

THE ROLE OF
THE EUROPEAN UNION
IN THE PROCESS OF DEMOCRATIZATION IN
GEORGIA

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ABSTRACT

THE ROLE OF THE EU IN THE PROCESS OF DEMOCRATIZATION IN GEORGIA

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The trend of expansion of democracy around the globe has been largely increased in the post-Cold War era due to the domestic struggles and dynamics of international system. Not only international conditions, but also democracy promotion activities of international community have influenced this trend. These activities include assistance, guidance and advice provided by the international players. In this regard, this thesis aims to highlight international dimension of democratization.

This thesis analyzes the role of the European Union (EU) in the democratization process of Georgia. The EU has become an international actor, promoting democracy and human rights since the 1990s. The EU's contribution to the consolidation of democracy in Central and Eastern Europe through enlargement policy has been regarded valuable in the literature of democratization. In this context, this thesis chooses Georgia as a case study since Georgia; an ex-Soviet country has successfully managed to consolidate its regime change with the Rose Revolution. Besides, the Revolution has triggered the inclusion of the country and South Caucasus to the new Neighborhood Policy of the EU (ENP). This policy has welcomed in Georgia and has overlapped with the EU's increasing interest in the region and European orientation of Georgia. This study seeks to find out the extent to which EU can contribute democratic consolidation in Georgia within the ENP. The basic conclusion of this thesis is that the success of the ENP will depend on the limitations and

deficiencies of the ENP together with the peculiarities of the region and the ability of the EU.

Key Words: International Dimension of Democratization, Democracy Promotion, Georgia, The European Neighborhood Policy.

ÖZ

GÜRCİSTAN'IN DEMOKRATİKLEŞME SÜRECİNDE AB'NİN ROLÜ

Danacı, Münife

Yüksek Lisans, Avrasya Çalışmaları Bölümü

Tez Yöneticisi, Yrd. Doç. Dr. Ayça Ergun Özbolat

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Demokrasinin tüm dünyada yaygınlaşma eğilimi soğuk savaş sonrası dönemde gerek yerel çabalar ve gerekse uluslararası sisteminin dinamikleri sebebiyle hızlanmıştır. Sadece uluslararası koşullar değil, uluslararası toplumun demokrasiyi teşvik faaliyetleri de bu eğilimi etkilemiştir. Bu faaliyetler uluslararası aktörlerin yardım, yol gösterme ve tavsiyelerini kapsamaktadır. Bu bağlamda, bu tez demokratikleşmenin uluslararası boyutuna dikkat çekmeyi amaçlamaktadır.

Bu tez, Gürcistan'ın demokratikleşme sürecinde Avrupa Birliği'nin (AB) rolünü incelemektedir. AB, 1990'lardan itibaren demokratikleşme ve insan haklarını teşvik eden uluslararası bir aktör haline gelmiştir. AB'nin genişleme politikası kapsamında Orta ve Doğu Avrupa ülkelerinin demokratikleşmesine yaptığı katkı, uluslararası literatürde değerli addedilmiştir. Bu kapsamda, Gürcistan, Gül Devrim ile rejim değişikliğini başarı ile sağlamış eski bir Sovyet ülkesi olduğundan bu tez çalışmasında örnek olay olarak seçilmiştir. Bununla birlikte, Gül Devrimi Gürcistan ve Güney Kafkasya ülkelerinin AB'nin Yeni Komşuluk Politikasına dahil olmasına yol açmıştır. Gürcistan'da memnuniyetle karşılanan bu Politika AB'nin bölgeye artan ilgisi ile Gürcistan'ın Avrupa'ya yönelişini örtüştürmektedir. Bu çalışma, AB'nin Komşuluk Politikası kapsamında Gürcistan'ın demokratikleşmesine ne ölçüde katkı sağlayabileceğini incelemektedir. Bu tezde ulaşılan en temel sonuç,

Yeni Komşuluk Politikasının başarısının, Politikanın sınırlamaları ve eksiklikleri ile bölgenin özellikleri ve AB'nin kabiliyeti bağlı olacaktır.

Anahtar Kelimeler: Demokratikleşmenin Uluslararası Boyutu, Demokrasinin Teşviki, Gürcistan, Avrupa Komşuluk Politikası.

To My Family

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LIST OF ABBREVIATIONS

AP: Action Plan
ACP: African and Caribbean and Pacific Countries
ALA: Asian and Latin American Countries
CARDS: Community Assistance for Reconstruction, Development and Stabilization
CFSP: EC Common Foreign Security Policy
CEE: Central and Eastern Europe
CoE: Council of Europe
CIS: Commonwealth of Independent States
CSP: Country Strategy Paper
CUG: Citizens' Union Georgia
EIDHR: European Initiative for Democracy and Human Rights
ENP: European Neighborhood Policy
ENPI: European Neighborhood Policy Instrument
EC: European Community
ECHO: The European Community Humanitarian Aid Department
EU: The European Union
EUJUST THEMIS: EU Rule of Law Mission to Georgia
ESDP: the European Security and Defense Policy
FEOGA: European Agricultural and Guarantee Fund
FSP: EU Food Security Program
GBG: Georgian Border Guards
GDP: Gross Domestic Product
GYLA: Georgian Young Lawyers Association
ICNC: International Center on Non-Violent Conflict
IDA: International Development Association
ISFED: International Society for Fair Elections and Democracy
INOGATE: Oil and Gas Transportation in Europe
NATO: North Atlantic Treaty Organization
NGOs: Non-Governmental Organizations
MEDA: Middle Eastern and Mediterranean

MFA: EU Macro Financial Assistance
NIS: New Independent States
OSCE: Organization for Security and Cooperation of Europe
ODIHR: OSCE Office for Democratic Institutions and Human Rights
PHARE: Poland and Hungary Assistance for Restructuring of the Economy
PCA: Partnership and Cooperation Agreement
SWAPs: Sector-wide approaches
TACIS: Technical Assistance for Commonwealth of Independent States and Mongolia
TAIEX: Technical Assistance and Information Exchange
TRACECA: Transit Corridor - Europe-Caucasus-Asia
TEU: Treaty of European Union
UN: United Nations
US: United States of America
UNDP: United Nations Development Programme
UNHCR: United Nations Refugee Agency
USIAD: The United States Agency for International Development
WFP: World Food Programme
WTO: World Trade Organization

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CHAPTER I

INTRODUCTION

The international dimension of democratization is an important aspect to be considered in the analysis of the post-Soviet political transition. International actors, both governmental and non-governmental organizations as well as foreign countries are engaged in the democracy- promotion activities in the post-Soviet area. Georgia, as a post-Soviet country successfully managed to consolidate its regime via the overthrow of Eduard Shevardnadze's rule, replacing it with the government of Mikheil Saakashvili. Georgia's successful attempt to consolidate democratization is considered to be a combination of domestic struggle and the support of the international community.

The aim of this thesis is to analyze the role of the European Union (EU) in the democratization process of Georgia. The thesis examines the international dimension of democratization in considering the interaction between external and internal factors. In this regard, this thesis highlights the expansion of democratization in the post-Cold War era with reference to the growing promotion of democracy in the global community at large and the attribution of 'democracy and democracy promotion' in the European Union's external policy.

Before analyzing democratization and democracy promotion in Georgia with reference to the EU democratization policies, this thesis defines democratization as the whole process of regime change from authoritarian or totalitarian rule to liberal democracy. This includes stages which are generally called in comparative literature "transition" to a liberal or constitutional democracy and its consolidation. The international dimension of democratization generally refers to the influence of international circumstances, trends, events, accepted values and also international players involved in the democratization in a country directly or indirectly. Democracy assistance/promotion initiated by Western states and/or international

governmental and non-governmental organizations encourages democratization in developing and transition countries through different means like direct aid, supporting reforms, monitoring democratic activities, i.e. elections, engaging trainees for democratic institutions and offering technical assistance for institutional reforms. Moreover, democracy promotion can have both the aim of “supporting democratic and liberal values” as normative objective of states and also be a tool to ensure peace, stability and prosperity in a country.

The reason why this thesis chooses Georgia as a case study is due to recent political developments in Georgia which clearly reveals the impact of international factors in the democratization process experienced in a post-Soviet country. First and foremost, Georgia’s independence movement during the dissolution of Soviet Union and transition to democracy and liberal economy, like its counterparts reflected the influence of external factors; trends and aspirations. However, internal ethnic conflicts, instability, failures in state building and inability to pursue required reforms hampered the consolidation of democracy in Georgia. Thus, pseudo-partial-façade democracy definitions, used for ‘grey zone’ countries which have not achieved relatively well-functioning democracy or do not seem to be deepening or advancing whatever democratic progress they have made, have been attributed to Georgia.

With regard to democracy promotion and external financial aid, Georgia has greatly benefited from democratic aid. However, Georgia has failed to transform its political and economic system into a democratic and liberal form due to the corrupt and anti-democratic regime which was unable to deliver and make efficient use of external aid. The Rose Revolution in November 2003 has been regarded as a national reform movement, led by the reformist elite to overthrow Shevardnadze’s regime. In fact, it is possible to find influence of international factors in the Rose Revolution considering the chain of colored revolutions in post-Soviet geography which occurred in Ukraine and Kyrgyzstan. With the Rose Revolution not only did a reform process start in Georgia, but also external relations witnessed a shift in its relations towards integration with the EU. The Rose Revolution triggered the inclusion of Georgia and South Caucasus into the new Neighborhood Policy of the EU (ENP). This has

highlighted an overlap between Georgia's intensifying aspiration to integrate in Euro-Atlantic structures and the EU's growing interest in South Caucasus. Newly constructed policy towards the EU's neighbors offers a relationship closer than partnership, but not membership, Georgia welcomes this closer tie. By analyzing the case of Georgia, this thesis discusses that the Rose Revolution, together with the EU's last enlargement, pave the way for a new perspective of the EU towards Georgia and therefore South Caucasus. This thesis argues that the EU which contributed to the democratization of new member countries in Central and Eastern Europe through its enlargement policy, can play a democracy promotion role in Georgia within the limitations and deficiencies of the ENP. Moreover, the success of the Policy will depend on the ability of the EU in setting the adequate conditions and incentives on the one hand and the ability of Georgia in achieving its commitments, on the other.

Since the ENP aims to develop closer relationship with its Southern and new Eastern neighbors of the enlarged Europe in the lack of membership, this new policy has been assessed as 'weak and fuzzy' derivative of the EU's enlargement process. The lack of strict conditionality and vague incentives raises doubts on the success of this new policy in supporting democracy consolidation and liberalization of neighboring countries. However, in regard to the EU's enhanced financial assistance and closer ties, the ENP seems to construct more structural relationship with Georgia in comparison to the previous mechanisms. We have to bear in mind that the ENP is so new to testify its success and also analyze its impacts. In this regard, the assistance which will be provided under the new policy can supply a kind of conditionality for the improvement of democratic reforms in Georgia. Besides, the incentive of closer cooperation has the possibility to provide a kind of socialization that would create rapprochement of Georgian structures to European ones.

The reason why this thesis takes the EU to analyze its role as a democracy promoter is twofold: First the EU's contribution to the democratization process of Southern as well as Central and Eastern, Europe through enlargement, by offering membership to the institution had been regarded as valuable in the literature of democratization. On the other hand, the EU has developed a new policy towards its new neighbors in East

and South Caucasus, as well as old ones in the Mediterranean and Africa. Its new relationship is closer than partnership but not membership under the New Neighborhood Policy. Under the Union's classical mechanisms for development, human rights and democratization assistance; humanitarian aid, financial and technical assistance have been allocated to these countries which do not have the prospect of membership. In addition, Partnership and Cooperation Agreements have constituted the legal framework of the relations. However, it has been questioned whether the ENP as a comprehensive and assertive policy could promote reforms in those countries and contribute to democratization and liberalization.

This thesis contains four chapters and a conclusion. The first chapter addresses the notion of the international dimension of democratization and increasing trend for ensuring democracy all around the world. Within the first chapter literature on democratization, which includes studies on causes and expansion of democratization with reference to several different approaches such as modernization theory, historical sociology/structuralism, and transition approach which mostly focuses attention on the role of elite pacts, path-dependent analysis, socio-economic developments that are generally on a domestic trajectory of change, is discussed. Different dimensions of democratization under the influence of different factors such as culture, elites, economic development, and transnational factors are explored. Furthermore, studies on democratizations of Southern Europe, and other cases that emerged after the collapse of Communism and decolonization are emphasized in order to prove how over time international factors gained prominence in the democratization literature. This chapter mainly aims to display the interaction between the domestic and international factors in the democratization process. What kind of role do international players' functions in transition and consolidation process of democratization in a country? In what forms do global community; states, international organizations and non-governmental organizations contribute to the democratization process of countries? How are these questions referred to in the literature of democratization?

The second chapter is designated to explain the role of the EU in democracy promotion. The EU, which is designed to transform Europe into a zone of peace and

prosperity, puts democracy and the rule of law at the top of its community's values. However the Union's explicit reference to democratic and liberal values in its relations with the third countries emerged in early the 1990s, which at the same time corresponds to the structural transition of both the international system and the EU. Sustaining security and stability in the countries neighboring it, the EU set up a democracy promotion agenda, which is a complex set of rationales combined with self interests and ethics. In this respect, European policies on democracy promotion within an enlargement perspective and within other aid mechanisms such as development, human rights, post conflict rehabilitations through regional programmes in African and Caribbean and Pacific countries (ACP), Asian and Latin American Countries (ALA), Middle Eastern and Mediterranean (MEDA) and New Independent States are examined in this chapter. The objective and content of its new policy towards neighboring countries are also explored. What is the rationale behind the ENP? What does ENP intend to achieve? What are the constraints and limitations of this new policy? Moreover, the EU interests in the South Caucasus and framework of relations are also clarified to reveal the reason of including South Caucasus in the Neighborhood policy which was left out at the inception.

In the third chapter, Georgian democratization process is overviewed with special emphasis on the relationship of internal and external factors. In the light of political developments, the Rose Revolution's dynamics are examined. This chapter puts forward the challenges for Georgia in the transition to democracy and liberal economy, over and against the legacy of Soviet rule, corruption, and the inability to sustain stability, law, order, welfare and development. These challenges also caused the inefficient use of external support/aid. Although Shevardnadze, one of the leaders behind the glasnost and perestroika policies of the Soviet regime, came to power with the hope of genuine reforms to achieve development and democratization in Georgia, he lost his legitimacy within Georgia and credibility in the international arena over time due to unsuccessful good governance. Within this framework, the Rose Revolution brought a fresh will and insistency to continue on reforms. It was after the Rose Revolution that a 'pre-emptive' approach in their relations with the

West was adopted.¹ In the absence of significant material resources, this approach proved to be effective, reaching its peak in the enhanced dialogue with NATO, cooperation with the US, and receiving aid from the EU.

The last chapter aims to examine the EU-Georgian relationship with regard to democratization focusing on the ENP. The less active and mostly invisible role of the EU which is based on a Partnership and Cooperation Agreement (PCA) and assistance under TACIS (Technical Assistance for Commonwealth of Independent States and Mongolia), other humanitarian/food programs, regional cooperation programmes like TRACECA (Transit Corridor - Europe-Caucasus-Asia) and INOGATE (Oil and Gas Transportation in Europe), had witnessed a breakthrough after the Rose Revolution in Georgia. The ENP brings a new perspective to EU-Georgian relations moving beyond cooperation and to a significant degree of integration. This integration offers a stake in the EU's internal market and gradual extension of four freedoms to Georgia (free movement of good, services, capital and people). It also proposes the possibility for Georgia to participate progressively in key aspects of EU policies and programmes which was clearly addressed in the Action Plan as an acceptable guideline for relations between the EU and Georgia. This chapter aims to explore implementation of the ENP in Georgia. To what extent does the Action Plan reflect the framework of relations? Which mechanisms were constructed to implement the goals that have been indicated in the Action Plan? What are the challenges for the success of this policy in Georgia?

¹ Leila Alieva, "EU and Southern Caucasus" Bertelsmann Group for Policy Research, Center for Applied Policy (CAP) Research Discussion Paper, December, 2006, p. 4.

CHAPTER 2

DEMOCRATIZATION

The aim of this chapter is to discuss the role of international actors in the process of democratization. In the first part of the chapter, I will briefly look at how democratization is defined in the academic literature. I will then concentrate on the role of the international community in so-called ‘democracy-promotion’ which can be defined as a set of activities, mainly initiated by the international players to promote democracy, movements aiming at democratization and democratic reforms in countries in transition. These activities include assistance, guidance and advice provided by the international players. What I refer to as the international actors include international governmental and non-governmental organizations as well as foreign countries.

Democratization is characterized as a process of regime change from authoritarian or totalitarian rule to liberal democracy. It is assumed that the process of democratization consists of two stages; that is “transition” to a liberal or constitutional democracy and its consolidation.² It is widely agreed that democracy has two fundamental aspects; democratic institutions, including popularly elected legislatures; and democratic principles, including popular control of the government and political equity among citizens. Beyond that, while consensus is elusive, Robert Dahl’s concept of ‘polyarchy’ is often cited as denoting a form of democratic system.³ According to Dahl, ‘polyarchy’ has seven main features which are free and fair elections; elected officials, inclusive suffrage, the right to run for office, freedom of expression; alternative sources of information to those disseminated by the state,

² Geoffrey Pridham, Eric Herring and Gorge Sanford, *Building Democracy? The International Dimension of Democratization in Eastern Europe*, (London & Washington: Leicester University Press, 1997), pp. 1-2.

³ See Jeff Haynes, *Democracy in the Developing World: Africa, Asia, Latin America and Middle East*, (UK: Polity Press, 2001), p.11.

and associational autonomy.⁴ The premise is that when these seven features are in existence in a polity then democracy is assumed to be consolidated. This is the definition of which I refer to as democratization throughout the thesis.

It can be said that emergence of democratization began in the 19th century. Since the 19th century democracy has been rooted in western and European states and expanded around the world if not fully consolidated through various ways. Today, it is recognized that there is an increasing trend to ensure democracy all around the world. A frequently cited survey on freedom and democracy, Freedom House, assessed in 2006 an increase from 119 to 123 the number of countries categorized as electoral democracies.⁵ Since the inception of the measurement in 1972, it assumes a most successful picture in the world without touching upon quality of democracy as much.

The question of what causes democratization and how its expansion occurs around world has been studied extensively in the literature of democratization. Causes of democratization have varied over time and space. Grugel points this out as; “whilst the motor of democratization in the 19th century was class, by the 1980s and 1990s it was driven by a complex mix of social conflict, state building and external influence”.⁶ Over time, the dimensions of democratization diversified with the influence of different factors such as culture, elites, economic development, and transnational factors. Huntington’s well-known analysis suggests that there were three waves of democratization. The first started at the 19th century and grew until around 1930s, the second one began with physical defeat of the Axis powers in 1945 and went on with decolonization and included Latin American democratizations, and the third wave began with the democratization of Portugal, Spain and Greece in the 1970s, and later East-Central European and ex-Soviet states at the end of 1980s and

⁴ Ibid.

⁵ Arch Puddington, “*Freedom in the World 2006, Middle East Progress Amid Global Gains*” Essay at <http://www.freedomhouse.org/template.cfm?page=130&year=2006>

⁶ Grugel, “Democratization: A Critical Introduction”, p. 32.

democratization of Africa in 1990s.⁷ In each wave, it is possible to witness an increasing engagement of international players in democracy-promotion activities. To understand causes of democratization three main approaches have to be explained; modernization theory, historical sociology/structuralism, and transition approach. Modernization theory is an attempt to theorize the fact that democracies have emerged in the modern world under capitalism which was codified by studies of Seymour Lipset and developed by Pye, Verba, Almond whose studies linked democracy to a particular political culture. Historical sociology/structuralism sees democracy as the imposition of reforms on a capitalist state, not as an automatic outcome from the development of capitalist relations of production. And transition approach takes democracy as created by conscious, committed players providing that they possess a degree of luck and show willingness to compromise. Democracy is not therefore, a question of waiting for economic conditions to mature or political struggles' unleashed by economic change to be won, which originated by writings of Rustow in 1970 and developed in 1986 by Schmitter, O'Donnell and Whitehead.⁸

The main approaches of democratization were useful in exploring different aspects of democratization mostly focusing attention on the role of elite pacts, path-dependent analysis, socio-economic developments that are generally on a domestic trajectory of change. However, international dimension and external factors on democratization have been emphasized over time in democratization literature. Crucially the international system was influential in contemporary democratizations like Southern Europe and others that emerged by decolonization. On the other side, since the breakup of the Soviet Regime at the end of the 1980s, international factors had been regarded as more effective than domestic/internal factors. The interdependence of local/national and international factors gained importance with the influence of globalization in the last decade on expansion of democratization and consolidation of it. Democratization literature began to be concerned more quality of democracies rather than the increasing number of states.

⁷ Samuel Huntington, *Democratization in the late 20th Century*, (Norman, OK and London: University of Oklahoma Press, 1991)

⁸ Ibid. chapter 3.

To understand democratization in a country it is inevitable to estimate external actors on domestic developments. This chapter seeks answers to questions such as under which international conditions states move in democratic transition, what kind of role international players can take in transition and consolidation processes of democratization in a country, and also how these questions are examined in the literature of democratization. Could the global community; states, international organizations and non-governmental organizations contribute to the democratization process of countries? Which theory and concepts have been used to explain this relationship? This chapter will try to explore the connection between the democratization process and the international dimension.

2.1 International Dimension of Democratization

The international dimension is of particular importance in the analysis of democratic transition. This refers to the influence of international circumstances, trends, events, accepted values and also international players in democratization of a country directly or indirectly. These elements could play a direct role in the democracy assistance of international players and the inspiration of democratic trends, or they could support other structural factors that would help grow democracy through supplying a convenient climate for the transition and also consolidation of democracy, or helping to bring stability and peace and assist development and welfare not only in a country but also in a region. Since these elements could positively contribute to democratization we have to bear in mind that negative influences of international factors on the democratization process could be an issue, i.e. states could support autocratic regimes if the status quo serves their interests and stability.

Here it is useful to clarify what we mean by ‘international players’. They are the nation-states, numerous non-state players, international organizations, media organizations, human rights groups, foundations, international associations, and partisan international networks of dissidents. However Whitehead estimates that at a point the classifying of strategic players into “domestic” and “international” loses

meaning due to their interdependence.⁹ This implies that international actors might be “localized” due to a strong presence in local politics.

Whether it directly or indirectly contributes to democratization, democracy assistance as a policy can be both an aim of “supporting democratic and liberal values” and also a tool to ensure peace, stability and prosperity in a country. All these factors, players’ concerns and aims and also circumstances cause diversification in international dimension of democratization, as has been in strategies of democracy promotion. Active strategies of democracy promotion range from use of the direct physical force to the application of international trade embargoes and more general economic sanctions. Burnell underlines the distinction between negative and positive ways of promoting democracy as;

... the former comprises sanctions and the threat of sanctions especially in respect of international financial support to governments and economic development aid-instruments whose reach is potentially very wide ranging, given that the great majority of the world’s states need such help from time to time. The introduction of a requirement which makes offers of such support contingent on certain democratic and human rights conditions met, and the exercise of conditionality-the assistance when a government’s conduct is judged unsatisfactory-elaborate the negative aspect.¹⁰

The role of international factors on democratization have taken a vast place in the literature of democratization and have opened a discussion with democratization of Central and Eastern Europe (CEE). Democratization of CEE with the collapse of communist regimes has challenged many standing assumptions and concerns in the study of regime change due to visibility of international factors. Kumar argues that “the extent to which the 1989 revolutions were an international phenomena right from the start, the causes and conditions of their success were largely external

⁹ Laurence Whitehead (ed.), *The International Dimension of Democratization; Europe and the Americas*, (Oxford University Press, 2001), pp. 4-27.

¹⁰ Peter Burnell, “Democracy Assistance: The State of Discourse” in *Democracy Assistance, International Cooperation for Democratization*, ed. by Peter Burnell, (London: Frank Cass. Publ., 2000), p.8.

(changes in Soviet policy), also the ideas were mainly derived from external forces (western liberal thought)".¹¹

Furthermore, in the 1990s international context of democratization has been at the focal point of questions, because it has been far more embraced in the democratization process than even before, due to three reasons that; international organizations have become more interventionist while engaging in democracy promotion or building; the international order has itself been restructured with predictable consequences for domestic politics; and the extent of transformation in post-Communist Europe is so much greater than in previous-regime change and this has engaged international attention and efforts more than even before.¹²

The visibility of international factors in CEE and later in other post-Communist democratizations required rethinking the role of external factors and challenging previously held views- that they were essentially secondary to domestic processes of regime change.¹³ Pridham confirms this as "nevertheless, regime change theory long proceeded on the implicit and sometimes stated notion that dynamic focus of transition from authoritarian rule remained the domestic arena, international factors being seen as of secondary importance, although occasionally decisive."¹⁴

Scholars pointed out that "although strong commitment from broad range of internal forces is required at establishment and consolidation of regimes, it is known that since the 20th century under restrictive international context the great majority of existing democracies originated from decolonization or the Second World War or

¹¹ K. Kumar, "The 1989 Revolution and the Idea of Europe" *Political Studies*, Vol. 40 No.3, September 1992, pp. 429-61.

¹² Geoffrey Pridham, "Rethinking Regime Change Theory and the International Dimension of Democratization: Ten Years After in East-Central Europe" in *Prospects for Democratic Consolidation in East-Central Europe*, ed. by Geoffrey Pridham and Attila Agh, (Manchester and NY: Manchester University Press, 2001), p.65.

¹³ Pridham, "Rethinking Regime Change Theory and the International Dimension of Democratization: Ten years After in East-Central Europe", pp. 54-95.

¹⁴ *Ibid.* p.56.

during the fading of the Cold War”.¹⁵ If international factors have been influential in many cases since the 20th century why in studies of democratization has this dimension been taken as secondary? Pridham mentions that;

Accordingly, an emphasis on national specificity tended to hinder generalization. Treatment of international factors was rather broad and imprecise, with the habit of seeking basic explanations of a within-state category. This trend of thinking fitted well with the conventional approaches in comparative politics, where international arena has been considered a backdrop to what “really” matters, which governance domestically defined.¹⁶

Actually, we can say that in view of modernist theory, structuralism and transition approaches of democracy, they mostly are concerned with domestic dynamics rather than international aspects in practice. On the other side, functionalist theories which looked to socio-economic development as enhancing democracy’s chances, suggested an avenue for exploring international contexts. Then, more recently the study on globalization has drawn attention to internationalizing effects in productive processes and capital markets, and in the liberalization of trade barriers.¹⁷ Furthermore, scholars have also emphasized the role of external factors explicitly. O’Donnell, Schmitter and Whitehead marked one of the firmest conclusions that:

Such transitions and immediate prospects for political democracy were largely to be explained in terms of national forces and calculations; external actors tended to play an indirect role and with the obvious exception of those instances in which a foreign occupying power was present.¹⁸

In addition to all, Huntington’s wave approach by virtue of identification which assessed individual transitions in the same period and geographical area to impact each other, clearly underlined the importance of the international context and

¹⁵ Pridham, Herring and Sanford, *Building Democracy? The International Dimension of Democratization in Eastern Europe* .

¹⁶ Geoffrey Pridham, *The Dynamics of Democratization: A Comparative Approach*, (London and NewYork: Continuum, 2000), p. 286.

¹⁷ Ibid.

¹⁸ G.O’Donnell, P. Schmitter, and L. Whitehead, *Transitions from Authoritarian Rule: Prospects for Democracy*, (Baltimore: Johns Hopkins University Press, 1986)

external influences without touching upon causes and rationales behind it. Despite lack of investigation on causes, the wave approach can be accepted as a significant step in emphasizing the role of international dimension of democratization in the literature.

In the 1990s, paying attention to the international dimension of democratization by scholars, the role of international factors has occupied its deserved place as proven by concrete reality. In this regard study, examination and analysis of the international dimension of democratization acquired crucial importance. To understand and analyze international dimensions of recent and contemporary democratizations, Whitehead grouped the international aspects of democratization under three broad headings: contagion, consent and control.¹⁹ **Contagion** is the diffusion of experience through neutral, i.e. non-coercive and often unintentional channels from one country to other. **Control** is the promotion of democracy by one country to another through explicit policies backed by positive or negative sanctions, on the other side, **consent** which emerges as a more recent category involving a complex set of interactions between international processes and domestic groups that generates new democratic norms and expectations from below: In the extreme, this may lead to an irresistible drive to merge with an already existing democracy; in a milder form, it underlines the desire to protect democracy within a given state by joining a regional bloc (i.e. EU). Schmitter adds one more to the above mentioned three perspectives; **conditionality** which is the deliberate use of coercion- by attaching specific conditions to the distribution of benefits to recipient countries-on the part of multilateral institutions (i.e. International Monetary Fund, European Community, European Bank for Reconstruction and Development, from other parts of The World Organization of American States, Organization of African Unity).²⁰

Apart from accepting external factors as variable dependent on opening and opportunities in the domestic arena, it seemed that the external environment can, in

¹⁹ Whitehead (ed.), *The International Dimension of Democratization; Europe and the Americas*, pp. 3-27.

²⁰ Philippe C. Schmitter, "The Influence of the International Context upon the Choice of National Institutions and Policies in Neo-Democracies" in *The International Dimension of Democratization; Europe and the Americas* ed. by Whitehead (Oxford University Press, 2001), pp. 29-30.

its different forms, impose a set of confining conditions for internal regime change deriving from multilateral or bilateral linkages as has been placed in Whitehead and Schmitter's assessment.²¹ Certainly this brings for every case some kind of complexity and diversity. Pridham underlines the need for some form of differentiation in evaluating the role of international factors and compiles a number of comparative hypotheses such as:

- *“certain types of transition may be more likely to open up to external influences than other”*;
- *“authoritarian collapse and the shift to democratic transition usually brings a reconsideration of external policy allegiances, and this engages the concern of interested foreign powers”*;
- *“rather than viewing external impacts as ad hoc events relating to individual national circumstances, an alternative is to see them as part of the structure and conditions of international relations surrounding transitions”*;
- *“Multilateral allegiances usually prove more benign for democratization than do bilateral ones”*;
- *“external impacts may vary between phases of the democratization process”*.²²

All these assessments verify the complexity of the international dimension of democratization. International factors can both contribute to and hinder democratization, and also it must be concerned with the interaction of external and internal factors.

Apart from international circumstances, trends even events in which democratization gains external encouragement and support without there being active promotion or

²¹ Whitehead (ed.), *The International Dimension of Democratization; Europe and the Americas*, pp. 3-27.

²² Pridham, *The Dynamics of Democratization: A Comparative Approach*, pp. 59- 65.

specific intentionality from outside,²³ **Democracy promotion** activities emerge as an important international-external- aspect of democratization. These activities occur as an encouragement of democratization in developing and transition countries by developed and “democratic” western states or international organizations or non-governmental organizations through various means like direct aid, supporting reforms, monitoring democratic activities, i.e. elections, engaging trainees for democratic institutions, and offering technical assistance for institutional reforms. Furthermore alliances, trade pacts, and economic assistance offer a means to encourage political liberalization and to foster democratic consolidation in developing countries. The international socialization process that refers to interdependence with other countries and international organizations through alliances, pacts, memberships has been also supposed as an important dimension of democracy promotion.²⁴ Because more linkage brings more shared values and interests for countries, interdependence to liberal institutions and states increases the possibility of requirements to share the same values.

Democracy promotion policies can be seen as a reflection of interventionist behavior in the 1990s as mentioned by Pridham through counting reasons of why the international context embraced democratization in the 1980s mentioned above.²⁵ However, setting a good example of the benefits of democracy at home might be considered the least costly method of promoting democracy abroad. If the international community adopts a thoroughgoing non-interventionist approach this may be interpreted as a signal of acquiescence, or even tacit support.²⁶

Actually 1990s witnessed a dramatic increase in interest among western liberal democracies and international organizations in promoting democracy. Burnell examines the take off of democracy assistance in the 1990s and sub-categories like international electoral assistance, civil society assistance, and legal technical

²³ Those circumstances can include what is sometimes referred to as “contagion” and the effect of “snowballing” in a region where other states are experiencing political change.

²⁴ Peter Burnell, “Democracy Assistance: The State of Discourse”, pp. 3-33.

²⁵ See foot-note 10.

²⁶ Burnell, “Democracy Assistance: The State of Discourse”, p.7.

assistance not only by states but by international development cooperation agencies and other multinational organizations like UNDP, World Bank, European Commission, OSCE, and foundations through various programmes.²⁷

The question of why the international community engages in creating a number of democracies, and becomes active in consolidation of them all around the world, directs us to the rationale behind democracy promotion activities. First of all, democracy is being accepted as an international norm which is stronger today than ever and is widely regarded as an ideal system of government.²⁸ Secondly it is considered that there is a relationship between democracy, economic development and peace. Economic co-operation and integration helps people conduct peaceful relations with each other.²⁹ Thus, this relationship creates a zone of democratic, developed, secure and a peaceful zone of states, i.e. Western or European states. Democracy becomes a prerequisite for integration into this system, pursuing economic and political relations with those countries therefore increasing welfare, peace and security.

However, it is argued that the idea of democracy promotion stemmed first from Wilsonian democratic interventionism.³⁰ Since the First World War, the United States of America led democracy promotion as a foreign policy goal. Wilson's arguments dominated not only American foreign policy but also a utopian discipline of international relations despite strict "realism" and "neo-realism" in the Second World War and Cold War Years. In this regard, for a secure and peaceful world, it is assumed that democracy had to be expanded all around the world and be promoted. Furthermore, to highlight the place of democracy promotion in US foreign policy Lee Ray cites from Kissinger that "the idea that peace depends above all on

²⁷ Burnell, "Democracy Assistance: Origins and Organizations", pp.34-64.

²⁸ Michael McFaul, "Democracy Promotion as a World Value", *The Washington Quarterly*, Vol. 28, Iss.1, p.148.

²⁹ Roberto Aliboni, "The Debate on Promoting Democracy: Lessons Learned and Future Challenges", Presentation available at <http://F/www.euromed10.org/files/2005/10/07/1128705749800.pdf>

³⁰ Ibid.

promoting democratic institutions has remained a staple of American thought to the present day.”³¹

The correlation between democracy, peace and security has been subjected to the “Democratic Peace Theory” which emphasizes the absence of wars between democracies-usually, liberal democracies. The most often cited classical source of the idea that democracy is an important force for peace is Immanuel Kant's 1795 essay, "Perpetual Peace." According to Kant, perpetual peace would occur only when states had civil constitutions establishing republics.³² In reference to Kant, Doyle, argues that; “liberalism has achieved extraordinary success in liberal practice toward other liberal societies and has contributed to exceptional confusion in liberal practice toward non-liberal societies.”³³

In this regard, democracy promotion is increasingly being accepted as a foreign policy goal by the international community.³⁴ Dissolution of the Soviet regime and the demise of communism espoused democracy and the market economy to new liberalizing countries to coincide with the assertion of Fukuyama that the collapse of the Soviet System meant the end of history and western liberalism has won a definitive victory which will extend over the entire planet. In this regard, Burnell argues that the collapse of Soviet power and the triumph of the West took away a major reason to export liberal democracy around the world.³⁵

Numerous states- besides the leading players the US-, international organizations and international non-governmental organizations have found a wide area of activity in promoting democracy and tried have to engage standards of contemporary world order-democratic values- in transition countries. Actually, the push factors in

³¹ James Lee Ray, “Does Democracy Cause Peace?” *Annual Review of Political Science*, 1998, p. 28. Available at <http://sitemason.vanderbilt.edu/files/g/gDf5Ty/ray%20does%20democracy%20cause%20peace.pdf>

³² Michael W. Doyle, “Kant, Liberal Legacies, and Foreign Affairs”, *Philosophy and Public Affairs*, Vol. 12, No.3, Summer-1993, pp. 205-235.

³³ Ibid.

³⁴ McFaul, “Democracy Promotion as a World Value”.

³⁵ Ibid. p.18.

welcoming those activities from receiving countries were namely domestic pressures of political reform and liberalization. These demands were propelled by a combination of economic and social discontent and genuine desires for political change.

While promoting democracy, to what extent or in which context does the international community conduct its relations where recipient a country gains importance? The extent of the democracy promotion agenda is almost debatable; does it include economic regime change support, liberalization activities, good governance support and promotion of human rights? Youngs who believes in studying democracy promotion as the political manifestation of a transnational agenda rather than conceiving it as a separate geo-strategic agenda, points out that;³⁶

...reforms and increasingly prominent doubts over the likelihood of spill-over occurring from civil society, economic reform, or good governance measures to the political institutional sphere. It was suggested by many theorists that there was a complexly symbiotic relationship between these spheres and political society. That is, the different arenas of democracy were intricately interlinked, often in a mutually dependent fashion...³⁷

It can be accepted that democracy could be promoted by applying assistance to a selection of political values that are associated with democracy and which can be supported each in their own right; legitimacy, accountability, participation, openness and transparency in conduct of public affairs, the rule of law and so on. Moreover, in the largest sense it can include all manner of development assistance designed to advance the social, economic and other conditions that are concerned by experts beneficial to democracy.³⁸

Thus, to due a broad range of ways and aspects, the agenda on democracy promotion extensively depends on the conditions of the recipient country and interest and capability of donor country/ institutions. Since, player may assist only functions of democratic institutions i.e. through election observation in a country, at the same

³⁶ Richard Youngs, *The EU and the Promotion of Democracy; Europe's Mediterranean and Asian Policies*, (Oxford; New York: Oxford University Press, 2001), p. 20.

³⁷ Ibid, pp. 20-21.

³⁸ Burnell, "Democracy Assistance: The State of Discourse", p. 11.

time; take a role in economic recovery through technical assistance or debt cancellation. I mean, diversification of the agenda of democratization requires explanation of every actor in reference to its own conditions.

In consideration of multi-dimensionality of the issue, it is not easy to explain democracy promotion activities with the help of categorization of international factors that have been proposed by Whitehead and Schmitter; contagion, control, consent or even conditionality. Absolutely, democracy promotion should not be evaluated only as coercive activities which proceed by one country's control or multinational organizations' conditionality, or only a set of interactions between domestic groups and international processes. An interaction of donor and recipient should include a combination of conditionality, consent and contagion.

On the other hand, Burnell reminds us that William Robinson called democracy promotion a "new political intervention" in a critical account of United States democracy promotion.³⁹ Probably, it would not be easy to measure or determine consent in a political intervention. In regard to humanitarian intervention in a growing number of instances, (despite there is a view that argues non-forcible form and moreover with or without consent of the host authorities), Burnell points out that "democracy assistance and support for political rights and civil liberties then becomes a form of preventive humanitarian intervention."⁴⁰ In this context, It can be argued that sometimes in democracy promotion, the clear consent of the receiver or even the consent- seeking manner of a donor can be absent if it realizes it a form of preventive humanitarian intervention. However, generally speaking democracy promotion activities are welcomed in receiving countries even if there is not concrete coercive means, because the agenda of external influence is generally supported with economic aid.

In regard to the fact that it is not possible to determine when democratization starts and ends, it ranges over multiple domains-constitutional, institutional, attitudinal, behavioral and so-on-and at different levels- governmental- and nongovernmental,

³⁹ Ibid. p.14.

⁴⁰ Ibid. p.18.

central, local, elite and mass, and emergence of different outcomes due to historical legacy and external circumstances. Democracy promotion has been/should be realized and enacted with different forms and also comprehensive strategies. I mean if there is more than one player in a country assisting with different agendas at different levels, lack of a comprehensive and cooperative action can hamper efficiency and success of support. Besides, while defining an agenda for a country, weak points or shortcomings of democracy in that country has to be addressed as a priority. However sometimes, a regional approach would be beneficial if neighboring countries share the same weakness, regional stability and economic prosperity. In that condition, a regional perspective should effectively promote regional stability and therefore democracy.

Moreover, we have to bear in mind that interactions between internal and external factors in general and in a particular recipient country and donor player, affect the success or failure of assistance. Lack of enough dialogue, coordination between internal actors and donors, openness can lead to undelivered assistance, or wrong direction of aid. Efficient use of resources can contribute a real transformation rather than pseudo ones.

There are various ways of democracy promotion that depend on factors like who support democracy in a country in what level and with what means. The unintentional positive effects of democracy could be accepted a tacit promotion which fits the explanation of *contagion*. Bilateral democracy promotion activities can be accepted, *control*, on the other hand in civil society promotion which usually takes place bottom-up should be assessed as *consent*. Conditionality is also used by international organizations. Thus, democracy promotion is a wide-aspect concern and should be explained with the help of all these mentioned concepts.

2.2 Conclusion

The international dimension of democracy has begun to be deeply analyzed since international factors become more visible and affective within different aspects of democratization. This does not mean that international circumstances were

substantial in history; even wars have been a motor-cycle of democracy. Growing interdependency of internal and external factors also makes the process multidimensional-multifaceted. This chapter tried to draw upon the main context in which democratization of a country is influenced by international factors.

Democratization in a country can be influenced by international factors grouped as contagion, control and consent and also conditionality, separately or even a combination of them can be visible. Democratic trends would lead to a regime change with diffusion as had been explained by wave theory or proved by recent colored revolutions which began in the 2003 Georgian Rose Revolution. On the other side, elites of a country should commit and take all measures for institutionalization of democratic principles as were realized in most of Latin American countries and during the dissolution of the Soviet Union. Moreover, international donors should support economic development and liberalization that mostly is supposed to help consolidation of democracy. Increase in democracy promotion activities in the post-Soviet era clearly signified both acceptance of victory of democratic and liberal values and attributed itself an obligation to promote universal good by the international community. Democracy promotion activities emerged both as a goal and a tool to make the world a safer place, supply stability and also convenience for a liberal economy, i.e. capital. In addition to the expansion of democracy in increased manner it has began to be accepted not as the monopoly of any particular state but the outcome of a growing demand of peoples in an interdependent global society.⁴¹

To analyze the role of an international player in a country's democratization, the factor's features; its ability, intent, means and mechanism used by it, have to be evaluated. Later on the interaction between international players and domestic dynamics must be studied as another concern. To understand the role of the European Union (EU) in democracy promotion which put democracy promotion as

⁴¹ Heraldo Munoz, "Introduction: The Growing Community of Democracies" in *Democracy Rising: Assessing the Global Challenges*, ed. by Heraldo Munoz, (Colorado: Lynne Rienner Publishers, 2006), p.1

an explicit goal of foreign policy after the end of Cold War⁴², the next chapter will try to deal with democracy promotion policies, and mechanisms of the Union.

⁴² Gorm Rye Olsen, “The European Union. Ad Hoc Policy with a Low Priority” in *Exporting Democracy, Rhetoric Vs. Reality*, ed. by Peter J. Schraeder (Colorado; London: Lynne Rienner Publishers, 2002), p.131.

CHAPTER 3

The EUROPEAN UNION AND DEMOCRACY PROMOTION

The aim of this chapter is to highlight democracy promotion activities of the EU. Among international players a significant role has been assessed of the European Union (EU) in democracy promotion activities with increasing extent during the 1990s which also witnessed important structural evolution within the EU.⁴³ Until the 1990s European countries had engaged in development and democratization of other countries separate from the European Community as an international player, however attempts by European countries and the EU were under the shadow of the Cold War.⁴⁴ This thesis takes the EU separate from its member countries and accepts it as an international player bearing in mind a common EU policy hampered by the divergent interests of its individual member states and also the diversity of the EU decision making organs dependent in the area of policy.

In this chapter, the EU's approach to democracy promotion will be discussed, since the EU has been contributing to the democratization of countries on different levels and extent. To begin with, the legal basis of democracy promotion in EU documents will be pointed out and rationale behind it will to be revealed. Different mechanisms and agenda composition in democracy and development aid programs that are engaged through financial instruments will be viewed. After mentioning the enlargement strategy of the EU, the foreign policy aspect towards the European Neighborhood Policy, the emergence of this new mechanism for the EU will support the content of this thesis. For this work, inclusion of South Caucasus to ENP will be emphasized.

⁴³ Youngs, *The EU and the Promotion of Democracy; Europe's Mediterranean and Asian Policies*, p. 2.

⁴⁴ *Ibid.*

In early the 1990s the EU had excessively referred to “democracy and rule of law” and those values became a significant part of EU policy rhetoric, in addition the EU has built its relations on universal benefits of democratic principles. In this framework, it had used different mechanisms in ‘exporting’ those values depending on the country and region it contacted at various levels. Inevitably, the extent and context of the promotion of democracy had been related to political and economic interests of the EU, as also valid for other players. The EU, first of all, seeks stable countries in its periphery for its security. It is anticipated that promotion of rule of law, good governance, democratic values and also prevention of conflicts will contribute to the zone of stability around EU. In relation to the EU democracy promotion Richard Young argues that:

The EU’s states rationale and approach revealed a new adherence to the view that democracy promotion combined self-interests and ethics, and that political liberalization, economic prosperity, moderation, and strategic stability were to be approached as mutually enhancing objectives. Within a “comprehensive” approach to security, democracy was to be encouraged as the best means of attaining sustainable strategic stability”.⁴⁵

Young’s assessment on rationale behind democracy promotion of the EU clearly highlights a combination of factors. Moreover, although democracy promotion had been highly mentioned in rhetoric, Olsen also argues that; “democracy promotion has been at best an ad hoc policy with a low priority is balanced by the fact that this foreign policy has served an important symbolic function.”⁴⁶

Crucially, despite lack of comprehensive and prior democracy promotion policy, the EU contributed to the democratization of countries with existing instruments. In this context, European policies on democracy promotion have been studied generally within the enlargement context and secondly within democracy and development assistance programmes (includes humanitarian assistance, human rights

⁴⁵ Ibid., pp.195-6.

⁴⁶ Gorm Rye Olsen, “The European Union. Ad Hoc Policy with a Low Priority”, p. 145.

programmes, food and security programmes and technical assistance programmes e.t.c.)

Up to the 1990s, integration of new members to the EU has been regarded as a comprehensive mechanism for expansion of democratic values and democratization of new member states, i.e. membership of Southern Europe. When the EU found herself in a fuzzy international arena with the collapse of communism, it had to transform herself into an international player confronting Central and Eastern European countries in transition which turned their faces to Europe and sought “returning to Europe”.⁴⁷ The EU has felt forced to provide assistance in engaging European values through membership process. Thus enlargement strategy of the EU has been accepted notable dimension of European democracy promotion by using membership conditionality.⁴⁸ The membership process had always been assessed as a special and successful type of democracy promotion initiative, because the EU set out conditionality in accomplishment of reforms in candidate countries and offered membership to the Union as discussed in the previous chapter. Hence, it is regarded that democracy promotion has to be an integral component of enlargement strategy.⁴⁹ However, with the EU’s historic enlargement on 1 May 2004, due to the fact that the EU can not expand endlessly, it had to achieve its outward bound with means other than enlargement. In this regard, the democracy promotion concern of the Union in those new mechanisms that will shape relations with other countries emerges as a focal point. A new policy, European Neighborhood Policy (ENP) that constructs an institutional relationship between the EU and neighboring countries, will be examined in this chapter in order to assess whether it can be used as a comprehensive mechanism for democracy promotion in order to evaluate EU policy in Georgia in the next chapters of this thesis.

⁴⁷ Paul J. Kubicek (ed), *The EU and Democratization: Europe and Nation State*, (London; New York: Routledge, 2003), p.2.

⁴⁸ See further conceptualizing for Central and Eastern Europe, Frank Schimmelfennig, “The EU. Promoting Liberal-Democracy through Membership Conditionality” in *Socializing Democratic Norm: The Role of International Organizations for the Construction of Europe*, ed. by Trine Flockhart, (New York: Pallgrave and Macmillan, 2005), pp.106-26.

⁴⁹ Kubicek, “The European Union and Democracy Promotion” p. 197.

3.1 EU Approaches to Democratization- Development Cooperation

Indispensable from democracy; human rights, rule of law and good governance had been enshrined as a priority in the European Union's rhetoric and documents since 1991. Gordon Crawford points out this increase arguing that; "this emphasis on democratization arose itself out of the overall evolution of an essentially economic Community into a body with political objectives including the advocacy of human rights and democracy."⁵⁰

Declarations at Council Summit Meetings, treaties, and resolutions of the Council of Ministers constitute a legal basis for policy aims of the EU and those prior policies incorporated in agreements bilaterally or unilateral Council Regulations to guide implementation of policy. In June 1991 the Luxemburg Declaration on human rights proclaimed respect for human rights, the rule of law and democratic political institutions as the basis for equitable development, and signaled intent to include human rights clauses in economic and co-operation agreements with third countries.⁵¹ The explicit aim is further evident in the Maastricht Treaty on European Union (TEU) signed in February 1992 and entered into force in November 1993. In the TEU, respect for human rights was made a general principle of the Community law, hence informing all its activities [Article F (2)].⁵² Regarding external relations and the pillar of Common Foreign and Security Policy (CFSP), one of the principal objectives was stated as the development and consolidation of democracy and the rule of law, and of respect for human rights and fundamental freedoms [Article J.1(2)].⁵³ This provided the guidance for the EU which asks for the conditionality principle for member states.

⁵⁰ Gordon Crawford, "European Union Development Co-operation and the Promotion of Democracy" in *Democracy Assistance, International Cooperation for Democratization*, ed. by Peter Burnell, (London, Frank Cass. Publ., 2000), p.91.

⁵¹ http://www.europarl.europa.eu/summits/luxembourg/default_en.htm

⁵² <http://europa.eu.int/en/record/mt/title1.html>

⁵³ <http://europa.eu.int/en/record/mt/title5.html>

Additionally, the TEU provided a legal basis for Community development co-operation for the first time by defining its goals and objectives (Title XVII, Articles 130 u-y), inclusive of the general objective of promoting democracy and human rights as a priority aim (Article 130u, paragraph 2).⁵⁴

The Amsterdam Treaty of October 1997 (amending the TEU and entering into force on 1 May 1999) also introduced a mechanism to sanction serious and persistent breaches of human rights by the EU Member States. This mechanism was further reinforced by the Treaty of Nice, concluded in December 2000. Moreover, the Treaty of Nice stipulated that the objectives of developing and consolidating democracy and the rule of law and of respecting human rights and fundamental freedoms are pursued also in the field of economic, financial and technical cooperation with third countries and regional cooperation is emphasized (Art. 181 bis). As a result, the pursuit of human rights has become a transversal objective of all of the EU's external activities. TEU stipulates that "any European State which respects the principles set out in Article 6 (1) may apply to become a member of the Union". In addition, it is expected from the candidate countries to prove that "they effectively ensure the protection of the human rights of their citizens in compliance with the Copenhagen criteria against which applications for EU membership are assessed"⁵⁵. Fulfillment of the Copenhagen criteria is a precondition for opening accession negotiations.⁵⁶ Therefore, how the EU would constitute its relations with third countries is explained. The interdependence between principles of good governance (i.e. democracy and human right) and regional cooperation is emphasized.

3.1.1 Development Co-operation and Democracy Promotion under the EU External Relations

In order to promote human rights and democratization objectives in external relations, numerous co-operation and assistance programmes like; PHARE (Poland and Hungary Assistance for Restructuring of the Economy), TACIS (Technical

⁵⁴ Crawford, "European Union Development Co-operation and the Promotion of Democracy", pp. 91-2.

⁵⁵ Ibid.

⁵⁶ http://ec.europa.eu/comm/external_relations/human_rights/intro/index.htm#1

Assistance for Commonwealth of Independent States and Mongolia), ALA (Development Cooperation with Asia and Latin America), MEDA (Euro-Mediterranean Partnerships), CARDS (Community Assistance for Reconstruction, Development and Stabilization) in the Western Balkans had been implemented by the EU with third countries on a regional perspective that served this policy. In doing so it uses a specific legal basis, a “human rights clause” that is incorporated in nearly all EU agreements with third countries, as an essential element. On the other hand, assistance on humanitarian issue (ECHO- the European Community Humanitarian Aid Department), by supplying food security (FSP- Food Security Program), conflict resolution and post-conflict rehabilitation (under CFSP-Common Foreign Security Policy) and other economic and technical issues like macro financial assistance (MFA), contributes to the development of countries and the expansion of democracy.

In the context of development co-operation, the Council of Ministers’ Resolution of November 1991 was, and remains the pivotal policy settlement which delineated four political elements as part of a larger set of requirements to achieve sustainable development: human rights, democracy, good governance and decreased military expenditure.⁵⁷ Furthermore, for instance, a notable broadening of any political dimension within development co-operation, previously limited to human rights only, had been supplied in the fourth Lomé Convention which is an aid and trade agreement between the EU and 71 African, Caribbean and Pacific Countries. “High priority” was accorded to “a positive approach that stimulates respect for human rights and encourages democracy” through provision of financial resources, yet with the warning that negative or punitive measures would be taken ‘in the event of grave and persistent human rights violations or the serious interruption of democratic processes”, up to and including suspension of co-operation agreements.⁵⁸

One of the major tools for the EU in democracy promoting activities is the funding provided by the EU to the recipient country. The EU is funding 55% of

⁵⁷ http://ec.europa.eu/comm/external_relations/human_rights/doc/cr28_11_91_en.htm

⁵⁸ Crawford, “European Union Development Co-operation and the Promotion of Democracy”, pp.92-3 See also EU Council of Ministers, resolution of the Council and of the Member States meeting in the Council on Human Rights, Democracy and Development, 28 Nov, 1991Doc no. 10107/91 (Brussels: European Commission).

development assistance in the world.⁵⁹ The Commission's proposal of 13 July 2005 for a new EU Development Policy aims at reducing poverty in line with the Millennium Development Goals and highlights the importance of the promotion of good governance, human rights and democracy.⁶⁰ In this regard, interdependence between good governance, human rights and democracy had been underlined by the EU.

The EU implemented its aid and cooperation programs based on geographical division. These regional programs each with a distinct legal, financial and administrative framework were; African and Caribbean and Pacific (ACP) countries, Asian and Latin American Countries (ALA) countries, Mediterranean and Middle Eastern (MEDA) countries, Central and Eastern European (CEE) countries and New Independent States (NIS).

Development relations with ACP had been established in 1978 and had governed by regularly adapting Lomé Convention with principle of partnership espoused with those countries until 2000. However, major upheavals on the international stage, socio-economic and political changes in the ACP countries, the spreading of poverty, resulting in instability and potential conflict, all highlighted the need for a re-thinking of cooperation. The February 2000 expiration of the Lomé Convention provided an ideal opportunity for a thorough review of the future of ACP-EU relations. Against a background of an intensive public debate, based on a Commission Green paper (1996) and a discussion paper,⁶¹ negotiations started in September 1998 and were successfully concluded in early February 2000. The new ACP-EC agreement was signed on 23 June 2000 in Cotonou, Benin and was concluded for a twenty-year period from March 2000 to February 2020. It is based on five interdependent pillars with the underlying objective of the fight against poverty: an enhanced political dimension, increased participation, a more strategic approach to cooperation focusing on poverty reduction, new economic and trade partnerships and improved financial

⁵⁹ http://ec.europa.eu/comm/external_relations/human_rights/intro/index.htm#1

⁶⁰ http://ec.europa.eu/development/index_en.cfm and <http://weitzenegger.de/new/2005/0705.html#2>

⁶¹ COM (96)570 final of 20 November 1996 "Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century - Challenges and Options for a New Partnership", COM(97)537 final of 29 October 1997 "Guidelines for the Negotiation of New Cooperation Agreements with the African, Caribbean and Pacific countries".

cooperation. Political dimension under this agreement also refers to democratic principles, human rights, rule of law and good governance.⁶²

Despite MEDA having been incepted during the 1970s and 80s with individual cooperation agreements of unlimited duration, with five-yearly financial protocols, a regional strategy had been apparent with the introduction of a “New Mediterranean Policy” in 1990.⁶³ This entailed a significant increase in financial assistance, including a separate fund to support economic reform, but remained without political dimension. A prioritization of relations between the EU and the MEDA countries came with the Barcelona Declaration of November 1995, setting out a new “Euro-Mediterranean Partnership”. This included “Political and Security Partnership” comprising issues of human rights, democracy and good governance as one of the three main elements of partnership. “Barcelona Process” which is an area of vital strategic importance to the European Union, has been identified by both the EU Council and the European Commission as a key external relations priority for the EU.⁶⁴

The TACIS Programme (Technical Assistance for Commonwealth of Independent States and Mongolia) which was launched in 1991 by the European Community, has provided grant-financed technical assistance to 12 countries of Eastern Europe and Central Asia (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan). When TACIS was initiated, technical assistance was a stand-alone activity, whereas the programme has become later part of a complex and evolving relationship with each of the 12 countries concerned.

TACIS had been regarded as a more strategic instrument in the co-operation process between EU and partner countries in Eastern Europe and NIS.⁶⁵ Although EU activities in Georgia under TACIS will be explained in next chapter, it will be apt to

⁶² http://ec.europa.eu/development/Geographical/Cotonou/Cotonou2000_en.cfm#Heading4

⁶³ Crawford, “European Union Development Co-operation and the Promotion of Democracy”, pp. 95-6.

⁶⁴ http://ec.europa.eu/comm/external_relations/med_mideast/intro/index.htm

⁶⁵ http://ec.europa.eu/comm/external_relations/ceeca/tacis/index.htm

overview the content of the program briefly. TACIS programming has largely focused on capacity-building in state institutions. At the national level it proceeds on the basis of a bilateral process whereby the recipient state identifies priorities and projects and the EC then chooses those which it wishes to support for institutional, administrative and legal reform; support for private-sector development; assistance in the development of infrastructure: and support for the development of the rural economy.⁶⁶ The basic framework is strategy papers that are established for a period of five to seven years. Besides being based on the strategy papers, multi-annual indicative programs had been constructed usually for three years, which are drawn up for each country, regional, or multi-country program and contain a description of sectoral and cross-cutting issues, specific objectives and expected results. In addition to that, annual or biennial action programs set out, as precisely as possible, the aims being pursued, the fields of action and the budget provided for a given year. They contain a list of cooperation activities to be financed by the Community.⁶⁷ The TACIS provides probability for regional cooperation also, i.e. nuclear safety, cross-border cooperation and other regional security issues as well as transportation and energy issues like TRACECA (Transit Corridor - Europe-Caucasus-Asia) and INOGATE (Oil and Gas Transportation in Europe).

On the other side, the construction of Partnership and Cooperation Agreements (PCA) with those states, expect Tajikistan and Turkmenistan to provide a new and legal framework for political dialogue. With the inception of PCAs, TACIS programming has focused increasingly on technical assistance in the implementation of these agreements.⁶⁸ PCAs are legal frameworks, based on the respect of democratic principles and human rights, setting out the political, economic and trade relationship between the EU and its partner countries in which the EU commitment for support of democratic and economic transition, the promotion of trade and investment the establishment of framework for legislative, economic, social, financial, scientific, technological and cultural cooperation. Each PCA is a ten-year

⁶⁶ S. Neil Mac Farlane, "The Caucasus and Central Asia: Towards a Non-strategy" in *European Union Foreign and Security Policy: Towards a Neighbourhood Strategy*, ed. by Roland Dannreuther, (London; New York: Routledge Taylor and Francis Group, 2004), p. 128.

⁶⁷ http://ec.europa.eu/comm/external_relations/ceeca/tacis/index.htm

⁶⁸ Mac Farlane, "The Caucasus and Central Asia: Towards a non-strategy", pp. 128-9.

bilateral treaty signed and ratified by the EU and the individual state.⁶⁹ However it is argued that interestingly, PCAs are devoted to facilitate economic exchange at the expense of less emphasis on political and other objectives.⁷⁰ Undeniably, the combination of objectives has also reflected in those agreements; the EU seeks on the one hand, political dialogue and the expansion of democratic and liberal values in partner states, but also economic interests.

It is acknowledged that such regional programmes generally on the one hand support economic development to strengthen internal pressure for political liberalization but on the other functioning to legitimize financial and economic co-operation of the EU with those countries. Under development aid, expenditure patterns by fields of activity had been generally categorized into those that strengthen democratic public authorities in support for consulting the population, strengthening the rule of law, good governance, and into those that strengthening civil society with human rights education, support for vulnerable groups, independent media, local associations and conflict prevention.⁷¹

One of the democracy promotion activities of the EU is election observation. Since, election observation has regarded standard tool in democracy promotion EU had appeared as a player on this issue through Election Observation Missions (EOM). EU originally was not a player in this field. Since, all EU member states participate to the OSCE election observation activities; there has been no reason for the EU to send parallel observer missions in OSCE region.⁷² But in other regions like Africa, the EU launched such activities.

⁶⁹ http://ec.europa.eu/comm/external_relations/ceeca/pca/index.htm

⁷⁰ Mac Farlane, "The Caucasus and Central Asia: Towards a non-strategy", p. 129.

⁷¹ Crawford, "European Union Development Co-operation and the Promotion of Democracy", pp.108-9.

⁷² Michael Meyer Resende, "Exporting Legitimacy: The Record of the EU Election Observation in the Context of the EU Democracy Support", *CEPS Working Document* No: 241/March 2006.

The EU has been most reluctant in conflict resolution, mediation and post-conflict rehabilitation activities unlike its counterparts, OSCE and the UN.⁷³ In consideration of democracy promotion, EU chooses to work in coordination with other international players in some fields. These are namely monitoring elections and conflict resolution.

Through which mechanisms had those activities been financed? The EU used different budget lines for various assistance programs. European Initiative for Democracy and Human Rights (EIDHR) occupies an important place. Established upon the initiative of the European Parliament in 1994, the main aim of the EIDHR is to promote human rights, democracy and conflict prevention in third countries by funding activities pursuing these goals. In 2004, the EIDHR funded projects worth more than 100 million euros in 32 countries around the world.⁷⁴ The projects had been generally submitted by civil society on themes such as torture prevention, support for centers for the rehabilitation of victims of torture, promotion in protection of human rights, strengthening democracy and rule of law, abolition of the death penalty, racism, xenophobia, and the rights of minorities.

3.2 Under the Scope of European Enlargement: Best Examples

There are different contexts and levels of EU democracy promotion; the most intensive one has been regarded as the enlargement policy. In the light of historical perspective, before Eastern-Central European democratizations which had been significantly opened the discussion on international dimension of democratization, Southern European democratizations have been studied for salient contribution of European Community by offering an elaborate structure of economic and social incentives for changes in those countries.⁷⁵

⁷³ See further details Michael Emerson, "Europeanization and Conflict Resolution Testing an Analytical Framework", *CEPS Policy Brief*, No. 59, December 2004.

⁷⁴ http://ec.europa.eu/europeaid/projects/eidhr/eidhr_en.htm#top

⁷⁵ Whitehead, "Democracy by Convergence: Southern Europe" in *The International Dimension of Democratization; Europe and the Americas* ed. by Whitehead (Oxford University Press, 2001), pp.261-284.

In regard to various routes to democratizations Whitehead directs the attention to a central concern (generally external paths had been explained in each case precipitated by conquest abroad in post war western European and Latin American cases). According to Whitehead, international route to democratization via enlargement of a pre-existing democratic community of sovereign states (democratization through convergence) is forceful and he mentions that:

whereas incorporation within an existing democracy leaves virtually no margin discretion to local political forces, the enlargement of a democratic community of states allows each applicant for admission to negotiate over conditions of entry and to set its own time-table that has been taken by Spain, Portugal and Greece.⁷⁶

Fundamental features of the organization; “union for democratic states” has been made explicit by the Bilkelbach Report in 1962 in which a membership bid from the Spain and it is noted that “only states which guarantee truly democratic practices and respect for fundamental rights and freedoms can become members of the Community”.⁷⁷ Southern Europe has assessed the first real example of EC/EU (European Community/European Union) activity in sphere of democracy promotion by providing support to democratic politicians, advancing important economic and political incentives and guarantees to business and propertied classes who might have been worried about the consequences of democratization.⁷⁸ At the end, Greece joined the EC in 1981; Portugal and Spain followed it in 1986.

Actually, the potential role of the European Union has been accepted undeniably in contributing to democratization in Europe, as the prospect of European Community membership was attractive enough to help democrats win against opponents. To highlight the EC’s role for change in Southern Europe, Whitehead describes it as a “powerful catalyst”.⁷⁹ On the other side, in reference to Linz and Stephan and Tsingos’s arguments Kubicek poses that “some would contend the EC’s role was not

⁷⁶ Ibid, p. 266.

⁷⁷ Kubicek, *The EU and Democratization: Europe and Nation State*, p. 8.

⁷⁸ Ibid.

⁷⁹ Whitehead, “Democracy by Convergence: Southern Europe” in *The International Dimension of Democratization: Europe and Americas*, (Oxford: Oxford University Pres, 1996) p. 261.

necessary or decisive and a few have even pointed to problems engendered by EC interference in these transitions.”⁸⁰ However, it seems that EC’s contribution could not be regarded as ignorable and invaluable according to Kubicek as the EC served as a guardrail for states that were already intent upon traveling the road of democratization just like invoking a metaphor.⁸¹

The collapse of communism in Central and Eastern Europe and dissolution of Soviet Union brought the emergence of countries trying to liberalize their economic and political systems and willing to become part of Western world. This supplied a rich opportunity for the EU to promote democratization. Without touching upon the active role taken by European community, Hyde-Price underlines in reference to the *contagion*, that the diffusion of experience through neutral, i.e. non-coercive and often unintentional, channels from one country to other, how western Europe has exerted a powerful and pervasive influence on Eastern Europe by virtue of its political, economic and cultural characteristics as a model for newly liberated neighbors.⁸² In transition and early years of democratization being a crucial model had to be influential in those countries. However, as an organization, in support to those reforms, the EU could offer political support and advice and provide economic aid and cooperation.

There are a lot of mechanisms and programs which had been tried to realize pledges of democracy assistance by the EU. Member states formed the EBRD (European Bank for Reconstruction and Development) in 1989; PHARE (Poland and Hungary Assistance for Restructuring of the Economy) was established in December of the same year for Poland and Hungary; Trade and Cooperation Agreements were signed with post-Communist states.⁸³ In addition to the economic dimension in July 1992, the EC Commission, following an initiative taken by the European Parliament,

⁸⁰ Kubicek, *The EU and Democratization: Europe and Nation State* p.2

⁸¹ Ibid, p.9.

⁸² Adrian G. V. Hyde-Price, “Democratization in Eastern Europe: External Dimension” in *Democratization in Eastern Europe Domestic and International Perspectives*, ed. by Geoffrey Pridham and Tartu Vanhannen, (New York: Routledge,1994), p. 225.

⁸³ Kubicek (ed.), *The EU and Democratization: Europe and Nation State*, p.2

launched a pilot Project called the PHARE Democracy Programme that provided support for 52 projects divided into six broad categories; parliamentary practice, promoting and monitoring human rights, independent media, development of NGOs (Non-governmental organization) and representative structures, local democracy and participation, and education and analysis in countries four Visegrad states, the three Baltic republics, Bulgaria and Romania, Albania and Slovenia.⁸⁴

Due to dramatic changes in the post-Cold War era and the Community's institutional evolution that brought "deepening" and also "widening" process on the agenda, its relations with the East which includes newly liberalizing countries, gained momentum. EU membership is dangled as a strong incentive to encourage political liberalization. But as was explicitly underlined by the community previously in the Bilkelbach Report, this time, in the new era, the EU for membership the 1993 Copenhagen Criteria had established democratic requirements.⁸⁵ The conditionality had been also applied for candidate and potential candidate states. Actually, continuation of the strategy of democracy promotion by the EU is also emphasized which is based on conditionality and the incentive membership, towards the candidate (Croatia and Turkey) and potential candidate (Albania, Bosnia-Herzegovina, FYROM and Serbia, Montenegro) countries.⁸⁶

In this regard, the role of the EU as a promoter of democracy first and foremost through its explicit political conditionality seems to be very powerful. The support of the EU in democratizing countries by putting membership as a goal has been best expressed by the concept of conditionality. Pridham proposes that; "conditionality is achieved by specifying conditions or even pre-conditions for support, involving either promise of material aid or political opportunities" and emphasizes the internal dimension with reference to political monitoring.⁸⁷

⁸⁴ Hyde-Price, "Democratization in Eastern Europe: External Dimension", p.231.

⁸⁵ Kubicek ed), *The EU and Democratization: Europe and Nation State*, p.1.

⁸⁶ Elena Baracani, "From the EMP to the ENP: New European Pressure for Democratization?", *Journal of Contemporary European Research (J CER)*, Volume 1 Issue 7, November 2005, p.54.

⁸⁷ Pridham, "Rethinking Regime Change Theory and the International Dimension of Democratization: Ten Years After in East-Central Europe", p. 69.

The process of inclusion can also be assumed as Europeanization that requires a kind of socialization. Schimmelfennig describes the EU socialization policy more precisely as intergovernmental reinforcement by material rewards.⁸⁸ EU socialization efforts are primarily directed at governments; the EU offers material rewards such as assistance and the benefits from EU membership on the condition that they comply with the norms of liberal –democracy.

European democracy promotion has been explained secondly by gravity model of democratization which is very comprehensive with the conditionality concept and helpful for determining the extent and limits of EU membership.⁸⁹ According to Emerson and Noutcheva, the Theory of Gravity Model is very useful as an explanatory variable with its empirical evidence in Europe especially when transition paradigm has begun to be questioned due to wrong assumptions that caused false expectations and distorted policies of external aid for democratization.⁹⁰

In this regard, for Emerson and Noutcheva, the gravity model is not suggesting the extrapolating European model for the rest of the world, but is to suggest the European gravity model of democratization which can cause fast track democratization. They explain the theory that draws on its cousin theory in economics as:

There are some centres of democratic gravity, meaning some big democracies that area references in the world. Again the EU and US are the examples. The tendency for other states to converge on the democratic model of the centre depends on the reputational quality and attractiveness of that democracy, its geographic and cultural historical proximity, and its openness to the periphery. Openness may be defined first in terms of freedom for the movement of persons as determined by visa and migration rules and, second and more deeply, by the opportunities for political integration of the periphery into the centre. When political integration is in principle possible, the process can

⁸⁸Frank Schimmelfennig, “The EU: Promoting Liberal-Democracy Through Membership Conditionality”, pp.106-26.

⁸⁹ Michael Emerson and Noutcheva, “Europeanization as a Gravity Model of Democratization” *CEPS Working Document*, No: 214/ November 2004.

⁹⁰ Ibid.

become one of the conditionality. When the incentive is one of full political integration, the transitional conditionality can become extremely strong and intrusive, yet still democratically legitimate and therefore acceptable. The frontiers between the external and internal are being broken down, and democracy and full inclusion in the institutions of democratic governance- will be ratified, for example by popular referendum. Beyond such voting mechanisms is the underlying sense of common identity, relying on emotive, historical and cultural fields of gravitational attraction, where to be “joining Europe”, or “rejoining Europe” means something fundamental.⁹¹

Undeniably, today we can talk about numerous states in the field of European gravity some of which have either acceded to the EU or have prospects of doing so, and some of that have been embraced by the European Neighborhood Policy which seeks to extend the logic of Europeanization without prospect of EU accession. Short of enlargement, the logic of integration is applied in the EU’s new Neighborhood Policy, whereby partner countries are offered closer political and economic integration in exchange of political reform, namely democratization.

3.3 Beyond the Scope of Enlargement Process:

3.3.1 European Neighborhood Policy

When the enlargement and membership has reached its peak within the EU, the extent and scope of the EU’s relationship with neighboring countries gained importance. EU has confronted the reality that it has new neighbors, therefore new issues to deal with. Internally, enlargement fatigue of the EU which is reinforced by this enlargement itself, has made the accession of further countries beyond Bulgaria and Romania more difficult.⁹² Absorption capacity has been assessed as a criteria for the enlargement of EU and showed as a reason for abandoning further enlargement. In addition to that, externally, there are other concerns which influenced a determination to push towards a new European perspective and take new initiatives. First, with the acknowledgement of the importance of ‘security in the neighborhood’ has envisioned the creation of a ‘ring of responsibly governed states’ around the EU

⁹¹ Ibid, p. 2.

⁹² Marco Overhaus, “The New Neighborhood Policy of the European Union” , *Foreign Policy in Dialogue*, Volume 6, Issue 19, Trier, Germany, 27 July 2006, p. 3

by the European Security Strategy of December 2003 after the developments of September 11, 2001. Moreover, the colored revolutions in Ukraine and Georgia contributed to the emergence of taking new and comprehensive initiatives.⁹³

Under the European Neighborhood Policy which emerged with such concerns, EU offers Southern Mediterranean, Southern Caucasus, Eastern European countries the integration to a single market, increased financial and technical aid and cross-border cooperation in the exchange of reforms bringing them closer to the Union's political and economic models.

The ENP gathering such widely different regions allows participating countries to interpret the policy in the light of their own preferences. Petr Kratochvil touches upon some of those as; a substitute to enlargement, a pre-enlargement tool, a tool for reinvigoration of the EU-Mediterranean partnership, and an instrument for the creation of an EU zone of influence.⁹⁴ Although, EU explicitly declares that ENP does not offer membership to partner countries, such interpretations derive from vagueness, it includes.

Then, is the new neighborhood policy is a differentiation in foreign policy of the EU, if not a part of enlargement? Since the enlargement sphere which is an extension of EU internal policies and the foreign policy beyond, Emerson and others direct the attention to the overlap of two spheres in practice although the ENP has the possibility of shortcomings. According to them, the EU's official neighborhood policy, which sets democratization as a priority, is subject to ambiguous interpretations, between the EU that claims it is a foreign policy whereas various partner states view it as pre-accession strategy.⁹⁵ Probably, the policies and instruments which had been available before had caused the criticism of the ENP regarding to include some shortcomings. According to Rutger Wissels, the ENP

⁹³ Emerson and Noutchevea, "The Reluctant Debutante: The EU as Promoter of Democracy in its Neighborhood".

⁹⁴ Petr Kratochvil, "The European Neighbourhood Policy: A Clash of Incompatible Interpretations", in *The European Union and Its Neighbourhood: Policies, Problems, Priorities*, Petr Dvorak-Tiskarna Dobris, Prag, 2006, p. 8.

⁹⁵ Emerson, Aydın, Noutchevea, Tocci, Vahl and Youngs, "The Reluctant Debutante: The EU as Promoter of Democracy in its Neighborhood".

offers EU partners countries, “a new kind of relationship, going beyond cooperation to include closer political links and an element of cooperation”.⁹⁶ In relation to the most common criticism, the lack of a membership perspective, Wissels argues that “to focus on what the EU is not offering these countries is neither helpful nor relevant. What is important is what the ENP does offer.”⁹⁷

At this point, Landaburu underlines that “how can the EU encourage prosperity, stability and security in the neighborhood has to be talk about rather than thinking of whether there is an alternative to the enlargement question”.⁹⁸ The enlargement process served a significant mechanism in promotion of democracy; thus, the question comes to mind whether the EU will go on to be a driving force for the democratizations of new neighbors, if so; to what extent will ENP help this? Some argue that the EU has to pursue democracy promotion activities, but often as a “reluctant debutant” given the immature development of it as a foreign policy player due to reason that unlike enlargement the EU’s performance as a foreign policy player is very mixed and they propose that;

The case studies illustrate that how the objective of democracy promotion can be trumped by several other priorities, such as strategic security, energy supply security, strategic diplomacy, conflicting visions for the future of Europe and world views. Here democracy is not often, or so clearly number.⁹⁹

Here it would be apt to overview how the ENP differentiates from the previous policies of the EU, i.e. does it construct an alternative to enlargement? In addition, the framework and instruments of the new policy will be briefly described.

⁹⁶ Rutger Wissels, “The Development of European Neighborhood Policy” in The New Neighborhood Policy of the European Union, *Foreign Policy in Dialogue*, Volume 6, Issue 19, Trier, Germany, 27 July 2006, pp. 7-17.

⁹⁷ Ibid.

⁹⁸ Eneko Landaburu, “From Neighborhood to Integration Policy, Are There Concrete Alternatives to Enlargement?”, *CEPS Policy Brief*, No.95 March 2006, p.1.

⁹⁹ Michael Emerson, Senem Aydın, Gergana Noutchevea, Nathalie Tocci, Marius Vahl and Richard Youngs, “The Reluctant Debutante: The EU as Promoter of Democracy in its Neighborhood”, *CEPS Working Document* No. 223/July 2005. p. ii.

In order to provide a framework of new relations with countries of Eastern Europe and the Southern Mediterranean, the European Commission had initiated the ENP Policy. However the wider Europe concern origins back to early 2002, when the UK in particular pushed for a substantive initiative to be aimed at Belarus, Moldova, Russia and Ukraine but not the south-east European countries or the more distant western former Soviet republics.¹⁰⁰ On 12 May 2004 the Commission presented an ENP Strategy Paper and seven Country Reports. According to the Strategy Paper, the ENP has two main objectives: “strengthening stability, security and well-being for EU member states and neighboring countries, and preventing the emergence of new dividing lines between the enlarged Union and its neighbors”.¹⁰¹ These goals are in accordance with those of European Security Strategy endorsed by the European Council of December 2003.¹⁰² Therefore, it can be noted that the ENP has been constructed not to serve democracy promotion, it is a foreign policy tool to ensure stability and security and prosperity around the Union. Democracy, rule of law and good governance are principles to support for the stability of those counties.

The ENP does not offer membership in to the EU for partners. Neighboring countries are offered reinforced relations through the possibility of participation in various EU activities, and through greater political, security, economic and cultural co-operation.¹⁰³ On the other hand, in the long term, the EU will offer neighboring countries a closer relationship, “going beyond co-operation to involve a significant measure of economic and political integration”.¹⁰⁴ Elena Baracani mentions that in exchange for the above mentioned offer, the commitment of the neighbors will be asked for by the EU on common values that are democracy rule of law, respect for

¹⁰⁰ Karen E. Smith, “The Outsiders: the European Neighborhood Policy”, *International Affairs*, Issue. 81, No. 4, 2005, p.759.

¹⁰¹ European Neighborhood Policy Strategy Paper, Brussels, 12.05.2004, COM(2004) 373 Final

¹⁰² Fulvio Attina and Rosa Rossi (eds.), *European Neighborhood Policy: Political, Economic and Social Issues*, Jean Monnet Centre of Political Studies, Heading A-3022, University of Catania, 2004.

¹⁰³ Elena Baracani, “From EMP to the ENP: A New European Pressure for Democratization? The Case of Morocco”, Working Paper presented at the conference “The Europeanization and Democratization: the Southern European Experience and the Perspective for New Member States of the Enlarged Europe” held at the University of Florence 16th-17th June 2005 The Center for the Study of European Politics and Society” (<http://hsf.bgu.ac.il/europe/uploadDocs/csepspeb.pdf>)

¹⁰⁴ European Commission, 2004 a: 3 and 5.

human rights, including minority rights, promotion of good neighborly relations, and the principles of market economy and sustainable development. Commitments will also be sought regarding certain essential aspects of the EU's external action, in particular, the fight against terrorism and the proliferation of weapons of mass destruction, as well as abidance by international law and efforts to achieve conflict resolution.¹⁰⁵

Action Plans (AP) are the main instruments to realize the ENP and they appear to be political documents which provides an agenda in general to determine a framework of relationship on which parties will contact for democratization of a country. Concerning the drafting Action Plans two principles guide the policy. The 'joint ownership' refers to the priorities which will be defined together with partner countries, and will thus vary from country to country. Secondly differentiation refers to the fact that priorities will reflect the existing state of relations with each country and its needs and capacities.¹⁰⁶ As mentioned they are political documents, they cover firstly commitments to specific actions, which confirm or reinforce adherence to shared values and to certain objectives in the areas of foreign security policy. The second area, Action Plans cover commitments to actions which will bring partner countries closer to the EU in a number of priority fields. These priorities for action constitute benchmarks, which according to Baracani should then be monitored in the bodies established by the Partnership and Cooperation Agreements, and the Commission should report periodically on the progress accomplished.¹⁰⁷

Action Plans which aims to be tailor-made, based on the country's needs and capacities, as well as their and the EU's interests, jointly define an agenda of political and economic reforms by means of short and medium-term (3-5 years) priorities cover a large extent political dialogue and reform, economic and social cooperation and development, trade-related issues and market and regulatory reform, cooperation in justice and home affairs, sectors (such as transport, energy, information society,

¹⁰⁵ Elena Baracani, "From the EMP to the ENP: New European Pressure for Democratization?", *Journal of Contemporary European Research (JCER)*, Volume 1 Issue 7, November 2005, pp.54-66.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

environment, research and development) and a human dimension (people-to-people contacts, civil society, education, public health ...). The incentives on offer, in return for progress on relevant reforms, are greater integration into European programmes and networks, increased assistance and enhanced market access.

Seven of the ENP Action Plans are already being implemented – with Israel, Jordan, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine – with implementation of those with Armenia, Azerbaijan, Georgia beginning, to be followed shortly by the AP with Lebanon and by that with Egypt once it is adopted.¹⁰⁸ Action Plan generally includes “partnership perspective”, “priority for action”, “general objectives and actions” sections that complement priority arena.

It is aimed that the implementation of the mutual commitments and objectives contained in the Action Plans will be regularly monitored through sub-committees with each country, dealing with those sectors or issues through periodical progress reports. On 4 December 2006, the Commission issued its first periodic reports on progress for Ukraine, Moldova, Israel, Jordan, Palestinian Authority, Tunisia and Morocco.¹⁰⁹

Crucially, previously launched relationships between countries which are now subject to the ENP construct the basis for the ENP. ENP supplements, even though it does not replace, other frameworks of relations like, EMP, PCAs and TACIS. Thus, PCAs and Euro-Mediterranean agreements remain the legal basis for bilateral relations.¹¹⁰ As mentioned before in implementation of its external policy the EU has launched various programs. Until 31 December 2006, EC assistance to the countries of the ENP has been provided under geographical programmes including TACIS and MEDA, as well as thematic programmes such as EIDHR (European Initiative for Democracy and Human Rights). For the budgetary period (2000-2006), the funds available were approximately €5.3 billion for MEDA and €3.1 billion for TACIS, as

¹⁰⁸ http://ec.europa.eu/world/enp/documents_en.htm#4

¹⁰⁹ http://ec.europa.eu/world/enp/documents_en.htm#4

¹¹⁰ Smith, “The Outsiders: the European Neighborhood Policy, International Affairs”, p.763.

well as approximately €2 billion in European Investment Bank lending for MEDA beneficiary countries and €500 million for TACIS beneficiary countries.¹¹¹ With the inception of the ENP, from 1 January 2007 onwards, it is aimed that as part of the reform of EC assistance instruments, the MEDA and TACIS and various other programmes will be replaced by a single instrument – the European Neighbourhood and Partnership Instrument (ENPI) which will be a much more flexible and policy-driven. Sustainable development and approximation to EU policies and standards through supporting the agreed priorities in the ENP Action Plans are main targets. For the next budgetary period (2007-2013), approximately €12 billion in EC funding will be available to support these partners' reforms, an increase of 32% in real terms. Targeted expert assistance (Technical Assistance and Information Exchange – TAIEX), long-term twinning arrangements with EU Member States' administrations – national, regional or local – and participation in relevant Community programmes and agencies will be used for those states.¹¹²

Concerning the success and future of the ENP, the optimistic picture has been grounded on the ENP's expected ability to reinvigorate the Barcelona process, policy's stress on the conditionality which supplements the reliance on voluntary socialization alone and also on the hope that, sooner or later countries longing for membership will acquiesce to non-membership perspective if the policy's incentives are attractive enough.¹¹³

On the other hand, the critique of the ENP generally reasoned on the incentives offered by the EU. First and foremost, as mentioned before, the lack of membership worsens the success of the policy in comparison with the enlargement policy. Heather Grabbe argues that in the lack of membership, the EU has to offer stronger incentives to the neighboring countries in order to help stability, security and prosperity of those countries, while mentioning that “the draft action plans suggest that the EU will be vague on many of key areas that neighboring countries are really

¹¹¹ http://ec.europa.eu/world/enp/funding_en.htm

¹¹² Ibid.

¹¹³ Petr Kratochvil, “The European Neighborhood Policy: A Clash of Incompatible Interpretations”, p. 13.

interested in-such as easier access to visa.”¹¹⁴ Launching a dialogue as mentioned in the documents is too vague for the partner countries. In order to achieve specific improvements, with clear conditions and benchmarks to measure progress, specific and satisfactory rewards have to be offered for the success of the policy.

With regard to taking a stake in internal market, the unitarily adoption of the EU *acquis communautaire* which has been proposed by the Commission seems to be an insignificant inducement. Since this body of laws and policies was designated for advanced, industrialized economies as mentioned by Grabbe¹¹⁵, such an incentive loses its credibility if it is not implemented by the partner country.

The other most important incentive, ‘financial aid’ has been questioned due to the inadequacy of the committed budget grant funds for the period of 2007-2013 under the ENPI. The limited amount of funds for a wide region, which can be attributed to budget constraints, weakens one of the strong incentives of the EU and creates limitations for the success of the ENP.¹¹⁶

The European Commission mentions that under ENP, relations of the Union with partner countries will be based on the Joint Ownership and Partnership. However, the success of the ENP mechanism in realizing this objective is questioned concerning the priorities in Action Plans. Do they reflect both the Union’s and partner country’s interests? This is an important aspect but we have to bear in mind that Action Plans are political documents and the consequence reflects the negotiated concerns.

Since one of the principle concepts of ENP was differentiation, some argue that privileging bilateralism over regionalism constitutes a constraint for the policy. Certainly, for a long time, EC/EU has constructed its relationships along regional dimensions. However, as far as the new neighborhood policy is concerned, a crucial

¹¹⁴ Heather Grabbe, “How the EU Should Help Its Neighbours?”, Centre for European Reform Policy Brief, June-2004, p.1.

¹¹⁵ Ibid, p. 5.

¹¹⁶ Şimsek, Duran, *The European Neighborhood Policy: An Assertive Initiative with Insufficient Means by the European Union*, Master Thesis Submitted to the Graduate School of Social Sciences of METU-Ankara, 2006, p. 57.

distinction has emerged in issuing a wide range of countries on the same policy line. Marise Cremona puts forward that:

The ENP is thus an attempt to fuse together policy towards a number of regions hitherto separately treated, creating what the European Parliament has called, rather desperately, “a complex geopolitical area stretching from Russia to Morocco, which for historical and cultural reasons and the fact of its geopolitical proximity, may be defined as a ‘pan-European and Mediterranean region.’¹¹⁷

Putting such a wide region under the same umbrella allows the rise of some contradictions and limitations. Moreover, the ENP aims to support regional structures and good neighborhoods without constructing a new regional mechanism. The bilateral dimension of the ENP creates a challenge for the success of the policy in achieving both at the same time.

Under the ENP, the privileged relationship with partner countries had been conditioned by the commitments towards promoting “shared values” and undertaking objectives of the Common Foreign and Security Policy. The shared values include democracy, human rights, good governance, rule of law; the certain measures of security in fighting against terrorism, prevention of conflicts and the solution of crisis and the prevention of proliferation of weapons of mass destruction. On the other hand, in the framework of the ENP, priorities of Action Plans constitute clear benchmarks for monitoring and assessing progress in reforms undertaken by partner countries. While regarding conditionality as an important aspect of the ENP, it is argued that EU does not explicitly set the conditions and does not make incentives clarified, consistent and credible.¹¹⁸

To conclude, the ENP carries some limitations and challenges in achieving its aspirations, deriving from content and structure of the policy. In terms of democracy promotion in the context of ENP, Frank Schimmelfenning clearly points out that;

¹¹⁷ Marise Cremona, “The European Neighborhood Policy: Legal and Institutional Issues”, Center on Democracy Development and Rule of Law, Stanford Institute for International Studies- CDDRL Working Papers, Number 25, 2 November 2004, p.4.

¹¹⁸ Michael Emerson and Gergana Noutcheva, “ From Barcelona Process to Neighborhood Policy: Assesment and Open Issues”, *CEPS Working Document*, No.220/March 2005, pp. 14-5.

...whereas the promotion of democracy and human rights through political conditionality as envisioned in the ENP program documents has had a long tradition in EU external governance, the prospects for its success in ENP are bad. First, in the absence of a membership perspective for the ENP countries, political conditionality lacks the major external incentives that could motivate target states to change domestic institutions and policies. What is more, outside of the accession context, political conditionality is likely to be compromised by other goals of EU external governance. Finally, given that the EU mainly deals with authoritarian and autocratic regimes in ENP, the domestic power costs that they would incur by complying with EU standards are likely to outweigh any incentives the EU might have to offer them.¹¹⁹

As a new policy, some risks deriving from its limitations in comparison to previous EU mechanism, enlargement, from which it has been inspired seems to be inevitable. Thus, the success of the ENP in achieving consolidation democracy and liberalization of a neighboring country will largely depend on both the ability of the EU in putting strong incentives and the intent of the partner country in fulfilling its commitments.

3.3.2 The ENP and South Caucasus

Since the EU has declared its intention of extending the zone of security around the Union and fostering stability and good governance in its neighborhood, after the greatest enlargement of the Union, the South Caucasus became part of that neighborhood. Three Caucasian states which intended to westernize through launching market reforms and starting institutionalization of democracy and rule of law, had attracted attention in becoming a major energy supplier and transit zone for the European market. Crucially, the South Caucasus constitutes an important region if not vital for the EU due to the Caspian Sea energy resources' possible effect of decreasing dependency on the Persian Gulf and Russian resources. In addition to economic and energy issues, Mac Farlane underlines two other reasons for the interest of the EU in the region; "weak state spillovers" and "European values". Flow

119 Frank Schimmelfening, "European Neighbourhood Policy: Political Conditionality and Its Impact on Democracy in Non-Candidate Neighbouring Countries", Paper Presented for the EUSA 9th Biennial International Conference, Austin, March 31-April 2005, p. 31.

of economic migrants and transnational crime activities that flourish with incapacity or lack of will of states to control territories and enforce their laws, illegal activities like money laundry, involvement of militant of global terrorism in the region and also frozen conflicts influence European security concerns and forces the EU to engage in the problems of the region.¹²⁰ The normative one pointed out by Mac Farlane is “the EU’s conception of itself to be wedded to the promotion of liberal values”.¹²¹

Up to the inclusion of the South Caucasus into the ENP, EU assisted the region with various mechanisms and conducted its relations within different programs on humanitarian, development, post-conflict rehabilitation, border control and technical and economic assistance through ECHO, TACIS, and TRACECA. Until 1999 EU supported the region in relation to the economic and technical aid, however took a backseat in issues related to the solution of regional security problems.

Georgia among other Southern Caucasian countries was the only one which received humanitarian assistance from the ECHO in Samegrelo and Abkhazia Directorate General EI observed the food, shelter and other health needs, in addition to food security Directorate General the ECHO supported the rehabilitation of a number of collective centres for IDPs and of five schools in Tbilisi, as well as to a mother-and-child health programme in Samegrelo. On the other hand, ECHO annual report of 2004 announced no funding to Armenia and Azerbaijan but declared that Directorate General ECHO has continued to monitor the situation, in particular consultation with UNHCR (The UN Refugee Agency) and WFP (World Food Programme).¹²²

In the wake of the Rome Summit in 1990, the EU launched the TACIS programme to sustain the economic reform and development process in the CIS (Commonwealth of Independent States) countries and to support integration of those countries to the world economy. This initial step had been furthered after the summits held in Luxemburg on 28-29 June 1991, 9-10 December 1991 in Maastricht, and 25-27 June

¹²⁰ S. Neil Mac Farlane, “The Caucasus and Central Asia: Towards a non-strategy”, p.125.

¹²¹ Ibid. p. 126.

¹²² Commission Staff Working Document, Annex to the ECHO Annual Report 2004,Brussel SEC(204)1481 http://ec.europa.eu/echo/pdf_files/annual_report/2004/annex_en.pdf

1992 in Lisbon with putting more emphasis on the development of relations.¹²³ “Partnership and Cooperation Agreements” concluded in Luxemburg in 1999 had been a breakthrough in the policy of EU towards South Caucasus. While instituting a legal basis for the relationship with the EU, these agreements provided economic, social, financial, industrial and cultural cooperation and promoted activities of joint interest. Besides, political dialogue and cultural cooperation issue began to be of concern in addition to issues related to trade and economy.

In the table below, the EU assistance in Southern Caucasus is listed between years 1991 to 2006.

¹²³ Yelda Demirağ, “EU Policy towards South Caucasus and Turkey”, *Perceptions*, Winter 2004-2005, pp. 91-105.

TABLE 1- EU Grants to the South Caucasus¹²⁴

	Armenia	Azerbaijan	Georgia
Total Avro m. in years	(1991-2006)	(1992-2006)	1992-2003
TACIS National Allocations	98.90	116.50	84
Rehabilitation in Conflict Zones			27.50
Nuclear Safety TACIS	29.00		
Exceptional Assistance TACIS		30.00	
ECHO	68.79	82.67	94.25
FEOGA Food Aid	50.20	65.65	62.55
Food Security	102.30	107.00*	59.25
Rehabilitation		18.374	
Exceptional Financial Assistance	35.70		25
Exceptional Humanitarian Aid		9.5	6
Aid to Mitigate Effects of Russian Crisis	1.5		4
CFSP Assistance to Border Guards			27.5
CFSP			1.60
RRM (Rapid Reaction Mechanism)			2.00
EIDHR			5.55
Total	386.39	399.674	369.43

***potential allocation included**

¹²⁴ Sources: Georgia, Country Strategy Paper 2003-2006 and TACIS National Indicative Programme 2004-2006 and http://ec.europa.eu/comm/external_relations/georgia/intro/index.htm, http://ec.europa.eu/comm/external_relations/armenia/intro/index.htm, http://ec.europa.eu/comm/external_relations/azerbaidjan/intro/index.htm

In a regional cooperation context those countries also benefit from TRACECA and INOGATE programs. The technical support to be provided within the Programme was also sustained by the IMF, the EBDR and the World Bank.¹²⁵ The TRACECA programme which was launched at a conference in Brussels in May 1993 which brought together trade and transport ministers from the original eight TRACECA countries (five Central Asian republics and three Caucasian republics), where it was agreed to implement a programme of European Union (EU) funded technical assistance to develop a transport corridor on a west - east axis from Europe, across the Black Sea, through the Caucasus and the Caspian Sea to Central Asia.(Well known silk-road). TRACECA Total budget is 110.005.000€: 57.705.000€ for Technical assistance projects and 52.300.000€ for the rehabilitation of infrastructure.¹²⁶

From 1996 to 200 TRACECA membership expanded as: Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan, Ukraine, Mongolia, Moldova, Bulgaria, Romania, and Turkey. Afghanistan and Iran are candidate countries. Negotiations are underway with China and Greece. TRACECA agreement was signed in Baku on September 8, 1998, and was ratified by the national parliaments of the member states which aim to put the obligation on the Member States to devote all efforts in order to create TRACECA National Commissions and provide the presence of the National Secretaries at TRACECA permanent Secretariat in Baku.¹²⁷

The other regional project, INOGATE was launched by the EU in 1996 with objectives to supply rehabilitation, rationalization and modernization of the oil, oil products and gas regional systems; assessment of the possibility of alternative routes for the transportation of hydrocarbons from the Caspian Sea and Central Asia region to the European and Western Markets. Within the framework of the INOGATE project EU allocated € 91 million grant in 1991-2005 for the Member States: Albania, Armenia, Azerbaijan, Byelorussia, Bulgaria, Croatia, Georgia, Greece,

¹²⁵ Demirağ, "EU Policy towards South Caucasus and Turkey"

¹²⁶ www.traceca-org.org

¹²⁷ Ibid.

Kazakhstan, Slovakia, Kyrgyzstan, Turkey, Latvia, Tajikstan, Moldova, Rumania, Serbia and Montenegro, Turkmenistan, Ukraine Uzbekistan. Security of the key oil transit infrastructure between the Eastern Europe and the Caucasus project is being implemented within the framework of the TACIS regional cooperation programme.¹²⁸

As regards conflict resolution, the EU has avoided active involvement and has launched limited programmes supporting process led by other organizations- the UN in Abkhazia and the Organization for Security and Cooperation in Europe (OSCE) in South Ossetia and Nagorno-Karabagh.¹²⁹ In this context, some find the EU in the Caucasus as a bit player compared to Russia and other major powers such as the US, other international organizations, other states and the private sector, and underlined that; “if by strategy we mean a coherent relationship between ends and means, there is no EU strategy in the Caucasus and Central Asia.”¹³⁰ With bearing in mind the EU’s evolution revealed as ‘enlargement fatigue’ and also its existing close relations with Southern partners’ due to historical ties, current EU activities in the Southern Caucasus region would make such an assessment in some sense valid. Moreover, Michael Emerson underlines the lack of a developed political, let alone conflict resolution, agenda for the region apart from the attempted exporting certain economic and political models in Western engagement in the region.¹³¹ However the increasing interest of the EU in the region signaled a change, if not difficult to talk about, a real strategy, and has brought a new policy towards the region.

The EU’s decision to play a ‘more active political role’ in the region had been proven by the appointment a Special Representative on 7 July 2003. It is aimed that the Special Representative will contribute to the implementation of the EU’s policy objectives. Those policy objectives are generally on both bilateral and regional basis

¹²⁸ www.inogate.org

¹²⁹ MacFarlane, “The Caucasus and Central Asia: Towards a non-strategy”, p. 130.

¹³⁰ Ibid. p.132.

¹³¹ In the Document of the Conference at the Henrich-Böll-Foundation: “The South Caucasus-A Challenge for Europe?”, Berlin, May 8-9,2003, p. 19 (<http://www.deutsch-armenische-gesellschaft.de/dag/rbkkboell.pdf>)

such as assisting the countries in carrying out political and economic reforms, preventing and assisting in the resolution of conflicts, promoting the return of refugees and internally displaced persons, engaging constructively with key national actors neighboring the region and supporting intra-regional co-operation. The Special Representative is the person who will be in charge of ensuring co-ordination, consistency and effectiveness of the EU actions in the South Caucasus.¹³² The mandate of the Special Representative had been revised and extended for a 12-month period by appointment of Peter Semneby on 20 February 2006.¹³³ In the Council's Joint Action papers, it is stressed that the European Union Special Representative's (EUSR) mandate should be based on the policy objectives of the EU in the Caucasus. Those objectives had been listed as:

...to assist Armenia, Azerbaijan and Georgia in carrying out political and economic reforms, notably in the fields of rule of law, democratization, human rights, good governance, development and poverty reduction; in accordance with existing mechanisms, to prevent conflicts in the region, to contribute to the peaceful settlement of conflicts, including though promoting the return of refugees and internationally displaced persons; to engage constructively with main interested actors concerning the region; to encourage and to support cooperation between States of the region, in particular between the States of the South Caucasus, including economic, energy and transport issues; to enhance the effectiveness and visibility of the European Union in the region...¹³⁴

As mentioned above, while the enlargement had reached a peak point, in March 2003, the European Commission produced a policy document on the Wider Europe in which the concept referred to countries on the EU's sea and land borders and Southern Mediterranean. The Southern Caucasus had been explicitly excluded from the enhanced relations policy. In the footnote of the document, it is stated that "the South Caucasus, given its geographical location falls outside the scope of the

¹³² http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=442&lang=en For Joint Action Documents;(Joint Action 2003/496/CFSP,OJ L 169, 8.7.2003, Joint Action 2003/872/CFSP, OJ L 326, 13.12.2003, Joint Action 2004/532/CFSP, OJ L 234, 3.7.2004, Joint Action 2005/100/CFSP, OJ L 31, 4.2.2005.

¹³³ Joint Action 2006/121/CFSP, OJ L 49 of 21.2.2006

¹³⁴ Ibid.

initiative for the time being”.¹³⁵ Thus, according to Coppieters it is anticipated that the appointed Special Representative will therefore, have to seek to consolidate the current form of integration of South Caucasus into European structures, through the OSCE and the Council of Europe and in cooperation with the European Union through the existing Partnership and Cooperation Agreements.¹³⁶ Various scholars recommended that the EU has a certain degree of responsibility for the destiny of the region, thus it has to develop its relations and be more active especially in conflict resolution or post-conflict rehabilitation in the region which are assumed basic challenges to the development and stability, of democratization.¹³⁷

The exclusion of the South Caucasus from this new mechanism did not take long the EU changed its mind when the European Security Strategy was adopted in December 2003 in which it is stated that:

It is not in our interest that enlargement should create new dividing lines in Europe. We need to extend the benefits of economic and political cooperation to our neighbors in the East while tackling political problems there. We should now take a stronger and more active interest in the problems of the South Caucasus which will in due course also be a neighboring region.¹³⁸

In this regard, the ENP became a comprehensive policy, by which for the first time the EU took its place in dealing with the Caucasus region with stability, security and prosperity seeking concerns. Although including few gaps and contradictions in the Action Plans like imbalances and ambiguity in the implementation, the ENP has a potential to promote realization of reforms owing to the value of the process of integration itself, despite the lack of prospect of membership. South Caucasian countries’ strong aspiration in integration to European structure and the EU’s intent would be a main trigger of the process. Moreover, it can be anticipated that ENP

¹³⁵ Ibid. See also Dov Lynch, “Why Georgia Matters?” Chaillot Papers, No 86, Institute for Security Studies, February 2006 (<http://www.iss-eu.org/chaillot/chai86.pdf>)

¹³⁶ Bruno Coppieters, “An EU Special Representative to a new Periphery” in *The South Caucasus: a Challenge for the EU*, EU Institute for Security Studies, *Chaillot Paper* No: 65 December 2003, p. 168.

¹³⁷ Dov Lynch, “The EU: Towards a Strategy”, pp-171-6.

¹³⁸ European Commission “A Secure Europe in a Better World: European Security Strategy”, Brussels, 12 December 2003, p.8 available at <http://ue.eu.int/uedocs/cmsupload/78367.pdf>

which is constructed on immediate experiences in the region, takes in to consideration misleading of previous programs, policies which are pointed out by some as; too much concentration on humanitarian areas, ignoring civil society, too much dealing with government and low-profile activities under TACIS programmes.¹³⁹

However, on the other side of the coin, peculiarities of the South Caucasus region challenge the ability of the EU's engagement under this new policy in response to high expectations from the countries. In fact, the frozen conflicts and security concerns in the region raises a challenge. Although the success of the EU's engagement is conditioned by more active involvement in conflict prevention and resolution in which the EU feels weaker in comparison to post-conflict reconciliation and peace building, the EU seems reluctant to incorporate more tools for conflict resolution and to accept more security commitments compensating for Russian influence.¹⁴⁰ In this respect, the EU is expected to display engagement in the security concerns of the region. This is a significant example of the risk that the ENP generates "expectation-capability" gap.¹⁴¹ The ENP is a positive step forward in the region reflecting the increasing interest of the EU. Despite the lack of membership which is concretely pronounced by the Georgian politicians, the ENP has a potential to trigger consolidation of democracy through assisting reforms in the region without touching upon strong incentives like security concerns.

3.4 Conclusion

In the decade following the end of communism with the triumph of liberalism and democratization, enlargement conveniently served the EU's soft power to leverage the kinds of reforms that would realize the EU's aim to expand a zone of prosperity, stability and security beyond its borders. In the European continent this policy had

¹³⁹ Leila Alieva, "EU and Southern Caucasus" Bertelsmann Group for Policy Research, Center for Applied Policy (CAP) Research Discussion Paper, December, 2006, p. 17.

¹⁴⁰ Vít Štěpánek, "The South Caucasus: A Challenge for the ENP", in *The European Union and Its Neighbourhood: Policies, Problems, Priorities*, Petr Dvorak-Tiskarna Dobris, Prag, 2006, pp. 59-76.

¹⁴¹ Sevilay Kahraman, "The European Neighborhood Policy: The European Union's New Engagements Towards Wider Europe", *Perceptions*, Winter 2005, p.1.

enormous contributions for peace and prosperity thereby consolidating democracy in newly liberalizing countries in the European continent and likewise in its southern enlargement. This had been regarded as a successful example of democracy promotion despite that it was not a prior aim. Beyond the enlargement, the EU also launched various programmes supporting democratic values in different geographies of the world in the context of development aid. In this area, the EU had been a notable provider of aid.

However, when the EU and also countries seeking membership faced with the reality that the EU cannot expand infinitum, different foreign policy tools had been tried to be developed to construct cooperation with new European neighbors. The ENP emerges as an alternative to enlargement and also supplements the present frameworks of relation the EU constructed, like EMP, PCAs and TACIS. How the ENP will response to the needs of the EU and partner states is debatable. Some argue that the ENP requires much of the neighbors, and offers only vague incentives in return and points out that “the hovering ghost of enlargement will not vanish if all but institutions proves to be meaningless and fostering reform-much less conflict resolution-will be an uphill struggle”.¹⁴² The member states will need to be more serious about setting clear benchmarks and offering concrete incentives if the ENP is to meet its core objectives. Furthermore, Eneko Landaburu clarifies the real priorities of the ENP:

ENP is our newest foreign policy tool. The ENP is a virtuous circle, a policy based on shared value and enlightened self –interest; by increasing our neighbor’s prosperity, stability and security, by projecting our prosperity, stability and security beyond our borders, we increase our own.¹⁴³

To sum up, the ENP emerges as a foreign policy tool to construct stability and security in the Union’s neighborhood. Democracy again has been set out by the Union as a condition to the implementation of policy and places in all papers as rhetoric. But in practice it serves to ensure stability and security rather than being the

¹⁴² Smith, “The Outsiders: the European Neighborhood Policy”, p.772.

¹⁴³ Eneko Landaburu, “From Neighbourhood to Integration Policy; Are There Concrete Alternatives to Enlargement?”, *CEPS Policy Brief*, No.95 March 2006, p.1.

main aim. The next chapters will try to find to what extent the ENP can be beneficial for democratization of a country. As a case study; the role of the EU in democratization process in Georgia will try to complement this dimension.

CHAPTER 4

DEMOCRATIZATION PROCESS OF GEORGIA: INTERACTION OF INTERNAL AND EXTERNAL FACTORS

The first two chapters tried to examine the relationship between democratization and international factors and also the role of the EU in democracy promotion. Since democratization is mainly a process which develops in internal conditions, this chapter aims at examining the democratization process of Georgia with reference to the interaction between internal and external factors. Among post-Soviet countries Georgia has been assessed as a façade democracy.¹⁴⁴ In the last decade it has shown some failures in state and nation building that have been correlated to democratization process.¹⁴⁵ This chapter deals with the steps for democratization since independence of the Republic in 1991. Georgia similar to other post-Soviet countries aimed at forming a “democratic nation-state with a functioning market economy” taking democratic European countries as model. On the agenda was the democratic institutionalization which requires either parliamentary or presidential political system, a functioning multiparty system and free and fair elections.

However, it is argued that failure in achieving stability, law and order, supplying welfare and development; and a high corruption rate which reduces state revenue and scope all affected the governance of the state and hampered the democratization process of Georgia.¹⁴⁶ Moreover the internal conflicts that had erupted in the first years of independence in Abkhazia and South Ossetia have been regarded as obstacles

¹⁴⁴ Jaba Devdariani, “Georgia: Rise and Fall of the Façade Democracy”, *Demokratizatsiya*, Winter 2004, pp.79-115.

¹⁴⁵ Monica Duffy Toft, “Multinationality, Regional Institutions, State-Building and the Failed Transition in Georgia”, *Regional and Federal Studies* 11.3, Autumn 2001, pp. 123-42.

¹⁴⁶ Martina Huber, “State Building in Georgia, Unfinished and at Risk”, *Clingendael Institute (Netherlands Institute for International Relations), Occasional Papers*, February-2004 February-2004. http://www.clingendael.nl/cru/pdf/2004_occasional_papers/Georgia.pdf

to the function of the state the territorial and integrity of the country.¹⁴⁷ In addition to that, legitimacy problems of the Georgian state and its leaders that can be measured firstly by the extent of compliance with the “basic political laws” and imposition of them (legal legitimacy) and secondly by the support of the population (political and economic legitimacy) have been underlined by Huber.¹⁴⁸ It seems that politically and socially fragmentation of society has been inevitable. Zhavia Gamsakhurdia, first elected president of the country, had been thrown out by a military coup; Eduard Shevardnadze had been seen to compromise with the groups in the country and more or less gained legitimacy for nearly a decade. But Shevardnadze’s strategy of continuation of stability and political alliances had not worked in the end. The “Rose Revolution” is the main example of this failure. The unsatisfied political elite around Shevardnadze, led by Mikhail Saakashvili, forced him to resign after the problematic elections in November 2003 by gaining public support and making them turn against Shevardnadze.¹⁴⁹ The consolidation of Georgian identity is challenging Georgia. Some of the non-ethnic Georgian population, nearly %30 of the total does not have Georgian citizenship due to discriminatory regulations, Russian visas and citizenship.¹⁵⁰ Another challenge Georgia faces is that economic assets have been under the control of clan structures and corruption reduces the state revenue and scope of redistribution. The ethnic conflicts and civil war had reduced the economic recovery of Georgia.¹⁵¹ It is difficult for central authority to take taxes regularly. Due to other serious factors the central government has been unable to provide welfare and economic development for its citizens.

The legacy of prior regime, socio-economic structure that manifests itself in clan structure, emergence and existence of paramilitary forces, corruption, economic

¹⁴⁷ David Darchiashvili, “Georgian Security, Problems and Policies”, in *The South Caucasus , a Challenge for the EU*, ed. by Dov Lynch Dov , The Institute for Security Studies, Chaillot Papers, December 2003, pp.107-126. and Ülkü Öztürk, *Ethnic Revival and Ethnic Conflicts in Georgia*, Unpublished Master Thesis submitted to Graduate School Of Social Sciences, METU-Ankara,1996.

¹⁴⁸ Huber, “State Building in Georgia, Unfinished and at Risk”, p. 48.

¹⁴⁹ Laurence Broers and Julian Broxup, “Crises and Renewal in Georgia Politics; the 2003 Parliamentary Elections and 2004 Presidential Elections”, a Report for the London Information Network on Conflicts and State Building, January-2004.

¹⁵⁰ Huber, “State Building in Georgia, Unfinished and at Risk”, p. 53.

¹⁵¹ Darchiashvili, “Georgian Security, Problems and Policies”.

problems, external manipulations, ethnic struggle and frozen conflicts all contributed to the none or bad governance of the central government.¹⁵² However, one crucial point is that all those factors resemble ‘a vicious circle’. One wrong in one aspect affects the others and without recovery in one aspect it is difficult to recover all. Therefore the evolution of the democratization process of Georgia will always include a reference to this triple transition of state-nation and democracy.

In this context, this chapter will deal with the democratization process of Georgia in reference to elections, civil society, independent media, governance, rule of law and behind development and security. It will also deal with the background of Georgian politics which brought about the Rose Revolution under the influence of external forces. Finally it will look at Georgian steps and efforts in the new reform process.

4.1 Building Democracy in Georgia:

4.1.1 Transition to Democracy

Since the dissolution of the Soviet Union and inception of independence, the governments and major political parties in post-Soviet countries espouse the ideal of creating a multi-party, constitutionally governed, secular democratic political system. Despite the adoption of new constitutions, the exercise of presidential and parliamentary elections; the establishment of the basis for the operation of political legislation and parties, electoral systems, executive, legislature and judiciary; besides all those welcoming the participation of international observers at elections and the acceptance of assistance from international organizations, Herzig points out that; “according to various critics the commitment to democracy is no more than skip-deep, intended to placate the international community and secure Western aid and loans, rather than to make governments truly accountable to the people”.¹⁵³ In this consideration we have to keep in mind that democracy emerged as one of the

¹⁵² See Huber, “State Building in Georgia, Unfinished and at Risk” and also for disability of regime consolidation; Jonathen Aves, “Politics, Parties and Presidents in Transcaucasia”, *Caucasian Regional Studies*, Vol. 1, Issue 1, 1996.

¹⁵³ E. Herzig, *The New Caucasus*, (London: The Royal Institute of International Affairs, Pinter Publishers Ltd., 1999), pp.23-24.

demands of the national independence movements, indicating the will of the people to unite and throw off Russian communist rule, and restore and revitalize the nation. But in time, the process of consolidation really became dependent on the real needs of people.

Even though it is difficult to measure the process of democratization, we could overview the steps and periods Georgia passed by viewing the first multiparty elections in 1990 as a turning point. Considering multiparty elections as one of the basic requirements of the democracy, one of the other new constitutions came into being in 1992 (the Soviet constitution remained in force between the years 1990-1992, though parliament made numerous amendments). In the on 28 October 1990 election “The Round Table-Free Georgia” coalition lead by Zviad Gamsakhurdia won 64% of the vote, as compared with the Georgian Communist Party's 29.6%.¹⁵⁴

When Soviet leader Mihail Gorbachev initiated glasnost policy, Gamsakhurdia was a leading figure in organizing mass pro-independence rallies between the years 1987 and 1990. On 14 November 1990, Zviad Gamsakhurdia was elected by an overwhelming majority as Chairman of the Supreme Council of the Republic of Georgia. Georgia held a referendum on restoring its pre-Soviet independence on 31 March 1991 in which 90.08% of those who voted declared in its favour. The Georgian parliament passed a declaration of independence on 9 April 1991, in effect restoring the 1918-21 Georgian state. However, it was not recognized by the Soviet Union and although a number of foreign powers granted early recognition, universal recognition did not come until the following year.¹⁵⁵

Gamsakhurdia was elected President in the election of May 26 with 86.5% per cent of the vote on a turnout of over 83% in a fair but not entirely free election, given the attacks on the opposition. Yet liberalization on the surface was accompanied by crude attempts to impose a Georgian identity on the state, and suppression of

¹⁵⁴ Stephen Jones and Robert Parsons, ‘Georgia and Georgians’ in *The Nationalities in Question in the Post-Soviet States*, ed. by Graham Smith, (London; Longman, :1996), pp. 291-313.

¹⁵⁵ Aves, Politics, “Parties and Presidents in Transcaucasia”.

national minorities to the point of population transfer.¹⁵⁶ Under this pressure eventually war broke out in Georgia's Autonomous regions Abkhazia and South Ossetia that caused de-facto independence of the Republics. But the opponents were with some justification, soon calling Gamsakhurdia a fascist dictator. By January 1992, Gamsakhurdia had been ousted by his opponents with the support of the military. In March 1992 the military leadership then invited Eduard Shevardnadze to assume leadership of the state council. The far more democratic Shevardnadze therefore succeeded the popular and elected Gamsakhurdia as a result of power.

This early post-Communist Georgia featuring ethnic warfare, traditional clan structure, secession, refugee problem, the interference of a great power (Russia), civil war, assassination, rising crime, economic collapse and authoritarian populism, hardly managed to construct outlines of statehood so that a new constitution was adopted in 1995. Ivlian Haindrava offers to analyze this period as a painful and brutal "transition to transition".¹⁵⁷

4.1.2 Shevardnadze Years

During the Shevardnadze years Georgia advanced toward constitutional law and order through establishing the legislative framework for key reforms (although incompletely and imperfectly) and introducing a few democratic institutions (notably a Constitutional Court, the Office of Ombudsman and full membership to the Council of Europe). But on the other hand, when the government had frozen reforms and tacitly had endorsed widespread corruption, the momentum of change stopped from 1998 to 2001. This period has been regarded as "transition without change".¹⁵⁸

As witnessed for nearly two decades, following Soviet rule in the region instead of democratic regimes that were committed to come into being by rulers, home-grown

¹⁵⁶ John S. Dryzek and Leslie Holmes, *Post-Communist Democratization, Political Discourses Across Thirteen Countries*, (Cambridge University Press, 2002), p.148.

¹⁵⁷ Ivlian Haindrava, "Letter from Georgia: Looking Beyond Shevardnadze", *Problems of Post-Communism*, January/February 2003, pp.21-28.

¹⁵⁸ *Ibid*, p. 23.

derivations emerged and they have never managed to transform into a real democracy. In Georgia it was also hoped for Eduard Shevardnadze, who had succeeded the nonviolent collapse of the USSR thanks to his and Gorbachev's commitment for domestic reform, there would be reconciliation with the West and nonuse of power.¹⁵⁹ Jonathan Aves claims that especially in the early years of independence, the hopes placed of Shevardnadze's achieving a breakthrough in relations with West turned out to be in vain. He says that;

visits to Georgia by U.S. Secretary of State James Baker and German Foreign Minister Hans-Dietrich Genscher, who armed with promises of aid and the acceptance of Georgia into the United Nations, in July 1992- before the election had been held to legitimize the January coup-seemed to suggest that the return of Shevardnadze had obtained a new prominence for Georgia in Western foreign policy calculations.¹⁶⁰

Moreover, Aves asserts that; "Western countries' relatively generous rhetoric toward Georgia had been hardly realized, rather becoming sensitive to Russian claims. In the Abkhazian war the UN did eventually approve the dispatch of observers to Abkhazia in July 2003, which were few in number, and approved a resolution endorsing the Russian role in Georgia by the Security Council in 1993".¹⁶¹ However we could not ignore the UN's deployment of observers in Abkhazia and OSCE's monitoring the peacekeeping operation and leadership in convening negotiations between the parties in the South Ossetia conflict.

On the other hand, reluctance of the West in conflict resolution in Georgia, which had been supposed to be main a contributor to the stability, and therefore democratization, was not actually present in democracy aid. The country had been the region's major beneficiary of U.S. aid, receiving \$778 million between 1992 and

¹⁵⁹ Melvin A. Goodman, "The Shevardnadze Paradox: An Unreformed Reformer", *New Leader*, March/April 2004, pp. 12-14.

¹⁶⁰ Jonathan Aves, "National Security and Military Issues in Transcaucasus: The Cases of Georgia, Azerbaijan and Armenia" in *State Building and Military Power in Russian and N. States of Eurasia*, ed. by Bruce Parrot, (M.E. Shape, 1995), p.227.

¹⁶¹ Jonathan Aves, *Georgia From Chaos to Stability*, (London: The Royal Institute of International Affairs, 1996)

2000 and for several years it enjoyed the status of being Washington's second largest per capita aid recipient after Israel.¹⁶²

The Shevardnadze years witnessed both the formation of democratic institutions and the toughening of his authority in Georgia. After the coup against Gamsakhurdia, the parliament restored the 1921 constitution of independence of the Republic of Georgia, abolishing the post of president in reaction against Gamsakhurdia's dictatorial presidential style. Also in 1992, however, a new, directly elected office of chairman of parliament was created with Shevardnadze in mind. Subsequent to his election, a new Law on State Power was ratified, giving him an additional title, head of state without fully clarifying the powers or division of responsibilities between the two offices occupied by Shevardnadze. The inadequacies of 1921 constitution led to ratification of a new constitution in August 1995 which was very close to the draft proposed by Shevardnadze and reinstated the office of president, creating a strong executive authority based on the US model, but sufficiently powerful and independent legislature (a two-chamber parliament, whose upper house will convene only after Georgia's territorial integrity is restored and the vague plans for the country's federalization have been implemented) and judiciary to provide effective checks.¹⁶³

On the other side, Georgia's parliamentary and presidential elections of autumn 1995 had been judged generally free and fair by international observers (perhaps a generous judgment in view of the abuses that were observed- and the repression of Gamsakhurdia supporters).¹⁶⁴ Probably the most important aspect of the elections where Western governments and NGOs gave support in the democratization process of Georgia was through the drafting of electoral laws, the design of ballot papers and the training of election officials. By this time NGOs and media had become more active in election monitoring and developed their ability to challenge abuses. NGOs numbers had grown by this time and they would be seen as important for the creation of a civil society.

¹⁶² Natalia Antelava, "Georgia: Shevardnadze's Dilemma", *Transitions Online*, 10.06.2003.

¹⁶³ Herzig, *The New Caucasus*, p.24.

¹⁶⁴ *Ibid*, p. 199 and p. 24.

It has been generally accepted that Shevardnadze had succeeded in dealing with the civil war and independence struggle of Abkhazia and South Ossetia to a degree. He stabilized polarization with policies of political balance, inclusion and caution however; many problems resulted especially in economic reform by appointments that lifted reformists in a permanent minority.¹⁶⁵

Freedom House assigned Georgia to the group of Parasitic-Authoritarian States and most promising transition democracies.¹⁶⁶ Although Eduard Shevardnadze won the presidential elections in 2000, by 2001 began the question whether he can be at his post until 2005 and what should and could happen after him?¹⁶⁷ Even though the constitution would not allow him to be elected one more time, it was worried about whether he would go on ruling Georgia, and if not what would happen. If democratization could be accepted as an elite project, we have to try to analyze the role of Shevardnadze and his party, the Citizen Union of Georgia (CUG), which has long been the only party in the country. The opposition has been generally manipulated by the ruler. Probably Shevardnadze has been considered successful because he kept the country stable. In a country which lived through two independence struggles and a brutal civil war, it can be regarded as a success, even though conflicts have been frozen and Abkhazia and Ossetia have achieved various steps in state-building. Abkhazia recently approved a constitution and elections have taken place. We can have a look at what had been done or could not be done during the Shevardnadze era and why this hope ended up with failure on the part of Shevardnadze, and why Georgia entered a new period with the Rose Revolution. The fragmentation within the “Citizens Union of Georgia” (CUG) and the rise of young

¹⁶⁵ Stephen F. Jones, “Georgia: A Trauma of Statehood” in *The New States and New Politics: Building the Post-Soviet Nations*, ed. by Ian Bremmer and Ray Toras, (Cambridge,1997), pp.527-28 and Stephen Jones & Robert Parsons, “Georgia and the Georgians” in *The Nationalities Question in the Post-Soviet States*, ed. by Graham Smith, (London: Longman, 1996), pp.305-9.

¹⁶⁶ Freedom House Report, *Nations in Transition*, (New York, 2001) Available at www.freedomhouse.org

¹⁶⁷ Karl E. Meyer, “Icebergs in the Caucasus”, *World, Policy Journal*, Summer 2001, pp. 89-92., Charles King, “Potemkin Democracy; Four Myths about Post-Soviet Georgia”, *The National Interest*, Summer 2001, pp. 93-104.

reformers and opposition have been the main evidences of this wave of change in the politics of Georgia. I mean that the wave of change had been indicated before 2003.

The Citizens' Union of Georgia (CUG) was the party of Shevardnadze, founded in 1993 and registered in 1994. CUG, with its links to President Shevardnadze, became attractive because of power, privileges and the favored treatment it promised its members just as 'The Party' offered in the Soviet era. Actually it was a prototype of various ones in Post-Soviet Geography. Most CUG members were former Komsomol activists, Communist Party of the Soviet Union (CPSU) apparachiks and nomenclatura, businessmen of all types. At the same time the CUG also, had a distinct "young reformer" wing a group of incumbents led by Shevardnadze.¹⁶⁸ According to Antelava, these, wings peacefully co-existed from 1995 to 1998, each of them securing its own goals. As often happens antagonism eventually emerged among shareholders, and powerful party members. They argued allocation of profits, capital investments, and relations with foreign partners. A few wealthy businessmen, led by David Gamkrelidze and Levan Gacechiladze broke away from the CUG and established the New Rights Party, in the spring of 2000, although they remained loyal to President Shevardnadze. Young reformers, under the leadership of parliamentary speaker Zurab Zhvania and then leader of CUG parliamentary faction, Mikheil Saakashvili, finally realized that stagnation and corruption would bog them down and they became anxious about their political futures. The young reformers began openly to dissociate themselves from the president, because they thought that Shevardnadze was paying lip service to reform in order to keep the West supporting him. Mikheil Saakashvili who in time had rushed from parliament to the post of minister of justice and then back to the parliament, with several of his associates left the CUG and founded the National Movement of Democratic Reforms. Besides this, according to the Economist, in October 2001 Mr. Saakashvili cruelly pointed out that "the president had twice in a week announced that the battle against corruption starts today."¹⁶⁹

¹⁶⁸Natalia Antelava, "Georgia: Shevardnadze's Dilemma", pp. 23-24.

¹⁶⁹ "Eduard Shevardnadze", *The Economist*, 11/10/2001, Vol 361, Iss. 824, p.50.

The turmoil within CUG paved the way for new developments with a stepping down by Shevardnadze from the post of party chair in September 2001. As a result, two more factions were formed: the first; “Together Again” consisted of cadres and members of the Soviet Intelligentsia who had clung to Shevardnadze’s coattails since the days when he was first Secretary of the Georgian Communist Party. The other, “the Alliance for New Georgia” was created by Levan Mamaladze, governor of the Kvemo Kartl region, using the quota of parliamentary seats. Although Zhvania, left with the remnants of the CUG, he confronted Shevardnadze, still a member of CUG despite his quit of chair, who could not allow an opposite person in his party. When Zhvania ‘s group had been refused by the Central Electoral Commission to register under the CUG name for the local elections on June 2, 2002, Zhvania and his group left the CUG and established a new political organization, the United Democrats. Simultaneously, Shevardnadze initiated the process of reviving the CUG. They got rid of the reformist components (Saakashvili’s and Zhvania’s groups), the three remaining pro-Shevardnadze factions (Alliance for New Georgia, Together Again, and the CUG proper) consolidated again and held a party congress, elected State Minister Avtandil Jorbenadze as a chairman of the party (Shevardnadze became the honorary chairman) and began recruiting new members to replace those who had defected.¹⁷⁰

4.1.3 West: A Permanent Supporter?

As mentioned above, Georgia was an important recipient of democratization aid from the U.S.A., receiving more than \$ 1.3 billion since independence. Anyway, Miller points out that after September 11, 2001, Shevardnadze spoke of his willingness to help the United States in the “global war on terrorism” and kept his word. Coalition Aircraft en route to Afghanistan and Central Asia were allowed to over fly for refuel in Georgia. When al-Qaeda terrorists were identified in the Pankisi Gorge in early 2002, Washington launched the high profile, two-year \$ 64 million Georgia Train and Equip Program (GTEP), answering Tbilisi’s request for assistance in building up its counter-terrorism capabilities. GTEP has created an anti-terrorist

¹⁷⁰ Ibid.

force of 2,000 troops to serve as the core of a revitalized Georgian military.¹⁷¹ However, long before the 2003 Parliamentary election race started, President Georgia W. Bush sent a letter to Shevardnadze in which he expressed hope for a democratic, free and fair November vote and a peaceful transition of power to a “new generation of democrats” in 2005¹⁷².

This means that Shevardnadze was very successful in benefiting from international conditions especially with the competition in the Caucasus that has strategically been an important hub for energy and transportation between Russia and the US. Besides, which paying lip service to the west in committing to democratic reforms had kept aid to Georgia alive for years. Probably this mentality in administration had slowed down democratic reforms. Domestic awakening reached its boom point in regard to civil society and young reform minded persons within CUG became opposed to Shevardnadze. Furthermore the West began to question its support to Shevardnadze under the guise of slowing reforms.

4.2 The Rose Revolution

The resignation of Shevardnadze has been regarded as the end of the so-called ‘transition period’.¹⁷³ This section aims to examine the dynamics of regime change in Georgia. Apart from determining the composition of the legislature, the 2003 election was widely seen as a bellwether for the 2005 presidential elections when President Shevardnadze would no longer be eligible to run for office, therefore it had been looking forward to a particularly interesting Post-Soviet political transition. As mentioned, Shevardnadze’s position was becoming problematic with loosing popularity and increasing opposition originated from within Shevardnadze’s party. The U.S. continued to support the government but its patience with Shevardnadze’s

¹⁷¹ Eric A. Miller, “Smelling the Roses: Eduard Shevardnadze’s End and Georgia’s Future”, *Problems of Post-Communism*, March-April 2004, p. 13 and Jim Nichol “Armenia, Azerbaijan and Georgia: Political Developments and Implications for U.S. Interests”, *CRS (Congressional Research Service) Issue Brief for Congress*, IB95024, 15 June 2005.

¹⁷² Ibid.

¹⁷³ Alec Rasizade, “Georgia Meets the Test of Its Independence”, *Contemporary Review*, 3/1/2004, p. 139.

perpetual balancing act among Georgia's corrupt and reformist political forces was quickly coming to an end. To emphasize the importance of holding a free and fair parliamentary election in November, President Bush sent former Secretary of State James Baker as his personnel envoy to Tbilisi with the goal of facilitating agreement between Georgia's Government and the opposition over the most contentious issues, especially the composition of the Central Election Commission. Despite looking like a successful compromise, that of fifteen slots, the government would appoint five members and the opposition would nominate nine, the remaining position -the chair- would be appointed by the OSCE with the understanding that it would go to "a universally respected representative of the Georgian public and not politically active." After Baker's departure, this plan had not been implemented by Tbilisi.¹⁷⁴ In the elections, pro-Shevardnadze forces united in the bloc "For a New Georgia", other leading contenders, apart from Aslan Abashidze's Revival Party, included Mikheil Saakashvili's National Movement; the Burjunadze-Democrats, uniting supporters of Nino Burjanadze and Zurab Zhvania, the New Rights; and the Industry Will Save Georgia. Voting day passed without violence but the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) concluded that the elections "fell short of a number of OSCE commitments", subsequently adding charges of "widespread and systematic fraud."¹⁷⁵ Besides, assessments of OSCE monitoring mission's spokesman, International Society for Fair Elections and Democracy (ISFED) and the Georgian Young Lawyers Association (GYLA) observers were based on the widespread and flagrant irregularities, serious violations during the balloting.¹⁷⁶

Eventually after 2 November 2003 parliamentary elections, Saakashvili whose party came third place in the elections according to releases along with Zhvania and Burjunadze, began to accuse Shevardnadze of fabricating the official results and

¹⁷⁴ Eric Miller, "Smelling the Roses: Eduard Shevardnadze's End and Georgia's Future", pp.13-14 and "Georgia's Rose Revolution" A report Prepared by the Staff of the Commission on Security and Cooperation in Europe, Washington 2004.

¹⁷⁵ Ibid.

¹⁷⁶ "Georgia: What Now?" *International Crisis Group Europe Report* No: 151, 3 December 2003 pp. 9-10.

deftly orchestrated civil disobedience.¹⁷⁷ Saakashvili chose a red rose as a symbol and urged the protesters to avoid violence and bloodshed during the upheaval. External factors became catalysts for the revolutions. The US reaction, in which the Department of State spokesmen criticized the results promulgated by the Georgian Central Election Commission, was described as “deeply disappointing.”¹⁷⁸ Such a critique has reflected an open US accusation of the leadership of a former Soviet republic and withdrawal of support to the country.

With the aim of forcing Shevardnadze to step down, repeating parliamentary elections and constructing a pre-term presidential ballot, Saakashvili, after receiving the consent of the opposition, declared on 21 November that he was mobilizing supporters. It was nearly 30,000 opposition supporters who had convened on one of Tbilisi’s central squares on 22 November to demand Shevardnadze’s resignation. Afterwards, it was also Saakashvili who led the march to the State Chancellery, where an ultimatum to Shevardnadze to resign within one hour and apologize to the Georgian people had been issued. The developments and proceeding to the parliament blocked the session of the new parliament and fistfights between deputies and demonstrators caused the hustle of Shevardnadze out of the building.¹⁷⁹

Foreign players immediately became involved in the developments afterwards the upheaval. The Russian foreign minister, Igor Ivanov, had met with opposition leaders and also with Shevardnadze on 23 November 2003. However, Saakashvili declared that it was too late for talks and called for the president to resign. Despite any march Saakashvili’s meeting with Shevardnadze and Ivanov ended with Shevardnadze’s resignation in return for immunity from prosecution and the permission to keep the government residence as his own home.¹⁸⁰ Probably, it was the effort of people with the help of civil society and media, without using guns, which caused the resignation of the president. In accordance with constitutional norms governing the resignation

¹⁷⁷ Rasizade, “Georgia Meets the Test of Its Independence”, p. 140.

¹⁷⁸ Ibid, p. 140.

¹⁷⁹ Radio Free Liberty Specials, Georgia’s Bloodless Coup (www.rferl.org/specials/georgia)

¹⁸⁰ Rasizade, *ibid*.

of the head of the state, Speaker Nino Burjanadze became acting President, and then she scheduled snap presidential elections for 4 January 2004.

January's election was less a contest among candidates than a coronation. Though five other politicians threw their hat into the ring, Saakashvili's victory was certain. Politicians allied with Shevardnadze's 'For a New Georgia' had either left the scene or were irrelevant; opposition parties like the 'New Rights' or 'Industry Will Save Georgia', which did not join Saakashvili's bandwagon, lost much of their popular support. In the end, over 82 percent of voters cast ballots with Saakashvili's own tally reaching 96 percent. The OSCE/ODIHR assessment noted some shortcomings, such as the domination of the election commission by the new authorities, and inaccurate voter lists, but concluded that the election "demonstrated notable progress over previous elections and in several respects brought the country closer to meeting OSCE commitments."¹⁸¹

4.2.1 Parliamentary Elections, 28 March 2004

Georgia's Supreme Court decided on November 2004 to hold a repeat election only for parliament's 150 party-line seats, leaving in effect the results of the November 2 single-mandate voting (85 seats). Burjanadze on January 9 set the date for March 28. Also the threshold for parliamentary representation in proportional balloting was left at seven percent, despite pleas from opposition parties and the Council of Europe to lower it. Ultimately 16 parties and blocs contested the elections, offering voters a wide choice. Before the election, Saakashvili's National Movement united with the Burjanadze Democrats, guaranteeing their sweep. On April 1, the Central Election Commission announced that only the New Rights had done so. The OSCE-ODIHR verdict on the process was positive. The election demonstrated commendable progress in relation to previous ones.¹⁸² The Georgian authorities have seized the opportunity, since the 4 January presidential elections, including OSCE and Council of Europe Standards. The election results allowed Saakashvili to consolidate his

¹⁸¹ "Georgia's Rose Revolution", OSCE Report.

¹⁸² European Observers note progress in Conduct of Georgian Poll, Asia-Africa Intelligence Wire, March 29 2004.

November-January victory and forcefully demonstrate his dominance of Georgia's political scene. When the new parliament convened in late April, the National Movement-Burjanadze Democrats controlled 153 of 235 seats. Nino Burjanadze was elected Speaker.¹⁸³

Ghia Nodia evaluates the Rose Revolution by questioning "revolution" in the post-Soviet context itself, as in Georgia. According to him, revolution implies recent mental emancipation from the communist past; it was the communists who glorified revolution, so anti-communists have been extremely cautious in using the term, and so in this context the concept of transition was invented. However, in transition the stress is on bargaining among the political elites, with results seen in pacts that define agreed procedures and steps. Revolutions are resolved through a victory of one party and definitive defeat of other, in which the masses of the population are involved. For Nodia, the colorful revolutions are about calling the bluff of the managed or phoney democracies that succeeded to the collapsed communist regimes. The Georgian Rose Revolution has passed the first test of revolution, in that people power was decisive in overthrowing Eduard Shevardnadze's regime of managed democracy, which had relied on manipulating and cheating the people.¹⁸⁴

Vladimer Papava and Michael Tokmazishvili analyze developments in Post-Soviet geography from the perspectives of economics regarding the experiences of those countries as "transition economy" while assessing the success through economic integration to the European Union. Thus, they assume that the economic stagnation during the Shevardnadze era as sub-structure caused extreme social unrest, creating the conditions which led to the Rose Revolution.¹⁸⁵ During the period of Zviad Gamsakhurdia, Georgia's growth was weak compared to other post-Soviet countries. Despite this, Eduard Shevardnadze began to build a peaceful state and transform its economy. Under his leadership, the shadow sector comprised an essential part of the

¹⁸³ Georgia's Rose Revolution, OSCE Report.

¹⁸⁴ Ghia Nodia, "The Dynamics and Sustainability of the Rose Revolution" in *Democratization in the European Neighbourhood* ed. by Michael Emerson, CEPS, 2005, pp. 38-53.

¹⁸⁵ Vladimer Papava and Michael Tokmazishvili, "Becoming European: Georgia's Strategy for Joining Europe", *Problems of Post-Communism*, January/February 2006, p. 28.

economy and this had many negative and painful consequences for civil society. Georgia had very weak financial resources, which prevented it from making serious political and economic changes. Because of the governments numerous failures in all aspects of the budgeting process, the budget crisis of 1998-2003 became a dominant characteristic of the Georgian economy. Between 1994 and 1998 the government introduced a series of reforms based on the economic formula known as “Washington Consensus” to stabilize and liberalize economy. These reforms transformed the banking system, introduced a national currency, privatized small and medium sized enterprises, and liberalized trade. These structural adjustments and stabilizing reforms were aimed at curbing hyperinflation, balancing the economy and creating the institutional preconditions for a market economy. With these reforms implemented, Georgia’s GDP (Gross Domestic Product) grew rapidly, and in 1997 GDP growth raced 10-11 percent. In 1995 it was 5 percent. Unfortunately, however, the period of economic revival was very brief, and Georgia’s economic development fell short of the gains promised by the Washington Consensus. State power and market institutions both remained underdeveloped.¹⁸⁶ Probably the economic crisis was not the key reason for the Rose revolution. Between 1998 and 2003, Georgia’s average economic growth rate amounted 3-3,5 percent. Wages and pensions were stagnant. However, the government was unable to foster the creation of a middle class because of the antiquated state policies that had led the country into economic stagnation.¹⁸⁷

Obviously political economy constructs a sub-structure which creates democratization in a country but detail analyses are beyond the scope of this work. However, the external dimension of economic transformation becomes highly important with the inclusion of international economic institutions (IMF, World Bank), if they put democratic implementations as a condition.

¹⁸⁶ Ibid, p. 27.

¹⁸⁷ Ibid, p. 28.

4.2.2 The Influence of International Factors in the Rose Revolution

By the eve of the new millennium, the USA, not only the most important Western power but also the biggest supporter of Tbilisi, began to change its attitude. The most apparent example was that earlier in the summer of 2003 the World Bank suspended energy-industry and social programs because of concerns over corruption and in May 2003 the Council of Europe warned Tbilisi that it was on its way to the organization's black list because of corruption and lack of legislative reform.¹⁸⁸ Furthermore, long before the election race started, President Georgia W. Bush sent a letter to Shevardnadze in which he expressed hope for a democratic, free and fair November vote and a peaceful transition of power to "the new generation of democrats" in 2005¹⁸⁹. This was the proof of how the U.S. was involved in Georgia's politics and democracy or how their interests are so connected within this country.

Furthermore, the US has been more involved in colored revolutions which occurred in post-Soviet geography (Serbia, Georgia, Ukraine, Kyrgyzstan) during recent years. Bessinger points out that in November 2003, as the Georgian Rose Revolution was just getting underway, "President Georgia W. Bush spoke before the National Endowment for Democracy, where he redefined the purpose of the American invasion of Iraq, calling it the beginning of a global democratic revolution."¹⁹⁰ Furthermore, US efforts and a number of American based nongovernmental organizations (Freedom House, the National Endowment for Democracy, the National Democratic Institute, the International Republican Institute, the Soros Foundation) activities in Georgia have attracted the attention.¹⁹¹

However, the assumption that "the use of third-party, democracy promoting NGOs to channel aid to revolutionary causes, growing conflict between the US and a number of post communist governments over Bush administrations direct

¹⁸⁸ Natalia Antelava, "Georgia: Shevardnadze's Dilemma", *Transitions Online*, 10.06.2003.

¹⁸⁹ Ibid.

¹⁹⁰ Mark R. Beissinger, "Promoting Democracy: Is Exporting Revolution a Constructive Strategy?", *Dissent*, Winter 2006, p. 18.

¹⁹¹ Ibid.

involvement for the sake of reshaping the world” is a discussion point. Bessinger argues that:

such organizations in the past acted mainly the monitors and informational clearinghouses, mobilizing transnational support in order to sanction offending behavior, rather than as the financial and organizational aid from third-party countries or from foreign NGOs was not a significant element in earlier waves of democratic revolution.¹⁹²

On the other hand, some NGOs were involved in close relationships with the US government. For example, the National Endowment for Democracy was established by the Reagan administration as a private, nonprofit organization that channels federal funding to pro-American civil society groups through the world.¹⁹³ Others such as Soros Foundation, have independently more confrontational modes of fostering democratic change out of frustration with the progress of democracy in the post-communist region and under the influence of the civil-society communities they serve.¹⁹⁴

It can be said that even though the post-Communist ‘colored revolutions’ were not engineered from abroad, they relied on local dissatisfaction and aimed at replacing corrupt regimes, and maintained themselves in power through electoral fraud. However, while these revolutions may have been indigenous, according to Bessinger, support provided by the American government and American based NGOs was critical to their materialization and spread.¹⁹⁵ For instance, it has been argued that the US government has spent \$ 41 million promoting anti-Milosevic civil society groups such as Otpor (Resistance). Otpor was the student group that spearheaded the Serbian Bulldozer Revolution in 2000. Otpor was also the group with which Georgian social movements first formed links in spring 2003 for the techniques of non-violent resistance. Furthermore, the help of the local Georgian branch of the Soros Foundation to the Kmara (the Georgian version of Otpor) out of its \$ 350,000

¹⁹² Ibid. p.19.

¹⁹³ www.ned.org

¹⁹⁴ www.soros.org

¹⁹⁵ Bessinger, “Promoting Democracy: Is Exporting Revolution a Constructive Strategy?”

election support program had been revealed. In addition to that Kmara and other opposition groups received significant financial and organizational aid from the National Democratic Institute.¹⁹⁶

Even Soros Foundation's role has become common knowledge, Franklin Foer's interesting article titled "Regime Change, Inc." has provided an additional piece in the puzzle that makes the international aspect of the Rose Revolution more clear. Regarding the above mentioned correlation between "colorful regime changes" which were realized through non-violent public upheavals in recent years, beginning with Serbia in 2000, Foer clarifies an important factor that helped Soros Foundation activities in Georgia that prepared the conditions of the Rose Revolution in the means of public will and civil society activism.¹⁹⁷ It was one of the products of Peter Ackerman, *Bringing Down a Dictator*, a documentary that describes how the Serbian student Group, Otpor, toppled Slobodan Milosevic in 2000, destined to play a critical role in Georgia's Rose Revolution. The documentary becomes a prime vehicle for indoctrinating the growing crowds in the principle of non-violent struggle. Every Saturday for months, the independent TV Network Rustavi 2 broadcast 'Bringing Down a Dictator', followed by a segment in which Georgians would discuss the film's implications for their own movement. Clearly enough, this influenced how people could act, by affecting current conditions Michael Saakashvili inspired and guided this. After the revolution one leader told *The Washington Post*, "Most important was the film. All demonstrators knew the tactics of the revolution in Belgrade by heart because they showed (the film)... Everyone knew what to do".¹⁹⁸

Actually the broadcasting of this movie was not an ad-hoc project constructed for the Rose Revolution to be inspired by non-violent uprisings in Serbia, it was part of an extended approach by Peter Ackerman. It is worth overviewing his methodology which attracted the attention of democracy promotion activities in recent years. Ackerman is originally a financier but evangelizes on behalf of a specific theory of regime change that he calls non-violent conflict. Indeed he borrowed the idea from

¹⁹⁶ Ibid.

¹⁹⁷ Franklin Foer, "Regime Change, Inc.", *The New Republic*, April 25, 2005, pp.16-23.

¹⁹⁸ Ibid.

the writings of Gene Sharp who is a theorist of non-violent struggle. Franker Foer tells about Ackerman who met with Sharp at a graduate program at Tufts University's Fletcher School and points out that:

Sharp challenged the romantic image enshrouding Third World revolutionaries. Marxists, he contended, misunderstood the nature of power. They asserted that oppressive regimes survive because they monopolize violence in their societies. But Sharp, borrowing from Hannah Arendt and Max Weber, argued that regimes can survive only if they obtain the consent of society. "Obedience is the heart of political power," Sharp wrote. If even the most authoritarian regimes depended on consent for survival, it followed that citizens could topple them simply by withdrawing their consent¹⁹⁹

Ackerman's book named "Strategic Non-Violent Conflicts" acquired him a new life, he collaborated a PBS documentary based on the book's historical narratives of movements. He followed his debut with a sequel following Otpor, who attracted Ackerman's attention when they began rigorously training in Sharp's methods in 1999. Ackerman and his collaborator Steve York won a Peabody Award for their chronicle of Milosevic's downfall. The story has gained a new aspect. He and his colleagues created the International Center on Non-Violent Conflict (ICNC), based in Washington, D.C. which works to encourage the use of non-violent civilian-based strategies for defending and extending democratic self-rule and human rights throughout the world. Apart from the movie they also developed a game called 'A Force More Powerful – the Game of Non-violent Strategy' that is the first and only interactive teaching tool on non-violent strategies and tactics used successfully in conflicts around the world. The center translates those materials into different languages and pays disseminate it around the globe, teaching techniques in seminars with activists from Iran, Iraq and Palestine.²⁰⁰

The non-violent regime change has become a focus point of democracy promotion policies; especially it has been known that Ackerman has constructed relations with the U.S. State Department. Besides this, it is supposed that under the guise of mass

¹⁹⁹ Ibid. p.19.

²⁰⁰ For ICNC, see website www.nonviolent-conflict.org, also <http://www.aforcemorepowerful.org>, See also article "A rainbow of Revolutions", *The Economist*, 1/21/2006, Vol. 378 Issue 8461, pp. 23-25.

popularity the revolution was under-written by Western-funded international organizations and that national and international NGOs were vital to the deployment of revolutionary technologies that have facilitated regime change. Regime changes such as the Rose Revolution had been understood as a western attempt to “manufacture democracy” instead of authoritarianism in the guise of “managed” democracy.²⁰¹

4.3 Afterwards the Regime Change?

With the regime change in Georgia apart from the coming of a new administration there also a new confidence and a holding of itself to higher standards have raised. By erecting the flag of the EU on his inauguration day, and proclaiming membership of Europe (including NATO) to be the utmost strategic goal, Mikheil Saakashvili had handed to the Europeans a very strong constraining power against his own authoritarian instincts. For Nodia, it is now up to the Europeans to use this constraining power skillfully.²⁰² There it reveals an overlap between Georgian foreign policy orientation and the EU interest in Georgia.

The first year of the Rose Revolution new administration was devoted to shaping the new format and personnel of the Georgian authorities. Indeed, despite criticisms the real impact of Rose Revolution will be gauged soon.²⁰³ Saakashvili announced that administration would focus on two priorities: the first one was restoring Georgia’s territorial integrity (by reasserting government control over three break-away regions). Then, the most visible success of Saakashvili government was, in order to provide territorial integrity, to restore control over the Adjara Autonomous Republic by forcing its maverick leader, Aslan Abashizde, out of office.²⁰⁴ But his policies fell

²⁰¹ Graeme P. Herd, “Colorful Revolutions and the CIS: Manufactured Versus Managed Democracy?” *Problems of Post-Communism*, Vol. 52 No. 2, March/April 2005, pp. 3-18.

²⁰² Nodia, “The Dynamics and Sustainability of the Rose Revolution”

²⁰³ Jaba Devradirani, “Georgia: Revolution Has Ended, Key Refoms Stil Ahead”, *Central Asia-Caucasus Analyst*, November, 17 2004, pp. 5-8. (<http://cacianalyst.org/issues/20041117Analyst.pdf>)

²⁰⁴ “Saakashvili’s Ajara Success. Repeatable Elsewhere in Georgia?” International Crisis Group, Europe Briefing Tbilisi/Brussel 18 August 2004.

short of re-capturing breakaway South Ossetia and led to armed clashes in August 2004.²⁰⁵

The second priority was establishing the rule of law in which both the US and the EU have responded with millions of dollars in support of Georgia's reform process. The US Agency for International Development invested \$ 2.6 million in 2004 to support Saakashvili's campaign to support rule of law efforts.²⁰⁶ Indeed, until Saakashvili, Georgia had already taken the financial support of international organizations as means of development and democratization assistance; the numbers are appropriate proofs of this active and important assistance as posed by Liliana N. Proskuryakova such as:

Between 1991-2002, the World Bank invested \$ 650 million in Georgia, from 1994-2002, annual IMF disbursements in Georgia in the form of purchases and loans ranged from a low of \$ 22,5 million in 2002 to a high of \$ 55,5 million in 1996 and 1997, USAID's sample projects include resource allocation for development of the Georgia energy sector, in coordination with the World Bank.²⁰⁷

The EU also had quite an active role through specialized agencies and programs providing technical assistance, humanitarian aid and donor support as ECHO and FEOGA (European Agricultural and Guarantee Fund) with increasing extended interest to the region by Partnership and Cooperation Agreement initiated by 1999.²⁰⁸ After the Rose Revolution, for the first time in its history, the EU has sent a mission devoted solely to supporting reform of the criminal justice system. Fourteen experts began to work alongside Georgian Officials to devise a strategic plan for reforming everything from prisons to the education of lawyers to the management of judges.²⁰⁹

In order to consolidate and centralize executive power a bill was passed to grant the President the right to disband the parliament in specific cases, which according to

²⁰⁵ Ibid.

²⁰⁶ Whit Mason, "Trouble in Tbilisi", *The National Interest*, Spring, 2005, p.139.

²⁰⁷ Liliana N. Proskuryakova, "The Pivotal Role of International Assistance in the South Caucasus Since 1991" *Insight Turkey*, Vol. 6 Number 2, April-June 2004, pp. 142-147.

²⁰⁸ Ibid.

²⁰⁹ Whit Mason, "Trouble in Tbilisi".

some tilted the balance of power towards the legislature.²¹⁰ Furthermore to gain legitimacy and rebuild trust in the state, the 2004 Campaign to create a clean and effective police force was an influential instrument, strengthened by a public relations campaign aimed at broadening support for state institutions.²¹¹ Some other steps had been initiated such as the new liberal legislation on freedom of speech, which de-criminalized libel, supporting the freedom of media. Moreover, in regard to criticisms related to continued human rights abuses and cases of torture by police and in preliminary detention facilities. Devradirini underlines that “the minister of Interior and Prosecutor-General were forced to act on mounting criticisms on October 18, 2006”.²¹² Probably in this regard, creation of 47 independent teams under the Ombudsman’s Office, authorizing to check all police detention premises at all times to record and prevent the cases of police brutality had to be assessed as hopeful developments. However Georgia still has institutional challenges and de-facto restrictions on the independence of the judiciary which will take time to change.

4.4 Conclusion

Like its counter-parts in post-Soviet geography Georgia had experienced failures in its democratization process due to various reasons and had been assessed as façade-pseudo and other semi-democratic labels due to various reasons within the country. However, Shevardnadze’s years of so-called stability facilitated the convenient and open to development of civil society and change in political aid was supported by international ties and caused a popular upheaval called the Rose Revolution. It was the first chain of revolution of rings in the post-Soviet geography after Serbian in the Balkan’s. The reform process after the Rose Revolution benefited from the support of international players. Moreover, the Rose Revolution itself, can be regarded as a case for internationalization of democratization. Therefore Georgia is crucial for this thesis as a case study.

²¹⁰ Devradiriani, “Georgia: Revolution Has Ended, Key Refoms Stil Ahead”

²¹¹ James V. Wertsch, “Georgia as a Laboratory for Democracy”, *Democratizatsiya*, Fall 2005, Vol. 13, Iss., pp. 519-35.

²¹² Devradiriani, “Georgia: Revolution Has Ended, Key Refoms Stil Ahead”, p. 7.

On the other hand, the increased democratic aid in Georgia is huge enough to analyze after 2003. However it is apt to mention that Georgia had benefited from democratic aid since its independence in various areas, like; humanitarian, development, security e.t.c. Since the dissolution of the Soviet Union, international governmental and non-governmental organizations have been active in the South Caucasus countries, among which the most influential ones are the World Bank, the European Bank for Reconstruction (EBDR), the International Monetary Fund (IMF), the Soros Foundation, the European Union (EU) and the United States Agency for International Development (USIAD). It would be supposed that inevitably the effective use of development assistance has been challenged by corruption and other clientelist mechanisms in the region. The question of effective usage of the development and democratization aid is questionable. Charles King notes that “development strategies have sometimes encouraged democratization programs without tackling basic problems of those countries such as undefined state boundaries or weak government capabilities” which can be summarized as “building democracy and hoping in time the rest take care strategy”.²¹³ However, there is a change as witnessed by international assistance that programs more focus on has been placed governance-capacity building, institutional design, and anti-corruption campaigns in recent years.

Furthermore, there has been one important development: the increasing attention of the EU in Georgia. As mentioned in this chapter Georgia has occupied second place as one of the largest recipients and strategic countries of the US. The U.S. continues to support Georgia. But the EU showed intent to continue its relations with Georgia in a closer and more comprehensive manner. Apart from various democratic assistance instruments and in the framework of Partnership and Cooperation agreement, the EU included Georgia in its New Neighborhood Policy in 2004. What the role of the EU in the democratization process of Georgia could be is the discussion in the following chapter.

²¹³ Charles King, “A Rose Among Thorns: Georgia Makes Good”, *Foreign Affairs*, Vol 83 No. 2 March/April 2004, p. 14.

CHAPTER 5

EU-GEORGIAN RELATIONS IN THE CONTEXT OF DEMOCRACY PROMOTION

This chapter aims to overview the relationship between the EU and Georgia with reference to the Union's assistance to the consolidation of democracy in Georgia. Democracy promotion activities of the EU in Georgia can be analyzed with reference to the Unions policy towards South Caucasus which has been evolved since the 1990s. In principle, economic resources and strategic location on energy routes seems to provide South Caucasus with economic development and prosperity. However, regional and domestic instability, inability to successfully transition to market economy and political liberalism caused fragile states in the region. It has been argued that international involvement in regional affairs was not sufficient to support consolidation of statehood and achievement of the wide range of necessary reforms to ensure stability and prosperity in the region. Russia and the US-with their opposing geopolitical agendas-are also perceived relatively strong players in the region.²¹⁴

On the other hand, the EU's humanitarian, technical, and financial and post-conflict rehabilitation assistance since the 1990s in the region and in particular in Georgia, is very significant. However, for implementation of political and economic cooperation, the EU had taken steps by providing framework agreements. Thus, one can argue that the EU's assistance which was not visible before the Rose Revolution has become more visible.

²¹⁴ Bruno Coppieters, "EU Policy in the South Caucasus", Policy Paper prepared at the request of the European Parliament Committee on Foreign Affairs, human Rights, Common Security and Defense Policy. Available at <http://www.europarl.europa.eu/meetdocs/committees/afet/20040120/wider%20europe%20caucasus.pdf>

In the next parts of this chapter, Georgia's increasing intent and interest in Europeanization and inclusion in European structures will be overviewed. Since the independence the EU assistance mechanisms will be examined to support the overview of the relationship. The partnership and Cooperation Agreement with Georgia that was signed in 1996 has constructed the legal basis of this relationship. Inclusion of Georgia in new the European Neighborhood Policy has been a breakthrough which emerged as the most assertive and comprehensive policy towards Georgia by looking at what extent it can contribute to the democratization of Georgia. This chapter will try to evaluate the EU-Georgian relations within the framework of democracy promotion and at the conclusion, also will examine whether ENP would be assessed as a democracy promotion strategy.

5.1 An Overview of Georgian Orientation to Europe

Georgia's liberalization and democratization process has been strengthened by the pursuit of her commitment to integrate European and Euro-Atlantic structures. Since Shevardnadze handled power in Georgia to ensure stability in the country and to promote reforms under liberalization and democratization, he has sought good relations with both East and West for the sake of security and securing reform aid. Shevardnadze stated in April 2000 that "our main principle is state pragmatism....We are prepared to cooperate with all countries that help us resolve several fundamental problems...including our most important, burning issue, the settlement of the conflict in Abkhazia."²¹⁵

Despite making security agreements with Russia and CIS (Commonwealth of Independent States), Georgia's western orientation has pursued membership in the Council of Europe (CoE) and the World Trade Organization (WTO) as indicators of Georgia's progress in implementing Western-style reforms, resulting in admission to the CoE in April 1999 and the WTO in October 1999. The EU' active support and assistance has been accentuated in furthering the process of successful implementation of judicial reforms in Georgia with the support of experts.²¹⁶ In

²¹⁵ <http://www.nationsencyclopedia.com/World-Leaders-2003/Georgia-FOREIGN-POLICY.html>

²¹⁶ <http://www.eu-integration.gov.ge/eng/partnership.php>

1999, when Georgia became a member of the Council of Europe, Zurab Zhvania, Chairman of Georgian Parliament, triumphantly declared this “the beginning of the stage of real integration of our motherland into a single European Structure.”²¹⁷ The Council of Europe carries a flag for the promotion and control of democracy which was established as the first pan-European institution in 1949. Its treaties (i.e. the European Human Rights Convention), charters and recommendations define the rules and regulations that member states should follow. Moreover, the European Court of Human Rights and the European Commission for Democracy through Law are two institutions of the Council of Europe that gained considerable power and influence over the practice of creating democratic law.²¹⁸ Thus, Georgian membership to the Council of Europe has clearly highlighted their intention in integration to European structure and also affiliation to democracy.

The extent of Western aid and support has been mentioned in the previous chapter of this thesis, above all how international players, trends, and circumstances are involved in the internal development of Georgia. Despite significant western support and aid, unsuccessful reforms, together with international influence, prepared the way for a regime change in Georgia in 2003. In the last decade the EU’s assistance in Georgia has been welcomed but since the Rose Revolution brought a more reform-minded government to power, the integration to European and Euro-Atlantic structures has been put forwarded as a priority for Georgia. The flags that fly next to Georgian ones at all public buildings in downtown Tbilisi have been regarded as the symbols of Georgia’s determination to integrate itself into the West. Moreover Leonard and Grants argues that; “demonstrators of the revolution wish to embark on a transformation similar to the one pursued by the countries of Central and Eastern Europe in 1990s”.²¹⁹

²¹⁷ The Parliament of Georgia Newsletter, No.2 1999, p.1 See for role of cultural paradigm’s in Georgian policy Stephan Jones, “The Role of Cultural Paradigms in Georgian Foreign Policy”, *Post Communist Foreign Polices*, Volume 19, Number 3, September 2003, pp.83-110.

²¹⁸ Bronislaw Geremek, “Democracy in Europe and the Commonwealth of Independent States” in *Democracy Rising. Assessing the Global Challenges*, ed. by Heraldo Munoz, (Boulder; London: Lynne Rienner Publishers, 2006), p. 81.

²¹⁹ Mark Leonard and Charles Grant, “Georgia and the EU: Can Europe’s Neighborhood Policy Deliver?”, *Centre for European Reform Policy Brief*, September 2005, p.1.

Besides this, Georgians look for full integration to the EU. According to Jeremy Gordon, the issue of Georgia's full integration into the European Union is not simply a 'right of passage', but is viewed more as a manner of 'returning home' to its rightful position in Europe.²²⁰ He mentions that:

Having been estranged for so long, the time has come to return to its historic and cultural roots. According to many Georgians, Georgia is European. The Chairman of the Foreign Relations Committee, Kote Gabashvili made it very clear to me that Georgians are "Europeans in Europe". Additionally, Former Minister Irakli Menagarishvili has commented to me that the "task of establishing a Europe without borders would not be accomplished if it did not reach the Caspian Sea". These remarks are more than just wishful thinking that can be attributed to post-Rose Revolution enthusiasm; they are expressions of deep-seated beliefs that Georgia belongs in the European Union.²²¹

5.2 The EU Assistance to Georgia

EU assistance in different areas like humanitarian aid, conflict rehabilitation, human rights, technical assistance and development should not be ignored in comparison to other international players such as US, UN, UNDP, OSCE, IMF, IDA (International Development Association), who had assisted Georgia in the post-Soviet period. Since the 1990s, the EU has supported Georgia through a range of instruments which are under way such as: technical assistance (TACIS), humanitarian aid (ECHO- the European Community Humanitarian Aid Department), food security (FSP), macro financial assistance (MFA), post-conflict regions rehabilitation, democracy and human rights (EIDHR), Common Foreign and Security Policy Joint Actions (CFSP), Rapid Reaction Mechanism (RRM), and international programs (TRACECA, INOGATE, environment protection etc.)

One of the main instruments, Humanitarian Assistance (ECHO) has been present in the Newly Independent States region since the early 1990s, in accordance with its core mandate (humanitarian assistance in response to natural or man-made disasters).

²²⁰ Jeremy Gordon, "Georgia's relationship with the EU: A Diverging Union" published date 27 03 2006, Available at <http://www.gfsis.org/pub/eng/showpub.php?detail=1&id=95>

²²¹ Ibid.

From 1993 to 1999, ECHO's operational funding in the Southern Caucasus has been considerable, with € 64.255 million of humanitarian aid going to Armenia, € 83.34 million to Georgia and € 82.96 million to Azerbaijan. ECHO withdrew from post-emergency programmes in the Southern Caucasus between 1996 and 2000 with a last allocation of € 3.855 million for the three countries. In 2000 and 2001 ECHO provided a total € 2.35 million as a contribution to alleviating the consequences of the drought in Georgia (Totally €92 million 1992-2002 for Georgia).²²²

The EU allocated €72 million 1992-2003 under Food and Security Programme to Georgia. Since 2000, a partial reorientation was realized by the FSP through supporting in favour of a complementary poverty alleviation component through the social safety net in the form of: (a) allocation of resources and further targeting of the family poverty benefit; (b) institutional care.²²³

Under the rehabilitation programme, in consideration with both the Tskhinvali region (South Ossetia) and Abkhazia (Enguri hydropower plant and dam) the EU assistance was observable. According to the EU data, in 1997, "the EC proposed to grant € 10 million for urgent repairs at the Enguri hydropower plant and dam (repair of generator Nr. 3 and provision of stop log at the dam), in two tranches of € 5 million and under its rehabilitation budget." Besides, the assistance had been realized as complementary to the rehabilitation program of Enguri financed from an EBRD loan of some € 44.5 million. Moreover, in 1999 the EC proposed a new grant of € 2.5 million.²²⁴ However, the approval and fulfillment of conditionality was what the EU looked for in exchange for the grants.

On the other hand, the EU began to be involved in security issues in Georgia within the framework of Common Foreign and Security Policy. Given the dynamics created by its programme, the EU has provided financial assistance for and participated in the Joint Control Commission (JCC) on South Ossetia since April 2001 whose quadripartite body (with Georgia, South Ossetia, North Ossetia and Russia) had been

²²² http://ec.europa.eu/comm/external_relations/georgia/intro/index.htm

²²³ Ibid.

²²⁴ Ibid.

conducted with the OSCE. Through a Joint Action, the EU provided equipment worth € 1.045 million to the Georgian Border Guards (GBG) in 2000 and 2001. The Border Guards had been launched with the aim of protecting the unarmed OSCE monitors at the border between Georgia and the Chechen Republic of the Russian Federation. Moreover Georgia is a country which had also benefited from exceptional financial assistance. According to the EU data in July 1998, Georgia has settled the remaining amount of its arrears towards the Community (€ 131 million) and subsequently benefited from a new assistance package consisting of a loan of € 110 million and a total grant amount of € 65 million that was to be disbursed over the 1998-2004 period.²²⁵ Despite the assistance there had been some challenges in the effectiveness and in compliance with the commitments. It is noted in the Commission's Country Report on Georgia that; "Georgia's difficulties in complying with its agreements with the IMF have also in the past adversely affected the ability of the EC to implement its FSP and Macro-Financial Assistance Programme."²²⁶

5.3 PCA and TACIS

The Partnership and Cooperation Agreement (PCA), which was concluded in 1996 and entered into force in 1999, has constituted a legal basis for Georgian-EU relationship. The PCA established EU-Georgia partnership institutions: Cooperation Council, Cooperation Committee and Parliamentary Cooperation Committee. The PCA regulates cooperation in the areas of political dialogue, trade, investment, economic, legislative and cultural cooperation.

In general the main objectives of the PCA are:

- *"To develop appropriate structures for political dialogue between the sides that will provide means for enhancement of political relations;*
- *To support Georgia's efforts in strengthening of democracy, development of economy, and final transfer to free market;*

²²⁵ Ibid.

²²⁶ Commission's Staff Working Paper Annex to: "European Neighborhood Policy" Country Report Georgia COM(2005) 72 Final Brussels, SEC(2005) 288/3

- *To facilitate trade, investment and harmonious economic relations between two sides, thus aiding to their sustainable economic growth;*
- *To lay foundation for cooperation in legal, economic, financial, social, civic, scientific, technological and cultural spheres”.*²²⁷

The agreement expires in ten years, after which it will be automatically prolonged, unless the EU or Georgia decide otherwise. It is not unchangeable and can be developed in directions desired by the EU and Georgia, in accordance with future developments; and especially considering Georgia’s progress in democracy building and development of market economy.²²⁸

Before PCA entered the force political dialogue between Georgia and the EU was conducted by diplomatic missions, high level officials, experts and parliaments. These meetings were held on an ad hoc basis. The 1989 Trade and Cooperation Agreement between European Communities and Soviet Union established an institution named Joint Committee (meeting of experts from the Community and Member States from one and Ministries from other), which was extended to all NIS after 1992. This institution together with the annual Joint Parliamentary Meetings was an effective fora to conduct Political Dialogue. But this dialogue was not based on strongly determined objectives and commitments from the sides. In 1997, 2 years before entering the force PCA, the EU and Georgia initiated a full scale political dialogue based on the goals and objectives referred to in article 5 of the Agreement. Parliamentary cooperation Committee was established in 1998 before the PCA entered the force as well. As far as PCA entered the force on 22nd of July 1999 the institutionalized Political Dialogue passed mainly to the “Cooperation Institutions”. Cooperation Council and Parliamentary Cooperation Committee became main instruments to conduct political dialogue. These institutions were set up and function on the basis of Articles 81 to 88 of the PCA. Other “civil servant level” institutions

²²⁷ Partnership and Cooperation Agreement between Georgia and European Community (http://ec.europa.eu/external_relations/ceeca/pca/pca_georgia.pdf)

²²⁸ <http://www.eu-integration.gov.ge/eng/partnership.php>

like the Sub-committee on Economic, Legal and Trade related issues, provide for important discussions among experts.²²⁹

Trade-related provisions of the PCA were put into effect as a result of signing of the so-called "Interim Agreement" on October 5, 1996. According to the Protocol enclosed to the Agreement, the parties began cooperating on the customs issues. On 12 October 1999 the first meeting of the EU-Georgia Cooperation Council was held in Luxemburg.²³⁰ The conclusions of the Cooperation Council included basic directions of cooperation between Georgia and the EU in the nearest future. On 23 April 2001 the EU Cooperation Coordination Council was established, the main goals of which were: elaboration of proposals and recommendations for the President of Georgia; consideration of information on the activity of the Governmental Commission promoting partnership and cooperation between Georgia and the EU; review of information on the activity of the Bilateral Governmental Commissions with the EU member states; promotion of the process of the further harmonization of the legislation of Georgia with the European one.²³¹

TACIS was the main financial instrument in Georgia as like other Newly Independent States in supporting the implementation of the PCA used by the EU. The programme also has provided grant assistance for projects in priority areas that are defined on a biannual basis. Country Strategy Paper and TACIS reports were documents in which priority areas and progress had been assessed.

The 2000-2001 TACIS National Action Programme (AP, total € 15 million) concentrated on three priority areas, namely:

- (1) support for institutional, legal and administrative reforms;
- (2) support to the private sector development and assistance for economic development
- (3) development of infrastructure networks.²³²

²²⁹ Ibid.

²³⁰ EU Bulletin 10-1999 (<http://europa.eu/bulletin/en/9910/p105071.htm>)

²³¹ Ibid.

²³² http://ec.europa.eu/comm/external_relations/georgia/intro/index.htm

In 2002-2003 TACIS, with an indicative budget of € 14 million, was focusing on support for institutional, legal and administrative reform, as well as on support in addressing the social consequences of transition. This included continued support to the approximation of legislation for the implementation of the PCA and also support in addressing the social consequences of transition which targets the health sector, including investments to support the primary healthcare restructuring programme.²³³

In the light of the serious problems of governance in Georgia, highlighted in 2002 by kidnapping cases, the European Commission decided to review the Country Strategy Paper (CSP) for Georgia, outside the regular cycle of CSP adaptations.²³⁴ The new CSP for Georgia together with a new Indicative Programme for 2004-2006 adopted by the Commission on 23 September 2003 in which main lines are high lightened as EU assistance should reach its objectives.²³⁵ Those objectives had been determined as:

significantly strengthening "conditionality" of assistance; more strongly focusing assistance on the most promising reform programmes; providing much stronger support to civil society; thematic priorities for EU assistance 2004-2006 (all instruments); rule of law, good governance, human rights and democratic institutions; Fight against poverty; Conflict prevention, conflict settlement and post-conflict rehabilitation.

The overview of the political and economic situation of Georgia under PCA assessed in the Country Strategy Paper of Georgia as; “although strong economic improvements and a substantial work launched in terms of approximation of legislation have already been done, Georgia is significantly lagging behind in its commitments and expectations concerning the transition towards democracy and the rule of law”.²³⁶ Thus it has been regarded as significantly behind the schedule in terms of progress towards market economy, including its commitments to international financial institutions and the EU. The Paper adopted by European Commission on 23 September 2003 stressed the necessity of trade increase, foreign investments attraction, fight against smuggling, corruption and the shadow economy.

²³³ Ibid.

²³⁴ http://ec.europa.eu/comm/external_relations/georgia/intro/index.htm

²³⁵ Ibid.

²³⁶ Country Strategy Paper 2003-2006 TACIS National Indicative Programme 2004-2006 Georgia

Significant reform efforts need to be made in the energy, agriculture and banking sectors in particular. Moreover, it has been pointed out that “Georgia’s political situation is dominated by widespread poverty, serious problems of governance and weak rule of law, including high levels of corruption, strained relations with Russia, and internal conflict, involving in particular the breakaway republics of Abkhazia and South Ossetia, as well as a high level of external debt.”²³⁷

Georgia has been benefiting from the continuing assistance provided under the TACIS Regional Cooperation Programme (Interstate programmes like TRACECA, INOGATE and the Regional Environmental Centre for Southern Caucasus, based in Tbilisi).

The effectiveness of EC assistance had been hampered in the past by institutional and political instability, widespread corruption, severe budget constraints, due to low tax collection and poor public finance management, and by a severe deterioration of governance. These negative factors, added to weak public administration and lack of motivation in the civil service, dramatically limit Georgia’s absorption capacity.

5.4 Common Foreign Security Policy: EU Special Representative to South Caucasus

The increased interest of the European Union towards the Caucasus region has manifested itself in appointment of the *EU Special Representative for South Caucasus* in 2003.²³⁸ The mandate of the EUSR includes assisting the Council in developing a comprehensive policy towards the South Caucasus, contributing to conflict prevention and assisting the conflict settlement in the region. The mandate has been strengthened in 2006 to include contribution to conflict resolution. The first Special Representative was Heikki Talvitie of Finland; current EUSR is Peter Semneby of Sweden.²³⁹

²³⁷ Country Strategy Paper 2003-2006 TACIS National Indicative Programme 2004-2006 Georgia

²³⁸ Council’s Joint Action 2003/496/CFSP of 07 July 2003 Concerning the Appointment of an EU Special Representative for the South Caucasus

²³⁹ http://www.mfa.gov.ge/print.php?gg=1&sec_id=123&info_id=1411&lang_id=ENG

The EU has an interest in Georgia developing in the context of a politically stable and economically prosperous southern Caucasus. In this respect, the conflicts in Abkhazia and Tskhinvali region/South Ossetia remain a major impediment to development in Georgia and contribute to regional instability. The EU supports the principle of Georgian territorial integrity. The decision by the Council of Ministers in 2001 with respect to conflict resolution in the southern Caucasus has intensified the EU's political commitment to the region in the following years. EU's involvement is yet limited to the South Ossetia conflict where the EU provides support to the Joint Control Mission but it stands ready to look for further ways in which it could contribute to conflict resolution, as well as post-conflict rehabilitation.²⁴⁰

5.5 After The Rose Revolution: A New Perspective

It is Georgia's "Rose revolution" in November 2003 which has opened up a new perspective for EU-Georgia relations offering political support to the new regime in Georgia through declarations and visits. On 24 November 2003, the EU presidency circulated a declaration which notes with satisfaction the peaceful outcome to the political crisis in Georgia and underlines the EU's calls on all political actors to continue to show restraint, and to refrain from the use of force in the testing times ahead and renewing its commitment to assisting Georgia in overcoming its difficulties with reference to attaching the highest importance to the sovereignty and territorial integrity of Georgia.²⁴¹ The high levels visits between Georgia and the EU represented a strong political will for closer relationship afterward the Rose Revolution. The first important meeting had been realized between President Prodi and interim President Nino Burjanadze in December 2003 which had been followed by visit of the Higher Representative Solana to Georgia on 14-15 January 2004. Moreover, Irish Foreign Minister, Brian Cowen, attended Saakashvili's inauguration on 25 January 2004, and EU Special Representative Talvitie has visited Georgia on

²⁴⁰ http://ec.europa.eu/comm/external_relations/georgia/intro/index.htm

²⁴¹ EU Presidency Declaration on Situation in Georgia on 24 November 2003, Available at with reference number CL03-366EN: http://www.europa-eu-un.org/articles/en/article_3042_en.htm

numerous occasions often accompanied by high level Commission officials.²⁴² Special Representatives became more active in contacting relations with de-facto independent regions before as well as after the parliamentary election on 28th of March 2004.

The response of the Commission to the “Rose Revolution” has been realized by providing some immediate assistance through mobilization in the new situation, including the possible allocation of additional resources. €2 million from the Rapid Reaction Fund for support, via the UNDP, was designated in December 2003 by the Commission for the Presidential and Parliamentary elections (4 January and 28 March respectively) also €5 million from Georgia’s Food Security Programme as budgetary support during the winter months was been agreed on.²⁴³

On 15 December 2003, European Parliament promulgated a motion for resolution on Georgia’s parliamentary and presidential elections congratulating the people of Georgia on political change and demanded determined leadership by the EU in promoting peace, stability and economic development in Georgia, as well as in Azerbaijan and Armenia. Also, in the resolution it started that the Special Representative of the European Union for the South Caucasus should be empowered to implement the policy objectives of the European Union in the region, one of which is ensuring the integrity and sovereignty of Georgia.²⁴⁴

On February 17, 2004 the Government of Georgia established a post of the State Minister for European and Euro-Atlantic Integration. The State Minister ensures the coordination over the measures taken by structures of the member states in the process of integration and over the implementation of the Partnership and Cooperation Agreement and the EU Programme in Georgia. On April 26, 2006 the

²⁴² <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁴³ Ibid.

²⁴⁴ European Parliament, B5-0547/2003 15 December 2003.

State Minister for European and Euro-Atlantic Integration was charged with implementation of obligations of a Vice-Premier of Georgia.²⁴⁵

On 16-17 June 2004 a World Bank-sponsored donor's conference for Georgia was held in Brussels at which a total of € 850 million was pledged for the period 2004-2006. The European Commission, for its part, pledged a total € 125 million taking total assistance compared with 2004-2006 to € 137 million, a doubling of assistance compared with 2001-2003.²⁴⁶

President Saakashvili's genuine desire for reform has attracted the attention of the EU. EU Foreign Ministers on June 14 2004 decided to launch a "rule of law" mission (EUJUST THEMIS) (Council Joint Action 2004/523/CFSP of 28 June 2004) in Georgia to help the country improve its criminal-justice system.²⁴⁷ This was the first Rule of Law mission launched by the EU in the context of the European Security and Defence Policy (ESDP) using the civilian crises management arrangements. In the framework of EUJUST THEMIS, senior and highly experienced personnel supported, mentored and advised Ministers, senior officials and appropriate bodies at the level of the central government. Ms Sylvie Pantz had been appointed Head of the EUJUST THEMIS Mission (PSC Decision of 30/6/2004). The Head of Mission reported to SG/HR Javier Solana through the EU Special Representative for the Southern Caucasus, Peter Semneby who had replaced Heikki Talvitie. EUJUST THEMIS was designed to support the Georgian authorities in addressing urgent challenges in the criminal justice system, assisting the Georgian government in developing a co-ordinated overall approach to the reform process. The operation achieved its main aims and successfully completed its tasks on 14 July 2005.²⁴⁸

²⁴⁵ <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁴⁶ Commission Staff Working Paper Annex to: "European Neighborhood Policy" Country Report, Georgia COM(2005) 72 final, Brussels SEC (2005) 288/3

²⁴⁷ Ahto Lobjakas, "Caucasus: EU increasingly Targeting Georgia over Conflict Stricken Armenia, Azerbaijan", June 15, 2004, RFE/Radio Liberty
(<http://www.rferl.org/featuresarticleprint/2004/06/1fae3121-65dc-4300-ad18-fac9671f11b6.html>)

²⁴⁸ http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=701&lang=en&mode=g

The EU is involved in Georgian problems to a certain extent in terms of security and conflict resolution. Increasing active role of the EU in Georgian politics gained momentum after the Rose Revolution in response to Georgian demands when EU appointed a special representative to the region who is in charge of pursuing the Unions aims in the field of conflict resolution. When Joint Control Commission's inability to achieve any progress in the settlement was proven, in line with the decision to change the existing format of negotiations with separatist regions in the South Caucasus, the European Commission participated to the Joint Control Commission (JCC- Georgia, separatist South Ossetian, Russia, North Ossetia, and OSCE participates) only as an observer, lacking negotiation or mediation powers. Even though it is not possible to say such participation was influential, it, at least, showed that the EU responded to Tbilisi's call for wider international participation in the format of negotiations (particularly by the EU). However, when the Russian factor is included, the EU becomes more reluctant. The OSCE Border Monitoring Operation (BMO) on the Georgian-Russian border had to be replaced. BMO used to depict every violation at the border and reported them to the OSCE headquarters until 2004 for 5 years when vetoed by Russia. The EU, which has been seen as a real and serious replacement, has replied to the request of Georgian government by sending only a three-man team of border experts based on Georgian capital, with a limited mandate. After the work of the expanded expert team with Georgians, the EU decided to contribute the strengthening of the border management system of Georgia through deploying a team of experts under the EUSR.²⁴⁹

Furthermore, on the Georgian side, an important component of the PCA harmonization of the Georgian legislation with the EU law has been accelerated in 2004. In this regard it is noteworthy that the Georgian government approved the National Program for Harmonization of the Georgian Legislation with the EU Law in its May 8, 2004 dated decree harmonization and government members were assigned to draft Individual (sectoral) Action Plans for the implementation of the national program. In August of 2004, virtually all ministries presented draft individual action plans, on the basis of which a unified action plan for approximation of the Georgian

²⁴⁹ Nodar Tangiashvili and Mikheil Kobaladze, "EU-Georgian Neighborhood Relations", Working Paper, Center for EU Enlargement Studies, Central European University, Budapest, May 2006, pp. 29-30.

legislation with the EU law for the years 2004-2006 was elaborated. On 29 October 2005, the European integration commission, chaired by the Prime Minister approved this document. With the aim to effectively implement the aforementioned unified action plan, an inter-agency working group has been established, which is headed by the relevant State Minister and which comprises persons in charge of the European integration and harmonization issues (on the level of deputy ministers) from all interested agencies.²⁵⁰

5.6 A New Era with the European Neighborhood Policy

The growing interest of the EU to South Caucasus triggered by the Rose Revolution has been proven by the extension of European Neighborhood Policy that is directed at a ring of countries stretching from Morocco to Ukraine and Moldova. The policy had been to enlarge Europe to South Caucasus on 14 June 2004. As mentioned in the second chapter indeed three Caucasian countries were initially excluded from the policy, but were taken on board largely as a result of the “Rose Revolution” in Georgia.²⁵¹ The EU’s special representative for the South Caucasus, Finnish Diplomat Heikki Talvitie spoke in Brussels on 15 June 2004 praising Georgia’s pioneering role;

Basically, when I started last July we had on the agenda the question “How to develop these relations with the South Caucasus? And then suddenly the “Rose Revolution” happened in Georgia and this accelerated things a lot. Georgia became a focus for international politics; Georgia got the priority on the agenda of many countries—including the United States and Russia, Turkey, the European Union, among others, and our member states. This meant that there was a sort of push to our relations with South Caucasus.²⁵²

For the aim of European integration Georgia began to take concrete steps especially in the area of institutional preparation. One of these was the establishment of the Commission for Georgia's Integration into the EU in July 2004 with the purpose of assisting Georgia in the process of joining the European Union, coordinating the

²⁵⁰ <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁵¹ RFE/RL Article “Caucasus Countries Move Toward Closer Alignment with the EU, 2 March 2005.

²⁵² RFE/RL Article “Caucasus: EU Increasingly Targeting Georgia Over Conflict-Stricken Armenia, Azerbaijan” 15 June 2004.

process of implementation of the Partnership and Cooperation Agreement and to ensure Georgia's effective participation in the European Neighborhood Policy.²⁵³

As has been supposed in the framework of the ENP, for each partner of the policy a country report has been prepared. On 2 March 2005 the European Commission adopted “the country report of Georgia together with Armenia, Azerbaijan, Lebanon and Egypt which is a detailed overview of the country’s progress toward adopting EU values such as rule of law, democracy and market economy.”²⁵⁴

That next stage was development of an Action Plan which was supposed to be negotiated with and tailor-made for each country, based on the country’s needs and capacities, as well as their and the EU’s interests and which will jointly define an agenda of political and economic reforms by means of short and medium-term (3-5 years) priorities . On the Georgian side, in order to negotiate for an Action Plan, with the Resolution of July 11, 2005 ‘the Commission for Talks with the EU’ was established which was co-chaired by the Ministry of Foreign Affairs and the State Minister for European and Euro-Atlantic Integration. On November 29-30, 2005 the first round of talks over the EU Neighborhood Policy Action Plan was held. The second round of talks over the Action Plan was held on March 8, 2006 in Brussels, and the third round of talks over the elaboration of the Action Plan was held in Tbilisi, on May 16, 2006. The Joint Statement on the agreed text of the ENP Action Plan within the European Neighborhood Policy was signed between the Troika and Georgia in Tbilisi, on October 2, 2006.²⁵⁵ At the 7th meeting of the EU-Georgian Cooperation Council which was held in Brussels, on November 14th, 2006, the EU-Georgia Cooperation Council’s recommendations on the implementation of the EU-Georgia Action Plan in the framework of the ENP had been signed.²⁵⁶

Discussed in the action plan, is the opportunity for the EU and Georgia to develop an increasingly close relationship, going beyond co-operation, to involve a significant

²⁵³ <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁵⁴ COM(2005)72 Final Brussels SEC (2005) 288/3

²⁵⁵ <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁵⁶ Ibid.

measure of economic integration and a deepening of political co-operation, a determination to promote stability, security and welfare. Georgia is invited to enter into intensified political, security, economic and cultural relations with the EU, enhanced regional and cross-border co-operation and shared responsibility in conflict prevention and conflict resolution. These incentives depend on the degree of Georgia's commitment to common values as well as its capacity to implement jointly agreed priorities. These priority areas had been arranged as:

1- Strengthen rule of law especially through reform of the judicial system, including the penitentiary system, and through rebuilding state institutions. Strengthen democratic institutions and respect for human rights and fundamental freedoms in compliance with international commitments of Georgia (PCA, Council of Europe, OSCE, UN).

2- Improve the business and investment climate, including a transparent privatization process, and continue the fight against corruption.

3- Encourage economic development and enhance poverty reduction efforts and social cohesion, promote sustainable development including the protection of the environment; further convergence of economic legislation and administrative practices.

4- Enhance cooperation in the field of justice, freedom and security, including in the field of border management.

5- Strengthen regional cooperation.

6- Promote peaceful resolution of internal conflicts.

7- Cooperation on Foreign and Security Policy

8- Transport and Energy²⁵⁷

As seen, the support of democratic reforms in Georgia and institutionalization of democracy occupies the first priority which will be looked for implementation by the EU. Rather than cooperation in security and other economic areas, democracy promotion, fight against corruption and economic development of Georgia comes first and foremost. Crucially in these areas currently a reform process has been started and the EU has to support this ongoing opportunity.

²⁵⁷ EU/Georgia Action Plan COM(2006)623 Final Brussels, 24.10.2006
http://ec.europa.eu/world/enp/pdf/action_plans/georgia_enp_ap_final_en.pdf

Apart from an introduction that outlines the aims of ENP for Georgia and commitments by parties, Action Plan for Georgia has consisted of the following parts: “New Partnership Perspectives”; “Priorities For Action”; “General Objectives and Actions which complement priorities”. Action Plan for Georgia covers a timeframe of 5 years; of which implementation will also fulfill the provisions of the PCA. The perspective of moving beyond cooperation to a significant degree of integration including a stake in the EU’s Internal Market and gradual extension of four freedoms (free movement of good, services, capital and people) to Georgia, as well as the possibility for Georgia to participate progressively in key aspects of EU policies and programmes has been clearly pronounced in the Action Plan. Cooperation in Justice, Freedom and Security, deepening trade and economic relations, enhancing regional economic cooperation; i.e. Baltic, Black Sea and Caspian in parallel to South Caucasus partnership has been emphasized mentioning increased financial support for these areas. Under every priority area specific actions have been listed broadly in the Action Plan, some of them with concrete deadlines. General objectives and actions vary from political dialogue and reform to security issues to energy, environment, telecommunication, agriculture to customs within the perspective of approximation to European acquis.

5.6.1 Monitoring of Implementation of Commitments and Objectives in the Action Plans

The implementation of the mutual commitments and objectives contained in the Action Plans is regularly monitored through sub-committees with each country, dealing with those sectors or issues. On 4 December 2006, the Commission issued its first periodic report on progress and on areas requiring further progress. Progress for Georgia has not been reported yet. But on January 15-19, 2007 the EU fact-finding mission visited Georgia with the aim of the mission to examine the possibilities of implementing the EU-Georgia ENP Action Plan in the conflict zones of Georgia, including issues of border control and confidence building between the conflicting sides, as well as the ways of EU participation in peaceful resolution of the conflicts on the territory of Georgia. In addition, on 19 March 19 2007, a preparatory,

unofficial meeting of the EU-Georgia Cooperation Subcommittee on Justice, Freedom and Security was held in Brussels.²⁵⁸

5.6.2 European Neighborhood & Partnership Instrument (ENPI)

As mentioned above, under the EU's neighborhood policy, the new "European Neighborhood Partnership instrument" will provide funds for Georgia from 2007. The ENPI targets sustainable development and approximation to EU policies and legislation that brings a radical improvement in capacity to support cross-border cooperation along the EU's external borders – thus giving substance to our aim of avoiding new dividing lines. The ENPI will replace MEDA and TACIS and other existing instruments. This source of money will be more flexible than TACIS, and allow money to be spent on anything the EU considers useful, including infrastructure projects.²⁵⁹

In this framework, the Georgia Country Strategy Paper, which has been drawn up in close consultation with the Georgian authorities, covers EC financial assistance to Georgia for period 2007-2013 has been published.²⁶⁰ During this period, Georgia will be primarily eligible for the new ENPI, set up as part of the revision of EC external instruments with two main objectives: (i) to consolidate and rationalize several existing different EC assistance budget lines and (ii) to enlarge the scope of EC financial assistance to neighboring countries from the technical assistance approach of the previous. EC assistance over the period covered by this CSP will mostly focus on supporting Georgia in fulfilling its commitments under the ENP Action Plan and contributing to the attainment of the Millennium Development Goals. For the country programmes of Georgia 120.4 million Euros had been allocated for the period 2007-2010.²⁶¹ The CSP provides a comprehensive overview of future EC assistance priorities, encompassing all EC Financial instruments and programmes and following the structure of the ENP Action Plan for Georgia which

²⁵⁸ <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁵⁹ Leonard and Grand, "Georgia and the EU: Can Europe's Neighborhood Policy Deliver?", p. 7.

²⁶⁰ http://ec.europa.eu/comm/external_relations/georgia/csp/index.htm.

²⁶¹ Ibid.

includes eight “Priority areas for action.” and seven headings, which will be implemented mainly through bilateral ENPI financial assistance, but also through other relevant EC external instruments available to Georgia.²⁶²

The ENPI National Indicative Programme (NIP), covering the period 2007-2010 defines in greater detail the focus of operations under the national allocation of the ENPI, intended as a guide to planning and project identification during the four-year programming period and sets out a limited number of priority areas, together with the objectives and results to be achieved. These priority areas are;

- Priority Area 1: support for democratic development, the rule of law and governance.
- Priority Area 2: Support for economic development and ENP AP implementation
- Priority Area 3: Support for poverty reduction and social reforms.
- Priority Area 4: Support for peaceful settlement of Georgia’s internal conflicts.

The document also includes a list of sub-priorities which is to be understood as indicative. Moreover, long term impact; specific objects, expected result and indicators of achievement (long term impact level and specific objectives level) have been presented in the document.

Furthermore, in the CSP it is mentioned that new external assistance instruments will substantially enter into force in Georgia such as twinning, TAIEX (Technical Assistance and Information Exchange),²⁶³ budgetary support-including in the context of sector-wide approaches (SWAPs): infrastructure and equipment funding: and pool funding will be available and used where appropriate. Additional support for investment in transport and energy infrastructure and in the environment will be

²⁶² Ibid.

²⁶³ TAIEX is an instrument of the Directorate-General Enlargement of the European Commission which helps countries with regard to the approximation, application and enforcement of EU legislation. It is largely demand driven and channels requests for assistance and contributes to the delivery of appropriate tailor-made expertise to address problems at short notice.

provided primarily through European Investment Bank lending, conditional upon the extension of the Bank's mandate to South Caucasus region from the year 2007.

These are all the steps and commitments on the documents with the framework of the ENP. Concerning the question of implementation and success of the Action Plan we have to discuss two dimensions. Firstly, examining differences and similarities between ENP and enlargement helps us to explore the prospect of success of ENP in Georgia. Secondly, it is clear that there is a gap between the EU side, offering closer relationship and the Georgian side seeking for membership. But the already launched and future support of democracy and reform in Georgia will enhance the possibility of development and democratization. In this regard the gap loses its importance if there is progress in conditions in Georgia. Membership will be none the less in considered in relation to democracy. We have to bear in mind that Southern and Central-Eastern countries made concrete steps in consolidation of democracy by acquiring membership. Instead they had acquired membership because of realized steps in consolidation of democracy.

The ENP is generally criticized for having some weak points in relation to the enlargement process.²⁶⁴ The most important weakness is lack of crucial incentive for offering membership. The EU puts forward some incentives, in return for progress on relevant reforms, which are greater integration into European programmes and networks, increased assistance and enhanced market access. This causes some fears about the contribution of ENP, as it has been accepted that enlargement policy has been a strong mechanism in the promotion of liberalization and democratization in Central and Eastern Europe and is supposed to be so, in countries which are in the Union's enlargement perspective (Croatia, Turkey and Balkan countries).

We have to assess that if ENP does not offer meaningful and good prospects for membership, does it offer closer relationship rather than cooperation? This would be strong enough in a country moving along a reform and democratization process.

²⁶⁴ Smith, "The Outsiders: the European Neighborhood Policy", p.772, Michael Emerson, "European Neighborhood Policy: Strategy or Placebo?", CEPS Working Document, No.215, November 2004, p.17, Dov Lynch, "The European Neighborhood Policy", paper presented at the workshop "European Neighborhood Policy: Concepts and Instruments" organized in Prague on June 9-10,2004 by the European Commission with DGAP, CEFRES and IIR.

Even though, Georgian politicians have many times since the Rose Revolution declared their desire for EU membership, ENP is not designed as a step for membership.²⁶⁵ The lack of enough offers to justify deep reform process in Georgia has been questioned.²⁶⁶ Moreover, it is anticipated that the Action Plan to define such steps in regard to the lack a clarified incentive schemes could link fulfilled conditionality and progress to concrete objectives in EU relations with its neighbor.²⁶⁷

In regard to limits of the policy some advised that Georgia should therefore position itself as “the little engine that could” in the ENP.²⁶⁸ However, within the limits of policy Georgia has begun to take important steps in the reform process; Dov Lynch argues that it has chosen managing a European vocation in rhetoric with action rather than potemkin Europeanization.²⁶⁹ However, it is possible to observe some points that could challenge the process of Europeanization.

For Georgians and many scholars security issues are an important area of cooperation with the EU. Although in country reports EU has not proposed immediate plans to become directly involved in helping resolve so-called frozen conflicts, it considered setting up border monitoring missions and contributions funds for the economic rehabilitation of areas affected by conflict. Furthermore Georgia is looking for involvement in border management that would help to build confidence between the various players and make the frozen conflicts easier to deal with. In addition, more involvement of the EU in conflict resolution in South Caucasus has

²⁶⁵ Interview with Georgian Foreign Minister Salome Zurbishvili, RFE/RL Article 2 March 2005, Question and Ask with Salome Zurbishvili, *Civil Georgia*, 24. 10. 2005

²⁶⁶ Dov Lynch, “The European Neighborhood Policy and Georgia”, *European Union Institute for Security Issues*, 30 September 2005, Tbilisi: GFSIS, Available at <http://www.eu-integration.gov.ge/eng/partnership.php>

²⁶⁷ Speech of Kakha Gogolashvili, Director of EU Studies, Georgian Foundation for Strategic and International Studies, titled “Georgia’s Declared European Vocation: the Concrete Steps Ahead” at the Conference on “Implementing the European Neighborhood Policy-Georgia as a model for the South Caucasus” held on 15 September 2004 at Georgian Foundation for Strategic and International Studies (GFSIS)/ Tbilisi .

²⁶⁸ Stephan De Spilegalerie, RAND Europe Kakha Gogolashvili, Georgian Foundation for Strategic and International Studies, July 6, 2004

²⁶⁹ Lynch, “The European Neighborhood Policy and Georgia”.

been recommended if she wants to be a real security player in the region and increase its visibility and map out reform processes concretely.²⁷⁰ The security matter carries the risk of the expectation-capability gap. The cautious and slow policy of the EU towards the Georgia has been generally explained by taking Russian factor into account.²⁷¹ The reluctant and cautious involvement in security issues and neutral policy of the EU in regard to Russian-Georgian relations to some extent challenges the development of the EU-Georgian cooperation with the lack of adequate response to expectations.

Georgians have had other expectations; Giorgi Baramidze, the state secretary for European integration, wanted the EU's new action plan on Georgia to focus on concrete deliverables that will show the EU is making a difference, such as roads, prisons, border guards, power stations, railways and new energy pipelines. He wants the action plan to be more focused than the wide-ranging plan that the EU has agreed with Ukraine.²⁷²

During the negotiations of the Action Plans, some weak points have been revealed. The EU has postponed to set some incentives which Georgia has been seeking for, such as adoption of Free Trade Agreement and granting a simplified visa regime to students, scholars and other visitors with academic purposes which are envisaged as people to people contact.²⁷³ In addition to that, although Georgia seems to be the motor for change in the South Caucasus with its visible intent in integration to the European structures, it faces the challenge of being put in the same basket with its neighboring countries. The similar Action Plans of the countries prove this challenge that reflects how regionalism surpasses differentiation. Moreover, during the negotiations of the Action Plans, when one member of the EU was unhappy with the

²⁷⁰ "Conflict Resolution in the South Caucasus: The EU's Role", *International Crisis Group Europe Report* No: 173, 20 March 2006.

²⁷¹ Nodar Tangiashvili and Mikheil Kobaladze, "EU-Georgian Neighborhood Relations", pp. 53-54.

²⁷² Leonard and Grand, "Georgia and the EU: Can Europe's Neighborhood Policy Deliver?", p.7.

²⁷³ Tangiashvili and Kobaladze, "EU-Georgian Neighborhood Relations".

behavior of another Southern Caucasian country, the three of the negotiation had been blocked for a while.²⁷⁴

All those challenges do not eliminate the promising peculiarity of this new policy. In order to stress the importance of the ENP for Georgia, Ivan Samson and Olena Vasylychenko in consideration of the advantages for Georgia from their participation in the ENP initiative, compare its stay on the PCA stage; the principle reasons for these advantages are: the shortcomings of the PCA call for the deeper and wider cooperation between Georgia and the EU; a vital necessity of further economic and political reforms in Georgia, for promotion of which the ENP foresees a scrupulous and individual approach, based on determination of the country's priorities and on the realization of action plans on their fulfillment; the aspect of security and stability, particularly in the Caucasian region, which is underlined in the framework of the ENP; becomes an important factor of development of cooperation with the neighbors and of the pace of Georgian reforms. It is mainly argued that the EU could further support efforts to prevent and resolve conflicts as well as participate in post conflict rehabilitation in Southern Caucasus in particular in Abkhazia and Tskhinvali/South Ossetia.²⁷⁵

Despite the lack of a real strategy of the EU, the ENP emerges as a considerable further step in EU-Georgian relations. The EU engages cautiously and slowly, to some extent reluctantly but more visibly in the region. This policy together with Georgia's strong aspirations and the support of public provides a fertile ground for consolidation of democracy in Georgia.

²⁷⁴ Temuri Yakobashvili and Kakha Gogolashvili, "The South Caucasus: Back and Forward to Europe", Strategy Paper for the Conference "Looking Towards the East. Connecting the German and the Finnish Presidencies", Berlin:17-19 December 2006, p.8.

²⁷⁵ Ivan Samson and Olena Vasylychenko, "EU PCA and ENP Policies for Georgia; How the Economic Integration with the European Union May Ease Reform Process and Economic Development in Georgia" Available at http://web.upmf-grenoble.fr/pepse/IMG/pdf/ENP_Georgia.pdf

5.7 Conclusion

According to some of the experts, the EU has a strong objective in the Southern Caucasus, but its perception of the region as a conglomerate of weak and failing states, authoritarian regimes, poor and corrupt economies and unresolved border and secessionist conflicts make it difficult to implement a strategic approach towards the region. Despite this, the EU has launched support for economic liberalization and democratization of the region since 1992 using different instruments. Design of a coherent EU strategy has not been the case. The possible consequences of having failed states close to its borders, together with the existing aspirations to Europeanization in the region, and other mobilizing factors for reform, are not sufficiently taken into account. But two developments triggered the EU to take new measures. The last enlargement realized in 2004 forced to construction of “wider Europe” concern in order to ensure stability, security and prosperity around the Union. “Enlargement fatigue” and absorb capacity of the Union caused the emergence of European Neighborhood Policy; closer relationship with neighbor countries without offering membership.

Furthermore recent events in Georgia have illustrated that the transition to democracy is not only a long-term affair but also calls for a skillful mix of restraint, openness and vigilance on the part of the international community. And that the new government started a wide-range of reform process with an aspiration of EU membership.²⁷⁶ Georgia’s Rose Revolution, revealing a real intention towards change and desire for integration into European structures, caused the inclusion of Georgia and also Southern Caucasus in the European Neighborhood Policy. As of 2007, Georgia will benefit from a large amount of European assistance for country and regional projects under the new ENPI.

Probably the ENP is so new policy and has some weak points that need to be tested. Besides, the success of the ENP largely depends on the ability of the EU to overcome

²⁷⁶ Londa Esadze, “EU Anlargement and South Caucasus; Rethinking the State and Combat Corruption in Georgia, p. 2, Available at <http://www.csb.ge/e/htm/research/publication/intas/Londa%20Esadze%20-%20EU%20enlargement%20and%20Southern%20Caucasus.pdf>

the limitations of the policy and eliminate the challenges in the region, just like its reservations in security matters. It has been argued that the policy is weak in the specificity of the Action Plans so far, and especially so in the nature of the incentives on offer (with membership clearly not on offer). In clear motto “Enlargement fatigue risks trumping democracy.”²⁷⁷ In comparison to the enlargement process which has been assessed as a successful project in the democratization and liberalization of Central and Eastern Europe, which was conditionality used by the Union efficiently in response to success in reforms, the ENP does not offer concrete incentives, the closer relationship is vague. Furthermore, Georgia also looks for membership even though it realizes this is a far of dream. Although membership is a far away dream, the relationship already offered by the EU accelerates the reforms in the EU, because aid will come in the short run. We have to bear in mind already launched rule of law and democracy reforms in Georgia and that they are first priority area in the Action Plan and National Indicative Program for the period 2007-2010. If this will be used correctly, there would be a concrete contribution. Furthermore, ensuring relations in PCAs would not supply Georgia with the enthusiasm and effort which will be monitored by the new EU mechanism. Moreover the ENP will supply a more comprehensive and concrete mechanism compare to previous ones. Although the rationale behind EU activities in Georgia is to ensure stability, security and prosperity around it, democratization is integrated into the current agenda. The extent of the EU’s democracy promotion activities will be determined both by the commitment of the Georgian governments to democratic reforms and the EU’s success to assist such processes within the framework of the NEP and Action Plans.

²⁷⁷ Emerson, Aydın, Noutchevea, Tocci, Vahl and Youngs, “The Reluctant Debutante: The EU as Promoter of Democracy in its Neighborhood”.

CHAPTER 6

CONCLUSION

There is a trend towards expansion of democracy in an increasing number of countries around the globe. Although the expansion of democracy is not a new phenomenon, what has been witnessed since the 1990s is the sheer increase in the number of the countries building democratic institutions and consolidation of democracy due to the domestic struggles and the dynamics of the international system. In this respect democratization of a country became more of an internationalized issue than before. Although external factors were influential in the democratization of countries during history, as triggered by wars, they became more visible and were analyzed in detail in the literature on democratization with democratic transitions which erupted by the collapse of Communism. Growing interdependency makes internal and external factors interrelated and causes different impacts on democratic transition and consolidation. This makes the issue multi-faceted.

Within this thesis, the effort of democracy promotion is analyzed. Democracy promotion emerges both as the goal of expansion of universal goals and a tool to make the world a safer place, supply stability and also convenience for liberal economy. As argued by Whitehead and Schmitter, international aspects of democratization can be grouped under three broad headings: contagion, control and consent. 'Contagion', is the diffusion of experience through neutral, i.e. non-coercive and often unintentional, channels from one country to other. 'Control' is the promotion of democracy by one country in another through explicit policies backed by positive or negative sanctions. 'Consent' emerges as a more recent category involving a complex set of interactions between international processes and domestic groups that generates new democratic norms and expectations from below. In the extreme, this may lead to an irresistible drive to merge with an already existing democracy whereas in a milder form, it underlines the desire to protect democracy

within a given state by joining a regional bloc (EU).²⁷⁸ Schmitter adds ‘conditionality’ to the above mentioned headings. The hallmark of conditionality is the deliberate use of coercion- through attaching specific conditions to the distribution of benefits to recipient countries- by some multilateral institutions (i.e. IMF, European Community, EBRD, OSCE, Organization of American States, and Organization of African Unity).²⁷⁹ International players implement democracy promotion policies through different mechanisms ranging from development and humanitarian aid to election observation. These constitute the most important aspect of democratization. In fact, the above mentioned notions, contagion, control, consent and conditionality could also co-exist in democracy promotion policies.

Among the international players, the European Union has a significant role in democracy promotion. Transforming itself from an economic community to a political one, the EU has become an international player which carries the banner of universal norms, of which democracy is an indispensable component. In addition, democracy promotion has become an explicit foreign policy instrument of the EU after the Cold War. ‘Democracy and human rights’ clauses have been put in all EU documents regulating its relations with third countries. Regarding the recently growing interest in democracy promotion of the EU, it also is argued that the EU was a “powerful catalyst”²⁸⁰ in democratization of Southern Europe with convergence of democratic and liberal values and using conditionality for integration to the Union. Within this framework, enlargement conveniently served the EU’s soft power to leverage the kinds of reforms that would realize the EU’s aim to its expand zone of prosperity, stability and security beyond its borders before inclusion of those countries. In other words, enlargement contributed to the consolidation of democracy both in South Caucasus and in newly liberalizing countries in Central and Eastern Europe. This can be regarded as a successful example of democracy promotion

²⁷⁸ Whitehead (ed.), *The International Dimension of Democratization; Europe and the Americas*, (Oxford University Press, 2001), pp. 3-27.

²⁷⁹ Philippe C. Schmitter, “The Influence of the International Context upon the Choice of National Institutions and Policies in Neo-Democracies” in *The International Dimension of Democratization; Europe and the Americas* ed. by Whitehead (Oxford University Press, 2001), pp. 29-30.

²⁸⁰ Whitehead, “Democracy by Convergence: Southern Europe” in *The International Dimension of Democratization: Europe and Americas*, (Oxford: Oxford University Press, 1996) p. 261.

although it was not a prior aim. Beyond the enlargement, the EU also launched various programmes supporting democratic values and human rights in different geographies around the world in the context of development aid in MEDA, NIS, ACP, ALA and through programmes like TACIS, ECHO. Additionally, PCAs served a mostly rapprochement between Europe and partner countries in mostly economic and political issues on shared values.

In this context, since the dissolution of the Soviet Union, the EU relations with the South Caucasian States continued in terms of humanitarian aids such as food programs and economic, technical assistance through the legal framework of PCAs which entered into force in 1999. Moreover, regional programmes like INOGATE and TRACECA supported by TACIS budget contributed regional economic cooperation. The EU's interests in the South Caucasus can be explained by energy-economy and security issues which are indeed interrelated. Holding energy resources and being the transit zone for the European market, South Caucasus constitutes an important if not vital region for the EU due to the Caspian Sea energy resources; which may decrease dependency on the Persian Gulf and Russian resources. In addition to energy and economic issues, Mac Farlane underlines two other reasons for the interest of the EU in the region; 'weak state spillovers' and 'European values'. 'Weak state spillovers' refers to security concerns of the EU. The flow of economic migrants and transnational crime activities that flourish with incapacity or lack of will of states to control territories and enforce their laws, illegal activities like money laundry, involvement of militant of global terrorism in the region and also frozen conflicts influence European security concerns and forces the EU to engage in the problems of the region.²⁸¹ The normative reason, namely 'European values' pointed out by Mac Farlane is the EU's conception itself to be wedded to the promotion of liberal values.²⁸² Due to these reasons, EU assisted South Caucasus through aid and assistance, which are welcomed by South Caucasus.

However, for a long time the EU's existence in the region was not as visible as other international players like US, UN, OSCE and US based non-governmental

²⁸¹ S. Neil Mac Farlane, "The Caucasus and Central Asia: Towards a non-strategy", p.125.

²⁸² Ibid. p. 126.

organizations. This was mainly due to EU's reluctance in involvement with conflict resolution and mediation in South Caucasus. Frozen conflicts of the region; Abkhazia, South Ossetia and Nagorno-Karabagh have influenced stability and therefore democratization in the region. The EU preferred to support the UN and OSCE in the region with giving post-conflict rehabilitation assistance as well as limited border security assistance. However, the EU's decision to play a 'more active political role' in the region proved by the appointment a Special Representative on 7 July 2003 in order to contribute to the implementation of the EU's policy objectives, which include assisting the countries of the South Caucasus in carrying out political and economic reforms, preventing and assisting the resolution of conflicts, promoting the return of refugees and internally displaced persons, engaging constructively with key national actors neighboring the region, supporting intra-regional co-operation and ensuring co-ordination, consistency and effectiveness of the EU's action in the South Caucasus.²⁸³ The ability of Special Representative in meeting those objectives is discussible, but this is crucially a new mechanism to promote the EU's existence and interest in the regions' problems.

Georgia seems to be the most enthusiastic country in Europeanization with affiliation to European values and pronouncing the aim of membership to the Union as a pivotal goal. In addition, Georgia has an important role in strengthening the EU's relations with the region even though the EU did not respond with the prospect of membership as hoped for by Georgia. Perception of the region as a conglomerate of weak and failing states, authoritarian regimes, poor and corrupt economies and unresolved border and secessionist conflicts kept the EU from implementing a strategic approach towards the region. But two developments triggered the EU's adopting a new policy. The last enlargement realized in 2004 forced the construction of 'wider Europe' in order to ensure stability, security and prosperity around the Union and caused the emergence of the European Neighborhood Policy; closer relationships with neighbor countries without offering membership. Although at the inception, the South

²⁸³ http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=442&lang=en For Joint Action Documents;(Joint Action 2003/496/CFSP,OJ L 169, 8.7.2003, Joint Action 2003/872/CFSP, OJ L 326, 13.12.2003, Joint Action 2004/532/CFSP, OJ L 234, 3.7.2004, Joint Action 2005/100/CFSP, OJ L 31, 4.2.2005.

Caucasus was referred to in the footnote of the ENP Document; it was after the Rose Revolution that the South Caucasus was included in the ENP.

Like its counter-parts in post-Soviet geography Georgia, which had experienced failures in its democratization process, was assessed according to façade-pseudo and other semi-democratic labels. Failures in good-governance appeared since 2000 with the emergence of political instability. Political opposition and respectively developed civil society together with the backdrop of international support with the suspension of external aid due to inability to meet democratic conditions strengthened conditions for the emergence of a popular upheaval called the Rose Revolution in response to the undemocratic parliamentary elections of November 2003 and corrupted regime. Moreover, the Rose Revolution itself, can be regarded as a case of internationalization of regime change in the sense of causes and consequences leading other regime changes. The reform process after the Rose Revolution in the country took the support of international players with huge democratic aid in presidential and parliamentary elections after the resignation of Shevardnadze. Afterwards the reform process was mostly against corruption with assistance, especially from the European Union. However, some argue that conditions surrounding the process of democratic consolidation have so far been very difficult even after the Rose Revolution concerning the three core functions of state; providing security, sustaining legitimacy, and promoting rule of law and welfare which have not been performed well.²⁸⁴ In fact, at the beginning of the reform process, it was expected to bring immediate recovery. Accordingly, the potential of change was supposed to be the main chance for Georgia to democratize and develop. Openness of new government to external support was to provide new opportunity even though this is a structural relationship based on closer cooperation, like the one initiated with the EU in the framework of New Neighborhood Policy.

In this framework, this thesis argues that the ENP has the potential to contribute to the democratization process of Georgia despite its limitations and deficiencies. As mentioned in the thesis, the impossibility of enlargement of EU ad infinitum was the

²⁸⁴ Pamela Jaward, "Democracy, Diversity, and Conflict- Diversity, Conflict and State Failure: Chances and Challenges for Democratic Consolidation in Georgia after the Rose Revolution" Cornell University Peace Studies Program Occasional Paper December 2006, pp. 31-2.

reality that the EU and the membership seeking countries like Georgia had to confront. Indeed, it was this reality that paved the way for the emergence of wider Europe perspective. The wider Europe perspective was realized with the ENP which supplemented the already existing frameworks like PCA and TACIS. Some argue that the ENP could not meet the needs required by most of the neighbors, and offers only vague incentives in return and lacks clear benchmarks, fostering reform-much less conflict resolution.²⁸⁵ Probably the ENP is so new a policy that it has weaknesses which will be tested by consequences, especially in the consolidation of democracy. It is clear in the motto of “enlargement fatigue risks trumping democracy.”²⁸⁶ In comparison to the enlargement process which has been assessed as a successful project in the democratization and liberalization of Central and Eastern Europe in which conditionality was efficiently used by the Union in response to success in reforms, the ENP does not offer concrete incentives but the closer relationship which is more than existing partnership. Furthermore, Georgia also looks for membership with the awareness that it will take a considerably long time to realize this dream. Besides, rather than the goal of membership, the extent to which Georgia benefited from EU assistance and aid for its democratization is much more significant.

Although membership is a far away the dream, already offered relationship with the EU accelerates reforms in Georgia by increasing aid in the short run. For only country programmes of Georgia 120.4 million Euros had been allocated for the period 2007-2010 under ENPI, more than 369.43 million Euros that allocated from 1992 to 2003. We have to bear in mind that already-launched reforms for the achieving rule of law and democracy in Georgia are overlapping the priority areas in the Action Plan of ENP and the National Indicative Program for the period 2007-2010. If assistance could be used as it has to be, there could be concrete contribution.

²⁸⁵ Smith, “The Outsiders: the European Neighborhood Policy”, p.772.

²⁸⁶ Emerson, Aydın, Noutchevea, Tocci, Vahl and Youngs, “The Reluctant Debutante: The EU as Promoter of Democracy in its Neighborhood”.

New Neighborhood Policy is more comprehensive than PCA, it is a deeper and wider project that takes diversification into account. It emerged by pull and push factors, EU's foreign policy transformation and the growing orientation of Georgia. The policy fits Georgian aims for ensuring the consolidation of democracy, rule of law and human rights together with stability and security in the region which will in the end serve the interests of both the EU and Georgia. In order to achieve those goals, the EU and Georgia have to come over the challenges derive from limitations and derivations of the ENP.

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