



The necessity of the new and robust security dimension of the Eastern Partnership

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Background

Russia's unwarranted aggression against Ukraine has changed the security dimension of the Eastern Partnership (EaP). While in the past EaP countries may not have faced an imminent risk of direct aggression and annexation, this has now become a foreseeable reality that the Trio states (Georgia, Moldova and Ukraine), EU member states, Brussels-based institutions and NATO urgently need to address.

It is essential to remember, in this context, that Russia has been pursuing expansionist policies since well before the 2022 aggression. In 2008, Russia waged a five-day war with Georgia that led to the Russian occupation of the Georgian regions of Abkhazia and South Ossetia. In 2014, Russia illegally annexed Crimea and occupied parts of the Donetsk and Luhansk regions. Over this entire period, Russia has pursued a policy of "creeping annexation" in relation to Abkhazia and South Ossetia, first by signing treaties and agreements on friendship and strategic partnership and then by creating a common economic space with these regions. At the same time, Russia has actively promulgated the idea of a Union State with Belarus, and the Kremlin has recently stepped up its rhetoric about Abkhazia joining the new union as well.

The question we need to ask ourselves is whether the strategy adopted by the West to oppose Russia's expansionist imperialistic drive is sufficient, adequate and likely to be successful. Thus far, the West's answer to this question, heard frequently in various forums, is that helping Ukraine to win the war is the best strategy at this time. I fully subscribe to the view that ensuring a Ukrainian victory of the war ought to be both an imperative and the number-one priority for the collective West. However, I also believe that the West should start thinking about what it can and ought to do vis-à-vis other security problems in the Eastern Partnership, including the security of Moldova and Georgia and the need to bring about a peaceful withdrawal of Russian troops from the occupied territories. Waiting –whether waiting for Russia to lose or just waiting in general – is not the best strategy, nor, in fact, is it a strategy at all.

In this paper, I confine myself to the need for a new strategy to address the problem of Georgia's occupied regions. I do so in the full understanding that none of what I envision herein is going to

happen if Ukraine loses the war and Russia prevails, but also with the awareness that while defeating Russia in Ukraine is a necessary precondition for changing the status of the currently occupied Georgian regions, a Ukrainian victory would not, on its own, be sufficient to bring about a change in the Georgian status quo.

The need to reconsider

The EU has been steadfast, in both word and deed, on the subject of Georgia's territorial integrity the restoration of independence in 1990. The mantra of "respecting Georgia's sovereignty and territorial integrity within its internationally recognised borders" has been repeated over and over by the EU institutions, member states and politicians at all levels as a way of demonstrating strong support for Georgia and the principles of international law.

Since 2009, the EU's declared policy towards the Georgia's occupied regions has been one of "engagement and non-recognition". This policy effectively rests on two pillars. The non-recognition pillar consists of the EU's refusal to recognise the independence of Abkhazia or South Ossetia along with active efforts by the EU to counter Russia's attempts to "buy" or somehow coerce third-world countries into granting recognition to these regions. The EU's declarations of support and, in many instances, its use of financial and political leverage have been instrumental in deterring national leaders, particularly leaders of African, Caribbean and Pacific states, from recognising Abkhazia and South Ossetia. The engagement pillar of the policy rests on the conviction that the EU must engage with the occupied regions in order to ensure that they are not entirely swallowed up economically, financially and politically by Russia. This conviction has led the EU to envisage spending millions of dollars on confidence-building activities aimed at building bridges between the populations on either side of the boundary lines in South Ossetia and in Abkhazia, to support humanitarian programs inside the occupied regions, and to support specific communities there. By and large, the EU and Georgian government have been on the same page with regard to both non-recognition and engagement, though there has been some minor disagreement with the Georgian government over whether this engagement could happen without the full consent and involvement of the Georgian side.

In addition to this twin-pillar policy, the EU has continued to be actively involvement in the Geneva International Discussions, the international forum set up to resolve these conflicts. The EU co-chairs these talks (along with the UN and the OSCE) and is also a co-facilitator of the Incident Prevention and Response Mechanisms, which it co-hosts with the OSCE (in the case of South Ossetia) and UN (in the case of Abkhazia). The post of EU Special Representative for the South Caucasus was specifically created to engage with the GiD, and the EU Monitoring Mission (EUMM) was deployed to Georgia to monitor the security situation in Abkhazia and South Ossetia.

The non-recognition aspect of the EU policy rests on the premise that the EU needs to counter Russia's attempts to ensure international recognition of Abkhazia and South Ossetia. Russia was indeed actively seeking international recognition of these regions from 2008 to 2014, but Russia considerably scaled back its efforts after the illegal annexation of Crimea. Since 2016, only one state has recognised Abkhazia's independence – Syria. Russia has also scaled down attempts to drag Abkhazia and South Ossetia into various international organisations, some of which are rather dubious. The change of Russia's policy is understandable, since after 2014 the Kremlin switched to the annexation strategy. Therefore, what the EU needs to do, is to switch from the non-recognition policy to the anti-annexation strategy.

It is noteworthy that the EU has failed to recognise Georgia's regions as "occupied". For years, Georgia's government and foreign service have been working tirelessly to persuade their EU counterparts, state by state and institution by institution, to acknowledge Russia's actions in Abkhazia and South Ossetia as those of an occupying power. Nonetheless, although the occupation has been recognised as such at the parliamentary level, as well as in the statements made by individual politicians and MPs, almost no Western European government has officially recognised the presence of Russian troops as an "occupation" (officials often refer to this, informally, as "using the o-word"). Nor has any Western state or EU institution ever imposed sanctions on Russia for its occupation of Georgian territory.

As for the engagement pillar, it seems fairly clear that the EU has not achieved much in this respect, despite the millions of euros it has spent to ensure the engagement of the residents of Abkhazia and South Ossetia. The EU has been unable to work actively inside Abkhazia and South Ossetia, mainly due to opposition from Sokhumi, sometimes because of Tbilisi's insistence, but mainly due to its own lack of interest in becoming more involved in the occupied regions before the legal issues relating to activity in the unrecognised regions have been resolved. Another point is that EU's and Georgia's spending (even if taken together) has not, by any measure, come even close to matching the amount of money that Russia has spent in the occupied areas. Most of these Russian roubles have trickled down to pensioners or civil servants, the rest going into the deep pockets of corrupt local officials. By contrast, the bulk of EU money goes to the humanitarian agencies and a few selected civil society organisations in Abkhazia, a large portion of it goes to cover administrative costs and almost none of it goes to media. EU has invested very little effort in countering Russian propaganda in the occupied regions, whereas Russia sends a constant flow of its propaganda through television and social media channels as well as through a few remaining print newspapers.

The EU's political engagement in the conflict resolution process also raises questions. Is the level of effort sufficient? Unlike the situation prior to the Ukrainian conflict, the Geneva International Discussions are not currently benefiting from a high level of engagement on the part of the EU, Russia, or Georgia. Whereas the Normandy format created to address the war in Donbas and the wider Ukrainian conflict involved foreign ministers and heads of the states, the GID are at the level of deputy foreign ministers. The last time that heads of state came together to address the Georgia-Russia conflict was never.

What can be done? The need for a new anti-annexation strategy

The first thing that the EU needs to do is elaborate a new anti-annexation strategy. The current approach of non-recognition and engagement is outdated. While the engagement pillar can and should be maintained, the chief issue now is the threat of annexation. A Russian annexation of South Ossetia could be forced through via a referendum of the kind seen in Eastern Ukraine. Russians in South Ossetia have effectively "cleansed" the region of its ethnically Georgian population. The ratio of military personnel to civilians in South Ossetia is now 1 to 5: before Russia started its war in Ukraine, it had around 5,000 troops stationed in South Ossetia.

Although earlier this year the newly elected de-facto president reversed his predecessor's decision to hold a reunification referendum, Tskhinvali's political elite, entirely dependent on Moscow, is in favour of a referendum on the region's reintegration into Russia. Russia is not currently pursuing referendum-based unification in Abkhazia due to deeply rooted nationalistic sentiments in Abkhaz society. Instead of trying to break the Abkhaz will in this regard, Moscow is focusing on the Union State, attempting to drag Abkhazia into the Russia-Belarus union. Lukashenko visited Abkhazia in October 2022 in this cause, a visit that went unnoticed in Europe.

The bottom line is that the EU needs to consider what it can do to raise the price Russia would have to pay in order to annex these Georgian regions. Let us make no mistake: were its plans for Ukraine to end in failure, Russia might very well seek “a win elsewhere” to compensate for such a loss. Putin might, for instance, decide to balance the potential loss in Ukraine by annexing a strip of the Black Sea coastline, possibly even in order to station part of the Black Sea fleet there, and by annexing South Ossetia, i.e. by pushing the border to 40 kilometres from Tbilisi.

A new EU anti-annexation policy could be implemented in a series of legal, financial and diplomatic steps. As a first step, it is high time that the EU, at the highest level, recognise Abkhazia and South Ossetia as occupied regions of Georgia. Though caution may have been warranted before 2022, the events since then have rendered such concerns completely obsolete. Legally and politically, these regions need to be recognised as what they are – Georgian territories under Russian occupation.

In addition, the sanctions imposed on Russia for occupying Ukrainian territories should be extended to cover the occupation of Abkhazia and South Ossetia as well. In other words, once Russia loses the war in Ukraine and starts negotiating the peace deal, it must be understood that the sanctions will not be lifted until Russia has withdrawn its troops not only from Ukraine but also from Abkhazia and South Ossetia, withdrawn its recognition of the those regions’ independence and arrived at a peaceful resolution of the territorial issues with Georgia.

Many in the West believe that by recognising the Russian occupation of Abkhazia, the EU would be discounting the agency of Abkhaz society, but they are mistaken in this. In fact, there are groups, organisations and politicians in Abkhazia that are opposed to a Russian annexation of the region. This is not to say that these groups want to reunite with Georgia, but it does mean that they could become situational allies of Tbilisi and the West in an anti-annexation context. Empowering these groups and enabling them to resist Russia is doable and affordable. Political, financial and moral support could be extended to them directly or through local NGOs working in the occupied regions.

Finally, the forgotten crimes in Abkhazia and South Ossetia must be remembered. What happened there in the 1990s was nothing short of genocide. Yet neither the EU nor the West in general has gone beyond referring to the events as “ethnic cleansing”. By recognising these crimes against humanity as such, the West could send a powerful signal declaring that before Bucha and Irpin, there was Abkhazia and South Ossetia and that the issue of the hundreds of thousands of internally displaced persons in Georgia still needs to be addressed.

On their own, none of these efforts would be sufficient to deter Russia from annexing Georgian territories if Moscow decides that this is in its interest. Western leaders therefore need to step up efforts in two other directions as well: by (1) providing Georgia with a clear roadmap for NATO membership and (2) raising conflict resolution efforts to the level of heads of state.

With regard to NATO membership, it is clear that Georgia is currently stuck in the Bucharest conundrum, a conundrum that is, in part, of German making – i.e. the combination of NATO’s agreement that Georgia will become a member with its refusal to provide a membership action plan for the country. In plain words, NATO told Georgia that the door was open but failed to show it where the door was.

A creative solution to this conundrum and Georgia’s NATO membership question is possible: NATO could issue a political and legally binding statement saying that article 5 of the NATO Treaty will not apply to the regions of Abkhazia and South Ossetia until such time as the territorial integrity of Georgia has been restored through peaceful means. In order to avoid conflicting interpretations and forestall propaganda claiming that NATO is calling Georgia’s territorial integrity into question,

NATO could reaffirm its allegiance to the principles of territorial integrity and the inviolability of Georgia's borders and pledge to support the peaceful de-occupation of these regions. At the same time, Georgia could renew its pledge not to allow NATO military bases or offensive weapons on its territory until and unless it comes under a physical threat of aggression similar to that which Ukraine is experiencing now. While no such arrangement could be put in place until after Russia has lost the war in Ukraine, starting discussions about it now is doable and also strongly advisable.

Essential, too, is that the EU and the US increase their conflict resolution efforts, by raising the level and stepping up the intensity of negotiations. The EU could link progress in conflict resolution to potential EU membership. This is a prospect that, if seriously offered, could change the attitude of those Abkhaz and Ossetians whose motivation for positioning themselves as Russia's allies springs partly from what they view as the absence of a plausible European alternative. The EU should keep in mind what happened in 2004, when the right combination of high-level engagement, a peace roadmap (Annan Plan) and the prospect of EU membership succeeding in changing the minds of Northern Cypriots. While the Cypriot case is very different from the Georgian one, there is no convincing reason to believe that a similar combination of incentives could not succeed in influencing the hearts and minds of Abkhaz and Ossetians. For a start, the EU could declare that the Georgian-Russian conflict must be discussed at the highest level between the new government of Russia and the Georgian leadership. Such a declaration at this stage could send a powerful signal for changes in the post-war era.

Lack of partner in Georgia's government

Obviously, the effective implementation of a new strategy by the West would require the cooperation of an active partner in Tbilisi. The current government is neither pushing for a new strategy nor positioning itself as an active supporter of efforts to ensure Russia's swift defeat in Ukraine. Georgia's failure to join the Western sanctions against Russia, its ongoing bickering with Ukrainian authorities over political issues and a downward trend in democracy in the country resulted in a decision by the EU not to grant candidate status to Georgia when it did so for Ukraine and Moldova. These trends are worrisome, as they are noticed by many in Europe and have made friends of Georgia more critical than ever. However, the EU would do well to start thinking about a new anti-annexation strategy despite the passivity of the Georgian government in this regard, because once it becomes evident that Russian intends to annex Abkhazia and South Ossetia immediately, even the current government of Georgia will start asking for support. By then, though, it may be too late.

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