contrast to Georgia, the societies of Ukraine, Azerbaijan or Moldova are divided over integration with Euro-Atlantic structures, which gives Russia a considerable leverage to manipulate the internal political scene and the public.

In relations with the member states of the EU and NATO, Russia acts like a chess player, making successive moves in response to the moves taken by the opponent. It expects respect for its special rights in the CIS area and in exchange it offers strategic partnership in several dimensions: political (dynamic top-level dialogue), economic (energy, natural resources) and global (fight against terrorism, nuclear programs in North Korea and Iran, Palestine-Israeli conflict, arms control). Unless the restoration of Russia's zone of influence in the CIS is accepted (even if only implicitly), Russia may proceed to create a "buffer zone" in Central Europe, where it would influence states' strategic decisions. A harbinger of such developments was Russia's reaction to plans for the deployment of elements of the U.S. missile defense system in Poland and the Czech Republic—whereas no objection was signaled to Britain or Denmark's participation in the project. The Kremlin thus expressed its expectation to have a say in Central Europe's strategic security decisions, much like in the mid-1990s, when NATO's first enlargement to the east was hanging in the balance.

An alternative scenario would be feasible in the event of a split-up within the Russian establishment. Kremlin groups hostile to the chekists, seeking to strengthen their hand, possibly through support from Western governments, may attempt to change the confrontational stance on the international arena and establish cooperation with other powers. This chances of realization of this scenario would increase in step with a deepening of Russia's financial and economic crisis and the international community's effective effort for Georgian reconstruction and Ukraine's integration with European structures.

Implications of the Conflict for European Energy Security

Ernest Wyciszkievicz

Following the opening of the Baku–Tbilisi–Ceyhan oil pipeline (BTC, 2006) and the Baku–Tbilisi–Erzurum gas pipeline (2007), Georgia's importance as a transit corridor linking Caspian Sea producers with European buyers has increased considerably. Also running through the country is the Baku–Supsa oil pipeline and a railway line that makes possible oil shipments to Black Sea terminals in Kulevi and Batumi. In months immediately preceding the conflict, quite favorable conditions emerged for an effective use of the Caucasus transit potential and, thus, undermining Russia's transit monopoly. Azerbaijan and Turkmenistan announced they had larger natural gas deposits than previously estimated,⁸ and both made steps towards easing mutual tensions, which had provided a major obstacle to the trans-Caspian projects. Turkmenistan also began opening up to foreign investors, and it promised to reserve a portion of its capacity for the Nabucco project. Additionally, an agreement on Kazakhstan's accession to the BTC oil pipeline came into force, providing for a perceptible increase in oil flows to Baku.⁹ There can be no doubt that the period saw the emergence of increasingly more auspicious circumstances for tighter collaboration in the energy field between Azerbaijan, Kazakhstan and Turkmenistan on the one hand, and European states on the other. This was seen also in numerous visits by diplomats from EU member states and European institutions to the region, starting from the latter half 2007.

Impact of military activities on energy infrastructure

During the Russian attack on Georgia, the BTC pipeline was alleged to be bombed and a railway bridge linking the east and west of the country was blown up, thus blocking oil transports to Black Sea terminals. Supposedly, Russian forces also shelled the Kulevi oil terminal situated a dozen kilometers away from the port of Poti, but—just as in the case of BTC—no damage was reported. As a direct consequence of the Russian invasion, shipments through the just-reopened Baku–Supsa pipeline were temporarily suspended by its operator. Two days prior to the conflict's outbreak, there was an explosion on the BTC pipeline's Turkish section, causing a disruption in shipments, with Azerbaijan forced to cut production and reroute some of its deliveries to Novorossiysk. Responsibility for the attack was claimed by the Kurdistan Workers' Party (PKK), but the operator (BP) cited a technical breakdown. The coincidence with the Georgian developments permits a conjecture that the explosion was not accidental and that it might have been inspired by Moscow, unwilling to damage its reputation with a direct attack on the infrastructure. The Russian government officially rejected accusations of intending to block the Caucasus route. It seems, indeed, that Russia was not after a total elimination of competitive routes, but rather it wanted to stage a demonstration of force, useful also with regards to other states in the region. The supply disruptions due to Georgia war hostilities and the Turkey explosion were temporary.

European energy security after the conflict

No matter how Russia's internal situation develops and how its foreign policy evolves, the goals of Russian energy policy in the region will remain unchanged. Given the fundamental importance of the fuel and energy sector for the Russian economy and stability of the country's political system, changes can only be confined to rhetoric and operating methods. The policy goals include: retaining control of Caspian commodities transportation to other markets as a major instrument influencing policies of countries dependant on uninterrupted supplies of oil and natural gas; preventing Caspian producers from directly accessing lucrative European markets by blocking the routes (such as trans-Caspian gas pipeline) which would bypass Russia; securing long-term shipments of Central Asia gas so as to be able to balance the growing domestic demand while meeting external commitments.

⁸ "Perspectives on Caspian Oil and Gas Development," IEA Directorate of Global Energy Dialogue, December 2008, www.iea.org/textbase/papers/2008/caspian_perspectives.pdf.

⁹ "Kazakhstan President Signs Bill on Ratification Agreement on BTC Pipeline with Azerbaijan," Trend Capital News Agency, May 30, 2008, <http://capital.trend.az/index.shtml?show=news&newsid=1211636&lang=EN>.

The direct and indirect consequences of the war for European energy security depend, first, on a further evolution of Russian policy (along the previously sketched scenarios) and, second, on political reactions from the EU and the U.S. The energy landscape will emerge from an interplay of these two processes.

The Russian rhetoric about “zones of privileged interests” suggests that the country’s activities in Central Asia and South Caucasus are going to intensify. One direction will be to tighten up economic relations, especially in the energy field. The Russian operation in Georgia may act as a means of thwarting post-Soviet republics’ emancipation efforts. Regarded as toothless until recently, the Russian threats now gain in credibility. A one-off demonstration of traditional hard power will make it possible to effectively use soft power instruments, including energy policy tools. Russia has revealed the will and the capacity to determine the region’s energy future, and proved itself to be a country which has the right instruments to impose required behavior upon other countries, in the name of its own interests.

The deterrent example of the attack on Georgia will be weakening with time, and therefore Russia should be expected to instigate local conflicts from time to time, and seek to take advantage of the situation to pursue its own energy goals. It will act to perpetuate the Georgian intervention’s psychological effect, so that Caspian Sea countries feel strong pressure before taking any decision which could be regarded by Russia as hostile, e.g. the diversification of westward bound export routes.

But Russia will not confine itself to exerting pressure, it will also offer certain individually targeted compensatory benefits, such as higher prices for purchased gas, transit facilities, or the unblocking of existing corridors. That this particular tactics was chosen is indicated by the intensity of Russian energy-related diplomacy within several weeks after the end of hostilities: a visit by the Russian president to Tajikistan and his meeting with the Kazakhstani president in Aktobe, the Russian prime minister’s visit to Uzbekistan and the signing of an agreement to expand a gas pipeline system linking Central Asia with Russia, and also several visits to Moscow by Azerbaijan’s president. The Central Asian countries and Azerbaijan are going to react more sympathetically to Russian offers, although as long as possible they will continue taking a wait-and-see attitude. They will neither firmly reject nor unequivocally support particular projects, but rather will be carefully juxtaposing the political and economic costs and benefits of individual decisions. The Russian intervention in Georgia will push up the political costs of a possible reorientation of these countries’ energy policy towards the West. If the Russian inducements prove attractive and credible enough (bearing in mind many unfulfilled promises made in recent years), they may be accepted. Russia will very likely be persuading Kazakhstan to give up increasing shipments via Azerbaijan and Georgia, and will offer in exchange an increased capacity on routes leading through Russian territory. And it will go on with efforts to contract Azerbaijani gas. Both Azerbaijan and Kazakhstan have accumulated a wealth of experience in performing a balancing act between Russia and the West, and very likely they will make use of the Russian offers to increase their pressure on Western partners.

Assuming that Russia launches an adequate policy of inducements, the Caucasus conflict will help it fulfill its regional energy-related aspirations, i.e. strengthening control over the way the Caspian fossil fuels and export potential is tapped. In so doing, Moscow will also largely narrow the room for maneuver of Western countries, which will be faced with Caspian producers’ increased fears, requiring more attractive and more credible offers to be presented. But neither the United States nor the European Union now have sufficient instruments to influence them and persuade to cooperate; nor are they capable of guaranteeing these producers’ security in the event of a conflict with Russia. The principal force welding the Central Asian regimes with Russia is the desire to keep the shape of their political systems and governance models, very distant as they are from European expectations. Thus EU’s greater effectiveness in the energy field would very likely require sacrifices in the domain of human rights and democratization. No matter how this dilemma is resolved, European plans for gas import routes diversification will be put to the test. The outcome of the EU’s efforts will largely determine the bloc’s credibility: if the results are poor, Russia will get confirmation of its belief that the war served its energy ambitions well, and the Central Asian states will receive more indications that attempts to offset Russian influences by moving closer to the West are doomed to failure.

An armed conflict in a region rich in energy sources usually translates into an increased investment risk (scarring off foreign businesses) and an inevitable rise in the costs of financing. The Russian-Georgian war and the possibility of other conflicts becoming “de-frozen” may halt the development of this transit corridor for good. Corporations would then focus on drawing profits from today’s projects, while putting off new projects till later. The risk of the currently operational ventures being blocked is pretty small, but potential new ones will stand little chances of success. Besides, large new investment projects may face an obstacle not only because of the Caucasus war, but also because of developments on the international financial and commodity markets. If the financial crisis deepens, this will restrict access to investment financing, with a

long spell of low oil prices keeping project profitability down. And so, the Georgia war and the global downturn will hamper the EU-backed diversification projects, such as Nabucco or Odessa–Brody–Gdańsk. If the Caspian export potential continues growing, interest will increase in expanding the existing corridors, the most important of which run through Russia. The greatest concern for Kazakhstan, Turkmenistan and the corporations exploiting their fields will be to bring the already extracted oil and gas to international markets, giving only secondary importance to the specific course of the transport route.

It is not inconceivable, though, that with time the Russian authorities' growing self-confidence and their conviction that they are regaining control of the post-Soviet area may prod them into firmer action, with greater emphasis on pressure over inducement. An intention to score immediate effects (control of the region's energy sector) would then overshadow the strategic benefits from a more moderate, restrained policy. A reaction to such an approach could be quite the opposite of what has been intended, turning Central Asian countries towards other partners—and not necessarily the West, given China's rise in recent years as a competitor in seeking access to Caspian resources. Under the circumstances, a factor of key importance will be the involvement of the European Union and the United States and their ability to present resources-rich states with an attractive offer, where the potential benefits would outweigh the costs of possible Russian countermeasures. It should be remembered that fears of excessive dependence on Russia are still felt in Caspian Sea states and that the intervention in Georgia may well be interpreted as a warning against the deepening of this dependence and abandonment of alternatives. Ideas are likely to emerge about how to offset Russian influence in a way least antagonizing Russia. Still, this will provide new opportunities for Western players.

Factors that may bring qualitative changes to the gas cooperation will be the degree of Turkmenistan's opening up to Western business and verification of the country's production potential. If the government receives confirmation of the size of the deposits, multinationals will show greater determination in seeking access. The greater the involvement of the corporate sector, the more probable an intensification of action by EU member states and the bloc as a whole.

It is possible that Russia's aggressive unilateral measures may accelerate the EU's political consolidation and increase the bloc's determination to diversify supply sources, also towards including the Caspian Sea sources. A first sign of such a position came with the EU's official support for the construction of a trans-Saharan pipeline expressed in September 2008, several days after a Gazprom delegation's visit to Nigeria.¹⁰ Interestingly, the decision was openly described as prompted by the Caucasus situation. An announcement of the EU's greater consolidation in relations with producers of energy sources came in the Second Strategic Energy Review presented by the European Commission in November 2008,¹¹ which included a proposal to build a transport corridor leading directly from the Caspian region to European markets. It was also noteworthy that EU and U.S. representatives were present at the fourth energy summit of the heads of state of Poland, Ukraine, Lithuania, Georgia and Azerbaijan, held in Baku in November 2008 to discuss the Euro-Asian transit corridor. The meeting was also attended by representatives of Kazakhstan and Turkmenistan, who did not, however, sign the final statement, fearing Russia's reaction.

The aggressive measures taken by Russia in the energy field are going to enhance the EU's fears of potential consequences of its growing dependence on Russian shipments. This naturally strengthens the hand of those EU member states which accentuate a swift diversification of energy sources and transport routes. The growing determination to embrace energy diversification will also play a role. The more often Russian gas is seen as a tool of Kremlin policy, the less frequently it will be perceived as an answer to the fight against climate change, as was the case in the past. At present, the development of renewable sources and an improvement in the EU's energy efficiency are presented as motivated not only by environmental concerns, but also by misgivings about the security of energy supplies.

¹⁰ "EU to help Nigeria with pipeline," BBC News, Lagos, September 17, 2008, <http://news.bbc.co.uk/2/hi/africa/7621500.stm>.

¹¹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Second Strategic Energy Review : an EU energy security and solidarity action plan, November 2008, COM/2008/0781 final, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0781:FIN:MT:PDF>.

Consequences of the Conflict from EU Perspective

Aleksandra Kreczmańska, Marcin Terlikowski

The EU mediation during the Russian-Georgian war revealed the bloc's willingness to play a more prominent role in international relations, but subsequent developments showed that this ambition is yet to be matched by the Union's real capacity to influence world events.

When analyzing the EU's position, it would be wrong to apply the state paradigm to the bloc, without taking into account its operating framework and institutional structure. Positioning itself on the international arena as a soft power, the European Union pursues no classic policy of security and defense, and as such has a limited potential to interact with a state which views international relations as rivalry for influence in a zero-sum game. Most importantly, the EU has no classic instruments of conflict resolution. And its most effective means in external relations is enlargement policy, resting on the will to collaborate on the part of candidate states and their acceptance of the cooperation model developed in relations between EU member states.

Given its present political and structural constraints, the EU is not capable of taking measures that could exert effective pressure on Russia—primarily because of the character of the bloc as an international actor, and the instruments it has (or rather has not) at its disposal. Not without importance are the political considerations, and especially the divergence of positions embraced by individual member states.

Assessment of EU engagement

Taking upon itself to play the mediator role during the Russian-Georgian conflict of August 2008, the European Union became the main external entity involved in the search for a settlement. This mediator status was accepted by both sides of the conflict. Thanks to the French presidency, which represented the whole Union in external relations, a ceasefire agreement was signed on 12 August. Initially, during the war and immediately after the agreement, the presidency sought to stress the neutral character of the EU's involvement, e.g. by refusing to apportion blame and responsibility for the course of events. But early reactions to the conflict on the part of individual member states were much more distinctive, reflecting their well-known differences over the assessment of Russian policy in recent years and the advisability of the EU's existing strategy towards that country. The Russian aggression was roundly condemned by Poland, the Baltic states, Sweden and Great Britain, whereas Italy and others took the opposite position, pointing to the responsibility of the Georgian president.

The agreement of 12 August was criticized mainly because it lacked emphasis on Georgia's territorial integrity, and also because it included a provision allowing Russia to apply "additional security mechanisms," while containing no details on Russian troops' withdrawal. Accusations were even made that the presidency simply embraced the Russian conditions. But it should be remembered that Nicolas Sarkozy acted under the pressure of ongoing events, it is not clear in what circumstances the mediation was conducted and what Russia's intentions and plans were.

On 1 September 2008, the EU heads of state and government gathered at the extraordinary European Council meeting. Of key importance for the adopted conclusions was the evolution of French and German positions towards tightening up their stance on Russia—in response to failure to implement the presidency-brokered ceasefire (Russian troops' continued presence in Georgia) and the formal recognition by Russia of South Ossetia and Abkhazia. The presidency conclusions contained clear-cut political declarations, to the effect that the Council is "gravely concerned by the open conflict" and „the disproportionate reaction of Russia" and that it „strongly condemns Russia's unilateral decision to recognize the independence of Abkhazia and South Ossetia."¹² In view of that move, the EU invoked the principles of „sovereignty and territorial integrity." Talks on a new agreement to replace the existing Partnership and Cooperation Agreement (PCA) were suspended pending the withdrawal of Russian troops to the pre-7 August positions. The firm language and tone of the European Council's conclusions was exceptional for this kind of documents. Praises were being heaped on the summit's unanimity, which was anything but assured initially in view of the differences in European states' reactions at the outbreak of the

¹² Extraordinary European Council, Brussels, 1 September 2008, Presidency Conclusions, 12594/2/08, www.consilium.europa.eu.

war. It may be recalled that the Council's previous extraordinary summit—on Iraq—was held back in 2003, with no agreement reached. The incapacity to act and lack of unanimity demonstrated at that time were often pointed out as the EU's major problems in the pursuit of its foreign policy.

As agreed during the Sarkozy–Medvedev meeting of 8 September, the Russian units, referred to as “peacekeeping forces,” were to withdraw from the buffer zones they had unlawfully created on Georgian territory within ten days of the deployment of “international mechanisms,” i.e. observers from the UN, the OSCE and the EU (European Security and Defense Policy mission), which took place on 1 October.

The Russian pullout from buffer zones was differently interpreted by European states. France, backed by Germany and Italy, believed Russia had indeed met the agreed conditions. But the UK, Sweden, Poland and Lithuania argued that the buffer-zone withdrawal meant the implementation of the 8 September agreement, whereas the agreement of 12 August called for moving back to positions taken prior to the conflict. Hence, doubts were being raised by the Russians' continued presence in the Akhgori district in South Ossetia and Abkhazia's Kodori Gorge. Other reservations were about a considerable increase in the numbers of Russian troops in Abkhazia and Ossetia, and Russia's failure to let international missions into the region. With time, the divisions over how to deal with Russia were growing increasingly more distinct.

The differences came to the fore when the EU was about to discuss the resumptions of the new agreement with Russia (the so-called PCA-2). The French presidency's opinion, supported by the European Commission, was that member states' unanimity was not necessary to continue negotiations with Russia, because the talks had only been postponed, not suspended, and the Commission had not lost its mandate to conduct the negotiation. The continuation of the meetings on PCA-2 was agreed at a foreign ministers' meeting on 10 November, when only Lithuania was against, while Sweden, the UK and Poland backtracked on their previous positions—recognizing the need for dialogue with Russia, even despite that country's failure to meet its obligations. At the EU–Russia summit of 14 November 2008, Nicolas Sarkozy upheld the commitment to Georgia's territorial integrity and presented President Medvedev with demands for a settlement of contentious issues (such as Akhgori).

The unity and common position achieved at the 1 September extraordinary summit were possible only at the expense of concessions towards Russia and because one member state's reservations (Lithuania) were overruled. Problems with the effectiveness of the EU's external actions towards Russia largely stem from the political and economic context of mutual relations, including the diversity of member states' interests and policies—especially so in a situation where Russia has been intentionally seeking to play up these differences and exploit them for its own purposes.

Conclusions for the EU and scenarios of future developments of relations with Russia and eastern neighbors

The EU's initial position indicated that it accepted neither the Russian action nor its geopolitical vision of the world order. But subsequent events, largely influenced by the French presidency, suggest that the Russian-Georgian conflict will not give rise to a new dynamics and will not lead, in the long run, to a deterioration in mutual relations.

After August 2008, two possible paths have emerged in the EU's relations with Russia and with the bloc's eastern neighbors. The first is underpinned by the privileged partnership principle, with the EU accepting Russia's special interests in the CIS area. The special nature of EU–Russia relations would be reflected in regular high-level meetings, and a major role would be played by Russia's bilateral contacts with the EU's heavyweights, such as Germany, France and Italy. This is obviously a scenario favored by Russia. It is worth noting that it pulled out its troops from a great majority of the buffer zones on time, finding it in its interest to seek normalization in relations with the EU. And by announcing withdrawal from “Georgia proper,” Russia—while not abandoning any of its goals—supplied the EU with arguments for a restoration of mutual relations. This was accompanied by attempts to improve bilateral relations, especially with France and Germany.

The French presidency's strenuous efforts to resume partnership and cooperation talks with Russia as soon as possible could be interpreted as a manifestation of this tendency. Back in September, prior to the Russian pullback from buffer zones, French Prime Minister François Fillon, speaking at an international investment forum in Sochi, vowed that the PCA-2 negotiations would be resumed soon. Numerous other French–Russian meetings—especially between Sarkozy and Medvedev at the Evian conference on 8 October, were held in a friendly atmosphere, amidst assurance of shared interests and a need to build a strategic partnership—provided a clear signal that France did not want the August conflict in the Caucasus

to influence the EU's long term relations with Russia. It is not clear today whether or not this tendency would be strengthened by talks on a new system of European security, as proposed by Russia.

The other possible path would be to adopt a concept of double-track relations with Russia. Some elements of the French presidency strategy—which should not be interpreted only in the context of establishing privileged relations with Russia—can also be regarded as a manifestation of this second tendency. It would involve a continuation of dialogue without sanctions or any other form of isolation, but also the defense of European values and EU interests in respect of Georgia (and other CIS countries).

Even without instruments to prevent Georgia's partition or exert an effective pressure on Russia, the European Union took a very clear political position. The Russian-Georgian conflict has greatly influenced the perception of Russia in Europe, especially among the old member states. Russian troops' entry into the territory of a sovereign state, the recognition of Abkhazia's and South Ossetia's independence, the accompanying aggressive pronouncements by the Kremlin and its vision of international relations—all those have adversely affected Russia's image and credibility.

Fitting in with the two-track scenario will also be the development of the EU's eastern policy. And although the European Neighborhood Policy is a soft instrument of influencing the external environment, it does promote EU interests and values and as such can be perceived as acting towards restriction of Russian influence in the bloc's neighborhood.

In the absence of effective instruments to be applied towards Russia, the EU's positive presence in Eastern Europe and South Caucasus (economic cooperation, visa facilities, financial support) become of key importance. Following the Russian-Georgian war, the need for the EU's increased involvement in its eastern neighborhood has been accepted even more widely. The situation was thus conducive to the launch of the Eastern Partnership initiative, as its implementation largely hinges on political support and practical engagement from member states. Directly involved in developing that initiative was Sweden, scheduled to hold the EU presidency in the latter half of 2009, which promises that relations with Eastern Europe will continue as one of the EU's priorities. But whether or not the emerging opportunities for expanded relations with eastern neighbors will be tapped is largely contingent on these very countries' own preparedness. In this context, the internal developments in Ukraine, a priority country for the Eastern Partnership, are cause for concern.

It may be noted that the consequences of Russia's action in the Caucasus include the EU's limited opening up to Belarus. Moreover, at an international donor conference on Georgia of 22 October 2008, which was co-organized by the European Commission, the EU declared the largest contribution, in excess of 800 million (\$1 billion). EU documents, such as the presidency conclusions at the summits of 1 September and 13 October 2008, declare readiness to deepen relations with Georgia, including via visa facilities and a free-trade zone.

Coming as an important aspect of the two-track policy should be the emphasis on pragmatism and, perhaps, a restriction of the high-profile nature of mutual relations—in contrast to the superficiality of the first scenario. The adoption of such a strategy for relations with Russia would mean that the EU focuses on the pursuit and enforcement of its interests. In this context it is instructive to recall the review of EU–Russia relations presented last November by the European Commission, where the Commission, while calling for PCA–2 talks' resumption and taking a soft position on the Russian-Georgian conflict, pointed to a host of sector-specific problems, such as: Siberia overflight charges, timber export restrictions or Russia's inconsistent enforcement of international sanitary and phytosanitary standards. The Commission also brought up the imperfection of EU–Russia relations in the energy field, requesting that these be based on the principles set out in the Energy Charter, such as transparency, reciprocity and non-discrimination. The main problem in taking the pragmatic approach lies in defining the EU's common interest, and this is especially true of energy security issues. A test for this tendency in EU–Russia relations will be provided by the PCA–2 negotiations.

The conflict and the European Security and Defence Policy

The conflict has posed a challenge for the European Security and Defence Policy (ESDP). A situation where hostilities broke out in a neighboring region of considerable political and economic importance for the European Union quite naturally allowed resorting to ESDP instruments. While analyzing the process which led to the launch of the European Union Monitoring Mission in Georgia (EUMM) and sketching possible alternative scenarios of future developments, one could venture to assess the ESDP's

effectiveness in that particular crisis, and answer the question of whether in the future the EU will be capable of achieving its political goals in Georgia drawing on that policy.

EUMM formation process

The European Union expressed its readiness to establish an ESDP operation in Georgia as early as 13 August 2008, at a General Affairs and External Relations Council (GAERC) devoted to the Russian-Georgian conflict.¹³ Preparations for the mission were started after the extraordinary summit of the European Council on the 1 September, with the dispatch to Georgia of EU experts to assess the situation on the ground and to come up with an initial proposal concerning the shape of the operation. The informal meeting of the foreign ministers of the EU member states in Avignon on 6–7 September decided that the mission would have a civilian character, that its staff would number around 200 and that its mandate would be focused on monitoring the implementation of the ceasefire of 12 August.¹⁴ The most important event, which prejudiced the shape of the mission, proved to be the talks held by the EU delegation with both sides of the conflict on 8 September,¹⁵ when it was decided that Russia would pull out its troops occupying the territory of “Georgia proper” (areas adjacent to Abkhazia and South Ossetia, referred to by the Russians as “buffer zones”) into positions held prior to the outbreak of hostilities within 10 days of the deployment of international observers, including the EU monitors. The non-extendible deadline for the start of the ESDP mission in Georgia was put as 1 October.¹⁶ At the same time, Russia announced, that only the authorities in Abkhazia and South Ossetia could decide about letting international personnel into its respective territories, which determined the mandate and territorial extent of the mission: it became obvious that initially the mission could only monitor the withdrawal of Russian troops from “Georgia proper,” without having access to the breakaway republics.

On 11 September, the Georgian government sent a formal invitation for the deployment of an EU mission on its territory. The decision on launching the EUMM in separation from the OSCE and UN mechanisms already present in Georgia was adopted by the External Relations Council right on 15 September.¹⁷ As previously agreed, its mandate covered monitoring and analyzing the situation in respect of: both sides’ compliance with the 12 August plan, the observance of human rights and international humanitarian law, the rule of law, public order, displaced persons’ security, and transport and energy infrastructure. The EUMM was also tasked with restoring confidence between the parties to the conflict, also by intermediating and facilitating mutual contacts. The mission’s duration was to be 12 months, with a budget of 35 million. Twenty-two EU member states announced readiness to send their contingents. Under a decision taken by the Political and Security Committee on 17 September, the command of the EUMM was taken over by the German diplomat Hansjörg Haber.¹⁸ As previously agreed, the mission began its operation on 1 October, with bases established in Tbilisi, Poti, Gori and Zugdidi.¹⁹ The EUMM focused on monitoring Russian troops’ withdrawal from the “Georgia proper” (areas adjacent to Abkhazia and South Ossetia), a process which was completed on time (with the exception of Akhgori region and the northern part of the Kodori Gorge).²⁰

¹³ General Affairs and External Relations Council – Extraordinary meeting, August 13, 2008, “Council conclusions on the situation in Georgia.”

¹⁴ D. Pyszczółkowska, „UE w Awinionie o misji w Gruzji,” *Gazeta Wyborcza*, September 6, 2008; see also: “Results of the informal meeting of the foreign affairs ministers of the European Union (Avignon, September 7, 2008),” website of the French MFA: www.diplomatie.gouv.fr/en/european-union_157/european-meetings_882/informal-meetings-of-eu-foreign-ministers-gymnich_887/informal-meeting-of-eu-foreign-ministers-gymnich-05-06.09.08_11802.html.

¹⁵ R. Goldirova, E. Vucheva, “EU secures deal on Russia withdrawal,” <http://euobserver.com/?aid=26708>.

¹⁶ The text of the agreement is available on the website of the French MFA: <https://pastel.diplomatie.gouv.fr/editorial/actual/ael2/bulletin.gb.asp?liste=20080909.gb.html#Chapitre2>.

¹⁷ Council Joint Action on the European Union Monitoring Mission in Georgia, EUMM Georgia, September 15, 2008.

¹⁸ Political and Security Committee Decision EUMM/1/2008 of 16 September 2008 appointing the Head of the European Union Monitoring Mission in Georgia (EUMM Georgia), 2008/894/CFSP.

¹⁹ In December 2008 regional offices of EUMM were reorganized: Tbilisi office was moved to Mkheta, and Poti office—to Chaszuri (approx. 100 km east of Poti). “EUMM strengthens field office Network,” EUMM press release, December 1, 2008, www.eumm.eu/en/press_and_public_information/press_releases/248/?year=2008&month=12.

²⁰ Council press release, October 10, 2008, “EU HR Javier SOLANA confirms the withdrawal of Russian forces from the zones adjacent to South Ossetia and Abkhazia,” www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/declarations/103268.pdf.

The prospects of the EUMM

The future of the EUMM depends on a number of variables, including the following: the region's overall security and stability, the effectiveness of the mission in discharging its mandate, the attitude towards EUMM activities on the part of Russia and the authorities in Abkhazia and South Ossetia, and finally the shape of EU–Russia relations. Within these variables, several scenarios could be drawn up, but without judging which of them stand better chances of materializing.

The principal scenario to be considered is one of cascading problems and a perceptibly deteriorating situation in the region. Arguments for choosing this pessimistic variant are provided by a number of factors, including the persisting high tensions in Georgia. In defiance of the 12 September plan, Kodori Gorge and Akhlagori region still remain beyond the reach of the Georgian administration, and large Russian contingents are still present in South Ossetia and Abkhazia.²¹ Security in the “Georgia proper” areas bordering on the two separatist republics is still unsatisfactory, as indicated by successive reports about armed incidents.²² Furthermore, the EUMM has encountered problems in exercising its mandate: despite repeated requests, it has not obtained access to Abkhazia and South Ossetia, and communications with Russia and both breakaway republics have been unsatisfactory (only a working contact with South Ossetia has been established, while talks with Russia are possible only via Brussels and the Swiss Embassy in Tbilisi, with the exception of field meetings with low-ranking officers).²³ Suggestions have been expressed about inadequate qualifications of some of the mission's personnel—including poor linguistic skills and inexperience in operating in areas of specific culture—which adversely affects the EUMM's image among the local communities. It must be also noted that Russia and the authorities in Abkhazia and South Ossetia have accused the EU mission of partiality and allegedly turning a blind eye to acts of violence which are claimed to be committed by Georgian forces.²⁴ The tense and complicated situation in the region is accompanied by major problems at the political level, with no progress seen on the road towards regulating the future of Georgia and its breakaway republics.

A combination of these unfavorable developments and other as-yet-unpredictable factors could bring about a deterioration of the situation in the region. Growing problems with the effectiveness of the activities of the EUMM and the mission's tarnished image among the local population could be accompanied by recurring larger-scale skirmishes, and in the worst-case scenario, Ossetian, Abkhaz or Russian forces could resume hostilities in response to some serious incident. The EU mission would then find itself in very unfavorable situation: without competences, forces or means to operate in conditions of a deteriorating crisis, it would very likely lose any influence on situation on the ground and, with it, any political significance. Such developments would also adversely influence the international perception and appraisal of the EU's involvement in Georgia. Even though the EU would probably ratchet up its efforts to ease the conflict, it can be assumed that a fiasco of the EUMM would greatly weaken Europe's negotiating position, especially *vis-à-vis* Russia. The EU would thus lose an important instrument of influencing the situation in the region.

Another scenario provides for a gradual normalization, meaning that on the one hand (despite the problems presented previously) a further escalation is avoided, but, on the other, the activities of the EUMM do not transcend their present extent (deeper cooperation with Russian, Abkhaz and South Ossetian parties is not established, and the EU monitors' influence on situation on the ground remains limited). Regional security would then stay at a low level, and problems with refugees and the local population would

²¹ According to some sources, the Russians are in the process of building infrastructure which would allow them to base their forces in these regions; see: I. Inaszwilli, “Gruziya zayavila o stroitelstve rossiyskoy bazy v Akhlagori, Sobkor,” February 5, 2009, www.sobkorr.ru/news/498A970299AE0.html; M. Robinson, M. Antidze, “Georgia appeals to West over Russian bases,” Reuters, March 3, 2009, www.reuters.com/article/GCA-Russia/idUSTRE52225E20090303.

²² Incident in the region of Akhlagori, where as a result of an unaccountable explosion died four Russian troops, can serve as an example, see: “EUMM offers to investigate explosion close to Mosabruni,” EUMM office press release, March 9, 2009, www.eumm.eu/en/press_and_public_information/press_releases/1116/?year=2009&month=3. It should be also underlined that EUMM's patrols are also among aims of provocative actions, see: “EUMM expresses concern at firing in the vicinity of its patrol near Odzisi,” EUMM office press release, January 27, 2009, www.eumm.eu/en/press_and_public_information/press_releases/803/?year=2009&month=1.

²³ “EUMM hold technical talks with de facto Interior Minister of South Ossetia,” Council press release, October 27, 2008, http://ue.eu.int/uedocs/cmsUpload/081027_Meeting_SO.pdf.

²⁴ See. e.g. D. Solovyov, “Abkhaz rebels say EU ignores ‘Georgian provocation’,” Reuters, October 26, 2008, www.reuters.com/article/europeCrisis/idUSLQ5128.

be handled at a very slow pace. At the same time, political negotiations on conflict resolution would fail to produce unequivocal results satisfying the parties concerned.

If materialized, in the longer run this scenario would petrify the *de facto* secession of Abkhazia and South Ossetia. The EU has repeatedly stressed that the EUMM mandate covers the whole Georgian territory, including both breakaway republics,²⁵ but it is not capable of enforcing this condition. Although in some way affecting Russia (which fails to comply with the ceasefire of 12 August), this situation primarily weakens the EU mission (by restricting its area of operation and staining its reputation among the local populace) and undermines the position of the EU itself, which has put so far great emphasis on Georgia's territorial integrity. Unless the EUMM succeeds in establishing broader contacts with the authorities in South Ossetia and Abkhazia, to be followed by gaining insight into the two separatist republics' internal situation, the present *status quo* may actually be strengthened in an indirect way.

The last scenario worth considering is that of the EUMM operation being crowned with full success: Georgia's real and durable security, resolution of major problems concerning conflict-hit refugees and the civilian population (humanitarian aid), and, most importantly, a legally and politically binding settlement on the future of Georgia and its breakaway republics.

But for this scenario to materialize, a host of conditions would have to be met. To begin with, the EUMM activity should not be confined in the longer run to monitoring and analyzing the region's situation. The mission should seek to make its presence felt, by taking steps to support the observance of law, public order and settlement of the most vexing problems involving the displaced persons and the local population. The EU should, therefore, consider modifying the nature of its Georgian presence towards undertaking a whole gamut of preventive, consulting and state-institution-supporting measures in the conflict area and even throughout the country. And if the EU continues playing up its commitment to Georgia's territorial integrity, it will be highly desirable to broaden the mission's area to cover Abkhazia and South Ossetia. But this is not possible without a nod from Russia, which could only be persuaded to make concessions in this respect by the use of firm instruments of political pressure within a framework of a cohesive and consistent EU position. It may be noted that in the event of such a policy being chosen by the EU and successfully carried out, the EUMM mission could provide a starting point for the launch of a broader-mandate mission, which would provide the EU with stronger leverage on the regional situation than is the case at present. The EU would then improve its image as an international actor effectively tackling crisis situations, and it would gain much room for maneuver in developing its policy towards the whole South Caucasus.

EUMM mission and the development of ESDP

The swift launch of the EUMM mission and personnel deployment prior to the 1 October deadline could be seen as evidence of the EU's effectiveness in using ESDP instruments at a time of crisis—but one must not ignore the many turbulent moments during preparations for the operation by the Civilian Planning and Conduct Capability (CPCC) unit formed within the Council Secretariat with the specific aim of managing ESDP civilian operations. Emerging problems concerning procedures, competences and organizational technicalities stemmed primarily from the time constraints, shortage of qualified personnel and scarcity of working and tested legal arrangements. This warrants the opinion that, in some way, the EUMM mission revealed the EU's relative weakness in the ESDP's civilian sphere. Hence the experiences gathered should be drawn upon to improve proceedings within the CPCC and the Council Secretariat and enhance communications between member states and the Secretariat, thus helping to strengthen the ESDP's civilian dimension.

Another problem is the EUMM's effectiveness on the ground, and especially questions related to interoperability and logistics. During preparations for the mission, the EU once again encountered problems with speedily gathering the required resources—in this case, special vehicles for the personnel. Eventually, diverse equipment arrived on the spot, voluntarily supplied by member states. With the EUMM personnel consisting of policemen, gendarmes and even military officers, there were wide—sometime gaping—differences in experience, operating procedures and conduct of operations. Overcoming these differences is another challenge for mission command. The EUMM can, therefore, provide yet another

²⁵ It was stressed several times by Hansjoerg Haber, Head of the EUMM; see e.g. interview given for Radio Free Europe, November 4, 2008, "EU Mission Head Explains Monitors' Role In Georgia," www.rferl.org/content/EU_Mission_Head_Explains_Monitors_Role_In_Georgia/1338281.html.

argument for a consistent and intense strengthening of the ESDP's civilian dimension, especially in creating civilian capacities as provided for in the Civilian Headline Goal 2010.²⁶

In the context of the EUMM scenarios discussed previously, it should be noted that the future of this particular mission is of little importance for the overall design of the ESDP. Only if the "EU success" scenario materializes, greater attention could perhaps be drawn to Europe's eastern neighborhood as a region with a potential for use of various ESDP instruments.

²⁶ Civilian Headline Goal 2010. I/A Item Note, November 19, 2007, doc. 14823/07, www.consilium.europa.eu/uedocs/cmsUpload/Civilian_Headline_Goal_2010.pdf.

NATO after the Conflict

Marek Madej

The activities of NATO during the conflict

The North Atlantic Treaty Organization, unlike the European Union, could not have played a mediating role in the Russian-Georgian conflict. This was primarily dictated by the position of Russia, which was opposed to NATO involvement in the region and which saw NATO as a *de facto* party to the conflict. Georgia, on the other hand, has long expected an unequivocal decision by the Alliance concerning its Atlantic aspirations and membership, not to mention NATO's immediate support for its position in the conflict. This would place NATO in an exceptionally delicate situation as a mediator, especially if one considers the Alliance's present members' diverging views on the question of Georgia's NATO membership and their doubts and differing assessments of the causes of the conflict and where to lay the blame for its outbreak. Another question is whether the Allies would have succeeded, considering the scale of the differences between them at the time, in formulating a mediation position acceptable to all members. In such circumstances, any significant NATO involvement in the attempts for a resolution of the conflict would not only have led to its escalation but also could have had a negative impact on the ongoing mediation efforts of the European Union. NATO did, however, demonstrate significant support for Georgia, both in political terms and in the form of humanitarian assistance to that country. In addition, the Alliance criticized Moscow in a clear and sustained manner, characterising Russia's military operations in Georgia as illegitimate, disproportionate and, consequently, as leading to the escalation of tensions. At the same time, the Alliance tried to avoid making unequivocal pronouncements concerning the responsibility of either party for the outbreak of the conflict, and went out of its way to avoid placing exclusive responsibility on Russia.

Immediately after the fighting began on 8 August, the NATO Secretary General called on both sides of the conflict to cease fighting immediately and initiate direct talks.²⁷ During a meeting of the North Atlantic Council (NAC) in Brussels on 12 August, the Alliance expressed support for the efforts of the EU and the OSCE aimed at the resolution of the conflict and demanded that the territorial integrity and sovereignty of Georgia be respected. At the same time it condemned Russia's use of disproportionate force and called for an immediate ceasefire and a return to the status quo ante.²⁸ At the next special NAC meeting in Brussels on 19 August, in order to facilitate consultations between the Alliance and Tbilisi, the council established the NATO–Georgia Commission (NGC), a body analogous to that established between NATO and Ukraine.²⁹ Such a tightening of NATO–Georgian cooperation was an evident and much-needed sign of support for Georgia. It was also supposed to emphasize that NATO would not make decisions about Georgia's Atlantic aspirations under the current pressures of Russian aggression. Moreover, NAC decided that further political cooperation between NATO and Russia within the framework of the Russia–NATO Council was no longer possible in its present form (the NAC communiqué stated '...we cannot continue with business as usual'). Russia's reaction to this decision was to freeze military cooperation with NATO.

The Alliance also condemned Russia's decision to recognize the independence of South Ossetia and Abkhazia as being in breach of UN Security Council resolutions and as infringing on Georgia's territorial integrity and sovereignty (the declarations of the NATO Secretary General and NAC of 26 and 27 August).³⁰

The activities of the NGC were launched during the next special NAC session in Tbilisi on 15 September. On this occasion, the Framework Document defining the aims and principles of the NGC's functioning was adopted (one of its tasks is to assist Georgia in reconstruction following the conflict) and demands were reiterated for Russia to withdraw its recognition of the independence of South Ossetia and Abkhazia as well as for a rapid and complete realization of the provisions of the six-point plan of 12 August.

²⁷ "Statement by the NATO Secretary General on events in South Ossetia," www.nato.int/docu/pr/2008/p08-100e.html.

²⁸ "North Atlantic Council discusses situation in Georgia," www.nato.int/docu/update/2008/08-august/e0812a.html.

²⁹ Statement, Meeting of North Atlantic Council at the level of Foreign Minister, Brussels, April 19, 2008, www.nato.int/docu/pr/2008/p08-104e.html.

³⁰ "Statement by the Secretary General of NATO on the Russian recognition of Abkhazia and South Ossetia," www.nato.int/docu/pr/2008/p08-107e.html; "Statement by the North Atlantic Council on the Russian recognition of South Ossetia and Abkhazia regions of Georgia," www.nato.int/docu/pr/2008/p08-108e.html.

The council also reaffirmed the decisions made during the Bucharest NATO Summit on Georgia's eventual membership in NATO.³¹ The next meeting of the council took place on 10 October on the occasion of an informal meeting of NATO defense ministers in Budapest. However, this meeting was mainly devoted to detailed and technical matters (including questions having to do with the reform of the defense sector and cooperation in the monitoring of Georgian airspace).

Considering the circumstances mentioned above, the attitude of the Alliance during the crisis should be viewed positively. The calling of two special NAC sessions on such short notice reflects the seriousness with which the Alliance viewed the matter. Such decisive political support of Georgia in conjunction with the condemnation of the disproportionate and aggressive steps taken by Russia probably constituted the maximum degree of support that NATO could have offered without running the risk of weakening the Alliance's internal cohesiveness and escalating the conflict. Despite the closer cooperation between NATO and Georgia, the country still remained outside the Alliance and, thus, was not covered by the collective defence obligations of NATO. The decision to create the NATO–Georgia Commission, even if implemented in haste (the document adopted on 19 September defined the framework, principles and aims of the cooperation in very vague terms), clearly indicated that Georgia was considered a close NATO partner and that the Alliance did not intend to backtrack on its intention to intensify cooperation with Tbilisi. The steps taken by the Alliance towards Russia were consistent with the position NATO had adopted in Brussels (particularly in the matter of the responsibility of the parties for the outbreak of the conflict) and proportionate to the means of action available to it. It seems that in this case NATO did not have any instruments to effectively counter Russia's actions given the Russian authorities' determination to destroy Georgian military capabilities. Presumably, however, the position of NATO—along with that of the EU and the US—affected Russia's plans to unseat President Saakashvili during the crisis. Admittedly, the conflict brought into the open and sharpened existing differences between NATO member states on how to shape the Alliance's relations with Georgia, Ukraine and Russia, but it did not, however, keep NATO from formulating a common position during and immediately following the crisis.

The most important implications of the conflict for NATO

The consequences of the Russian-Georgian conflict for NATO, especially in the long-term, should not be overestimated or considered outside of their wider context. Without a doubt, this conflict constitutes an element that will affect NATO's evolution in a significant manner. The conflict will also help to accelerate a number of processes which had already been under way in August 2008, such as ongoing discussions of a new NATO strategy. The assessment of the impact of the conflict on NATO policy and the Alliance's internal condition is influenced by factors such as political changes in Ukraine; other Russian confrontational moves against NATO, its member states and states aspiring to membership status (presumably taken to some degree independently of the Georgian conflict); and such ongoing developments as the arrival of a new presidential administration in the USA and the global financial crisis.

In addition, with the passage of time, the effects of the Russian-Georgian conflict along with those of various other factors become increasingly blurred and indistinguishable from one another, making the precise definition of the impact of the August conflict on the functioning and development of the NATO alliance even more difficult.

The greatest impact of the Russian-Georgian conflict has been on NATO enlargement policy, in particular on Georgia's and Ukraine's process of integration with NATO. The outbreak of fighting in August demonstrated Russia's determination to prevent the forging of closer ties between NATO and post-Soviet states interested in joining the Alliance. It can be assumed that any attempt to accelerate the process of those states' integration with European and transatlantic institutions will meet with decisive Russian countermeasures. Russia could, for example, hamper the ISAF mission in Afghanistan, block any progress on arms control and disarmament agreements, re-deploy troops near NATO borders, or exert economic pressure on some of the member states. In the view of many Allies, these possible retaliations by Russia seem to confirm that further enlargement to the East would bring the Alliance as a whole, and some of its individual member states, more troubles than benefits. Undoubtedly, NATO must not tolerate any form of Russian blackmail and should maintain firmly the position that decisions on enlargement will be made

³¹ "Framework document on the establishment of the NATO–Georgia Commission," www.nato.int/docu/pr/2008/p08-114e.html. It was agreed during the Bucharest NATO Summit that Ukraine and Georgia will join NATO in the future, but the deadline of fulfilling this obligation was not discussed.

exclusively by the Allies. Also, the promise of future membership already given by NATO to Ukraine and Georgia at the Bucharest summit cannot be forgotten in this context. Nevertheless, it cannot be denied that the conflict over Ossetia is the principal, though not the only, cause of the significant slowdown in the process of Georgia's and Ukraine's integration with NATO.

As far as Georgia is concerned, the August events reinforced the reservations of many NATO members, including Germany, France, Spain and Italy, concerning the granting of guarantees based on article 5 of the Washington Treaty (WT) to a state with unresolved territorial disputes. In the opinion of those members, the guarantee granted Georgia would entail too great a risk of drawing NATO into conflicts which, in terms of their interests, are peripheral, and which could lead to a direct confrontation with Russia. Not questioning this line of argumentation in general, it should be noted that acceptance of such logic by the Allies would grant Russia an excellent opportunity to hamper or altogether block the efforts of its neighbours to integrate with NATO (not only in the case of Georgia, but also that of Ukraine) by provoking or inciting tensions over territorial disputes, minority rights or borders, which would result in the destabilization of these countries.

In addition, the Russian-Georgian conflict changed the way in which many NATO member states perceived Georgia itself and its readiness to join the Alliance. During the war, Georgian armed forces had been destroyed and disorganized and most probably would need years of rebuilding efforts. This has limited the value of Georgia as a contributor to NATO operations. Above all, the conflict has greatly diminished the credibility of the Georgian authorities, particularly President Mikheil Saakashvili, in many NATO member states, including the USA, which remains the strongest proponent of Georgia's accession to NATO. The Georgian authorities' co-responsibility for the outbreak of the fighting and their attempts to manipulate international public opinion, together with their attitude towards the political opposition which, following a period of unity during the conflict, has resumed its criticism of the government, are the reasons why president Saakashvili and the present Georgian government are viewed in many NATO member states with increased reserve.

In the next few years, the Alliance will most probably avoid making unequivocal declarations on the subject of Georgia's integration with NATO. At the same time, it will continue to express its symbolic support for Tbilisi and to reiterate the obligations NATO has undertaken in this respect. This has been made clear by, among other things, the creation of the NATO–Georgia Commission, which most probably will, at least for a time, be a substitute for more definite solutions, such as granting the Membership Action Plan to Georgia. NATO's likely stance is also indicated by the decisions taken at the NAC ministerial session of 2–3 December 2008 and the NGC meeting that accompanied it. These did not go significantly beyond the vague, in terms of a time frame, membership promise made at the Bucharest NATO Summit in April.³²

The Russian-Georgian conflict has had a somewhat different impact on Ukraine's NATO membership prospects. The nature and scale of Russia's actions in Georgia made many NATO member states more aware of the possible strategic advantages to be gained from Ukraine's membership in the Alliance. These actions reinforced the view that Ukrainian membership could significantly increase the Alliance's potential and bring more stability to its Eastern borders while at the same time diminishing substantially the opportunity for Russia to interfere in the internal politics of the CIS countries. The chances for accelerating the process of Ukraine's integration with NATO were however seriously hurt by other factors which only had limited relevance to the war in South Ossetia. The first of these is Ukraine's growing internal political instability and the increasingly weak position of the staunchest supporters of Ukraine's accession to NATO, including President Victor Yushchenko, on Ukraine's political stage. The second is the still low level of public support in Ukraine for joining NATO.³³ Taken as an expression of Moscow's aggressive policy towards pro-Western post-Soviet states, the conflict between Russia and Georgia undoubtedly contributed in some measure to Ukraine's political instability and affected Ukrainian society's attitudes towards NATO. It did so in conjunction with other Russian steps taken directly with regards to Ukraine during the conflict and following it, such as the granting of Russian passports to Ukrainian citizens and the dissemination of anti-NATO propaganda.³⁴ However, this 'shock effect', which could potentially increase the determination of Kiev to speed up the process of obtaining NATO membership, failed to produce any kind of

³² "Chairman Statement, Meeting of the NATO–Georgia Commission at the level of Foreign Minister," Brussels, December 3, 2008, www.nato.int/docu/pr/2008/p08-154e.html.

³³ In August 2008 22,3% of Ukrainians supported the accession (52% was against), in December 2008—only 17,8% (55,5% against). See: Razumkow Centre, www.uceps.org/eng/print.php?Ing=ENG&&poll_id=46&&address=poll.

³⁴ See: Ł. Adamski, "Konflikt rosyjsko-gruzyński – konsekwencje dla stosunków Federacji Rosyjskiej z państwami WNP," *Biuletyn* (PISM), No 37 (505), August 21, 2008.

breakthrough. Keeping additionally in mind the fact that Ukraine faces a severe economic crisis, which diverts attention from the NATO issue, its present chances for rapid integration with NATO should be judged as just as small as those of Georgia.

Another important problem in the context of the Russian-Georgian conflict is the linkage between Ukraine and Georgia created by earlier discussions about NATO enlargement. In the present situation – in which the two countries' reduced chances for making significant progress toward NATO integration depend on factors that are in some measure different—attempts to speed up Ukraine's rapprochement with NATO (not necessarily through MAP alone, but also through practical cooperation) could be seen as an indication of a NATO decision to 'abandon' Georgia enlargement due to the efficacy of Russia's forceful tactics. Perhaps for this reason one should not expect any attempts to break the linkage, even if it should be seen by some as improving Ukraine's chances for NATO membership.

It is also not probable that NATO's integration with other countries will accelerate following the Russian-Georgian conflict. The conflict has only had a minimal impact on the situation in the Balkan states and, furthermore, the Balkan states are now, with the exception of the specific case of Macedonia, in the relatively early stages of integration with the Alliance. Signals of interest in NATO membership sent out immediately following the conflict by some neutral countries, especially Finland, but also Sweden, also did not lead to any concrete steps.³⁵

All of the above-mentioned factors indicate that NATO's 'open door' policy and enlargement will recede into the background and that the Alliance will not be enlarged within the next few years. This does not have to signify that Georgia's and Ukraine's preparations for accession will be stopped. In their case, MAP will most probably not be granted early on, but the activities serving to prepare both of them for NATO membership can be conducted using other mechanisms, such as the Annual National Programmes offered to Ukraine and Georgia in December 2008.³⁶ The formula of bilateral commissions and intensified dialogue offers extensive possibilities in this respect. In fact, NATO may in the future abandon the enlargement mechanism based on MAP. At the end of November, the US, among other members, made hints to that effect, although, for the time being, these proposals were reportedly approached with some skepticism by at least ten other members, including France, Norway, Spain and Italy.³⁷ There is universal recognition among NATO members, however, that any enlargement of the Alliance should take place only after a number of more fundamental matters are resolved, most importantly the future aims and tasks of the Alliance itself.

The Russian-Georgian conflict has undoubtedly affected the nature and intensity of cooperation between NATO and Russia, although the changes were not as serious as expected at the beginning of the hostilities. The NAC decision on 19 August to suspend the NRC meetings (until the Russian Federation fulfills all the provisions of the peace plan of 12 August) was more indicative of the true state of Russian-NATO cooperation even before the conflict than a sign of some sort of a sudden worsening. Particularly since 2006, political cooperation within the framework of the NRC has weakened, a condition reflecting the growing differences between the parties on many questions, such as the Treaty on Conventional Weapons in Europe, the US missile defense system, NATO enlargement and the independence of Kosovo. The conflict surrounding South Ossetia has only underscored an existing trend, making any constructive political dialogue within the framework of NRC essentially impossible.

The freezing of military cooperation with NATO announced by Russia in response to the NAC decision did not lead to any significant consequences, although it deepened the existing crisis in mutual relations. Cooperation has been limited and Russia has only suspended its participation in certain common projects, while continuing to participate in selected areas, such as the exchange of intelligence or underwater rescue. NATO operations have been affected only to a limited extent by the suspension of NRC activities and the freezing of military cooperation by Russia. Russia's attitude in this respect is significant almost exclusively within the context of the ISAF mission in Afghanistan. Even Russia's termination of the April 2008 agreement on the transit through its territory of "non-lethal" supplies to the forces in Afghanistan has not affected the Alliance's situation directly since the agreement was never implemented due to a lack of authorization from Central Asian states. Granted, such a decision would deprive the Alliance of a possible

³⁵ "Stubb NATO comments raise questions," *Helsingin Sanomat – International Edition*, September 2, 2008.

³⁶ Final communiqué, Meeting of the North Atlantic Council at the level of Foreign Ministers held at NATO Headquarters, Brussels, December 2–3, 2008, www.nato.int/docu/pr/2008/p08-153e.html.

³⁷ "U.S. starts diplomatic offensive on NATO membership for Georgia and Ukraine," *International Herald Tribune*, November 25, 2008.

alternate route for supplying ISAF, one that is attractive on account of the low costs of rail transportation and the political instability in Pakistan, the current principal supply route to Afghanistan. Though termination of the agreement cannot be ruled out, the fact that Russia continues to implement bilateral understandings on the transit of supplies for ISAF forces with two NATO member states (France and Germany), and has even extended their scope (on 20 November, 2008, Russia agreed to the transport of supplies through its airspace to the Spanish contingent),³⁸ seems to indicate that it does not consider hampering the ISAF mission and weakening NATO's position in Afghanistan to be in its interest.

The curtailing of Russia–NATO cooperation following the Russian-Georgian conflict in fact had mainly a political and symbolic significance, failing to lead to any significant change in Russia's position. This explains the growing desire to resume cooperation with Russia within the Alliance (reflected in the formula often heard in NATO discussions that “no business as usual doesn't mean no business at all”³⁹), especially after the EU's resumption of talks with Russia on the subject of a new Partnership and Cooperation Agreement. For this reason, at the NAC session of 2–3 December, 2008, it was decided to resume, gradually and conditionally, political cooperation with Russia by agreeing to informal talks on the NRC forum. These talks, limited exclusively to political issues and of an informal character, were planned to begin in 2008 (and were in fact initiated with the informal lunch of NATO Secretary General Jaap de Hoop Scheffer and the Russian representative to NATO Dmitri Rogozin on 18 December). It was stressed, however, that this gesture does not signify a change in the Alliance's negative position on the Russian actions with regard to Georgia or an acceptance of its other confrontational steps (such as the threat to deploy Iskander missile launchers in the Kaliningrad District) and that these talks would have no bearing whatsoever on the possible full resumption of cooperation within the NRC. For this reason, these decisions should not be viewed as a concession to Russia, but rather as an expression of realism on the part of the Allies. If, however, NATO strives, consistent with its present declarations, to conduct a dialogue with Russia that addresses issues of real importance for its participants, and not only on less controversial (but at the same time of secondary importance) matters, the Alliance will assuredly meet with hard resistance on Russia's part regarding the Georgian issue. Russia will stress that it holds President Saakashvili, supported by NATO, fully responsible for the outbreak of the Georgian conflict. This, in turn, will slow down any renewal of relations.

The Russian-Georgian conflict also enlivened the much-delayed NATO discussion about the goals and tasks of the Alliance. One of the direct consequences of this conflict was the increased interest on the part of NATO allies in the state of the Alliance's contingency plans in the event of an armed conflict involving European member states, particularly the Baltic States and Poland. This type of confidential scenario details the operations of the Alliance's armed forces in reaction to the outbreak of an armed conflict and warrants requirements with regard to the armed forces of member states and the development of NATO infrastructure. The absence of the updated contingency plans reduces the credibility of the Alliance's guarantees pursuant to article 5 of the WT. Work on such plans should take place discretely, however. For this reason, announcing the fact that work had begun on such plans in case of an attack on NATO member states from Central Europe (particularly the Baltic States), in order to restore the credibility of allied defense pledges, would be a mistake.⁴⁰ Russia would view such an announcement as a confrontational step and would use it for propaganda purposes to prove NATO's aggressive intentions with regard to Russia.

From a more general and long-term perspective, the Russian-Georgian conflict, and especially other security related steps Russia took after this conflict (the fervent opposition to the American missile defense shield manifested in various ways, including threats concerning certain disarmament agreements), demonstrated the need for a rapid, serious and comprehensive NATO debate on a new strategic concept redefining the Alliance's goals and priorities. Although the majority of NATO members had noticed this need earlier, only the August conflict and the Russian foreign policy 'offensive' provided a sufficiently strong impetus to break down members' fears of taking up this challenge. The conflict itself demonstrated the continued relevance of traditional threats to the security of NATO member states and the prospect of having to invoke art. 4 and 5 of the WT, as well as the impact of the regional conflicts in NATO's immediate vicinity for the Alliance's stability. This has led to a stronger emphasis in discussions on the new strategic concept of countries such as Poland, which not only call for the formal maintenance of the primary role of collective

³⁸ “Russia set to allow Spanish military transit to Afghanistan,” “Russia approves rail transit for German arms to Afghanistan,” www.rian.ru.

³⁹ “Press Conference by NATO Secretary General Jaap de Hoop Scheffer,” Brussels, December 2, 2008, www.nato.int/docu/speech/2008/s081202b.html.

⁴⁰ See: “NATO urged to bolster Baltic defence,” *Financial Times*, September 2, 2008.

defense among the Alliance's functions, but also for the reinforcement of the Alliance's actual ability to do so. Without a doubt, following the conflict surrounding South Ossetia there has been greater understanding in the Alliance for Eastern European member states' apprehensions with regard to Russia (one expression of this is the already-mentioned talks about contingency plans, the updating of which does not require the formulation of a new strategic concept and can be carried out more rapidly). This does not mean, however, that countries that primarily see NATO as a structure able to act globally and in an expeditionary capacity (the majority of countries from Western and Southern Europe, Canada and, to some degree, the USA) fully share and accept the point of view of more 'traditionally'-minded members, especially as such a turnaround in NATO strategy would, by definition, be of a confrontational nature with regard to Russia (and certainly be viewed as such by Moscow). In addition, such a conservative agenda could limit the Alliance's involvement in out-of-area type missions. Considering the scale and complexity of the issues that require NATO member states to compromise when working on strategy (controversial issues include developing the ability to employ the 'comprehensive approach' and use non-military resources in operations, the direction and tempo of further military transformation, and NATO's policy on nuclear weapons), the discussion on the new strategic concept will be a long one and the impact of the August 2008 events on its course will gradually diminish.

In the present circumstances, it seems that the most probable scenario for NATO development is a return of sorts to "the traditional". NATO countries have to embark on a long-delayed reflection on the role, tasks and nature of the Organization while, at the same time, continuing the present operations which are taking up a considerable portion of the Alliance's resources. All NATO members are interested in maintaining the alliance and in increasing its effectiveness, particularly as there is no real alternative. Given Central European NATO members' greater determination following the Georgian conflict and the confrontational course of the Russian policy, this will presumably lead in the near term to an increased significance of the Alliance's traditional functions, such as collective defense and its role as the mechanism for consultations in times of threats. This, in turn, should be reflected in a new strategic concept. It also means that the reinforcement of the obligations arising from article 5 of the WT (updated contingency planning and the building-up of NATO infrastructure in the countries of the "Eastern Flank") could take place at the cost of suspending the process of Eastern European aspiring members' integration with the Alliance or even result in a de facto giving up on the idea of their membership—an outcome less probable in the case of Ukraine, but more so in the case of the countries of the Caucasus.

Despite the promise of membership given to Ukraine and Georgia in Bucharest, the issue of further NATO enlargement in Eastern Europe would most probably be—as was already mentioned—moved to the back burner for quite a long time. Therefore, it cannot be ruled out that proposals for granting these countries (as well as other potential candidates, particularly from the CIS) some special status by creating new institutional arrangements would be put forward.

One such concept could be that of a "sleeping" membership. During peacetime, this arrangement would take the form of some kind of distinctive partnership. However, in the case of a crisis, the country would automatically become a full-fledged ally. A different model would be that of an associate membership, one that would not involve guarantees arising from article 5 of the WT. However, for a number of reasons, any effort to transform such ideas into effective institutions would not only ultimately be futile, but also counterproductive, especially from the perspective of the proponents of Eastern enlargement.

Firstly, implementation of such proposals would create ambiguity over the character of the relations between countries with this special status and the Alliance. The first model—"sleeping" membership—will in fact mean granting a so-called "sleeping" member all rights of current allies but the name. All in all, the pledge of collective help in a time of crisis is the very essence of all alliances. Therefore, such a proposal would hardly be acceptable to those members skeptical of the idea of further enlargement. Moreover, it is quite probable that even the states to which such an offer would be directed could have their own serious reservations. Proposing them a de facto membership without labeling it as such could lead to doubts over the credibility of the NATO pledge of collective defense in case of need. In the second model—"association"—the offer will not differ significantly from the current forms of distinctive partnership and definitely will not include collective defense obligations (which, in fact, is a sine qua non condition of becoming a member of any alliance).

Secondly, introducing such peculiar institutional inventions could also result in the weakened credibility of collective defense obligations among the Allies. Creating a new category of "special" membership could give an impression that collective defense obligations from the Washington Treaty are somehow gradable. As a consequence, the controversies from the 1990s regarding the issue of "second class membership",

could return. In particular, those countries that joined the Alliance in the last two waves of enlargement could come to doubt the actual character and “category” of their membership.

Lastly, there is the question of the duration of such solutions. Inventing the new categories of “special” membership, even with the understanding that they are transitory, would create the danger that such a state of affairs would ultimately be petrified. In other words, temporary status of an associate member at the beginning could turn out to be a permanent secondary status at the end. From the perspective of aspiring countries, accepting such proposals would entail the credible risk that they may never become full-fledged members of the Alliance. Therefore, the attractiveness of such offers would be very limited.

Add to all these arguments the current discrepancies in positions on enlargement among the Allies, and it seems that such concepts will eventually bring more problems than gains. Moreover, they could even be harmful to NATO’s credibility and cohesion as an alliance. Therefore, all proposals of this kind should be treated with extreme caution and prudence.

An altogether different proposal would be to adopt a politically binding declaration, in which NATO would assume the role of a quasi-guarantor of the inviolability of borders in Europe (not exclusively in the context of Ukraine and Georgia) and oblige itself to react when such a violation occurs. Similar ideas were already presented by the Polish minister of foreign affairs, Mr. Radosław Sikorski, in his speeches at Columbia University in New York on 25 September, 2008, and at the Atlantic Council meeting in Washington on 19 November, 2008.⁴¹ Adopting such a solution will not exclude any option concerning future enlargement, an advantageous position to take in the context of the current disputes within NATO on that still delicate issue. The main problem, then, appears to be the credibility of any such guarantee, given the differences within the Alliance on the role and main tasks of NATO, and its reaction to particular crises. It is difficult to assume that the Allies would agree upon a general obligation for the Alliance to react, especially militarily, to any violation of the borders of a European non-NATO state.

NATO’s concentration on its relations with Russia in the second part of 2008, largely as a result of the August conflict in Georgia, also means that in the near future the Alliance will maintain its involvement on the global stage only at its present levels, with the possible exception of Afghanistan, where it might strengthen its forces. In such circumstances, it would be increasingly important to revive the cooperation, albeit a difficult one, between the Alliance and the European Union, something that would also be useful in establishing a “common position” of Western institutions towards Russia and any engagement with Ukraine and Georgia.

Undoubtedly, NATO’s evolution will depend on a number of factors that are only marginally related to the situation in Georgia. In this context, the future of the operation in Afghanistan, the future course of Russia’s foreign policy as such, the evolution of the situation in the Greater Middle East, the impact of the global financial crisis, the foreign policy of the new US administration and the further evolution of the EU will be much more significant.

⁴¹ “The Barack Obama Promise: A European View,” Address by His Excellency Radoslaw Sikorski, November 19, 2008, The Atlantic Council, Washington, www.msz.gov.pl/Wystapienie,ministra,Sikorskiego,w,Atlantic,Council,23140.html; “Poland 2009. Ten years in NATO, five years in the EU. Plus the Lesson from Georgia,” Address by His Excellency Radoslaw Sikorski, September 25, 2008, Columbia University, New York, www.msz.gov.pl/Wystapienie,Ministra,Radoslaw,Sikorskiego,na,Columbia,University,25.10.2008,r.,22679.html.