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## **EUROPEANISATION BEYOND THE EU:**

### **THE CASE OF GEORGIA**

PhD Thesis

by

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## **ABSTRACT**

The concept of Europeanisation is researched in various contexts, which incorporate its internal as well as external dimensions – beyond the formal borders of the European Union. The EU scholarship has developed different scenarios of and approaches to external Europeanisation, hence, there remains an important gap in its substantial understanding, as well as the mechanisms concerning the non-candidate Eastern neighbouring countries of the EU. Emerging geopolitical challenges in the common neighbourhood of the Union and the Russian Federation, in terms of on-going integration project of the Eurasian Economic Union and recent security shortcomings in Europe, highlights the importance of additional investigations not only in the theoretical discourse, but also in the empirical approaches of implications and constraints of the Europeanisation process. The thesis aims to provide an innovative understanding of Europeanisation and to investigate additional variables in the context of external Europeanisation. Therefore, the objective of the thesis is to contribute to the study of Europeanisation and to open discussion on the issue of actor-ness of the East European countries in this context. Even if in some cases the thesis will raise more questions than answers, author aims to involve the examination of domestic policies of third states in the Europeanisation discourse.

ედღვნება ჩემს მშობრებს შოთას და გუდიკოს

To my parents Shota and Guliko

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## LIST OF ABBREVIATIONS

AA	Association Agreement
AP	Action Plan
CEEC	Central and Eastern Europe Countries
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CSDP	Common Security and Defence Policy
ESDP	European Security and Defence Policy
DCFTA	Deep and Comprehensive Free Trade Agreement
EaP	Eastern Partnership
EA	European Agreements
EBRD	European Bank for Reconstruction and Development
EC	European Commission
EIB	European Investment Bank
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood Policy Instrument
EU	European Union
EUMM	European Union Monitoring Mission
FDI	Foreign Direct Investment
FTA	Free Trade Agreement
GSP	General System of Preferences
ILO	International Labour Organisation
IMF	International Monetary Fund
IO	International Organisation
INOGATE	Interstate Oil and Gas Transport to Europe
JHA	Justice and Home Affairs
NATO	North Atlantic Treaty Organisation
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Co-operation in Europe
PCA	Partnership and Cooperation Agreement
SAA	Stabilisation and Association Agreements
SAP	Stabilisation and Association Process

SSR	Security Sector Reform
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
TRACECA	Transport Corridor Europe-Caucasus-Asia
WTO	World Trade Organisation

## **CHAPTER 1**

### **INTRODUCTION**

This thesis aims to provide analysis of the relations between the European Union (the EU) and Georgia in the context of Europeanisation. Objectives of the thesis are twofold: first, to contribute to understanding of theory of Europeanisation and define its limits beyond the existing theoretical approaches and second, to provide a case study of Georgia and to assess its impact on the process of Europeanisation. More precisely, this thesis aims at developing the theoretical concept of Europeanisation vis-à-vis third non-candidate and neighbouring countries of the EU, also providing the empirical findings concerning the impact of domestic policies of Georgia on the process of Europeanisation.

The EU, as an increasingly important actor on the Eurasian continent, attempts to provide development assistance to its neighbouring countries and regions. Through different frameworks of cooperation, the EU approaches its neighbourhood and provides external governance as a projection of its internal policies (Lavenex, 2004). Methodologically the EU is developing and addressing to those countries through the accession instruments or the cooperation instruments, incorporated in the bilateral, multilateral or both types of frameworks.

The EU, as an emerging *sui generis* political system has always been in the centre of interests of the international relations studies. In different contexts and manners it has been approached as a super-power, normative power, or civilian power (Galtung, 1973; MacCormick, 2007; Manners, 2002; Hanns, 1990; Moravcsik, 1998; Whitman, 1998). It is difficult to find any area of international activity, global or regional, where Europe does not act, or interact as a major, or one of the major players that indeed makes Europe a significant actor on the international scene (White, 2001).

The process of deepening and widening of the EU raises a number of critical questions and concerns not only internally, but also in the external action of the Union. Eastern expansion of the EU has impacted indirectly, if not directly, its policies towards Georgia and other post-Soviet and East European countries.

In order to analyse the EU in the external relations context, firstly, it is important to provide the ontological understanding of the EU. In this context, the Union should be considered as a value based system, so called 'normative power', primarily since the founding principles of the EU incorporate peace, liberty, democracy, human rights and the rule of law (Manners,

2002). Once the EU acts beyond its formal borders, it is based on its internal values and norms and therefore appears as attractive institutional unity for its neighbouring countries. The EU's presence as a 'normative power' in its neighbouring countries has commenced since after the Union incorporated its internal values in the bilateral cooperation instruments with its partner countries.

Obviously, the political history of the EU influenced its Eastern expansion, which will be discussed in the first chapter of the below presented thesis, meanwhile, it should be noticed that the most significant political changes with regard to the external relations of the Union occurred in the 90s, when the Treaty of Maastricht entered into force (1993). As a result of the newly adopted Treaty, the EU emerged as an actor through the Common Foreign and Security Policy (the CFSP). Facing regional and global challenges, the EU evolved as a significant political and economic actor, especially in terms of cooperation with the post-Soviet countries.

The dissolution of the Soviet Union and appearance of newly independent states in the near neighbourhood of the EU has been major challenge as well as opportunity for the Union to manage its external relations in new political and economic context. The Eastern enlargement of the EU, as a result of the dissolution of the Soviet Union, catalysed the cooperation of the Union with its neighbourhood beyond its borders.

## **1. 1. METHODOLOGY**

The scholarship of Europeanisation provides broad and influential understandings of the context and methodologies of the European expansion. Theory of Europeanisation, initially, has been analysed inside of the Union, focusing on the relations between the Member states and the EU institutions (Magen, 2006; Buller and Gamble, 2002; Bache, 2003). Based on the concept of internal Europeanisation, valuable work and substantive understanding has been provided by Magen, in terms of conceptualisation of bilateral relations of the Union and non-Member states, as the 'top-out' perspective of Europeanisation (Magen, 2007:365).

Schimmelfennig provides detailed and influential research on Europeanisation beyond the formal borders of the EU (Schimmelfennig, 2009; 2010). The author develops the concept of

Europeanisation with regard to countries of the European Neighbourhood Policy (the ENP) countries, where the declared perspective of membership is missing (Schimmelfennig, 2010). The author argues that the ENP countries should be analysed in the context of Europeanisation, as far as the policy is conceptually based on the notion of Europeanisation (Schimmelfennig, 2010: 792).

Increasingly important research is provided by Börzel and Risse in terms of understanding the ‘misfit’ between the policies of the Union and the domestic policies, where the domestic policies, institutions and political processes appear as a necessary, however not sufficient condition for the changes on the domestic level (Börzel and Risse, 2009). The research analyses the rationalist and constructivist approaches on Europeanisation and defines the ratio of the domestic adaptation (Börzel and Risse, 2009).

Beyond the ontological understanding of Europeanisation, examination of its mechanisms gains critical importance. In order to define the limits of existing theoretical framework the direct and indirect mechanisms of Europeanisation should be analysed. According to Schimmelfennig, one of the direct mechanism of Europeanisation is the principle of conditionality as a consequence of logic, whilst following the logic of appropriateness the direct mechanism of Europeanisation appears to be the socialisation (Schimmelfennig, 2010). Thus, the theoretical chapter attempts to provide an assessment of the direct mechanisms of Europeanisation and define their limits with regard to the non-candidate ENP states in an innovative manner. In this context, analysis of both methodological approaches of Europeanisation is provided and in addition, other mechanisms of Europeanisation not yet examined by Europeanisation studies are also considered.

The theoretical chapter of thesis underlines importance of various concerns regarding the effectiveness and efficiency of Europeanisation mechanisms and at the same time approaches additional mechanisms and conditions, which influence the entire process of the EU – Eastern European countries relations in the context of Europeanisation.

Even though the Europeanisation theory is broadly developed and researched in EU scholarship, we argue that it lacks the understanding of crucial conditions under which the process of Europeanisation is functioning effectively, or even ineffectively. The thesis builds a theoretical framework, which helps to understand better the role of the non-candidate

neighbouring countries of the EU in the Europeanisation context. In absence of tangible membership perspective, the EU finds difficulties in pushing its agenda (Wolczuk, 2010). However, the EU achieves different qualitative levels of cooperation or integration with its neighbouring countries. In this process there is much to be investigated on the domestic level of third states, which needs to be researched beyond the examination of the EU's policy tools towards these countries.

The synthesis of theoretical and empirical studies gives us a possibility to provide a comprehensive understanding of the 'gaps' of Europeanisation: on one hand to develop the theoretical framework and on the other, to test the developed theory pursuant to the case study of Georgia.

The complexity of the Eastern neighbourhood of the EU may influence the theoretical understanding of the Europeanisation, but cannot affect the frame and the substance of understanding of the Europeanisation concept. Throughout the thesis, the complexity of the Eastern neighbourhood of the EU is examined in the context of meaningful similarities and disparities existing among the countries of the Eastern neighbourhood. Shortly after the dissolution of the Soviet Union, all post-Soviet countries faced the challenges an actual statehood, credibility of state institutions, and economic crisis. Currently, the political and economic climate has changed significantly and varies from one country to another.

The substantial understanding of Europeanisation as a two-way process constitutes the solid basis for our research, whereas the domestic structures do not appear as passive recipients of the EU impact (Featherstone and Kazamias, 2001). In other words, Europeanisation is approached as an interactive process that involves not only the top-down, but also bottom-up procedures (Bulmer and Burch, 2001).

Provided that Europeanisation is understood as a two-way process, the significance of the third states, even the non-candidate ENP countries increases and they appear as the actors of the established relationship and not the mere recipients of Europeanisation. The domestic level changes in the ENP countries are not only considered as a result of exporting EU's norms and standards, but also as a result of active participation of the third states in Europeanisation process. The objective of the thesis is to develop theoretical understanding of Europeanisation and to offer additional substantial vision of the concept, which could be



applicable for other Eastern European non-candidate states. The empirical case study of Georgia should be seen as a testing example of the developed theoretical approach.

The case of Georgia was chosen because of several reasons: firstly and basically, since it is a non-candidate neighbouring country of the EU, secondly, and more importantly, Georgia, as an actor in the Eastern neighbourhood of the EU even though it has limited geographical and economical proximity with the EU in one among other front runner countries of the Eastern Partnership, and finally, the case of Georgia gives us a possibility to study the process of Europeanisation based on the critically important domestic political transitions, which occurred in this country. Here, we should define what is meant under the notion of 'transitional', which is applied throughout the thesis as a concept indicating the most significant political internal circumstance/s, which have the power of impacting positively or negatively the process of Europeanisation, independently from the actor-ness or willingness of the EU. In the empirical part of the thesis, three main transitional periods of Georgia are examined, namely the periods after (1) the independence of Georgia (1991), (2) the 'Rose revolution' of Georgia (2003), and (3) the August war and occupation of Georgian territories by the Russian Federation (2008).

Within the framework of the thesis, we analyse three main transitional periods of Georgia's political conditions in combination with the policy instruments of the EU: firstly, the independence of Georgia from the Soviet Union and conclusion of the Partnership and Cooperation Agreement (the PCA) with the EU, secondly, the Rose revolution of Georgia and introduction of the European Neighbourhood Policy (the ENP), and thirdly, Russian occupation and upgraded political and economic relations between the EU and Georgia in the context of the Eastern Partnership (the EaP), including the new bilateral treaty relations based on the Association Agreement (the AA) and the Deep and Comprehensive Free Trade Area (the DCFTA).

Modification of the foreign policy competence of the post-Soviet countries, and therefore their individual preferences in cooperation with partner countries, or international organisations is in causal dependence on the methodologies of the Europeanisation. Deeper understanding of the domestic conditions and policies of East European countries should contribute to the development of Europeanisation theory. Therefore, the thesis aims to contribute the study of Europeanisation, in terms of filling the gap of comprehensive

understanding of the mechanisms on which it is based and the conditions under which this process functions. Respectively, we hypothesise that:

- Beyond the already established theoretical framework of Europeanisation, which incorporates limited examination of the one-side mechanisms of the EU expansion, the Europeanisation process of the non-candidate Eastern European states is influenced by the domestic variables of the country concerned;
- The Europeanisation process of Georgia commenced shortly after its independence and conclusion the conclusion of the PCA with the EU, as far as relationship emerged through the value based framework of cooperation, in contrast with the influential power of the Russian Federation;
- The peaceful revolution in Georgia together with the post-revolutionary reform-oriented political climate in Georgia catalysed Europeanisation process but provoked the security challenges in the region;
- An upgraded bilateral relationship between the EU and Georgia, notwithstanding the increasingly tense geopolitical context, consistently follows Europeanisation perspective of the country.

Among the existing studies on Europeanisation one of the most relevant understanding of mechanisms of Europeanisation is provided by Schimmelfennig, who analyses the process of Europeanisation beyond the borders of the EU (Schimmelfennig, 2007; 2009). In the context of Europeanisation, significant investigations are provided by Radaelli, arguing that there is a process of change, which emerges in response to the 'pressure of the EU' or a 'usage of the Europe' (Radaelli, 2004: 4). The author explains the concept under which Europe became a 'common grammar' in the process of Europeanisation, thus the attitude of the actors of Europeanisation follows to the normative understanding of the Europe (Radaelli, 2004:11).

Another remarkable work on Europeanisation is provided by Magen, arguing that the participation of partner countries in the decision making process is limited, when at the same time they are being asked to comply with those decisions (Magen, 2006: 422). The author also enters into a debate of better understanding of the mechanisms and pathways of

international impact on the domestic change (Magen, 2007: 366). Lavenex provides an important contribution, in the context of ‘external governance’ (Lavenex, 2004; 2008). The author argues that the ENP could be defined as a process of external projection of internal policies (Lavenex, 2004: 695).

It is worth noting that the majority of researches about Europeanisation are conducted in the context of Central and East European Countries (the CEEC), rather than with regard to the ENP countries (Hughes, 2004; Jacoby, 2004; Schimmelfennig and Sedelmeier, 2005; Grabbe, 2006). Grabbe provides an extensive and thoughtful work in terms of understanding the process of accession of the CEEC to the EU, through the mechanisms of Europeanisation (Grabbe, 2006). According to the earlier work of the author, the EU cannot force policy change in the countries, which do not aim to provide changes, as the EU approach is based on ‘carrots rather than sticks’ (Grabbe, 2003: 66). Moreover, the author follows the rationalist approach, according to which the state adopts international norms, rules and policies if the benefits of adoption exceed its costs (Grabbe, 2005).

Beyond the traditional studies and theoretical frameworks of the European integration, the theory of Europeanisation gives a possibility to provide innovative understanding of the European integration process in practice. The thesis problematises process of Europeanisation, in terms of comprehensive understanding of Europeanisation as a process of interaction, where the third states appear as important actors of relations from the initial level of negotiations with the EU. The thesis does not create the alternative theoretical framework of the Europeanisation. It rather develops already existing theoretical framework of Europeanisation and aims at discovering the conditions and mechanisms of Europeanisation under which the process of Europeanisation functions.

## **1. 2. RESEARCH DESIGN**

The research design applied in the thesis is based on the encompassment of the theoretical and empirical studies. As already mentioned above, the thesis aims to develop the theoretical framework of Europeanisation and to provide the case study of Georgia in this context. The first chapter offers a new approach to the understanding of the mechanisms of

Europeanisation and the next three chapters, empirical part of the thesis, test the framework of the theory provided in the first chapter.

Three chapters form the empirical part of the thesis. It should be noted that each chapter incorporates theoretical sections, which allows us to understand better the linkage between the empirical and theoretical arguments. The empirical part of the thesis is a comparative study of the process of Europeanisation of Georgia in its three transitional periods. On one hand, the empirical part constitutes a diachronic analysis of important political and economic developments in Georgia and on the other it provides the comparative study of Europeanisation process in Georgia. The Europeanisation of Georgia is analysed since its independence and up until the current political developments (2015). The transitional periods of Georgia are selected based on the theoretical findings developed in the initial chapter. As we have already mentioned, they include: (1) the declaration of independence by Georgia and the conclusion of the PCA with the EU, (2) the Rose Revolution of Georgia and introduction of the ENP, and (3) August war of 2008 and the initiation of the EaP. The structures of the empirical chapters follow the logic of domestic processes in Georgia, backed up by the policy instruments introduced by the EU, which together compose Europeanisation process.

Further on the thesis provides an analysis of the political and economic developments of the Eastern European countries of the ENP, however the aim of the examination is to develop better understanding of the regional context of Georgia in the common neighbourhood of the EU and Russia and not to provide a comparative analysis of the Europeanisation process of the EU neighbouring states. The regional context has always been an important factor in the process of Europeanisation and the case of Georgia is not an exception, especially in terms of economic relations. Therefore, the thesis provides a comparative analysis of the data collected from the national and international data basis. The regional context of Georgia gains an increasing importance in terms of positioning of a country in the political and economic challenges of sharing common neighbourhood both with the EU and Russia.

### **1. 3. SELECTION OF THE CASE STUDY**

The choice of Georgia as a case study highly depends on its ambitions towards the Europeanisation. Whilst facing the internal and regional challenges, the country has been

demonstrating the pro-European aspirations with different intensity varying in all the three transitional periods. Among the non-candidate neighbouring countries of the EU, the case of Georgia is one of the increasingly important examples of the emergence of Europeanisation process in the Union's Eastern neighbourhood. Firstly, because shortly after the dissolution of the Soviet Union the country faced challenges related to the newly acquired statehood, in terms of surviving the economic crisis and the establishment of new state institutions, which had to be capable of dealing with political and economic conditions created in the region after the collapse of the highly integrated Soviet Union. Secondly, the Rose revolution as a peaceful, but though at the same time revolutionary way of changing governance, which became a catalyst of Europeanisation process in Georgia, is one of the exceptional examples of the demand for democracy building and economic reforms on the domestic level. Moreover, together with the Orange Revolution in Ukraine, they form an exceptional pattern amongst the East European countries of the EU. Thirdly, the occupation of Georgian territories in 2008 by the Russian Federation, which came as a result of the declared foreign policy priorities of Georgia towards integration with the EU and North Atlantic Treaty Organisation (the NATO), and which also became another strong impetus for the actor-ness of this country in the context of Europeanisation.

In this context it is worth mentioning that after the independence of Georgia the country has been described by the international relations literature as a Newly Independent State (the NIS) of the Soviet space and referred to as a post-Soviet country. On a later stage, the Europeanisation literature provides an analysis regarding Georgia as the ENP country or as a country of the Southern Caucasus region. Current literature, which is taking into account the geographical and geopolitical proximity of Georgia, is emerging on the notion of Georgia as the Eastern European country. The AA determines Georgia as the Eastern European country (The Preamble of the AA Georgia). In terms of legal interpretation, it gives a state a formal possibility to apply for EU membership. Even though the perspective of membership for Georgia, for the foreseeable future, does not seem realistic the provisional regulation of the AA Georgia constitutes the recognition of this country within the context of the Article 49 of the Treaty of Lisbon concerning the membership possibility of all European countries (Article 49, the TFEU). The conclusion of the AA with the EU is another clear reason for the case selection of Georgia as a country from the EU Eastern neighbourhood which, without the declared perspective of membership, is involved in the implementation process of the comprehensive and extensive European norms and rules.

#### **1. 4. THE SOURCES OF RESEARCH**

The sources of research are comprehensive and sound. Firstly, they incorporate the current literature on the theoretical analysis of Europeanisation, which has been already mentioned above. Secondly, they cover a wide range of public speeches of the policy makers, including the EU officials and Georgian political elite. And thirdly, the results of the interviews conducted with experts, representatives of the Non-Governmental Organisations (the NGOs) and politicians. In the theoretical context, scientific literature is used as the main source for defining the concept of Europeanisation and its mechanisms. However, in the empirical part of the thesis, Georgian literature regarding the economic and democratic developments is also broadly referred to, especially, the publications of Georgian experts of political and economic sciences, namely Vladimer Papava's fruitful researches regarding the economic reforms of Georgia in the post Soviet era (Papava, 2013) and valuable work of Kakha Gogolashvili in terms of analysing the bilateral relations between the EU and Georgia, as well as the conflicts in the South Caucasus (Gogolashvili, 2011) and many other.

Since the thesis provides the legal understanding of the bilateral and multilateral relations between the EU and Georgia, we also examine the decisions of the European Court of Justice (the ECJ), the founding treaties of the EU, policy instruments of the EU regarding Georgia and other East European countries and Georgian legislation in the context of Europeanisation. The decisions of the ECJ are applied in the context of interpretation of the provisions of the bilateral relations between the EU and partner countries, for example, with regard to the PCAs and the AAs. The foreign policy instruments of the EU are examined in order to provide an assessment of the reflectiveness of the external policies of the EU towards Georgian challenges and needs and also to develop clear understanding of the monitoring mechanisms of the reforms implemented in Georgia according to the EU policy tools. The Georgian legislation is addressed in order to provide evidence of the domestic changes: (a) democracy and institutional building, and (b) the development of the market economy according to the European standards.

The broad bulk of materials gave the possibility of multidimensional interpretation of the process of Europeanisation in terms of its better understanding. Moreover, the knowledge of Georgian language has been of a great benefit in the analysis of the materials, which are not

available in English, as well as for access to speeches of the political leadership of Georgia in different time periods that are also broadly examined in the thesis.

## **1. 5. THE STRUCTURE**

The structure of the thesis elaborates theoretical and empirical analysis applied throughout the investigation. The overall structure is rather classic and easy to follow, as it is composed of two main parts: the theoretical analysis and the empirical case study of Georgia. The theoretical part of the thesis is presented in its first chapter and the case study of Georgia is developed in the next three chapters, which all together compose the four main chapters of the thesis. Each chapter has its sections, following to the logic of the question proposed in it.

The first chapter conceptualises the Europeanisation as a theoretical framework of the thesis and aims to define its limits with regard to the non-candidate Eastern neighbours of the EU. This chapter provides a solid basis for the development of the empirical case study of Georgia, as it questions the theoretical framework of the Europeanisation and provides arguments with regard to its limits. The first chapter is composed of several sections, more precisely, the first section of the chapter analyses the EU as an emerging and important global and regional actor on the Eurasian continent. It contains the ontological understanding of the EU as such and evaluates the external policies of the EU towards its neighbouring countries with a special focus on post-Soviet space. Beyond the political history of the widening of the EU, this section also aims to provide analysis regarding the deepening of the EU, with its internal challenges and in the linkage with the external policies of the EU. The second section of the first chapter provides the substantial understanding of the Europeanisation theory and its mechanisms. It also highlights gaps of existing theoretical framework. The third, and the last, section of the chapter develops the understanding of the Europeanisation concept beyond the existing theoretical framework and approaches additional conditions and mechanisms under which Europeanisation process functions. The innovatively developed Europeanisation theory is tested in the next three chapters focusing on particular case of Georgia.

The second chapter of the thesis examines the initial bilateral relations between the EU and Georgia, established shortly after the independence of Georgia from the Soviet Union in

1991. The first section of the chapter deals with the domestic challenges of Georgia that took place after the declaration of its independence. Throughout the first political and economic transitional period of Georgia the democratic and economic challenges emerged rapidly. The credibility of the state institutions impacted the development of the internal and external policies of Georgia, which is also examined in this section of the chapter. The second section deals with the bilateral relations established between the EU and Georgia – the PCA Georgia, as the initial framework of cooperation between the Union and independent Georgia. This section provides a detailed examination of the agreement and evaluates its impact on the transitional period of Georgia with regard to its democracy building and transition to the market economy standards. The third section of the thesis provides critical assessment of the EU-Georgia cooperation framework and provides arguments on the lack of effectiveness of the cooperation framework. The last section of the second chapter deals with the actor-ness of Georgia in the context of Europeanisation. This section incorporates both the empirical and the theoretical approaches: first of all, in order to establish linkage between the arguments of theoretical and empirical findings and to provide the results of testing of the theoretical understandings incorporated in the first chapter, and second of all to argue regarding the impact of domestic conditions and policies of Georgia in the process of Europeanisation.

The third chapter of the thesis repeats the structure of the second chapter and deals with the process of Europeanisation of Georgia. First section of this chapter examines the political challenges evolved in Georgia after the Rose revolutions of 2003 and provides the analysis of the political and economic conditions, which this country faced after the transition of power through the revolution. The second section of the chapter puts forth the analysis of the ENP as a policy framework introduced by the EU shortly after the Rose revolution in 2004. This section provides a comprehensive evaluation of the ENP, hence determines its objectives, dimensions and instruments. The third section of the chapter deals with the role of Georgian domestic policies in the context of Europeanisation, more precisely the ‘bottom-up’ impact of Georgian policies on the process of Europeanisation, which goes beyond the limited leverage of the EU. The final section incorporates the empirical, as well as theoretical, findings in terms of better understanding of the Georgian Europeanisation process during its second transitional period.

The fourth and final chapter of the thesis, likewise the two previous chapters, examines the process of Europeanisation of Georgia, but in its third transitional period. Thus, the study is



conducted in the time frame of 2008-2015. The logic of this research period is based on the domestic political and security challenges that Georgia faced and which were followed by the introduction of the EaP project by the EU. The first section of this chapter deals with political and economic challenges, which occurred in Georgia after the Russian occupation and which also coincided with transfer of power and change of the previous government through the democratic elections. The second section provides an analysis of the upgraded policy instruments of the EU towards the Eastern countries – the EaP, including the examination of the bilateral agreements of the AA and the DCFTA. The comprehensive study of the EaP incorporates the objectives, dimensions and consequences of the EaP project towards Georgia (in some cases, the comparative analysis is provided with regard other EaP countries). Third and final section of this chapter provides arguments on the ‘bottom-up’ impact of the domestic conditions and policies of Georgia on the process of the Europeanisation.

Consequently, the overall objective of the thesis is to contribute to the study of Europeanisation and to open a discussion on the issue of actor-ness of the Eastern European countries in the context of Europeanisation. Even though in some cases the thesis will raise more questions than answers, the aim of the thesis is to involve the examination of domestic policies of third states in the Europeanisation discourse.

The impact of the domestic conditions and policies of non-candidate neighbouring states of the EU should be researched more extensively: in terms of understanding of the Europeanisation mechanisms beyond the one-side examination of the EU tools towards Eastern countries and evaluation of their effectiveness. Therefore, the thesis provides the analysis, which on one hand incorporates the assessment of the EU policies towards its neighbouring countries and on the other, the policies of Georgia in terms of Europeanisation process. This type of research gains increasing importance, especially in the context of Europeanisation of the ENP countries, where the declared membership perspective is missing.

## **CHAPTER 2**

# **THEORETICAL FRAMEWORK: THE LIMITS OF EUROPEANISATION**

## **2. 1. INTRODUCTION**

In different times and contexts, Europeanisation was approached and conceptualised in a different manner. The complexity of European expansion, and the EU itself, provoked a variety of understandings of the Europeanisation concept. It was approached as a ‘set of puzzles’ (Radaelli, 2004: 1; Lakatos, 1978), or as ‘something to be explained’ and not ‘something that explains’ (Radaelli, 2004: 2; Gualini, 2003). In terms of its understanding the Europeanisation might be examined as a model of governance, institutionalisation or a discourse (Radaelli, 2004: 1-23).

The below presented theoretical chapter, on the definition of the limits of Europeanisation, aims to provide an analysis of Europeanisation in its external context, which incorporates the countries of Eastern neighbourhood of the EU, without the declared perspective of future membership. The study of Europeanisation emerged primarily inside the EU borders, as a framework facilitating the understanding of the relations between the EU institutions and its’ Member states. Later on, the focus of research moved towards the candidate countries, having the realistic perspective of the EU membership (Grabbe, 2005; Schimmelfennig and Sedelmeier, 2005; Lavenex, 2004, 2008; Weber, 2007). Only recently, the research interest of Europeanisation literature included the Eastern European countries, which are currently not undergoing the accession process, more specifically, the former member countries of the Soviet Union, currently incorporated in the ENP project (Schimmelfennig, 2009; 2010).

The theoretical part of the thesis addresses the existing gap in the Europeanisation literature and, thereof, analyses the mechanisms and conditions, which implicate the functioning of the Europeanisation process. Pursuant to the aim of the chapter, the first section provides the ontological understanding of the EU to a certain extent and its Eastern expansion, as well as the foreign policies of the EU towards the Eastern neighbourhood. The second section of the chapter deals with the limits of external Europeanisation and develops its theoretical framework with regard to the non-candidate Eastern neighbouring countries of the EU. The recently developed approach of Europeanisation argues that the ‘leverage’ constitutes the most successful mechanism of Europeanisation (Schimmelfennig and Lavenex, 2011). The chapter should examine the mechanisms of Europeanisation and go beyond the existing theoretical framework in order to define its limits with regard to the ENP countries.

Why the theoretical framework of Europeanisation? The political and economic integration of the EU has been researched in various theoretical dimensions, *inter alia*, in the context of federalism, functionalism and neo-functionalism, and intergovernmentalism. The analysis of European institutional integration commenced through the theories of European integration as an ontological study of the EU. Later on, the EU has been researched as a new type of international regime through the post-ontological understanding (Caporaso, 1996). The Europeanisation is considered as a meso-theory in relation to the neo-functionalism and intergovernmentalism, which ‘should attempt to enable verifiable generalisations and empirical reliability, but not the cost of thicker understanding of process in terms of interaction and continuity’ (Howell, 2004: 2). The grand theories of neo-functionalism (Haas, 1958) and the intergovernmentalism (Moravcsik, 1998) attempt to determine the main problems of European integration, whilst meso-theories, deal with their limitations in a more explicit way, they determine the process in terms of ‘iteration, interaction and continuity’ (Howell, 2004: 2). Therefore, since the aim of the thesis is to define the limits of existing Europeanisation process, we propose to analyze the EU-Georgia relationship within the theoretical framework of Europeanisation. In other words, we propose a developed understanding of Europeanisation, where the case of Georgia is presented as an empirical study.

Structurally the chapter is divided into two main sections: (1) Eastern expansion of the EU and (2) the limits of Europeanisation. The objective of the first section is to provide substantial understandings about the EU, as a significant and increasingly important actor in its Eastern neighbourhood. The second chapter aims to go beyond the existing theoretical framework and provide the innovative understanding of Europeanisation and its mechanisms with regard to the non-candidate Eastern neighbouring states of the EU.

## **2. 2. EASTERN EXPANSION OF THE EU: DISCOURSE OF THE EU POWER AND ITS FOREIGN POLICIES**

It is difficult to find any area of international activity, global or regional, where Europe does not interact as a major player that indeed makes it a significant player on the international scene (White, 2001). The process of unification of Europe and of the formation of the EU commenced in 1947, and since then, deepening and widening of the Union become an

ongoing and challenging process. The emergence of the EU, as a significant regional actor, is a political history of the development of its supranational regulations – the ‘deepening’ and the enlargement of the EU – the ‘widening’.

Compared to other international organisations, the EU could be differentiated due to its unique nature, as ‘the EU has progressed far beyond the essentially intergovernmental nature of most international organisations and has incorporated many supranational characteristics into its structure and operation’ (Nugent, 1994: 430-1). Therefore, the estimations around the EU have been controversial, and in the most cases, critical. The unique nature of the EU gives the vast possibility of interpreting the means of its power and the boundaries of its actions. The EU entitles the status of a *sui generis*, as far as its more than an international organisation and less than a state. It makes even more complicated to understand the external action of the EU and to analyse the representation of the Member states and the EU institutions in relations with third states. Hence, the EU as a global actor and *sui generis* is seeking to be presented in third countries, especially in its near neighbourhood.

The nature of the EU, as a power in the world politics, is controversial and broadly debated. Some scholars refer to the EU as a ‘civilian power’ (Duchène, 1972; Bull, 1983; Hill, 1990), others have assessed the power of the EU as a ‘superpower’, ‘quiet superpower’, ‘normative power’, ‘post modern power’, ‘civilian model’, ‘civilizing power’ and even ‘metrosexual power’ (MacCormick, 2007; Manners, 2002; Hanns, 1990; Moravcsik, 1998; Müller-Brandeck-Bocquet, 2000; Telò, 2006; Whitman, 1998; Sjurson, 2007; Khanna, 2004; Smith, 2003). Agreeably, the idea behind the existence of the EU is in a being ‘civilizing’ actor (Hill, 1990; Whitman, 1998). Although the EU has a significant role in the world security, it seeks to be a normative and a civilian power. The self-perception of the EU as a normative power, gives a justification to its position of being distanced from the direct involvement in the military affairs.

In 2003, the European Council agreed on the European Security Strategy (the ESS), when the EU made it clear that none of the threats could be addressed with the purely military means and that the ‘preventive engagement is the best way to ensure that situation should not be escalated where possible’ (The European Council, 2003). It seems that the EU aspires to exercise the ‘civilian forms of influence and action’ based on its’ economic power and attempts to transform the means and methods of international relations (Duchène, 1972: 32-

47). The EU is involved in international relations through various positive, negative and diplomatic instruments:

- Positive: conclusion of trade agreements; conclusion of cooperation agreements; conclusion of association agreements; tariff reduction; quota increase; granting inclusion in the GSP; providing aid; extending loans;
- Negative: embargo on exports; boycott on imports; delaying conclusion of agreements; suspending or denouncing agreements; tariff increase; quota decrease; withdrawal of GSP; reducing or suspending aid; delaying granting of successive loans tranches; freezing financial assets;
- Diplomatic: demarches; declarations/statements; high level visits; supporting action by other international organisations; diplomatic sanctions; travel/visa bans on particular individuals; diplomatic recognition; agreements on CFSP or Justice and Home Affairs (JHA) matters; political dialogue; making peace proposals; sending special envoys; sponsoring peace conferences; sending cease-fire monitors; administering foreign city; sending election observers; sending civilian experts; imposing arms embargoes (Smith, 1998: 63).

The strength of the EU in the economic sphere and its weaknesses in the military affairs has been a subject of discussion in different contexts and periods of time (Galtung, 1973; Buchan, 1993). The realistic approach on the capacity of the EU states that the EU without a strong military capacity will always be depended on the US international security order to protect their common interests (Kagan, 2003). Meanwhile, some scholars conceptualise actor-ness of the EU in its international 'presence' or its international 'identity' (Allen and Smith, 1990; Whitman, 1998).

Thus, it is important to define the nature of the EU power and to provide its substantial understanding, in order to analyse the external policy objectives and instruments of the Union. Hence, this chapter does not primarily aim to enter into the debate of the 'civilian' and the 'military' power of the EU, rather we focus on Europeanisation as a context of external governance of the EU beyond its borders. Here, we consider the EU as 'normative' (Manners, 2002: 240 - 241), thus a value based power *per se*. The conceptual understanding

of the EU as an actor and ‘norm changer’ in international relations, based on the internationally recognised system of values, determines the discourse of the research in terms of Europeanisation. The concept of ‘normative power’, invented by Ian Manners and attributed to the EU, is an idealistic perspective, which incorporates the global visions about the founding principles of peace, liberty, democracy, human rights and the rule of law (Manners, 2002). Treaty basis of the EU creates a solid legal ground for the EU system to be a ‘normative power’ and formulates the values of the Union in the Treaty on European Union (the TEU). The EU defines and pursues common policies and actions in order to:

- *‘safeguard its values, fundamental interests, security, independence and integrity;*
- *consolidate and support democracy, the rule of law, human rights and the principles of international law;*
- *preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external border’* (Article 21.2, TEU).

The ontological quality of the EU as a normative power, derives from the declared goals and principles of the EU, meaning that the Union attempts to achieve a normative order on internal and external levels, whilst from the critical perspective, the EU only ought to be a normative power (Schimmelfennig, 2010: 5).

Consequently, the EU should be considered as a value based and economically attractive system, which acts and interacts beyond its formal borders. The emergence of the EU as a strategic partner for the Eastern neighbouring countries is an ongoing process, which is challenged by the implications and constraints of the internally developed political conditions of the actors involved in this relations.

The existence of a strong linkage between the internal and external policies of the EU created the Union itself. Presently, it is hard to draw a clear line between the internal and external policies of the EU. However, the political history of the EU did not commence with the recognition of the foreign policy of the EU on a treaty basis. Smith diachronically analyses the development of the foreign policy of the EU and provides the key dates and facts of its evolution. The Rome Treaty of 1958, which established the European Community as an

economic project does not contain any foreign policy objectives, it was only after the separate European Political Cooperation (the EPC) of 1970. The grand attempt to set out international objectives on the treaty basis came in the late 1980 with the adaptation of the Single European Act (the SEA) of 1987. In 1991, Member states of the European Community (the EC) set up a new and improved mechanism for the foreign policy-the Common Foreign and Security Policy (the CFSP), as a separate pillar of the Community system, which established the CFSP and defined its' objectives (Smith, 2008: 1-53).

The 90s were increasingly important period for the political developments of the EU as an emerging actor towards its near neighbourhood. Firstly, the EU adopted the Treaty of Maastricht (entered into force on 1<sup>st</sup> of January, 1993) and hereby established itself as a real foreign political actor. Secondly, the EU committed towards the Eastern enlargement and so, at the Edinburgh summit of 1992, developed the tools to interact with the Eastern candidate countries, which was followed by the definition of the membership criteria in 1993, during the Copenhagen summit (Vachudova, 2003: 141-160). Interrelated processes of the deepening and widening of the EU, to a certain extent, could be considered as the transitional period for the EU as an actor through its foreign policy instruments towards its neighbouring countries.

After the adaptation of the Treaty of Maastricht, in its Communication of 2001, the EU Commission mentioned that 'through common foreign and security policies (the CFSP), through its development cooperation and its external assistance programs the EU now seeks to project stability also beyond its own borders' (The European Commission, 2001: 5). The Member states of the European Economic Community (the EEC) entered into a new phase of political cooperation by signing the Treaty on European Union (the TEU), which officially embraced the foreign and security policy cooperation (Wessel, 1999: 17-47). The CFSP was the 'instrument' to act externally, as well as a good justification for the establishment of the EU (Wessel, 1999: 17-47). The grand changes inside the institutional framework of the EU, through the CFSP, would govern the new forms of cooperation beyond the EU. However, those changes indeed gave rise to the questions regarding the legal order of the EU, its purposes and scope of the CFSP (Wessel, 1999: 17-47).

Beside the legal and the political innovations, the EU has also experienced certain economical changes in the same period of time. The highly integrated Union was based on



the single currency created in 1989, at the European Councils Madrid meeting. The unprecedented expansion of the wide range of goods and services over the transatlantic area was achieved through the reduction of trade barriers, primarily, due to the establishment of the General Agreement on the Trade and Tariffs (the GATT) in 1993 (White, 2001). Later, in 1995, the latter was replaced by an even more institutionalised forum of international trade cooperation the World Trade Organisation (the WTO).

Politically and economically challenging developments inside the EU were answered by the political consensus on the changes (White, 2001: 47-70). Important internal developments had a significant influence on the shortcoming faced by the EU in its neighbourhood in the early 90s: dissolution of the Yugoslavia and the Soviet Union. Independent political circumstances around the EU were the test of effectiveness of the newly introduced foreign and security policy of the EU.

Obviously, the political and economic emergence of the EU could not have been separated from the common global and regional challenges. The internal developments of the EU influenced broadly its external policies, as far as ‘the mode of external governance [of the EU] follows the mode of internal governance’ (Schimmelfennig, 2009: 803). In other words, the external governance enables the EU to ‘tackle interdependencies through the external projection of internal solutions’ (Lavenex, 2004: 695), which is the way of managing the EU’s relations with its neighbouring countries. The rapid development of the internal policies of the EU, in terms of environmental, competition or immigration policies, significantly extended beyond the borders of the EU (Lavenex and Schimmelfennig, 2009). The EU is based on the *acquis communautaire*, which is exported to its partner countries through the qualitatively different foreign policy instruments (Lavenex and Schimmelfennig, 2009: 794).

On one hand, the European states achieved peace and stability within the EU borders, and on the other, beyond the borders of the EU – the former Soviet states, faced some major concerns regarding their ability to establish the state institutions and secure their functioning, as well as to ensure their legitimacy on internal and international level (Smith, 1994: 22 - 44). Curiously, the social and political disintegration occurred in the former USSR bloc amongst its Member countries, whilst there was a unique attitude towards the development of deeper integration in the Europe through the Maastricht agreement (Smith, 1994: 22-44).

Undoubtedly, the EU and its Member states were deeply concerned about the future security problems that could emerge after the collapse of USSR (Kappen, 1994).

The internal and external policies of the European Community and the Soviet Union have always been interconnected. Both Unions were representing the interests of the highly integrated states on the international arena (Wessel, 1999: 1 - 13). The security system of the EU was undermined by the dissolution of the USSR, since the successor of the Soviet Union – the Russia Federation, continued its disputes with the Newly Independent States (the NIS) regarding the territories, minorities, borders, etc. Thus, the dissolution of the Soviet Union automatically introduced the necessity of that cooperation amongst the NIS. The objective of the EU was to extend its influence through a deliberate effort to export its model of socio-economic and political cooperation (Magen, 2007: 373).

The collapse of the Soviet Union created a challenge for the EU as to the management of its relations with the Eastern neighbourhood countries. According to Smith, the EU attempted to define four types of boundaries: geopolitical, institutional, cultural and transactional (Smith, 1996). The article was written in the context of relations between the EU and the Central and Eastern European Countries (the CEEC), however, the concept of the ‘boundary politics’ is still valuable for relations between the post-enlarged EU and its wide neighbourhood (Korosteleva, 2011: 232; Gänzle, 2009; Sierra, 2010: 39).

The foreign policy priorities of the Russian Federation regarding its common neighbourhood constitute a crucial influential factor for the cooperation between the EU and the Eastern neighbouring countries. The increasing power competition between the emerging global powers of the EU, the USA and China was challenged by the Russian claim to have an equal status (MacCormick, 2007: 130). Through, such competition among external powers could be beneficial for small countries in order to receive more resources or support (Zielonka, 2006). However, it may also damage the economic and political conditions of a small country, especially taking into consideration the harmful foreign policy measures of Russia towards its neighbouring countries in comparison to the EU’s soft power.

The strategy of cooperation of the EU with its neighbouring countries is based on the principle of differentiation. The post-Soviet countries were strongly supported in the process of dealing with the democratic and economic challenges by the Western European countries,

through the newly introduced Common Strategies (the CS) and the PCAs, whilst the EU signed the European Agreements (the EA) with the CEEC and offered them a future perspective of membership (Petrov, 2002: 176). The differentiation applied by the EU towards its neighbouring regions and countries, before signing the bilateral agreements, was based on the political, economic and social priorities of the EU itself (Petrov, 2002: 178). The EAs with CEEC and the Stabilisation and Association Agreements (the SAAs) with the Balkan countries were aiming at a gradual integration of those countries. According to the court's ruling, the 'privileged' contractual relationship between the EU and the associate country is hereof established (Demirel vs. Stadt Schwäbisch Gmünd, 1987).

Petrov evaluates PCAs concluded between the EU and the former members of the Soviet Union as a 'relatively successful formula in EU external policy and certainly reliable legal instrument for sustaining long term relations with the CIS countries' (Petrov, 2002:193). In other words, the importances of PCAs were considerable in its long-term perspective, as far as instruments established direct cooperation between the EU and independent countries. It should be mentioned that not all PCAs were accompanied by the external policy project of the EU (only with Russia and Ukraine). Lack of the strategic approach in external policy of the EU, as well as its inconsistency, impacted the efficiency and effectiveness of PCAs. However, it should be mentioned that the EU appeared as a normative power in its Eastern neighbourhood, as it has commenced the process of promotion of human rights and the rule of law, particularly, through the inclusion of provisions on human rights as essential elements of the PCAs. The detailed analysis of the PCAs will be provided in the empirical part of the thesis (Chapter 3), in order to evaluate the importance of those agreements in the Europeanisation process of Georgia. Meanwhile, it should be noted that there exists an obvious gap between the external capacity of the EU and expectations of the partner countries (Hill, 1990).

The transitional period in the geopolitics of Eastern Europe and the regaining independence process, by the former Member countries of the Soviet Union, was characterised by increasing power competition amongst the various actors with different interests. Moreover, the domestic tensions caused by political and economic instabilities, the low credibility of democratic institutions, territorial conflicts, and influential historic legacies were typical and common for the countries concerned (Haass, 2008: 44; Lynch, 2003). Therefore, the Eastern neighbourhood of the EU has always been a distinctively interesting area of research for

Europeanisation. Obviously, the process of Europeanisation of Georgia has been influenced by the implications and constraints of the wider regional context.

The political history of Eastern expansion of the EU has significantly impacted its relations with Georgia. For example, Turkey's application in 1987 for the EU membership was a clear demonstration of common aspirations of the EU and Turkey towards stabilisation of relations with the East European Countries for mutual benefit, as well as the Accession Partnerships with the Baltic States (Cremona, 2003: 1). After the fourth enlargement of the EU, it was strongly presumable that remaining three candidate countries – Turkey, Romania and Bulgaria – would join the EU within next five years (Cremona, 2003: 2). Therefore, Georgia, together with Azerbaijan and Armenia, could have become direct neighbouring countries of the EU. This perspective has increased the importance of the stability and security near the EU borders. The EU itself has set an ambition to bring profound reforms to its Eastern neighbouring countries without membership perspectives and with the carrot of sharing 'everything but institutions' (Prodi, 2002).

On a later stage, the necessity to define the perspective borders of the EU became a new challenge for the Union and has only emerged after the recent Eastern enlargements (Lavenex, 2004: 680-700). The Eastern expansion of the EU has shaped the foreign policy of the Union and actions of its institutions, therefore, the latest enlargements of the EU could be considered as independent variables, which itself models the foreign policy of the EU (Schimmelfennig and Sedelmeier, 2005: 669-687). According to the scholar opinions, the Eastern enlargement of the Union is not only a success story but also a proven instrument, a model of methodological approach of foreign policy that could be used again (Magen, 2006: 398). However, the absorption capacity of the EU seemed to be reaching its limits and, therefore, the alternative form of cooperation – the ENP was introduced, in order to achieve the stability, security and prosperity in the neighbourhood of EU. The fundamental goal of the European external policy, after the enlargement of 2004, was to introduce the EU as a global player, moreover, to provide an institutional framework – the 'arc of stability' (Magen, 2006: 399; Prodi, 2002).

The enlargement towards the CEEC brought into the EU new sensibilities and interests towards its new Eastern neighbours, a situation that prompted both, the Member states and the Commission, to reconsider and upgrade their attitude towards the region (Johansson-

Nogués, 2007). The accession of the CEEC passed up to the EU level their national interests and security concerns regarding their Eastern neighbours and Russia respectively, especially Estonia and Lithuania (Galbreath and Lamoreaux, 2007). The Baltic States and Poland were strong advocates of increasing the political and financial assistance towards not only Ukraine and Moldova, but also the countries of the Southern Caucasus (Zaborowski and Longhurst, 2003).

Changing and challenging political circumstances around Georgia provoked the development of the foreign policy instruments of the EU towards the Eastern neighbourhood, including Georgia. It is difficult to define precisely the Eastern neighbourhood of the EU as a region, mostly because of the disparities among the Eastern European countries. Shortly after the dissolution of the Soviet Union, the post-Soviet countries were referred as the former countries of the USSR, or the Newly Independent States (the NIS). Later on, after the introduction of the ENP, the countries concerned were mentioned in the foreign policy instruments of the EU as the ENP countries. Currently, in the context of Europeanisation, it sounds reasonable to refer to those countries as the European or the Eastern European countries, as far as the newly signed AAs acknowledge them so. According to the AA, Georgia is considered as the Eastern European country and according to the AA Ukraine, the latter is recognised as a European state (Preamble AA Ukraine, 2014; Preamble AA Georgia, 2014). The geopolitical importance of the countries concerned has developed similarly within the Eurasian continent and in the context of Europeanisation.

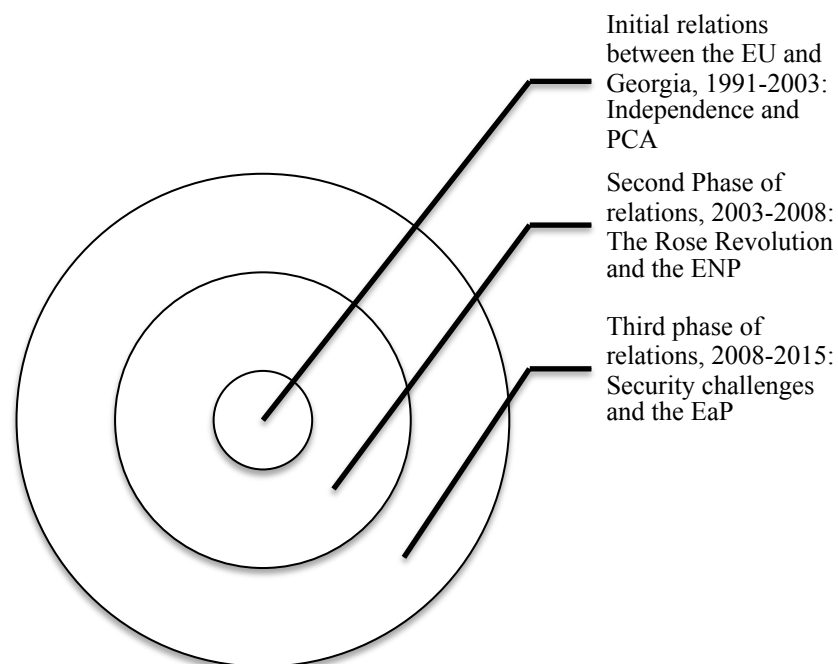
Georgia experienced a long lasting tradition of political and economic transformation and still keeps following the path of transition to the democratic principles and market economy standards. During the last two decades, this country has faced several critical moments of its statehood and the foreign policy discourse. Primary challenge after the regained independence of Georgia was to revive its economy, re-create functional state institutions and determine its foreign political discourse. In the determination of its foreign policy dimension, the decision on the highest political level should have promoted the pro-European or pro-Russian politics. This question has always been arguable in the political establishment of Georgia, as far as the geopolitical position of this country provokes the various scenarios about its role in the region.

The emergence of the EU as an actor towards independent Georgia commenced by the signing of the PCA, with which the Union attempted to be represented as a value based system and, moreover, the exporter of its internal values towards East. On this initial level of relations, the foreign policy interests and the strategy of the EU were not determined, same could be said about the approach of Georgia towards the Union.

The second determining and transitional period for the political developments of Georgia occurred in 2003, after the so-called ‘Rose Revolution’. The social demand for reforms and changes created justified expectations on the capacity building and strengthening of the democratic institutions of Georgia. The EU’s foreign policy towards Georgia was initiated through the introduction of the ENP, attempting to manage the newly occurred challenges in Georgia.

Third important transitional period in the EU-Georgia relations evolved after the Russian occupation of Georgian territories in 2008. The foreign policy instruments of the EU towards Georgia were upgraded by the introduction of the Eastern Partnership (the EaP), as a logical prolongation of the ENP. The fragile security system in Eastern neighbourhood of the EU, especially that of Georgia, implicated the negotiation process on the AA and DCFTA. The figure demonstrates the key dates and conditions for the Europeanisation process of Georgia.

Table 1 – The Empirical Case Study of Georgia: Key Dates and Political Conditions



The empirical part of the thesis will provide an assessment of the Europeanisation process of Georgia in its three transitional periods, which briefly discussed above. Meanwhile, the below presented theoretical section aims to provide an understanding of the Europeanisation process and its mechanisms with regard to the Eastern European non-candidate countries as a discourse of EU-Georgia relations. Therefore, examination of the theoretical framework and its findings should be applicable not only to the case study of Georgia but also to the other Eastern European countries beyond the membership perspective. More specifically, the next chapter should define the limits of Europeanisation, in order to argue about the existing gaps of theoretical, as well as empirical, discourses.

### **2. 3. SUBSTANTIAL UNDERSTANDING OF EUROPEANISATION AND ITS MECHANISMS**

General understanding of Europeanisation suggests that it's a way to organise the concepts in order to contribute to the normalisation of political science (Hassenteufel and Surel, 2000). The Europeanisation, as a valuable tool for the research of political science, is not a solution but an existing problem itself, which attempts to inform about the nature of the EU and its Member states as a political system (Radaelli, 2004: 1-23). At an earlier stage, the Europeanisation concept has been studied inside the EU borders and was considered as a challenging framework in terms of its practical and theoretical understanding.

The Europeanisation literature provides various discourses on the understanding and defining of the Europeanisation concept. The multidimensional and multilayered concept of Europeanisation has been scientifically approached in different contexts, especially in terms of understanding the interdependent and interrelated process of policy making between the EU institutions and its Member states. Ladrech defines Europeanisation as 'an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making' (Ladrech, 1994: 17). According to Börzel, it is a 'process by which domestic policy areas become increasingly subject to European policy-making' (Börzel, 1999: 574). Multidimensional understanding of the Europeanisation is highlighted in the definition

provided by distinguished scholars of Europeanisation, providing that ‘the emergence and development at the European level of distinct structures of governance, that is, of political, legal and social institutions associated with political problem solving that formalizes interactions among the actors, and of policy networks specializing in the creation of authoritative European rules’ (Risse, Cowles and Caporaso, 2001: 3). According to Radaelli, Europeanisation refers to ‘processes of (a) construction (b) diffusion and (c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies’ (Radaelli, 2003: 30). Europeanisation within the EU borders is also defined ‘as the change within a member state whose motivating logic is tied to the EU policy or decision-making process. The prime concern of any Europeanization research agenda is therefore establishing the causal link, thereby validating the impact of the EU on domestic change’ (Ladrech, 2010: 2).

The definition of Europeanisation is even more complicated in terms of external Europeanisation, as the EU enters into the qualitatively different types of cooperation, or integration, projects with its partner countries. The common understanding of Europeanisation provides that the Europeanisation concept refers to expansion of the EU towards its partner countries through its norms, instruments and regulatory measures (Elsuwege, 2015)<sup>1</sup>.

In the EU studies, number of authors researched Europeanisation as a process of governance (Bache, 2003; Buller and Gamble, 2002; Gualini, 2003; Kohler-Koch and Eising, 1999; Scharpf, 1999; Winn and Harris, 2003), where the theory of Europeanisation modified the understandings of governance in Europe and provided an innovative approach regarding the interaction between the Member states and European institutions (Kohler-Koch and Eising, 1999). Pursuant to this model of understanding, other authors further developed the Europeanisation concept and argued that it constitutes a model of institutionalisation, when the rules and behaviors are firstly discovered and experienced in the EU context and then institutionalised inside the logic of behavioral action of domestic actor (Radaelli, 2004;

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<sup>1</sup> I would like to express my gratitude to Professor Peter Van Elsuwege for his valuable comments regarding the Europeanisation process of Georgia.



Börzel and Risse, 2004; Olsen, 2002). Schimmelfennig defines the European governance according to the domestic analogy and argues that Europeanisation consists of the adoption of principles of regionalism, supranational integration, multilateralism, transitional markets, the regulatory state and democratic constitutionalism (Schimmelfennig, 2010: 6).

Europeanisation within the EU borders, constitutes a policy making process, given that ‘diffusion of formal and informal rules, procedures, practices and beliefs are first defined in the EU policy-processes and then incorporated into the domestic (national and subnational) structures, policies and identities of the Member States’ (Magen, 2006: 385). In other words, the EU as a supranational entity, entitles its policies and Member states to have the competence to follow the political path defined by the EU. However, intra-EU policymaking process involves Member states in the decision making process on the institutional level of the EU, before the incorporation and implementation of the EU decisions on national levels. Therefore, Europeanisation process inside of the EU borders differs from the external Europeanisation context.

The external Europeanisation, or ‘top-out’ perspective of Europeanisation seeks to conceptualise, explain and evaluate the impact of the EU policies and rules on the domestic institutions, legislation and political actions on non-Member states (Magen, 2006: 386), where the actors of bilateral relations, on one hand, the EU is seen as a ‘policy exporter’ and on the other, third country is considered as a ‘target country’ (Magen, 2006: 386; Christiansen, 2000: 389-410). Allegedly, the complexity of Europeanisation process increased, since the political correlation between the EU and third countries differ from the EU-Member states relations and interdependence.

The scholars of Europeanisation begun to analyse it beyond the formal borders of the EU, due to the crucial internal developments of the EU: (a) the size and attractiveness of the EU market; (b) considerably intrusive and transformative Eastern enlargement of the EU; (c) institutional arrangements with non-candidate ENP countries (Schimmelfennig, 2010: 1-20). Obviously, the Eastern expansion of the EU provoked the emergence of theoretical and practical approaches regarding the Europeanisation framework.

Lavenex and Schimmelfennig argue that the external Europeanisation should be considered as a part of EU’s governance beyond the borders and, therein, the authors distinguish

between three main institutional forms of governance in the Europeanisation process of the ENP countries: hierarchy, networks and markets, where their interaction promotes the rule expansion (Lavenex and Schimmelfennig, 2009: 791-812). The hierarchical governance takes place in subordinated relations, where violations of enforceable rules are sanctioned by the dominated player of relations (Lavenex and Schimmelfennig, 2009: 791-812). The formalized relations in the ENP context have been approached as a ‘compulsory impact’ (Diez, 2006: 572-3) or ‘compliance’ (Bauer, 2007: 23). The network constellation refers to a relationship in which the actors are formally equal and no party can bind the other party without its consent, furthermore, networks concern a negotiation systems in which conflicts of interests are solved pursuant to the voluntary agreement on the basis of bargaining and arguing (Börzel, 2007: 64). Elements of networking in the ENP can be found in the ENP Action Plans, evaluation of progress of Association Councils and sectoral experts participation in various programs (Lavenex and Schimmelfennig, 2009: 791-812). Network governance gives the negotiating parties more room for manoeuvre and provides a favorable context for mechanisms of socialisation, social learning and communication (Schimmelfennig and Sedelmeier, 2004: 683; Schimmelfennig and Sedelmeier, 2005; Lavenex and Schimmelfennig, 2009: 794). The market, as a third basic model of external governance, is based on outcomes of competition between the actors, such as the principle of mutual recognition applied in the Single Market (Lavenex and Schimmelfennig, 2009: 800).<sup>2</sup>

The research of Europeanisation beyond the borders of the EU is divided into two main directions, where one provides the assessment of effectiveness of the external governance of the EU with regard to its enlargement policy (Grabbe, 2003), and the other, in terms of evaluation of the external governance of the EU in the context of the ENP, where the declared membership perspective is missing (Lavenex and Schimmelfennig, 2009). Schimmelfennig argues that as far as the EU became one of the major players in global governance, exporting internal rules and modes of governance to non-member countries, it is contributing to the Europeanisation beyond the borders of the EU, including the ENP countries (Schimmelfennig, 2010). Thus, the ENP countries should be analysed in the theoretical framework of the Europeanisation, since the ENP itself is based on the notion of Europeanisation likewise the accession policy (Schimmelfennig, 2010: 1-20). The promise of

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<sup>2</sup> Hierarchy, with mechanism of harmonisation: tight and formal; Network, with mechanism of co-ordination: medium - tight, formal and informal; Market, with the mechanism of competition: loose and informal (Schimmelfennig and Lavenex, 2009: 800, Table 1).

‘everything but institution’ meant the full participation of the neighbouring countries in the material European governance, however, the alignment has been unequal (Schimmelfennig, 2010: 13).

Europeanisation has been analysed in both, rationalist and constructivist perspectives (Checkel, 2001; Jupille, Caporaso and Checkel, 2002; Radaelli, 2004; Börzel, 2010; Schimmelfennig, 2010). Both assume that ‘the misfit between European and domestic policies, institutions and political processes constitutes a necessary condition for domestic change and that the institutions mediate, or filter, the domestic impact of Europe, which emanates from pressure of adaption caused by such misfit’ (Börzel and Risse, 2009: 2). The rational choice argues that misfit between the EU and the domestic norms creates a necessity of domestic adaptation and Europeanisation is an ‘emerging political opportunity, which offers some additional resources to exert influence, while severely constraining the ability of others to pursue their goals’ (Börzel and Risse, 2009: 9). The constructive choice pursues the idealistic and normative logic of appropriateness, when the process of Europeanisation is understood as ‘the emergence of new rules, norms, practices, and structures of meaning to which member states are exposed and which they have to incorporate into their domestic structures’ (Börzel and Risse, 2009: 10). In other words, it states that the social learning and persuasion defines the Europeanisation process.

For the substantial understanding and assessment of Europeanisation concept, it is important to analyse the mechanisms of external Europeanisation in rationalist and idealistic contexts, as well as to define the limits and gaps of existing theoretical framework. Moreover, in the examination of effectiveness of Europeanisation, its mechanisms should be considered as a decisive factor.

### **2. 3. 1. Mechanisms of Europeanisation**

The external Europeanisation constitutes a qualitatively different process from the fundamental and primary understanding of Europeanisation inside the borders of the EU. The studies on the EU is focused on its examination, as a policy exporter in its neighbourhood, where the policies of the EU are studied in the context of transposition of EU’s *acquis* and its implementation into the third countries. Several distinguished scholars

have researched the evolution of the EU mechanisms and its implications on third states in the context of democracy, the rule of law and market economy (Cremona, 2003; Maresceau, 2003). Also, investigated the effectiveness of the mechanism of Europeanisation in terms of political conditionality and socialisation (Schimmelfennig and Sedelmeier, 2004). However, there is no comprehensively defined understanding of the limits of external Europeanisation, especially regarding the cases of the non-candidate neighbouring countries of the EU.

According to Schimmelfennig there exist direct and indirect mechanisms of Europeanisation (Schimmelfennig, 2010: 8). The direct mechanisms are those in which the EU takes active participation and intends to see a result of its action (Schimmelfennig, 2010: 8). Whereas, the actions of the EU could also be resulted by unintended effects, as an indirect mechanism of Europeanisation (Schimmelfennig, 2010). Following to the logic of consequence, the direct mechanism of Europeanisation is conditionality, whilst pursuant to the logic of appropriateness the direct mechanism of Europeanisation is socialisation (Schimmelfennig, 2010: 8).

Schimmelfennig suggests that *the conditionality* is based on cost benefit calculations, where the EU seeks to promote its governance rules by setting them as conditions that should be met by third countries in order to get rewards from the EU and to avoid sanctions (Schimmelfennig, 2010: 8). The logic of rationalism states that domestic adaptation costs must not be higher than the rewards and benefits (Schimmelfennig, 2010: 1-20).

On the other hand, *the socialisation* is considered to be a persuasion of norms and ideas, when the EU teaches the third states the principles and rules of European governance, and external actors adopt and comply with the EU rules if it's appropriate, and if the authority and superiority of the EU is accepted by those actors (Schimmelfennig, 2010: 1-20; Radaelli, 2004: 1-23). The social constructivism in international relations theories, with the understanding of 'social learning', or in other words, as a process of 'socialisation', constitutes an explanatory model which provides that domestic actors respond to the 'logic of appropriateness', where the ideas, norms and identity shapes compliance (March and Olsen, 1998; 2009). Whilst social constructivists analyse the behavior of states more than as a materialist cost-benefit balance, they highlight the importance of social structures and interactions. The socialisation process, as a norm based system, involves the participation of actors, where the 'norm leaders' are followed by a target country based on the 'norms', as

inter-subjective beliefs about the social world, having behavioral consequences (Magen, 2006: 420; Risse and Sikking, 1999).

Both approaches, despite their significant difference, define the impact of the EU beyond its borders, and constitute the interrelated and interdependent approaches of the understanding of the Europeanisation process. Without denying or arguing, based on the arguments of one of those approaches, we would like to examine them in an integrated manner, in order to provide the deeper analysis of the Europeanisation process beyond the EU borders.

Obviously, the EU attempts to promote the Europeanisation process in its' Eastern neighbourhood, including the ENP countries, especially since the adoption of the Treaty of Maastricht in 1993, which declared the democracy promotion as a goal of the development cooperation (Treaty of Maastricht, 1993: Article 130). Lavenex and Schimmelfennig differentiate three types of democracy promotion: (a) *linkage*, as a bottom-up support for democratic forces, such as political opposition of civil society actors in target countries, (b) *leverage*, as a top-down reforms through political conditionality and (c) *governance*, as a promotion of neighbouring countries to the EU's system of rules, below the threshold of membership and through the sectoral cooperation (Lavenex and Schimmelfennig, 2011: 885-909).

### ***Linkage and 'sectoral governance'***

The last experiences of the European enlargement have clearly demonstrated the success of the leverage, and hence, less impact of linkage in the CEEC. There could be a variety of reasons why the civil society actors are not having significant impact on the process of Europeanisation, even though their role is increasing from time to time and the understanding of such role by the society is positively modified in Eastern European countries. However, the significant changes in the process of Europeanisation are still expected from the public authorities.

Schimmelfennig and Lavenex propose the 'governance' approach, as an approximation measure to the EU sectoral policies (functional cooperation), which is 'less top-down than leverage and less bottom-up than linkage' and operates with regard to individual sectoral fields in non-candidate Eastern European states (Lavenex and Schimmelfennig, 2011: 887).

Democratic governance model is mainly based on the socialisation, but it can also be linked to conditionality, since it refers to external governance with non-candidate states in which partner countries commit themselves to approximate their domestic policies and legislation to the EU *acquis* (Lavenex and Schimmelfennig, 2011:896). Horizontal institutionalised relationships promote approximation to the EU law on sectoral basis, such as legislation, competition, immigration or others, based on the principles of transparency, participation and accountability (Lavenex and Schimmelfennig, 2011: 896). Accordingly, the authors also argue that strongly codified *acquis* in sectoral policies strengthens the institutionalised relations and makes parties more interdependent (Lavenex and Schimmelfennig, 2011: 902).<sup>3</sup>

Functional cooperation should also be critically assessed, since (a) third states have been criticised for non-application of democratic governance rules even if they are adopted (Freyburg, Lavenex and Schimmelfennig, 2011), as they not understand the rules and reasons of its application, and it's implemented only to increase the legitimacy of their governance with the EU; (b) there is no evidence to link the democratic governance of policy sectors to democratisation of entire political institutions (Freyburg, Lavenex and Schimmelfennig, 2011: 1047).

Therefore, the focus of this chapter is driven towards the leverage, as already positively experienced mechanism of Europeanisation in order to define its limits.

### ***Leverage***

Leverage, as a unilateral mechanism of the EU to utilise the principle of conditionality with third countries is considered to be the most successful mechanism of Europeanisation. The conditionality 'sets the adoption of democratic institutions and practices as conditions, which target countries have to fulfill in order to receive rewards from the EU – such as financial aid, technical assistance, trade agreements, association treaties and ultimately membership... [a third state] induce democratic changes in state institutions and behaviour according to EU

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<sup>3</sup> For further analysis of functional cooperation and approximation of the EU *acquis* in fields of competition, migration, and environment see: Tina Freyburg, Sandra Lavenex, Frank Schimmelfennig, Tatiana Skripka and Anne Wetzel (2011), 'Democracy promotion through functional cooperation? The case of the European Neighbourhood Policy', *Democratization*, 18(4): 1026-1054.

conditions, if the benefits of EU rewards exceed the domestic adaptation costs' (Lavenex and Schimmelfennig, 2011: 893).

The broader understanding of leverage is linked to the notion of the external governance of the EU, which seeks to capture the 'phenomena' of policy and rule expansion (Lavenex, 2004; Lavenex and Schimmelfennig, 2009). Therefore, the EU is usually seen as a 'regulatory model' of policymaking (Grugel, 2004: 616). Through the 'domestic analogy' the EU is seeking 'the external projection of internal rules' (Lavenex, 2004: 695). Furthermore, the external governance attempts to conceptualise the important aspects of the EU as a global actor, as well as the forms of integration of third states into the EU system, where those countries are beyond the membership perspective or far from it (Lavenex and Schimmelfennig, 2009).

The main research interest for the external governance is to examine the *acquis communautaire* itself, as well as the externalities produced by conditionality. The principle of conditionality is mainly applicable to the transposition of *acquis communautaire* in the national legislation of a third country and it constitutes one of the crucial elements of the EU's external relations, being an instrument that helps to exercise policies of the EU beyond its borders and to spread its rules through different policy instruments. In other words, the governance approach promotes a more institutional and structural view of norm diffusion and policy transfer (Lavenex and Schimmelfennig, 2009).

External governance takes place when parts of the *acquis communautaire* are extended to non-member states (Lavenex, 2004: 683). Thus, it's a result-oriented process with its broad understanding. Rule extension, or transposition of the EU law into the national legislation of third countries is a challenging process for the national governments due to the variety of reasons. This issue will be discussed in the empirical chapters of the thesis, however it should be noted here that there are certain crucial factors, which explain the in/effectiveness of the conditionality in the process of transposition of *acquis* in the domestic legal systems of third states.

The effective application of the EU conditionality, as well as the success of the EU leverage in the CEEC is mainly attributed to the attractiveness of membership reward (Lavenex and Schimmelfennig, 2011: 887). Without the declared promise of membership perspective, the

conditionality is considered to be ineffective and inconsistent in practice (Lavenex and Schimmelfennig, 2011: 887).

There are many reasons why leverage could be an effective mechanism of Europeanisation towards the ENP countries. Firstly, the transposition of the EU's *acquis*, in the domestic legislation of a third country, constitutes a basis for granting stronger economic and political ties with the EU: 'in return for concrete progress demonstrating shared values and effective implementation of political, economic and institutional reforms, including aligning legislation with the *acquis*, the EU's neighbours should benefit from the prospect of closer economic integration with the EU' (The Commission Communication, 2003, final 104). In the process of legislative harmonisation, the EU takes into consideration the 'economic structure of the partner country, and the current level of harmonisation with the EU legislation' (The Commission Communication 373 final, 2004: 27). Obviously, the ENP countries are 'object' of the so-called 'positive conditionality', meaning that they ought to benefit from the successful transposition process of the EU *acquis* (Grabbe, 2002: 250).

On the other hand, there is variety of reasons why leverage is in reality not effective towards the ENP countries. The leverage model is likely to be the most effective if the EU sets strong and definite conditions for quick and credible accession to full membership, if the interdependence between the EU and the target countries is asymmetrically favourable to the EU, and if the domestic power costs of fulfilling these conditions are low for the third state governments (Lavenex and Schimmelfennig, 2011: 895). Pursuant to the rationalist understanding of effectiveness of the conditionality, it depends on: (a) the size and speed of rewards; (b) the determinacy of the conditions, (c) the credibility of EU conditionality; and (d) the size of adoption costs for domestic actors (Schimmelfennig and Sedelmeier, 2004: 672).

The leverage, until now, was experienced as a not effective enough mechanism of Europeanisation towards the ENP countries, since:

- On one hand, there exists a strong support of EU membership by the political leadership in Georgia (likewise in Ukraine and Moldova), but the EU offers a very little hope for the membership perspective and the possibility of enlargements towards



those countries for the faceable future is low (Wolczuk, 2007). Thus, the size of the declared rewards is not promising for the pro-European Eastern countries;

- The established dynamics of the ENP framework proves that membership perspective is not excluded as such, however the question of potential eligibility of some of the ENP countries is kept deliberately over-ambitious by the EU, unilaterally (Magen, 2006);
- The ability of the EU to impact domestic decision makers depends widely on the clarity of the EU rules, otherwise the reinterpretation is expected by the target countries (Magen, 2006). The determinacy of the EU rules in the ENP is low, unlike to the pre-accession process of the CEES (Schimmelfennig and Sedelmeier, 2004; Magen, 2006);
- High domestic costs of adaptation to the EU rules undermines the compliance, especially in the circumstances, when there does not exist a clear promise of membership and the harmonisation process with the EU *acquis* is not a part of the accession process (Vachudova, 2005; Schimmelfennig, 2003).

Even though it is obvious that the conditionality in case of the ENP countries did not have a significant impact on the process of Europeanisation, in practice there exists an increasing political and economic attraction, or in other words, an evolving political aspirations, between the EU and those pro-European ENP countries towards deeper cooperation. It is presumable that certain meaningful mechanisms of Europeanisation exist in the ENP context, which is not yet researched, however they in fact impact the Europeanisation process.

### **2. 3. 2. The Constructivist Perspective**

Beyond the rational understanding of bilateral relations, Radaelli provides a normative and 'idealistic' understanding of the Europeanisation process stating, that '(a) the EU becomes a cognitive and normative frame, and provides orientation to the logics of meaning and action; (b) there is a process of change, either in response to the EU pressure or as usage of Europe' (Radaelli, 2004: 11). According to the author, Europe has become a 'common grammar' in the process of Europeanisation, which is about the 'governance and processes' (Radaelli,

2004: 11). Bringing the normative approaches in the context of Europeanisation is an important aspect of externalisation of the EU's policies, where the Europeanisation can be used to explain 'cultural change, new identity formation, policy change, administrative innovation and even modernisation' (Radaelli, 2000:4). It is not arguable that the EU, as a political and legal entity is founded on the principles of peace, liberty, democracy, human rights and the rule of law. Moreover, it is clearly confirmed in the founding agreements of the EU, as well as in the Treaty of Lisbon (The TEU, Article 21). However, the declared values of the EU, or the 'normative basis', could be critically assessed in practice. According to Schimmelfennig, the EU as a 'normative power' is a self-image and a self-portrayal (Schimmelfennig, 2010: 5).

Pursuant to the entire objective of the research we would like to focus on the concept that 'debates about whether the EU is, or is not, a civilian power, a normative power, a superpower, and so on, are not leading us anywhere right now... We should instead engage in a debate about what the EU does, why it does it, and with what effect, rather than about what it is' (Smith, 2010: 343).

For a better understanding of the mechanisms of Europeanisation, Radaelli brings into the definition the sets of ideas and interactive component between the actors, where 'the ideational dimension itself divides into two activities: a cognitive activity, which enables actors to make sense of reality (drawing on knowledge, policy analysis, information about problems, actors and resources), and a more normative activity of assessing and judging reality, which thus refers to the world reforms, values, and principles' (Radaelli, 2004: 4).

The mechanisms of Europeanisation are strongly linked to the idealistic understanding of the EU, which includes 'process of (a) construction, (b) diffusion, (c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things', shared beliefs and norms, which are first defined and consolidated in the making of the EU decisions and then incorporated in the logic of domestic discourse, identities, political structure and public policies' (Radaelli, 2003: 30). Accordingly, the process of Europeanisation deals with the challenges such as the 'relations between the policy-makers at the stage of policy formulation, how they convey meanings, in which institutional forums, through which acceptable norms of behaviour and expression' (Radaelli, 2004: 8).

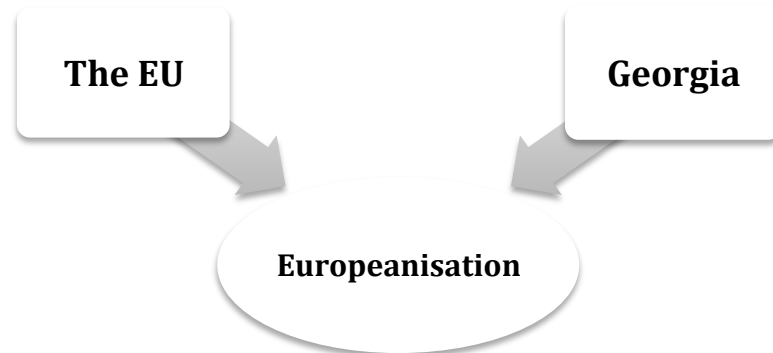
Consequently, even though it is important to define the process of Europeanisation according to the norm-based perspective, the understanding of significant role of third states in the Europeanisation process as an interactive model for changes on the domestic levels is missing. The normative understanding of the EU does not automatically mean the sharing of EU values by third states in practice. Even the understanding of the EU values could be challenging for the countries in transition, more than dealing with cost benefit calculations. Hence, it is obvious that Eastern expansion of the EU means delivering of the EU values beyond its borders, and in this process, the significant role of actors of the relations should not be neglected. Furthermore, in order to achieve the applicability of rules and values in institutional building of third states, the role of third states should be researched more. Firstly, the EU studies should be highly focused on the understanding that third states are not passive takers or 'objects' of relations; moreover they act and interact in order to impact the Europeanisation process positively or negatively, directly or indirectly. Therefore, the Europeanisation process is characterised by intended or unintended effects (Sedelmeier, 2003: 15), which are derived from the actorness of all parties involved in the relations, aiming to achieve the changes on the domestic level.

#### **2. 4. BEYOND THE EXISTING THEORETICAL FRAMEWORK**

The development of the theoretical framework of Europeanisation derives from practical understanding of EU's foreign relations. When analysing the EU as an institutional formation, it is clear and broadly shared position that there exists an interaction in EU-Member states relations, in the process of Europeanisation, which is regulated pursuant to the internal *acquis* of the EU, even if it's still a challenging process for the conduction of the common foreign policy. In order to introduce and develop the foreign policy instruments of the EU towards third states and to examine the effectiveness of the Europeanisation process from the broader perspective, means and methods of third states should be examined, with which they attempt to up-load their national preferences on the EU level in order to externalise their domestic problems. In other words, the activities of the Eastern European non-candidate countries, as significant actors in the Europeanisation process, impact the entire process of Europeanisation, as far as its an interactive process, where the actors apply different mechanisms of influence in order to achieve changes. Therefore, actions taken by

the third states impact, positively or negatively, intentionally or unintentionally, the entire process of Europeanisation (Figure 2).

Table 2 – The Actors of Europeanisation



The EU studies has investigated the Europeanisation in terms of its understanding as downloading or top-down process (Buller and Gamble, 2002; Dyson and Goetz, 2002). Pursuant to this approach, in case of external Europeanisation, third states are complying with the extraterritorial EU rules and are involved in the ‘one-side alignment relations’ (Magen, 2006: 386).

However, the wider analysis of the Europeanisation process incorporates the uploading or bottom-up Europeanisation (Börzel, 2002; Bulmer and Burch, 2001; Featherstone and Kazamias, 2001; Risse, Caporaso and Cowles, 2001). Moreover, Europeanisation could be considered as a policy transfer (Howell, 2004: 5; Bomberg and Peterson, 2000), which brings together those two in terms of ‘cross loading’ (Howell, 2004: 6-7; Börzel, 2002). In sum, Europeanisation is a result oriented and interactive process of policy transfers, which involves bottom-up and top down procedures (Bulmer and Burch, 2001: 78), with the outcome of change at the domestic level (Howell, 2004: 5).

The Europeanisation process has been researched within the borders of the EU providing that the interactive process of policy making, downloading of the EU policies is not sufficient and up-loading should be taken into due consideration whilst understanding the Europeanisation process. In other words, interdependence between the up-loading and down-loading should be strongly incorporated in the process of Europeanisation (Featherstone and Kazamias,

2001). Thus, the 'Europeanisation is assumed to be a two way process, between the domestic and the EU levels, involving both top-down and bottom-up pressures', moreover the 'domestic and EU institutional settings are intermeshed, with actors engaged in both vertical and horizontal networks, and institutional linkages' (Featherstone and Kazamias, 2001: 1-6).

The Europeanisation process within the borders of the EU covers the 'vertical policy transfer, [which] comes through EU policy or European integration processes. Horizontal transfer incorporates learning from and taking on other member state policies without EU involvement' (Howell, 2004: 5-6). The domestic structures are not passive recipients of the EU impact, since the Europeanisation is assumed to be the 'two way' process (Featherstone and Kazamias, 2001: 1-6). Europeanisation as a dynamic process includes the policy making on the EU's institutional level as well as on the domestic levels of the Member, which constitutes the interdependence between those two (Featherstone and Kazamias, 2001: 1-6), and this understanding is based on the core of the EU as an evolving process itself.

One of the most valuable work of the Europeanisation scholarship, by Börzel and Risse, argues that 'Member states are not merely the passive takers of European demands for domestic change. They may act proactively to shape European policies, institutions and processes to which they have to adapt later... Moreover, the need to adapt domestically to European pressures may have significant return effects at the European level, where member states seek to reduce 'misfit' between European and domestic arrangements by shaping EU decisions' (Börzel and Risse, 2003: 3). Obviously, Member states as main beneficiaries of the EU's common policies, shape the policies on the EU level in order to make them applicable on the domestic levels. Before taking the decision on the EU's institutional level, which has a legally binding effect over the Member states, there exist special measures of political and legal cooperation between the EU and Member states, which gives possibility to the domestic actors to represent their political positions on the EU level.

Co-ordination between the EU and the Member states 'primarily involves learning processes through macro and micro cross-loading, but may eventually incorporate aspects of up-loading and involve positive and negative integration', when the 'learning and negotiation integrates 'content' in terms of shared beliefs, norms, procedures, policy process, and eventually, discourses and ideology' (Howell, 2004: 6; Bulmer and Radaelli, 2004). On one hand, there exists the process of up - loading of national foreign policy preferences to the EU level,

which is ‘the projection of national policy preferences and ideas onto the EU level’ and down-loading, which constitutes ‘changes of national foreign policy due to the EU stimuli and pressures’ (Müller and Flers, 2010: 2).

As a consequence, the process of Europeanisation is an interactive process through up - loading and down-loading, which constructs the EU policies (Müller and Flers, 2010: 8). According to the distinguished position of Flers and Müller, from the perspective of rationalist institutionalism, up-loading is an important instrument for persuasion of the Member states national interests, it motivates states to proactively project their priorities and policy styles onto the EU level (Flers and Müller, 2010: 9).

Within the intra-institutional framework of relations between the EU and its Member states, there exists a Treaty basis in order to exercise the up-loading process of national preferences onto the EU level. Amongst others, the common procedural norms, such as practice of sharing information and the ‘reflex of coordination’, are used as a matter of mutual influence (Smith, 1998: 315; Müller and Flers, 2010). Changes in the substantive EU *acquis* affect the strategies of the Member states in the up-loading of their preferences onto the EU level (Müller and Flers, 2010: 2). To legitimise the claims of the Member states, they may refer to the norm-based arguments (Checkel, 2005; Schimmelfennig, 2001), which depends on the determinacy of the EU norms and its relevance, as well as on the forum of negotiations (Müller and Flers, 2010: 10). The style of interest mediation and arguing for cooperation by the Member states has been improved from time to time on the EU level (Müller and Flers, 2010: 10-11; Smith, 2004; Juncos and Pomorska, 2006). Preference uploading of the Member states starts during the negotiation phase as an important mechanism of influence for the decision-making on the EU level (Müller and Flers, 2010: 2; Major, 2008).

Consequently, the Europeanisation is considered to be ‘a situation where distinct modes of European governance have transformed aspects of domestic politics’, but more importantly, the existence of Europeanisation on the Member states level is not inevitable and relies on the interaction between the domestic levels and the EU (Buller and Gamble, 2002: 17; Howell 2002: 6). It should also be mentioned, that institutional framework of the EU-Member states relations, gives possibility of interaction in the process of Europeanisation, because of the crucial importance of up-loading mechanism. Without the mechanism of the up-loading of national preferences of third states on the EU’s institutional level, the process of rule/value

adoption or application on the domestic levels, could not exist. For comprehensive understanding of Europeanisation there remains a necessity of researching implications of the domestic policies and conditions of the third states on the process of Europeanisation.

#### **2. 4. 1. Towards Mutual Understanding**

Since 1991 and until recently, the EU and Eastern European countries, including Georgia, have commenced bilateral relations in order to achieve their political goals through mutual understanding and sharing of their internal political preferences. In this process, actors of relations are bound by internationally recognised values and attempt to achieve deeper political cooperation and economic integration. The process has been challenging for both parties, because of the internal political process within the EU, as well as in the Eastern European countries, including Georgia. Parties concerned were trying to achieve mutual understanding in the process of Europeanisation, which is also a process of political reciprocity and learning. Learning has been identified as a key mechanism driving Europeanisation and leading to policy adaptation (Müller and Flers, 2010: 14; Wong, 2005; Smith, 2004). Learning in practice could be only developed based on the policy failures (Bulmer and Radaelli, 2004). Hence, there are many lessons that should be learned from the Europeanisation case of Georgia.

The top-down perspective of Europeanisation is dominated by conceptualisation of the EU impact on domestic systems (Olsen, 2002). But as we have already discussed before, Europeanisation is not a simple process of ‘unidirectional reaction to Europe’ (Radaelli, 2004; Salgado and Woll, 2004: 4). This approach should be further developed in terms of interaction of politics and policies between the EU and third countries, aspired towards Europeanisation. In this type of research, the bottom-up research design should be applied, where the actors, problems, resources, style and discourses at the domestic levels are studied (Radaelli, 2004, Gualini, 2003). This approach, already tested inside the EU, should also be developed outside of it, where the interaction between the EU and third countries policies is researched in a very limited manner.

The unidirectional approach of Europeanisation based on conditionality and socialisation lead us to the results of: (a) limited impact of conditionality on the ENP countries in the process of

Europeanisation, firstly, because it was weaker than in the case of the candidate countries, and secondly, because of inconsistency of the EU in conditionality (Schimmelfennig, 2010: 14); (b) from the socialisation perspective, the ‘processes...are not sufficient condition for Europeanisation. There may be considerable socialisation without policy change at home. It is only when socialisation to Europe is followed by domestic change’, furthermore, misfit is necessary but not sufficient condition for Europeanisation (Radaelli, 2004: 10; Börzel and Risse, 2002: 4). Self-socialisation might be a case in some of the pro-European Eastern countries, but operation and effectiveness of the networks is hampered by the incompatible administrative structures, cultures, expertise and lack of trust (Lavenex and Wichmann, 2009: 83-102).

Effectiveness of Europeanisation, beyond the EU borders should be expected in case (a) if the EU applies strong conditionality, as a successfully experienced mechanism of Europeanisation; or (b) if there exists an effective mechanism of up-loading domestic political interests of the third countries on the EU level, which is ‘downloadable’ on a later stage. In other words:

- the EU leverage should be strengthened to its widest extent towards the Eastern European countries, including the most promising reward of membership, in order to firmly push the changes on domestic level;
- the necessary changes on the domestic level should be dictated by the national interests and political preferences, in order to increase the applicability and effectiveness of implementation of the EU rules and values on domestic levels of third states.

As we have already discussed above, the process of Europeanisation should be seen as an interaction process of policy sharing between the national and EU level. Therefore, we should be seeking to discover, whether or not there exist proper mechanisms of policy transferring between the actors of relations. Partner countries are excluded from the decision making process the products of which they are being asked to comply with (Magen, 2006: 422). Also, there does not exist any realistic perspective of the equal and symmetric participation neither in the policy making process, nor in the legislative process.



Consequently, in the context of Europeanisation we should provide a research on the empirical case study of Georgia, about the interaction and mutual understanding of the political interests of the actors of relations and not the unilateral approach of external governance of the EU towards Georgia. What are the mechanisms of a third country to upload its' national preference onto the EU level and to impact the process of Europeanisation? Whether or not parties achieved mutual understanding and policy reciprocity in the process of Europeanisation? The empirical part of the thesis aims at demonstrating in three transitional periods of Georgia's political life how the country was impacted positively or negatively the process of Europeanisation, through its domestic conditions.

#### **2. 4. 2. Third States: Actors of Europeanisation**

Much has been said about the measures and instruments with which the EU addresses its neighbouring countries and whether or not they are effective. However, the entire process of Europeanisation, even beyond the EU's borders, has been researched in terms of understanding the policy tools and measures of the EU and accordingly researches provide theoretical or practical assessments of those instruments. Crucial missing gap in the Europeanisation scholarship is the lack of its understanding in terms reciprocity of policies between the EU and third countries. To what extent do the domestic, or external political preferences of third countries impact the entire process of Europeanisation? Politics and policies of third countries constitute a crucial influencing factor for promoting or undermining the Europeanisation process beyond the EU borders and widely correspond to the unclear questions around the empirical investigations of Europeanisation.

Therefore, the impact of domestic policies of the Eastern European non-candidate countries on the governance provided by the EU should be examined in details. The measures, means, instruments and the political conditions of the domestic actors directly or indirectly impact the Europeanisation process. The influence of third states, as actors of relations, should be considered as one of the definitive criteria for the assessment of Europeanisation.

Thus and hereof, the variables that implicate the process of Europeanisation from the bottom-up perspective should be examined in a more specific manner, in order to define the framework for the empirical analysis of the case study of Georgia.

### *Pro-European Aspirations*

Firstly, it should be mentioned that there exists a reciprocal interest between the EU and the pro-European ENP countries towards a deeper co-operation. Without such a declared aspiration of a third state towards Europeanisation, it would be impossible to commence the process of Europeanisation. As we have already discussed in the previous chapters, the EU is seeking to establish an area of stability and prosperity in its neighbourhood, whereas the third states are considering the European integration as a solution of their domestic problems, including economic, security and social. Whilst those East European countries are attempting to share the values of the EU, or to transpose the EU *acquis* in national legislation in order to receive a promise of further rewards from the EU, such states are facing internal and international challenges. In other words, pro-European aspirations of third states could be seriously undermined because of the dependent and independent variables.

Strong willingness towards Europeanisation of Eastern European non-candidate countries (Georgia, Ukraine and Moldova) are declared by the political leaderships of the states concerned. Therefore, the so-called liberal countries of the ENP – Georgia, Ukraine and Moldova, – negotiated the Action Plans (the APs), as well as the AAs with more excitement (Magen, 2006).

More importantly, the significant role of those countries in order to get closer to the goal of ‘more EU in the East’ is proved by the unilateral decision to apply conditionality. More precisely, countries aspiring towards membership, such as Ukraine, Moldova and Georgia, apply the self-conditionality, meaning that they act as if they were subject to accession conditionality, adopting the EU rules in order to push accession process onto the Union level (Verdun and Chira, 2008: 431-444). Those countries act in order to signal their readiness to join the EU and seek to persuade the EU to consider them as membership candidate countries of the membership (Schimmelfennig, 2010).

Unlike of the Stabilisation and Association process (the SAP) with the Balkan countries, or the CEEC, there does not exist a promising framework for the European integration of the ENP countries. The SAP established a realistic framework for gradual integration of associated countries, with the declared goal of membership. The regional approach of the EU towards the Western Balkan countries is strengthened by the application of the principles of

conditionality, whilst with the countries of the ENP there does not exist a strong conditionality based on the promising perspective of the membership, and thus, the EU applies positive conditionality. Obligatory character of conditionality remains in case of a declared membership perspective, which is missing in the framework of cooperation of the EU and Eastern European states concerned.

Even though the leverage has been considered as the strongest mechanism of Europeanisation, the application of conditionality by the EU towards the ENP countries has been weak. Therefore, the impact of conditionality in the process of Europeanisation has not been significant. The EU's democratic conditionality turned out to be very weak in the ENP context, and has not been able to induce or consolidate democracy in the neighbourhood (Schimmelfennig, 2010: 14). One of the main reasons could be the credibility of market access, with the exclusion of the sectors such as agriculture and also the fears of the EU about the uncontrolled immigration and increase of the crimes (Schimmelfennig, 2010: 14). It should be mentioned that the relations between the EU and third countries has been highly depended on the 'voluntary' approximation of the EU *acquis* by third countries. In other words, the third countries took the initiative to implement the EU legislation in their national legislations, so-called 'self-conditionality' (Schimmelfennig, 2010: 14). The overwhelming aspiration towards the European integration increases the role of third states in the process of European integration. Therefore, the implications of politics of countries concerned, as well as their policies, have quit a significant role in the result-oriented process of Europeanisation, in both, theoretical and empirical approaches.

In different transitional periods of political life of the Eastern European countries their pro-European aspirations were not constant, demonstrated or declared. Therefore, the process of Europeanisation was undermined, catalyzed or frozen for some period. Moreover, amongst the Eastern European countries there are more pro-Europe oriented countries and less-willing countries towards deeper cooperation with Europe. The reasons are political, economic, geopolitical and beyond. The empirical part of the thesis examines the impact of Georgia's pro-European political aspirations on the process of Europeanisation within three transitional periods.

### ***Dealing with the historic legacies***

Eastern enlargement of the EU, and further integration of the former USSR countries into the European structures, has been a great success of Union's external action and a result of great aspirations of those post-Soviet countries towards the European integration. The adoption and application of democratic governance rules and benefits of the market economy in the former Soviet countries, in particular through the compliance with the EU *acquis* proves the limited impact of the historic legacies on one hand, but on the other hand, the 'success story' of the EU in Eastern countries was also derived from the consistent bilateral steps of the EU and third states, declared prospect of the membership, strictly monitored accession process and mutually recognised integration process (Cirtautas and Schimmelfennig, 2010: 422)

Current political aspiration of the EU towards further Eastern enlargement seems to be limited and the EU is reluctant to engage the Eastern European countries in the accession process. In other words, it seems that the 'absorption capacity' of the EU has reached its limits, even though countries like Ukraine, Moldova and Georgia are firmly demanding the prospect of membership and applying self-conditionality in the process of their Europeanisation.

The understanding of Europeanisation is different amongst the actors of the process – the EU and the Eastern European countries, since the domestic policy specific factors and interests are not the same, neither similar. In other words, the Europeanisation process depends on the domestic conditions of the EU and third countries, as far as the bilateral character of Europeanisation is recognised.

The 'return to Europe' of the post-Soviet countries at the end of the USSR hegemony imposed an obligation on the EU to admit ex-communist countries into the European structures (Cirtautas and Schimmelfennig, 2010), in other words the EU was inevitably bound to recognise countries concerned and to promote a positive precedent for other Eastern European countries, which declared their aspirations towards the membership perspective. While the legacies are defined as the 'inherited aspects of the past relevant to the present', including 'low and declining state legitimacy', impeded or contested economic reforms, disparities between formal institutions and informal norms and practices, weakly organised labor interests, weak political parties, weak civil societies, high level of electoral volatility

and public mistrust of democratic governance (Chen and Sil, 2006: 12; Howard, 2003; Cirtautas and Schimmelfennig, 2010: 428), historic legacies could be broken down by the positive examples of Baltic post-Soviet states. Different trajectories of legacies, as in the case with Baltic countries, driven by the demographic legacies of Soviet imperialism and also by the conditions of political contestation, proves that historic legacies seem to be losing their power in political processes and does not constitute a single dominant explanatory formula (Kubik, 2003: 343; Cirtautas and Schimmelfennig, 2010: 439).

From the beginning of 1990s, the EU has offered different kind of institutionalised relations to post Soviet countries, the EU signed the PCAs with almost all successor states of the Soviet Union and EAs with Baltic countries, depending on the different perceptions of the EU about the 'European-ness' and potential of 'EU-worthiness' of those countries (Cirtautas and Schimmelfennig, 2010: 432).

Consequently, the possibility to overcome historic legacies is already positively experienced in some cases of post-Soviet countries; therefore, the actors involved in the process of Europeanisation, are implicitly capable of handling with the influence of this factor. In different times, the impact of historic legacies on the process of Europeanisation was different. Obviously, the historic legacies on the domestic levels influence the institutional credibility and the economic strength of a country, which itself is a part of the Europeanisation process. The empirical part of the thesis attempts to examine the credibility of democratic institutions of Georgia in its three transitional periods, in order to test the importance of domestic factors on the effectiveness of Europeanisation process. Since 1991 and until recently, Georgia has achieved decisive developments. Hence, the process of Europeanisation was positively or negatively impacted by the domestic policies and politics of Georgia, reflected in various internal reforms. Thus, dealing with historic legacies should remain as an important variable in Europeanisation process, due to the importance and significance of internally developed policies and reforms of a country.

### ***Power competition***

The EU is not a single governance provider in the region. It competes with other governance provider powers in the Eastern neighbourhood. On one hand, the EU has a chance to export its own rules to the neighbourhood, if third countries are more depended on the EU than on

other actors (Dimitrova and Dragneva, 2009: 853 - 872). However, there exists an increasing power competition of different actors, within the common neighbourhood of the EU and the Russian Federation, therefore, third states are still unable to firmly follow their European choice. Even if countries concerned declare their pro-European aspiration through the highest political levels, the path of European integration achieves its critical momentum once it becomes obvious that Russia is losing its exclusive power of influence in the region. The Europeanisation process of Eastern European countries contradicts with the foreign policy objectives of Russia, thus, the Eastern European countries are not able to avoid 'high price' they need to pay for their European choice, including: wars, economic and political embargoes.

As we have already mentioned, the EU is not a single governance provider in the region. The interdependence between the EU and Georgia is competing with other governance providers, such as USA and Russia. In case of Georgia, the question lies in a power competition between the EU and Russia, since the 'westernisation' of Georgia is based on common standards of external governance provided by the EU and US. Pursuant to the power-based explanation, provided by Schimmelfennig and Lavenex in the context of Europeanisation 'without high and asymmetric interdependence in [EU] favour, the EU will not be able to impose hierarchical governance upon third countries' (Lavenex and Schimmelfennig, 2009: 803). In other words, 'the EU has a chance to export its own rules to the neighbourhood if the target countries are depended on the EU and more depended on the EU than on other actors' (Schimmelfennig, 2010: 14; Dimitrova and Dragneva, 2009: 853- 872). It is difficult to argue whether or not the Eastern European countries, in the process of Europeanisation, are asymmetrically depended on the EU or any other actors, as far as it demands the case-by-case examination. However, the path dependence of Georgia on the EU has been evolving, but at the same time, modifying as a result of Northern influence, which should be explained by the empirical part of the thesis.

Security crisis in Georgia of 2008, and recently in Ukraine, as the Russian response to the Europeanisation process in Eastern Europe, has significantly impacted the European integration process of those countries. Unexpected geopolitical and security threats in Eastern neighbourhood undermined the entire process of Europeanisation, historically experienced manner for the EU, as far as 'almost instinctively, the EU becomes highly conservative and tends to fall back on some type of past policy, even if it is clearly no longer

appropriate' (Peterson, 1998:13). Obviously, on one hand the power competition in Eastern Europe is not properly assessed by the EU, on the other, countries concerned do not utilise proper mechanisms to 'up-load' their national political preferences on the EU level in order to avoid destructive effects of external factors on the national levels.

Consequently, the influence of Russian foreign policy has always been an important factor for the Europeanisation process of Georgia and also for other Eastern European countries. The increasing imperialist objectives of the Russian Federation, and the soft modernising and Europeanising power of the EU, in the context of power competition, will be examined by the empirical chapters of this thesis. Respectively, the issue whether or not Georgian foreign political trajectory was shaped by the power-competition in the region, or vice versa, remains significant variable for the research of Europeanisation and its effectiveness.

## **2. 5. CONCLUSIONS**

The process of Europeanisation of the non-candidate Eastern neighbouring countries of the EU is impacted not only by the foreign policy instruments of the EU, or bilaterally formalised agreements, but also by the domestically evolving conditions and policies of third states. Therefore, the theoretical part of the thesis defined the limits of already existing theoretical framework of Europeanisation and argued in terms of understanding the Europeanisation concept as an interaction of the policies of actors of bilateral relations, on one hand, the EU, and on the other, a third non-candidate Eastern neighbouring country, where the implications and constraints of the domestic conditions and policies of the partner countries significantly influence the Europeanisation process.

Table 3 defines the variables of Europeanisation, which we have already discussed above, and also constitutes the framework of approaching the empirical case study of Georgia. It aims at evaluating the implications of Georgias' domestic conditions on the process of Europeanisation, which should be filled out at the end of the thesis, respectively to three transitional periods.

Table 3 – The Impact of Georgia on the Europeanisation Process

	1991- 2003	2003- 2008	2008- 2015
Pro-European Aspirations	-	-	-
Historic Legacies/Domestic Reforms	-	-	-
Power Competition between the EU and Russia	-	-	-

\* Low/ Average/Strong

In the process of Europeanisation of the non-candidate Eastern neighbouring countries of the EU, the mechanisms of Europeanisation have achieved their limits and beyond already exited theoretical framework of Europeanisation, there is a need of additional investigation of the variables of Europeanisation. Thus, the dependent and independent variables of the domestic policy of Georgia have their implications on the development and emergence of the process of Europeanisation in the non-candidate Eastern neighbouring countries of the EU. The examination of impact of the domestic conditions of Georgia on the development of Europeanisation process will be provided by the empirical part of this thesis, which is divided into three main chapters:

- As a result of the regained independence of Georgia in 1991, the bilateral relations between EU and Georgia have commenced, in particular through the PCA of 1999. The initial bilateral relations between the EU and Georgia have been impacted by the newly created geopolitical context of Georgia and the emergence of power competition in the common neighbourhood of the EU and the Russian Federation, as well as by the domestic political and economic challenges, typical for the state in transition. The process of Europeanisation in the first transitional period of Georgia is examined in the first chapter of the empirical part, which raises the question of, whether or not, the process of Europeanisation of Georgia has commenced since the



signature of the PCA between the EU and Georgia, and what was the implication of Georgias' domestic conditions on it;

- The introduction of the ENP and the inclusion of Georgia in this policy, as a result of the Rose Revolution of Georgia in 2003, provoked the emergence of the demand and necessity of changes and reforms on the domestic level of Georgia, as well as defining the foreign policy preferences. Thus, the internal political developments of this country influenced the development of Europeanisation process. The second chapter of the empirical part of the thesis asks, whether or not, the Europeanisation process of Georgia was catalysed due to specific domestic variables;
- The occupation of the Georgian territories by the Russian Federation in 2008 significantly undermined the security dimension of the ENP; however, it also had counterproductive consequences for the Russian influence in Georgia. The prolongation of the ENP with an innovative bilateral and multilateral policy project of the EU – the EaP, has importantly upgraded the process of Europeanisation of Georgia. The third chapter of the empirical part of the thesis raises a question, whether or not, the conclusion of the AA and the DCFTA between the EU and Georgia aims at strategically upgraded level of cooperation between the parties concerned, and further questions the role and implication of Georgia on the on-going process of Europeanisation.

## **CHAPTER 3**

### **INITIAL ACTIONS VIS-À-VIS THE EU AND GEORGIA**

### **3. 1. INTRODUCTION**

A bilateral relationship between the EU and Georgia has commenced after the dissolution of the highly-integrated Soviet Union. Georgia, as an ex-member of the USSR, re-gained its independence in 1991, and since then as a sovereign country, entered into bilateral or multilateral international relations. The so-called ‘Westernisation’ process of Georgia incorporated bilateral treaty relations with the EU, being a part of the foreign policy ambitions of the country. At the same time, the EU introduced PCAs with newly independent neighbouring countries and approached them through the formal legal framework of cooperation and partnership. This chapter aims to define the discourse of the EU policy towards newly independent Georgia and its strategic interests, and also *vice versa*, in order to analyse the ‘bottom-up’ Europeanisation variables. Hence the empirical part aims at developing a framework of investigation of Europeanisation of Georgia in terms of two-way process approach.

The present chapter is divided into three main sections. The first section deals with post-independence shortcomings of Georgia as a consequence of the seven decades of Soviet governance and its implications on the statehood of this country. The second section examines the bilateral treaty relationship between the EU and Georgia, as an initial step towards partnership, and also provides analysis of cooperation between the EU and other post-Soviet countries as a wider regional context of cooperation. The third section provides the variables of Europeanisation in terms of its understanding as bottom-up discourse, and evaluates the implications of domestic conditions of Georgia on the process of Europeanisation.

Consequently, the objective of the below presented chapter is to open a discussion of whether or not the Europeanisation process of Georgia commenced with the conclusion of the PCA and, moreover, if the variables of Europeanisation of a third newly independent country incorporate the ‘bottom-up’ implications of the country.

### **3. 2. STATE IN TRANSITION**

Creation of the democratic institutions of the Republic of Georgia did not commence in 1991, but at the beginning of the twentieth century, when independent Georgia adopted the

Constitution of the Democratic Republic of Georgia. Provisions of the Constitution of 1921 were progressive with aspirations of establishing high standards of human rights protection and the rule of law (Papuashvili, 2009: 10). Adoption of such democratic Constitution was a result of an agreement between the government and the population of Georgia, since it was reflecting the willingness of Georgian society to acquire independence and democratic governance. The long lasting struggle of Georgia's population for the democratic governance ended with the adoption of the Constitution, which was sharing the international standards of democracy for that time being. However, on the next day of legally adopted Constitution, the territory of Georgia was annexed and after this, followed seven decades of Communist governance. Communist governance became a huge and determining gap for the democratisation of the Republic of Georgia. Without entering into the historical details of last century, it is important to note that the creation of an independent and democratic state of Georgia started in 1921, although re-creation of Georgian statehood prolonged in 1991, with a heritage of the seven decades of the Soviet governance. Influences of the historical background of Georgia demonstrate a struggling process of the country for independence and democracy.

The dissolution of the Soviet Union resulted in economic collapse, social breakdown and hybrid political regimes (Stefes, 2006). Consolidation of the sovereignty of Georgia and state building was the main goal of country's leadership (Gordadze, 2009). The first transitional period of Georgia from the Soviet – socialist governance to the democratic governance could be characterised by various factors, *inter alia*, the most significant were challenges to:

- be recognised as an independent state and define the borders of the country;
- define the population and its identity, recognise and protect minorities;
- exercise a new form of governance on the territory of Georgia and adapt to the internationally recognised standards of democracy;
- open borders for international society and establish international relations with other countries;
- introduce and implement human rights and the rule of law standards;
- change the principles of the state economy and protect the independent economic market;
- adopt a new constitution and change Soviet – socialist legislation.

Obviously, Georgia faced challenges of re-creation of statehood, which became an important shortcoming of its daily political life. Key concepts of state power, sovereignty, autonomy and representation derive from domestic as well as from the international existence (Hall, 1984). Relations of state authorities with civil society actors and international society constitute key elements in studies of statehood of Machiavelli and Hobbes, whilst the ‘specific international orders can be expired in terms of their geographical and functional scope, their degree of institutionalisation and their strength of fragility’ (Smith, 1994: 312).

What determines a state as an actor on national and international level? Smith elaborates and combines views regarding the role and importance of a state in the world affairs:

*‘More sophisticated realist approaches emphasise not the drive for power and naked competition between states but rather development of responsible state government and the development of international governance by a form of continues negotiations between state authorities. The state is a form of ‘continues public power’, and this is a source of great deal of international predictability and stability. It is therefore not surprising that the state’s positive role in the world affairs is not only expressed in the balance of powers but also an expressed maintenance of domestic tranquility. Likewise, purpose of international life as being the maintenance of the maxim level of order in the parts with the minimum of disorder in the whole’* (Smith, 1994:312; Miller, 1981; Vincent, 1987; Hedley Bull, 1979; Northedge, 1978).

Pursuant to the above-mentioned understandings of a state, the statehood re-creation process of Georgia was an on-going and challenging process since the announcement of its independence in 1991 by the Declaration of Independence. Shortly after the independence declaration by Georgia, and also by other post-Soviet countries the Soviet Union collapsed. As a consequence of its dissolution, as in majority of the former Soviet republic ‘Georgian foreign policy – at least in the first few years after independence – became a part of the re-ideologization of politics, and an instrument for asserting the legitimacy of the new elite and the identity of a new state’ (Jones, 2004: 102).

Georgia re-gained its independence and commenced the process of creation of a ‘western-type country’ with the spirit of independence and sovereignty. This chapter does not aim to analyse reasons of collapse of the Soviet Union and the role of Georgia in that process, rather

we focus on the post-independence period of Georgia and its external relations vis-à-vis international community, especially with the EU.

The newly independent Georgia undertook efforts to adapt to the market economy principles and to introduce the democratic model of governance. Mechanisms of transition from socialism to capitalism and from authoritarianism to democracy were processes of shortcomings and inconsistent governance. Credibility of newly established institutions was low and future perspectives unpredictable. General impression of the first half of the 90<sup>s</sup> of Georgia is about a country struggling for existence as a state. Georgia found itself not as a part of globalised world, but as a post-Soviet country dominated by the principles of militarism and nationalism, therefore, Alexander Rondeli considers Georgia as a ‘quasi state’ in its early years of independence (Rondeli, 2001:196).

Within the highly polarised Eurasian continent, Georgia faced a question of its foreign policy priorities. Pursuant to Georgia’s geopolitical position, the definition of the foreign policy discourse became the main challenge for this country. Foreign policy is about national identity itself, which is a source of national pride, with characteristics that distinguish a country from its neighbourhood, composed by the core elements of the values a country stands for and seeks to promote abroad (Wallace, 1991: 65-80). The foreign policy of Georgia emerged as a product of geopolitical position of a country, and remained as a central factor for the political development of it (Kakachia, 2013).

The declaration and promotion of consistent Western-oriented foreign policy, which might have seemed to be a priority for the newly independent Georgia, could have seriously undermined the security of the country, since the Russian Federation was not in the position to fully lose control over the newly sovereign states. Therefore, until 2000, the government of Georgia was refraining from officially announcing its future economic, security and political orientation. (Rondeli, 2001:196). Whilst suffering from internal contradictions, Georgia should have dealt with some key issues of state building on the national and international levels, including:

- protection of country’s territorial integrity ;
- balanced relations with neighbouring countries;
- reduction of Russian military presence in Georgia;

- integration with the European and Euro-Atlantic structures;
- development of regional cooperation;
- internalisation of local conflicts;
- attracting foreign economic interests;
- participation in regional economic projects (Rondeli, 2001: 196).

The interaction and action of Georgia on international scene as a sovereign state, was a crucial factor in the stabilisation of its internal political processes. However, due to weak internal legal order and low capability of democratic institutions, it was impossible to share and establish values recognised by the international society and the EU. Russia's influences on Georgia, as well as other post-Soviet countries, separatist conflicts and substantially growing tendencies of corruption, were the main obstacles to Georgian state building (Coppieters, 1996; Cornell, 2001; Lynch, 2002).

The collapse of the Soviet Union put an end to the institutional framework of governance, which was established for seven decades in all of the post Soviet countries, and moreover, it undermined the economic 'standards' and social order, which existed before. Despite this, the legacies of deep-rooted socialism seriously undermined the economic development of the USSR's former Member states.

The transitional economy for post-Soviet societies was a period of aiming at survival. The economic crisis in almost every field: exchange rate, water supplies, transport, agricultural products and in others, had a distractive effect on the social life in all post-Soviet countries, and among them – Georgia (Papava, 2006). Slow development, or even non-development, of economic processes might have been considered as 'neco-economy' in Georgia (Papava, 2006). Growth in the real GDP in post-Soviet countries during the 1989-1999, according to EBRD data, clearly demonstrates the undermining conditions of economic processes in the post USSR era (Table 4).

Table 4 – The Estimated Level of Growth in Real GDP in Post-Soviet States

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
<b>Armenia</b>	14.2	-7.4	-17.1	-52.6	-14.8	5.4	6.9	5.8	3.1	7.2	4.0
<b>Azerbaijan</b>	-4.4	-11.7	-0.7	-22.6	-23.1	-19.7	-11.8	1.3	5.8	10.1	3.7
<b>Belarus</b>	8.0	-3.0	-1.2	-9.6	-7.6	-12.6	-10.4	2.8	10.4	8.3	1.5
<b>Georgia</b>	-4.8	-12.4	-20.6	-44.8	-25.4	-11.4	2.4	10.5	11	2.9	3.0
<b>Moldova</b>	8.5	-2.4	-17.5	-29.1	-1.2	-31.2	-3.0	-8.0	1.3	-8.6	-5.0
<b>Russia</b>	-	-4.0	-5.0	-14.5	-8.7	12.7	-4.1	-3.5	0.8	-4.6	0.0
<b>Ukraine</b>	4.0	-3.4	-11.6	-13.7	-14.2	-23.0	-12.2	-10.0	-3.2	-1.7	-2.5
<b>CIS</b>	0.6	-3.7	-6.0	14.2	-9.3	13.8	-5.2	-3.5	0.9	-3.5	0.0

Estimated level of real GDP in 1998 (1989=100) Armenia – 41; Azerbaijan – 44; Belarus – 78; Georgia – 33; Moldova – 32; Russia – 55; Ukraine – 37; CIS – 53.

\* *EBRD Transition Report, 1999*

Transformation of economic and political structures of Georgia and interaction with international actors has not been consistent, neither did it reject strong foreign political priorities of the country. However, Georgia, as an independent actor in international relations, established cooperation with international organisations. In the transitional period of Georgia, the USA was the strategic partner for the country together with the European countries. The EU Member states were strongly and permanently supporting and sharing the experience of political and economic reforms with the Georgian government. Independence of Georgia was recognised by international community, including European countries, with full respect for its territorial integrity established by the Constitution of Georgia. For the 12 years period of 1992-2003, the TACIS introduced 5.208 million of assistance. The EU's technical assistance



between 1992 and 2000, accounted around 3% of the GDP through the TACIS, totally 10% of the GDP (The European Commission, 2001). Not sufficient, but crucial reforms and steps were undertaken for internal and external policy development of Georgia, with help and through cooperation of European countries.

### **3. 3. BILATERAL TREATY RELATIONS**

The Soviet Union collapse affected and modified the security and stability system of the Eurasian continent. The dissolution of the USSR has also introduced a problem of the EU's Eastern frontiers. The immediate security and economic interests of the EU became a necessary political basis for introducing a new of type treaty relations with its neighbouring neighbouring newly independent states (Kappen, 1994). Formal treaty relations between the EU and Soviet countries were established in 1989, by signing the Trade and Cooperation Agreement between the European Economic Community and the Soviet Union (for detailed analysis see: Shemiatenkov, 1998: 37 - 44; Maresceau and Montaguti, 1995), but at that time Member countries of the USSR were not sovereign states, thus not capable of entering into international relations independently. In order to respond to the transformation of highly integrated Soviet Union into independent countries, the EU signed bilateral PCAs with all post-Soviet countries. On one hand, it was a guarantee of security nearby the EU frontiers (Kappen, 1994) and on the other, it was a form of Union's political presence on the international scene as a global and regional actor.

After dissolution of the Soviet Union, within a decade, almost all post-Soviet countries established bilateral legal framework of relations with the EU by signing the PCAs. Hence, those international agreements constituted new instruments for post-Soviet countries, to establish political and economic relations with the EU, with the status of independent countries. On one hand, the aim of this 'generation' of treaties was to impact existing and transforming political and economic situation in post-Soviet countries, on the other, to ensure prosperity and stability in the EU's near neighbourhood. It should be taken into consideration, that the objectives of actors of relations were not clearly defined.

PCAs, as legal instruments of cooperation between the EU and third countries, are among other types of international agreements, which were signed by the Union in order to enter into

a new type of international relations (for classification of international agreements of the EU see: McGoldrick, 1997).

Structure and content of the PCAs with Eastern post-Soviet Countries are quite similar. They mainly contain general principles, political dialogue, trade in goods, provisions affecting business and investment (including provisions on labour relations, establishment, cross-border supply of services, general provisions, current payments and capital, intellectual, industrial and commercial property protection), legislative co-operation, economic co-operation, cultural co-operation, co-operation on prevention of illegal activities, co-operation on matters relating to democracy and human rights, financial co-operation in the field of technical assistance, institutional and final provisions, etc (PCA Georgia, PCA Ukraine, PCA Armenia, PCA Azerbaijan, etc). Even though the PCAs with almost all Eastern European countries are quite similar, significant differentiation could still be observed.

Structurally, content of the PCA Georgia consists of usual components of Partnership Agreements (Keukeleire and MacNaughtan, 2008: 271). The agreement includes:

- preamble of the agreement and 105 articles;
- five annexes;
- protocol on mutual assistance in customs matters;
- joint declarations concerning the articles 6, 15, 25 (b) and 36, 35, 42 and 98;
- an exchange of letters on the establishment of companies in Georgia from the EU Member States;
- a declaration by the French government indicating that the PCA does not apply to its overseas departments and territories (GEPLAC, 2000).

In order to provide examination of the PCA Georgia, it is crucial to define objectives of the entire agreement. Obviously, the PCAs itself do not aim to open perspectives for political association or economic integration, or simply for the European integration (Koutrakos, 2006). Pursuant to the Article 1 of the PCA Georgia, the objectives of the agreement are the following:

- to provide an appropriate framework for the political dialogue between the Parties, in order to allow the development of political relations;

- to support Georgia's efforts to consolidate its democracy and to develop its economy, and to complete the transition into a market economy;
- to promote trade and investment, and harmonious economic relations between the Parties, and thus, to foster their sustainable economic development;
- to provide a basis for legislative, economic, social, financial, civil scientific, technological and cultural cooperation.

According to a ruling of the European Court of Justice (the ECJ) on the *Portugal v. Council* case, the 'development of the cooperation' was defined as an 'essential objective' of the PCA (*Portugal v. Council*, 1996: 38-44). The case provided significant interpretations for implications and importance of the PCAs in the legal order of the EU, as well as for the contracting parties. The court applied the 'absorption doctrine' and held that it is important to determine the 'essential object' and the 'ancillary aspects' of all agreement, according to the ruling:

*'the fact that a development of cooperation agreement contains clauses concerning various specific matters cannot alter the characterisation of the agreement, which must be determined having regard to its essential object and not in terms of individual clauses, provided that those clauses do not impose such extensive obligations concerning the specific matters referred to that those obligations in fact constitute objectives distinct from those of development cooperation'* (*Portugal v. Council*, 1996: para. 39).

The overall objective of PCA was to develop cooperation between the contracting parties, even though it was covering almost all subject matter of the Treaty establishing European Community (the TEC), including provisions on four freedoms of the Community. As we have already mentioned, the general aim of the PCA is 'development of the cooperation', which could not be distinguished from other provisions of the agreement, therefore the legal basis of entire agreement is the Article 212 (ex-Article 181) of the Treaty on the Functioning of the European Union (the TFEU).

PCAs constitute a type of international agreements, which go beyond the exclusive competence of the EU and require cross pillar dimension of Union's competence, hence, they are considered as mixed agreements (Koutrakos, 2006: 360-380). In other words, relations between the EU and newly independent states have been connected with all entire

institutional framework of the Union and demonstrate mixed type of the EU's external action, which crosses one pillar dimension of the EU (Hillion, 2000: 1219).

The ECJ has exercised its competence in the case *Igor Simutenkov vs. Ministerio de Educación y Cultura and Real Federación Española de Fútbol*, where the court interpreted applicability of PCAs and their effect on the EU's legal order. According to the ruling, PCAs may lead to achieve the objective expected from the AAs (*Igor Simutenkov vs. Ministerio de Educación y Cultura and Real Federación Española de Fútbol*). In other cases, the ECJ discussed the direct effect of the PCA Russia and the provision of non-discrimination, where it concluded that non-discrimination provision can be relied since it implies the direct effect (*Deutscher Handballbund eV vs. Maros Kolpak, 2003*). If we take into consideration that the decision might have been precedential for future pleadings, than it's obvious that the non-discrimination clause has direct effect on the nationals of partner countries.

Non-discrimination clause of the PCAs is an important provisional regulation for bilateral relations between the EU and third countries concerned. It should be mentioned as well that the agreements do not provide access to labor market, however, once legally entered and employed in the EU Member State, national of a third state has the right to be treated with due respect according to the principle of non-discrimination (Petrov, 1999: 246-249).

According to the EU case law, this principle should be understood in the context of employment, working conditions and remuneration (*Igor Simutenkov vs. Ministerio de Educación y Cultura and Real Federación Española de Fútbol; Deutscher Handballbund eV vs. Maros Kolpak, 2003*). PCAs furthered a discussion about the legal certainty, transparency and accountability, yet they have the ability to stimulate change in the existing relations between the EU and its' partners (Petrov, 2002; 2008).

In order to evaluate bilateral relationship between the EU and Georgia in the first transitional period of Georgia's economic and political life, it is important to provide the analysis of main provisions of the PCA Georgia, especially articles regarding the post-Soviet states sharing European values, which is dedicated to economic transition, trade and investment, security and stability, and legislative cooperation.

According to the preamble of the PCA Georgia, contracting parties share ‘common values’ (Preamble, PCA Georgia). Sharing values of European countries should have been implemented with spirit of prospect cooperation between the EU and Georgia (Preamble, PCA Georgia). Institutional building of Georgia depends highly on the effective implementation of the agreement. In order to share European values, third country concerned should adopt or amend national legislation and make it compatible with the European *acquis* (Petrov, 2002:7).

The EU, as a value based system, demands sharing its values in international relations (Grant, 2006; Duchêne, 1973). The values of the Union became the provisional elements and principles of the EU’s foreign relations (Lucarelli, 2006). Therefore, primary provisions of PCA Georgia provide the legal basis for sharing the EU values. The EUs’ offer to share values and normative basis of the Union is a one side offer to convince the policy makers, interests groups, and population of third countries, that changes may serve to a justified policy interests (Béland, 2009).

Partnership agreement with Georgia demands to respect the international democratic principles, human rights and principles of market economy (Article 2, PCA Georgia). Provision on the protection of democratic principles, human rights and market economy clauses are considered in the scholarship as ‘essential elements’ of the PCA agreements (Petrov, 2008). In addition to Article 2, the agreement regulates the ‘Cooperation on Matters relating to democracy and Human rights’ (Article 71, PCA Georgia). The objective of this provision is to establish cooperation between the contracting parties for democratic developments, strengthening the rule of law, protection of human rights and fundamental freedoms, which are protected and guaranteed by the international law and the OSCE principles (Article 71, PCA Georgia).

Democratic principles and human rights, as defined in the Helsinki Final Act and the Charter of Paris for the New Europe, underpin the internal and external policies of contracting parties and constitute an essential element of partnership, and of the agreement itself (Hillion, 2000: 1220). The concept of the ‘essential element’ implies that its violation by any party constitutes a ‘case of material breach of the Agreement’ and a ‘case of special urgency’, which is a derogation from the rules attached to the dispute settlement mechanism established by the PCA, and allows the injured party to suspend unilaterally the implementation of the

Agreement, pursuant to the article 61.1 of the Vienna Convention (1969), providing that the ‘material breach’ by one party allows the other party to terminate the agreement, or to suspend partly or wholly its implementation, in observance of the procedure set out in Article 65, requiring three months between the notification and the suspension (Hillion, 2000: 1220). According to Article 98 and Article 2 of the PCA Georgia, violation of general principles of international law implies a material breach of the agreement, which might cause the suspension of the treaty (Maiani, Petrov and Mouliarova, 2009: 65). The ‘case of special urgency’ allows derogation from the obligations set out in Article 65 of the Vienna Convention, and also defines ‘the material breach’ by referring to Article 60.3 of the Vienna Convention on the Law of Treaties (Hillion, 2000: 1220).

In order to define and to adapt with internationally recognised standards of human rights protection and the democracy, the PCA Georgia incorporates, as a part of the agreement, principles established by the United Nations Charter, the Helsinki Final Act and the Charter of Paris for a New Europe, as well as principles of market economy, including those enunciated in the documents of the CSCE Bonn Conference (Preamble, PCA Georgia). Initial steps of Georgian government to fulfil its international obligation of protection of human rights and the sharing of democratic principles, demanded changes in national post-Soviet legislation and its harmonisation with the EU law standards.

The partnership agreement established the legal basis for ‘political dialogue’ between the contracting parties (Articles 5-8, PCA Georgia). The agreement introduces necessity of ‘regular political dialogue’ between parties and support of the EU to ‘contribute to the establishment of new forms of cooperation’ (Article 5, PCA Georgia). Following that provision, the framework for political dialogue imposes obligations to initiate, to develop and to intensify a political dialogue between contracting parties in order to:

- strengthen the links of Georgia with the Community and its Member States;
- bring about an increasing convergence of positions on international issues of mutual concern, thus increasing security and stability in the region;
- foresee that the Parties endeavour to cooperate on matters pertaining to the strengthening of stability and security in Europe, the observance of the principles of democracy, and the respect and promotion of human rights, particularly those of persons belonging to minorities (Articles 5-8, PCA Georgia).

PCA Georgia provides an institutional framework composed by the Cooperation Council, the Cooperation Committee and the Parliamentary Committee, authorised on the effective application of the PCA, including provisions on the political dialogue. The institutional framework for political dialogue between the contracting parties shall be conducted on the ministerial level, within the Cooperation Council (Article 81, PCA Georgia). The Cooperation Council is entitled to supervise the implementation of the agreement and to examine all major issues that may arise out of this agreement (Article 81, PCA Georgia). The Cooperation Council constitutes the highest institutional body, which is established with the purpose of PCA implementation, however the decisions of the Council have advisory power and do not have any binding force (Article 83, PCA Georgia). The Cooperation Council shall consist of members of the Council of European Union and members of the Commission of the European Communities, together with the members of the government of Georgia (Article 83, PCA Georgia). The Cooperation Committee is established to assist the Cooperation Council; its main duty is the preparation of meetings of Cooperation Council (Article 8, PCA Georgia). The Agreement provides possibility of delegation of power by the Cooperation Council to the Cooperation Committee, in order to ensure continuity between the meetings of the Cooperation Council. The parties shall set up other procedures and mechanisms for political dialogue in form of regular meetings at senior official level, diplomatic channels and any other means, including possibility of expert meeting (Article 7, PCA Georgia).

The Parliamentary Cooperation Committee framework, established by the partnership agreement, shall take place in the form of a political dialogue regarding the implementation of the PCA Georgia (Article 86, PCA Georgia). The Committee is entitled to request information regarding implementation of the PCA Georgia and shall be informed of Cooperation Council's recommendations. The Committee, consisting of the members of European and Georgian Parliaments, may issue recommendations (Article 86, PCA Georgia).

The institutional framework of the partnership agreement with Georgia seems to be strong enough to ensure its applicability, however in practice it did not function effectively. One of the reasons for this could be the limited impact of institutional bodies on the monitoring process of implementation, since the decisions taken by the Council did not have legally binding force over the parties (Petrov, 2002: 180-181). Limited capacity of the newly

established democratic institutions and public administration of Georgia became one of the main obstacles and challenging factors for the effective implementation of the PCA Georgia.

As for transition to market economy principles, the partnership agreement regulates issues of economic cooperation, trade in goods, and development of business and investment climate in Georgia. Economic transition of Georgia, from Soviet economic principles to the recent principles of free market is a long lasting process, which is affected by national and international economic factors. International agreements signed by the Georgian government impacted the economic processes of the country and among them by the PCA Georgia. The 'economic cooperation' section of the partnership agreement aims at contributing to the process of economic reforms, sustainable development and gradual transformation compliant with the market economy principles (Articles 45-70, PCA Georgia). This part of the agreement is focused on 'economic and social development, development of human resources, support for enterprises (including privatisation, investment and development of financial services), agriculture and food, energy, transport, tourism, environmental protection, regional cooperation and monetary policy' (Article 45.3, PCA Georgia).

One of the most important economic projects, which was planned and implemented in the region of Southern Caucasus and supported by the EU, was the Transport Corridor Europe-Asia-Caucasus (the TRACECA). The multilateral transport agreement was signed at the Baku Summit in September of 1998. The development of the TRACECA is considered to be essential by the EU, as well as by countries of the Southern Caucasus, for the region.

Title III of the partnership agreement regulates issues regarding 'trade in goods' between the EU and Georgia (Articles 9-19, PCA Georgia). Reciprocal Most-Favoured-Nation (the MFN) treatment is established between contracting parties of the PCA Georgia. Trade cooperation cover areas of:

- customs duties and charges applied to imports and exports, including the method of collecting such duties and charges;
- provisions relating to customs clearance, transit, warehouses and trans-shipment;
- taxes and other internal charges of any kind applied directly or indirectly to imported goods;
- methods of payment and transfer of such payments;



- rules relating to the sale, purchase, transport, distribution and use of goods within the domestic market (Article 9, PCA Georgia).

Title III regulates the MFN treatment regarding goods and not the capital, workers, or service. A 'free trade area', as all evolutionary clause, distinguishes European and non-European PCA countries and establishes a 'privileged link' between the EU and 'European PCA country' (Petrov, 2002: 178). Georgia, as a 'non-European' PCA country, was not offered the free-trade perspective, which makes it obvious that the EU was not interested in extending the 'free trade area' to the countries of Southern Caucasus, even if they are situated on the cross-roads between Europe and Asia (Petrov, 2002: 180).

According to the General Agreement on Trade and Tariffs (the GATT), the MFN treatment is any advantage, favour, privilege or immunity granted by one of the PCA parties, originating or destined for any other country, that shall be accorded immediately and unconditionally to accept products originating or destined for the territory of all other parties (Article 94, the GATT). The PCA provisions on the MFN treatment, abolish quantitative restrictions, however, the freedom of transit of goods could hardly have a direct effect on the legal order of the EU. The explicit denial of the ECJ to the direct effect of the GATT/WTO agreements in the legal order of the EU prevents such prospects (*Portugal v. Council*, 1999; Petrov, 2002: 182).

When comparing the PCA Georgia to others, it can be clearly seen that the PCA Russia and the PCA Ukraine applies the full MFN treatment (Article 10.1 PCA Russia; Article 10.1 PCA Ukraine), whilst other PCAs grant parties the MFN treatment in: custom duties and charges applied to imports and exports, rules of customs clearance, transit, warehouses and transshipment; taxes and other internal charges of any kind applied directly or indirectly to imported goods; methods of payment and the transfer of such payments, and the rules relating to the sale, purchase, transport, distribution and use of goods on the domestic market (Petrov, 2002: 182).

The PCA Georgia, pursuant to the Article 9. 2, specifies that 9.1 shall not apply to:

- advantages granted with the aim of creating a customs union or a free-trade area, or pursuant to the creation of such a union or area;

- advantages granted to particular countries in accordance with WTO rules and with other international arrangements in favour of developing countries;
- advantages accorded to adjacent countries in order to facilitate frontier traffic.

The above discussed 'evolutionary clauses' regarding the trade relation between the EU and Georgia, are not precise enough in order to encourage economic and political reforms, hence it seems that the impact of trade provisions depends on the political inclination of a third country concerned (Petrov, 2008: 179-180).

Georgia is the corridor for transit, which links Europe and Asia, in this context 'the Parties agree that the principle of free transit is an essential condition of attaining the objectives of this Agreement', moreover they grant 'exemption from import charges and duties on goods admitted temporarily' (Articles 10 - 11, PCA Georgia).

According to the ECJ case law, quantitative restrictions are determined as 'measures which amount to a total or partial restraint of, according to the circumstances, imports, exports or goods in transit' (*Geddo v. Ente Nazionale Risi*, 1973, para: 7). The partnership agreement with Georgia provides that 'goods originating in the Community shall be imported into Georgia free of all quantitative restrictions and measures of equivalent effect', and also 'goods originating in Georgia shall be imported into the Community free of quantitative restrictions (Article 12, PCA Georgia). According to the ECJ ruling, it means that 'all trading rules enacted by Member States which are capable of hindering, directly or indirectly, actually or potentially, intra-community trade are to be considered as measures having an effect equivalent to quantitative restrictions' (*Procureur du Roi v. Benoît and Gustave Dassonville*, 1974, para: 5). Indeed, treatment of PCA goods as originating in non-market economies has given rise to many anti-dumping and anti-subsidy investigations and duties by the EU (Petrov, 2002: 182).

Last but not least, the EU and Georgia protected their markets and stated that the parties may take measures to safeguard against products imported 'in such increased quantities and under such conditions as to cause, or threaten to cause, substantial injury to domestic products' (Article 12, PCA Georgia). This very important provisional regulation of the trade relations protects the internal market interests of the EU and also serves to protection of competition inside Georgia.

The PCA Georgia, pursuant to Title IV, includes provisions affecting business and investment in terms of:

- labour conditions;
- conditions affecting the establishment and operation of companies;
- cross-border supply of services between the Community and Georgia;
- current payments and capital;
- intellectual industrial and commercial property protection (Articles 20-42, PCA Georgia).

The Title contains provisions on setting up and operation of companies, providing that ‘the Community and its’ Member States shall grant treatment no less favourable than that accorded to any third country for the establishment of Georgian companies’ and for ‘a company set up in accordance with the laws of a Member State, or of Georgia respectively, and having its registered office or central administration, or principal place of business in the territory of the Community, or Georgia respectively’ (Article 23.1 and Article 25, PCA Georgia).

Regarding the labour conditions, asymmetric obligations are provided by PCAs concluded with Southern Caucasus states and Asian countries, in which the EU ‘shall endeavour to ensure’ against discrimination on labour conditions for the PCA nationals, while the PCA countries ‘shall ensure’ against the non-discriminatory treatment of EU nationals (Article 20, PCA Georgia). Whilst, the PCA Russia explicitly and unambiguously declares that parties ‘shall ensure’ non-discrimination (Article 23, PCA Russia). The PCAs with Ukraine, Moldova and Kazakhstan are less explicit, since the parties endeavour to ensure non-discrimination in labour conditions. Precise and clear wording of the PCA Russia gives legally employed Russian nationals the right to rely on direct effect of the provisions if they suffer from discrimination in working conditions, remuneration or dismissal, while the other PCAs are worded to avoid any direct application (Peers, 2000: 836).

PCAs with Ukraine, Russia and Moldova envisage further arrangements to co-ordinate social security systems for legally employed workers, and PCAs with Asian countries and Southern Caucasus countries lack this perspective. The regulations cover issues like periods of

insurance, employment or residence completed by workers in Member States for the purpose of pensions, in respect of the purpose of medical care, any pensions in respect of old age, death, invalidity, industrial accidents or occupational disease, with the exception of the special non-contributory benefits (Article 25, PCA Ukraine). In addition to the above mentioned circumstances, the PCA Russia envisages the conclusion of an agreement to obtain family allowances for family members of a Russian worker where its applicable (PCA Russia, Article 24).

The PCA Georgia, like most of the PCAs, provides the MFN treatment to the establishment and operation of PCA companies and their branches on the EU territory. Subsidiaries of partner country's companies are granted the MFN treatment with considerable reservations. Like in other cases, the questions of the direct effect of those provisions have been raised before the ECJ (*Demirel Case*, *Hauptzollamt Mainz v. Kupferberg*, 1982; *Sevince v. Staatssecretaris van Justitie*, 1990).

Partnership agreements almost identically regulate the issue of service, but the EU's asymmetrical differentiation clearly favours Russia, as it opens the greatest potential for their service markets (Petrov, 2002: 186). Other PCAs provide the perspective of future conclusion of specific agreements, concluded on conditions of mutual market access and the provision of services in transport by road, rail, air and inland waterways, in order to facilitate the coordinated development of transport between the parties (Petrov, 2008: 187). Pursuant to the interpretation of the ECJ's case law:

*'PCA rules on labour conditions, establishment and supply of services, makes it impossible for nationals of the Parties to enter, stay or move in their territory, without prejudice to the key personnel and services negotiators clauses. Neither PCA nationals, key personnel, nor services negotiators may enjoy a continued right of residence or to supply services within the EU territory'* (Petrov, 2002: 187).

Distinguished scholar Roman Petrov suggests that the MFN treatment does not apply to tax advantages designed to avoid double taxation or other tax arrangements, as far as the parties are free to adopt measures to prevent tax avoidance or evasion and treat taxpayers that are not in identical situations, particularly regarding their place of residence (Petrov, 2002: 187).

NIS were given opportunity of building an institutional framework for political dialogue with the EU. Application of MFN treatment and the GSP regime was a significant attempt to liberalise mutual trade in goods between the EU and third states. Also, according to the PCAs, third states were encouraged to approximate their laws to the EU *acquis*. In this context, it is worth mentioning that the WTO rules became applicable to trade relations between the parties concerned.

The partnership agreement with Georgia establishes a legal basis for prevention of unjustified restrictions on payment and movements of capital, which allows only in exceptional circumstances, the temporary restrictions of capital movement, to exempt direct investments (Article 41 PCA, Georgia). This provision is clear and precise, and does not require subsequent measures and therefore, is capable of having direct effect (Petrov, 2002: 188). Standstill provisions apply to the new exchange controls on the free movement of capital and current payments, but many safeguard provisions, probably intentionally, dilute the binding character of those provisions (Petrov, 2002: 188).

The PCA Georgia does not include rules on competition, state monopolies and state aid. The agreement only refers to a possibility of examining the coordination of the competition laws of partners, in case trade is affected (Article 44 and Article 90, PCA Georgia). Article 44 of the PCA Georgia ensures possibility to provide Georgia with technical assistance by the EC for implementing competition and state anti-monopoly *acquis* (Article 44 and Article 90, PCA Georgia).

Article 43-44 of the PCA Georgia establishes 'legislative cooperation' between the contracting parties. Approximation of national legislation to the *acquis communautaire* is one of the main instruments of Europeanisation, which is a long lasting and gradual process. The first legal act adopted by Georgia was the resolution of the Parliament 'On Harmonization of Georgian Legislation to the EU Law', which established an obligation that all acts adopted by the Georgian parliament after September 1<sup>st</sup> 1998 should be compatible with all standards and norms adopted by the EU (The Resolution of The Parliament of Georgia 828- Is, 2 September of 1997: para 1). Harmonisation of the legislation of a third country with the *acquis communautaire* is in itself a powerful and meaningful EU foreign policy instrument, however, the complexity of the EU law makes difficult for third countries to adapt their national legislation to the European standards, especially in the post-Soviet legal order.

Complexity of the EU *acquis* includes not only the treaty law of the EU, or other secondary binding and non-binding legislation, but also the case law of the ECJ (Petrov, 2002). Foreign policy instruments of the EU are usually not as clear and proper for their adaptation into the national legal order of a third state (Magen, 2007). In the national legislation application process of Georgia, by the Common Courts of Georgia, there was no precedent, where the court based a decision on the European legislation, or made any interpretation based on EU law standards. This means that the applicability of the EU law in the national legal order of Georgia has not been applied.

The impact of the EU as a ‘norm-maker’ towards a third state, supposing a country concerned as a ‘norm-taker’, highlights the unilateral relationship between the partners (Barbé, Costa and Herranz, 2009: 382). There exists a theoretical possibility for a third country to play a role in the norm promotion and not only in its adaptation (Barbé, Costa and Herranz, 2009: 382). Georgia neither influenced the process of norm-promotion, nor took an active part in the norm adaptation process. Even though, the EU made an effort to promote rules in its neighbourhood (Dimitrova and Dragneva, 2009), legal changes and amendments were a facade, which had no significant impact on the development of Georgian legislation. Therefore, the effective implementation of *acquis* is both political and legal progress achieved in bilateral relations (Petrov, 2002).

According to ‘voluntary clauses’ of the PCA, Georgia should have approximate its laws and regulations in fields of: ‘investments by companies, customs law, company law, banking law, company accounts and taxes, intellectual property, protection of workers at the workplace, financial services, rules on competition, public procurement, protection of health and life of humans, animals and plants, the environment, consumer protection, indirect taxation, technical rules and standards, nuclear laws and regulations and transport’(Article 43.2, PCA Georgia). Georgia committed itself to approximate national legislation to the EU law voluntarily, since binding legal obligation over a third country pursuant to the PCA does not exist (Evans, 1997: 201). The adoption of national legislation differs from its application. Even though some of national legislation was adopted or amended according to the EU standards, it might still be non applicable within the national legal order of a country.

The partnership agreement with Georgia deals with provisional regulation of ‘cooperation on prevention of illegal activities and the prevention and control of illegal immigration’ (Article

72-75, PCA Georgia). The contracting parties established cooperation to prevent illegal activities, such as corruption, counterfeiting, illegal transactions of various goods, including industrial waste, money laundering, narcotic drugs, and illegal immigration (Article 72-75, PCA Georgia).

The PCA Georgia establishes cooperation in culture, hence, parties of bilateral relationship are entitled to participate in common cultural programs, including exchanging information concerning protection of monuments, sites and museum values (Article 76, PCA Georgia). Georgia and the EU are entitled to enact cultural exchange between institutions, artists and translation of literary works, hereof, the cultural linkage and people-to-people connections are established as a key component of cooperation (Article 76, PCA Georgia).

Almost all PCAs, and also PCA Georgia, cover other areas of cooperation, namely: industrial co-operation, investment promotion and protection, developing conditions on open and competitive public procurement, cooperation to promote alignment with internationally agreed standards and conformity assessments, increasing investment in mining and raw materials, cooperation in science and technology, raising the level of education and training, co-operation in agrarian reform, cooperation on environment and human health, cooperation within the principles of the European Energy Charter, cooperation in the field of transport, postal services and telecommunication, facilitating the involvement of the PCA countries in universally accepted systems of mutual financial settlements, prevention of money laundering, regional development, social cooperation, tourism, developing and strengthening small and medium sized enterprises, information, achieving compatibility between the systems of consumer protection, approximation of the PCAs customs systems to the EU standards, developing of an efficient statistical system, facilitation of economic reform and coordination of economic policies, cooperation in increasing effectiveness of measures to counter production and trade in drugs, facilitation of cultural cooperation and financial cooperation in the field of technical assistance. Thus, partnership agreements, in general terms, cover the subject matter of almost all areas of cooperation but with very limited actual implications and qualitative effects.

For the implementation of partnership agreement a framework of financial assistance was established - Technical Assistance for the Commonwealth of Independent States (the TACIS), regulating financial cooperation in the field of technical assistance (Articles 77-80,

PCA Georgia). Within its competence the EU introduced technical assistance, aiming to promote the transition to a market economy and to reinforce democracy and the rule of law in the partner states, including Georgia (Council Regulation, 1999). PCAs offer to NIS goods the access to the EU's single market, to a certain extent, and open opportunities for the EU's financial and technical assistance. Post-Soviet countries were granted a specific kind of technical assistance in the form of unilateral measures of the EU: the PHARE<sup>23</sup> for the CEECs and the TACIS for the NIS. The TACIS was initially established in July of 1991 to support the economic reforms, which were taking place in the post-Soviet era. The technical assistance was aiming to support the economic and political transformation of those countries and promotion of partnership objectives (TACIS Regulation, 1999). The objective of the regulation was to define the most important areas of cooperation in order to support:

- institutional, legal and administrative reform;
- private sector and assistance for economic developments;
- social consequences of transition;
- development of infrastructure networks;
- promotion of environmental protection and management of natural resources;
- development of the rural economy (Council Regulation, 1999).

Total budget of the EU's technical assistance for the post-Soviet countries through the TACIS was 5.208 million Euros for a 12-year period, covering the time period from 1992 until 2003.

Consequently, the PCA Georgia incorporated elements, which set up an institutionalised basis for country's relationship with the EU, but did not allow its far-reaching engagement (Sierra, 2010). The PCA Georgia, as the first formal contractual bilateral agreement established between the EU and independent Georgia, was of significant political importance. The PCA Georgia, as an 'entry level' agreement for transitional country (Petrov, 1999; Petrov, 2002: 194) concluded for 10 years, was not capable of significantly influencing the democratic and economic conditions of Georgia, however, it became an important initial political step undertaken by Georgia and the EU, in order to commence the process of mutual studding and creating a solid basis for future economic and political cooperation. In other words, the importance of the PCA is considerable in its long-term perspective, as well as



because it is an instrument establishing direct cooperation between the EU and independent Georgia.

### **3. 3. 1. Wider Regional Context: Differentiated Cooperation**

The EU was supposed to be an important political and trade partner for Georgia and other countries of post-Soviet space. Conclusion of the PCA with Georgia has been an initial legal and formal framework for cooperation, which should be analysed beyond its legal examination and in a wider regional context.

The notion of partnership pursuant to the EU law is not completely clear (Petrov, 2002: 193; Petrov, 2011). PCAs aim at ‘sustaining mutually advantageous cooperation and support... to complete the transition into a market economy’, therefore, the author considers those treaties as transitional agreements, designed to bring the NIS closer to the world’s market economy (Petrov, 2002; Hillion, 2005). Moreover, PCAs could be assessed as transitional agreements, because of their economical and also political importance. The EU approached states in transition through the transitional agreements. Petrov evaluates PCAs as ‘relatively successful formula in EU external policy and certainly reliable legal instrument for sustaining long term relations with the CIS countries’ (Petrov, 2002: 193).

The long lasting experience of the EU to sign international partnership and trade agreements with its neighbouring countries demonstrates the importance of defining the objective of the partnership, which is usually introduced in a very beginning of an agreement. The European Agreements with the Central European Countries and the Stabilisation and Association Agreements with the Balkan countries aim at integration pursuant to the preambles of the agreements. The EU established relationship with Balkan countries and with Central European Countries based on the ex-article 310 of the Treaty on the European Community as ‘privileged’ contractual external relations (*Demirel v. Stadt Schwäbisch Gmünd*, 1987). Substantively different are the agreements with the Balkans and the Central European countries, which aim at European integration, demonstrated the lack of strategic interest of the EU towards the Eastern post-Soviet countries in its initial policies.

The one-size-fits-all approach of the EU towards the post-Soviet area highlights the missing strategic perspective of the EU towards this geopolitical area (Coppieters, 1998), but does not necessarily exclude application of the principle of differentiation towards these countries. Prioritising the importance of relationship with Russia was obvious taking into consideration the bilateral agreement, as well as policy framework between the EU and Russia (Cornell and Star, 2006; MacFarlane, 2002).

Evidentially, the EU applies the principle of differentiation in its external policies in distinctive manners towards different geopolitical areas. Distinguished scholar, Marise Cremona defines the differentiation principle as an 'autonomous Community measures' to affect the type of agreement towards a third state, namely through: (a) a reciprocal free trade agreement; (b) an association agreement with or without recognition of membership aspirations; (c) a cooperation or a partnership agreement, also trade preferences and financial, and technical assistance (Cremona, 2000). The author categorises the 'difference' based on various factors: (a) regional and geopolitical – where the Community develops specifically regional policies towards a region like the Euro-Mediterranean, or European and Asian NIS of the former Soviet Union; (b) developmental or economic – referring the differentiation between different levels of development within the group; and (c) conditional – based on the Communities own assessment of its partners, usually made on the basis of compliance with specific primary political conditions (Cremona, 2000).

There existed a 'two fold differentiation' between the NIS, on one side – the Baltic states with the pre-accession process and Europe Agreements (Maresceau, 1997), and on the other – 'non-European' NIS with PCAs and without perspective of integration (Georgia, Armenia, Kazakhstan, Kyrgyzstan, Azerbaijan, Uzbekistan, Turkmenistan), and also 'European' NIS (Russia, Ukraine Moldova and Belarus) (Cremona, 2000; Hillion, 1998). Obviously, there was a stronger commitment vis-à-vis potential neighbours of the future enlarged Union (Hillion, 1998). Thus, the EU had a differentiated approach towards NIS based on their economic potential and geopolitical position on the Eurasian continent.

Differentiation principle, as an 'autonomous measure' of the EU, was applied regarding the PCAs with NIS, which implies political assessment of a third state by the EU, based on the geopolitical position of a third state and the prospect of future development (Cremona, 2000).

The political assessments of the EU are later on reflected in the instruments of the EU that are not negotiated with a third country, thus, they are autonomous and discretionary.

Application of the principle of differentiation by the EU towards the NIS could be observed from the consequences of comparative analysis of the bilateral relations, as well as from the policies of the EU towards countries concerned. The first PCA was concluded with Russia, presumably because of its importance and future cooperation perspectives with the EU. The objective of the PCA Russia was different from the objectives of other PCAs, it incorporated strengthening of political and economic relations, promoting activities of joint interest, providing appropriate framework for gradual integration of Russian market in the wider area of cooperation of Europe (Koutrakos, 2006). Privileging approach of the EU towards the Russian Federation highlights a unique position of that country in Europe's geopolitical surroundings (Koutrakos, 2006).

More precisely, the objective of the PCA Russia is 'to provide an appropriate framework for the gradual integration between Russia and a wider area of cooperation in Europe' (Article 1, PCA Russia). Whilst, nothing similar is stated in the PCAs concluded with the countries of Southern Caucasus. Another, example of application of the principle of differentiation in the cooperation agreements is the special clause committed to consider perspective of a free trade agreement with Russia and also provisions for coordination of social security provisions similar to Europe Agreements. Unlike the PCA Russia, non-European PCAs were closer to the Trade and Cooperation Agreements concluded with USSR in 1989 (Cremona, 2000; Hillion 2005).

Analysis of the PCA Russia and the PCA Ukraine are of a great value in the examination of the PCA Georgia, by Christophe Hillion, who argues that PCAs also serve the aim to keep the CIS at a controllable distance from any closer access to the EC's Single Market (Hillion, 1998; Hillion, 2005). The institutional structures of those PCAs are weaker than PCA Russia and are deprived of having a legally binding effect (Hillion, 2005). Some PCAs are visibly distinguished by asymmetrical obligations between the parties concerned. In practice, many trade barriers were kept in force and only few provisions of the non-European PCAs could be regarded as potentially having a direct effect (Hillion, 2005). Whilst, the 'key personnel' clause and a provision on free movement of capital related to direct investments of

companies in all the PCAs, non-discrimination treatment to labour and provisions on services negotiators of the PCA Russia should be considered as directly effective (Hillion, 2005).

It is common for external action of the EU to accompany or to commence contractual relations pursuant to a certain external policy framework, for instance, the 'development policy', the 'association' or the 'stabilisation' processes (Peers, 2000). For more clarity, the Common Strategies (the CS) were introduced as a framework and additional measure to develop the cooperation between the EU and Russia, and also between the EU and Ukraine. The strategy was developed in order to give full effectiveness to the partnership agreements (Petrov, 2002). The EU proclaims its strategic goals towards Ukraine and Russia, such as emergence of a 'stable, open and pluralistic democracy; maintenance of European stability and security' (Petrov, 2002: 192). A new provision of the Amsterdam Treaty gave the legal basis to the EU Member states to act in accordance with their common interests, when the European Council, pursuant to Article 13 of the Treaty 'decide, on common strategies to be implemented by the Union in areas once the Member states have important interests in common' (Article 13, the TEU). Strategic interests of the Member states of the EU should be considered as one of the main driving forces for the application of the differentiation principle in terms of favoured relations between the EU and Russia, as well as with Ukraine. The EU did not address other post-Soviet and non-European PCA countries with the policy framework. The idea behind the policy framework was to ensure the implementation process of those partnership agreements. The lack of a policy framework restricted enhancing and upgrading clearer perspective of relations between the EU and non-European NIS.

Obviously, PCAs with Russia, Ukraine and Moldova were considered as 'European PCAs' (Petrov, 2002) accompanied by the political instrument of CS aiming at future political and economic integration. The CS, as a political instrument itself, was less promising than the Stabilisation and Association Process with Balkan countries, which was less ambitious than the EU's foreign policy towards the Central European Countries (For comprehensive analysis see: Hillion 1998; Petrov, 2002). Other PCAs, concluded with the so called 'non-European' NIS (Azerbaijan, Armenia, Georgia), as political 'creatures' were *ad-hoc* instruments, puzzling to transform into a political order (Peers, 2000), without the external policy instruments of the EU and common context of deeper relations (Petrov, 2002: 177).

Thus, the principle of differentiation, applied by the EU towards the NIS, reflected the EU's geopolitical priorities. It was an explicit message to non-European NIS that in order to upgrade and enhance relations with the EU, the fulfilment of 'essential elements' of the PCA would be a condition (Petrov, 2002: 179). Certain opportunity was given to the countries of the NIS in the establishment of a free trade area in the future perspective, which turned out to be a part of the 'positive conditionality' concept (Kochenov, 2008: 105-120). PCAs concluded with the non-European NIS, as entry-level agreements, and an initial action of the EU towards transitional states, incorporated a typical methodological approach of external policy of the EU – conditionality. As PCAs were the initial steps towards the NIS, countries concerned were not subject to strict monitoring process. Rather the EU applied weak positive conditionality or negative conditionality towards those countries. In the external relations of the EU, there are examples of some limited sanctions imposed by the EU, for example, those imposed on Nigeria and Belarus. In 1995, the EU imposed an arms embargo and suspended development cooperation to refuse visas to named members of the government of Nigeria (Common Position on Nigeria, 1995). Also the case of Belarus in 1997, where the EU had its doubts on the establishment of a political system that disrespects internationally accepted norms and standards on human rights and political freedoms (General Affairs Council on Belarus, 1997). The Council concluded that neither the EU nor its member states could yet formally conclude the PCA with Belarus (Council Conclusions on Belarus, 1997). However, the war in Chechnya, although it had a harmful effect, did not ultimately block PCA Russia or an interim agreement between the EU and Russia (Cremona, 2000). Political assessment of the EU, based on the differentiation principle towards NIS countries, makes it obvious that the EU was more careful in its assessment of Russian foreign policy than any other NIS, especially in the process of negative conditionality application (Cremona, 2000). As for the positive conditionality, the EU did not commence a strict monitoring process on the NIS, including Georgia. Rather, the implementation of the PCAs and their effective results might have become a basis for upgraded relations in the future perspective.

The EU encourages countries to establish regional cooperation, to set up regional strategies and to act in terms of mutual interest. The EU is undoubtedly the most integrated regional grouping in the world and it serves as a model to other regional groupings (Smith, 1998). There are several necessary factors for the success of regional cooperation:

- existence of genuine common interests;

- compatible historic, cultural and poetical patterns;
- political commitment;
- peace and security;
- the rule of law;
- democracy and good governance;
- economic stability (Smith, 1988).

All the above-mentioned conditions are not demonstrated in groupings of developing countries (Smith, 1988). The EU does not attempt to export its model of regional integration, which is not easily transferable, rather it attempts to share the experience of overcoming the historical grievances and guarantee peace, security, and economic growth (Smith, 1998). Therefore, the external policy of the EU has always had a regional dimension (Edwards and Regelsberger, 1990). The regional identification formed roots for regional initiatives, including agreements with Central and Eastern Europe, Euro-Mediterranean, Balkans, etc.

As an altruistic reason of supporting regional cooperation, based on its own example, the EU sees regional cooperation as a basis for peace and prosperity (Smith, 1998: 81). One of the obvious demonstrations of support of regional cooperation was application of conditionality towards Balkan states. The EU had a very strong position about regional integration of Balkan countries, based on its own discriptive assessments. The establishment and development of regional integration became, later on, one of important conditions for the membership of countries concerned. Thus, the principle of regional cooperation, together with other principles, constitutes the conditional basis for future contractual relations between the EU and Balkan countries (Vachudova, 2003). In other words, effective regional integration is incorporated in the criteria of the EU membership.

Unlike the Balkan countries, regional integration of the NIS has never been a priority in practice, even though this issue was provisionally regulated by the PCA Georgia and by other PCAs as well. PCAs with the NIS in their preambles contain a provision on regional cooperation as one of the objectives of the agreement, stating that contracting parties are 'desirous of encouraging the process of regional cooperation in the areas covered by this agreement between the former USSR countries in order to promote prosperity and stability in the region' (PCA Georgia, preamble).

Regional cooperation was also supported and prioritised by the policy instruments of the EU, namely, by the TACIS Regulation, providing that:

*‘Regional and inter-state cooperation remain fundamental instruments in promoting stability and sustainable economic relations among NIS countries...The NIS are also engaged in regional cooperation initiatives which draw them increasingly into political dialogue and economic cooperation with their central and western European neighbours. The new regulation must facilitate the promotion of regional cooperation aimed at consolidation stability, democracy and economic development, in particular when such cooperation draws together the NIS, candidate countries and the EU’* (Explanatory Memorandum to the Commission proposal for new TACIS Regulation for 2000-2006).

The same objective was reflected in the assistance programme, as far as ‘the programme shall aim, to promote inter state, inter region and cross border cooperation between the partner states and the Union, and between the partner states and Central and Eastern Europe’ (Commission proposal for new TACIS Regulation for 2000-2006, Article 2.5).

Even though the EU introduced provisions of regional cooperation in its foreign policy instruments, the Union has never insisted on a regional cooperation as a condition or pre-condition for the NIS aiming to upgrade relationship with the EU. One of the reasons could be the threat of Russian influence over its neighbourhood, especially over Georgia, Moldova and Ukraine (Smith, 1998: 96), moreover, the NIS countries cannot be treated as a monolithic block, even though they are facing common challenges. The lack of consolidation between the NIS, and difficulties to define and treat those countries as a region, is a remaining resistant factor for the formation of the regional integration in the post Soviet area. Even if they share common challenges after the dissolution of the USSR, they are still missing the main characters of the region. Flexible development of agreements concluded with Balkan countries, with Central European countries and with NIS, proves that differentiation principle is applied by the EU, through its external agreements, depending on political, economic and geographic priorities (Petrov, 2002; Cremona, 2000).

Questions around the regional approach towards the NIS, especially the countries of the Southern Caucasus, have always been raised. According to Nye, a rather limited number of

states are linked by a geographical relationship and by a degree of mutual interdependence (Nye, 1965). In this context, ‘the primary criteria for identifying a region are geographic proximity and regulatory interaction, complemented by attributes such as ethnic and cultural similarity, secondary criteria being the level of economic development, political systems, the degree of interdependence, and a degree of autonomous relation to the global system’ (Abushov, 2011: 168-177).

According to the rational choice arguments, regional subsystems are treated as anarchic or hierarchic, bipolar or unipolar, providing that they are presenting a group of states coexisting in geographical proximity as interrelated units that sustain significant security, economic and political relations and above all – autonomy from the international system (Abushov, 2011: 168-177; Raimo, 2003). Pursuant to the constructivist perspective, a region exists if its states and outside parties believe that states in question constitute a region, thus their self perception are decisive factor for defining an attribution of a state towards a region (Abushov, 2011: 168-177; Katzenstein, 2006). The subordinated system of regional cooperation could be defined as ‘consisting of one state or of two or more proximate and interacting states which have some common ethnic, linguistic, cultural social and historic bonds, and whose sense of identity is sometimes increased by the actions and attitudes of states external to the system’ (Cantori and Spiegel, 1970:11).

After the independence of Georgia, the country was referred to as the NIS, the CIS, or a country of Southern Caucasus (Koutrakos, 2006; Hillion, 2005; Petrov, 2002). Georgia, like other post Soviet countries, faced common post-Soviet challenges, however, the former Member states of the USSR were different because of their geographical position, influences, potentials and geopolitical importance. As we have already mentioned, post Soviet era catalysed the emergence of number of notions in which Georgia was automatically incorporated.

Geographically, the Caucasus comprises Southern and North Caucasus. The notion of Caucasus has been used to define the mountainous region between the Black and Caspian Seas, across the borders of Turkey, Iran and Russia (Abushov, 2011: 168-177). The Caucasus includes about fifty different ethnic groups. Obviously, Russian colonialism in eighteenth and nineteenth centuries helped to construct the regional identity of Caucasus, which was further strengthened during the Soviet governance (Abushov, 2011: 168-177). The Caucasus meets



minimal criteria of a region, where a limited potential of development exists and the Southern Caucasus is a long way from becoming a regional subsystem that is autonomous from the international system or regional hierarchy (Abushov, 2011: 168-177).

The notion of the the NIS refers to all post-Soviet countries, including Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. Obviously, some of the NIS are Asian countries, whilst other could be considered as European or East European countries. Therefore, the development of regional cooperation within a single framework towards those countries might be more confusing than a result oriented mechanism for development.

The CIS as an organisation was established by most the NIS on a voluntary basis. The Presidents of Belarus, Russia and Ukraine met in Minsk on 8<sup>th</sup> of December, 1991, acknowledged the end of the Soviet Union and signed an agreement establishing a ‘Commonwealth of Independent States’ (the Charter of the Commonwealth of Independent States, 1991). On 21<sup>st</sup> of December 1991, eleven Presidents of the former Soviet Republics met in Alma-Ata and signed the definitive text of the Agreement establishing the CIS. The three Baltic States (Estonia, Latvia and Lithuania) did not participate. Georgia joined later in 1993 and withdrew its participation in the organisation in August 2009, due to occupation of Georgian territories by the Russian Federation in 2008 (The Law of Georgia on Occupied Territories, 2008).<sup>4</sup>

Neither SC, nor NIS or CIS could be considered as an evolving consolidated group of countries, especially because of recently emerging political situations in the post-Soviet area. This issue will be further discussed in next chapter within the context of the ENP and the EaP.

Consequently, the bilateral treaty relations between the EU and Georgia, as well as the lack of a policy framework, did not respond to the emerging challenges of democratic and economic transition. However, the PCA, as a first step towards mutual understanding between the EU and Georgia, was a significant instrument. Firstly, because of its support to

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<sup>4</sup> For more information about the CIS, available at: <http://www.cisstat.com/eng/cis.htm> [last access 18 November, 2015].

stability and security in the transitional region, secondly, as it was a preparatory step of the NIS to approach economical and political developments and thirdly, it was stressing at the importance of the EU's presence as an actor in the post-Soviet area. Thus, on one hand, the EU was engaged in the region as an actor and on the other, the EU opened its doors for cooperation with the NIS. Post-independence conditions of Georgia and its transformation process, which will be discussed below, developed and defined its own path of influence on the Europeanisation process. The principle of differentiation, applied by the EU towards its neighbouring and newly independent countries, created a value-based basis for prospect partnership and cooperation, though it was rather limited in terms of its effectiveness and efficiency.

### **3. 4. THE 'BOTTOM-UP' EUROPEANISATION**

Contractual relationship between the EU and Georgia, based on the PCA, might be considered as a demonstration of Georgias' pro-Western aspirations and also as the formal engagement of the EU as a value based system in its close neighbourhood. Actors of mutual relationship commenced the process of monitoring of common interests. Hence, they did not achieve mutual understanding, as the interests of partners were rather limited in order to commence common actions for changes.

PCA Georgia, as a preparatory step for further cooperation, did not define clearly and precisely the strategic interests of partners that were to become main undermining factors for closer ties. PCAs in general, as transitional agreements, aim to introduce the EU's values in NIS and to open the possibility of implementation of principles and standards already established in the Union. Implications of the PCA on the domestic legal and political system of Georgia were rather limited, taking into consideration political and economic shortcomings of Georgian statehood and weak capability of its democratic institutions.

At initial level of EU-Georgia's cooperation and partnership, actors of relationship refrained from active and far-reaching steps towards each other. The EU, on one hand, demonstrated its interest in monitoring the on-going economic and political processes in Georgia, and initiated the mutual studding process of sovereign Georgia, on the other, Georgia implicated

transitional processes with additional variables, which exist beyond the EU's mechanisms of Europeanisation.

The domestic factors in Georgia implicated its external relations, including economic conditions, political culture, public opinion, institutional structures and leadership (Jones and Kakhishvili, 2013: 13-40). The most influential domestic factors, which influenced the process of Europeanisation, will be discussed in the sections presented below. According to Tables, which are proposed in the theoretical Chapter 1, the below presented sections aim at providing assessment of additional variables of Europeanisation process, which incorporate main influential factors, conceptualised as: (1) Pro-European Aspirations; (2) Dealing with historic legacies; (3) Power-competition.

### **3. 4. 1. Pro-European Aspirations**

After Georgia regained independence, it was using a historic narrative saying that it belongs to the 'European family', and dedicating its political aspirations to European future. However, the political history of Georgia after the dissolution of the Soviet Union was lacking necessary democratic tradition and proper economic conditions. Inexperienced political leadership, scarce financial resources and weak social forces insufficient for developing viable foreign and security policies towards the West (Kakachia, 2013: 41-51). Attempts of Georgians to 'integrate their country into European structures were often seen as strategic idealism, which goes against all geopolitical arguments and even common sense' (Rondeli, 2001: 205).

Georgia, as an ancient Christian civilisation, kept frequently claiming its European identity and urged the EU to closer cooperation as a matter of historic justice (Nodia, 1998). Georgia posited that as a result of difficult historical circumstances the country was separated from the European civilisation and was unable to move closer to the European culture, hence, it was aspired to return back to the liberal democratic values and to establish a 'Western-style' democracy (Kakachia, 2013: 41-51). In accordance with their pro-European aspirations, the government of Georgia took steps towards institutionalisation of democratic governance. The main political objectives of Georgia, achieved in the first transitional period of the country, *inter alia*, were:

- *The Declaration of Independence* adopted in 1991, which was providing an obligation of protecting human rights pursuant to the Universal Declaration of Human Rights, including the rights of national, ethnic and religious minorities. The issue of minorities has always been critical for Georgia. Therefore, recognition of minority's rights was of crucial importance for the prospect cooperation processes with European countries and for the Georgia's foreign policy;
- *The Constitution of the Republic of Georgia*, adopted in 1995, which aimed at strengthening the idea of independence and territorial integrity of Georgia (Article 1), based on the common values recognised by international society. Preamble of the Constitution was providing that '*the people of Georgia, whose strong will is to establish a democratic social order, economic independence, a social and legal state, to guarantee universally recognised human rights and freedoms, to strengthen the state independence and peaceful relations with other countries*' (Preamble of the Constitution of Georgia). Pursuant to the newly adopted Constitution the political system of Georgia was defined as a democratic republic (Article 1.2). Based on the principles enshrined in the Constitution of Georgia of 1921, the newly adopted Constitution of Georgia regulated issues concerning the fundamental human rights and freedoms, separation of power (legislative – Parliament, executive – President and Government, and judicial – General Courts), state finances and state defence.
- *Membership in International Organisations*, among others, membership of the United Nations (the UN) in 1992; the Commonwealth of Independent States (the CIS) in 1993; Conference on Security and Co-operation in Europe (later the OSCE) in 1995; Council of Europe (the CoE) in 1999; World Trade Organisation (the WTO) in 1999; and Georgia, Ukraine, Azerbaijan and Moldova (GUAM) in 1997. On one hand Georgia as a sovereign state entered into international relations and on the other, opened doors for international organisations to promote the democratic and economic transition processes on the domestic level.

Georgian political elite aimed at country integration into European structures. Membership in international political and economic organisations, ratification of international treaties shortly after the independence, adoption of the democratic constitution free from religious, ethnic or

other form of discrimination, and other legal or political governmental decisions demonstrate interest and intention of Georgia to share European values and economic standards. However, the political aspirations still were not implemented and transposed into an effective and consistent policy of the country.

President Eduard Shevardnadze's administration was considered as a pro-Western government (Antelava, 2003; Cornell and Starr, 2006). In 1997, the President declared that joining Europe was 'a centuries long dream of our ancestors' (Shevardnadze, 1997: 30). In 1999, Foreign Minister Menagarishvili emphasised that the number one priority of Georgia's foreign policy was the European integration and therefore – harmonisation of Georgian legislation to European laws. In 1999, Chairman of the Parliament of Georgia, Zurab Zhvania, stated in his speech to the Council of Europe in February 1999, 'I am Georgian, therefore I am European' (Parliament Newsletter, 1999).

In 2000, the Ministry of Foreign Affairs of Georgia prepared a document 'Georgia and the world: a vision and strategy for the future', which provided as follows: 'Georgia seeks the same stable and harmonious relationship [with Russia] that it enjoys with other countries. Georgia poses no threat to its neighbours and intends to play a positive role in region's economic growth and political development', moreover, 'the highest priority of Georgian foreign policy is to achieve full integration in the European political, economic and security structures, thus fulfilling the historical aspiration of the Georgian nation to participate fully in the European Community...deepening cooperation with the [European Union] represents a paramount aim of Georgian foreign policy' and 'cooperation with...European countries as a main segment of the strategy of integration into the European and Euro-Atlantic structures' (Georgia and the world: A Vision and the Strategy for the Future, 2000: 3-4).

The Transport Corridor Europe-Caucasus-Asia (TRACECA) and the Baku-Tbilisi-Ceyhan (BTC) oil pipeline radically stimulated Georgia's turn to the West, thus, Europe and USA were strategic partners of Georgia (Jones and Kakhishvili, 2013: 13-40). The economic projects, promoted by the political elite of Georgia, especially by the President Shevardnadze, whose political importance in the West stimulated the development of economic processes in Georgia established initial framework for future economic cooperations. Georgian political elite and its leadership have always self-perceived themselves as Europeans: 'the highest priority of Georgian foreign policy is to achieve full integration into European political,

economic and security structures, thus fulfilling the historic aspiration of the Georgian nation to participate fully in the European community' (Georgia and the World: A Vision and the Strategy for the Future, 2000: 6).

Consequently, it should be mentioned, that because of the weak and credible institutional development of Georgia, the political leadership of Georgia became the defining force in the Europeanisation process. The influence of political elite had its positive and negative impact on ongoing transitional period. The Shortcomings on this path were the inexperienced staff, their lack of qualification and determination of objectives. They were oriented to strengthen and develop 'personalities' and not the democratic institutions. Corruption was overwhelming in every public sector. Even though transitional institutions were unable to deal with political and economic challenges, the political leadership of Georgia was struggling to promote the Westernisation process. It should be mentioned, that whilst acting as 'Europeanisers' Georgian leadership was spontaneous and not systematic, moreover, their positions were not supported by social consensus on this issue.

### **3. 4. 2. Dealing with the Historic Legacies**

Political history is crucial in defining foreign policy dimension of a country (Pierson, 2003). Fundamental determinants of Georgian foreign policies, over the last decades, were mostly the domestic ones, including the weakness of statehood and the public institutions of Georgia, as the country's historic heritage (Jones and Kakhishvili, 2013: 13-40). Domestic shortcomings, as a part of the historic legacies of Georgia, challenged the government with triple task, namely: the nation building, state building and democracy building (Jones and Kakhishvili, 2013: 13-40).

The Georgian government administration found itself as a clan-oriented system of governance, where 'traditions and informal practices were considered to be far more important than the formal legal procedures' (Helly and Gogia, 2013: 271-307). Pervasive deficit of the rule of law demanded urgent and much needed reforms in the institutional building of a country (Chkhikvadze, 2013: 53-63). Being legacies of the Soviet governance, the weak capacity of state institutions and lack of capability to deal with decision-making processes on a state level, became part of loose political system of Georgia.

In the context of state institutions building the first president of independent Georgia, Zhviad Gamsakhurdia, failed to deal with the governance shortcomings of a sovereign country, despite of his initially significant role in the independence of Georgia. The processes of capacity building were not part of centralised policy, rather spontaneous steps undertaken by leadership of the country. The security system of Georgia was significantly undermined due to the internal conflicts – supported and provoked by the Russian Federation. The limited period of governance of President Gamsakhurdia was followed by the administration of Eduard Shevardnadze, who was a powerful player in the newly independent Georgia's political life (Sierra, 2010).

President Shevardnadze's governance was focused on dealing with historic legacies and therefore, creation of basis of institutional capacity building. He made significant political attempts for the stabilisation of state economy through deregulation of various fields of economic activities. However, the deregulation process 'modified' itself into uncontrollable economic processes and resulted in corruption: both, in everyday life and in all sectors of state governance.

Failed economic policies had dramatic implications on the ability of Georgia to pursue its foreign policy goals, since the devastated economy of Georgia was in contradiction with level of global economic demands, which inevitably influenced the choices of partners and allies to whether to establish economic relations with the country or not (Keohane and Nye, 1987; Jones and Kakhishvili, 2013: 13-40). The political elite of Georgia was seeking to get the country through the economic crisis and therefore established dependent relations with the World Bank and International Monetary Fund; Pursuant it, 10% of Georgia's GDP consisted of foreign assistance and humanitarian aid, when the external debt reached approximately 45% of GDP (Jones and Kakhishvili, 2013: 13-40).

On the path of re-creating the statehood of Georgia, the country was facing internal challenges, such as: high rate of poverty, corruption, lack of effective internal reforms, weak and disorganised public institutions. Moreover, the ethnic composition of Georgia was complex, as in 1918-1921 timeframe, Georgia experienced a very brief period of sovereignty and on a later stage – economic chaos, long-lasting corruption and collapse of state economy. In early years of independence, foreign policy-making process of Georgia was chaotic,

institutions were absent and the personnel was inexperienced, therefore, the decision-making process was impulsive and reactive without any sense of developing coherent foreign policy (Jones and Kakhishvili, 2013). In other words, state institutions were not able to deal with democratic and economic transition process due to the lack of knowledge and experience. Deep and comprehensive reforms were required, whilst the responsible authorities were not capable of responding to critical economic, political and social conditions.

After the adoption of the Constitution of Georgia in 1995, the country began to move towards stability in foreign policy-making process, through internal changes and reforms (Jones and Kakhishvili, 2013:13-40). The Parliament was given a role of defining foreign policy dimension (Article 48, The Constitution of the Republic of Georgia of 1995). In 1996, the National Security Council was established in order to ensure security and stability system of Georgia.

Institutional weakness of Georgia explains why the political leadership was given enormous power in the decision making process of the country, where ‘personalities’ were defining of country’s political orientation and not the state institutions and government strategies. The Constitution of Georgia strengthened the central role of the President, and therefore, the governance was identified with President Shevardnadze as a person and not as an institution. Other government branches also established the ‘personal style’ of governance against the principles of the ‘good governance’. Overwhelming power of President, strengthened by the Constitution of Georgia has always been a challenge for institutional building of Georgia. The ‘Presidentialism’, or the dominant role of a President in Georgia, influenced importantly the internal and external policies of this country especially in the context of Europeanisation. This dominance was provoked also by a general institutional weakness of the country.

The legislative process during the first transitional period was also inconsistent and chaotic. The parliament was usually used as an instrument to achieve political goals, thus, the institution was used as legitimising power for the decisions taken elsewhere. Between 1996 and 2001:

*‘the different ‘centres of power’ promoted their own interests by changing the law through direct legislative initiatives or lobbying, by offering exemptions to clients from the ‘legislative jungle’ that they themselves had created and by subordinating the*



*system of appointments to place their 'own people' in key positions within the state bureaucracy' (Wheatley, 2005: 129).*

The judiciary system was one of the most corrupted institutes in Georgia (Transparency International, 2007). In judiciary reforms the EU was providing mainly technical assistance and was not able to promote real changes on domestic level. The position of the Union has been reflected in its official documents that the European Union is concerned, particularly with the high level of corruption that affects the Georgian population (Fifth Cooperation Council, 2004).

The balance between the branches of government has not been respected, since the power of President has always been extended and power of the Parliament was rather limited. Meanwhile, the judiciary system was not capable of dealing with the system of 'checks and balances' in order to control the governmental power and achieve justice. The Common Courts of Georgia have not been supported and nor trusted by the majority of society.

Consequently, the administration of President Shevardnadze was not capable of dealing with historic legacies in an effective manner, however, significant political and economic attempts were undertaken spontaneously in order to achieve some changes on domestic level. Lack of systematic and coherent reforms, high rate of corruption, loose economic developments and absence of the rule of law, inexperienced staff and strong 'personalised' political leadership, did not sum up in an actual Europeanisation process of Georgia.

### **3. 4. 3. Power Competition**

The Southern Caucasus countries, including Georgia, have always been characterised as an area of power competition between external actors (Lynch, 2003). The constellation of great powers and their interests can potentially give opportunities, as well as constraints, to small countries (Sierra, 2010; Waltz, 1979; Zielonka, 2006). Security and economic policies of transitional countries, among them Georgia, are made up by domestic constraints, which derive from political culture and historical experience. It is also influenced by domestic state structures and by the needs for the regime survival (Jones and Kakishvili, 2013: 13-40; Fearon, 1998).

Russia as a great power, which ‘enjoys’ having direct and indirect mechanisms of influence over Georgia, became assertive in claiming the status of policy provider in the post-Soviet area (Popescu and Wilson, 2009; Averre, 2009). The EU as a civilian power, unable to enter into hard politics, is not necessarily excluded from having political and economic interests in this area (Zielonka, 2006). The EU and the USA interests coincide to a certain extent, especially in terms of security, stability and prosperity of post-Soviet space.

The below presented section approaches economic and security dilemmas of Georgian governments’ politics and policies, in the context of power competition of the EU and the Russian Federation. More precisely, how Georgia was aiming at achieving balance between the strategic security and economic interests of Russian imperialistic approach and value-based civilising interests of the EU.

### ***Security issues***

Foreign policy and security strategy of Georgia has been shaped by complexity of its regional environment and by the competitive strategic interests of the USA, the EU and the Russian Federation. Georgia lies on the crossroads of great powers’ political and economic interests since its early years of independence. Georgia’s vulnerability in dealing with internal conflicts remained for a long time, however, all three presidents were unable to settle them (Helly and Gogia, 2013). In other words, security threats have always been dominating in Georgias’ policies due to the countries’ geopolitical position, which made territory of Georgia a place of ‘great powers’ competition (Jones and Kakhishvili, 2013). Since its independence main rationale behind foreign and security policy of Georgia was to neutralise the Russian leverage in terms of security issues, at the beginning it was done by the Pan-Caucasian approach of first Georgian President Gamsakhurdia, later on by a closer cooperation with the USA during Saakashvilis’ governance, however, President Shevardnadze was the one who linked the country to the West (Sierra, 2010). Shevardnadzes’ administration turned to West, when it found strong support of the USA’s administration that created a path-dependence process in Georgian foreign policy. Political environment was framed by the policy maker elites (Jones, 2004) and President Shevardnadze, with his diplomatic experience, played a crucial role in defining Georgias’ foreign policy discourse (Rondeli, 2001: 200).

After the dissolution of the Soviet Union, in order to avoid security threats coming from Russia, Georgia joined the CIS Collective Security Treaty, however, in fact, in this manner Russia strengthened its security positions in Georgia through military basis and through controlling and monitoring the borders of Georgia until 1999. Former president Shevardnadze confessed that in 1993 'Georgia was forced to enter the CIS' (Shevardnadze, 2006).

Georgia developed a national narrative that Russian Federation was an external threat, given its political, security and economic realities (Kakachia, 2013: 41-51). Georgians remember Russian empire as an autocratic one and emphasise of the USSR ideology and a symbol of anti-Western orientation with the phenomena of imperialism and Eurasian global geopolitical ambitions (Kakachia, 2013: 41-51).

Georgian political elite played a significant role in articulation and determination of foreign policy priorities. Due to economic and domestic institutional factors, relationship between Georgia and Russia was asymmetrical, taking into consideration all economic and security threat that Georgia might have faced after the declaration of its pro-Western political and security aspirations.

Since 1994, Georgias' major foreign policy incorporated the goal of balancing Russian power and influence that became a key factor for enhancing the country's national security (Kakachia, 2013). Since the declaration of independence Georgia, as an emerging state within a shifting world order, was seeking to establish direct links with Europe (Kakachia, 2013: 41-51). Although, close political and security cooperation with Russia and other countries of the CIS seemed to be beneficial for Georgia in terms of solving its territorial problems (Kakachia, 2013: 41-51), Georgia was no longer willing to be labelled as a merely post-Soviet state, nor did it wish to be identified with fragmented Southern Caucasus region, it rather aspired to be integrated in the Black Sea community (Kulick and Yakobashvili, 2008), and in this manner to escape from the post-Soviet vision of policy making. The main goal of Georgias' foreign policy was to disassociate itself from the Soviet past and Russia's historic, geographic and civilisation space (Kakachia, 2013: 41-51). Process of 'de-sovietization' was reflected in distanced and refraining positions of Georgia towards deeper cooperation with

CIS, with the Collective Security Treaty Organisation (the CST), and with Russia led Customs Union (Kakachia, 2013: 41-51).

As a country of the Black Sea area, Georgia has historically been a geopolitical, political and cultural part of greater Europe, and has identified itself with European civilisation through Christianity, cultural values and forms of ownership (Kakachia, 2013: 41-51). Aspect of the state behaviour in international relations is influenced by the location of a state in terms of its foreign policy dimensions and the security strategies, hence, Georgia played a role of a buffer state amongst various empires and invaders (Turmanidze, 2009).

After the conclusion of the PCA, government of Georgia was trying to involve the EU in the process of conflict resolution (Sierra, 2010). The government of Georgia considered the relationship with the EU as a way of solving its internal problems, including territorial conflicts (Chkhikvadze, 2013). However, the EU was not willing to be directly involved in the conflict resolution process in the post-Soviet area (MacFarlane, 2002).

It should be noted that the EU has been involved in number of security reforms in Georgia, including support of police, military, penitential and judiciary systems, but the policy frameworks have not been developed until the last decade (Law and Myshlovska, 2008; Sierra, 2010), when the EU introduced the concept of the Security Sector reform (Council of the European Union, 2003). In 1999, through the Common Security Development Policy, the EU set up mechanisms of conflict resolution and peacekeeping operations, where decision making processes are based on the *ad hoc* basis, and operations are undertaken when the UN or the partner requests the EU's assistance (Sierra, 2010).

First civilian mission was deployed in Georgia in 2004, through the EUJUST – Themis rule of law mission for the reform of the judiciary. All peaceful actions, which the EU and its Member states undertook in order to ensure territorial integrity of Georgia, should not be neglected, however, the EU as a 'civilian power' was not capable of dealing with security threats in the post-Soviet area, whilst Russia kept strengthening its positions through separatist conflicts (Coppieters, 1996; Lynch 2003). Russian foreign policy towards the post-Soviet area was to 'establish Russian sphere of influence' (Krastev, 2009: 6), through preventing other external actors dominance in the region (MacFarlane, 2008). Moreover,

other main instruments in 'hands' of Russia, *inter alia*, were energy sector dependence and ethnic minorities, that have been used in conflict escalation processes (Balzer, 2005).

Support of President Shevardnadze stimulated emergence of Turkey as one of the major economic partners of Georgia and highlighted the importance of NATO as a strategic security partner: 'Georgia is not the Southern flank of Russias' strategic space, but rather the northern flank of a horizontal band of Turkish and NATO strategic interest' (Shevardnadze, 2001; Devdariani, 2013). By 2002, relationship between Russia and West reached the lowest level of balance, when Georgia declared its pro-NATO security aspirations (Sierra, 2010).

President Shevardnadze has always been associated with the Soviet style of governance, especially given that he was a former foreign Minister of the Soviet Union. He was trying to open doors to Europe and at the same time not to be distanced and isolated from the Russian Federation. Hence, Shevardnadzes' administration showed an ambivalent attitude towards Russia as a predator and patron at the same time (Jones and Kakashvili, 2013). 'A central challenge of any government of independent Georgia is to develop a relationship with Russia that guarantees Georgias' independence, resolves frozen conflicts and allows for fruitful cooperation' (Mitchell, 2008: 9) that did not seem as an easy task for any of the governments of Georgia.

Consequently, foreign policy and national security of Georgia has been widely debated in Georgia, but the official concept of foreign policy has not been fully developed (Rondeli, 2000: 66-74), due to weak institutional capacity and the threat coming from the Russian Federation. Georgia was not capable of using its strategic geopolitical position in order to positively impact countries' foreign policy discourse. It rather attempted to 'escape' from Russian influence and to be in 'shadow' association with Westernisation. The Russian Federation constitutes threatening factor not only for the post-Soviet area, but also for the EU and its Member states, therefore, Georgia is not confident enough to fully integrate in the European structures. Hence, the countrys' attempts to move out of Russian sphere of influence were obvious since the early steps of its independence, however not consistent.

## *Economic issues*

Georgia faced economic challenges that were common for all post-Soviet and NIS states, where demands of international and global economy shifted attention of governments to policies necessary for achieving domestic and external economic goals (Toose, 1994: 62-83). The ever-critical domestic economic conditions of Georgia affected the Europeanisation process of the country, as ‘the foreign economic policy implies an empirical domain, constituted by economic activity between and among states, where the identities of the processes are discernible – between economics and politics, and between the international and domestic’ (Toose, 1994: 62-83).

Domestic economic conditions of Georgia, until late ninety’s, were critical. Pursuant to the UNDP analysis: 40% of population of Georgia lived below poverty line (UNDP, 2000), unemployment was officially 16.8% and unofficially 25.6%, the public expenditure on health was 0.6% of GDP in 1999 (UNDP Report, 2000). By 1998 poor governance and rapidly spreading corruption became two main factors that were threatening the viability of Georgia’s statehood (UNDP Report, 2000; Rondeli, 2001).

The economic collapse of 90<sup>s</sup> in the post-Soviet area, provoked Russia’s dominance in the region and Georgia became dependent on Russian economy, including energy issues, employment of migrants, export of agricultural and other products, etc. Thus, Russia had extensive mechanisms to exercise direct influence on Georgia, largely because of Georgia’s poor economic resources (Jones and Kakashvili, 2013).

Russian influence on Georgian economy has been strengthened through Russian private companies (Crane, 2005; Papava, 2009). Large amount of export from Georgia to Russia, which was an unstable and unreliable economic market, also importantly undermined the economic progress of Georgia. Hence, the international trade turnover data, for the first transitional period of Georgia, makes it obvious that Russia was this country’s leading partner (Table 5).

Economic policy of Russia emerged as a ‘liberal empire’ (Chubais, 2003), which attempts to remain as a strategic trade and investment partner of all former Soviet countries, aiming at excluding the possibility of its partners entering into economic relations with other actors.

Georgia kept links with Russian leadership for a long time, mostly due to economic factors and path-dependence of this country on Russian market. Strong ties with Russian political elites and economic networks, provoked the malfunctioning of economic reforms and ineffective transition process to the market economy principles.

Table 5 - The International Trade Turnover of Georgia in 1997-1999

<b>International</b>	<b>1997</b>	<b>1998</b>	<b>Q1-Q21999</b>
<b>Trade Turnover</b>			
<b>Total thousand \$</b>	1,183,299.30	1,258,921.30	416,346.30
<b>10main partner</b>	64.1	73.5	72.9
<b>Russia</b>	16.4	21.1	22.5
<b>Turkey</b>	13.2	11.3	10.6
<b>Azerbaijan</b>	11.9	8.6	7.4
<b>Germany</b>	3.9	7.6	8.4
<b>USA</b>	6.3	6.7	10.8
<b>Ukraine</b>	5.4	3.2	4.2
<b>Switzerland</b>	0	3.2	1
<b>Bulgaria</b>	4.7	2.6	1
<b>Italy</b>	3.8	3.2	1
<b>Great Britain</b>	3.9	6.1	3.3
<b>Others</b>	31.1	26.4	27.1

*\*GEPLAC, 1999 (Figures from the Georgian Statistics Office)*

Georgia attempted to achieve economic independence through regional and international economic projects. So, in 1999, Georgia, Azerbaijan and Turkey signed the agreement on Baku – Tbilisi – Ceyhan pipeline route for the export of oil from Caspian region. President Shevardnadze used his political links with Europe and thus ensured economic development of the country through the BTC pipeline (Radon and Onoprishvili, 2003). The idea of this economical plan was to use oil and gas resources in the region of Southern Caucasus for increasing the economical benefits, where Georgia would be the corridor and a transit route. Economic survival of Southern Caucasus countries, and amongst them Georgia, was based on geopolitical position of the region and therefore, main economic projects of Transport Corridor Europe-Caucasus-Asia of 1993 (the TRACECA), and the Interstate Oil and Gas Transport to Europe of 1996 (the INOGATE), were introduced. Both initiatives were important economic initiatives for establishing closer economic relations with the EU.

The major transition in the economic system of Georgia was its accession to the World Trade Organisation (the WTO), which was achieved in 2000. Initially, it brought economic legislation of the country close to internationally recognised standards, but still was missing an implementation process (GEPLAC, 2000).

Since 1995, Georgia uses GSP+, originally intended for the economic development and industrialisation of Third World Countries (Maresceau, 1997). Pursuant to the Common Commercial Policy (the CCP), the EU provides developing or poor countries with tariff-free access for some exports, through the Generalised System Preferences (the GSP). Georgia has been a beneficiary of the EU Generalised System of Preferences since 1995.

The PCA Georgia created a solid basis for emergence of the rule based economic processes in the country, however, the bilateral relationship was not promising in terms of economic integration and strong legal approximation. Only Georgias' internal economic reforms and modernised legislative environment could have positively influenced on the demanding economic requirements of the globalised economy.

Consequently, the transition process to the market economy principles, shortly after the independence of Georgia, has not been a systematic and a strategically planned process. Strong dependence on Russian market was neutralised by several economically important



projects initiated by the Georgian government. Hence, those projects were not backed up by the domestic initiatives and reforms. Therefore, internal economic conditions were not able to correspond to the requirements of the globalised world, which also include standards of the EU market. As a consequence, national economy of Georgia, during the first transitional period, was not capable of positively impacting the process of Europeanisation.

### **3. 5. CONCLUSIONS**

Bilateral relationship between the EU and Georgia based on the PCA might be considered on one hand, as a demonstration of Georgias' pro-Western aspirations, and on the other, as a formal engagement of the EU as a value based system in its close neighbourhood. The PCA Georgia, as a preparatory step for further cooperation, does not define clearly and precisely the strategic interests of parties involved in the relationship, which could be considered as one of the main undermining factors for closer and further relationship.

The theoretical chapter argued that Europeanisation is not a unilateral way of exporting EU's internal values and rules to a third state, rather it is a process of interaction between cooperating parties. According to these arguments, the above-presented empirical chapter examines the process of Europeanisation as a two-way process and provides findings the impact of EU's policy instruments, as well as, on the bottom-up variables and their impact on Europeanisation. First transitional period of Georgias' political life was investigated in terms of its political aspirations, historic legacies and the power competition (Table 6). The Table provides Georgia's actual role and influence on the Europeanisation process.

The EU emerged as a global and regional actor regarding its neighbouring newly independent states. The Union acted as a value-based system in its governance providing process, which leads us to a conclusion that actual Europeanisation process of Georgia commenced shortly after its independence. Moreover, the 'home-grown' initiative of Georgia towards Europeanisation should be considered as its political willingness towards defining the discourse of its internal and external relations.

Impact of the PCA Georgia on the domestic legal and political conditions of the country were rather limited, taking into consideration the shortcomings of Georgian statehood and weak capability of its democratic institutions. The EU demonstrated its interest in monitoring the

ongoing economic and political processes in Georgia, hence, it refrained from active and far-reaching engagement. The effectiveness of cooperation was significantly undermined by the lack of mutual understanding and common actions towards changes on domestic level. Beside the EU's Europeanisation mechanisms the above-presented chapter also examined influence of the additional variables.

Table 6 – The Impact of Georgia on the Europeanisation process

	1991- 2003	2003- 2008	2008- 2015
Pro-European Aspirations	Low	-	-
Historic Legacies/Reforms	Low	-	-
Power Competition between the EU and Russia	Low	-	-

\* Low/Average/Strong

According to the results of investigation, implications of bottom-up factors were clearly limited. Georgia oriented its' foreign policy discourse towards the European structures, hence, the political aspirations of the country were not declared and defined as its strategic interest. The minimalistic approach of Georgia towards Europeanisation created an immediate notion of Russia as a threat. Georgia attempted to achieve balance in its relations with Russia and the West. In the first transitional period, the country demonstrated a low level of its political and economic aspirations towards European structures and in this manner it balanced the power competition between Russia and the West. Due to a certain lack of capacity, state institutions were unable to deal with reforms, especially in terms of Europeanisation of the country. Consequently, the research shows that actual impact of Georgia on the Europeanisation process, in the first transitional period, was rather low and limited.

## **CHAPTER 4**

### **THE SECOND PHASE OF THE RELATIONS: REVOLUTION, REFORMS AND THE ENP**

## **4. 1. INTRODUCTION**

The below presented Chapter analyses the Europeanisation process of Georgia in its second transitional period of 2003-2008. The political transformation of Georgia through the Rose Revolution significantly impacted the foreign policy discourse of the country and as a result impacted the process of its Euro-Atlantic integration. Political changes in Georgia also affected the foreign policy frameworks of the EU towards its neighbouring countries and stimulated inclusion of Georgia in the ENP.

Firstly, the chapter analyses the post-revolutionary domestic conditions and challenges in Georgia. Political and economic legacies of Shevardnadze's governance, which were replaced by a number of domestic reforms, of the newly elected government, provoked the emergence of new economic and democratic developments in Georgia. However, the post-revolutionary tensions and sensitivities were also the undermining factor of the country's Europeanisation process, especially in terms of high political polarisation.

Secondly, the chapter provides an analysis of the EU's neighbourhood concept and policies towards its neighbouring countries. This part of the thesis aims at evaluating the effectiveness of the top-down perspective of the ENP and defines its limits towards the non-candidate neighbouring countries. Introduction of the ENP towards the Eastern and Southern neighbourhood of the EU appeared as a qualitatively upgraded level of relations between the EU and its partner countries. However, due to the EU's policy framework towards different neighbouring regions the prospect relations, in terms of political, economic and social discourses, were puzzling and not clear.

Finally, the Chapter analyses the bottom-up process of Europeanisation as a result of actor-ness of the partner country in the process of Europeanisation. On one hand, this section of the thesis tests the theory of Europeanisation and defines its limits in the context of leverage, and on the other, provides an analysis of influence of Georgias' domestic political conditions and foreign policy preferences on the process of Europeanisation. Consequently, the objective of this Chapter is to demonstrate interaction of policies of the actors of Europeanisation, between the EU and Georgia. Therefore, the Chapter provides analyses of top-down as well as bottom-up process of Europeanisation between the EU and a non-candidate neighbouring country – Georgia.

## 4. 2. POST-REVOLUTION REFORMS IN GEORGIA

As discussed in the previous Chapter, the government of Shevardnadze faced challenges of deeply rooted corruption, under the shadow control of state authorities and stimulated by the establishment of informal institutions and parallel economy (Bowser, 2001). 'Bad Governance' and endemic corruption prevailed in all aspects of Neighbouring countries political, economic and social life (Hellman, 2000). According to the Transparency International, the ENP countries belong to the world's most corrupted countries (Transparency International, 2008). Monopolies and bribes were undermining the development of the competitive market economy, socio-economic development, and as well as flow of foreign direct investments (Bhatty, 2002). The 'patronage' was undermining democratic processes, including the free and fair participation of population in the political processes, which resulted in the increase of society's distrust towards state institutions (Stokes, 2007; Drury, 2006).

The critical momentum of Shevardnadze's governance occurred in 2003, when his administration attempted to falsify the results of parliamentary elections. Tense pre and post-election developments caused massive protest in Georgia. There was an increasing national and also international pressure on Preseident Shevardnadze to resign. Mikheil Saakashvili, former Minister of the Ministry of Justice of Georgia, gained political support of the majority of Georgian population and lead a peaceful 'Rose Revolution'. Protest of Georgian people ended with President Shevardnadze resignation and denunciation of the results of parliamentary elections of November 2003. Not only the population of Georgia, but international society as well, supported Saakashvili as a pro-Western leader who immediately declared his Euro-Atlantic aspirations as priority of the country's foreign policy.

Before the Rose revolution, the ex-member of Shevardnadze's political team, Zurab Zhvania, declared that 'we need a sustained, stable and effective cooperation between the political forces to achieve this goal. I mean the traditional liberal values...resumption and completion of interrupted reforms in the country and intensive process of integration into the European space' (Civil Georgia, 28 January 2003). Later on, Zhvania as one of the leaders of the Rose Revolution and Saakashvili's political team became the Prime Minister of Georgia.

The colour revolution of Georgia, as well as of Ukraine, increased perspective of democratisation, with active commitment of new leadership (Raik, 2006). The newly elected governments of Ukraine and Georgia, led by highly motivated leadership and declared aim of Europeanisation, had to handle the unstable and fragile political reality, the practice of corruption and discredited ex-leadership (Raik, 2006). The home-grown revolution of Ukraine (Kuzio, 2005), similarly to Georgian revolution, was largely supported by the Western powers. Eventually, the colour revolutions opened doors for the EU's engagement and further cooperation for reform oriented governments. The Rose Revolution fostered significantly the process of upgrading political and economic cooperation between the EU and Georgia and promoted the new agenda towards an institutionalised relationship. The leadership of the Rose revolution, and respectively the new government of Georgia, were led by President Saakashvili, Prime Minister Zurab Zhvania and the Chair of the Parliament Nino Burjanadze.

Closer cooperation established after the Rose Revolution between the EU and Georgia induced further domestic reforms. The Revolution fostered the process of determination of the EU-Georgia relations, as far as pro-European aspirations of the country were broadly recognised (Edwards, 2008). Political and economic transition process – introduced by Saakashvilis' government through reforms, was a qualitatively different political process from that of Shevadnadzes' governance. New government focused on the deregulation of economy and a radical overhaul of Georgian institutions and security forces (Sierra, 2010).

The transfer of powers through peaceful Revolution attracted significant amount of attention from the international actors, including the EU. New government of Georgia has declared its ambition of strategic cooperation with the USA and the Euro-Atlantic integration. The request of the Prime Minister of Georgia to launch a Rule of Law Mission to Georgia was positively assessed by the EU (EUJUST Themis, 2004). The financial assistance from the Union, as well as other international actors, has been increased substantively, in order to support the democratic processes in Georgia through various democratic and economic projects (Popescu, 2007).

Georgia was supported and at the same time criticised for its domestic reforms, which will be broadly discussed below. Here, it is important to mention, that there existed a significant gap between the pro-European expectations of Georgia and the capacity of the EU to respond to

such pro-European aspirations. EU's external push was not sufficient enough to induce domestic reforms (Jacoby, 2006).

Georgia was 're-branding' its geopolitical position as a Black Sea country and therefore, stating that it's rather European than a Caucasian country (Emerson, 2004). Javier Solana highlighted the progress of Georgia in the ENP framework and noted that '[the EU is] satisfied with the implementation of the Neighbourhood Policy. Reforms in Georgia are moving ahead at a fast pace. This is a very good indicator for your country' (Solana, 2007). José Manuel Barroso declared that 'we view Georgia as a European country and state that process of Georgia's reapprochement with the European Union and its integration into the European market should continue at its current fast pace' (Barroso, 2007).

Post-revolutionary changes in Georgia should be critically assessed. The promising Rose-Revolution finally victimised the potential change agents, denied business actors and civil society role and conducted an intransparent privatisation process (Börzel and Pamuk, 2011). Since 2004, President Saakashvili had almost unlimited power, as his political party was represented by a majority in the Parliament of Georgia, and also human resources of the country were mobilised in the United National Movements' (the UNM) political party, which co-opted a great number of civil society activists (Börzel and Pamuk, 2011).

Consequently, the transition of power through the Rose Revolution had its significant impact on the process of Europeanisation of Georgia. Domestic reforms in Georgia are broadly discussed in the below presented chapter, meanwhile, it's worth noting, that the second phase of political transition of the country influenced the foreign policy preferences of the country and its actorness on international arena.

#### **4. 3. LIMITS OF NEIGHBOURING RELATIONS: THE CONCEPT, OBJECTIVES AND DIMENSIONS**

Tradition of good neighbourliness principal is established by the UN Charter and by the Declaration on Friendly Relations; moreover, the rights and obligations of states regarding good neighbourliness are strengthened through General Assembly Resolutions and reports of the special Sub-Committee on good neighbourliness (Kochenov and Basheska, 2015). In the

context of Europeanisation and European integration the EU represents a unique example of reconstruction and reconciliation of former enemies for peace and prosperity, therefore, the EU's way of approaching dispute resolution via political cooperation and economic integration is unquestionably a demonstration of its capacity of good-neighbourly relations (Smith, 2008; Inotai, 2007; Sjursen and Smith, 2004). Inseparable and common interests of the EU's Member states requires from each member to take into account the *de facto* and *de jure* interests of other states and also the EU (Kochenov and Basheska, 2015; Somek, 2010; Biscop, 2009).

The concept of 'good neighbourhood' has been developing explicitly or implicitly in the constitutional basis of the EU. Without going into details of historic background of neighbourhood concept, this chapter aims to focus on current content and context of neighbouring Eastward relations of the EU.

Complexity of the ENP is a consequence of the Unions' complex nature that should be seen as 'a unique, multileveled, transnational political system' (Moravcsik, 1998). The EU rapidly became 'a magnet and a model for the countries of the Eastern Europe' (Hill, 1993). Therefore, the Union established various frameworks for foreign relations on its treaty basis. Due to its internal policy difficulties, the EU is not usually capable of facing external expectations and, therefore, not always acting as a fully-fledged foreign policy actor (Ginsberg, 2001; Smith, 1999). The minimal technical, human and financial resources also undermine the implementation process of the EU's foreign policy (Smith, 1996; Gänzle, 2002).

The Treaty of Lisbon amended the constitutional basis for neighbouring relations of the EU by the Article 8 of TEU, providing that 'the Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation' (Article 8.1, the TEU). According to the concept of good neighbourliness, the Article 8.2 TEU establishes the possibility of concluding 'specific agreements' with neighbouring countries that contain 'reciprocal rights and obligations' and possibility of undertaking joint activities (Article 8.2. TEU). Substantial understandings of 'special relationship' are arguable, since the wording of this provision is similar to the Article 217 TEU, providing that 'the Union may conclude with one or more third countries, or



international organisations agreements establishing an association involving reciprocal rights and obligations, common action and special procedure'. Interpretation of the Association Agreement could vary from 'little more than a free trade agreement to a level of integration that comes close to membership' (Elsuwege, 2008). The conceptual understandings of association will be further discussed in the Chapter 4 of the thesis, however in the context of neighbouring relations it should be mentioned that the crucial difference between Article 8.2 TEU and Article 217 TEU is that Article 8.2 contains obligation of the EU to be engaged in its neighbourhood for promotion of prosperity and good neighbourliness. Furthermore, the innovative Article 8 TEU confers the constitutional status to relations between the EU and its neighbours (Schütze, 2012).

In May 2004, the EU acquired ten new Member states and extended its Eastern border towards new neighbouring area. The successful enlargement of the EU was a case of winning of inclusion over the exclusion (Smith, 2005). However, new enlargement did not solve a problem of the Eastern neighbourhood of the EU, rather questioned the geographical definition of the EU and required additional clarifications of the membership criteria (Smith, 2005). The new enlargement also demanded an upgrading of the EU's relations with its new neighbouring region (Johansson-Nogués, 2007). Moreover, after the enlargement, the EU faced an existential dilemma of being open to all European countries or to stop its expanding (Emerson, 2004). The EU's enlargement policy strengthened the vision on the EU as an influential foreign actor in international development politics (Bosse, 2009). In order not to become the victim of its own success, the EU chose the way of introducing innovative political framework – the ENP (Emerson, 2004).

The ENP challenges the EU as a foreign policy actor and tests capacity of the Union 'to act beyond the dichotomy of accession/non-accession, drawing on a range of tools to promote its interests' (Lynch, 2005:6). The ENP was in the process of preparation during one year before the expected enlargement of the EU in 2004 (The General Affairs European Council, 2002). Behavioural roles of actors of partnership are shaped by the historical experience (Pierson, 1996), therefore the ENP, as an 'extraordinary example' of cooperation, incorporated elements of enlargement as well as weaknesses of former instruments of the EU towards neighbouring countries (Kelley, 2006).

The ENP is a comprehensive foreign policy instrument ‘integrating related components from all three ‘pillars’ of [the EU’s] present structure’ (The Commission Communication, 2004: 6), therefore, it constitutes a complex and challenging framework of EU’s cooperation not only externally but internally. The ENP is a particularly diverse policy, led by the EU’s aims at improving its neighbourhood, and therefore, involves mixture of interests and actors. It has been argued by Lippert that the ENP is ‘neither conceptually complete, nor operationally stable’ (Lippert, 2007: 2). The complexity of the ENP is linked to various possibilities of its’ understanding ‘as you like it’ depending on the interest of the ENP actors (Manners, 2010). Cremona and Hillion state that ‘the ENP is clearly and unambiguously an EU policy directed at its neighbours rather than the creation of something new (a sphere or area) or a shared enterprise (a process or partnership). Although drafted in consultation with the neighbours, the Action Plans are first and foremost a vehicle for the EU to project a corpus of norms and practices considered to be appropriate for political and economic reform’ (Cremona and Hillion, 2006: 39).

The ENP represents a policy instrument towards stabilising relations with its neighbours and promotion of their security (Smith and Weber, 2007). Introduction of the ENP policy was a necessary step in order to ensure security and stability of wider neighbourhood of the Union: The European Commission noted:

*‘Existed differences in living standards across the Union’s borders with its neighbours may be accentuated as a result of faster growth in the new Member States than in their external neighbours; common challenges in fields such as the environment, public health, and the prevention of and fight against organised crime will have to be addressed; efficient and secure border management will be essential both to protect our shared borders and to facilitate legitimate trade and passage’* (The European Commission, 2003: 4).

The ENP has widely varying policy preferences with different interdependence towards the EU and, therefore, it also has flexibility (Schimmelfennig, 2013). It does not possess clear identity, hence, it encompasses European and non-European countries, democracies and non-democracies (Schimmelfennig, 2013). The existence of two dimensions inside the ENP is quite odd, since the Eastern European countries, reluctantly, have been seen as the potential member states, while the Mediterranean countries have never been considered as eligible

countries for the EU membership (Smith, 2005). Lavenex considers the ENP initiative as a part of ‘an ambitious external governance agenda by the enlarged Union with the aim to manage its own interdependence in an altered geopolitical context’ (Lavenex, 2004: 680).

As we have already mentioned, the ENP stretches over a very large geographical area and includes diverse countries with a low geopolitical compatibility. Only in June 2004, the Caucasian Republics were included in the ENP, after lobbying of the European Parliament and peaceful ‘Rose Revolution’ of Georgia. The political developments in Georgia, together with the maritime border with prospect Member states of the EU, influenced the inclusion of the Southern Caucasus countries in the ENP. Russia declined the participation in the ENP and proposed cooperation possibility only on equal basis. The Council Conclusions refer Russia as a ‘key partner’, and therefore, pursues a strategic partnership framework based on ‘positive interdependence’ (The European Commission, 2004: 4). In this context, Russia’s uniqueness and its foreign policy ambitions were mentioned as a reason for its non-inclusion in the ENP (Emerson, 2004). Finally, the ENP includes sixteen countries from the European neighbouring area (Table 7). The ENP covers Eastern Europe, including the so-called Southern Caucasus and the Mediterranean. Previously those countries were included in separate frameworks of cooperation. The ENP seeks to extend the idea of Europeanisation without a determination of its future in terms of intensity and depth of cooperation between the EU and neighbouring countries.

In the process of negotiation of the ENP, the European Commission played the central role, as it did in the enlargement policy. However, the active participation of the Council should not be neglected, since it constitutes the ultimate decision making institution. Generally, the role of the European Parliament is considered to be weak in its foreign policy execution, although the European Parliament adopted a significant resolution on the ENP and addressed the issue of South Caucasus being a crucial geopolitical area for cooperation. It was a real ‘shortcoming’ of the ENP, and a ‘wasteful’ action from the EU, that states of Southern Caucasus were not included in the initial policy. After the European Parliament suggested inclusion of Southern Caucasus states into the ENP, Armenia, Azerbaijan and Georgia were added to the list of ENP target countries (Labeledzka, 2006: 608). The active participation of the European Parliament in the ENP’s expansion context is considered as lobbying of inclusion of revolutionary Georgia in the ENP.

Table 7 – The ENP Countries: Bilateral Legal Basis of Cooperation with the EU

<b>Countries</b>	<b>Agreements and Dates</b>
Algeria	Euro-Med Association Agreement signed, April 2002
Armenia	Partnership and Cooperation Agreement in force, July 1999
Azerbaijan	Partnership and Cooperation Agreement in force, July 1999
Belarus	Partnership and Cooperation Agreement signed, March 1995*
Egypt	Euro-Med Association Agreement in force, June 2004
Georgia	Partnership and Cooperation Agreement in force, July 1999
Israel	Euro-Med Association Agreement in force, June 2000
Jordan	Euro-Med Association Agreement in force, May 2002
Lebanon	Euro-Med Association Agreement signed, April 2002
Libya	Not in force
Moldova	Partnership and Cooperation Agreement in force, July 1998
Morocco	Euro-Med Association Agreement in force, March 2000
Palestinian Authority	Interim Euro-Med Association Agreement in force, July 1997
Syria	Euro-Med Association Agreement signed, October 2004
Tunisia	Euro-Med Association Agreement in force, March 1998
Ukraine	Partnership and Cooperation Agreement in force, March 1998

\* The ratification process was frozen due to the lack of democracy in Belarus

\*\* *The official web-page of the EU*

When examining the table it becomes obvious that the ENP does not replace bilateral treaty relations of the EU with its neighbouring countries. Rather it creates a policy framework to address neighbouring countries in rapidly developing geopolitical context.

### ***Objectives of the ENP***

Objectives of the ENP correspond to the foreign policy aims of the EU, pursuant to the Treaty of Lisbon, although somewhat different in their strength and intensity (Ghazaryan, 2010). Thus, according to the Treaty of Lisbon, they include:

- safeguarding of the Union's values, fundamental interests, security, independence and integrity;
- consolidating and supporting democracy, the rule of law, human rights and the principles of international law;
- prevention of conflicts and strengthening international security;
- fostering the sustainable economic, social and environmental development of developing countries to eradicate poverty (Article 21, the TEU).

According to the Strategy Paper of 2004, the objectives of the ENP are 'to share the benefits of the EU's 2004 enlargement with neighbouring countries in strengthening stability, security and well being for all concerned. It is designed to prevent the emergence of new dividing lines between the enlarged EU and its neighbour and to offer the chance to participate in various EU activities, through greater political, security, economic and cultural co-operation' (European Commission, 2004: 3).

In the complex framework of the ENP all objectives (normative, commercial, geopolitical) compete with each other dynamically, perhaps not on an equal basis (Johansson-Nogués, 2007). The foreign policy of the EU appears to be organic as a whole, with multiple dimensions and with competing visions of different actors that co-exist (Johansson-Nogués, 2007). Therefore, the objectives of the ENP do not have a single dimension, but pluralistic, which incorporates various dimensions, perhaps, with prioritised areas of cooperation that highlight many conflicting interests, ideas and norms, which co-exist within the heterogeneous foreign policy making of the EU (Johansson-Nogués, 2007).

### ***Dimensions of the ENP***

The ENP's agenda encompasses three major dimensions: democracy promotion, market integration and security cooperation (Weber, 2007). Good governance, as a mainstream of the

Action Plans, includes broad range of issues, such as: improving electoral legislation, conducting free and fair elections, ensuring the separation of power, encouraging the development of political parties and civil society organisations, granting the independence of media, protecting human rights and civil liberties and fighting corruption (Börzel, Stahn and Pamuk, 2010).

The founding principle of European integration was ‘peace through democracy’, in other words—democratic peace approach, which is based on commercial integration (Kant, 1970; Bohman and Bachmann, 1997; Nilsson and Silander, 2014). The ENP was advocated as the EU’s initiative to promote democracy in its Eastern neighbourhood after the enlargement of 2004 and 2007. The ambition of the Commission was to create a ‘ring of countries, sharing the EU’s fundamental values and objectives’ and pushing neighbouring states to ‘be like us, but not one of us’ (Avery, 2008).

The 2003 Rose revolution in Georgia and the 2004 Orange revolution in Ukraine provided the EU with policy windows, however, with significantly lower starting points in terms of common values and democracy standards, than in the case of recent EU Member states (Kelley, 2006).

The ENP should be approached as a democratisation tool (Ferrero-Waldner, 2006). However, it might be criticised in terms of being an unidirectional, badly coordinated and ‘one-size-fits-all’ process (Crawford, 2000; Börzel and Risse, 2004; Barbé and Johansson-Nogués, 2008). There have been more critical assessments of the EU regarding its attempt to democratise East European countries than positive feedbacks.

‘One can assume that the democracy promotion is present within the objective of [the ENP] as an element of stability’, since the ‘stability is closely linked to democratisation, political reform and good governance’ (Ghazaryan, 2010: 223-246). In the context of shared values, democracy promotion also constitutes one of the main objectives of the ENP (Tocci, 2007). The common values of the ENP include:

*‘strengthening democracy and the rule of law; the reform of the judiciary and the fight against corruption and organised crime; respect of human rights and fundamental freedoms, including freedom of media and expression, rights of minorities and children,*

*gender equality, trade union rights and other core labour standards, and fight against the practice of torture and prevention of ill-treatment'* (The European Commission, 2004: 13).

Ian Manners argues that 'the central component of normative power Europe is that the EU exists as being different to pre-existing political forms, and that this particular difference predisposes it to act in a normative way' (Manners, 2002: 242). From the critical point of view, portraying the EU as a 'force for goodness' in international society is a self-assessment of Brussels (Sjursen, 2006). The concept of normative power Europe is considered to be over theorised by several authors (Pace, 2006; Sjursen, 2006). The importance of the EU norms and values should not be neglected in its foreign actorness, however, the Union has to be careful in its rhetoric in order not to offend anyones sensibilities (Johansson-Nogués, 2007).

Multilateral and bilateral treaties concluded by the EU with its neighbouring countries and its other foreign policy instruments, usually incorporate EU's values and clauses on human rights. More precisely, the EU requires commitment of a cooperating country to ratify and implement values protected by the UN Human Rights declaration, the OSCE and the Council of Europe Standards. In the cooperation process, political dialogue, country reporting, action planing and progress reporting, benchmarks of the EU are: 'democracy and the rule of law', 'human rights and fundamental freedoms', 'fundamental social rights and core labour standards', as well as 'sustainable development' under 'economic and social reform and development' (Manners, 2010). The EU promotes the engagement of human rights organisations, such as Council of Europe and others in the process of 'value sharing' (Manners, 2010). Moreover, the EU attempts to ensure promotion of values coherently and consistently (Manners, 2010). There is no standard definition of EU's values. The most commonly, in the context of Eastern cooperation, this standard refers to political and economic criteria defined at the Copenhagen Summit, which are considered as the membership criteria (Bosse, 2007). It is important to note that the 'shared values' in the ENP vary not only from partner to partner, but also from initial Commission proposals and Country reports to the final ENP Action Plans, which underlines the incoherency and lack of arrangement, as well as the agreement on the values inside the EU (Bosse, 2007).

Capturing the essence of regimes of the ENP countries in the EU's scholarship has been a challenge, as those states were neither full democracies, nor autoritatian and thereof, usually

referred as ‘semi’, ‘weak’, ‘illiberal’, ‘facade’, ‘pseudo’, or ‘delegative’ democracies (Emerson, 2004: 2).

Pursuant to the EU’s benchmarks, it’s entitled to sanction a partner country due to the lack of the respect of the minimal standards of democracy and protection of human rights. Around 56% of the EU sanctions worldwide are linked to democracy and human rights (Kreutz, 2005), however, the abuses of democracy and human rights have not led the EU to impose sanctions on ENP partner countries (Bosse, 2007). It should be mentioned, that the ENP is designed as a ‘positive policy’, based on incentives rather than sanctions (Emerson and Noutcheva, 2004).

Security rationale has always been in the agenda of the EU, and has provoked internal and external policy frameworks of the Union. The ENP is widely linked to the EU’s security agenda (Dannreuther, 2004). Once the ENP was firstly announced, a security problem of the EU was emphasised:

*‘a number of overriding objectives for our neighbourhood policy: stability, prosperity, shared values and the rule of law along our borders are all fundamental for our own security. Failure in any of these areas will lead to increased risks of negative spill-over on the Union’.*<sup>5</sup>

In 2002, the Copenhagen Summit prioritised the security issue and stated that it is a necessary step to ‘take forward the relations with neighbouring countries based on shared political and economic values’ after the enlargement of the EU (Copenhagen European Council, 2002: 6).

In 2004, the Commission proposed the ENP strategy paper with a purpose to establish:

*‘effective multilateralism, so as to reinforce global governance, strengthen coordination in combating security threats and address related development issues. Improved co-*

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<sup>5</sup> Joint letter by EU Commissioner Chris Patten and the EU High Representative for the Common Foreign and Security Policy on Wider Europe. 7 August 2002.



*ordination within the established political dialogue formats should be explored, as well as the possible involvement of partner countries in aspects of the CFSP and ESDP, conflict prevention, crisis management, the exchange of information, joint training and exercises and possible participation in EU-led crisis management operations'* (European Commission, 2004:13)

The initial objective to protect the European security through the ENP was also reflected in the Wider Europe Communication, which acknowledged that 'security, stability, and sustainable development to [the EU's] citizens will no longer be distinguishable from its interest in close cooperation with the neighbours' (Wider Europe Communication, 2003: 3).

On a later stage, the Council stated that the objective of the ENP was 'to share the benefits of an enlarged EU with neighbouring countries in order to contribute to increased stability, security, and prosperity of the European Union and its neighbours' (General Affairs and External Relations Council, 2004: 6). The security threat 'both within and between the neighbouring states' became the main catalyst of the introduction of the ENP policy (Cremona, 2009; Ghazaryan, 2010: 223-268). After the initial agreement introducing the ENP policy, 'the EU gains improved security around its borders. Increased cross border cooperation should have help the EU to tackle problems from migration to organised crime, because EU partners sign up to stronger commitments on the fight against terrorism, non-proliferation of WMD, and to the peaceful resolution of regional conflicts' (Ferrero-Waldner, 2004; Cremona and Hillion, 2006: 4).

The Action Plans within the framework of the ENP incorporate the security issues as an increasingly important aspect of cooperation. Successful implementation of the Justice and Home Affairs cooperation requirements would be rewarded with visa liberalisation agreement with respective partner country. The policy documentation of the EU incorporated policy modifications, policy cooperation frameworks and border management issues, independent judiciary, etc.

The EU as a 'soft power' regarding the security issues, which has a position of supporting territorial integrity of Georgia and is not greatly engaged in the security threats of the country, immersed ambitions of Georgia in its process of accession to the NATO and did not undertake costly reforms within the CSDP missions of the EU (Emerson, Noutcheva and

Popescu, 2007). Although, Georgia keeps negotiating with the EU to ensure its broader engagement in the territorial integrity problems and security threat of the region. Georgian diplomats expected that the cooperation in CFSP acts would bring further security guarantees to the country (Grant, 2006). In the negotiation on the ENP AP Georgia was willing to give priority to conflict resolution, border assistance and free trade with the EU, however, it was disappointed not to achieve results in this regard (Emerson, Noutcheva and Popescu, 2007).

The dynamic government of Georgia achieved to reincorporate autonomous republic of Adjara under the control of Tbilisi, what led to an impressive strengthening of the state authority on the entire territory of Georgia. However, the Saakashvili administration, characterised by rapid, impulsive and forceful solutions, impeded the long-term strategic development of political approach towards Abkhazia and South Ossetia (Emerson, Noutcheva and Popescu, 2007). Whilst reintegration of the breakaway regions of Abkhazia and South Ossetia is a top priority for Georgia, the AP Georgia is not fully complying with Georgian ambitions to obtain greater involvement of the EU in the conflict resolution. Despite this, the EU is committed to contribute to the conflict settlement on Georgian territories and to respect its territorial integrity (The European Commission: 2006:17).

The EU has been quite reluctant in its engagement to the secessionist entities of the ENP countries (Transnistria, Abkhazia, South Ossetia and Nagorno Karabakh), apart from humanitarian and rehabilitation projects (Emerson, Noutcheva and Popescu, 2007). The EU is becoming more and more involved in the Southern Caucasus conflicts and is pursuing the ideas of offering aid for educational projects, support of civil society and enhancing people-to-people contacts (Emerson, Noutcheva and Popescu, 2007). Georgia permanently declares that the importance of the EU's involvement in the conflict resolution process is significant and therefore, its active engagement in Georgian-Russian relations should be prioritised in the frameworks of security cooperation.

Other international actors have supported security and stability of Georgia as did the EU, especially the USA, as a strategic partner of the country. Georgian government had a full support of the President Bush's administration (Mitchell, 2008), as well as some of the Member states of the EU, such as Poland and Baltic states, which also support the US's security positions regarding Georgia (Asmus, 2010). The official visit of President Bush to Georgia in 2005, and several visits of State Secretary Condoleezza Rice between 2004-2008,

proves the significance and intensity of a dialogue between the US and Georgian administration regarding the security issues.

It is worth mentioning, that in fact, the EUMM is the only international mission, currently on the ground in Abkhazia and South Ossetia, which gives the Union a status of an increasingly important actor. However, Russian authorities did not grant the EUMM access to Abkhazian and South Ossetian sides. Even though importance of the EUMM is significant and decisive for Georgia, substantially this mission has a monitoring mandate that ensures prevention of further escalation of conflict and does not provide assistance in conflict resolution.

Consequently, security cooperation has become a prioritised dimension of cooperation between the EU and Georgia. Although, the interests of cooperating parties differ from each other. On one hand, the EU aims at stabilising situation nearby its borders and engaging in security issues, as far as it does not undermine its own internal security interests (taking into consideration the Russian factor), on the other, Georgia persistently urges the EU to become more actively involved in the conflict management issues and in the stabilisation of relations with Russia.

The economic cooperation of the EU with its neighbours has always been significant dimension in the external relations of the EU. The Union has promoted its *acquis* in various frameworks of cooperation (Dimitrova and Dragneva, 2009). If a partner country harmonises its legislation with the *acquis communautaire*, the Union opens its market and offers access on a free movement of goods, service, capital and people. The economic integration, as a significant dimension of cooperation, is also incorporated in the EU-Georgia relations.

The economic cooperation between the EU and Georgia was not based on a strong socio-economic linkage, neither in a newly independent Georgia, nor during Saakashvili's governance (Table 8). However, significant steps were undertaken in the second transitional period of Georgia, in terms of achieving country's economic integration with the EU.

Table 8 – The Trade Share with Georgia 2003-2009

Partners	2003	2004	2005	2006	2007	2008	2009
European Union	34	32	30	29	28	27	29
Russia	15	14.5	16	14	9.5	6	6
USA	6.6	5.3	5	4	5.5	6	6
Turkey	12	13	12	14	14	15.5	17
Armenia	2.6	3.2	2.5	2.5	2.6	2.5	1.7
Azerbaijan	7	7.3	9.5	9	8	10.5	10
Ukraine	7	6.3	7.7	8	10.6	10	8.6
China	1.5	1.3	1.6	2.5	3.3	4	3.5

*\*International Monetary Fund*

Since 2004, foreign direct investments (the FDI) from the EU to Georgia have increased notably, but still that was too low level for significant implicat and economic developments. The FDI to Georgia also flowed from Turkey, Russia, Azerbaijan, Kazakhstan, other post-Soviet countries and the USA (Civil Georgia, 22 May 2009; Civil Georgia, 16 September 2009).

Access to the internal market of the EU is the biggest incentive that the Union may offer to its partner countries, especially to its Eastern neighbourhood (Börzel, 2010). The size of EU's market on one hand, and the lack of alternative reliable markets on the other, promises important benefits to Eastern European countries and amongst them – Georgia (Vachudova, 2007). However, participation in the internal market of the EU requires implementation of costly and complex regulations in fields of competitions, environment, social products and

product standards (Noutcheva, Emerson and Popescu, 2007). Until a reliable compliance with the EU's standards is reached, the Union is reluctant to grant market access, including access for agricultural products, services and labour (Vachudova, 2007).

The market of the EU is demanding and challenging for third states, even if they are willing to achieve an access to it. Joining the common space of free movement of goods, services, people and capital, requires adaptation of high cost reforms. The EU rules, as a complex system of legislation, are not clear enough for third states when ensuring their implementation in the national legal order. The EU standards and regulatory practices, including the case law, impact broad areas of cooperation, such as, for example food safety and its standardisation. Methodologically, the harmonisation process of the EU's legislation is dealt with the principle of conditionality. The more the Union is aspired towards free trade with a partner country, the stronger is the conditionality component in the cooperation policy. It should be mentioned, that the EU rules and norms are not subject to negotiation (Lavenex and Schimmelfennig, 2009).

The ENP AP Georgia provides a framework for reforms, benchmarks and a time frame of five years for implementation (AP Georgia, 2006). For the institutionalisation of economic cooperation between the EU and Georgia, the AP is a step towards future economic integration. Within the EU, on the political level, the Baltic States have been the most active ones in supporting the post-Soviet countries' domestic reforms and transition to market economy principles (Galbreath and Lamoreaux, 2007).

The EU has granted Georgia an arrangement of the General System of Preferences (GSP+) in 2005, which covers 7,200 products free of duty and all main goods exported by Georgia, exempting wine (GSP, 2005). The GSP+ was renewed in 2009, after Georgia ratified the main conventions on human rights, labour rights, good governance and environmental issues.

Transposition of the EU *acquis* is linked to the economic cooperation and perspectives of future economic integration. It might promote economic reforms in the ENP frames (Fantini and Dodini, 2005). Economic dimension of the ENP remains vague, since the APs give only broad guidelines without specific timeframes and thresholds (Gawrich, Melnykovska and Schweickert, 2009; Noutcheva, Emerson and Popescu, 2007). For the time being, economic integration remains to be bilateral instrument, having basic trade component and depending

on the mutual interests of cooperating parties (Gawrich, Melnykovska and Schweickert, 2009). The major issues of economic cooperation are postponed for the future (Lavenex, 2007; Lippert, 2007).

There was no precedent of the EU *acquis* expansion to the Eastern neighbourhood without offering a membership perspective (Dragneva and Wolczuk, 2012). Complexity of the EU law corpus makes the process of approximation even harder for third states. Legal reforms in third states are dominantly donor-driven, and the compliance with donor norms became a synonym of a success in legal reform, whilst a major problem is insufficient adaptation to the local conditions or lack of domestic demand (Dragneva and Wolczuk, 2012). In other words, local demands of third states do not usually fit the international formal law demands. Notably, 'rather than being passive recipients, legal actors in the targeted state actively choose elements and reject others, interpret terms consistent with local perceptions and understandings, and modify or rework institutions, rules and practices in light of domestic circumstances' (Peerenboom, 2006: 827). Moreover, 'efforts in the area of law reform must be led by the countries themselves, and must have broad societal consensus to be sustained' (Dañino, 2004). Top-down perspective of law exporting does not usually stimulate the rule application on the domestic level.

Harmonisation of laws of third states with the EU legislation encompasses wide scope of policy areas, including industrial products, sanitary and phyto-sanitary standards, as well as competition law (ENEPO, 2007). Action Plans regarding the market related areas are rarely specific. Commonly, they refer to the 'EU norms' or 'international and EU standards' that are not fully comprehensive for third states. Lack of clarity of rules may result in: (a) need for institutions for its subsequent specification; (b) danger of discretionary interpretation; and (c) lack of clear benchmarks for evaluation of progress (Dragneva and Wolczuk, 2012).

The EU law has not been designed for poorer countries agenda, rather it is a result of negotiations, agreements between the Member states and demonstrates compromises on common rules for themselves, over decades of European integration (Grabbe, 2003). 'The progress in bilateral relations with the EU directly influences the third country's attitude towards the implementation of the *acquis*...it could be argued that any decision to accomplish the effective implementation of the relevant *acquis* is both political and legal' (Petrov, 2008: 37-38). The effective adoption of the EU's regulatory measures demands more

clarity and determinacy (Schimmelfennig and Sedelmeier, 2005). Voluntary aspects of the ENP with 'low-risk' and 'low-cost' weaken the effectiveness and credibility of the EU as a law exporter (Dragneva and Wolczuk, 2012: 217-240).

Consequently, the promotion of better underrating of local demands of third states should be considered as beneficial factor for rule adoption in terms of their effective application. In the process of economic integration, engagement of the EU, local governments, non-governmental actors and business sectors should be taken into consideration. Moreover, without the clear perspective of membership third states seem to be reluctant to harmonise their domestic legislation with the EU *acquis*, that postpones the process of economic integration for an unlimited time.

#### **4. 3. 1. Instruments of the ENP**

The Commissions proposals of May 2004, announced the forthcoming bilateral Action Plans for each partner country of the ENP. In September 2004, the proposal was followed by new European Neighbourhood and Partnership Instrument (the ENPI), being a framework for technical assistance between the Member states and neighbouring countries. The Actions Plans were signed with each country of the ENP in November 2006, on the basis of the Country reports prepared by the European Commission. Jointly agreed documents were adopted with the spirit of establishing 'an increasingly close relationship' and with the aim of 'further integration into European economic and social structures' (AP Georgia, 2006).

##### ***Action Plan Georgia***

The Action Plans (the APs) are the most tangible elements of the ENP (Johansson-Nogués, 2007). The APs do not replace bilateral agreements concluded with neighbouring countries and do not constitute new legal agreements, rather they provide new objectives and priorities of common actions of partners, based on shared values of the EU and cooperating country. The main objective of the APs is to push and prioritise the implementation of cooperation areas of PCAs. Even though there exist similarities between the Action Plans and Association Agreements used for accession processes, the Action plans do not constitute legal documents (Kelley, 2006).

The negotiations on the APs were conducted on an intergovernmental level, where short-term political agenda of Member states dominated over the long-term political strategy (Bosse, 2007). The civil society representatives were rarely involved in the negotiation process. Also, on the level of negotiation, the ENP countries did not seem to endorse or agree on the importance of the 'shared values' in the APs (Bosse, 2007).

According to the Council 'action plans should be comprehensive but at the same time identify clarity, a limited number of key priorities and offer real incentives for reform' (The Council, 2006). Aps, as the cross-pillar instruments, include political and economic objectives. Therefore, the Commission has to coordinate the content with the Member states of the EU, Presidencies and the CFSP High representative. The APs envisage cooperation on foreign and security policy, economic development, poverty reduction, cooperation on trade related issues, development of the energy sector, cooperation in the field of justice, freedom and security, conflict resolution, the fight against the terrorism, etc (Action Plan Georgia, 2006). The APs comprise a wide range of priority areas with no binding force, however, their successful implementation is not meaningless, rather it serves the objective of developing prospect enhanced cooperation. Action Plans incorporate the principle of differentiation, as the Strategy Paper provides:

*'Action Plans with each partner will be differentiated. Differentiation should at the same time be based on a clear commitment to shared values and be compatible with a coherent regional approach, especially where further regional cooperation can bring clear benefits'* (Communication from the Commission, 2004: 8).

The principle of differentiation within the framework of ENP increases the possibility of cooperating countries to express their pro-European aspirations in the process of Europeanisation. The APs, as bilateral instruments based on the principle of differentiation, set comprehensive Chapters covering subject matter of the EU *acquis*, which include four freedoms of the Union. To some extent, the APs incorporate the Copenhagen criteria regarding the democracy and human rights, and sectoral cooperation (Emerson and Noutcheva, 2005).



Eventually, APs are jointly agreed, and jointly owned agendas of the Union and a partner country (Emerson and Noutcheva, 2005). Content of the AP Georgia is comprehensive, as it was already mentioned above, and incorporates priority areas of cooperation (Table 9).

List of priorities provided by the AP Georgia is limited in the context of their implementation, and neighbouring countries have to do a lot of homework to ‘translate’ them into policy guidelines for the local governments (Raik, 2006). Beyond priority areas, the AP Georgia defines goals of cooperation and actions necessary to be taken in order to achieve cooperation objectives (Table 10).

Table 9 – The Priority Areas of the AP Georgia

Priority area 1	Strengthen the 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).
Priority area 2	Improve the business and investment climate, including a transparent privatisation process, and continue the fight against corruption
Priority area 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

Priority area 4

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

Priority area 5

Strengthen regional cooperation

Priority area 6

Promote peaceful resolution of internal conflicts

Priority area 7

Cooperation on Foreign and Security Policy

Priority area 8

Transport and Energy

*\*Action Plan Georgia, 2006*

Table 10 – The Objectives and Mutual Actions of the AP Georgia

<p>Political Dialogue and reform</p>	<ol style="list-style-type: none"> <li>1. Democracy and the rule of law, human rights and fundamental freedoms: <ul style="list-style-type: none"> <li>• Strengthening the stability and effectiveness of institutions, guaranteeing democracy and the rule of law;</li> <li>• Reform of the judicial system;</li> <li>• Civil service reform;</li> <li>• Fight against corruption;</li> <li>• Strengthening democratic institutions;</li> <li>• Ensuring respect for human rights and fundamental freedoms.</li> </ul> </li> <li>2. Cooperation on foreign and security policy, conflict prevention and crisis management: <ul style="list-style-type: none"> <li>• Strengthen political dialogue and cooperation on foreign and security matters;</li> <li>• Further develop co-operation in addressing common security threats, including non- proliferation of weapons of mass destruction and illegal arms exports;</li> <li>• Strengthen efforts and cooperation in the fight against terrorism.</li> </ul> </li> <li>3. Regional Cooperation: <ul style="list-style-type: none"> <li>• Participation in regional cooperation initiatives.</li> </ul> </li> </ol>
<p>Cooperation for the settlement of Georgia’s internal conflicts</p>	<ol style="list-style-type: none"> <li>1. Promote sustained efforts towards the peaceful resolution of the conflict in Tskhinvali region/South Ossetia, Georgia.</li> <li>2. Promote sustained efforts towards peaceful resolution of the conflict in Abkhazia, Georgia.</li> </ol>

<p>Cooperation in the field of Justice, Freedom and Security issues</p>	<ol style="list-style-type: none"> <li>1. Cooperation on border management: <ul style="list-style-type: none"> <li>• Develop an efficient and comprehensive border management system;</li> <li>• Intensify trans-border cooperation between Georgia, The EU Member States and neighbouring Countries.</li> </ul> </li> <li>2. Migration issues (legal, illegal, readmission, visa, asylum): <ul style="list-style-type: none"> <li>• Develop cooperation on migration issues;</li> <li>• Enhanced dialogue on migration issues, including prevention and control of illegal migration and readmission of own nationals, stateless persons and third country nationals;</li> <li>• Take steps to modernise the national refugee system in line with international standards and an IDP protection system that is self-sustaining and that offers integration opportunities for those who qualify;</li> <li>• Facilitate the movement of persons.</li> </ul> </li> <li>3. Fight against organised crime, trafficking in human beings, drugs and money-laundering: <ul style="list-style-type: none"> <li>• Strengthen efforts and co-operation in the fight against organised crime;</li> <li>• Reinforce the fight against trafficking in human beings, especially in women and children, (as well as activities to integrate victims of such trafficking) and smuggling of illegal migrants;</li> <li>• Further strengthen the fight against illicit drug trafficking, including precursors diversion, and against drug abuse, in particular, through prevention and rehabilitation of drug addicts;</li> <li>• Strengthen efforts and co-operation in the fight against money-laundering.</li> </ul> </li> <li>4. Police and judicial co-operation: <ul style="list-style-type: none"> <li>• Develop international and regional judicial and law enforcement cooperation;</li> <li>• Further develop co-operation between Georgia and EU Member State judicial and law enforcement authorities.</li> </ul> </li> </ol>
<p>Economic and social reform, poverty reduction and sustainable development</p>	<ol style="list-style-type: none"> <li>1. Continue to pursue prudent macro-economic policies in cooperation with IFIs.</li> <li>2. Take significant steps to reduce levels of poverty.</li> <li>3. Enhance agricultural production and rural development.</li> <li>4. Improve market economy functioning and strengthen economic growth through structural reforms.</li> <li>5. Promotion of sustainable development.</li> </ol>

Trade-related issues, market and regulatory reform

1. Movement of goods:

- Trade Relations;
- Agriculture;
- Customs;
- Standards, technical regulations and conformity assessment procedures (EU harmonised areas);
- Sanitary and phyto-sanitary issues.

2. Right of establishment, Company Law and Services:

- Right of establishment and Company Law;
- Services;
- Financial services.

3. Movement of capital and current payments:

- Ensure full application of PCA commitments under Chapter V (Current Payments and capital).

4. Movement of persons, including movement of workers:

- Full implementation of commitments under Article 20 of PCA (labour conditions).

5. Other key areas:

- Taxation;
- Competition policy;
- Intellectual and industrial property rights;
- Public procurement;
- Statistics;
- Public Internal Financial Control and related issues.

Cooperation in specific sector, including: transport, energy, environment, telecommunications, research and innovation

1. Transport:

- Implement selected measures and reforms in the road transport sector;
- Implement selected measures and reforms in the railway transport sector;
- Implement selected measures and reforms in the aviation sector;
- Implement selected measures and reforms in the maritime sector;
- Regional transport cooperation.

2. Energy:

- Energy policy convergence towards EU energy policy objectives;
- Gradual convergence towards the principles of the EU internal electricity and gas markets;
- Progress regarding energy networks;
- Progress on energy efficiency and the use of renewable energy sources.

3. Environment:

- Take steps to ensure that conditions for good environmental governance are set and start implementing them;
- Take action for prevention of deterioration of the environment, protection of human health and achievement of rational use of natural resources according to with the commitments of Johannesburg Summit;
- Enhance co-operation on environmental issues.

4. Information Society and media:

- Further progress in electronic communications policy and regulations. Development and use of Information Society applications;
- Regional cooperation.

5. Science and technology, research and development:

- Develop Georgia's capacity in technological R&I to support the economy and society;
- Prepare Georgia's integration into the European Research Area and into the Community R&I Framework Programmes on the basis of scientific excellence.

People-to-people contacts	<ol style="list-style-type: none"> <li>1. Education, training and youth:           <ul style="list-style-type: none"> <li>• Reform and modernise the education and training systems, within the framework of Georgian plans towards convergence with the EU standards and practice;</li> <li>• Enhance co-operation in the field of education, training and youth.</li> </ul> </li> <li>2. Public health:           <ul style="list-style-type: none"> <li>• Health sector reform.</li> </ul> </li> <li>3. Culture:           <ul style="list-style-type: none"> <li>• Enhance cultural co-operation.</li> </ul> </li> </ol>
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\* *Action Plan Georgia, 2006*

The European Commission enumerated possible receiving benefits for the effective implementation of the ENP AP and proposed number of incentives to partner countries, among them:

- a perspective of moving beyond cooperation to significant degree of integration, including the internal market of the EU;
- an upgraded political cooperation;
- opening of economies, reduction of trade barriers;
- increased financial support;
- participation in Community programmes promoting cultural, educational, environmental, technical and scientific links;
- support for the legislative approximation to meet EU norms and standards;
- deepening trade and economic relations (Kelley, 2006).

In practice, it has been so far hard to see how the APs provide ‘real incentives for reform’, especially because of the fact that sometimes it is not clear who is supposed to take the action in its fulfilment – the EU or the partner state (Smith, 2005). When it comes to practical application of the AP Georgia, the EU is more focused on enhancing effectiveness of state institutions in providing public goods and services rather than democracy and human rights promotion, which reflects EU’s preference for political stability (Börzel, Stahn and Pamuk, 2011). Del Sarto and Schumacher conclude that APs seem to be an acknowledgement of the

‘one-size-fit-all’ solutions, and are no longer successful (Del Sarto and Schumacher, 2005), as they are supposed to be based on the principle of joint ownership and differentiation.

### ***Country Report***

The ENP strategy paper was accompanied by the first set of Country reports (The European Commission, 2004), which outline and summarise current state of relations between the EU and respective cooperating state. Those reports are an integral part of the working documents of the Commission. The content of the Country reports are usually critical in assessment of the respective partner countries’ democratic standards, election conduction, independency of judiciary system, corruption, freedoms of expression, protection of human rights, torture and ill treatment, etc (The ENP Country Report Georgia, 2005; 2012; 2013). The Country report on Georgia, as an instrument of monitoring the ENP implementation process, stresses importance of the commitment of Georgia to ‘consolidating democracy, protection of human rights and fundamental freedoms’ (The ENP Country Report Georgia, 2005). Indicators and evaluations of Country reports are crucial for the establishment of closer links with the EU, as well as for prospect technical and financial assistance.

Regulatory country reports evaluate the progress of a partner country in order to offer an innovative and upgraded contractual relationship, possibility of political association and economic integration. It is not clear how the EU might evaluate progress of a partner country, especially because it doesn’t provide precise benchmarks and timeframes for the partner countries (Smith, 2005). The Progress Reports usually evaluate to what extent does the partner country comply with the requirements of the EU. Not surprisingly, external policy of the EU usually reflects internal agenda and therefore, includes self-oriented interests of the EU in its policy documents.

### ***The European Neighbourhood and Partnership Instrument, 2007-2013***

The Commission proposed an increase in financial resources to the ENP countries for 2007-2013 (Table 11). Since 2007, the ENPI replaced the before existing financial assistance of the EU towards the ENP countries. The ENP constitutes mainly a soft law framework, which includes the Country Reports and Action Plans as tools of prioritising areas of mutual actions and their future monitoring. The AP Georgia 2006 or the ENPI 2007 do not replace the PCA



Georgia. However, in the context of technical assistance, the ENPI has been introduced to replace the previous financial instruments – TACIS and MEDA, which operated towards EU’s neighbourhood before the introduction of the ENP. Objectives of the ENPI are delivered through the PCAs, Commission Communications and Council Conclusions, which set out overall strategy of the EU towards its neighbours.

The main objective of the ENPI is to support partner countries’ commitments in sharing common values and principles (The European Commission, 2004), more precisely: the promotion of social development and gender equality, employment and social protection, labour standards, the protection of human rights and fundamental freedoms and support for democratisation and fostering the development of civil society (The European Commission, 2004).

Table 11 – The European Neighbourhood Policy Instrument of 2007-2013

Year	2007	2008	2009	2010	2011	2012	2013	Total
Million Euros	1,433	1,569	1,877	2,083	2,322	2,642	3,003	14,929

*\*The EU Commission, 2007-2013*

#### **4. 3. 2. Limits of the ENP**

Content of the ENP was already been examined above, but the political interpretations of the policy are increasingly important in order to evaluate it in a wider political context. In 2000, the Commission President Romano Prodi declared that the ‘West has to be prepared to offer more than partnership and less than membership without precluding’, and that the EU is ready to share with its neighbouring countries ‘all but institutions’ (Prodi, 2002). The president of the European Commission declared further that ‘my aim is giving [EU neighbours] incentives, injecting a new dynamic in existing process and developing an open and evolving partnership. This is what we call our proximity policy, a policy based on mutual benefits and obligations, which is a substantial contribution by the EU to global governance’ (Prodi, 2002).

It has already been broadly discussed that the main challenges of the ENP are inconsistency, lack of clarity and incoherence, caused by the incompatible positions of Member States and the EU (Edwards, 2008). Confusing messages of the EU and Member States continuously impose limits on the effectiveness of the ENP (Edwards, 2008). Moreover, the ENP demonstrates inconsistencies, due to its rather high demands with very weak conditionality (Gawrich, Melnykovska and Schweickert, 2009).

In EU scholarship some authors consider that ‘despite the [ENP’s] stated objectives the European Neighbourhood Policy is actually reproducing – if not reinforcing – some of the existing barriers between the EU and its neighbours and, more problematically, is creating new ones. There is, therefore, an inherent tension within the ENP between the goal of ‘friendship’ and the construction of ‘fences’ (Zaiotti, 2007: 144). Moreover, the EU is attempting to handle its relations with the neighbourhood by doubts and ‘friendly’ aims at the same time, whilst such approaches of management create additional threats for either of the cooperating parties (Zaiotti, 2007). It is important to note, that ‘the ENP indeed presents the symptoms of the gated community syndrome’ based on so-called ‘Schengen culture of internal security’ (Zaiotti, 2007). Zaiotti further explains tension between openness and closure of the EU, its friendship and fences and provides that this approach could be understood in terms of ‘gated community syndrome’, which leads to an evolutionary ‘Schengen culture of internal security’ (Zaiotti, 2007: 151).

Reasons of complexity of the ENP exist inside the EU and not only outside its borders (Schülze, 2009). However, due to the principle of loyalty, Member states end up with resolving internal disputes and only to some aspects are achieving common positions on external relations in terms of better internal operation of the EU. Beyond constitutional obligations it is hard to state that there exists harmonious common position inside the EU – among its Member states (Kochenov and Basheska, 2015).

It is highly misleading to treat all Member states as monolithic block with identical interests and similar strategies (Kratochvíl, 2007). For Poland and the Baltic states the Eastern dimension of the ENP is top priority and for the Visegrad countries, and for Bulgaria and Romania – one of several priorities (Kratochvíl, 2007). Hence, some Member states are not willing to upset Moscow by interfering in its neighbourhood (Baun, 2007). Variety of approaches within the EU leave a significant room for action for the authoritarian regimes in

the neighbouring area of the EU, which competes with democracy exporting process of the EU. The Baltic States and Poland have always been strong political advocates and supporters of further financial assistance to Ukraine, Moldova and the countries of Southern Caucasus (Galbreath and Lamoreaux, 2007; Zaborowski and Longhurst, 2003).

As we have already mentioned, Poland is one of the active EU Member states in supporting Eastern Neighbouring countries that are demonstrating, their pro-European aspirations. Baltic States and Southern Caucasus countries created a '3+3 initiative' in order to achieve political and economic transformation of Eastern neighbours through closer cooperation. The coordination office was established in 2004, and the three Baltic States have been selected for specialised cooperation with Georgia, which includes police cooperation – supported by Estonia, transition strategy – coordination Lithuania, and conflict resolution – with the involvement of Latvia (Emerson, 2004). Moreover, Greece announced its intention to launch a new impetus for the EU's involvement in the Black Sea within the framework of Black Sea Economic Cooperation organisation (BSEC) (Emerson, 2004).

The EU is usually criticised for failing to promote its key values externally, most importantly – peace and stability (Williams, 2010). The case of Armenia, which is de facto lost for the ENP due to Russian pressure (Ghazaryan, 2014), and the unprecedented Crimea case, provokes serious questions about the effectiveness of external policies of the EU (Kochenov and Basheska, 2015). Moreover, the post-Crimea European reality constitutes a clear example the EU's engagement towards its neighbourhood must be revised (Kochenov and Basheska, 2015). At the very beginning of ENP's introduction it was suggested that the policy itself is created to increase security and prosperity near the EU borders and that the approximation of *acquis communautaire* would be a challenge for neighbouring countries, as far as they are struggling for basic economic reforms (Smith, 2005). The security challenges in the post-Soviet area, influenced by the destructive position of Russia, obviously undermine the stable development of EU's neighbouring countries (Petrov, 2009).

The EU has not insisted on strong regional and multilateral component in the ENP, rather it is focused on strengthening the bilateral links with its neighbouring countries. It might have two presumable explanations: on one hand, disparities between the ENP countries are so crucial that domestic conditions exclude successful regional cooperation, and on the other, the EU unilaterally approaches fostering peace and prosperity in each neighbouring country. The

ultimate assumption is less convincing, since the EU constitutes the unique example of regionalism and has already achieved prominent success in promotion of regional cooperation in case of Western Balkan countries. The South Caucasus is usually referred to as a region, nevertheless, none of the major international political actors cooperate with those three states as a region, each of them has different relations with international players, including the EU (Ghazaryan, 2010).

Various political scenarios in the Black Sea region, generally in the Eastern neighbourhood of the EU, complicates the process of implementation of multilateral dimension of the ENP. The so-called 'Southern Caucasus states' are significantly different in their political aspirations: Georgia aspires nothing less than the EU and NATO membership, Azerbaijan stresses its genuine values and commands control over substantial resources, and Armenia is geographically isolated and maintains close relations with Russia (Börzel and Pamuk, 2011).

The EU has appointed a Special Representative for the Southern Caucasus in 2003, with the aim of coordinating the EU's activities in the region. The initial competence of the Special representative included prevention of conflicts and peace promotion, however, the mandate was gradually developed and modified, and currently it includes the settlement of conflicts and facilitation of implementation of conflict settlement process in cooperation with other conflict management frameworks (Council Joint Action, 2006).

Taking into consideration all of the above-mentioned critics, the most important challenge for the ENP is the unclear perspective of membership for the neighbouring countries. The EU posits that ENP constitutes an alternative policy to enlargement and was introduced to develop friendly relations with neighbouring countries (Haukkala, 2008; Nilsson and Silander, 2014). However, the EU Treaty's provisional regulations provide possibility of membership for any European democracy, meaning that the EU is bound by its constitutional basis to open doors to its European partners. It is clear that in the cases of Moldova, Georgia and Ukraine, they aspire nothing less than a membership perspective (Emerson and Noutcheva, 2007).

Even though there exists connection between the ENP and enlargement policy, the ENP is not about enlargement, furthermore, the amendments in the Treaty of Lisbon confirm the distinction between the ENP and enlargement. However, both of them imply similar

methodological approaches (Magen, 2006), namely – conditionality (Kochenov, 2008). The Overarching stabilising goals of both policies strongly link them (Kochenov and Basheska, 2015). In EU studies distinguished authors argue that the ENP ‘rationale [is] based on the need to create secure borders and the need to create an alternative to the enlargement’ (Cremona, 2008). In reality, the ENP suffers from being neither enlargement, nor proper foreign policy, since ‘it cannot exercise conditionality as effectively as the former, nor does it bring to bear all the political tools and levers of the latter’ (Missiroli, 2008: 4). Hübner stated that:

*‘I am convinced that the European Union must keep its doors open to the European countries, which are not yet members. There may be an alternative to the membership of course, which will satisfy some of these states, even though the experience of the European Economic Area does not bode well for alternatives. Excluding some countries by artificially drawing the ‘frontier of Europe’ will only create frustration and problems in future’ (Hübner, 2006).*

According to the political interpretations the ENP, as an alternative framework of accession, it does not initially exclude the prospect of membership. However and so far, there is no precedent of promoting EU *acquis* effectively without the perspective of membership (Wolczuk, 2010).

A clear problem with the ‘front-runners’ is that less ambitious goal seems not to be successful enough (Smith, 2005) in order to achieve common objectives. It has been widely discussed that the conditionality does not constitute efficient tool towards the ENP countries, unless the EU offers membership perspective to countries like Ukraine, Georgia and Moldova, though doing so might have a negative impact on the EU – Russia relations (Smith, 2005). The methodology of Europeanisation, as well as its effectiveness, will be further discussed below.

As we have already mentioned, the most attractive ‘carrot’ – EU membership – is not an offer within the institutional arrangement of the ENP, moreover, the EU competes with Russia as another important external governance provider in Eastern neighbourhood (Schimmelfennig, 2013). The lack of membership perspective and power competition have been identified as one of the core problems of the ENP (Gawrich, Melnykovska and Schweickert, 2009; Kelly, 2006). The membership perspective is the most prominent and powerful stimuli for reforms

in the transitional states (Kelley, 2006). The ENP can be in fact interpreted as a policy for handling the ‘Ukrainian Crisis’, but the EU is permanently rejecting to offer pre-accession strategy to Eastern European countries: Ukraine, Moldova and Georgia (Smith, 2005). However, the ‘Wider Europe’ concept deals with the enlargement logic in sense that it seems to rely on the same instruments, incentives and normative underpinnings as towards potential candidates of the EU membership (Del Sarto and Schumacher, 2005).

In fact, there has always been a strong linkage between the ‘special relationship’ of the EU with its neighbouring countries and the possibility of their accession, since the EU historically achieves successful transformations through incorporation (Inglis, 2002; Maresceau, 2001). The enlargement has been a key tool in projecting stability across the European continent. However, current political reality makes it obvious that the Union cannot expand ad infinitum – everything has its limits (Landaburu, 2006, 23 January Speech). The ‘[Union] must honour present basic commitments, while strictly insisting on the criteria. One of the these criteria is our own absorption capacity – it is clear that in some Member States the pace and scape of enlargement is approaching the limits of what public opinion will accept. To overstretch, rather than consolidate, the Union would be determined not only for us but also our partners’ (Landaburu, 2006, 23 January Speech). The enlargements of 2004 and 2007, which doubled the number of the EU Member states of 1995, raised the critical question of the absorption capacity of the EU (Gungor, 2007). The EU and its citizens seem to be less capable, ready and willing to reach out its borders, and to offer membership to other East European countries (Eurobarometer 257, 2009: 5-20). There remains a significant question whether or not it is legitimate to tell the European countries that they have no membership perspective, when and since, the founding Treaties of the EU declare that all European democracies are eligible for membership (Emerson, 2004; Article 49, the TFEU).

### ***Beyond the Leverage***

The Europeanisation, as a distinctive research area in EU scholarship (Sedelmeier, 2005), includes neighbourhood Europeanisation without declared membership perspective. The ENP is based on similar encompassing notion of Europeanisation as accession policy (Schimmelfennig, 2010). The ENP seems to repeat the EU’s accession conditionality and the principle of differentiation, moreover, the EU uses planning, reporting and assistance procedures in its neighbourhood policy, which is similar to the accession process of the

candidate countries (Schimmelfennig, 2010). The ENP alignment has been unequal and patchy, whereas accession obliges the candidate state to adopt the entire EU *acquis* (Schimmelfennig, 2010). The ENP attempts to resolve the ‘inclusion-exclusion’ problem between the enlarging Union and its neighbours (Smith, 2005). The ENP can be considered as a tool of Europeanisation, which combines elements of integration and stabilisation (Ghazaryan, 2010).

Lavenex suggests that the ‘traditional rationalist, actor-based foreign policy approaches to the ENP, that stress its weakness owing to the absence of accession conditionality may miss an essential part of the EU’s external influence’ (Lavenex, 2008). The author has developed a typology of ‘concentric circles’, which goes beyond the formal borders of the EU and examines countries beyond the membership perspective (Lavenex, 2011). The top-down Europeanisation, as a one-way process towards the target countries, where the third states are passive recipients of the EU demands (Oslen, 2002), has been prolonged within the ENP framework.

The EU is seeking to expand the geographical scope of its rules in order to manage the challenges of interdependency in its neighbourhood, without the membership perspective (Schimmelfennig and Wagner, 2004). In terms of policy design and methodology, the ENP constitutes a product of the enlargement policy (Menon and Sedelmeier, 2010). Conditionality is seen as the most prominent methodological model of enlargement. It has been also argued, that the ENP is modelled as an enlargement process – combining the elements of conditionality and socialisation (Kelly, 2006).

According to the strategy paper, the relationship between the EU and neighbouring countries is considered as ‘privileged relations’ based on ‘mutual commitment to common values’, in this context the conditionality is referred to as ‘the level of the EU’s ambition in developing links with each partner through the ENP will take into account the extent to which these values are effectively shared’ (The European Commission, 2004). However, the Strategy paper notes that ‘the EU does not seek to impose priorities on its partners’ (The European Commission, 2004).

The political conditionality, used in the context of the ENP as a main method of achieving stability and good neighbourliness, economic reforms and strengthening the democracy, has

not been effective so far. The EU has refrained from a consistent and merit-based application of conditionality in the ENP (Börzel, 2010). The lack of membership perspective explains the inconsistent use of conditionality (Börzel, 2010). Obviously, the ENP countries are far from fulfilling the Copenhagen Criteria:

- stability of institutions guaranteeing democracy, the rule of law, human rights, and respect and protection of minorities;
- a functioning market economy with the capacity to cope with competitive pressures and market forces within the EU;
- ability to adopt the *acquis* and accept the aims of economic and political union (European Council of Copenhagen, 1993).

Moreover, the European Council in Madrid stated that the membership criterion also requires that the candidate country must ensure not only the adoption of the *acquis* but also their implementation (European Council of Madrid, 1995).

Leverage model of Europeanisation is likely to be the most effective one, if the EU sets strong and definite conditions for quick and credible accession to the membership, and if the interdependence between the EU and partner country is asymmetrically favouring to the EU (Lavenex and Schimmelfennig, 2011; Kelley, 2006; Vachudova 2005; Epstein and Sedelmeier, 2008). The EU is unwilling to extend the membership perspective beyond current candidates and to commit itself to a conditional accession (Lavenex and Schimmelfennig, 2011; Epstein and Sedelmeier, 2008), even to the front-runners (Georgia, Moldova, and Ukraine).

The effectiveness of conditionality of the ENP countries is clearly weaker than that of the candidate countries, since: (a) the most attractive ‘carrot’ of membership is missing; (b) the conditionality is inconsistent; and (c) the domestic cost of liberalisation are high (Schimmelfennig, 2010). Therefore, democratic conditionality is not effective enough towards the ENP countries. The EU’s *acquis* conditionality has been weak because of credibility of the market access, which is influenced by the projectionist interest groups within the EU and by the exclusion of such sectors such as agriculture, which partner countries have interest in (Schimmelfennig, 2010).



The ENP was also founded on negative conditionality, meaning that the Council may take proper measure if a partner country fails to ensure the principle of democracy, liberty, respect for the human rights, etc. (Article 28, the ENPI Regulation). However, in practice, sanctions of the EU, in the context of the ENP, did not prove to be an effective mechanism for fulfilment of obligations introduced by bilateral framework of cooperation. Thus, the EU might also be considered extremely reluctant in using its negative conditionality (Youngs, 2009; Lavenex, 2008). Only once did the EU invoke negative conditionality towards Georgia, when it has restricted the technical and financial assistance to Georgia in 2003, due to the lack of progress in fighting against corruption (Börzel, Stahn and Pamuk, 2010).

The EU scholarship argues, in different contexts that the capacity of the EU's mechanisms in terms of Europeanisation of the ENP countries is quite limited (Smith, 2005; Weber, 2007; Kelley, 2006; Lavenex, 2004), since the ENP incentives are limited in terms of supporting institutional reforms (Emerson, 2004; Emerson, 2005; Grabbe, 2006; Schimmelfennig, 2007; Schimmelfennig and Sedelmeier, 2005).

Within the EU scholarship some authors consider that the conditionality in the ENP is different, since 'the way to pursue this policy is not anymore political conditionality but rather benchmarks: clear and public definitions of the actions that the EU experts and partners implement' (Rossi, 2004: 25-36). However, benchmarks of conditionality are also vogue, arbitrary, inconsistent and incomplete to achieve the objective (Del Sarto and Schumacher, 2005). Despite the of obvious lack of strong conditionality, 'conditionality – inspired policy instruments' should be observed in the ENP context, as the promises regarding access to the EU market and visa liberalisation in Justice and Home Affairs (Wichmann, 2007; Gawrich, Melnykovska and Schweickert, 2009).

Consequently, it is worth noting that the ENP countries might not be motivated to undertake domestic reforms without the prospect of membership (Grabbe, 2004; Lavenex, 2004). The EU has hardly any leverage to push domestic reforms (Börzel and Pamuk, 2011). The process of Europeanisation towards the ENP countries is considerably weak, methodologically one-way (top-down) process, having direct impact predominantly, with the incentive of closer cooperation and without the perspective of membership (Gawrich, Melnykovska and Schweickert, 2009).

### ***The 'Joint Ownership'***

The EU's limited transformative power might have unintended and sometimes negative effects on the domestic structures of a third state (Börzel and Pamuk, 2011). The toolbox of the EU aims to push reforms on the domestic levels, through helping state and non-state actors with financial and technical resources and by pressuring governments to ensure involvement of non-state actors in the reform process (Börzel and Pamuk, 2008). Domestic conditions of third states matter a lot for the effectiveness and efficiency of the EU incentives. The EU incentives have impacted democratic changes in Georgia more than they did in Armenia and Azerbaijan, where the level of consolidated democracy is lower (Börzel and Pamuk, 2011). Even in Georgia the political elites have 'instrumentalized the fight against corruption to undermine the power of their political opponents...as a result, Europeanisation has had little effect on the informal institutions of clientelism and patronage. EU demands for fighting against corruption have helped to stabilise, rather than to transform the bad governance' (Börzel and Pamuk, 2011).

The ENP allows for political flexibility, meaning that both sides could avoid costly actions and jointly agree on the priorities of cooperation through the APs. Besides the conditionality, another methodological instrument incorporated in the ENP is the socialisation, which means that the actors generate behavioural changes by creating reputation pressures through persuasion (Kelley, 2006). The socialisation, as a main feature of the ENP, is presented and based on the principle of the 'joint ownership' offered by the EU towards its ENP countries (Kelley, 2006).

The Strategy paper on the ENP introduced a principle of 'joint ownership' by suggesting that the EU will not impose priorities or conditions on cooperating countries and will take into consideration mutual interest in defining priorities of cooperation, more precisely:

*'the joint ownership of the process, based on the awareness of shared values and common interests, is essential. The EU does not seek to impose priorities or conditions on its partners... there can be no question of asking partners to accept a pre-determined set of priorities. These will be defined by common consent and will thus vary from country to country'* (The European Commission, 2004).

Del Sarto and Schumacher notice that the ‘joint ownership’ constitutes a positive concept of the ENP, which encourages partner countries for more involvement and moves from ‘passive engagement’ to ‘active engagement’ (Del Sarto and Schumacher, 2005).

Consequently, it is notable that the EU’s assistance and political dialogue towards its neighbouring countries should also be critically assessed as far as it has actually strengthened state institutions in third states, hence, it stabilised the regimes rather than fostered the transformation (Börzel, 2010). However, the ENP and the ‘Wider Europe’ concept is still evolving and therefore, much ‘work [is] in progress’ (Del Sarto and Schumacher, 2005). The common work for changes is shaped by the political willingness of Brussels, the Member states and also by the third states. And so, the next chapter deals with the implications of Georgia on the process of Europeanisation and its actual consequences.

#### **4. 4. THE ‘BOTTOM-UP’ EUROPEANISATION**

The ENP framework, through the principle of conditionality, provides the possibility of ‘one-way’ – Europeanisation from the EU towards a third state, and not in cooperation with a partner country (Tassinari, 2005). The EU has been criticised for one-way Europeanisation, where it acts asymmetrically towards its partners: ‘Europe suggests that the goal is not the establishment of a ‘horizontal’ system in which each of the actors interacts on an equal plane, but ‘concentric’ one, where Europe is the hub and the neighbours various spokes (Zaiotti, 2007: 174). This arrangement reinforces, rather than challenges, the ‘really existing’ disparities between the two camps in terms of population, wealth and power’ (Zaiotti, 2007).

However, the Commission strategy paper stresses that ‘there can be no question of asking partners to accept a predetermined set of priorities. These will be defined by common consent’ (The European Commission 104 final, 2003: 8). Moreover, the Commission noted that ‘benchmarks should be developed in close cooperation with the partner countries themselves, in order to ensure national ownership and commitment’ (The European Commission 104 final, 2003: 16). According to the EU Commission, there exists a possibility of interaction of policies and of sharing the internal preferences of cooperating parties in the process of Europeanisation.

Contrary to the methodology of conditionality, the 'joint ownership' gives the possibility of up - loading and prioritising interests of third states in the agenda of cooperation, whilst conditionality is the unilateral way of Europeanisation. The 'joint ownership', as a flexible mechanism of Europeanisation, secures interests of cooperating parties on equal basis to negotiate and decide the priority areas of cooperation. However, according to some critics, joint ownership undermines the consistency and effectiveness of conditionality (Vachudova, 2007; Börzel, 2010). The 2004 ENP Strategy paper suggest that:

*'The ENP is an offer made by the EU to its partners to which they have responded with considerable interest and engagement. Joint ownership of the process, based on the awareness of shared values and common interests, is essential. The EU does not seek to impose priorities or conditions on its partners. The Action Plans depend, for their success, on a clear recognition of mutual interests in addressing a set of priorities. These can be no question asking partners to accept a pre-determined set of priorities. These will be defined by common consent and will, thus vary from country to country'* (Communication from the Commission, 2004: 8).

On one hand, there remains the lack of actual participation of third states in the policy making process of the EU, whilst on the other, EU's official documents establish the principle of 'joint ownership' in order to ensure participation of partner countries in its policy making process. Obviously, 'the ENP is seen within the EU as an open-ended process continuing beyond the foreseeable future...the impact of its policies on the partner countries, in particular through encouraging local ownership and practising positive conditionality' (Manners, 2010: 42). Therefore, it clearly seems important to define the impact of the domestic policies of Georgia on the process of Europeanisation within the framework of the ENP. The internal reforms and domestic challenges faced by Georgia had their positive and negative impact on the process of Europeanisation.

#### 4. 4. 1. Pro-European Aspirations

The ENP, as a policy instrument, is far from being a strong promoter of democracy on domestic levels of third states. The ENP questions the neighbouring countries, whether or not they are capable and willing of modernisation and reforming domestically (Lippert, 2007).

Depending on the ambitions of the ENP countries, they could be divided into four groups: 1) the *willing* partners, who not only aspire to cultivate close association with the EU (or full membership), but also accept the domestic reform agenda that goes with it; 2) the passive *partners*, who are ready to develop a more substantive relationship with the EU, but are not keen on going through the domestic reforms; 3) the *reluctant* partners, who are unenthusiastic about deeper cooperation and domestic reform agenda; 4) the *excluded* partners, whom the EU itself deemed ineligible for the ENP incentives, or have excluded themselves (Emerson, Noutcheva and Popescu, 2007: 17). In this categorisation Georgia could be considered as a willing partner of the ENP Eastern dimension (Emerson, Noutcheva ad Popescu, 2007).

Domestic actors are in fact main actors of changes on domestic levels (Börzel, 2003). The democratic level of third states influences their actorness in the process of Europeanisation. Differently from other countries of the South Caucasus, the 'relations with Georgia can be described as reactive. Georgia's European aspirations are paying out in the form of more intense cooperation and enhanced assistance, and where the ENP has real potential to boost reforms' (Ghazaryan, 2010: 101).

As it has been already stated, the leverage of the ENP countries is very weak, however, it seems that among other ENP countries Georgia has the strongest leverage towards the EU, taking into consideration the external agenda of Georgia (Ghazaryan, 2010). The EU has been reluctant to use conditionality towards Georgia, it rather relied on its capacity building (Börzel and Pamuk, 2011). Domestic agenda and foreign policy priorities of political actors of third countries significantly impact the process of Europeanisation.

Georgian political leadership aims at full integration into the Euro-Atlantic structures as a part of Europeanisation process. However, difficulties appear in legislative harmonisation, reform of the judiciary, local self-government, development of multi-party structures and independence of the media (Emerson, Noutcheva and Popescu, 2007). In January 2008,

President Saakashvili declared that ‘we are joined by a common unbreakable bond based on culture, shared history and identity, and a common set of values...We will continue our progress towards NATO and the EU’ (Saakashvili, 2008).

The rebranding of Georgia as a historically Black Sea country linked this country to the prospect members of the EU – Bulgaria and Romania. Moreover, Georgian government decided that the European flags would fly over all governmental buildings alongside with Georgian flags, in order to demonstrate firm willingness of integration with the European structures. However, a significant lack of common vision of prospect of political cooperation between the EU and governments of third states remains, which may seriously undermine the common actions of cooperation. As one of the distinguished scholars of Europeanisation noted:

*‘Why should the ENP and other countries engaged with the EU make any efforts to fulfil EU requirements for the respect of human rights, democracy, the rule of law and good governance, if the EU is neither willing to reward those, who comply, nor is capable of pushing others, who do not?’ (Börzel, 2010: 24).*

In the ‘capacity-expectation’ gap, created between the EU and its partners (Hill, 1993; Holand, 2003), there is no space for the EU’s excuse, as a civilian or soft power that is prevailing over the developmentalist approach of creating social and economic conditions for transformation (Baun, 2007; Börzel, 2010). According to Manners, ‘the ENP might be seen as an open-ended process of socialisation, changing whether the ENP is ‘as you like it’ for both the EU and its neighbours (Manners, 2010: 30). A normative power approach might shift an objective focus on the ‘ado’ to a more subjective focus on the ‘you’, asking instead whether ENP is ‘much ado about...you?’ (Manners, 2010: 30). Obviously, the ENP presents an open ended process but with very weak bottom-up possibilities and perspectives. Meanwhile, it should be mentioned that the EU is not fully free in expressing its interests, rather it seems to be bound by its own principles and constitutional basis, which require its engagement towards neighbourhood, pursuant to the amendments of the Treaty of Lisbon, Article 8 on...neighbouring relations.

Georgia, and other front-runners of the ENP, better reflect the pull of Europeanisation in the framework of the ENP through the self-imposed conditionality. However, ‘while the EU push

has been limited, there is not much domestic pull neither' (Börzel and Pamuk, 2011: 2), when we talk about the ENP countries. Political elites of third states, namely Ukraine, Moldova and Georgia, are strongly committed to the European integration and demonstrate their political aspirations by inducing reforms in order to be perceived as viable candidates for membership (Lavenex and Schimmelfennig, 2011). In the institutional arrangement of the ENP, Georgia has been considered as one of the most active members of the outer periphery (Schimmelfennig, 2013).

The EU enjoys the ability to attract other international actors in terms of culture, political ideas and policies (Nye, 1990; 2004). The hope that the EU will open its doors for Georgia and Ukraine in future, depends on the readiness, willingness and capacity of the EU to absorb new member states (Johansson-Nogués, 2007). However, Georgia permanently reminds the EU of its pro-European aspirations and demonstrates them tangibly, as 'all public buildings in downtown Tbilisi fly EU flags next to Georgian ones. The flags are a symbol of Georgia's determination to integrate itself into the West after 'rose revolution', and a reminder of potency of the European dream outside the European Union's borders' (Leonard and Grant, 2005).

Obviously, some of the ENP countries (Moldova, Ukraine and Georgia), that face high costs of adaptation to get closer to the EU, aspire nothing less than membership (Börzel, 2010). Wording of the ENP, namely – 'partnership', 'mutual gains', 'mutually agreed goals' and 'joint ownership' – is on one hand, a demonstration of a lack of clear strategy of the EU towards Eastern countries, and on the other, it gives third states free room for action: to deal with bilateral relations according to their domestic preferences. Partners of the EU have the possibility of playing a role in the management of external relations, and also in the process of adaptation of the EU *acquis* (Barbé, 2009), as far as 'the ENP offers a single framework where EU-partner bilateral progress is based to a great extent on its neighbours' interests and aspirations...those, who advance the wider process of approximation to the EU in terms of values, political organisation and the economic system will in exchange, obtain closer relationship' (Sierra, 2010: 35).

Even though Georgia faced an obvious public management deficits and administrative constraints, the government managed to keep a highly qualified and motivated group of policy makers, committed to implement reforms in the country (Maniokas, 2009). Consistent

demonstration of the pro-European aspirations of the government of Georgia importantly implicated other countries of Southern Caucasus in terms of their closer cooperation with the EU. Clearly, the pro-Western orientation of the country signals Brussels and the Member states capitals towards deeper cooperation, even though internal conditions of the EU are not capable of dealing with increasing political aspirations of its neighbouring countries and amongst them Georgia.

Consequently, in the process of Europeanisation, the EU is strongly dependent on the third states political aspirations, as well as their foreign policy preferences. The Limited effectiveness of top-down perspective of the ENP, unclear perspective of membership of front-runners, as well as limited capacities of cooperation framework, undermine the effectiveness of top-down Europeanisation. Whilst the flexibility of the ENP framework gives a free room for action to third states, which are considered as actors of the Europeanisation process.

#### **4. 4. 2. Domestic Reforms**

After the Rose revolution the newly elected Georgian government faced institutional capacity building challenges – legacies of Shevardnadze’s governance. Reforms were necessary and urgent in democracy, in the economic and social spheres. Society demanded the overcome of the of the communist style and methods of governance, and urged the introduction of democratic standards in governance, where participation of society would be ensured. Promising new government-oriented at Euro-Atlantic integration – rapidly and enthusiastically commenced the process of reforms.

According to Nations in Transit, Georgia and Ukraine are the best cases of progress in democracy building, compared to the other ENP countries (Table 12). Georgia, as a hybrid democratic regime with scores of 4-4.99, is one of the front-runners among the ENP countries in democracy building, alongside with Moldova and Ukraine (Nations in Transit, 2003-2012).



Table 12 – The Democratic Scores of the ENP countries in 2003-2012

<b>State</b>	<b>2003</b>	<b>2005</b>	<b>2007</b>	<b>2009</b>	<b>2011</b>	<b>2012</b>
Belarus	6.46	6.54	6.68	6.57	6.57	6.68
Azerbaijan	5.46	5.86	6.00	6.25	6.46	6.57
Armenia	4.92	5.18	5.21	5.39	5.43	5.39
Modlova	4.71	5.07	4.96	5.07	4.96	4.89
Ukraine	4.71	4.50	4.25	4.39	4.75	4.82
Georgia	4.83	4.96	4.68	4.93	4.86	4.82

Table 13 – The Democratic Scores of Georgia 2004-2012

<b>Georgia</b>	<b>2004</b>	<b>2006</b>	<b>2008</b>	<b>2010</b>	<b>2012</b>
Electoral process	4.75	4.50	5.25	5.00	4.75
Civil Society	3.50	3.50	3.75	3.75	3.75
Independent media	4.25	4.00	4.25	4.25	4.25
Democratic Governance	5.75	5.50	5.75	5.62	5.50
Judicial Framework	5.00	4.75	4.75	5.00	5.00
Corruption	5.75	5.00	5.00	4.75	4.50
Average Score	4.96	4.68	4.93	4.86	4.82

*\*Nations in Transit, 2004-2012*

Progress of democratic development in Georgia is evaluated and explained by rating scores of respective areas provided by the Nations in Transit (Table 13).

One of the major objectives of the new government of Georgia was to fight against corruption. Georgia has significantly improved its anti-corruption indicators since the Rose-Revolution (Table 14). Appointing young and highly qualified staff at the Ministries and state institutions, instead of keeping Soviet staff, became a significant part of capacity building process in Georgia.

Table 14 – The Transparency International Corruption Perception Index of Georgia

2004 (rank out of 146 countries)	2.0 (133)
2006 (rank out of 163 countries)	2.8 (99)
2008 (rank out of 180 countries)	3.9 (67)
2010 (rank out of 178 countries)	3.8 (68)

*\*Transparency International, 2004-2010*

0 high corruption / 10 low corruption

The EU provided technical assistance to Georgia, and issued several recommendations for reforming and reconstructing capacity building of the country. The EU allocated funding in penitentiary and probation reforms also supported the organisational reform of the Ministry of Justice, and parliamentary and electoral reform. The international financial support to Georgia was a determining factor for the capacity building and implementation of reform oriented projects in almost every field of state building. After the Rose revolution, assistance of international donors for the first post-revolutionary year of 2004 was \$ 1.5 billion.

Democracy promotion, as a long lasting and challenging process for post-Soviet legacies, was developed in formal and informal dimensions. Tom Casier argues that the democracy

promotion in Ukraine, within the framework of the ENP AP focused on formal democracy (the constitutional and institutional framework) and substantive democracy (the governmental practices) within the institutions (Casier, 2011). Similarly to the democratic developments in Ukraine, Georgian democracy also achieved important developments in formal dimension, though it is hard to say so about the changes in practises.

In this context, it should also be mentioned that Georgia has been broadly criticised by the opposition and later on, by civil society actors, as well President Saakashvili's government was fighting against corruption on low institutional levels, whilst turning a blind eye on its closest allies being involved in major corruption cases (Börzel and Pamuk, 2011). President Saakashvili's government was also criticised by international observers for attempts to control media and judiciary (Freedom House, 2006). Moreover, it is also notable, that the 'incumbent regimes have managed to exploit the fight against corruption to consolidate their power. As a result, Europeanisation tends to stabilise rather than to transform governance structures in the Southern Caucasus' (Börzel and Pamuk, 2011).

Indeed, it seems that reforms were not substantial. The judiciary reforms of Georgia, despite their significant modification compared to previous years, remained not completely independent from the political influence. Moreover, the 'authorities care more about refurbishing the courts with modern office equipment than about any other component of the judicial reform' (Chkheidze, 2007). Although the level of corruption was significantly reduced, the political pressure on judges increased (Transparency International, 2007). The EUJUST-Themis mission, set up in 2004, as a framework of receiving support from the EU in the process of state-building after the Rose Revolution, has been considered as a very serious mission supposed to result in significant reforms of judiciary system and reconstruction of independent judicial system. Projects under the EUJUST-Themis included reforms not only in the judicial system, but also reform of the probation system, prevention of torture and access to justice and institutional reform of the Ministries of Justice and Interior.

One of the most important segments of democratisation process – the development of civil society – has been stagnated during the initial years of Saakashvili governance. Civil society actors effectively voiced against the Shevardnadze governance and later on, joined the new government of Saakashvili, causing significant negative impact on the strength of civil

society. It took some time until new faces appeared and established credibility of non-state actors in the post-revolutionary Georgia.

The new government also initiated radical economic reforms, among others they: created a unique flat-rate income tax at 12%, the cut down of regulatory frameworks and licence fees cut down of 80%, a diminished corporate tax of 15% and a bureaucratic squeeze. The reforms were mainly designed to foster the economic process through foreign direct investments and therefore, to create the most attractive investment climate in Georgia. The new government's priority was the deregulation of economy, as it has been declared many times by president Saakashvili that he believes in market and in a very limited scope for a state (Saakashvili, 2010). It has been recognised by the government of Georgia that implementation of quality standards, in line with the WTO and the EU, would increase foreign direct investments and also, would promote implementation of minimum standards of consumer protection, public health and labor protection (Schmidt, 2007; Transparency International, 2009).

The radical reforming policies of the government achieved prominent results and Georgia was considered by international investors as a good place to do business. Eradication of corruption increased flow of the foreign direct investments to Georgia. Financial support of the EU, the IMF and other international actors, were increased considerably (European Commission, 2005; World Bank, 1997-2009). Georgia improved its position in the 'best place for doing business' list, moreover, the country was declared as 'the best reformer in the world' in 2006, by the World Bank and International Finance Corporation (Freedom House, 2007). It seems that Russian embargo on Georgian export in 2006, did not have a drastic impact on the level of product export (Smith, 2007). Moreover, Russian embargo led Georgian product towards European market, as it was the only meaningful solution to the situation, specifically for the wine and mineral water trade (Lloyd, 2009).

One of the most valuable reforms was the reform of the police system of Georgia. Within the reform framework, 15 000 officers were retired from their jobs and replaced by young and newly trained police officers. The new police academy was created, police was equipped modernly, trainings and exams became mandatory, and the salaries of police officers have been considerably increased. The modernised police of Georgia rapidly gained society's trust, as well as good reputation.

Georgian government prioritised security system strengthening, and therefore, accumulated significant financial resources in this sphere, in particular the funding of the military. (Table 15). International donors, including the USA and the EU, provided a numerous financial assistance. However, within the framework of the Security Sector reform, Georgian government expected more political and security guarantees from the EU in the process of conflict resolution (Zourabishvili, 2007).

Table 15 – Expenditure in Defence of Georgia

	2003	2004	2005	2006	2007	2008	2009	2010
<b>% GDP</b>	1.1	1.4	3.3	5.2	9.2	8.11	3.5	4
<b>Budget mill. \$</b>	57.7	80.6	214	363	720	651	530	440

\* Source: SIPRI Military Expenditure Database, [www.sipri.org/databases/milex](http://www.sipri.org/databases/milex)

#### 4. 4. 3. Power Competition

As already stated in the previous chapter, the Union is not a single external political actor in Georgia. Interrelated, interdependent and competing interests of the EU, the USA and the Russian Federation have always been a significant factor for domestic development of Georgia. In other words Georgia, as part of the Eastern neighbourhood of the EU, has been geo-politically relevant for the EU, Russia and the USA (Emerson, 2004). After independence of the Eastern European countries and the declaration of their Europeanisation and Westernisation process, the EU and the USA, have been working together pursuant to the similar normative basis (Emerson, 2004).

Russian presence in Georgia, as well as in other post-Soviet countries, is usually evaluated as a strong counter-power, capable of undermining effectiveness of the ENP. Moreover, the Russian factor is considered as one of the crucial reasons why the EU avoids promotion of the regional cooperation in the Eastern neighbourhood (Haukkala and Moshes, 2004; Longhurst and Nies, 2009).

The EU-Russian competing relations have always been a challenge in terms of democracy promotion and security in post-Soviet area (Vahl, 2007; Averre, 2007). Russian ambitions not to lose its control over the post-Soviet countries increase in accordance with the EU's engagement in the Eastern neighbourhood. Russia has been 'poisoning the situation' by using trade embargoes and energy dependence as the mechanisms of maintaining its influence in the post-Soviet area (Kempe, 2007). Russia has strong interests to shape the ENP, and Kremlin is using direct and indirect mechanisms to 'succeed' in its near abroad. Russia has pushed its assertiveness through the energy weapon and other trade sanctions towards its neighbourhood, as well as developed ideological instruments illustrated by 'sovereign democracy' slogan and seeks to regain its influences (Popescu, 2006).

Russia-Georgia relations became rather tense since the Rose Revolution – once the new leadership of Georgia demonstrated a clear ambition towards Europeanisation and Euro-Atlantic integration. Russia 'sanctioned' Georgia by banning Georgian agricultural products, wine and mineral water imports (Civil Georgia, 2005). Moreover, massive deportation of Georgian nationals took place in Russia in 2007 (International Crisis group, 2007). Frozen conflicts in Eastern Europe and Southern Caucasus had a crucial impact on the relations established between the EU and those countries (Edwards, 2008).

Finally, the ambitions of Georgia to integrate in Euro-Atlantic structures ended with the escalated relations with Russia. The Foreign Minister of Russia made a clear statement during Bucharest NATO summit in April 2008, that 'Moscow will do all it can to prevent NATO membership of Ukraine and Georgia' (Lavrov, 2008). In August 2008, Russia occupied 20% of Georgian territories, based on the argument of humanitarian intervention.<sup>6</sup>

Russian political and economic pressure on Georgia did not achieve its success, and the pro-European and pro-NATO aspirations of Georgian people and government were consistent in the second transitional period of Georgia (Peel, 2007). The government seemed to be proactive in its European choice and extremely radical towards Russia. The dismissal of pro-European Foreign Minister Salomé Zourabishvili in 2005, and the death of pragmatic Prime

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<sup>6</sup>Law of Georgia on Occupied Territories, 2008 see at: <https://matsne.gov.ge/en/document/view/19132> [available 17 November 2015].

Minister Zhvania in the same year, became significant negative factors in the politically tense relations with Russia (Grant, 2006; Sierra, 2010).

On one hand, 'Russia seeks to maintain its own cobweb model for CIS states and some sub-groups of them', on the other, 'the EU politically still fails to act at the level of its rhetoric regarding the unresolved secessionist conflicts of its neighbourhood in the Caucasus...The EU appoints Special Representatives, but does not at the same time rationalise its participation mediation missions of the UN and OSCE, where various member states are the would-be actors' (Emerson, 2004). It is important to mention that 'Russia is not going to disappear: sooner or later a constructive way of dealing with such neighbour is bound to be found by the EU' (Kochenov and Basheska, 2015: 25).

The competition of power between the EU and Russia on the territory of Georgia, Ukraine and other post-Soviet countries – deliberately kept by Russia and insufficiently dealt by the EU-undoubtedly undermines deeper cooperation between the EU and its neighbouring countries. Whilst the escalated conflict between Georgia and Russia would not exist without the declared pro-European and Euro-Atlantic aspiration of Georgia. Russia is punishing Georgia for its sovereign European choice might gain an ever-increasing nature on a later stage, especially if the EU will not be capable of dealing with emerging geopolitical reality.

Consequently, the EU competes with other powerful external governance providers in the region. Therefore, readiness of front-runners (Georgia, Moldova and Ukraine) to prove to the Union their commitment, constitutes one of the main driving forces of the Europeanisation process. The EU supports stability and security in its neighbouring areas in a long term perspective, however, the Union is highly depended on the foreign policy preferences of the third states and is not capable of influencing them within policy frameworks introduced until now.

#### **4. 5. CONCLUSIONS**

Initially, the ENP policy was strongly linked to the internal agenda of the EU. The ENP turned out to be a consequence of geopolitical compromises and therefore, complex and inconsistent with undefined prospect.

The EU has an opportunity to export its own rules to its neighbouring countries, if a third state is more dependent on the EU than on other actors (Schimmelfennig, 2010). Otherwise, the self-conditionality appears to work (Schimmelfennig, 2010).

The ENP, as a flexible framework of cooperation, incorporated the possibility of various scenarios of political actions of third countries. Therefore, the political interpretations of the ENP became dependent on national foreign preferences of a third state. The above-presented Chapter argues, that the Europeanisation process of Georgia was influenced not only through the ENP framework as a top-down perspective of Europeanisation, but also by the domestic conditions and preferences of the foreign policy of Georgia. Limited leverage and the lack of membership perspective constitute a real shortcoming for the front-runners of the ENP. The conditionality, as an already tested successful methodology of Europeanisation, seems to achieve its limits within the context of the ENP. The differentiated results of the Europeanisation among the ENP countries prove that its effectiveness depends on the actorship of a third state. Moreover, the success of the Europeanisation, within the ENP context, constitutes a process, which is significantly dependent on the third states' political ambitions and aspirations as to the European integration.

Table 16 – The Impact of Georgia on the Europeanisation process

	1991- 2003	2003- 2008	2008- 2015
Pro-European Aspirations	Low	Average	-
Historic Legacies/Reforms	Low	Average	-
Power Competition between the EU and Russia	Low	High	-

\*- Low/ Average/Strong



Consequently, in accordance with the policies of the Union, third states act and impact the process of Europeanisation by their domestic conditions and national foreign policy preferences. Therefore, it seems to be positively influential for the effectiveness of the Europeanisation to achieve the balance of impact between the actors of Europeanisation in terms of 'up-loading' their domestic demands and necessities in the process of policy initiation.

## **CHAPTER 5**

### **THE THIRD PHASE OF THE RELATIONS: FROM THE SECURITY CHALLENGES TOWARDS THE UPGRADED BILATERAL RELATIONS**

## **5. 1. INTRODUCTION**

The below presented chapter analyses the third political transitional period of Georgia, which covers time frame from the Russian intervention until current political changes. The chapter aims to provide an examination of upgraded policy instruments of the EU towards its neighbouring Eastern countries, and in particular, in the case of Georgia.

First section of the chapter analyses political and economic challenges Georgia faced after Russian intervention, which significantly implicated the process of Europeanisation of Georgia, and moreover, the formation of foreign policy preferences of the country. In addition to the security threat caused by Russian Occupation, the domestic policy-making process and economic challenges occurred as the influencing factors arising from the Europeanisation process. The objective of this section is to approach the most important domestic factors, capable of catalysing or hindering the Europeanisation process of Georgia.

Second section provides an assessment of upgraded policy framework of the EU offered to its Eastern neighbouring countries shortly after the security challenges faced by Georgia. The EaP, which opened the possibility of conclusion of the Association Agreement, Deep and Comprehensive Free Trade Area Agreement, and also the perspective of Visa Liberalisation, became the substance of innovative bilateral relationship of the EU and Eastern European countries. The EaP introduced new perspectives for the EU's partner, however, it has also provoked the security challenges in the common neighbourhood of the EU and the Russian Federation as an unintended effect of the EU's partnering relations with its neighbouring countries. The dimensions of the EaP – the bilateral and the multilateral tracks – upgraded almost all of the significant components of the partnership offered by the initial ENP. Hence, this section aims at approaching the gaps of EaP in terms of its effectiveness.

Final section of the thesis evaluates the shortcomings of the EaP, in particular – the domestic needs of Georgia. This section also provides arguments in terms of the 'bottom-up' influence of Georgian political environment on the process of Europeanisation. The objective of the final section is to analyse main challenges the EaP actors faced in the context of policy formation and its future implementation.

## **5. 2. CURRENT POLITICAL CONDITIONS IN GEORGIA**

Seven years after the 2008 August war, 20% of Georgia's territory still remains under occupation. Continuous violations of fundamental human rights of the local population and hundreds of thousands of victims of ethnic cleaning are still denied the right to return to their homes. The importance of Geneva talks, which have been launched after the August 2008, continues the attempts to engage Russia in a constructive negotiation format. Hence, the framework is not capable of actual influence over the conflict resolution process. Without going into further details of 2008 war, and entering into the debate of its assessment, we would like to highlight this fact as an important variable for the below present sections, in terms of its impact on the Europeanisation process of Georgia.

In particular, the new policy challenges emerging after the August war and their implications on the foreign policy discourse of Georgia. It was the Georgian-Russian war of 2008, that provided the EU with strong impulse to move towards the Eastern countries using stronger policy framework (Longhurst and Nies, 2009).

Because of the 2008 war in Georgia, the Council asked the Commission to present its proposals earlier than scheduled (Łapczyński, 2009). The Georgian-Russian August war could be considered as a catalyst of introduction of the EaP, and also, as an opportunity for pro-Eastern coalition inside the EU to convince other Member states of the importance of deepening the Eastern cooperation (Gromadzki, Peters and Rood, 2009).

Hence, current state of Russia-Georgia relations, and unresolved conflicts of Abkhazia and South Ossetia, remain a significant impediment for the stabilisation of political processes in Georgia. The war of 2008 was a 'demonstration' of Russian power in the Eastern neighbourhood of the EU being a consequence of intensification of EU-Georgia relations, but in addition to it, it was also a 'punishment' of Georgia for its pro-European choice. However, the security challenges, created by the Russian Federation, had unexpected and counterproductive consequences for Russia: firstly, it caused eventual increase of Georgia's Euro-Atlantic aspirations, and secondly, the West was seen as a guarantee for the countries security and economic stabilisation.

The EaP is still short on incentives to induce reforms in the partner countries (Mayhew and Hillion, 2009). In particular, the lack of a politically active strategy, which can take a full account of the Russia's dominance policy in the region (Popescu and Wilson, 2009). The lack of new instruments, strategies and resources, aimed at conflict resolution and prevention, as well as readiness to confront Russia when necessary, seems to be particularly serious weakness of the EaP in the Georgian context, dominated by a an ever continuing struggle, accompanied by the aggressive attitude of Russia (Maniokas, 2008). This issue will be more broadly discussed below, but it's worth mentioning here that the EU is not capable of touching directly the territorial conflicts of the EaP countries, as they are the 'core part' of the Russia's neighbourhood interests. Also, due to the lack of leverage, the EU is hardly able to mediate the conflict resolution process in Georgia (Schäffer and Tolksdorf, 2009).

When comparing the security challenges of Georgia with current shortcomings of Ukraine, its notable that the 'bullying attempts' of Russia to pressure its neighbours to integrate with Russia instead of cooperation with the EU, have been considered as counter productive not only by the Ukrainian [as well as Georgian] people, but also by the outside observers, including number of Russian and other EaP countries' civil actors (Havlik, 2014: 24).

Within the time-frame which this chapter aims to approach, the government of former President – Mikheil Saakashvili – was replaced by the new political power of 'Georgian Dream', led by Bidzina Ivanishvili. Parliamentary Elections October 1 of 2012, changed the political environment of Georgia, as far as the former President Saakashvili still remained in power as the president for upcoming year, whilst Ivanishvili's block was in majority of the Parliament of Georgia. The 'power sharing' conditions between the two major political actors, which later became known, as the 'cohabitation' was not previously experienced by Georgia's political system. The country witnessed an unprecedented political reality, which established the President and the parliamentary majority as two opposing political parties (Transparency International Georgia, 2012). The President was empowered by the law to nominate a candidate for the position of Prime minister, who was the most acceptable for the parliamentary majority, as a result, Bidzina Ivanishvili led the government of Georgia as a Prime minister of the country.

The importance of the governmental changes gained highly significant role in domestic and international political processes, as far as the election process was widely recognised as the

most free and fair one in Georgias' post-independence history, according to the OSCE/ODIHR Election Observer Report (European Integration Index, 2015; Election Observation Mission Final Report, 2013; Implementation of the European Neighbourhood Policy in Georgia Progress in 2013 and Recommendations for Action, 2014).

The political landscape of Georgia, over the last couple of years, has been challenging in terms of co-habitation process of the ruling Georgian Dream Coalition, lead by Prime Minister Ivanishvili, and the United National Movement under president Saakashvili. The Georgian Dream coalition came into power with a very ambitious agenda, including the 'restoration of justice', followed by questioning process of several thousands of people, mostly from the United National Movement, regarding the misuse of state resources and abuse of power by the former government officials (European Integration Index, 2015). The last section of this chapter will provide more a precise analysis of the important domestic political conditions and reforms, which had their actual impact on the process of Europeanisation.

### **5. 3. THE UPGRADED POLICY FRAMEWORK: THE EASTERN PARTNERSHIP**

The concept of 'partnership' was developed in mid 90s during the process of enlargement. In substantive terms it constitutes:

*'a new philosophy of cooperation developed by the EU for framing its relations with those neighbours who lack the immediate prospect of membership. This infers that this relationship is voluntary, partner-conscious and non-binding, presuming and equal share of learning (socialising) for both sides in the pursuit of their norm-driven foreign policies and national interests'* (Korosteleva, 2011: 243).

The notion of partnership still remains 'ill defined in the EU's rhetoric and actions, this may have profound implications, not only for the effectiveness of the legitimacy of the ENP as a whole, but, more critically, for the prospect of the EU becoming a 'force for good' in international relations' (Korosteleva, 2011: 244). The EaP is envisaged as a 'more ambitious partnership' (Korosteleva, 2011: 244).

The ENP has undergone several revisions since its initial introduction. However, the necessity of its substantial modification, and an offer of upgraded relations to Eastern partners, still remained crucial for the EU. The weaknesses of the ENP, within the matter of transforming the EU's neighbouring relations towards economic development, stability and good governance, are well-approached scientifically (Börzel, 2009; Delcour and Tulments, 2009; Boonstra and Shapovalova, 2010). On the initial level of the EaP, the official Kyiv even argued that it does not provide any additional value to the already existing framework of cooperation (Schäffer and Tolksdorf, 2009).

The EaP constitutes a Polish-Swedish initiative, which was followed by the European Commission's Communication and a Declaration on EaP, adopted at the European Council meeting in March of 2009. It was formally launched on May 7 of 2009, at a special EU Summit in Prague. The EaP, as a prolongation of the ENP, is based on the general principles of the ENP: positive conditionality, joint ownership and differentiation. However, it constitutes a specific Eastern dimension of the ENP, which upgrades the relationship of the EU towards its Eastern neighbours (The European Parliament Resolution, 2011). The EaP is also informed by the experience of the EU enlargement to the Central and Eastern Europe (the CEE), particularly in terms of its instruments and methodology.

The EaP is a step towards strengthening the EU relations with its Eastern neighbours, provided that it recognises the differentiation between Southern and Eastern ENP countries. Therefore, the EaP could be considered as a logical step after the initial introduction of the ENP. In substantive terms, the EaP remains strikingly similar to the original ENP, which prioritise the EU ownership of rhetoric and actions (Korosteleva, 2011). The promise of accession, or a clear reference on the membership perspective of the Eastern countries, would importantly acknowledge the differentiation between the Southern and Eastern neighbours of the EU, which is clearly missing in the EaP (Kochenov, 2009). Therefore, the EaP is about returning to the *status quo ante* of the ENP (Kochenov, 2009). The concept of European expansion, incorporated in the EaP, without a clearly demonstrated position on the membership perspective of Eastern countries, still paid attention to the EU's partners.

The grouping of the EaP includes Armenia, Azerbaijan, Belarus, Moldova, Ukraine and Georgia. Even though six of the EaP countries have much in common, it is worth mentioning that substantial differences appear among them and in the nature of their relations with, the

EU and with Russia, this group of countries, apparently, hardly constitutes a region (Longhurst and Nies, 2009). Eastern partners of the EU share common legacies, however, they also share the differences – not only geographically, but also in preferences vis-à-vis the EU and in the progress of their bilateral relations with the Union (Wolczuk, 2011).

An initial intention of the Union was to ensure the participation of Russia in the EaP, although Russia was not included in the final document of the EaP, due to its own refusal. The Russian foreign minister – Sergei Lavrov – accused the EU of trying to widen its sphere of influence through the EaP (Schäffer and Tolksdorf, 2009). Even if the Commission attempted to emphasise that the EaP is not an initiative against Russia the EU still set up the framework that explicitly excludes Russia (Schäffer and Tolksdorf, 2009). The Russian Federation considered the introduction of the EaP absolutely unacceptable and counterproductive. Russia needs to be ensured that the EU's aim is not to circumvent Russia, while the EU still has special interest in the neighbourhood (Schäffer and Tolksdorf, 2009). Eventually, the agreement between the EU and Russia has not been achieved regarding the prospect participation of Russia in the EU's EaP project, which negatively impacted countries of common neighbourhood in political and security terms.

The primary objective of the EaP was to expand and intensify relations with East European countries, initially developed through the ENP (Wolczuk, 2011). The EaP Joint Declaration states that the new partnership aims at accelerating 'political association and further economic integration between the EU and interested [Eastern] partner countries' (Council of the European Union, 2009: 6). The Commission re-emphasises the importance of assuring stability, good governance and economic development in its partner countries, where the EaP should lead to effective and efficient changes and reforms. The EaP aims to upgrade the contractual relationships between the EU and Eastern countries through the introduction of cooperation with the objective of (a) political association and (b) gradual economic integration into the internal market of the EU (Council of the European Union, 2009). Pursuant to this aim the EaP seeks to support political and socio-economic reforms of the partner countries, and to facilitate their approximation with the EU (Council of the European Union, 2009).

Launching of the EaP was followed by the coming into force of the Treaty of Lisbon. One of the most significant structural changes of the Lisbon Treaty was the replacement of the



European Community by the European Union that implied the introduction of a single legal entity, which unified EU's legal framework in its external relations. In particular, the issue of the Common Foreign and Security Policy (the CFSP) of the EU is amended, and moreover, the unification of Unions' external relations should be also emphasised (Knapp, 2010). The Treaty enhanced EU's foreign policy by granting it a significant role in its international relations and by the creation of the European External Action Service (the EEAS) (Cardwell, 2011; Wolczuk, 2011). The formation of the EEAS carried a promise of greater coherence and enhanced coordination of external policies in general, and the EaP in particular (Wolczuk, 2011). However, the implementation of the EaP was detrimentally influenced by the institutional uncertainties related to the prolonged formation of the EEAS and also, by insufficient human resources working on the EaP in the EEAS (Wolczuk, 2011).

Political interpretation of the EaP remains decisive in terms of understanding the initial objectives of the EU's political elite. Beyond the Prague declaration, statements of the EU officials contain increasingly important indications regarding perspectives of the future development of the EaP. During the presentation in Brussels, Benita Ferrero-Waldner – the Commissioner for External Relations and European Neighbourhood Policy, stated:

*'The time is ripe to open a new chapter in relations with our Eastern neighbours...Building on the progress of the last years we have prepared an ambitious and at the same time well-balanced offer. The security and the stability of the EU is affected by events taking place in Eastern Europe and in the Southern Caucasus. Our policy towards these countries should be strong, proactive and unequivocal. The Eu will continue with the successful approach of tailor-made programmes on a new scale and add a strong multilateral dimension'* (Ferrerro-Waldner, 2008).

The emphasis made by the Commissioner proves the importance of security issues, which might be considered as an initial priority for the EaP, due to the emerging challenges in the common neighbourhood of the EU and Russia. The president of the Commission José Manuel Barroso declared:

*'Only with strong political will and commitment on both sides will the Eastern Partnership achieve its objectives of political association and economic integration. We need to make an even greater investment in mutual stability and prosperity. This*

*will be quickly compensated by important political and economic benefits and will lead to more stability and security both for the EU and for our Eastern partners'* (Barroso, 2008).

According to the Presidents' statement, the common actions of the EU and partner countries should be considered as a guarantee of the effectiveness of the EaP, which is a clear reference to the principle of 'joint ownership' within the framework of the project. Sharing values and responsibilities in the process of partnership process remained officially as a key mechanism of Europeanisation.

The external relations of the EU are influenced by the positions of the political elite of the Member states, in particular, the formation of the common external priorities. The Association Agreements, as a bilateral component of the EaP, constitute mixed type agreements, based on shared competence between the EU and its Member States, and therefore, the content of the AAs should be agreed upon by each and every Member states of the EU (Van der Loo and Elsuwege, 2009; Gawrich, et al, 2009). In line with speeches of the EU representatives, it is important to comment on the statements of the political elites of Member states. During the presentation of the EaP initiative, Polish minister Sikorski stated: 'to the South, we have neighbours of Europe. To the East, we have European neighbours...they all have the right one day to apply [for EU membership]' that directly highlights the differentiation between Eastern and Southern neighbours in terms of membership perspective (Łapczyński, 2009). Polish Foreign Minister Sikorski declared that the EaP is designed to strengthen the EU's policies towards those states, which could eventually join, but are currently held back by the enlargement fatigue (Sikorski, 2008). Polish foreign policy attempts to put special attention Eastwards and to promote and support Eastern partners, especially Georgia and Ukraine (Łapczyński, 2009). Involvement of Western European countries in the innovative initiative was crucial in terms of its implementation, as Polish Prime-Minister Donald Tusk explained: 'We asked Sweden because this is a very experienced country in terms of EU affairs and also because it does not border our neighbours' (Żygulski, 2008). The EaP initiative has been generally met positively by Member States, including Germany, but especially by the Czech Republic and became one of the priorities of Czech Presidency in the first half of 2009 (Łapczyński, 2009). Czech Deputy Foreign Minister argued that the EaP should not be a fixed alternative to membership and the EU door should stay open (Vondra, 2008). Amongst the Member States the EaP

initiative faced number of critiques, mainly from Bulgaria and Romania, due to the fears of competing with their initiative of the Black Sea Synergy, and also from Spain and Italy, being interested in the Mediterranean dimension of the ENP (Safarikova, 2008).

The EaP is organised into bilateral and multilateral tracks (Council of the European Union, 2009). Dual policy framework incorporates different objectives and incentives in the EU-partner countries enhanced cooperation (Delcour, 2011). There are key bilateral elements in the EaP, composed of:

- the Association Agreements: as the upgraded contractual relations;
- the Deep and Comprehensive Free Trade Agreements: better market access and free trade via;
- the Institutional Capacity Building: strengthening of the democratic institutions of the partner countries;
- the Visa Facilitation Agreements, and in long term perspective Visa Liberalisation: for higher mobility;
- the enhanced energy security: for deeper cooperation (Council of the European Union, 2009).

The EaP established the multilateral track, as an innovative institutional framework of cooperation. The multilateral framework of the EaP operates on a basis of joint decisions of the Union and the EaP countries, which provides a forum for sharing information and experience of partner countries steps in terms of democratic transition, reforms and modernisation, and moreover, gives the EU an additional instrument for supporting those processes (Council of European Union, 2009). The EaP multilateral framework will facilitate the development of common positions and joint activities, with the aim of fostering links among partner countries and the EU (Council of European Union, 2009). The legislative and regulatory approximation is crucial to those partner countries willing to come closer to the EU (Council of the European Union, 2009).

The multilateral track of the EaP incorporates:

- political dialogue, in a specific multilateral format of the EaP, based on the meetings of Heads of State every two years and yearly meetings of ministers of foreign affairs;

- four thematic platforms organised by the European Commission for open and free discussions, on the basis of the main areas of cooperation, namely: (1) democracy, good governance and stability; (2) economic integration and convergence with EU policies; (3) energy security; and (4) contacts between people (Council of the European Union, 2009).

### **5. 3. 1. The Association Agreement**

Apparently, neither primary legal sources of the EU, nor the scientific studies provide clear answer on the meaning of association in the external relations of the EU (Petrov, 2010). The legal basis of the AAs is provided by the Article 217 of the Treaty on the Functioning of the European Union (the TFEU), which states:

*‘Community may conclude with one or more states, or international organisations agreements establishing an association involving reciprocal rights and obligations, common action and reciprocal procedures’* (Article 217, the TFEU).

The AAs are mixed agreements, which means that they are concluded by a shared competence between the Member states and the EU (Wessel, 2008). According to Schermers’ and O’Keeffe’s opinion: ‘a mixed agreements is any treaty to which an international organisation, some or all of its Member States and one or more third State, are parties and for the execution of which neither the organisation, nor its Member States have full competence’ (O’Keeffe, 1983: 25-26; Knapp, 2010). The shared treaty making competence between the EU and its Member States raises number of complications during negotiation, conclusion and entering into force of the mixed international agreements concluded with third states.

In order to interpret the scope of association in the external relations of the EU, the ECJ judgement on the Case of Demirel is crucial – it clarifies that AA implies ‘creating special privileged links with non-member country which must, at least to a certain extent, take part in the [EU] system’ (Meryem Demirel v. Stadt Schwäbisch Gmünd, 1987: 9). Therefore, several inherent elements of the AA are distinguishable: (a) reciprocal rights and obligations; (b) common action and special procedure; (c) privileged links between the EU and a third

country; (d) the participation of a third country in the EU system (Petrov, 2010). Although it is true that most of EU Member states entered into association with the EU prior to acquiring full EU membership, the fact of the signing the AA does not automatically imply the eventual membership of a third country in the EU (Petrov, 2010). The conclusion of the AA first and foremost means that it implies legally binding effect and its provisions will have the potential of a direct effect (*Meryem Demirel v. Stadt Schwäbisch Gmünd*, 1987).

Even though, the AAs are bilateral agreements between the EU, its Member states and partner countries, usually they are concluded with several countries of a specific region. For instance they include the CEE countries, Western Balkans, Euro-Mediterranean area or Latin America. The regional approach is also incorporated in the AAs towards Eastern European countries within the EaP framework. Eventually, the association does not necessarily mean a step towards the EU membership.

As we have already mentioned, there exist three main regions that have AAs with the EU. Firstly, the Stabilisation and Association Process (the SAP) as a policy framework for the Western Balkan countries, which aims at stabilisation and transition to the market economy, the promotion of the regional cooperation and contractual relationship based on the Stabilisation and Association Agreements (the SAA). The SAAs, as a type of AAs, represent the far-reaching contractual relationship with the EU, which entails mutual rights and obligations based on gradual implementation of the reforms, and adaptation with the EU standards and norms (Maniokas, 2009). The effective implementation of the SAAs is a prerequisite for further prospects, namely for the accession process. Therefore, the SAAs with Western Balkan countries could be considered as an entry level agreements for the prospect membership pursuant to their preamble.

Differently from the SAP, Euro-Mediterranean Association Agreements, between the EU and countries of Mediterranean, implies a framework for political dialogue. They serve, as a basis for gradual liberalisation of trade in the Mediterranean area and set out the conditions for economic, social and cultural cooperation between the EU and a partner country, although they do not go beyond the cooperation objective (Maniokas, 2009).

The AAs with neighbouring countries, as upgraded contractual framework of relationship, also differ from the PCAs in the possibility of gradual establishment of free trade, and

moreover, in the level of commitment in terms of regulatory convergence (Maniokas, 2009). Due to an unclear determination of the partnership by the EU law, it should presumably coincide with the developing policy of the EU, and be carried out within the framework of the principles and objectives of the external action of the Union (Petrov, 2010).

The AAs constitute a key bilateral element of the EaP initiative, given that it responds to the prospect legal and political relations between the partner countries and the EU. The AAs aim to replace the PCAs as legal basis of cooperation between the EU and its partner countries. AAs become one of the mostly recognised ‘brands’ of the external action of the EU (Petrov, 2010). The development of the new ambitious legal framework with partner countries introduces greater degree of specificity and commitment in relations between the EU and partner countries (Wolczuk, 2011). The agreement on the DCFTAs constitutes an integral part of the AAs, which will be examined in the next sub-section.

The Joint Declaration of the Prague EaP Summit provides that the ‘bilateral cooperation under the Eastern Partnership umbrella should provide the foundation for Association Agreements between the EU and those partner countries, who are willing and able to comply with the resulting commitments’ (Council of the European Union, 2009: 7). The European Commission stated in the December communication that ‘a sufficient level of progress in terms of democracy, the rule of law and human rights, and in particular evidence that the electoral legislative framework and practice are in compliance with international standards, and full cooperation with the Council of Europe, OSCE/ODIHR and UN human rights bodies, will be a precondition for starting negotiations and for deepening the relations thereafter’ (Communication from the Commission, 2008). In this context, it is notable that the negotiation and conclusion of the AAs with the EaP countries have been conditional, incorporating pre-negotiation conditions regarding the rule of law and internationally recognised democracy standards.

The AAs are the longest and most detailed agreements of their kind that contain detailed and binding provision for the partner countries to align their laws and policies with the EU *acquis*, signalling shift from soft law to the hard law commitments, and in this manner, exporting EU’s extensive regulatory framework towards the EaP countries (Delcour and Wolczuk, 2013). The EaP countries were not scrutinised to the same degree as the candidate states, which have received a road map to approximation before opening the negotiations on

the accession, which in turn may be explained by the fact that the EU sees a little interest in economic cooperation with EaP countries and considers them as insufficient trade partners (Delcour and Wolczuk, 2013). Moreover, recognises that the processes of reforms in the EaP countries are very much context depended, and it is up to each partner country to determine its transformation path, and furthermore, in this process the widening of the gap between partner countries' needs and capacities of the EU may occur (Delcour and Wolczuk, 2013).

The opening of negotiation on the AA with Georgia has been conditional, as we have already mentioned above. Sufficient level of democracy, the rule of law and human rights have been required by the EU as a pre-requisite for opening negotiations on the AA including the DCFTA. The negotiations on the AA with Georgia officially began in 2010. Attending the event in Batumi and welcoming the launch of negotiations, the EU's High Representative and Vice President of the Commission – Catherine Ashton announced that:

*‘Armenia, Azerbaijan and Georgia have shown a clear ambition to intensify their relationships with the EU. I am personally convinced that this comprehensive Association Agreement shall impact positively not just on political relations but also on people's lives, in terms of economic opportunities, easier contacts with people from the EU, the environment, just to name a few. This agreement will be a catalyst to the domestic reforms in these countries and can help us to focus resources on the key institutions needed to make further efforts’* (Ashton, 2010).

The Commissioner Füle further stated that ‘these Association Agreements will lay a new legal foundation for our relations with Armenia, Azerbaijan and Georgia. The main objective of the Association Agreements is to achieve closer political association and gradual economic integration between the EU and these countries’ (Füle, 2010). The EU was already negotiating the AAs with Ukraine and Moldova, when it launched the negotiations with Southern Caucasus countries through the first plenary meeting in Batumi on the 15<sup>th</sup> of July, in Baku on the 16<sup>th</sup> of July, and in Yerevan on the 19<sup>th</sup> of July.

Overall, the AAs are similar bilateral agreements in their content, however their political interpretations are important in terms of understanding the objective of those agreements. The European Commission, in its communication on the EaP, stated ‘the content of the agreements will vary and will be differentiated according to partners objectives and

capacities. The implementation of the AAs will be facilitated by successor documents to the current ENP Action Plans, incorporating, where appropriate, the milestones and benchmarks, and underpinning domestic reform agendas' (Communication from the European Commission, 2008). The AA with Ukraine was a model of new and enhanced bilateral relations between the EU and its Eastern countries, which is an innovative instrument of political association and economic integration (Maniokas, 2009). At least for the time being, the EU's relations with Ukraine have a potential for the role setting for other partner countries (Wolczuk, 2011; Mkrtchyan, Huseynov and Gogolashvili, 2009), especially for Moldova and Georgia. Realistic, as well as ambitious, goal of the Georgian government was to conclude the AA with the EU by the similar content to the AA Ukraine (Maniokas, 2009).

Signing the AA with the EU remained to be number one priority for the Georgian government within the EaP framework, as the political leadership has explicitly declared it. Government of Georgia persistently claimed that Georgia belongs to the European family and European identity, and the demand of Georgian society is to return back to Europe. Accession to the EU became a part of political promises in Georgia in the context: 'the European idea and the conviction that the Georgians were part of the Western culture and political context...were revived in Georgias' political discourse' (Korchonov, 2010: 158-167). According to the State Minister, Giorgi Baramidze, Georgia believes that 'the security and stability dimension of the EaP has exceptional importance as the majority of Eastern European Partner countries...are facing conflicts', and therefore, the EaP 'should pay particular attention to the...peaceful settlement of the conflicts in the region', since 'this will create the necessary conditions for successful implementation of all envisaged activities within the EaP' (Baramidze, 2010).

Pro-European aspirations of Georgia have been accumulated in the pre and post negotiation 'homework' of Georgia, in terms of implementing reforms with respect to the new bilateral agenda. The conclusion of the AA gained increasing importance for Georgia, taking into consideration the tense regional geo-political context.

The political leadership of the EU has been supportive to reforming process of Georgia. For instance, the High Representative for Foreign Affairs and Security of the EU – Catherine Ashton – pointed out that 'Georgia has made significant efforts in democratisation, combating corruption and in economic development' (Ashton, 2010). However, there still



exists a gap between the expectations and aspirations of Georgia, and willingness of the EU towards Eastern expansion. The EaP project almost gained the importance of membership perspective in third states, especially in Georgia, whilst the EU documents keep being silent on the prospect accession.

After more than three years of negotiations on the AAs with EaP countries, Moldova and Georgia initiated their respective AAs and DCFTAs with the EU at the Vilnius summit, which was a culminating momentum of the entire EaP. After an intense pressure from the Russian Federation, presidents of Armenia and Ukraine abandoned negotiations with the EU before the Summit took place (Blockmans and Kostanyan, 2013).

The turbulence regarding the signature of the EU-Ukraine AA, in particular its escalation before the Vilnius Summit, represents a serious setback for the EU (Havlik, 2014). The Vilnius EaP summit on 28-29 November 2013, was a milestone in EU relations, not just with the six EaP countries, but also with EU's strategic partner – the Russian Federation (Havlik, 2014: 21). The European Commissioner for Enlargement and Neighbourhood Policy – Štefan Füle – attempted to de-escalate tensions, and tried to dismiss such fears by stating that AAs and DCFTAs should 'not be seen as a treat but as an opportunity, a contribution to creating an area of free trade between Lisbon and Vladivostok', moreover, he declared that this issues 'is not a choice between Moscow and Brussels' (Havlik, 2014: 23). 'Bullying attempts' of Russia, attempting to pressure its neighbours to integrate with Russia instead of the EU, were seen as counter productive not only by the Ukrainian people, but also by the external observers, number of civil actors of Russia and the EaP countries (Havlik, 2014: 24). According to Havlik, new strategy of the EU should be inclusive to Russia: refraining from strategic rivalry with Russia and revitalising the partnership for modernisation, especially in order to avoid trade wars and the building of new walls in Europe (Havlik, 2014).

The early draft declaration of the Vilnius Summit acknowledged the sovereign right of the each EaP country to choose the scope of ambition and final goal of its own relations with the Union, and to decide 'whether to remain partners in accordance with Article 8 of the Treaty of the European Union, or to follow its European aspiration in accordance with the Article 49 thereof', whilst the EU removed the reference to Article 49 from the final version of the declaration and the result of the Vilnius Summit fell far from serving as a 'rite de passage' towards full integration with the EU (Blockmans and Kostanyan, 2013: 2). The fact, that

some of the Member states succeed in eliminating Article 49 from the declaration, does not necessarily mean that the membership perspective of some of the EaP countries ended. Indeed, the language employed in the joint declaration is unclear enough to allow EaP countries to find support from the EU in order to materialise their wish to move beyond neighbouring status, given that ‘the participants reaffirm the particular role of the Partnership in support of those, who seek an ever closer relationship with the EU. The Association Agreements, including the DCFTAs, are a substantial step in this direction’ (Blockmans and Kostanyan, 2013: 2). The phrase ‘ever closer relationship’ can be read in the spirit of Thessaloniki, in the sense that the EaP provides the framework for the ‘European course of the [EaP] countries, all the way to their future accession’ (Blockmans and Kostanyan, 2013: 2). It is notable that the agreements with the EaP countries are more advanced than the pre-accession agreements of the countries of the Western Balkans, leaving aside the rhetoric of the preamble and the political part of the AA, the DCFTAs and the sectoral cooperation exhibit a large number of legally binding commitments that exceed provisional demands of the SAAs, with regard to their scope of coverage and level of enforcement (Blockmans and Kostanyan, 2013). Indeed, the EaP countries, which will sign, ratify and implement the AAs and DCFTAs with the EU, are supposed to be treated not just as mere neighbours of the Union in the sense of the Article 8, even if no explicit membership perspective is enshrined in their agreements (Blockmans and Kostanyan, 2013). Georgia, Moldova and Ukraine may move in this direction, despite of the fact that the more aggressive pressure from Russia is expected, including: the stricter migration policy of Russia, by expelling thousands of citizens, more trade sanctions that might be employed by Russia, and also, new tensions may occur on the breakaway territories of the EaP countries (Blockmans and Kostanyan, 2013).

The conclusion of the AAs differ from other EU external agreements, as far as the decision to conclude an Association with a partner country comes into force only after an unanimous vote of the Council and the consent of the European Parliament (Petrov, 2010). The procedure of the conclusion of the AA is regulated by the Article 218 of the TFEU, which gives possibility to any Member states, or a majority of the European Parliament, to block the conclusion of the agreement with a third states (Petrov, 2010).

The process of effective implementation of the AAs is a challenge for Georgia, since the country is expected to prove the adherence to the EU’s common democratic and economic

values and ensure the proper functioning of the political association and economic integration process (Petrov, 2010).

In June 2014, Georgia signed the AA including the DCFTA with the EU, and hereby, the country committed itself to gradual establishment of the European political, economic, social and legislative standards, that as expected, will bring prosperity, welfare and stability to the population (Office of the State Minister of Georgia on European and Euro-Atlantic Integration, 2014). At the same time, the Georgia-EU Association Agenda, adopted and composed of jointly agreed priorities, was established for the period of 2014-2016. September 2014, the Association Agreement entered into force provisionally, whereby about 80% of the Association Agreement came into force, including the Deep and Comprehensive Free Trade Area (Office of the State Minister of Georgia on European and Euro-Atlantic Integration, 2014). Monitoring of the implementation of the AA Georgia incorporates:

- Prime Minister: personally supervising the EU-integration related activities of the Government, including by chairing the meetings of the Governmental Commission on European Integration;
- Internal coordination mechanisms: the Government has strengthened internal coordination mechanisms, as well as the coordination capacities of the Office of the State Minister of Georgia on European and Euro-Atlantic Integration and related ministries;
- Policy Papers: in order to ensure long-term planning, as well as effective implementation of the EU-Georgia AA and the sustainability of corresponding reforms, Office of the State Minister of Georgia on European and Euro-Atlantic Integration has started elaboration of sectorial Policy Papers;
- Electronic monitoring system: Office of the State Minister of Georgia on European and Euro-Atlantic Integration has started working on the development of an electronic monitoring system for the implementation of the EU-Georgia Association Agreement, allowing effective monitoring of the information related to the implementation of the AA obligations (Office of the State Minister of Georgia on European and Euro-Atlantic Integration, 2014).

The Office of the State Minister of Georgia on European and Euro-Atlantic Integration published the progress report on the EU Integration related actions in 2014, mainly incorporating the following issues:

- Democracy, human rights and good governance;
- EaP and regional cooperation;
- Conflict prevention and confidence building;
- Justice, freedom and security issues;
- Economic and social reforms;
- Trade and trade related issues;
- Transport, energy, environment and communications;
- People-to-people contacts;
- EU integration information and communication strategy;
- EU assistance (AA Progress Report, 2014).<sup>7</sup>

The last Summit in Riga on May 2015, reaffirmed the commitments of the EaP partner countries and underlined further need of differentiation between the neighbours, as well as reiterated the importance of people-to-people contacts, however, it did not produce any breakthrough on the visa-free travel for Georgians and Ukrainians preserving the commitments already made at the Vilnius Summit (Kostanyan, 2015: 1). The Summit also offered support to Eastern neighbours in the face of Russian pressure and assistance in their implementation of the AAs and DCFTAs, however, the offers of the Riga Summit to its partner countries still remain rather limited (Kostanyan, 2015: 1). Obviously, the focus is driven to the implementation of the AAs and DCFTAs, which goes beyond the bureaucratic automatism and cost-benefit calculations, whilst the EU can incentivise the implementation process through the financial and technical support, which is indispensable for the domestic actors in order to do their ‘homework’ and keep the reformist constituency (Kostanyan, 2015: 2).

The Comprehensive Institutional-Building Programme (the CIBP) is a positive initiative towards the EaP countries, which draws upon the EU’s experience of Europeanisation candidate states, although compared to the candidate states, the funding remains limited (Kratochvil and Lippert, 2007). The CIBP would help partner countries to meet all conditions settled by the EU through improving administrative capacities in all sectors of cooperation (Łapczyński, 2009). The EU proposes intensive support to its partners efforts through the

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<sup>7</sup> See: Georgia’s Progress Report on the EU Integration Related Activities, Office of the State Minister of Georgia on European and Euro-Atlantic Integration (2014), available at: <http://www.eu-nato.gov.ge/sites/default/files/Georgia's%20Progress%20Report%20on%20the%20EU%20Integration%20Relat%20Activities%20%202014-final-december.pdf> [accessed on October 25, 2015].

CIBP, which implies providing advice and tracings for public administrations, as well as the equipment and infrastructure needed for proper operation of institutions (Devrim and Schülz, 2009).

### **5. 3. 2. The Deep and Comprehensive Free Trade Area**

The DCFTA constitutes a key element of the AA, aiming at the gradual integration of third states into the EU market. The objective of the agreement is to create a deep and comprehensive free trade with each EaP partner county. The necessary pre-condition for the negotiation on the DCFTA is the accession to the World Trade Organisation (the WTO) of a state. The DCFTA is the biggest economic ‘carrot’, which the EU can offer to its neighbouring countries’ and that could also be seen as a test case for the credibility in enhancing economic relations of the Union with the EaP countries (Kratochvil and Lippert, 2007).

The internal market of the EU constitutes a complex functional system of the market based on the definition provided by the TFEU:

*‘The internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaties’ (the TFEU, Article 26.2).*

As the largest regional market of the world, the European Union is an important trade partner for all EaP countries, including Georgia. The importance of the EU market for the EaP countries is derived not only from the potential of the market, but also from its stability and reliability for the Eastern European countries.

The content and the overall aim of the DCFTA with EaP countries is informed by the experience of the EU to conclude trade agreements with its neighbouring regions, namely – the FTAs, which were concluded in compliance with similar economic objectives. The DCFTAs with the Eastern countries were launched as a part of ‘take it or leave it’ policy strategy (Delcour, 2015: 7).

The DCFTAs appear to be extended to EaP countries primarily for the political reasons, rather than their trade potential in economic cooperation with the EU (Delcour and Wolczuk, 2013). Georgia's current GDP is roughly 0.10% of the EU's GDP, and even when Georgians will achieve the level of economic life of European citizens, it will be 1% of the EU's GDP (Jandieri, 2011). Therefore, the EU considers that the benefits of the DCFTA for the EU are not economical, but rather political, in terms of its presence as an attractive anchor for the whole region (Jandieri, 2011).

Partner countries are supposed to approximate their legislation with the bulk of the EU's trade *acquis* that may be considered as rigid, complex and highly technical, that makes the process of harmonisation costly and challenging for the EaP countries (Delcour and Wolczuk, 2013). The AAs and DCFTAs have been developed as a technical process, focusing on regulatory convergence with the EU *acquis* and negotiations with groups of experts (Delcour, 2015).

The DCFTA Georgia incorporates bundle of legislation that should be approximated with the EU law and standards. Costly reforms, in order to make the market of Georgia compatible with the EU market, are important step towards economic integration with the EU. Appendices of the thesis provide the list of the legislation presented by the Office of the State Minister of Georgia on European and Euro-Atlantic Integration that has been adopted, or is in the process of adoption, by Georgia as a part of the implementation process of the AA, including the DCFTA. Moreover, the Report on the 2014 National Action Plan for implementation of the AA includes number of planned activities (totally – 345) and responsible institutions on its implementation within the timeframe stated in the report, as well as sources of funding (Georgia or the EU) and status of its implementation.<sup>8</sup>

Three countries of the EaP have been eligible for the GSP in 2014 (Ukraine, Georgia and Armenia), amongst them – Armenia and Georgia benefit from GSP+ (European Integration

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<sup>8</sup> See: Report of the 2014 National Action Plan for the Implementation of the Association Agreement between the European Union and the European Energy Community and their Member States and Georgia, of the other part and Association Agenda between the European Union and Georgia, Office of the State Minister of Georgia on European and Euro-Atlantic Integration (2014), available at: <http://www.eu-nato.gov.ge/sites/default/files/REPORT%20of%20the%20AA%20Action%20Plan-2014%20ENG%20-%20FINAL%20ENG.pdf> [accessed on 25 October, 2015].

Index, 2015). The lowest import tariffs on the EU products are applied in Georgia (European Integration Index, 2015).

The conclusion of the DCFTA with the EU was a major priority for Georgia in the medium term, given that the free trade with the EU could solve fundamental problems in external sector of the economy, in particular, the increase and diversification of exports, growth in imports of technology and know-how, strengthening of the competitiveness and improvement of the current account balance, and growth of foreign direct investments inflow (Kakulia, 2011: 28).

The signature of the DCFTA Georgia will result in an additional increase in Georgian exports by 13.3% over the next 5 years, by 2.7.% on average per year (Kakulia, 2011: 28; Case/Global Insight, 2008). This will also facilitate the export of services, especially financial aid and the so-called other business services, and also, an additional increase in exports of tourism services is highly expected (Kakulia, 2011: 28). Beyond the overall positive impact of the DCFTA on the Georgian products and services, and their diversification, one of the most significant effects is expected in the strengthening of inflow of the foreign direct investments in Georgia (Kakulia, 2011: 28). Complying with the EU rules and norms is certainly attractive for foreign investors (Kratochvil and Lippert, 2007). Signing of the DCTFA will bring an additional increase in Georgias' real GDP by 6.5% over the next 5 years, 1.3% on average per year (Kakulia, 2011: 29; Case/Global Insight, 2008).

An achievement of advanced economic status for small countries requires an absolute economic openness to the rest of the world and the development of specialised high performance niche sectors (Emerson, 2014). Georgia has fully adopted this strategy even before the beginning of negotiations on the DCFTA, and the case of Georgia, over the recent years, became the leading example in liberalising reforms and de-corruption that should be poised to make good economic progress, with the DCFTA towards diversification of exports (Emerson, 2014: 13). In terms of economic reforms, Georgia achieved significant achievements over the last decade, by ensuring that business can be established quickly, both in terms of time and monetary costs, also the tax system is quite flexible – with only five payments that are made annually (European Integration Index, 2015). Georgia enjoyed a high rating in the World Bank Doing Business reports – placed 15<sup>th</sup> ahead of 22 EU Member states

in the 2014 ranking. Whilst neither Ukraine, nor Moldova has a stable or welcoming business environment for investors (European Integration Index, 2015).

The economic strategy of Georgia is based on the doctrine of liberalism, which significantly differs from the theoretical foundations of the European convergence models (Kakulia, 2011). In fact, conclusion of the DCFTA Georgia demands an increasing commitment of the state towards harmonisation of its legislation with the EU regulatory law bundle. As far as the national economic priority of Georgia is to establish DCFTA with the EU, in order to find a reasonable compromise, which will not burden Georgian economy and at the same time will contribute to further regulatory convergence with the EU, it is appropriate to use the tools of bilateral and multilateral dimensions of the EaP (Kakulia, 2011). The CIB implies to provide assistance to all leading Georgian institutions, in order to smooth out differences in the process of harmonisation of the DCFTA Georgia (Kakulia, 2011).

It is paradoxical that how the EU's strong economy remained relatively closed for the small and weak Georgian economy, which was already completely open for the EU (Emerson, 2014; Table 17). For instance, the EU's highly protective agricultural market policy prevents the Union from making strong trade offers to its neighbouring countries (Boonstra and Shapovalova, 2010).

Table 17 – Population and GDP per-capita in EaP countries, 2013

<b>Countries</b>	Population (millions)	GDP per capita (Euro)
<b>Armenia</b>	3.2	3.355
<b>Azerbaijan</b>	9.4	7.93
<b>Georgia</b>	4.5	3.689
<b>Moldova</b>	3.6	2.218
<b>Ukraine</b>	45.2	4.015

\* *The European Commission, 2013*



Georgias' own trade policy is more open to the EU than *vice versa* (Jandieri, 2011). The author states that the negotiation on the DCFTA between the EU and Georgia has been burdensome for Georgia, as the industrial technical norms of the EU inevitably slow down and distort Georgias' process of industrialisation (Jandieri, 2011: 67). Moreover, the approximation of sanitary and phytosanitary measures, as a condition for the DCFTA, would trigger an average price increase of 90% for the key food products, purchased by one-third of Georgian population, who live in poverty (Jandieri, 2011). Georgian expert claims, that the EU has a 'bad' commercial policy towards Georgia, some of the EU recommendations simply lack any rationale, instead of, firstly and foremost, boosting partners' economic growth and development (Jandieri, 2011: 2). Author considers the DCFTA negotiation level extensively complicated, as it was composed with pre and post negotiation preconditions (Jandieri, 2011). Out of 11 preconditions, provided by the 2009 Matrix, four were chosen unilaterally by the Commission as key ones: technical barriers to trade, sanitary and phytosanitary (SPS) measures, competition policy and intellectual property rights (Jandieri, 2011). The language of the Commission in the process of assessment of preconditions were unclear in terms of expressions such as 'sufficient progress', 'adequate system', 'effective and proper implementation', etc (Jandieri, 2011: 2). Uncertainty of the language, once again, was highlighting the discretion of the EU in the process of negotiations regarding the evaluation of progress of a partner country (Jandieri, 2011). Georgian economic expert also criticises the 'one size fits all' approach, based on which the EU conducted its negotiations with the EaP countries (Jandieri, 2011: 5), instead of application of the differentiation principle. The author considers Georgia as an impressive performer in the reforming process, and urges the EU to build its reputation as an attractive economic and political anchor, in order to avoid the emerging challenges of other global and regional actors (Jandieri, 2011: 2-4).

The conclusion of the DCFTA Georgia with the EU has been initially linked to the harmonisation of legislation to the *acquis* of the EU. Overall, the DCFTAs with the EaP countries are closer to the European Economic Agreements (the EEAs) and seem to be more demanding in terms of compliance of the EU *acquis*, than the SAAs with Balkan states (Emerson, 2014). However, the SAAs make a clear reference to the membership perspective, whilst the DCFTAs do not address this issue. The internal economic standards of the Union, if not regulatory requirements, are often the same as international standards, so the challenges

in the economic reforms are unavoidable if EaP countries are to become modern and internationally competitive (Emerson, 2014). During the early negotiations on the DCFTA Georgia, there were sharp differences between the Georgian administration – wishing to complete a radical deregulation reform, and the Commission – seeking commitments to the EU *acquis*, imposing new and heavy burdens, in both public and private sectors (Emerson, 2014; Messerlin and Emerson, 2011).

Transferring the bundle of the EU rules and norms in neighbouring countries ‘is at the heart of the ENP’ (Casier, 2011: 38). The implementation of regulations and directives included in the AA and DCFTAs is composed with 302 for Georgia, 333 for Ukraine and 407 for Moldova (Kostanyan, 2015: 2). During the process of the DCFTA negotiations, it seemed that partner states were willing to accept much of what the Commission was proposing, but the Union left a little room for the manoeuvre for the EaP countries and was entirely based on the approximation to the EU *acquis* (Emerson, 2014). In practice, much of the *acquis* is very burdensome for the third states, especially in agriculture and food processing, financial market regulation and environmental standards (Emerson, 2014).

The rule transfer, in the context of the ENP, is dependent on the interaction of three factors: (1) usefulness of the ENP provisions on the domestic levels; (2) legitimising the rule transfer, based on the subjective precipitations of accession in a long term perspective; and (3) the institutional design of the ENP (Casier, 2011: 38-40). The process of rule transfer in the EaP countries has been so far uneven, partial and selective (Casier, 2011). For example, Georgia showed its strong willingness to participate in the rule transfer, but still it has been weakly reflected in the effective rule adoption, namely in the field of democratic reforms (Casier, 2011). However, Georgia made a significant progress in the introduction of new rules on the independence of judiciary and anti-corruption legislation (Casier, 2011). In this context, the conditionality and dependence assume a high degree of asymmetry in favour of the EU, holding a dominant bargaining position (Casier, 2011). The effective rule transferring demands strict conditionality, that is composed of conditions, rewards and a link between the two, that does not seem to be certain and clear in the EaP framework (Casier, 2011). The EaP does not follow the logic of conditionality, also the economic dependence does not explain the rule transfer process in third countries, since some of the ENP countries are found to approximate their legislation in order to seek legitimacy with the EU and to increase their chances of membership, but this process is ‘subjective’, rather than part of the enlargement,

which creates the expectation that the accession will appear as a logical outcome in the case of successful rule adoption (Casier, 2011: 50).

Signing the DCFTA with the EU triggers serious internal reforms in the EaP countries by avoiding the undemocratic practices, based on the incentive of opening EU market access (Petrov, 2010). Georgian government initiated an increasing number of amendments in the legislations and also introduced new policies in various spears of governance. Georgian national legislation differs from the EU *acquis* and internal standards. On the initial level, the EU focused on the necessity to increase standards in: (1) technical barriers to trade, (2) sanitary and phytosanitary (the SPS) measures, (3) competitions law, and (4) intellectual property rights (Emerson, 2010). The EU food safety standards are extremely expensive to apply to the whole economy of Georgia; hence, the exporters of fruit, vegetable and wine could work on getting certification of their export production, without applying the whole EU *acquis* to the entire agricultural sector of Georgia (Emerson, 2010). The Member states of the EU faced personally the painful economic reforms on the harmonisation and approximation with the EU's common regulations and directives, which they would have never applied without being politically and financially part of the accession package (Emerson, 2010). Thus, one would claim, that the economic concept of the DCFTA should be reconsidered and adapted to the circumstances of the Eastern partners (Emerson, 2010).

The degree of legal approximation in the EaP countries should reflect partner countries preferences and capacities, however, in practice the DCFTAs envisage wide-ranging and far-reaching approximation aligned with 80-90% of the trade-related *acquis* (Delcour and Wolczuk, 2013). In order to meet the food safety requirements of the EU, partner countries have to create laboratories, introduce inspections and carry out expensive trainings, moreover, the costs of approximation are borne by not only the state authorities, but also by the business sector, especially small farms, which cannot afford to introduce effective safety control systems (Delcour and Wolczuk, 2013). The costs of implementing the DCFTAs are likely to be prohibited for the EaP countries, given their lower level of development, whilst these costs are not reflected in the current level of EU assistance to the region, nor in the quotas for the products, which the countries export to the EU (Delcour and Wolczuk, 2013). The complexity of the EU *acquis* system makes the process of implementation difficult, taking into consideration not only the economic and administrative context of each country, but also the political (Delcour and Wolczuk, 2013). The EU's toolbox, until today suffers

from major weaknesses, such as: (a) discrepancy between the level of development of the *acquis* and partner countries current situation: (b) gap between the EU rules and immediate needs of the EaP countries, (c) little short-term benefits offered to the partner countries (Delcour and Wolczuk, 2013).

Despite the costs of approximation, the partner countries political elites continue to declare their interest in transformation, given that the process of Europeanisation is considered as a significant part of external political and economic preferences, as well as foreign policy priorities of the political elites and societies of some of the EaP countries. An enormous pressure on the EaP countries to join the Eurasian Union, should be taken into consideration by the EU, as far as it affects and modifies the political and economic trajectory of the EaP countries.

Unexpectedly, the conclusion of the AAs and DCFTAs with the EU became an issue of geopolitical choice, under the tense security circumstances. Countries of the common neighbourhood of the EU and Russia have to make a choice between the competing and emerging economic Unions on the Eurasian continent. Initially, it was not a plan of the EU, neither the economic interests of the EaP countries, including Georgia. The conclusion of the DCFTA Georgia has its implications on the territorial integrity problems of Georgia, especially due to the fact that the population of Abkhazia and South Ossetia territories are not capable of benefiting from those agreements. Formally, the DCFTA applies to the entire territory of Georgia, including Abkhazia and South Ossetia, but technically this is not possible under present circumstances, when the central government of Georgia is not capable of exercising effective control on its whole territory. Therefore, the DCFTA will be applicable for the entire territory of Georgia 'when conditions permit' (AA Georgia, 2014), which explicitly refers to the time of the solution of territorial conflicts of Georgia.

The EU's share in the trade structures rose substantially from 1995 to 2012, in both cases of exports and imports, while, Russia's share, over the same period, has declined in almost all instances (Emerson, 2014).

Table 18 – The EU’s Share in the Exports and Imports, 1995 and 2012, in%

	Exports		Imports	
	1995	2012	1995	2012
<b>Armenia</b>	22.3	39.3	17.2	26.4
<b>Georgia</b>	8.7	14.9	31.8	31.0
<b>Moldova</b>	32.0	59.9	27.2	55.1
<b>Azerbaijan</b>	19.2	56.5	17.7	28.0

*\*The European Commission*

*\*\*The Eurostat: <http://ec.europa.eu/eurostat>*

Table 19 – Russia’s share in the Exports and Imports, 1995 and 2012, in%

	Exports		Imports	
	1995	2012	1995	2012
<b>Armenia</b>	25.4	19.6	19.4	24.8
<b>Georgia</b>	31.0	1.9	12.4	6.0
<b>Moldova</b>	48.3	20.8	33.1	8.2
<b>Azerbaijan</b>	18.1	2.7	18.1	2.7

*\*The European Commission*

*\*\*The Eurostat: <http://ec.europa.eu/eurostat>*

The case of Georgia is ‘extreme on all accounts’, since it has a single vector in its foreign policy – Europe, NATO and the West in general (Emerson, 2014:16). In other words, Georgia’s priority is to be free of Russian hegemony, even though, Georgia would like to have workable and good relations with Russia, on the basis of sovereign independence (Emerson, 2014). Georgia decided on a policy of radical opening of the economy and de-corruption internally before the DCFTA, therefore, and because of completely liberalised policy in economy since 2005 regarding goods, services, capital and labour, it will not be a subject to new adjustment impacts now, but will have greater opportunities to export to the EU (Emerson, 2014: 13).

Consequently, the benefits of the DCFTA are linked to the prospect of introduction of free movement of four EU freedoms, providing that the DCFTA ‘envisages a deep convergence of the regulatory framework with that of the EU, which in turn, would lead to the removal of non-tariff barriers and large scale liberalisation of the trade in services’ (Kakulia, 2009: 32). Economic experts estimate that the DCFTA Georgia could increase FDI from \$ 2.3. billion up to \$11.36 billion in 2020 (Maliszewska et al, 2008). Moreover, the DCFTA may increase Georgian exports to the EU by an additional 13.3% over five years, and also, could lead to economic gains for Georgia up to the 6.5% of the country’s GDP (Kakulia, 2009: 29; Maniokas, 2009). Significant increases of the foreign direct investments are also expected in other EaP countries that signed the DCFTAs with the EU.

### **5. 3. 3. Visa Liberalisation**

Origins of the EU visa policy are found in the Schengen *acquis*, therefore, the process of visa liberalisation with neighbouring countries follows the pattern of conditionality, where third states should fulfil the benchmarks set by the EU (Hernández i Sagrera, 2014:1). The process has no specific deadlines, as it finalises when the Commission positively assesses the adoption and implementation of reforms, most of which are security-related components (Hernández i Sagrera, 2014).

The EU has developed several policy instruments to ease the visa application procedure in the absence of visa-free regime, through visa facilitation agreements, usually mistaken for

visa liberalisation. In the visa facilitation agreements visa obligations still prevails, although with the simplified procedures, such as exemption of visa fees for certain categories or reduced fixed visa fees for applicants. Visa liberalisation is actually a step towards visa free regime in a long term perspective. The bulk of reforms to be implemented within the visa liberalisation process are international norms, mainly from the UN and the Council of Europe, in this manner the EU acts as a transmitter of international norms, and the process of reforms in third states gains more legitimate nature (Hernández i Sagrera, 2014).

In September 2008, the EU promised visa facilitation mechanisms to Georgian government, shortly after the August war in Georgia. In June 2010, Georgia and the EU signed the visa facilitation agreement, which was passed by the European Parliament in December 2010, came into force in 1 March of 2011. The visa facilitation agreement should not be considered as a substantial improvement of people-to-people connection. Rather, this agreement contains a visa fee reduction for the citizens of Georgia from 60 Euro to 35 Euro, and some procedural simplifications regarding the documents for visa application (EU-Georgia Agreement on the facilitation of the issuance of visa, 2010).

Visa policy constitutes a significant element of the EaP, as neighbours are expecting greater and faster visa liberalisation process in a secure environment, which should be ensured by fighting against illegal migration, upgraded asylum policy, integrated border management system, enhancement of the police and judiciary system, and other crucial elements in compliance with the mobility and security pacts. The mobility of people could be the most tangible incentive for the Eastern neighbours, but the EU is reluctant to fully deploy it (Boonstra and Shapovalova, 2010).

Complications related to timely conclusion of visa liberalisation with the EU are characterised by scholars as a 'gated community syndrome', with the justification of fighting against the illegal migration, that is in fact, and usually, informed by the fear of the neighbours, as a common sense (Zaiotti, 2007; Emerson, 2007; Kochenov, 2009). However, the 'EaP's capacity to create real mobility options for citizens from the neighbour states is a litmus test of the EU's commitment to the region, the Commission is aware of this and the high expectations the neighbours have for real progress in this area' (Longhurst and Nies, 2009: 16).

The abolition of visa regime for the EaP countries has been a constitutive part of the EU's migration agenda for this area, taken into consideration that the EaP Summits in Vilnius, the Summit in Prague and the Summit in Warsaw made references to the visa liberalisation agenda as a core goal for further cooperation towards those countries (Hernández i Sagrera, 2014). According to the Joint Declaration:

*‘enhancing mobility in a secure and well-managed environment remains a core objective of the Eastern Partnership. The participants of the Vilnius Summit warmly welcome the progress made by some partners towards Visa Liberalisation through the implementation of the Visa Liberalisation Action Plans. In this context they also welcome the conclusion of Visa Facilitation and Readmission Agreements’* (Council of the European Union, 2013).

The EU Member states have been reluctant to provide the EaP countries with the ‘roadmaps’ for Visa liberalisation, and therefore the ‘Action Plans’ have been initiated that ‘should serve as models for other partner countries, who wish to engage in visa liberalisation dialogues with the EU, bearing in mind the specificity and progress of each country’ (Hernández i Sagrera, 2014: 7; Council of European Union, 2013). Unlike the visa dialogue with Western Balkans, the action plans are structured as required reforms and their benchmarks. According to Commissioner Malmström, a two-phased approach follows: ‘first a set of reforms on legislation and planning, and second set of more specific benchmarks, covering implementation and reforms on the ground’ (Malmström, 2011). Like the roadmaps, the action plans are also divided into four blocks of reforms: (1) document security; (2) irregular migration-readmission; (3) public order and security; and (4) external relations – fundamental rights (Hernández i Sagrera, 2014: 5).

Georgias’ Visa Liberalisation Action Plan (the VLAP) has been launched in June 2012. Georgia received the VLAP in February 2013, and managed to officially start the implementation process. The Georgian passports issuing system and other documents security issues were upgraded even before the VLAP was launched, and also a good progress was recorded in the areas of visa dialogue and irregular migration, while in the area of border management a slight decrease was observed (European Integration Index, 2015). Regarding Georgia, the Commission welcomed such a good progress (European Commission, 2013). Positive development could be observed in terms of increase of visa insurance towards the



citizens of Georgia. In 2009, the EU countries have issued 50,600 visas to the citizens of Georgia and in 2012, the number increased to 60,000 (Hernández i Sagrera, 2014).

Consequently, a visa free travel is very important for the citizens of the EaP countries, as it provides them with a burdensome procedure of visa application, which is very costly and demanding in terms of documents and time. The visa free travel would have positive impact on the tourism sector, student and scientific exchanges and also will create other possibilities to facilitate business (Hernández i Sagrera, 2014). In fact, the process of visa liberalisation constitutes the most tangible incentive, which the EU can offer to the EaP countries, in particular, given that it directly affects the partner countries citizens.

#### **5. 3. 4. Multilateral Track of Cooperation**

One of the substantial novelties of the EaP is its innovative multilateral track. Unlike in the other cooperating regions, the Union has not supported strongly and demandingly any regional frameworks in the former Soviet space. On one hand, significant disparities remained among the Eastern countries after the dissolution of the Soviet Union, on the other, Russian influence has been competing with the Europeanisation process and a strong support of regional cooperation could even be counterproductive for the security of the region. The EaP introduced a 'relatively simple operational structure' for the multilateral dimension, which is regarded as one of the main strengths of this policy (Boonstra and Shapovalova, 2010: 5; Kratochvíl, 2010).

The multilateral track of the EaP is an attempt 'to develop a multilayered and, to some extent, pluralistic and participative institutional framework', which relies upon a 'networked form of interaction between the EU and its partners, reflecting 'horizontal, participative, flexible, and inclusive structure of governance often referred to as 'network governance' (Delcour, 2011: 7; Lavenex and Schimmelfennig, 2009). At the technical level, the multilateral track provides unique forum for dialogue between the EU, its Member States, other international organisations and the six EaP countries. Moreover, for the Union it is an additional possibility to explain its policies and to provide alternative narrative to Russia's policies (Boonstra and Delcour, 2015).

Six countries of the EaP do not represent a consolidated group of countries in terms of developing substantially viable framework of regional cooperation. It is expected that two different sub-groupings amongst the EaP countries will emerge. One group would incorporate Georgia, Moldova, and Ukraine, and another – Armenia, Azerbaijan and Belarus. In other words, EaP countries can be divided into two groups: one comprised of the countries, where the EaP benefits are acknowledged, at least rhetorically (Georgia, Moldova and Ukraine), and another, where the EaP is viewed with suspicion (Armenia, Azerbaijan and, formally, Belarus as well) (Kratochvil and Lippert, 2007). The disparities in those groupings are still strong enough to undermine the political and economic consolidation within the multilateral track of cooperation.

Georgias' relations and political aspirations towards the EU and NATO, being a frontrunner country of the EaP, outstrip both Armenia and Azerbaijan, therefore, the notion of the Southern Caucasus, as a region, in the framework of the EaP, seems substantially misleading (Longhurst and Nies, 2009). It was the Georgian-Russian war of 2008, that provided the EU with strong impulse to move towards the Eastern countries by stronger policy framework (Longhurst and Nies, 2009).

The Warsaw Declaration of 2011, provides that 'the multilateral Platforms will further help advance partner countries' legislative and regulatory approximation to the EU *acquis* by allowing exchanges of experience and best practices. The work programmes of the platforms and panels will be reviewed to allow flexibility in responding to the needs of partner countries and to take into account new areas of cooperation' (The Council of the European Union, 2011: 19).

The new configuration of institutional cooperation between the EU and its Eastern partner countries significantly increases the number of meetings between the EU officials and representatives of third countries. The Commission proposes: (a) meeting of the EaP heads of the governments every two years; (b) annual meetings of the Ministers of Foreign Affairs; and (c) the establishment of four thematic platforms:

- democracy, good governance, and stability;
- economic integration and convergence with EU policies;
- energy security;

- contacts between people.<sup>9</sup>

Thematic platforms will be held twice a year and report annual meetings of Foreign Ministers, they will also have their agendas prepared by the Commission in collaboration with the EU Presidency and the EaP partners' Panels. The Panels are established in order to support the platforms substantially and organisationally. Through governmental meetings, and through the involvement of non-state actors, the multilateral track activities open up channels and new opportunities for socialisation, as well as social learning (Boonstra and Shapovalova, 2010). However, the EU is responsible for organising such thematic platforms, setting the provisional agenda, managing information flows and also, it plays a predominant role in the setting of objectives and the reviewing of progress (Delcour, 2011). Even though, the multilateral track formally engaged partner countries, still the central role enacted by the EU, raises the major questions if the partner countries are actually capable of impacting the formation of the Europeanisation agenda within the EaP framework (Delcour, 2011).

The Panels are less politicised and therefore, *de facto* more inclusive (Delcour, 2011). The Panels allow an open discussion and exchange of information between the partners on an equal basis, thereby contributing to foster joint ownership of the policy process, where actors presenting their experience of reforming that seems to be more suited to Eastern partners' expectations (Delcour, 2011).

Within the EaP project, the EU-Eastern Partners Parliamentary Assembly (the Euronest), the Civil Society Forum (the CSF) and the Committee of Regions (the CoR) were established as additional and non-governmental initiatives, aimed to support the intergovernmental cooperation frameworks of the multilateral track.

The Euronest is made up of representatives of the European Parliament and the national parliaments of Armenia, Azerbaijan, Georgia, Moldova and Ukraine, as well as the observers from Belarus. The Euronest is unprecedented attempt to develop parliamentary cooperation with Eastern partners at a multilateral level, achieved through setting up an assembly gathering the EU and partner countries parliamentary representatives (Delcour, 2011). The

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<sup>9</sup> For more information see the European Union External Action official web-page, available at: [http://eeas.europa.eu/eastern/platforms/index\\_en.htm](http://eeas.europa.eu/eastern/platforms/index_en.htm) [accessed 25 November 2015].

Euronest is working through committees that should link up with the EaP thematic platforms. The Euronest is composed of ten members of the assembly from each of the partner countries and 60 representatives from the EU. The composition of the Euronest does not take into account the size of a partner country and balance of representatives of the Western and Eastern countries, since the Central Eastern EU members are overrepresented (Delcour, 2011). Four committees have been established within the Euronest: (1) Political Affairs, Human Rights and Democracy; (2) Economic Affairs, legal approximation and convergence with EU policies; (3) Energy Security; (4) Culture, Education and Civil Society. The Euronest has political nature and a limited role, which is played by the European Parliament in the EU foreign policy process, which in turn is an important obstacle to the influence of an assembly in the multilateral track (Delcour, 2011).

The CSF has a quite complex structure, which is uniting the civil society representatives from the EU, as well as from the partner countries. The CSF platform unites 75 non-governmental organisations of Georgia. The mandate of the platform is to contribute to solving the challenges and problems, which may hinder the effective implementation of the EaP instruments. The mandate is renewable, based on the system of rotation, which ensures openness to new organisations, but also to some extent restricts the most active members (Kaca, 2011; Delcour, 2011). The CSF is organised in four thematic platforms coordinated by the EU and partner countries: (1) Democracy, good governance and stability; (2) Economic integration and convergence with the EU policies; (3) Energy, climate change, environment; and (4) Contacts between people. The thematic platforms of the CSF repeat the topics of cooperation of the governmental thematic platforms.

The largest working group of the CFS – the Democracy, Good Governance, Human Rights and Stability – includes over 100 civil society organisations, and is divided into 6 sub-groups dealing with public administration, judiciary, independent media and visa liberalisation (Delcour, 2011). The impact of the CSF can be assessed positively, as far as networking is concerned, and the forum acts as a catalyser in the dialogue between the EU and partner countries' civil society organisations, which promote the exchange of information and work towards common positions (Delcour, 2011). Limited impact on the policy process remains to be the main obstacle of the CFS's influence (Delcour, 2011).

The EaP CSF has a great potential to promote democratic and market oriented reforms based on shared values, i.e. respect for democracy and human rights, the rule of law, good governance, principles of market economy and sustainable development, as conceptualised by the EU (Schäffer, 2010). Thus, the EU and partner countries should be more active in supporting civil society actors of Georgia, provided that there is a potential of substantial input.

The CoR constitutes an advisory body of the EU, seeking an active role in the EaP. The CoR initiated the creation of some of specific panels within the thematic platforms, dealing with the key issues of local and regional authorities, as well as assisting the Commission in drawing up programmes for training and networking with local authorities, in order to strengthen administrative capacities and promote local governance reform (The Committee of Regions, 2009). Conference of 2011, in Poznań, calls for a greater involvement of local and regional authorities in the EaP, through an increased funding for projects strengthening local democracy and through specific sections in the agreements being negotiated with partner countries (The Committee of Regions, 2011). The pre-requisite for being appointed to the CoR is to be a locally elected politician, which will help to establish a peer-to-peer assembly (Delcour, 2011).

Flagship initiatives have a specific position under the multilateral track of the EaP, given that unlike other tools they are solely managed by the European Commission (Delcour, 2011). The Commissions proposal details the number of Flagship Initiatives, incorporating:

- Integrated Border Management;
- Small and Medium Sized Enterprise facility;
- Promotion of regional electricity markets;
- Energy efficiency and renewable energy resources;
- Development of the Southern energy corridor;
- Cooperation on prevention of, preparedness for and response to natural and manmade disasters.

Some improvements have been achieved in the Integrated Border Management Initiative, launched in 2009, through the signature of a contract with International Centre for Migration Policy Development for training activities (Delcour, 2011). The other initiative – Small and

Medium Sized Enterprises (the SME), which mobilises the European Bank for Reconstruction and Development (the EBRD) and the European Investment Bank (the EIB), is also a well based track supporting the business associations in the process of reforms (Delcour, 2011). Launching a programme, which will support the SME's in the EaP countries, aims at encouraging public-private dialogue in this area, share the best practices and strengthen the capacity of organisations in the EaP countries that support the SME (Kakulia, 2011). The initiative of the Diversification of Energy supplies is stagnating due to the competition between the EU and Russia funded energy projects, moreover, the tension caused by the Russian factor may undermine other highly politicised flagship initiatives, as in the case with the energy (Delcour, 2011). Russia still remains a single most important supplier of energy to Belarus, Moldova, Ukraine and Armenia that involves an export of gas, oil and nuclear fuel. Since 2007, Azerbaijan and Georgia have abandoned further import of gas from Russia, by consuming the Caspian Sea gas from Azerbaijan.

Regional cooperation, with the involvement of Russia, is supposed to occur within the CIS framework, or by other framework initiated by Russia (Zagorski, 2010).

Key recommendations have been developed by Declore, aiming to turn the multilateral track of the EaP to its initial aim of effective socialisation, where the multilateral track should:

- seek to increasingly involve the EU Western Member states in order to turn the EaP into an EU-wide foreign policy;
- be combined with stronger additional incentives under the bilateral track, for those countries aspiring to get closer to the EU;
- stick to its initial and innovate socialisation approach, i.e. act as an inclusive forum of discussion, where all stakeholders should have a say on an equal footing (Delcour, 2011).

In the EU scholarship, another notable recommendation has been developed, which remains relevant for the ENP, namely: the EU should keep stressing that the EaP initiative is not directed against Russia, and the EU should continue its efforts in finding solutions to the frozen conflicts in Transnistria, Abkhazia, South Ossetia and Nagorno-Karabakh (Łapczyński, 2009).

Consequently, the EaP countries remain to be a group of countries, though not a consolidated one – with different political and economic interests towards the EU and other strategic partners. The expectations of the EaP countries in the process of Europeanisation are also different, in particular in the contexts of security and economic cooperation. In the political situation, when those countries recognise the absence of the EU's 'Eastern region' as such, there is a long way before this area is capable of establishing meaningful regional cooperation, even though there exists meaningful economic, social and cultural ties between the EaP countries.

#### **5. 4. THE 'BOTTOM-UP' EUROPEANISATION**

Even after the introduction of the EaP, the substantial understanding of domestic needs and increasing challenges of its neighbouring countries still remains. The policies of the Union are not reflective to the urgent needs of the EaP countries, in particular, regarding the economic and security issues. The EU posits that the long-term perspective for stabilisation and prosperity is offered to the EaP countries, however, what is missing in the European foreign policy towards this area is exactly the long-term strategy. The vision of the Union is not clear for the EaP countries that could result from missing a common position inside the EU on the prospect of the Eastern European countries, or misunderstanding of interests of the actors. There are legitimate questions about the ability and willingness of Ukraine, Moldova and Georgia, to implement the commitments that they have undertaken through signing the AAs and the DCFTAs with the EU (Delcour and Kostanyan, 2014). The EU is missing a sensitive approach towards the existing political, diplomatic, economic, energy and military ties between Russia and countries of the common neighbourhood, which might result in the victimisation of those countries by Russia. Rethinking the EU strategy towards the Russian Federation is a need arising from current violent climate, and it should go beyond the sanctions (Delcour and Kostanyan, 2014).

The critical assessment of Cremona and Hillion of the ENP still remains to be relevant for the EaP: 'Transplanting pre-accession routines into a policy otherwise conceived as an alternative to accession and intended to enhance the security of the Union, may...undermine both its current effectiveness and its longer-term viability, if not its rationale' (Cremona and Hillion, 2006: 26).

One of the weaknesses of the EU's approach is the credibility of the conditionality (Kratochvil and Lippert, 2007). The EaP inherited the contradiction principles of the joint ownership and conditionality (Boonstra and Shapovalova, 2010). The idea of conditionality is in total dissonance with the proclaimed joint ownership of the process, which is based on the awareness of the shared values and common interests (Kochenov, 2009). The EU still remains dependent on the success of conditionality related progress, that is not reconcilable with the principle of the joint ownership, defined as 'essential' pursuant to the EU documents (The Commission Communication, 2007; Cremona and Hillion, 2006; Kochenov, 2009).

If the effectiveness of the EaP is based on the concept of conditionality, than it seems unclear until when the EU postpones the discussion about the finalité of the ENP and the offer of the EU membership, in a long-term perspective, to some of the ENP countries (Zaiotti, 2007). As it has already been mentioned, poor incentives are not capable of real changes and implications on the partner countries (Zaiotti, 2007). Within the framework of the EaP, the EU still faces the challenge of an effective application of conditionality:

*'The EU must resolve the ongoing dilemma between consistency in application of conditionality and the leverage it can have regarding the partner countries. Otherwise, the EU risks losing its credibility among neighbouring states and the population'* (Boonstra and Shapovalova, 2010: 5).

It is also notable, that in the framework of the EaP the EU appears 'to be increasingly privatising the elements of 'joint ownership' and 'shared values', thus ascribing 'the others' a role of compliant 'norm-taker', rather than a 'negotiator' or 'owner', as initially conceived' (Korosteleva, 2011: 246). Moreover, 'the idea of partnership is in practice being replaced by the top-down conditional governance – a tool of enlargement that ultimately contradicts the principle of partnership and the EU rhetoric of engagement with non-member states' (Korosteleva, 2011: 246). If the principle of joint ownership remains to be 'essential' for the success of the ENP, as a concept in contrast with the principle of conditionality, then it seems still unclear why the domestic political and foreign policy preferences of 'willing' partner countries do not impact the policy formation of the EU, and the partner countries are still treated as 'one size fits all'.



The EU could not avoid the pressure to acknowledge the horizontal character of partnership, unless Union is willing to offer a membership perspective to its partner countries (Korosteleva, 2011: 247). The engagement of the partner countries gains an extensive importance and strengthens the communication mechanisms between the EU and partner countries, in order to achieve the effectiveness of partnership.

The EaP was supposed to fix the mismatch of expectations between the EU and its neighbours, by stressing the principle of 'more for more', meaning that partner countries could get more from the EU if they themselves give more of a sustained commitment to reform (Longhurst and Nies, 2009). Particularly, aspiring or willing partner countries should have been convinced in the value of the EaP. Wolczuk evaluates the EU perspective towards its Eastern partner countries and states that:

*'From the EU perspective, the role of the EaP is to promote domestic political and socio-economic reforms through facilitating convergence towards the EU. The EaP expands the intensity and depth of EU's engagement in the eastern neighbourhood to accelerate the process of convergence using the acquis as a template for reforms. This objective does not resonate strongly with the political elites in the region. Rather, their perceptions of, and attitudes towards, the Partnership are conditioned by the countries' geopolitical considerations and a broader context of membership aspirations (or a lack of them)...so there remains a considerable mismatch between the EU's emphasis on rule-based convergence in political, economic and governance dimensions on one hand, and the political and economic realities as well as geopolitical aspirations of these countries, on the other'* (Wolczuk, 2011:11).

In addition to this position, EaP has been criticised in terms of application of the principle of joint ownership as far as it:

*'further underscores the importance of the 'joint ownership' by adding that it 'is essential, and both sides of the EaP have their responsibilities. However, the concept uncertainties of 'what and more essentially 'whose' – values, as well as 'how much reciprocity is allowed, still remains, leaving the mechanisms of partnership building open-ended. In practice, however, 'shared values' yield to the pressure of the non-negotiable transference of EU-centred norms and rules'* (Korosteleva, 2011: 247).

The EU keeps asymmetrical relations with its Eastern partner countries, by asking them pursue its formal rules, and also by institutional framework that remains to imply the top-down communication mechanisms. The external governance of the EU is ‘inherently one-sided and Eurocentric’, with the objective of stability, prosperity and security within the borders of the EU, but still ambiguously EU-owned (Korosteleva, 2011: 250). The process of partnership building, between the EU and its neighbourhood, constitutes a two-way and also a mutually constitutive process, where not only the EU appears as an actor but third states as well. Korosteleva argues that ‘others’ should be given better representation and should be brought back into the equation for the purpose of building sustainable reciprocal relations with a wider Europe (Korosteleva, 2011). Partnership cannot exist without the sufficient presence of ‘the other’ in the process of cooperation, in order to adequately deal with ‘joint interests’ and implement ‘shared values’ that have been defined by the EaP as a core constitutive element for mutually beneficial and secure future (Korosteleva, 2011).

Another perspective of EaP development is in its clearly defined objectives, including the offer of membership, provided that, the strongest incentive for change in the neighbourhood of the EU, and a truly functional one, is to open the prospect of membership to willing European states:

*‘A simple recognition of the EU membership ambitions of a country can result in a boost of reforms and a long-lasting change. The lack of such acknowledgement by the Union affects the reforms in the interested countries. Obviously, the Eastern European partners are very far away from when they would be ready to become EU Member States. Yet, given that the acknowledgement of European aspirations and a promise to treat the possibility of accession seriously does not oblige the EU to come up with the schedules of accession, while at the same time costing and guaranteeing the commencement of serious reforms, it would be unwise of the EU not to provide the partners with such an acknowledgement’ (Kochenov, 2009).*

The offer of the membership should be based on a strict application of the principle of differentiation, not to lose the credibility and trust from the partner countries, that may affect the attractiveness of cooperation with the EU and negatively impact its reputation among other partner countries, as well as future applications for the accession. The 2009 Prague

Declaration states that Partnership ‘will be developed without prejudice to individual partner countries’ political aspirations and relations towards the EU. The 2011 Declaration further acknowledged the European aspiration and European choice of some partners (The Council of the European Union 2009; 2011). Inevitably, it means, that the application of the principle of differentiated framework towards the EaP countries is welcomed by all partners, especially by those having great ambitions and aspirations vis-a-vis the EU (Wolczuk, 2011). Moreover, the partner countries demand from the EU to apply greater differentiation between them (Wolczuk, 2011). However, differentiation and joint ownership offered by the EU were clearly lacking the commitment of reform and implementation from the partner countries (Korosteleva, 2011). Differentiation has been regarded as major principle of the ENP after its initial introduction, however, the EU has fallen short of translating it into practice, as the EaP has to be more reflective towards the diversity of partner countries needs, reform trajectories and expectation vis-à-vis the EU (Delcour, 2015).

As already stated above, alternatively, the EU may adjust widely to the local needs of third states, where the security and economic interest prevail over others. According to Delcour, the Union has to learn lessons after having enough experience in the ENP, more precisely, no sustainable reforms are expected in the EaP countries without strong local ownership, moreover, the EU’s long-term transformative offer is ill-suited towards the growing importance of the geopolitical and security threats – the EU rather needs to be tailored to local concerns (Delcour, 2015: 7). In this context, it is notable that the fundamental review of the ENP is expected to be conducted by the Union (The European Commission, 2015) and the choice of the EU between offering accession to ‘front runner’ EaP countries or real application of the principle of ‘joint ownership’, and in this way, up-loading the demands of immediate political needs of the third states constitute an increasingly important choice in terms of credibility of the EU amongst its partner countries.

#### **5. 4. 1. Pro-European Aspirations**

There is a national political consensus in Georgia towards European integration, caused by its support by major political parties (Kratochvil and Lippert, 2007). It is also true, that because of the absence of the EU membership perspective neighbouring countries calculate the costs and benefits of complying with the EU standards more critically than the candidate countries

(Kratochvil and Lippert, 2007). In case of Georgia, the EU gains substantial leverage over the political elites and the benefits of compliance are considerable (Kratochvil and Lippert, 2007). The merits of the EaP are closely linked to the national priorities of third states. For instance, Georgian authorities aimed to identify frozen conflicts as the number one priority in the cooperation process with the EU, however it was not properly reflected in the EU instruments (Kratochvil and Lippert, 2007). This might lead to an increased scepticism of Georgia towards the EU, even if the Eastern Member States are increasingly supportive of Georgia.

The united voice of the EU is missing, even though consensus exists among the major political parties of Georgia not to question the issue of European integration. Limited number of marginal political parties and civil society actors with pro-Russian political orientation appear from time to time, but due to the lack of support from Georgian population they are not capable of actually impacting political processes in Georgia and are usually acting in the shadows, rather than taking active participation in the policy making process.

In Georgia, the process of Europeanisation is almost exclusively elite-driven, and hence, there is a danger of disappearing once a new government comes to power (Kratochvil and Lippert, 2007). It is noticeable that the societies of Eastern countries, namely Georgia, are supportive of the European integration and of the EU membership, however, the knowledge about the EU is quite low (Kratochvil and Lippert, 2007; EP-Found, EPF/CRRC, 2009).

The EU leverage on Georgia has a great potential, as far as the political leadership and society of Georgia see no alternative to Euro-Atlantic integration, and European integration is in a high political priority of foreign policy of Georgia (Boonstra and Shapovalova, 2010). The EaP countries do not form the contiguous geographical area, with three of them located in Eastern Europe and other three in Southern Caucasus (Wolczuk, 2011), however, after the signing of the AAs (by Georgia, Moldova, and Ukraine) the geographical proximity gained less importance compared to the importance of the progress made in implementation of the AAs and DCFTAs negotiation agenda. More precisely, the geographical position of country, in particular Georgia, did not appear to be an influential factor for the political aspirations of Georgia towards the Europeanisation, and therefore, the implementation of the EaP agenda. However, it is important to clarify, how to deal with the growing membership aspirations of

the EaP countries (Devrim and Schulz, 2009). Prime Minister of Georgia, Irakli Garibashvili, stated at the Vilnius Summit that:

*‘initiation of the AA on the Vilnius Summit is a beginning of a real European integration of Georgia, which I believe will end with the membership of Georgia in the EU. This is a historical choice of Georgian people that has no other alternative...Georgia is European country, with its history, culture and values, therefore, the European integration is the only way of formation of Georgian statehood as European country’* (Garibashvili, 2014).

It is unlikely that the ENP will achieve the far-reaching expectations connected with it (Magen, 2006). The attractiveness of the policy, and its ability to introduce real change in the neighbourhood, remain limited (Kochenov, 2009). Among other reasons, one of the main challenges of the EaP is the lack of common vision among the member states of its neighbourhood and also the degree of enthusiasm of partner countries (Kochenov, 2009). Moreover, the EaP gained geopolitical importance in the Eastern European countries and became an issue of political choice and discourse, common for Georgia, Moldova and Ukraine. The President of Georgia, Giorgi Margvelashvili, during the celebration of the 5<sup>th</sup> anniversary of the Eastern Partnership, declared that:

*‘we do think that what happened in Ukraine in 2014, is unfortunately a continuation of the tragedy that took place when Russian troops occupied two regions of Georgia. We do see the parallel there. But, at the same time, we realize that, unfortunately, the politicians in the Russian Federation have not been given an effective response that would take this plan of Kremlin agenda. They have not been given an effective response for the past 6 years, since 2008...Georgia joined the [EaP] through the sovereign decision of Georgian people to be closer to Europe, and having the ambition to become part of Europe eventually. This is a surviving decision of our nation, and I don’t think that anyone has the right to punish neither, Georgia, nor Moldova nor Ukraine for taking sovereign decisions in the 21<sup>st</sup> century, which don’t confront the third party, but on the contrary, are but for the better and more prosperous future of the region’* (Margvelashvili, 2015).

Thus, the new political leadership of Georgia keeps prioritising country's European aspirations. In addition, major political parties of the country support this process. The application of the principle of differentiation towards the six EaP countries should be careful, especially with the 'more for more' approach. Countries, which have managed to sign the AAs and DCFTAs with the EU, are to be the subject of further political and economic pressure from Russia. In order to avoid intense Russian influence, enhanced financial and political assistance is expected from the EU.

#### **5. 4. 2. Domestic Reforms**

The former president of Georgia – Mikheil Saakashvili, has championed a number of important changes, in particular: fighting criminality, eliminating corruptions and improving the public sector. Despite all this, the democracy in Georgia faced challenges of increasingly overbearing government, weak parliament, non-independent judiciary and semi-free media (Kostanyan and Vorobiov, 2012). The parliamentary elections in Georgia came at a critical juncture for the country, as the constitutional changes enforced in 2013, significantly increased the role of Prime minister and transformed the competence of the president (Kostanyan and Vorobiov, 2012). The political situation in Georgia was tense, mostly because of the political pressure on the opposition and the media (Kostanyan and Vorobiov, 2012). Civil society actors played an active role in monitoring the election process and called the government of Georgia accountable in many cases, namely during the 'It Affects You Too' campaign, which included the main NGOs of Georgia and exposed the violations in the government actions (Kostanyan and Vorobiov, 2012; Transparency International-Georgia, 2012).

*The European Integration Index 2014, for the EaP countries* combines an independent analysis with recent annual quantitative data, in order to provide results of progress of the democratic standards in the EaP countries. The Index was developed by a group of more than 50 civil society experts, from the EaP and EU countries, and composed of three main dimensions: linkage, approximation and management. The linkage dimension combines: political dialogue, trade and economic relations, sectoral co-operation, people-to-people contacts and assistance. The approximation dimension incorporates: deep and sustainable democracy, market economy and the DCFTA, and also sectoral approximation. The

management dimension includes: institutional arrangements for the European integration, legal approximation mechanisms, management of EU assistance, training in the field of European integration, raising public awareness about the European integration and participation of civil society. According to the overall results of the Index, Georgia was the second best performer and showed the biggest advances in 2014. Georgia remained third place in *linkage* after Moldova and Ukraine, shared first place with Moldova in *approximation*, and leaped ahead of Moldova to become the leading performer in the *management* of European integration (European Integration Index, 2015).

According to the Index, the top challenges for Georgia in 2015 were: striking a balance between prosecutions of abuse of power and ‘selective justice’, swift progress to bring about visa-free travel between Georgia and the EU: and effective implementation of the AA and DCFTA (European Integration Index, 2015). The historic initialisation of the AA Georgia, including the DCFTA of the Vilnius Summit and its earlier signature in 2014, has been a significant step towards closer ties with the EU.

The political landscape of Georgia over the last few years has been challenging in terms of cohabitation process of the ruling Georgian Dream Coalition, led by the Prime Minister Bidzina Ivanishvili, and United National Movement, under the President Mikheil Saakashvili. It did not prevent Georgian authorities from overseeing elections – widely recognised as the most free and fair was in the post-independence history of Georgia, according to the OSCE/ODIHR Election Observer Report. The campaign environment during these elections was notably less polarised than during the parliamentary elections of 2012, and also, the fundamental freedoms of expression, movement and assembly were respected (European Integration Index, 2015; Election Observation Mission Final Report, 2013; Implementation of the European Neighbourhood Policy in Georgia Progress in 2013, and recommendations for action, 2014). Georgia made improvements not only in the area of free and fair elections, but also in public accountability, independence of the judiciary, in human rights and media freedom (European Integration Index, 2015). Significant progress of Georgia witnesses in ensuring free, fair, transparent and well-managed elections, covers the improvements in the activity of the election management body, more specifically, the involvement of the civil society activists in the management process, namely, the civil society nominee was appointed as the head of the Central Election Commission, that has increased trust and confidence in the election administration (European Integration Index, 2015). The list of the voters has been

improved before the elections; also Georgia has been the only EaP country that has properly addressed the issue of voting of people with disabilities (European Integration Index, 2015). Nevertheless, the election process of Georgia faced a number of persistent problems, related to the unequal access of all electoral contestants to the state-owned media, restrictive procedure for citizens to file election-related complaints, inefficient implementation of legislation on party financing and superficial oversight of campaign financing (European Integration Index, 2015).

In the freedom of the media Georgia made steps to catch up with Moldova and they both are the best performers according to the Freedom House, the Reporters without Borders highlighted slight improvements in Georgia (European Integration Index, 2015).

One of the main challenges on the domestic level has been the protection of minorities, including the rights of religious and sexual minorities (European Integration Index, 2015). Civil society organisations voiced concerns related to religious intolerance and authorities were called upon to examine the frequent episodes of intolerance (European Integration Index, 2015).

Georgia showed improvements in the area of non-discrimination. In March 2014, the country ratified the UN Convention on the Rights of Persons with Disabilities and in May 2014 developed and adopted first anti-discrimination law that guarantees protection on the largest number of specific grounds, including sexual orientation, which was guaranteed before through the penal laws, labour laws and educational laws (European Integration Index, 2015).

Venice Commission has consistently criticised the dismissal of judges, because of the governmental disapproval of the ruling as jeopardising the independence of the judiciary (The Venice Commission, 2007). Georgia has achieved significant progress in the rule of judges dismissal, it also improved in the category of openness of the court hearings after the amendments in legislation it was made possible for the media to attend trials (European Integration Index, 2015).

The provisions of the new Constitution of Georgia entered into force with inauguration of the newly elected president Giorgi Margvelashvili. According to the new constitution of Georgia, the power of president is significantly restricted and presidential system is changed into a



mixed parliamentary model. The shift from powerful presidential system brought in more parliamentary powers of oversight over the executive body, and powers to conduct independent investigations on the abuse of power by executive institutions or officials, through standing parliamentary committees or temporary investigation committees (European Integration Index, 2015).

The ‘Georgian Dream Coalition’ came into power with an ambitious agenda, including the ‘restoration of justice’, which was followed by questioning process of several thousands of people, mostly from the United National Movement, regarding the misuse of state resources and abuse of power by former governmental officials (European Integration Index, 2015). The former Prime Minister and former Minister of Interior – Vano Merabishvili, and also the former Mayor of Tbilisi – Gigi Ugulava – were arrested. Merabishvili was found guilty and given 5-year jail sentence.

Table 20 – The Deep and Sustainable Democracy Indicators of the EaP countries of 2014, sub-grouping I

	<b>Armenia</b>	<b>Azerbaijan</b>	<b>Belarus</b>
<b>Elections</b>	0.46	0.06	0.15
<b>Media Freedom</b>	0.56	0.23	0.19
<b>Human Rights</b>	0.58	0.47	0.15
<b>Independent Judiciary</b>	0.78	0.27	0.24
<b>Quality of Public Administration</b>	0.62	0.44	0.45
<b>Fighting Corruption</b>	0.68	0.22	0.42
<b>Accountability</b>	0.64	0.37	0.30
<b>Total</b>	0.61	0.30	0.27

*\*European Integration Index, 2015*

Table 21 – The Deep and Sustainable Democracy Indicators of the EaP Countries of 2014, sub-grouping II

	<b>Moldova</b>	<b>Georgia</b>	<b>Ukraine</b>
<b>Elections</b>	0.83	0.80	0.52
<b>Media Freedom</b>	0.67	0.67	0.60
<b>Human Rights</b>	0.74	0.70	0.73
<b>Independent Judiciary</b>	0.83	0.88	0.47
<b>Quality of Public Administration</b>	0.75	0.58	0.60
<b>Fighting Corruption</b>	0.73	0.81	0.60
<b>Accountability</b>	0.81	0.67	0.75
<b>Total</b>	0.77	0.73	0.61

*\*European Integration Index, 2015*

Georgia achieved progress in transparency of public procurement system. Georgias’ system of full public access to online procurement process and the results might be considered as a useful tool for increased transparency, what can also be said about the Georgian Procurement Agency, which is open to collaborate with civil society offers (European Integration Index, 2015).

### **5. 4. 3. Power Competition**

The collapse of the USSR paved the way towards confrontation, rather than cooperation in the post-Soviet area, given that the Russian Federation has made systematic attempts to destabilise the countries of its neighbourhood, in particular those having Euro-Atlantic aspirations (Delcour and Kostanyan, 2014). Geopolitically tense situation leded the EaP

countries to 'lose-lose' situation, which divided them between choosing the European integration or engaging in Russian-led Eurasian Union (Delcour and Kostanyan, 2014). The EaP has been perceived in Moscow as a bold move, bearing potential of the regional integration effect, as the AAs include sectorial chapters, which will finally imply a drastic shift towards the EU's legal framework and integration into the internal market of the Union (Delcour and Kostanyan, 2014). The EU is coupled with the NATO in the perception of Russia, and therefore, it's coercively using the mechanism to block further progress of EaP countries towards the EU, and as a result of instability of those countries, to leave no alternative but joining the Eurasian Union (Delcour and Kostanyan, 2014). In the common neighbourhood, the path dependence of the EaP countries provides Russia with a strong leverage, even if the EU is seen as a template for modernisation and prosperity (Delcour and Kostanyan, 2014). Thus, Russia's foreign policy agenda is based on giving strong impetus to its own integration project of the EEU, and in a long term perspective, to strengthen ties with the post-Soviet countries (Delcour and Kostanyan, 2014).

The Russian Federation does not seek any formal involvement in the EaP after its initial introduction. The refusal of Russia to participate in the EaP has not been important enough for the EU to recognise the Russian factor in its neighbourhood, neither was the fact that Russia considers the Union as its neighbour or 'neighbour of its neighbours', rather than *vice versa*. Moreover, the refusal of Russia to participate in the EaP framework was not assessed by the EU in terms of future security challenges, or as a demonstration of Russia's foreign policy preferences in the region, which is considering the post-Soviet area as a space of its privileged interests.

The introduction of the EaP raised a number of critical questions in Russia and increased expectation of Moscow's fear of the European threat in its close neighbourhood. The promises and incentives of the EaP are discerned as problematic from Russian perspective: (a) the offer of association with the EU is seen as an enhanced policy leading to disassociation of those countries from Russia; (b) the objective of free trade area between EU and EaP countries is considered as capable of entering into conflict with the Russian policy of establishing free trade with countries of this region; (c) the desire of the EU to promote integration of the energy market of the EaP countries into the EU energy market are considered as potentially and fundamentally undermining factor of existing political and legal frameworks of Russian and the Eastern European countries energy cooperation (especially

Ukraine and Moldova); (d) the alignment of the technical standards of the EaP countries with the EU is expected to further complicate practical cooperation and integration between Russia and those countries; and (e) the prospect of visa liberalisation and free movement of people between the EU and its Eastern neighbours is seen as a danger that could complicate free movement of people between Russia and the EaP countries (Zagorski, 2010: 42-43). All those disadvantages for the Russian Federation are not supposed to arise immediately and in short-term perspective, however it is taken by Russia as a granted threat (Zagorski, 2010). The reluctance of the EU to grant membership option to its Eastern neighbours is acknowledged and appreciated by Russia, that leaves room for expectations of the Russian Federation to reach common understanding on maintaining the *status quo*, or at least *modus vivendi*, within the common neighbourhood (Zagorski, 2010: 58).

The power competition between the Russian Federation and the EU gained two major dimensions: the security and economic. On one hand, Russia is strongly supporting the secessionist entities in the post-Soviet area and at the same time actively conducting wars on the territories of sovereign states, whilst on the other hand, the EU is trying to approach them with the long-term stabilisation mechanisms and constructive dialogue. In terms of economic competitions, one of the highest foreign policy priorities for the Russian Federation has been to establish the Eurasian Economic Union with former Soviet states, aiming at upgrading economic relations and strengthening the path-dependence process on Russia and in this manner to restrict the participation of those states in other economic integration projects.

The territorial conflicts within the EaP countries are not local challenges or the issues in which the EU is providing help to its Eastern neighbours, but it's also a matter of how to deal with Russia (Popescu, 2006). It is no longer arguable that Russia's main foreign geopolitical objective is to restore governance over post-Soviet countries, and in respect to this objective, the territorial conflicts are found to be the most suitable key instruments, if we may call it so. President Putin declared that it was 'certain that Russia should continue its civilising mission on the Eurasian continent' (Putin, Annual Speech to the Federal Assembly, 2005), that explicitly, or at least implicitly, highlights the imperialistic power and discourse of Russia's foreign policy. The political and economic support offered by Russia to secessionist regions is nothing but a mechanism of conflict escalation. The 'passportisation' process, where Russia grants citizenship to the residents of unrecognised entities and as a result, majority of inhabitants of Abkhazia and South Ossetia have Russian passports, constitutes a part of

‘international political support’ that Russia provides to those regions. Russia plays a key role in economic sustainability of the secessionist entities not only by granting citizenship, but also by paying pensions to local people (Popescu, 2006). Russia is the main investor in the secessionist regions, and at the same time – the main economic challenge for the rest of Georgia because of the restrictions and economic embargoes on the agricultural product exports of the Russian market (Popescu, 2006). The policy of strengthening the secessionist regimes, which is combined with economic and political pressure on the government of Georgia, creates serious obstacles to the conflict resolution (Popescu, 2006).

More than a decade passed after the ENP was launched. Major negative developments in the neighbourhood of the EU are exponentially provoked, by geopoliticalisation of this project, which provokes security challenges. Five out of six EaP countries are now confronted with unresolved conflicts, as a consequence of Russia’s support to breakaway regions and secessionist groups, hence, the area is increasingly fragmented (Delcour, 2015). The EaP countries have been thrown into insecurity and instability created by Russia only to prevent countries from developing closer cooperation with the EU and the NATO. The annexation of Crimea and the outbreak of war in Eastern Ukraine in 2014, occupied regions in Georgia and ongoing security challenges on the Georgian territories, create serious destabilisation in the Eastern neighbourhood of the EU, and undermine the effectiveness of cooperation between the Union and those countries.

The security challenges have already occurred and are expected to appear again in the countries of the EaP, in particular, in countries with high pro-European stance. Each of the EaP country is affected by insecurities, which stem from the weak statehood, territorial integrity problems and overwhelming security challenge coming from Russia as a neighbour (Wolczuk, 2011). Over the last decades, the EU has used number of instruments to deal with Eastern countries, pursuant to the objective of stimulating the process of security and stability, whilst in fact, provided modest assistance in this regard. Alongside with the UN and OSCE, the EU is one of the co-chairs in Geneva framework to improve security and stability of Georgia. The establishment of the EU Monitoring Mission (the EUMM) constitutes a significant involvement of the EU on the territorial conflicts of Georgia, especially as the mandate of the OSCE mission has not been prolonged due to the Russian refusal and therefore, the EUMM turned out to be the one and only international observing mission on the territory of Georgia. However, the EUMM does not have access to the territories of the

secessionist regions, thus could not claim that it constitutes added value above the OSCE or UN missions (Fean, 2009).

The EaP, similar to the initial ENP, can be read in terms of two interrelated concepts of border confirming and border transcending at the same time (Dimitrovova, 2010). Thus, the EaP can be understood as a manifestation of the willingness of the EU to protect security inside and outside the EU borders, whilst keeping boundaries with the neighbouring countries open and permissible, as far as the distinction between the domestic and external securities is difficult to sustain (Dimitrovova, 2010). Imperialistic aspirations of the Russian Federation contradict with the stability and security objectives of the EU. From the Russian perspective the ‘empires need to be big. If they were not, they would not live up to their high appellation. Since nobody can tell how big is big enough in order to attain an imperial dimension, *in dubio* bigger is better’ (Somek, 2005: 5). It is not predictable where the expansion ambitions of Russia end, but it definitely includes the post-Soviet space. Ukraine, as a neighbouring country of the EU with the pro-European aspirations, although previously dominated by Russian policies, permanently comes across with traditional threat and aggression of Russia, whilst the EU exerts its soft power by offering deeper integration and a variety of incentives (Dimitrovova, 2010).

The EU has supported peaceful resolution of conflicts in Georgia, without being directly involved in the process of mediation. The Joint Declaration of the Prague Summit, regarding the conflict resolution, emphasises ‘the need for their earliest peaceful settlement on the basis of principles and norms of international law’, however the EaP has consolidated the passivity of the ENP (Mikhelidze, 2009). The objective of the EU is modernisation of the political, legal and administrative systems of its Eastern neighbouring countries in a long-term perspective, and in this manner, contribution to the conflict resolution process (Mikheladze, 2009). The EaP, like the ENP, fails to support the democratisation, human rights protection and civil society development process in secessionist entities of Georgia, whilst it can play a key role in their engagement (Mikhelidze, 2009). Non-recognition and engagement policy of the EU demands not only the commitment of the Union and Georgia, but also Moscow’s consent to the new initiatives, which seems to be quite a stagnated perspective. The enhanced framework of cooperation – the EaP, still does not meet with the expectations of Eastern countries, namely Georgia, as far as the EU does not seem to be able to agree with Russia to

undertake particular measures in the conflict zones, even if the EU's advantage is to appear in the region as a neutral unthreatening player (Mikhelidze, 2009).

Eastern countries consider the EaP as an added value to the initial ENP, but the security dimension seems to be ignored, especially in the case of Georgia (Boonstra and Shapovalova, 2010). The EaP coincide with the hardest period, in terms of security situation, of the EaP countries, in particular, the 2008 August war in Georgia, therefore, the security dimension in the EaP remained increasingly important, being most sensitive element of cooperation between the EU and its partner countries. The EU's political and economic cooperation with the Eastern neighbourhood is defined by its complex frameworks (the CFSP and CSDP), however, EU's engagement in the conflict resolution is not a part of the same framework and lacks well-determined policy objectives (Gogolashvili, 2011).

The EU prioritises the rule-based convergence, thus the EaP framework does not directly involve the conflict resolution of 'frozen' territorial conflicts (Wolczuk, 2011). Indeed, the term 'conflicts' appears in the 2009 Declaration of the EaP only in general context of 'the need for their earliest peaceful settlement on the basis of principles and norms of international law' (The Council of the European Union, 2009). The Warsaw Declaration of 2011 enshrines the EU's preferences regarding the security challenges in the Eastern neighbourhood and aims at supporting security problems of partner countries through good governance (Delcour, 2010).

Most of the EaP partners consider that it does not accommodate the security concerns in the policy framework, even though the project contributes to the security and stability in a long run, through establishing interdependence and value-based convergence between countries in the region (Boonstra and Shapovalova, 2010). The EaP does not take up direct security issues and it has little to amend the security sector reform in the Eastern neighbourhood (Boonstra and Shapovalova, 2010). Georgian experts emphasise that the region has significant security concerns, which may not be governed solely with soft measures offered by the EaP (Boonstra and Shapovalova, 2010). There appears a mismatch in the agenda of the EU and its partner countries, as far as from the EU perspective the rule-based convergence is a *sine qua non* for the progress in relations, whilst partner countries desire to escape or weaken Russian dominance and restore territorial integrity through closer links with the EU (Wolczuk, 2011: 6).

Even though the ‘stability and security’ are presented under the EaP domain, no specific item is dedicated to the conflict resolution in the Work Programme 2009-2011, adopted at the EaP Foreign Ministers’ meeting. Also, no Flagship Initiative addresses this issue, and no Panel has been dedicated to the conflict resolution related topics (Gogolashvili, 2011). Apparently, considerable achievements in the EaP are not predictable, if there is no progress in conflict resolution (Gogolashvili, 2011). It would be an important impetus to adopt a special Flagship Initiative for the conflict prevention and resolution, and to establish panels that would address conflicts and develop a set of activities to discuss the existing conflicts, reasons and try to reach common understanding and position for solving contradictions by mutual support (Gogolashvili, 2011). Georgian expert further states that inclusion of Russia in the Flagship initiatives would be beneficial on a later stage, once it starts operation and the involvement is considered as potentially productive (Gogolashvili, 2011).

The security component in the ENP has always enjoyed the leading role, however all actors of partnership have exaggerated the expectations of the effectiveness of the ENP and EaP regarding the security issues, as it occurred after the security challenges in Georgia in 2008, and in Ukraine in 2014.

Russia has been able to counter the European integration process in Armenia, it acts as a spoiler in Georgia and Moldova, and moreover, it has deeply undermined the stability and security of Ukraine (Delcour and Kostanyan, 2014). The competition between Brussels and Moscow has been crystallised in two mutually exclusive integration projects of the EaP and the Eurasian Economic Union (Delcour and Kostanyan, 2014).

The EEU cannot be combined with the EU’s DCFTAs. In principle, EaP countries may sign the DCFTAs with the EU, and also negotiate and sign another free trade agreements with Russia, however, Kremlin pressures those countries to full membership of the EEU, instead of concluding free trade agreements (Delcour and Kostanyan, 2014). Russia is *de facto* compelling its neighbouring countries to choose between the two projects, which is not attractive for most of the EaP countries, as far as the EEU implies to the loses of sovereignty of member countries over the trade policy, and sets common tariffs, which are incompatible with the elimination of tariffs planned under the DCFTAs (Delcour and Kostanyan, 2014). The main difference between these two integration projects derives mainly from their method and approach of integration, on one hand, the European integration is based on its



attractiveness for non-member states, whilst on the other, Russia has extensively used coercion to induce new members to join the EEU and deter their progress with the EU (Delcour and Kostanyan, 2014).

After a brief meeting with the President of Russia, the Armenian president Sargsyan agreed to join the Russian-led Eurasian Union, together with Belarus and Kazakhstan, even though three years of negotiations on the conclusion of the AA and the DCFTA with the EU were successful enough to initialise the agreements of the Vilnius Summit in November (Emerson and Kostanyan, 2013). Explanation of the President of Armenia has been clear enough, claiming that Armenia depends on Russia to guarantee its security in the region, and also, that large diaspora of Armenia in Russia needs to be protected for the economic reasons (Emerson and Kostanyan, 2013). Armenia took into consideration the case of Georgia, when discriminatory measures were employed by Russian police against Georgians and was concerned that Armenians would be similarly mistreated in Russia (Emerson and Kostanyan, 2013). Armenian story is the part of a greater Russian campaign to dissuade Georgia, Moldova and Ukraine, from signing the AA with the EU (Emerson and Kostanyan, 2013). Georgia has suffered from actions against its wine and sparkling water at various times in recent years, Ukrainian chocolate was suddenly declared as 'health hazard' for Russian-Kazakhstan-Belarus Customs Union (Emerson and Kostanyan, 2013: 2).

Georgia has sufficient 'immunity' against Russian pressure to join the Russian-led Customs Union and therefore foreign policy preferences of this country has not changed after the new government, led by Prime-Minister Ivanishvili, was elected (Emerson and Kostanyan, 2013). The European Union posits that the development of the EEU must respect partner countries of the EU and their sovereignty, and moreover, any threat, that may occur because of the signing of the AAs and DCFTAs with the EU, is unacceptable (Emerson and Kostanyan, 2013). The position of Russia contradicts the aspirations of the EU, as far as Russia aims to build on crude hegemonic geopolitical coercion, and cut-off the EEU members' freedom to develop an open competitive economy (Emerson and Kostanyan, 2013).

The EaP countries are forced to make a choice between the free trade with the EU or with Russia, as far as these two economic Unions have almost no complementarity, due to the basic economic principles and regulatory norms. The EEU cannot get recognition of the WTO, moreover, it is technically incompatible with the EU regulatory norms, as well as with

the DCFTAs (Emerson, 2014). In practice, joining the EEU means accepting Russia's external tariffs (Emerson, 2014). Coercive measures have been exercised over Armenia, Georgia, Moldova and Ukraine in order to pressure their governments, political elites and populations to join the EEU. As a result, the President of Armenia suddenly announced joining the EEU that has been absolutely unexpected for the EU and other EaP countries. Russia linked security issues to the economic integration issues and in this way it exercises intensive pressure on the governments of neighbouring countries (Emerson, 2014).

The common neighbourhood of the Union and Russia is now split between two economic integration projects: the DCFTAs offered by the EU, and Russia-driven EEU (Delcour, 2015). Even if the Union permanently declares that its policies are not against Russia, and the third states claim that their Europeanisation process is not at all an anti-Russian politics, the political situation is increasingly tense and the EaP countries are to make a choice between the EU and EEU. On one hand, the EU is the main trade partner for all of the EaP countries, on the other, the Russian market is crucial for almost all EaP countries because of the geographical reasons and also, because of the 'tradition' of exporting products to the Russian market.

The Russian Federation continues political and economic pressure on Georgia by installing barbed wire barriers across the administrative border. Thus, the administrative barriers are moving inside the territories of Georgia that is provocative enough. The trade sanctions are still in force against Georgian products on the Russian market and this economic embargo lasts for unlimited time, even though the new Georgian government is attempting to conduct negotiations with Russia in a quite pragmatic manner.

After the crisis of Ukraine, the EaP proved to be a rather unsuitable instrument for the common neighbourhood of the EU and Russia, therefore the EU needs to defend its own policies towards the EaP countries and most probably to fundamentally reform its wider security strategy (Kostanyan, 2015). The EEU is the reality that was created by Russia and should not be ignored by the EU, even if the talks are unlikely to deliver immediate results on difficult issues, its still important for the process (Kostanyan, 2015). Indeed, the EEU is a weak and disfunctional Union absolutely dominated by Russia (Kostanyan, 2015), although, in the contexts of Europeanisation, capable of impacting the entire process negatively, especially with regard to the EaP countries, which declared their Euro-Atlantic aspirations.

According to Georgian expert, promoting democracy is never safe, inevitably it means ‘poking various autocratic bears, big or small, and there is always a chance, that when they become irritated, and existing power balances become unsettled, dangerous and unpredictable, results may ensure. This is what the EU learned the hard way in Ukraine’ (Nodia, 2014: 142). Author further argues that Russia, as a democracy resistance power, took the EaP as a geopolitical challenge, and therefore, managed to force leaders of Armenia and Ukraine to obtain from joining the democracy promotion process (Nodia, 2014). The idea of Europe is linked to democratic governance and democratic institutions, while the EEU would support legitimising some kind of hybrid and mostly autocratic political regimes (Nodia, 2014).

## 5. 5. CONCLUSIONS

The EaP is a step towards strengthening the EU relations with its Eastern neighbours. The primary objective of the EaP was to expand and intensify relations with the Eastern European countries. The upgraded bilateral framework of political association and economic integration constitutes the most important incentives for the non-candidate Eastern European countries, until now. Moreover, the offer of the Visa free regime is the most tangible result of the bilateral cooperation, in terms of its positive impact on the population of Georgia and people-to-people contacts.

Table 22 – The Impact of Georgia on the Europeanisation Process

	1991- 2003	2003- 2008	2008- 2015
Pro-European Political aspirations	Low	Average	High
Historic Legacies/ Reforms	Low	Average	Average
Power Competition	Low	High	High

\*- Low/ Average/Strong

However, the importance of the 'bottom-up' Europeanisation still remains decisive. In particular, due to the newly gained geopolitical context of the EaP. In line with the increasing political aspirations of Georgia, the power competition between the EU and the Russian Federation achieves its critical momentums. Thus and hereof, third states are bound to make a choice between the West and the North. The Europeanisation process demands the consistent and clearly demonstrated pro-European aspirations, backed up by the domestic reforms. Whilst, the increasing pro-European aspirations and domestic democratic of a third country (Georgia) provokes the security threats in the common neighbourhood of the EU and the Russian Federation. In addition to the economic integration and political association goals of the EaP, it has gained the importance of geopolitical choice that should be made by the non-candidate neighbouring countries of the EU. Therefore, the importance of domestic variables increases, unless the EU is about to offer the membership perspective to its Eastern neighbouring countries.

## **CHAPTER 6**

## **CONCLUSIONS**

The present thesis aims at investigating the Europeanisation process of Georgia, since the early years of the EU-Georgia cooperation until their current economic integration and political association. The research incorporates two main parts: firstly, the theoretical framework of Europeanisation with regard to the non-candidate Eastern European EU's neighbouring countries, and secondly, the empirical case study of Georgia in the context of Europeanisation. More precisely, the goal of the theoretical part of the thesis was to conceptualise the substantial understanding of Europeanisation, which is applicable to the Eastern European countries of the EU without the declared perspective of membership. Meanwhile, the empirical part of the thesis aims at providing diachronic analysis of the transforming and evolving EU-Georgia relations within the developed context of Europeanisation, as proposed in the theoretical part.

The thesis approaches the mainstream literature of Europeanisation, in terms of its further development, by analysing the additional variables of the Europeanisation process. According to this objective, we attempt to define the limits of Europeanisation and open a discussion on the 'bottom-up' impact of Georgia on its Europeanisation process. The thesis argues that Europeanisation, eventually, constitutes a process of interaction of the EU and a third state policies, hence, it's significantly influenced not only by the 'one-side' mechanisms of Europeanisation, but also by the additional variables, which are to be examined on the domestic levels of the EU's partner countries.

Chapter 2, on the 'Theoretical framework: The limits of Europeanisation', addresses the existing gap in the Europeanisation literature and, thereof, analyses the mechanisms and conditions, which impact the functioning of the Europeanisation process. In this respect, the chapter examines the mechanisms of Europeanisation beyond the existing theoretical framework, in order to define its limits as to the non-candidate Eastern European countries of the EU.

Within the theoretical framework, it was important to define the nature of the EU power and to provide its substantial understanding to a certain extent, in order to further analyse the external policy objectives and instruments of the Union. In addition to this, the political history of the EU gains significant importance in terms of its Eastern expansion, as far as the internal policies of the EU have never been isolated from its external action. On one hand, the European states achieved peace and stability within the EU borders, and on the other, beyond

the borders of the EU – the former Soviet states – faced some major concerns regarding their ability to establish state institutions and to secure their functioning, as well as to ensure their legitimacy on internal and international level (Smith, 1994). The collapse of the Soviet Union created a challenged the EU in terms of management of its relations with the Eastern neighbourhood countries. Therefore, the Eastern neighbourhood of the EU has always been a distinctively interesting area of research for Europeanisation literature. The enlargement towards the CEEC provoked an increased interest of the EU towards its new Eastern neighbours – a situation that prompted both the Member states and the Commission, to reconsider and upgrade their attitude towards the region (Johansson-Nogués, 2007). The Baltic States and Poland were strong advocates of increasing the political and financial assistance towards not only Moldova and Ukraine, but also the countries of Southern Caucasus (Zaborowski and Longhurst, 2003).

Georgia experienced a long lasting tradition of political and economic transformation, and still keeps following the path of transition to the democratic principles and market economy standards. The political establishment of Georgia, and also the geopolitical position of this country, provoked various scenarios of its role in the region.

The Europeanisation literature provides various discourses on the understanding and definitions of the Europeanisation concept. The multidimensional and multilayered concept of Europeanisation has been scientifically approached in different contexts, especially in terms of understanding the interdependent and interrelated process of policy making between the EU institutions and its Member states (Ladrech, 1994). The external Europeanisation, or ‘top-out’ perspective of Europeanisation, seeks to conceptualise, explain and evaluate the impact of the EU policies and rules on the domestic institutions, legislation and political actions of non-Member states (Magen, 2006: 386). The complexity of the Europeanisation process differs from internal, since the political correlation between the EU and third countries, differ from the EU-Member states relations and interdependence. Lavenex and Schimmelfennig argue that the external Europeanisation should be considered as a part of the EU’s governance beyond the borders (Lavenex and Schimmelfennig, 2009).

Europeanisation has been analysed in both rationalist and constructivist perspectives (Checkel, 2001; Jupille, Caporaso and Checkel, 2002; Radaelli, 2004; Börzel, 2010; Schimmelfennig, 2010). Both assume that ‘the misfit between European and domestic

policies, institutions and political processes constitutes a necessary condition for domestic change, and that the institutions mediate, or filter, the domestic impact of Europe, which emanates from pressure of adaption caused by such misfit' (Börzel and Risse, 2009: 2). The rational choice argues that misfit between the EU and the domestic norms creates a necessity of domestic adaptation, and Europeanisation is an 'emerging political opportunity, which offers some additional resources to exert influence, while severely constraining the ability of others to pursue their goals' (Börzel and Risse, 2009: 9). The constructive choice pursues the idealistic and normative logic of appropriateness, when the process of Europeanisation is understood as 'the emergence of new rules, norms, practices, and structures of meaning to which member states are exposed and which they have to incorporate into their domestic structures' (Börzel and Risse, 2009: 10). In other words, it states that the social learning and persuasion defines the Europeanisation process.

The external Europeanisation constitutes a qualitatively different process from the fundamental and primary understanding of Europeanisation inside the borders of the EU. According to Schimmelfennig there exist direct and indirect mechanisms of Europeanisation (Schimmelfennig, 2010). The direct mechanisms are those in which the EU takes active participation and intends to see the result of its actions (Schimmelfennig, 2010: 8). Whereas, the actions of the EU could lead to unintended effects, as an indirect mechanism of Europeanisation (Schimmelfennig, 2010). Following the logic of consequence, the direct mechanism of Europeanisation is conditionality, whilst pursuant to the logic of appropriateness, the direct mechanism of Europeanisation is socialisation (Schimmelfennig, 2010: 8).

The last experiences of the European enlargement have clearly demonstrated the success of the leverage, and hence, less impact of linkage in the CEEC. Leverage, as a unilateral mechanism of the EU to utilise the principle of conditionality with third countries, is considered to be the most successful mechanism of Europeanisation. However, the effective application of the EU conditionality, as well as the success of the EU leverage in the CEEC, is mainly attributed to the attractiveness of membership reward (Lavenex and Schimmelfennig, 2011).



Hence, the leverage should be considered as an ineffective mechanism of Europeanisation with respect to the non-candidate Eastern European countries of the EU. On one hand, there exists a strong support of the EU membership by the political leadership in Georgia (as it's in Moldova and Ukraine), but the EU offers very little hope for the membership perspective, and the possibility of enlargements towards these countries for the faceable future is low (Wolczuk, 2007). The established dynamics of the ENP framework proves that the membership perspective is not excluded as such, however the EU keeps the question of potential eligibility of some of the ENP countries deliberately over-ambitious (Magen, 2006). Moreover, high domestic costs of adaptation to the EU rules undermines the compliance, especially under the circumstances, when there does not exist a clear promise of membership and the harmonisation process with the EU *acquis* is not a part of the accession process (Vachudova, 2005; Schimmelfennig, 2003).

The essential difference between the EU policies towards the candidate and non-candidate Eastern European countries, in terms of their Europeanisation process, should be highlighted and not neglected. In this respect, it is important to involve into the discussion the understanding of Europeanisation as a process, which incorporates the uploading, or bottom-up, mechanisms of Europeanisation (Börzel, 2002; Bulmer and Burch, 2001; Featherstone and Kazamias, 2001; Risse, Caporaso and Cowles, 2001). Europeanisation is a result oriented and interactive process of policy transfers, which involves bottom-up and top down procedures (Bulmer and Burch, 2001: 78), with the outcome of change at the domestic level (Howell, 2004: 5). Thus, its important to take into consideration that the domestic structures are not passive recipients of the EU impact, since Europeanisation is assumed to be a 'two way' process (Featherstone and Kazamias, 2001). Moreover, Europeanisation is not a simple process of 'unidirectional reaction to Europe' (Radaelli, 2004).

The theoretical part aims at opening the discussion on the impact of domestic policies of the Eastern European non-candidate countries on the Europeanisation process. Thus and hereof, the variables that implicate the process of Europeanisation from the 'bottom-up' perspective, were examined in a more specific manner, in order to define the framework for empirical analysis of the case study of Georgia. We have defined three main domestic factors in the context of 'bottom-up' Europeanisation: (a) Political aspirations; (b) Dealing with historic legacies; and (c) Power competition. Those components could be criticised in terms of their comprehensiveness or specificity. Moreover, they might be questioned in terms of the

methodological approaches in their assessment, however, it is important to understand that we aim to raise the question, and open a debate, on the actual effect of the domestic factors of third states on their Europeanisation, rather than to provide the perfect answers on this issues. Moreover, this theoretical approach may become a good starting point for further investigations and critics, and also, for the development of methodological approaches of this type of research.

To be more precise, *political aspirations* of third states were chosen as an important domestic factor for Europeanisation, given that there exists a reciprocal interest between the EU and the pro-European ENP countries towards a deeper cooperation. Without such a declared aspiration of a third state towards Europeanisation, it would be impossible to commence this process. Strong willingness towards Europeanisation of the Eastern European non-candidate countries (Georgia, Moldova, and Ukraine) are declared by the political leadership of the states concerned. In this respect, there exists a significant difference among the Eastern European non-candidate neighbouring countries of the EU. In terms of their foreign policy discourse, the countries aspiring towards membership, such as Georgia, Moldova and Ukraine, apply ‘self-conditionality’, meaning that they act as if they were subject to accession conditionality – adopting the EU rules in order to push accession process onto the Union level (Verdun and Chira, 2008). Those countries act in terms to signal their readiness to join the EU and seek to persuade the EU to consider them as membership candidates (Schimmelfennig, 2010). Even though the EU is still approaching these countries by ‘one size fit all’ policy instruments, they are capable of pushing the EU’s agenda in terms of urging the necessity of application of the principle of ‘differentiation’. In this context, the case of Georgia is one of the most tangible examples. Overwhelming aspirations towards European integration increases the role of a third state in the process of European integration. Therefore, the political aspirations of a country concerned have a significant role in the result-oriented process of Europeanisation. Here, we would like to note that within the framework of this thesis, the author mainly focuses on the aspirations of the political leadership of Georgia, and the component of society is examined in a rather limited manner. For clarification, it should be stated that the investigation of political aspirations of the society is an important aspect of the Europeanisation process, although, it demands additional methodological components that were not implied in the thesis.

Involvement of the issue – *dealing with historic legacies* – into the context of ‘bottom-up’ Europeanisation, which in the empirical part of the thesis (Chapter 4 and Chapter 5) modified into the topic of *domestic reforms*, constitutes an important aspect of this research, due to the fact that the understanding of Europeanisation is different amongst the actors of the process that are facing the internal policy shortcomings. While the legacies are defined as the ‘inherited aspects of the past relevant to the present’, including ‘low and declining state legitimacy’, impeded or contested economic reforms, disparities between formal institutions and informal norms and practices, weakly organised labour interests, weak political parties, weak civil societies, high level of electoral volatility and public mistrust of democratic governance (Chen and Sil, 2006: 12; Schimmelfennig and Cirtautas, 2011: 428; Howard, 2003), historic legacies could be broken down by the positive examples of the Baltic post-Soviet states. The domestic policy specific factors and interests are not the same, neither similar. In other words, the Europeanisation process depends on the domestic conditions of a third country, as well as the process of reforms. The process of Europeanisation was positively or negatively impacted by the domestic policies and politics of Georgia, reflected in various internal reforms. Thus, dealing with historic legacies remained as an important variable in the Europeanisation process of Georgia, due to the importance and significance of internally developed policies and reforms of this country.

The EU is not a single actor in its Eastern neighbourhood, and as far as it competes with other powers, thus the issue of *power competition* was involved into the discussion of ‘bottom-up’ Europeanisation. The interdependence of Georgia with the EU is competing with other governance provide, such as the USA and the Russian Federation. In case of Georgia, the question raises in terms of a power competition between the EU and Russia, since the ‘westernisation’ of Georgia is based on common standards provided by the EU and the USA. Security crisis in Georgia of 2008, and recently in Ukraine, as a Russian response to the Europeanisation process in Eastern Europe, has significantly impacted the European integration process of those countries. Unexpected geopolitical and security threats in Eastern neighbourhood provoked a number of questions in terms of necessity of strategic renovation of the EU’s policies towards this focus area. Hence, this aspect in the context of Europeanisation was defined as an important component, and therefore, is presented in the empirical parts of this thesis.

In sum, the widely accepted approach of Europeanisation argues that it's a process of exporting the EU's values and rules toward third states. Hence, the effectiveness and efficiency of Europeanisation should be evaluated according to the extent to which a third state responds to the EU's conditional policy instruments. Alternatively, the thesis focused on the 'bottom-up' impact of Georgia on the Europeanisation. Therefore, the research examined additional variables of Europeanisation, which are common and typical for the Eastern European non-candidate neighbouring countries. Thus, the presented thesis, in the context of 'bottom-up' Europeanisation, studies pro-European aspirations, historic legacies/reforms and power competition, as additional factors.

The empirical part of thesis highlights the significant importance of the internal political conditions of Georgia and argues that the transitional periods of Georgia, together with its domestic political environment, influenced its Europeanisation process. The empirical part of the thesis is composed of three chapters: (1) the initial actions vis-à-vis the EU and Georgia; (2) the second phase of relations: revolution, reforms and the ENP; and (3) the third phase of relations: from the security challenges towards upgraded bilateral relations.

In the diachronic analysis of political and economic cooperation of actors, on one hand – the EU, and on the other – Georgia, implies a dualistic path of investigation: firstly, the emergence of the EU as a significantly important actor in its Eastern neighbourhood, as well as the assessment of its foreign policy instruments, and secondly, the implications and constraints of the domestic conditions and political environment of Georgia in the context of Europeanisation.

Thus, the thesis should open a discussion on the actor-ness of Georgia, as a third non-candidate partner country of the EU, in the process of Europeanisation and its actual role in impacting and shaping of the process of Europeanisation.

Chapter 3 – 'Initial actions vis-à-vis the EU and Georgia' aim to raise a question whether or not the Europeanisation process of Georgia commenced by conclusion of the PCA, and if in the time frame of 1991-2003, this country influenced its Europeanisation process by the 'bottom-up' variables. Hereof, we expanded the notion of Europeanisation on the cooperation instrument, such as the PCA, and argued that as far as the EU presents itself as a value based

system in its international relations through the cooperation bilateral agreements, the process of Europeanisation commenced before the introduction of the ENP.

In 1991-2003, Georgia faced its first transitional period – from the Soviet-socialist to the democratic governance, characterised by the challenges of: being recognised as an independent state; necessity to define its population and identity; exercise the new forms of governance on the territory of Georgia and adapt with the internally recognised standards of democracy; open borders for international society and establish international relations; change the principles of state economy and protect independent economic market; etc. The EU has concluded bilateral agreements with all the former Member countries of the Soviet Union in order to respond to the on-going political and economic transformations in its close neighbourhood.

The EU, as value based system, demands sharing its values in international relations (Grant, 2006; Duchêne, 1973). The values of the Union became the provisional elements and principles of the EU's foreign relations (Lucarelli, 2006). Therefore, primary treaty provisions of the PCA Georgia provided the legal basis for sharing the EU's values. The EU offered sharing its values and normative basis, as a one side offer, to convince the policy makers, interests group, and population of third countries that such changes may serve to a justified policy interests (Béland, 2009). Acceptance of the third states on sharing the EU values, eventually, can form these countries into responsible actors of relations and not only into the 'beneficial parties' of cooperation, where the EU is exporting values and a third state is simply implementing them.

Democratic principles and human rights, as 'essential elements' of the PCA imply that any material breach of the agreement by one party allows the other party to terminate the agreement or suspend its implementation (Hillion, 2000). Thus, obligatory character of protection of the democratic principles and human rights, as a part of EU's ontological normative understanding (Manners, 2002), is implied in initial relations of the EU and Georgia, thus and therefore, the process of Europeanisation could be considered as established one.

The PCA Georgia, as the first formal contractual bilateral agreement established between the EU and independent Georgia, had a significant political importance. The PCA Georgia as an

‘entry level’ agreement for transitional country (Petrov, 1999; Petrov, 2002: 194) became an important initial political step, undertaken by Georgia and the EU, in order to commence the process of mutual understanding, and in this manner creating the basis for perspective economic and political cooperation. On one hand, it was stressing the importance of the EU, as a neighbouring and highly integrated region of the NIS, and on the other, demonstrating the readiness of newly sovereign states to enter into international relations and realise their foreign relations independently.

The ‘one-size-fits-all’ approach of the EU towards the post-Soviet space highlights the missing strategic perspective of the EU towards this geopolitical area (Coppieters, 1998), but does not necessarily exclude application of the principle of differentiation towards countries concerned. Prioritising the importance of relationship between the EU and Russia, strengthened by the bilateral agreement, as well as policy framework of the EU towards Russia, highlighted the significance of this strategic cooperation (Cornell and Star, 2006; MacFarlane, 2002). There existed a ‘two-fold differentiation’ between the NIS, on one side – the Baltic states, with the pre-accession process and Europe Agreements (Maresceau, 1997), and on the other – ‘non-European’ NIS, with PCAs and without perspective of integration (Georgia, Armenia, Kazakhstan, Kirghizstan, Azerbaijan, Uzbekistan, Turkmenistan), and also, the ‘European’ NIS (Russia, Ukraine Moldova and Belarus) (Cremona, 2000; Hillion, 1998). Thus, the principle of differentiation applied by the EU towards the NIS, demonstrated the geopolitical priorities of the EU. Therefore, actor-ness of third states, speaking formalistic, gained the political importance.

After Georgia re-gained its independence, the country was using a historic narrative that it belongs to the ‘European family’. However, inexperienced political leadership, limited financial resources and weak social forces were unable to develop viable foreign and security policies towards the West (Kakachia, 2013). Georgia claimed that as a result of difficult historic circumstances the country was separated from the European civilisation and became unable to move towards the European culture, hence, it was aspired to return back to the liberal democratic values and establish a Western-style democracy (Kakachia, 2013). It should be noted, that the Georgian foreign policy towards Europe and European structures was not consistent, and the political statements of the leadership were not corresponding to their actual policy-making process on a domestic level.

Domestic challenges, as a part of the historic legacies of Georgia, challenged the government with triple task: nation building, state building and democracy building (Jones and Kakhishvili, 2013). Georgian government found itself as a clan-oriented system of governance, where ‘traditions and informal practices were considered to be far more important than formal legal procedures’ (Helly and Gogia, 2005: 271). The country was facing internal challenges, such as: high rate of poverty, corruption, lack of effective internal reforms, and weak and disorganised public institutions. The decision-making process was impulsive and reactive, without the sense of developing coherent foreign policy (Jones and Kakhishvili, 2013). Institutional weakness of Georgia explains why the political leadership was given enormous power in the decision making process of the country, where ‘personalities’ were defining foreign policy priorities of a country and not state authorities.

The Russian Federation, as a great power, ‘enjoyed’ having direct and indirect mechanisms of influence on Georgia and became assertive in claiming the status of policy provider in the post-Soviet area (Papescu and Wilson, 2009; Averre, 2009). Meanwhile, Georgia was aiming at achieving balance between the strategic security and economic interests of Russian imperialistic approaches, on one hand, and value-based civilising interests of the EU, on the other, the Ministry of Foreign Affairs of Georgia prepared a document ‘Georgia and the world: a vision and strategy for the future’, which was providing: ‘Georgia seeks the same stable and harmonious relationship [with Russia] that it enjoys with other countries. Georgia poses no threat to its neighbours, and intends to play a positive role in the region’s economic growth and political development’, moreover ‘the highest priority of Georgian foreign policy is to achieve full integration in the European political, economic and security structures, thus fulfilling the historical aspiration of the Georgian nation to participate fully in the European Community... deepening cooperation with the [European Union] represents a paramount aim of Georgian foreign policy’ and ‘cooperation with...European countries, as a main segment of the strategy of integration into the European and Euro-Atlantic structures’ (Georgia and the world: A Vision and the Strategy for the Future, 2000: 3-4). Georgia was not capable of using its strategic geopolitical position in order to positively impact its foreign policy discourse. Rather it was attempting to ‘escape’ from Russian influence and to be in ‘shadow’ association with Europe.

The Russian position in Georgia was strengthened by the economic dependence of Georgia on it. The economic collapse of 90<sup>s</sup> in the post-Soviet area, provoked Russia’s dominance in

the region, and Georgia became dependent on Russian economy, including energy issues, employment of migrants, export of agricultural and other products, etc. Economic policy of Russia emerged as the ‘liberal empire’ (Chubais, 2003) that was attempting to be remained as a strategic trade and investment partner for all the former Soviet countries. The Russian vision aimed at exclusion of the possibility of its partners from entering into economic relations with other actors.

In sum, and taking into consideration the above stated domestic political environment of Georgia, the ‘bottom-up’ impact of this country on the initial cooperation between the EU and Georgia was rather limited. The pro-European political aspirations of Georgia were demonstrated, however not clearly and consistently enough. Moreover, the foreign policy making of the country was not supported by domestic reforms, and therefore, did not have effect on the Europeanisation process of the country. Power competition between the EU and Russia was also low, due to the unclear positioning of Georgia in its international relations, as well as the Russia’s self-confidence in its exclusive influence over the post-Soviet area.

Table 23 – The ‘Bottom-up’ Europeanisation: Assessment of Georgia’s Impact

	<b>1991- 2003</b>	<b>2003- 2008</b>	<b>2008- 2015</b>
Pro-European Aspirations	Low	Average	High
Historic Legacies/ Reforms	Low	Average	Average
Power Competition	Low	High	High

\* Low/Average/High

Chapter 4 – ‘The second phase of relations: revolution, reforms and the ENP’ analysed the Europeanisation process of Georgia in the time frame of 2003-2008. The aim of examination of this period, depends highly on the domestic political changes, which occurred in Georgia. The ‘United National Movement’ political party, supported by the majority of Georgian population, replaced the government of the former President Shevardnadze. As a result of the peaceful ‘Rose revolution’ in Georgia, the results of the 2003 parliamentary elections, were



denounced, and young pro-Western political leadership came into power. 'Colour' revolutions in the Eastern Europe, in particular, in Ukraine and Georgia, increased the perspective of their democratisation, with active commitment of new leadership (Raik, 2006). The political leadership of Georgia was challenged to deal with unstable and fragile political reality and a deeply rooted practice of corruption. The Rose revolution fostered the process of determination of the EU-Georgia relations, as far as pro-European aspirations of the country was recognized by international community. Transfer of powers, through peaceful revolution, attained a lot of attention from international actors, including the EU, due to the immediate declaration of pro-European and Euro-Atlantic aspirations of the country. Georgia was re-branding its geopolitical position as a Black Sea country and therefore, stating that it's a European country (Emerson, 2004).

Shortly after the Rose revolution in Georgia, the EU introduced the ENP, as an innovative policy framework of cooperation towards its Eastern and Southern neighbours. Only in June 2004, the Caucasian Republics were included in the ENP, after lobbying of the European Parliament and the peaceful 'Rose Revolution' of Georgia. The political developments in Georgia, and also maritime border with the future Member states of the EU, influenced the inclusion of the Southern Caucasus countries in the ENP. The new enlargement demanded upgrading of EU's relations with new neighbouring region (Johansson-Nogués, 2007). It was a real 'shortcoming' of ENP and 'wasteful' action from EU that states of Southern Caucasus were not included in the initial policy (Labeledzka, 2006).

The ENP challenged the EU as a foreign policy actor and tested its capacity Union 'to act beyond the dichotomy of accession/non-accession, drawing on a range of tools to promote its interests' (Lynch, 2005:6). According to Lippert, the ENP is 'neither conceptually complete, nor operationally stable' (Lippert, 2007: 2). The ENP's agenda encompasses three major dimensions: democracy promotion, market integration and security cooperation. Security rationale has always been in the agenda of the EU. However, beyond the idealistic policy instruments of the EU, the actual positive impact of the ENP's security dimension on the peace building process in its close neighbourhood was rather limited. Due to its internal policy difficulties, and usually, the EU is not capable of facing external expectations and therefore not always acting as a fully-fledged foreign policy actor (Ginsberg, 2001; Smith, 1999). Reasons of complexity of the ENP exist inside the EU and not only outside its borders

(Schülze, 2009). Therefore, it is highly misleading to treat all Member states as monolithic block with identical interests and similar strategies (Kratochvíl, 2007).

Another important dimension of the ENP – economic cooperation, which in a long-term perspective means the access to the internal market of the EU, as a biggest incentive, still remained to be a long term perspective of the bilateral cooperation. Until reliable compliance with the EU's standards the Union is reluctant to grant market access, including access for agricultural products, services and labour (Vachudova, 2007). However, it is important to note that expansion of the EU's regulatory measures and approximation of laws demands additional incentives from which the EU refrains of unilaterally. There has not been a precedent of expansion of the EU *acquis* towards the Eastern neighbourhood without offering a membership perspective (Dragneva and Wolczuk, 2012). A problem regarding the 'front-runners' is that less ambitious goal seems not to be effective enough (Smith, 2005).

The Action Plan of 2006, which defined 8 priority areas of cooperation between the EU and Georgia, did not replace the PCA as a legal basis of partnership. However, qualitatively upgraded the importance of bilateral cooperation. The Action Plan implied the principle of 'differentiation', which should have been applied in-line to the commitments of a partner country in terms of compliance with the EU values. Moreover, explicit introduction of the 'joint ownership' meant that 'one-size-fit-all' solutions are no longer successful (Del Sarto and Schumacher, 2005).

The latest enlargements of the EU raised critical question of its absorption capacity (Gungor, 2007). The EU and its citizens seem to be less capable, ready and willing to reach out the borders and offer membership to other Eastern European countries (Eurobarometer, 2009: 5-20). The Europeanisation as a distinctive research area in EU scholarship (Sedelmeier, 2005) includes neighbourhood Europeanisation without declared membership perspective. The ENP is based on similar encompassing notion of Europeanisation as accession policy (Schimmelfennig, 2010). The ENP seems to repeat the EU's accession conditionality and the principle of differentiation, moreover the EU uses planning, reporting and assistance procedures in the its neighbourhood policy, which is similar to accession process towards the candidate countries (Schimmelfennig, 2010). In terms of policy design and methodology, the ENP is a 'product of the enlargement policy' (Menon and Sedelmeier, 2010). However, it attempts to solve the 'inclusion-exclusion' problem between the enlarging Union and its

neighbours (Smith, 2005). The ENP can be considered as tool of Europeanisation, which combines elements of integration and stabilisation (Ghazaryan, 2010).

The EU has refrained from a consistent and merit-based application of conditionality towards the ENP countries (Börzel, 2010). The EU is unwilling to extend the membership perspective beyond the current candidates and to commit itself to a conditional accession (Lavenex and Schimmelfennig, 2011; Epstein and Sedelmeier, 2008) even to front-runners (Moldova, Ukraine, and Georgia). Therefore effectiveness, of the EU's one-side Europeanisation mechanisms towards non-candidate Eastern European neighbouring countries is rather limited. Or in other words, the EU has hardly any leverage to push the domestic reforms (Börzel and Pamuk, 2011).

The Strategy paper on the ENP introduced a principle of the 'joint ownership' by offering that the EU will not impose priorities or conditions on cooperating countries and will take into consideration mutual interest in defining priorities of cooperation (European Commission, 2004). In formal term's this declaration opened new possibilities for the Eastern European countries, in order to 'upload' their national interests and preferences on to the EU level. The 'joint ownership' constitutes a positive concept of the ENP, which encourages partner countries for more involvement and moves from 'passive engagement' to 'active engagement' (Del Sarto and Schumacher, 2005). Contrary to the methodology of conditionality, the 'joint ownership' gives the possibility of 'uploading' and prioritising interests of third states in the EU's cooperation agenda, whilst the conditionality is the unilateral way of Europeanisation. Therefore, the examination of actor-ness of third states in the process of Europeanisation, hereto gained an additional importance.

Depending on the ambitions of the ENP countries, they could be divided into four groups: (a) the *willing* partners, who not only aspire to cultivate close association with the EU (or full membership), but also accept the domestic reform agenda that goes with it; (b) the *passive partners*, who are ready to develop a more substantive relationship with the EU, but are not keen to go through the domestic reforms; (c) the *reluctant* partners, who are unenthusiastic about deeper cooperation and domestic reform agenda; and (d) the *excluded* partners, whom the EU itself deemed ineligible for the ENP incentives, or have excluded themselves (Emerson, Noutcheva and Popescu, 2007: 17). In this categorisation Georgia could be considered as a willing partner of the ENP's Eastern dimension (Emerson, Noutcheva and

Popescu, 2007). Georgia and other 'front-runners' (Moldova and Ukraine) of the ENP demonstrated better 'pull' on Europeanisation by the self-imposed conditionality. Therefore, some of the ENP countries (Georgia, Moldova and Ukraine) that face high costs of adaptation to get closer to the EU, aspire nothing less than the membership (Börzel, 2010). The Pro-European aspirations of Georgia have increased in 2003-2008 time frame, and was also demonstrated and consistently declared by the political leadership of the country.

In-line with the political aspirations it is important to examine the domestic reforms of Georgia, in order to analyse whether or not they comply with the declared objectives and foreign policy priorities of the political elite of this country. Georgia as a hybrid democratic regime by scores of 4-4.99, is one of the front-runners among ENP countries in democracy building, alongside with Moldova and Ukraine (Nations in Transit, 2003-2012). According to the *Nations in Transit*, Georgia and Ukraine are the best cases of progress in democracy building, compared to other countries of the ENP. Considerable number of political statements prioritise the European integration of Georgia, however, the ambitious plans are not generally implemented in practice and consequently their importance is more political than legal (Gabrichidze, 2014).

Georgia improved its international ranking positions, especially in terms of its anti-corruption policy. The Transparency International Corruption Perception Index demonstrated the progress of Georgia in 2004-2010. From being placed 133 is among 148, Georgia moved to 68<sup>th</sup> place out of 178 countries (Transparency International, 2004-2010). It seems that reforms in Georgia were significant, but not sufficient and sometimes, even not substantial. For instance, the judiciary reforms in Georgia were a mere facade, as far as 'authorities cared more about refurbishing the courts with modern office equipment than about any other component of the judicial reform' (Chkheidze, 2007).

In sum, the radical reforming policies of the government still achieved prominent results. International investors considered Georgia as a good place to do business. In addition to this, the eradication of corruption increased flow of the direct foreign investments to Georgia (European Commission, 2005; World Bank, 1997-2009).

In-line with clearly demonstrated and consistent pro-European aspirations of Georgia, Russian was losing its political and economic influence over this country. However, tense

political atmosphere of power competition between the North and the West increased. The domestic reforms of Georgia and upgraded political cooperation with the EU threatened Russia that it may lose its 'exclusive influence' over the post-Soviet country. The occupation of Georgian territories of Georgia in 2008, was a clear demonstration of Russian power and presence in its neighbouring country. It clearly demonstrated that one of the foreign policy priorities of Russia remain to be a 'governance provider' in Georgia and it's not ready to question its strategic interests in this country. Russia has strong interests to shape the ENP, and Kremlin is using direct and indirect mechanisms to 'succeed' in its near abroad. Russia has been 'poisoning the situation' by using trade embargoes and energy dependence as a mechanism of maintaining its influence in the post-Soviet area (Kempe, 2007). During the NATO summit of Bucharest in April 2008, Sergei Lavrov stated that 'Moscow will do all it can to prevent NATO membership of Ukraine and Georgia' (Lavrov, 2008). Hence, it is important to note that 'Russia is not going to disappear: sooner or later a constructive way of dealing with such neighbour is bound to be found by the EU' (Kochenov and Basheska, 2015: 25).

In sum, 2003-2008 was a decisive period for Georgia's Europeanisation process. Firstly, due to the increasing pro-European political aspirations of this country, and secondly, because of the reforms introduced and implemented in this period. It should be noted that in line with increased interest of Georgia towards the EU, the power competition increased, and Russia was given a possibility to demonstrate its actual foreign policy priorities and means of achieving them.

Chapter 5 – 'Third phase of relations: from security challenges towards upgraded bilateral relations' – analyses the Europeanisation process and impact of Georgia in the time frame of 2008-2015. Change of the political leadership of Georgia, led by the Prime Minister Bidzina Ivanishvili, partially replaced the former government of President Saakashvili. The country witnessed an unprecedented political reality, the President and the parliamentary majority as two opposing political parties in the governance. The 'power sharing' conditions between two major political actors, which later became know as 'cohabitation' has not been experienced by Georgia's political system before. The election process, according to the OSCE/ODIHR Election Observer Report of 2013, was widely recognised as the most free and fair one in Georgias' post-independence history.

After seven years of the August 2008 war, Georgian territories are still occupied by the Russian Federation. Because of 2008 war in Georgia, the Council asked the Commission to present its proposals earlier than scheduled (Łapczyński, 2009). The Georgian-Russian August war could be considered as a catalyst of introduction of the EaP, and also, as an opportunity for the pro-Eastern coalition inside the EU to convince other Member states in the importance of deepening the Eastern cooperation (Gromadzki, Peters, and Rood, 2009). The ‘bullying attempts’ of Russia to pressure has been considered as counter productive for its foreign policy interests, especially in Georgia.

The EaP is a step towards strengthening the EU relations with its Eastern neighbours, as far as it recognises the differentiation between Southern and Eastern ENP countries. The EaP aims to upgrade the contractual relationships between the EU and Eastern countries through introduction of cooperation with the objective of (a) political association and (b) gradual economic integration into the internal market of the EU (Council of the European Union, 2009). The AAs with neighbouring countries, as an upgraded contractual framework of relationship, differ from the PCAs by the possibility of gradual establishment of free trade, and moreover, by the level of commitment in terms of regulatory convergence (Maniokas, 2010). The AAs are the longest and most detailed agreements of their kind that contain detailed and binding provision on partner countries to align their laws and policies with the EU *acquis*, signaling a shift from soft law to the hard law commitments and in this manner exporting EU’s extensive regulatory framework to the EaP countries (Delcour and Wolczuk, 2013). The AAs are similar bilateral agreements by their content, however, their political interpretations are important in terms of understanding the objective of those agreements.

The turbulence regarding the signature of the EU-Ukraine AA, in particular its escalation before the Vilnius Summit, represents a serious setback for the EU (Havlik, 2014). The EaP project gained its geopolitical importance, even though the political leadership of the actors involved in the relationship attempted to deescalate the tense geopolitical interpretations of the EaP. Upgraded policy framework of the EaP proposed more incentives to its Eastern partners, especially in terms of trade relations and Visa liberalization. The DCFTA is the biggest ‘carrot’ for the Eastern partner countries. Impact of the DCFTA is analysed in the Chapter 5, however, it should be noted here that the signature of the DCFTA Georgia will result in additional increase of Georgian exports to the EU, and also foster the foreign direct investments to Georgia.

The DCFTA Georgia incorporates bundle of legislation that should be approximated with the EU law and standards. The economic strategy of Georgia is based on the doctrine of liberalism, which significantly differs from the theoretical foundations of the European convergence models (Kakulia, 2011). It is odd that EU's strong economy remained relatively closed for the small and weak Georgian economy, which was already completely open for the EU (Emerson, 2014). The economic concept of the DCFTA should be reconsidered and adapted to the circumstances of the Eastern partners (Emerson, 2010). The costs of approximation are borne not only by the state authorities, but also by the business sector, especially small farms that cannot afford to introduce effective safety control systems (Delcour and Wolczuk, 2013). Therefore, additional cooperation between the government of Georgia and business sector is needed. The prospect of the economic integration with the EU contradicts with the Russian foreign economic policy towards its neighbouring countries. Even though, Georgia needs to have workable relations with Russia on the basis of sovereign independence (Emerson, 2014).

There exists a national political consensus in Georgia towards European integration due to the support of the major political parties (Kratochvil and Lippert, 2007). The political leadership and society of Georgia see no alternative of Euro-Atlantic integration and the European integration is in a high political priority of foreign policy of Georgia (Boonstra and Shapovalova, 2010). In addition to the remained high pro-European aspirations of Georgia, examination of its domestic reforms is crucial. The European Integration Index 2014 for the EaP countries combines the independent analysis with the recent annual quantitative data, in order to provide results of progress of the EaP countries of the democratic standards. The indicators of the deep and sustainable democracy demonstrates the existence of the two distinct groupings in the EaP project in terms of their democracy indicators. On one hand, Armenia Azerbaijan and Belarus, and on the other Georgia, Moldova and Ukraine. According to the Index, top challenges for Georgia in 2015 concerns: striking a balance between prosecutions of abuse of power and 'selective justice', swift progress to bring about visa-free travel between Georgia and the EU, and effective implementation of the AA and DCFTA (European Integration Index, 2015).

Russian Federation has made systematic attempts to destabilise the countries of its neighbourhood, in particular those having Euro-Atlantic aspirations (Delcour and Kostanyan, 2014). The power competition between the Russian Federation and the EU gained two major

dimensions: the security and economic. The territorial conflicts in the EaP countries are not local challenges or the issues in which the EU is providing help to its Eastern neighbours, but it is also a matter how to deal with Russia (Popescu, 2006). Escalation of conflicts, due to the internal political aspirations of the EaP countries occurred, thus the power competition is not an independent variable of the Euroexpansion process. The security challenges have been already occurred and are expected to appear again in the countries of the EaP, in particular in countries with high pro-European stance.

The Eastern European countries consider the EaP as an added value to the initial ENP, but the security dimension seems to be ignored especially in case of Georgia. The EU prioritises the rule-based convergence, thus the EaP framework does not directly involve in the conflict resolution of 'frozen' territorial conflicts (Wolczuk, 2011). In other words, the EU demands the actors of the EaP countries however refrains from active engagement in its neighbourhood, especially in terms of security issues. Georgian experts emphasise that the region has a significant security concerns, which may not be governed solely with soft measures offered by the EaP (Boonstra and Shapovalova, 2010). Another significant dimension, power competition in economic cooperation, is also increased as a result of the establishment of the Eurasian Economic Union. The EEU cannot be combined with the EU's DCFTAs. In principle, EaP countries may sign the DCFTAs with the EU, and also negotiate and sign other free trade agreements with Russia, however the Kremlin is pressuring those countries to full membership of the EEU instead of concluding free trade agreements (Delcour and Kostanyan, 2014). Georgia has sufficient 'immunity' against Russian pressure to join the Russian-led Customs Union and therefore foreign policy preferences of a country has not been changed after the new government was elected (Emerson and Kostanyan, 2013).

Consequently, there still remains idealistic and realistic approaches of Brussels towards its neighbouring countries and regions, which means that policy instruments of the EU usually incorporate idealistic provisional regulations of Union's objectives and goals, whilst realistic positions of the EU is rather limited in terms of their actual engagement towards its near neighbourhood.<sup>10</sup> Diversity of interests and multilayered institutional framework of the EU obviously undermines common approaches and actions of the Union towards its neighbouring countries. In the process of implementation of the AA and DCFTA the

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<sup>10</sup> I am thankful to Steffen Bay Rasmussen for the interesting and helpful comments on this thesis.



domestic factors remain to be increasingly important. Taking into consideration that the DCFTA Georgia serves the common objectives of the EaP, thus its are economic, as well as political instruments. Even if Russia appears as actor in the process, much is depended on the third states and their political systems.<sup>11</sup> The the EaP context, successs in the Visa liberalisation process could be considered as the most tangible result for the population of Ukraine and Georgia. It is important to maintain and strengthen the increasing role of the state institutions, as well as civil society actors in terms of informing the population on the benefits of cooperation with the EU.<sup>12</sup>

Last but not least, presented theoretical approach, as well as empirical part of the thesis may become a good starting point for further investigations and critics, and also, for the development of the methodological approaches of this type of research.

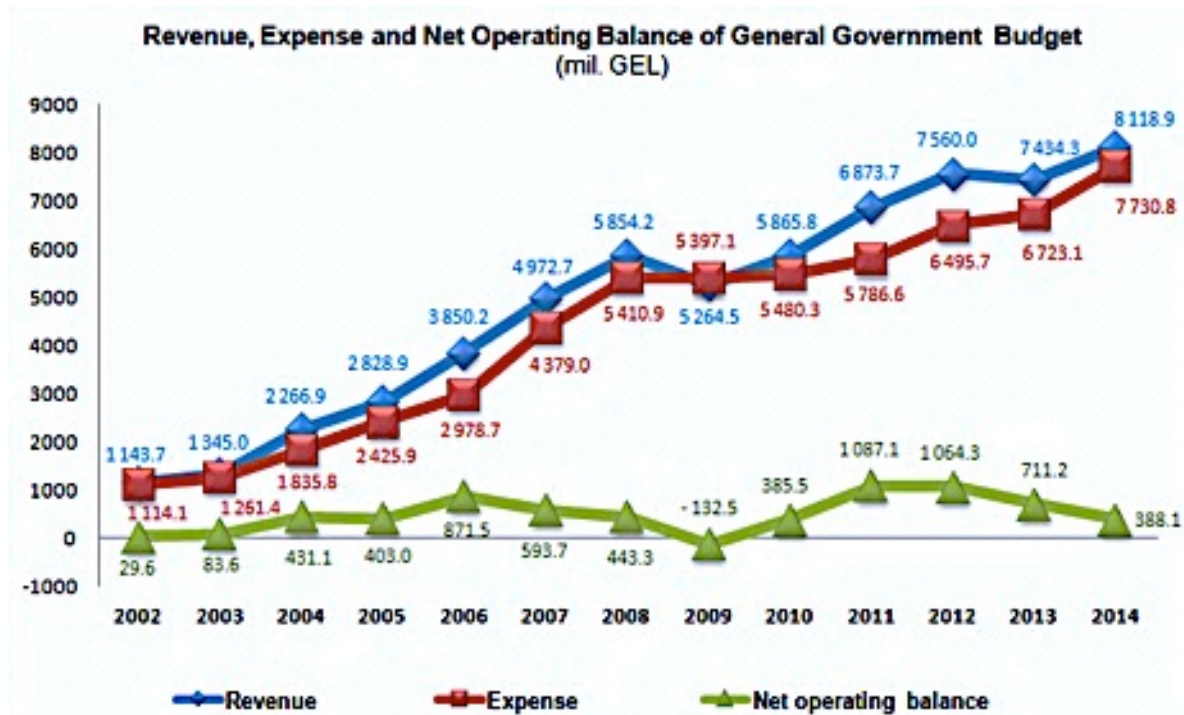
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<sup>11</sup> I would like to express my thankfulness to Prof. Peter Van Elsuwege for the valuable comments regarding this thesis.

<sup>12</sup> I am grateful to Prof. Gaga Gabrichidze for the fruitful and important discussion on this thesis.

## APPENDICES

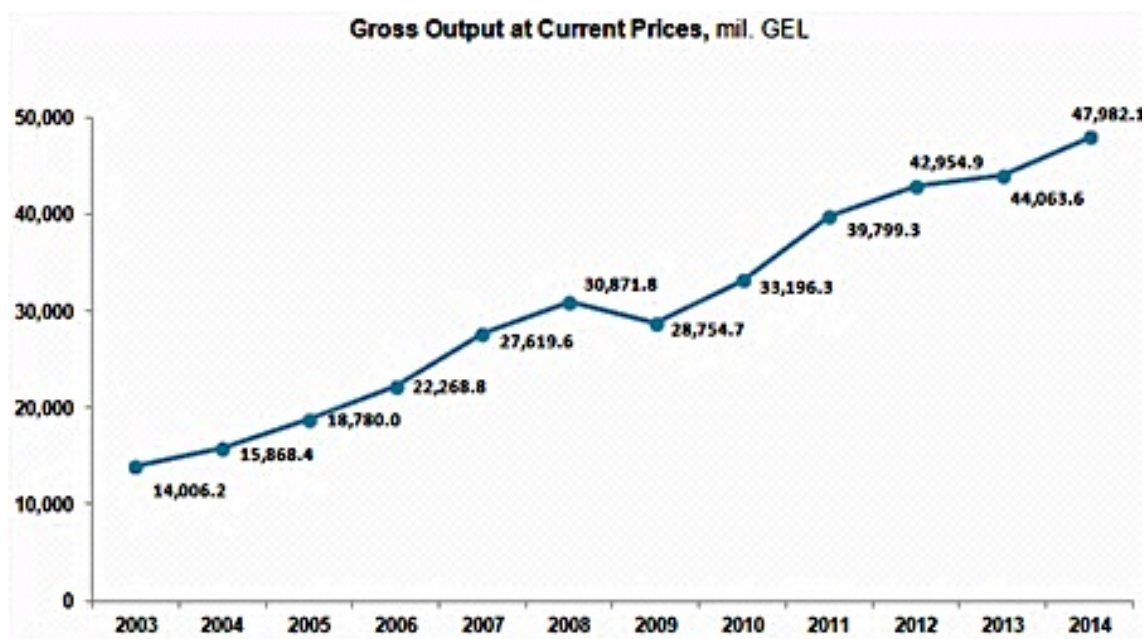
### Appendix I



Available at: [www.geostat.ge](http://www.geostat.ge) [accessed October 20 2015].

Official web-page of the National Statistics Office of Georgia

## Appendix II



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## Appendix III

### External Trade (Mil. USD)

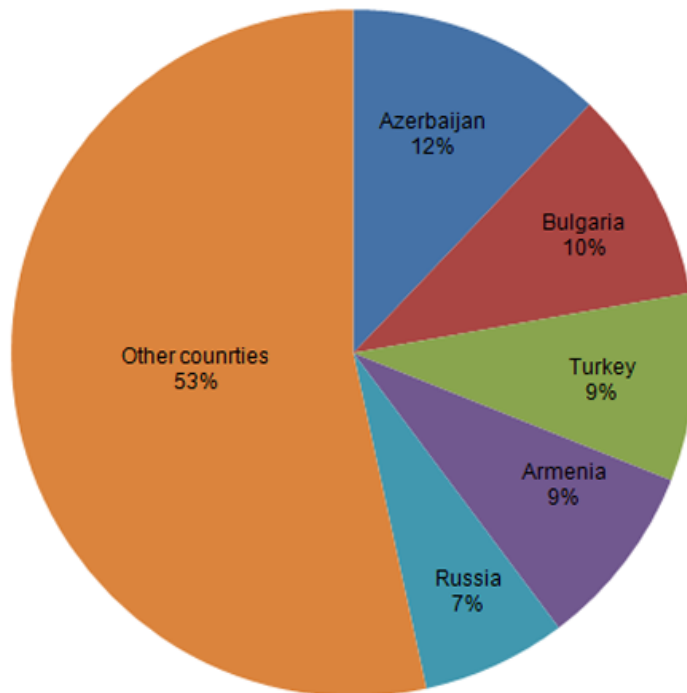
	2007	2008	2009	2010	2011	2012	2013	2014	2015* January-September
<b>External Trade Turnover</b>	6444	7797	5634	6935	9225	10413	10921	11454	7309
<b>Export (FOB)</b>	1232	1495	1134	1677	2187	2376	2910	2861	1645
<b>Import (CIF)</b>	5212	6302	4500	5257	7038	8037	8012	8593	5664
<b>Balance</b>	-3980	-4806	-3367	-3580	-4852	-5661	-5102	-5733	-4019

Available at: [www.geostat.ge](http://www.geostat.ge) [accessed October 20 2015].

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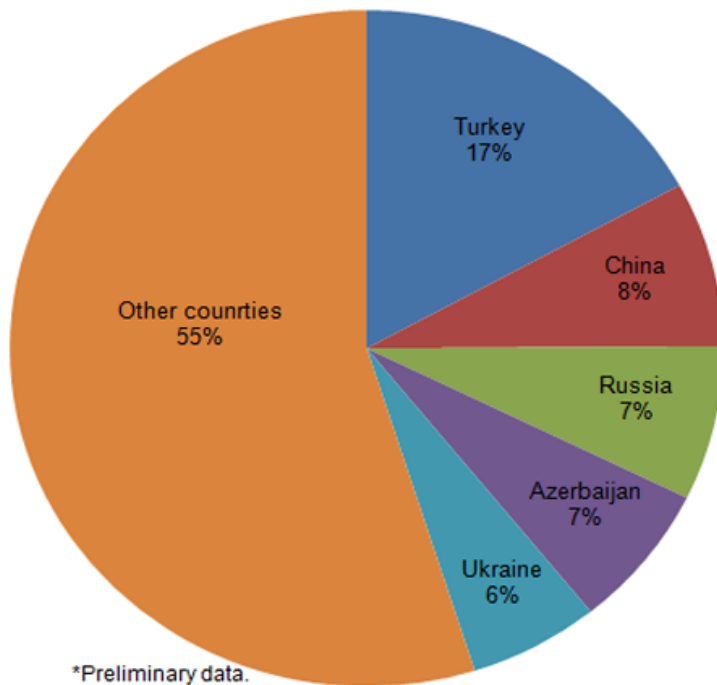
## Appendix IV

**Share of the top trading partners in total exports  
January-September 2015\***



\*Preliminary data.

**Share of the top trading partners in total Imports  
January-September 2015\***



Available at: [www.geostat.ge](http://www.geostat.ge) [accessed October 20 2015]. Official web-page of the National Statistics Office of Georgia

## Appendix V

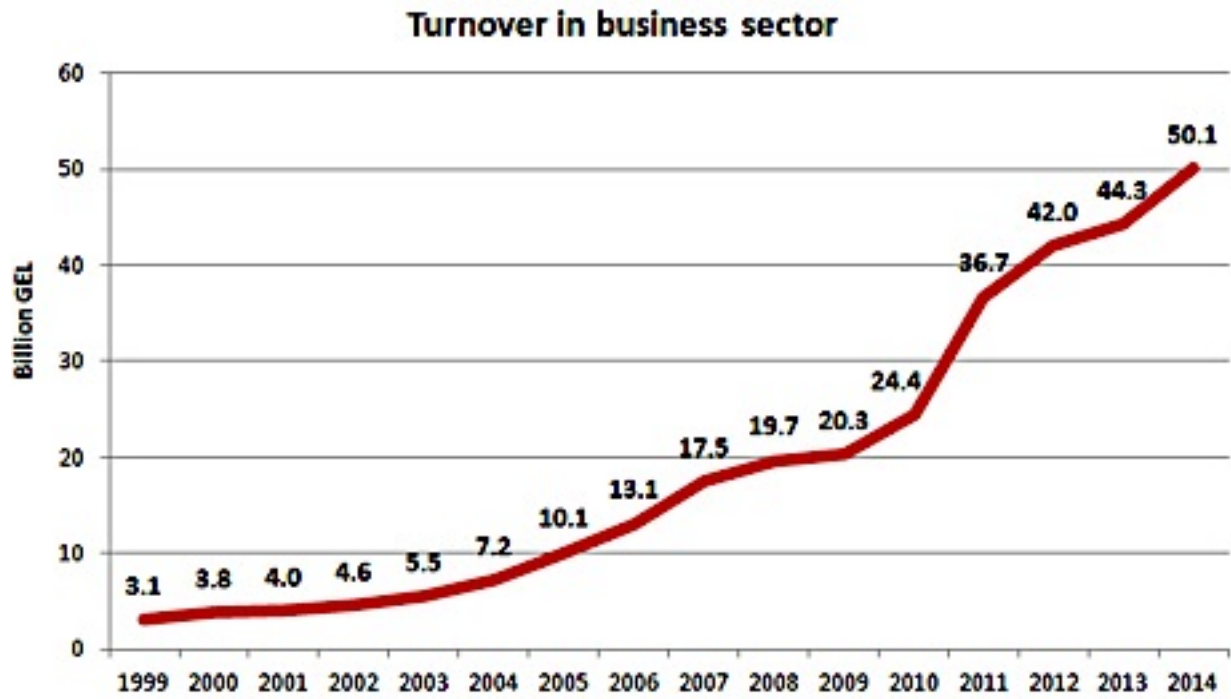
<b>FDI in Georgia</b>					
<b>Mil. USD</b>					
<b>Year</b>	<b>Total</b>	<b>Q I</b>	<b>Q II</b>	<b>Q III</b>	<b>Q IV</b>
1996	3,8	...	...	...	...
1997	242,6	...	...	...	...
1998	265,3	...	...	...	...
1999	82,2	...	...	...	...
2000	131,2	...	...	...	...
2001	109,8	...	...	...	...
2002	167,4	...	...	...	...
2003	340,1	...	...	...	...
2004	499,1	...	...	...	...
2005	449,8	89,4	105,9	75,6	178,9
2006	1.190,4	146,0	306,9	280,7	456,7
2007	2.014,8	421,4	401,5	489,1	702,9
2008	1.564,0	537,7	605,4	134,7	286,2
2009	658,4	114,0	177,2	173,2	194,0
2010	814,5	166,5	208,3	225,6	214,1
2011	1.117,2	209,7	248,3	316,6	342,6
2012	911,6	261,2	217,7	199,0	233,7
2013	941,9	252,3	207,9	254,8	226,9
2014	1.758,4	309,5	196,2	726,0	526,7
2015*	530,0	175,3	354,7		

\*Preliminary data.

Available at: [www.geostat.ge](http://www.geostat.ge) [accessed October 20 2015].

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Appendix VI



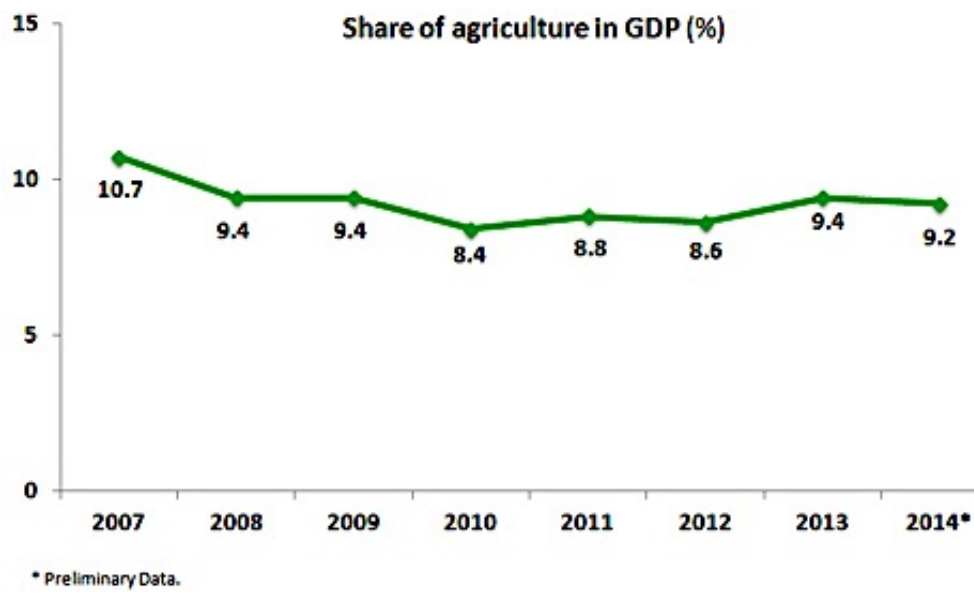
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## Appendix VII

### Agriculture of Georgia



Available at: [www.geostat.ge](http://www.geostat.ge) [accessed October 20 2015]. Official web-page of the National Statistics Office of Georgia

## Appendix VIII

- Survey on Georgians EU-attitudes, conducted August 1-10, 2009 by EPF/CRRC.

**(A) Question 57:** If there were to be a referendum tomorrow, would you vote for Georgia's membership of the EU?

<b>Would vote for EU membership</b>	<b>79</b>
<b>Would vote against EU membership</b>	<b>2</b>
<b>Would not vote at all</b>	<b>5</b>
<b>Don't know</b>	<b>13</b>

- The results of three waves of surveys conducted in 2009, 2011 and 2013

**(B) Question 62:** If there were a referendum tomorrow on Georgia's membership of the EU, would you personally vote for or against it? (%)

	<b>2009</b>	<b>2011</b>	<b>2013 Ethnic Georgians</b>	<b>2013 Minorities</b>
<b>For EU membership</b>	<b>79</b>	<b>80</b>	<b>83</b>	<b>38</b>
<b>Against</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>9</b>
<b>Would not vote at all</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>19</b>

Available at: [http://www.epfound.ge/files/eu\\_survey\\_report\\_2013\\_final\\_eng.pdf](http://www.epfound.ge/files/eu_survey_report_2013_final_eng.pdf) [accessed 10 October 2015].

### Appendix IX





*\*USSR Map shows the Republic names and Soviet Union administrative and political divisions.*

Available at: <http://www.mapsofworld.com> [accessed 10 October 2015].

## Appendix X

(A) EU trade in goods with the Eastern Partner countries (in € million)

<b>EU Export to</b>	<b>2004</b>	<b>2014</b>
<b>Total</b>	16 365	33 069
<b>Armenia</b>	338	714
<b>Azerbaijan</b>	1 246	3 482
<b>Belarus</b>	2 655	7 464
<b>Georgia</b>	611	1 911
<b>Moldova</b>	921	2 355
<b>Ukraine</b>	10 593	17 143

(B) EU trade in goods with the Eastern Partner countries (in € million)

<b>EU Import from</b>	<b>2004</b>	<b>2014</b>
<b>Total</b>	13 578	32 445
<b>Armenia</b>	247	276
<b>Azerbaijan</b>	1 292	13 159
<b>Belarus</b>	2 689	3 428
<b>Georgia</b>	314	657
<b>Moldova</b>	532	1 159
<b>Ukraine</b>	8 512	13 764

Eurostat Eastern Partnership Summit: Facts and Figures about the Eastern Partners of the European Union, 89/2015 – 20 May

Available at: <http://ec.europa.eu/eurostat/documents/2995521/6836772/6-20052015-BP-EN.pdf/1b8e0bd3-a47d-4ef4-bca6-9fbb7ef1c7f9> [Last access 15 November, 2015].

## Appendix XI

### Current International Rankings – Georgia

- For 2015 Georgia's overall **Ease of Doing Business** ranking was 15<sup>th</sup> among 189;
- In the **Global Competitiveness Index**, Georgia has improved its positions by 19 places and moved to 69<sup>th</sup> position among 144 countries;
- Fitch has changed outlook on Georgia's long-term **Foreign and Local Issues Default Rating** (IDR) to positive from stable and affirmed the IDRs at BB-;
- Georgia has the highest degree of media freedom among the Eastern Partnership countries in 2014, according to the survey **Media Freedom Index** of the Eastern partnership countries;
- According to **Corruption Perceptions Index** 2014 of Transparency International, Georgia is ranking 50 among 175 states and 1 in the Region;
- Georgia is ranked #69 out in 2015 **World Press Freedom Index**.

Office of the State Minister of Georgia on European and Euro-Atlantic Integration, Implementation of the Georgia – EU Association Agreement and the Association Agenda 2014-2015.

Available at:

[http://www.eunato.gov.ge/sites/default/files/AA%20implementation%20Presentation\\_final\\_0.pdf](http://www.eunato.gov.ge/sites/default/files/AA%20implementation%20Presentation_final_0.pdf) [accessed 20 November 2015].

## Appendix XII

### **Implementation of the Georgia – EU Association Agreement and the Association Agenda 2014-2015**

*Office of the State Minister of Georgia on European and Euro-Atlantic Integration*

#### **Political Dialogue and Reform**

##### ➤ **Human Rights**

- The National Strategy on Human Rights for 2014-2020, and the Human Rights Action Plan of the Government of Georgia for 2014 – 2015 was adopted and implementing successfully;
- The Law of Georgia on Elimination of all Forms of Discrimination was adopted on 2 May of 2014 is implementing successfully;
- The amendments of the Law of Georgia on Elimination of Domestic Violence, Protection and Support of Victims of Domestic Violence was adopted;
- The Juvenile Justice Code was approved by Parliament of Georgia in June 2015;
- Legislative amendments to the Imprisonment Code entering into force in May 2015, bringing the living space entitlements for prisoners in line with the International Standards;
- The Parliament of Georgia ratified protocols N15 and N16 of the Convention of Council of Europe for the Protection of Human Rights and Fundamental Freedoms on 4 March 2015.

##### ➤ **Judiciary**



- Amendments in the procedure of the selection of candidates of judges were adopted: a selection criterion was improved; a system of collecting information on candidates was elaborated. Selection process has become more transparent and object;
- Amendments have been made to the Law on Common Courts in August 2014, setting criteria of ‘good faith’ and ‘competence’. The Law also established a new chamber of the Supreme Court;
- The Legislative package was approved by the Parliament of Georgia on first reading in July 2015, introducing automatic distribution of cases in common courts under the framework of the third stage of the Judiciary reform;
- Package of legal amendments was elaborated with regards to the Arbitration Reform;
- Standing Committee on Early conditions release was abolished and its functions were transferred to the local councils;
- Trough the search programme of the decisions of the European Court of Human Rights, which was launched by the Human Rights Center of the Supreme Court of Georgia in 2014-2015, 800 cases have been translated into Georgian;
- The package of legislative amendments to the Georgian Law on Prosecutor’s Office was approved by the Government;
- Under the framework of the Criminal Justice Reform, the Parliament of Georgia adopted amendments to the Criminal Code.

➤ **Good Governance**

- The Civil Service Reform Concept was elaborated and approved by the Government in line with the EU practices, providing a solid basis for development of a new Law on Civil Service, on 23 June 2015, the draft law of Georgia on Civil Service was approved by the Parliament on first reading;
- Governmental Decrees on the Approval of the Rules for Conducting Attestation of Civil Servants and on the Approval of Competition Procedures specified under the law of Georgia on Civil Service was elaborated. The Decrees determine a transparency of recruitment procedures and ensure on effective and flexible nature of the rule for public institutions;

- The rules for bonus amount determination in public institutions, was elaborated to establish transparent pay system in the civil service of Georgia;
- Georgia was elected as a Open Government Partnership Steering Committee member for two years term, in August 2014;
- Anti-Corruption Council has approved the revised Anti-Corruption Strategy, 2015-2016 Action Plan and the new Monitoring and Evolution Methodology;
- The process of harmonization of by-laws of the stemming from the amendments to the law of Georgia on Facilitating the Prevention of illicit Income Legislation is ongoing;
- On 23 July 2015, the draft law of Georgia on the amendments to the law of Georgia on the Conflict of Interests and Corruption in Public Service was approved by the Parliament of Georgia on first reading;
- The Law of Georgia on the State Security Service was adopted by the Parliament of Georgia.

#### ➤ **Media Freedom and Elections**

- The Parliament of Georgia adapted the Law on Broadcasting based on an NGO initiative, ensuring more democratic composition of the Board and increasing the transparency of financing of the television companies;
- According to International Assessments Municipal Elections/ Local Self Government Elections were successfully held in 2014.

### **Justice, Freedom and Security**

#### ➤ **PDP and Freedom of Information**

- Georgian Personal Data Protection Law towards the private sector was fully enacted on 1 November 2014;
- The law on the 2015 State Budget of Georgia foresees an increase in the number of staff of the increase in the number of staff of the Inspector's Office – up to 40 employees, as well as the budget of the Office of the PDP Inspector was increased; Several activities and training were held in order to increase public awareness on data protection related issues;

- In 2015 Office of the Personal Data Protection Inspector checked 4 state institutions and 18 private companies;
- The draft Law on Freedom of Information is in the process of elaboration under the direct supervision of the Ministry of Justice.

### ➤ **Migration**

- The Concept of the Migration Strategy 2016-2020 has been prepared by the State Commission on Migration Issues;
- Asylum seekers, along with the grantees of humanitarian and refugee status, become beneficiaries of the Vertical healthcare programmes, since 1 January 2015;
- According to the new law on Legal Status for Foreigners and Stateless Persons Temporary Identification Cards to Asylum Seekers become legally equal and also represents a resident a residence permit for a one-year period;
- The Procedure for Removing Aliens from Georgia was approved by the Government of Georgia, determining the forms and procedures for the expulsion of illegally aliens in Georgia on 1 September 2014;
- The package of amendments to the Law on the Refugees and Humanitarian Status was adopted by the Parliament on 17 July 2015;
- Visa module of Consular Service Management Electronic System is available in all Georgian Diplomatic Missions;
- A Temporary Accommodation Centre for foreigners staying in Georgia without proper legal grounds is operational since 1 September;
- The Unified Immigration Database was elaborated in order to improve the migration monitoring;
- Georgia is broadly in line with second phase benchmarks of the VLAP, as stated in 3<sup>rd</sup> progress report published by the European Commission;
- The Law on Registration of Citizens of Georgia and Aliens Living in Georgia, Issuance of Identity (Residence) Card and Passport of Citizens of Georgia was amended and entered into force on 28 July 2014.

### ➤ **Border Management**

- The State Border Management Strategy for 2014-2018 and corresponding Action Plan were adopted;
- Container Control Programme was implemented;
- The Maritime Joint Operations Management Centre was established on 24 June 2014, equipped with joint command, control, communications and maritime surveillance technologies;
- Border management multilateral and Risk Analysis systems are in the process of elaboration The Common Integrated Risk analysis Model methodology, developed by FRONTEX has been translated in Georgian language.

➤ **Organised Crime, Trafficking in Human Beings**

- The Georgian counterterrorist legislation was further enhanced in 2014. The crimes of theft, extortion, or falsification of documents in relation to supporting terrorist acts became separately punishable under the terrorist chapter of the criminal code, with significant criminal penalties;
- The Cyber Security Bureau was established under the Ministry of Defense as a Legal Entity of the Public Law in February 2014;
- Relevant legislative amendments to the Law on Facilitating the Prevention of Illicit Income Legislation entered into force on 31 December 2014;
- 2015-2018 National Strategy and 2015-2016 Action Plan to combat organized crime was elaborated;
- The Common Informational Strategy on Combating Trafficking was approved to keep society systematically informed on the issue of trafficking;
- The new Law on Police was adopted and entered into the force on 1 January 2014;
- The Law on Prevention of the Money Laundering was approved by the Parliament on first hearing in July 2015.

➤ **Economic Cooperation**

- The Government is taking steps to break up monopolies and cartels, especially in the energy and pharmaceuticals sectors. These moves include amendments to the (antimonopoly) Law on Competition and Free Trade and the creation of independent Competition Agency, and brings regulations in line with the EU standards;
- Two agencies, the Georgian Enterprise Development Agency and the Georgian Innovation and technology Agency, have been established to help the development of Micro, Small and Medium Enterprises as well as IT and innovations in Georgia, through financial and tech support;
- Georgia is investing in its railway infrastructure in order to facilitate trade between Asia and Europe;
- In framework of regional development and rural support programs more than thousands of infrastructural projects were carried out through the country;
- The Action Plan on Implementation of the commitments envisaged by the Common Aviation Area Agreement between Georgia, the EU and EU Member States was adopted by the Government of Georgia;
- Amendments to the Tax Code of Georgia were elaborated in line with Council Directive 2006/12/EC on the common system of value added tax;
- Amendments to the Decree N99 of Finance Minister of Georgia on exercise duty, was elaborated in line with Council Directive 2011/64/EU on the structure and rates of excise duty applied to manufactured tobacco.

Office of the State Minister of Georgia on European and Euro-Atlantic Integration, Implementation of the Georgia – EU Association Agreement and the Association Agenda 2014-2015.

Available at:  
[http://www.eunato.gov.ge/sites/default/files/AA%20implementation%20Presentation\\_final\\_0.pdf](http://www.eunato.gov.ge/sites/default/files/AA%20implementation%20Presentation_final_0.pdf) [accessed 20 November 2015].

## BIBLIOGRAPHY

Abushov, K. (2011) 'Regionalism in the Southern Caucasus from a theoretical perspective: Is the Southern Caucasus a Region?' in Z. Shiryev (ed.) *Caucasus International: Social Media in Politics and Foreign Policy: Can it transform Eurasia?*, 1(2): 167-177

Allen, D. and Smith, M. (1990) 'Western Europe's Presence in the Contemporary International Arena', *Review of International Studies*, 16 (3): 19-38.

Antelava, N. (2003) 'Shevardnadze's Russian Dance', *BBC*, 11/11/2003, available at: <http://news.bbc.co.uk/1/hi/world/europe/3259855.stm> [accessed 10 November 2015].

Asmus, R. (2010) *A Little War that Shook the World: Georgia, Russia, and the Future of the West*, New York: Palgrave Macmillan.

Averre, D. (2009) 'Competing rationales: Russia, the EU and the 'shared neighbourhood'', *Europe-Asia Studies*, 61 (10): 1689-1713.

Averre, D. (2007) 'Sovereign Democracy' and Russia's Relations with the European Union, *Demokratiztsiya*: 173-190.

Avery, G. (2008) 'EU expansion and wider Europe', in E. Bomberg, J. Peterson and A. Stubb (eds.), *The European Union: How does it work*, New York: Oxford University Press.

Bache, I. (2003), 'Europeanisation: A governance approach', Paper presented at the *EUSA 8th International Biennial Conference*, 27-29 March, Nashville, available at: [http://aei.pitt.edu/554/1/Bache\\_EUSA.txt](http://aei.pitt.edu/554/1/Bache_EUSA.txt) [accessed 10 September 2015].

Balzer, H. (2005) 'The Putin Thesis and Russian Energy Policy', *Post-Soviet Affairs*, 21(3): 210-225.

Barbé, E. (2009) 'Which Rules Shape EU's External Governance? The Patterns of Rule Selection in Foreign and Security Policies', *Journal of European Public Policy*, 16 (6): 834-852.

Barbé, E. et al (2009) 'Drawing the Neighbours Closer...to What? Explaining Emerging Patterns of Policy Convergence between the EU and its Neighbours', *Cooperation and Conflict*, SAGE Publications, 44(4): 378-399.

Barbé, E. and Johansson-Nogués, E. (2008) 'The EU as a modest 'force for good': the European Neighbourhood Policy', *International Affairs* (84) 1: 81-96.

Bauer, M. et al (2007), 'Differential Europeanization in Eastern Europe: the impact of diverse EU regulatory governance patterns', *Journal of European Integration* 29 (4): 405-448.

Baun, M. (2007) 'Wider Europe, Transatlantic Relations and Global Governance', in K. Weber, M. E. Smith and M. Baun (eds.) *Governing Europe's Neighbourhood: Partners or Periphery?*, Manchester: Manchester University Press.

Béland, D. (2009) 'Ideas, Institutions, and Policy Change', *Journal of European Public Policy*, 16(5): 701-718.

Bhatty, R. S. (2002) 'Tough Choices: Observations on the Political Economy of Armenia, Azerbaijan, and Georgia', *World Bank*, available at: <http://web.worldbank.org/archive/website00504/WEB/PDF/BHATTY-8.PDF> [accessed 10 June 2014].

Biscop, S. (2009) 'The Value of Power, the Power of Values: A Call for a EU Grand Strategy', *Egmont Paper*, 33 (16): 3-39.

Blockmans, S. and Kostanyan, H. (2013) 'A post-mortem of the Vilnius Summit: Not yet a 'Thessaloniki moment' for the Eastern Partnership', *Commentary Thinking Ahead for Europe*, Centre for European Policy Studies, 03/12/2013, Brussels.

Bohman, J. and Bachmann, M. L. (1997 eds.) *Perpetual peace: Essays on Kant's cosmopolitan ideal*, MIT Press: Cambridge.

Bomberg, E. and Peterson, J. (2000) 'Policy Transfer and Europeanization: Passing the Heineken Test?', *Queens Papers on Europeanization* No. 2, available at:

<https://www.qub.ac.uk/schools/SchoolofPoliticsInternationalStudiesandPhilosophy/FileStore/EuropeianisationFiles/Fileupload.38445,en.pdf> [accessed 15 November 2015].

Boonstra, J. and Delcour, L. (2015) 'A Broken Region: Evaluating EU Policies in the South Caucasus', *Policy Brief FRIDE* (193), available at: [http://fride.org/download/PB193\\_Evaluating\\_EU\\_policies\\_in\\_the\\_South\\_Caucasus.pdf](http://fride.org/download/PB193_Evaluating_EU_policies_in_the_South_Caucasus.pdf) [accessed 10 September 2015].

Boonstra, J. and Shapovalova, N. (2010) 'The EU's Eastern Partnership: One year Backwards', *Working Paper FRIDE* (99), available at: <http://www.eu-enrelatedjobs.eu/images/FRIDE%20Eastern%20Partnership%202010.pdf> [accessed 20 October 2015].

Börzel, T. A. (2002), 'Pace-Setting, Foot-Dragging, and Fence-Sitting: Member State Responses to Europeanization', *Journal of Common Market Studies* 40 (2): 193-214.

Börzel, T. A. (2010), 'Transformative Power of Europe Reloaded: The Limits of External Europeanisation', *Kolleg-Forschergruppe (KFG) Working Papers Series "The Transformative Power of Europe"* (11) February, Freie Universität Berlin, available at: [http://userpage.fu-berlin.de/kfgeu/kfgwp/wpseries/WorkingPaperKFG\\_11.pdf](http://userpage.fu-berlin.de/kfgeu/kfgwp/wpseries/WorkingPaperKFG_11.pdf) [accessed 1 November 2015].

Börzel, T. A. et al (2007), 'Good Governance in the European Union', *Berliner Arbeitspapiere zur Europäischen Integration* 7(5), Center of European Studies, Berlin: Freie Universität Berlin.

Börzel, T. A and Pamuk, Y. (2011) 'Europeanization Subverted? The European Union's Promotion of Good Governance and the Fight against Corruption in the Southern Caucasus', *Kolleg-Forschergruppe (KFG) Working Papers Series "The Transformative Power of Europe"* (26) April, Berlin: Freie Universität Berlin.

Börzel, T. A. and Risse T. (2004) 'One Size Fits All: EU Policies for the Promotion of Human Rights, Democracy and the Rule of Law', paper prepared for the Workshop on



Democracy Promotion, 4-5 October, Centre for Development, Democracy, and the Rule of Law, Stanford University.

Börzel, T. A. and Risse T. (2009) 'Conceptualising the Domestic impact of Europe', prepared for K. Featherstone and C. Radaelli (eds.), *The Politics of Europeanisation*, Oxford: Oxford University Press.

Börzel, T. A. et al (2008) 'One Size Fits All? How the European Union Promotes Good Governance in Its Near Abroad', *SFB-Governance Working Paper Series 18/700* December, Research Center (SFB), Berlin: Freie Universität Berlin.

Börzel, T. A. et al (2009) 'Democracy or Stability? EU and US Engagement in the Southern Caucasus', in A. Megan, T. Risse and M. McFaul (eds.) *Promoting Democracy and the Rule of Law: American and European Strategies*, Houndmills: Palgrave.

Börzel, T. A. et al (2010) 'The European Union and Its Fight Against Corruption in its Near Abroad. Can it Make a Difference?', *Global Crime*, (11) 2: 122-144.

Börzel, T. A. and Risse, T. (2003), 'Conceptualising the domestic impact of Europe' in K. Featherstone and C. M. Radaelli (eds.), *The Politics of Europeanisation*, Oxford: Oxford University Press: 57-80.

Börzel, T. A. (1999), 'Towards Convergence in Europe? Institutional Adaptation to Europeanization in Germany and Spain'" *Journal of Common Market Studies*, 39 (4): 573-96.

Bosse, G. (2007) 'Values in the EU's Neighbourhood Policy: Political Rhetoric or Reflection of a Coherent Policy?', *European Political Economy Review* (7): 38-62.

Bosse, G. (2009) 'Challenges for EU governance through neighbourhood policy and eastern partnership: The values/security nexus in EU-Belarus relations', *Contemporary Politics* 15(2): 215-227.

Bowser, D. (2001) 'Corruption, Trust, and the Danger to Democratisation in the Former Soviet Union', Berlin, available at: <http://transparency.az/transpfiles/13.pdf> [accessed 10 June 2015].

Bretherton, C. and Vogler, J. (1999) *The European Union as a Global Actor*, London: Routledge.

Broeck, M. and Koen, V. (2000) 'The Great Contractions in Russia, The Baltics and the Other Countries of the Foremer Soviet Union: A view from the Supply Side', *International Monetary Fund Working Paper* WP/00/32, Washington DC: International Monetary Fund.

Buchan, D. (1993) *Europe: The Strange Superpower*, Aldershot: Dartmouth.

Bull, H. (1983), 'Civilian Power Europe: A Contradiction in Terms?', in L. Tsoukalis (ed.), *The European Community - past, present and future*, Oxford: Blackwell.

Bull, H. (1979) 'Recapturing the Just War for Political Theory', *World Politics* 31 (4): 574-595.

Buller, J. and Gamble, A. (2002) 'Conceptualising Europeanization', *Public Policy and Administration Special Issue Understanding the Europeanization of Public Policy* (17) 2: 4-24.

Bulmer, S. and Burch, M. (2001) 'The Europeanization of Central Government: the UK and Germany in historical Institutional Perspective', in G. Schneider and M. Aspinwall (eds.) *The Rules of Integration: Institutional Approaches to the Study of Europe* (eds.), European Policy Research Unit Series Manchester University Press.

Bulmer, S. and Radaelli, C. M. (2004) 'The Europeanisation of public policy' in C. Lequesne and S. Bulmer (eds.) *Members States and the European Union*, Oxford: Oxford University Press.

Bulmer, S. J. and Radaelli, C. M. (2004) 'The Europeanisation of National Policy?', *Queen's Papers on Europeanisation* (1), Belfast: Queen's University School of Politics.

Cantori, L. J. and Spiegel, S. L. (1970) *The International Politics of Regions: A Comparative Approach*, Englewood Cliffs, NJ: Prentice-Hall.

Caporaso, J. (1996) 'The European Union and Forms of State: Westphalian, Regulatory or Post-Modern', *Journal of Common Market Studies*, 34 (1): 29-52.

Cardwell, P. (2011) 'EU External relations Law and Policy in the Post-Lisbon Era', in P. J. Cardwell (ed.) *EU External Relations Law and Policy in the Post-Lisbon Era*, TMC Asser Press: 1-16.

Casier, T. (2011) 'The EU's Two-Track Approach to Democracy Promotion: The Case of Ukraine', *Democratization*, 18 (4): 956 - 977.

Casier, T. (2011) 'To Adopt or Not to Adopt: Explaining Selective Rule Transfer under the European Neighbourhood Policy', *Journal of European Integration*, 33 (1): 37-53.

Checkel, J. T. (2001) 'Why Comply? Social Learning and European Identity Change', *International Organization*, (55) 3: 553-588.

Checkel, J. T. (2005) 'International Institutions and Socialisation in Europe: Introduction and Framework', *International Organisation*, 59 (4): 801-1079.

Chen, C. and Sil, R. (2006) 'Expanding the Post Communist Universe without Conceptual stretching: The Promise of Cross Regional Contextualized Comparison', unpublished paper.

Chkhikvadze, I. (2013) 'EU-Georgia Relations: Where it Stands and Where it Goes', in K. Kakachia and Cecire (eds.), *Georgian Foreign Policy: The Quest for Sustainable Security*, Tbilisi: Konrad Adenauer Stiftung: 53-63.

Christiansen, T. (2000) 'Fuzzy Politics Around Fuzzy Borders: The European Union's 'Near Abroad'', *Cooperation & Conflict*, (35): 389 - 410.

Chubais, A. (2003) 'Russia's Mission in the 21st Century', *Nezavisimaya Gazeta*, reprinted in Johnson's Russia List No. 7347, 01/10/2003.

Cirtautas, A. M. and Schimmelfennig, F. (2010) 'Europeanisation Before and After Accession: Conditionality, Legacies, and Compliance', *Europe - Asia Studies*, (62) 3: 421-441.

Coppieters, B. (1998) 'Georgia in Europe: The Idea of Periphery in International Relations' in B. Coppieters, A. Zverev and D. Trenin (eds.) *Commonwealth and Independence in Post Soviet Eurasia*, London: Frank Cass.

Coppieters, B. (1996 ed.) *Contested Borders in the Caucasus*, Brussels: VUP Press.

Cornell, S. E. (2001) *Small Nations and Great Powers: a Study of Ethnopolitical Conflict in the Caucasus*, Oxford: Routledge.

Cornell, S. E. and Starr, F. (2006) *The Caucasus: A Challenge for Europe*, Washington: John Hopkins University.

Crane, K. et al (2005) 'Russian Investment in the Commonwealth of Independent States', *Eurasian Geography and Economics*, 46(6): 405- 444.

Crawford, G. (2000) 'European Union Development Co-operation and the Promotion of Democracy', in P. Burnell (ed.) *Democracy Assistance: International Co-operation for Democracy*, London: Frank Cass: 90-127.

Cremona, M. (2003) 'Introduction', in M. Cremona (ed.) *The Enlargement of the European Union*, Academy of European Law – European University Institute, Oxford: Oxford University Press.

Cremona, M. (2000) 'Flexible Models: External Policy and the European Economic Constitution', in G. de Búrca and J. Scott, (eds.), *Constitutional Change in the EU From Uniformity to Flexibility?*, Oxford: Hart Publishing.

Cremona, M. (2008) 'The European Neighbourhood Policy: More than a Partnership?', in M. Cremona (ed.) *Developments in EU External Relations Law*, Oxford: Oxford University Press.

Cremona, M. (2009) 'The European Neighbourhood Policy as a Framework for Modernisation', in F. Maiani, R. Petrov and E. Mouliarova (eds.) *European Integration without EU Membership: Models, Experiences, Perspectives*, EUI Working Papers MWP 2009/2010: 5-15.

Cremona, M. (2009) 'The European neighbourhood Policy and Ukraine's European Ambitions', in F. Maiani, R. Petrov and E. Mouliarova (eds.) *European Integration without EU Membership: Models, Experiences, Perspectives*, EUI Working Paper, Max Weber Programme 2009/2010: 99-111.

Cremona, M. and Hillion, Ch. (2006) 'L'Union fait la force? Potentials and limitations of the European Neighbourhood Policy as an integrated EU Foreign and Security Policy', *EUI Working Papers*, Law No.2006/39, Florence, available at: <http://www.cadmus.iue.it/dspace/bitstream/1814/6419/1/LAW-2006-39.pdf> [accessed 20 September 2015].

Dannreuther, R. (2004) 'Introduction: setting the framework', in R. Dannreuther (ed.). *European Union foreign and security policy: towards a neighbourhood strategy*, London: Routledge.

Del Sarto, R. and Schumacher, T. (2005) 'From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?' *European Foreign Affairs Review* (10): 17- 38.

Delcour, L. (2010) 'The European Union, a security provider in the eastern neighbourhood?' *European Security* (19) 4: 535-549.

Delcour, L. (2011) 'The Institutional Functioning of the Eastern Partnership: An Early Assessment', *Eastern Partnership Review* (1), Estonian Center of Eastern Partnership, 08/09/2011.

Delcour, L. (2015) 'In Need of a New Paradigm? Rethinking the European Neighbourhood Policy/Eastern Partnership', *Eastern Partnership Review* (20), Estonian Center of Eastern Partnership, 24/04/2015.

Delcour, L. and Kostanyan, H. (2014) 'Towards a Fragmented Neighbourhood: Policies of the EU and Russia and their consequences for the area that lies between', *Essay Thinking ahead for Europe* (17), Centre for European Policy Studies, Brussels, 17/10/2014.

Delcour, L. and Tulments, E. (2009) 'Pioneer Europe? The ENP as Test Case for EU's Foreign Policy', *European Foreign Affairs Review* (14): 501-523.

Delcour, L. and Wolczuk, K. (2013) 'Beyond the Vilnius Summit: challenges for deeper EU integration with Eastern Europe', *Policy Brief*, European Policy Centre, available at: [http://www.epc.eu/documents/uploads/pub\\_3889\\_beyond\\_the\\_vilnius\\_summit.pdf](http://www.epc.eu/documents/uploads/pub_3889_beyond_the_vilnius_summit.pdf) [accessed 28 November 2015].

Devdariani, J. (2013), 'US visit may lead to Georgias' policy adjustment', *Civil Georgia*, Tbilisi: UNAPAR, available at: [www.civil.ge/eng/article.php?id=375](http://www.civil.ge/eng/article.php?id=375) [accessed 15 July 2015].

Devrim, D and Schulz, E. (2009) 'The Eastern partnership: An Interim Step Towards Enlargement?' *Real Instituto Elcano ARI*, (22): 1-7.

Diez, T. et al (2006) 'The European Union and Border Conflicts: The Transformative Power of Integration', *International Organization*, 60 (3): 563-593.

Dimitrova, A. and Dragneva, R. (2009) 'Constraining External Governance: Interdependence with Russia and the CIS as Limits to the EU's Rule Transfer in the Ukraine', *Journal of European Public Policy*, 16 (6): 853-872.

Dimitrovova, B. (2010) 'Remaking Europe's Border through the European Neighbourhood Policy', *Centre of European Policy Studies Working Document* (327), March, available at:

[http://aei.pitt.edu/14583/1/WD\\_No.\\_327\\_by\\_Dimitrovova\\_on\\_Remaking\\_Europe's\\_Borders.pdf](http://aei.pitt.edu/14583/1/WD_No._327_by_Dimitrovova_on_Remaking_Europe's_Borders.pdf) [accessed 25 October 2015].

Dragneva, R. and Wolczuk, K. (2012) 'EU Law Export to the Eastern Neighbourhood', in P. J. Cardwell (ed.) *EU External Relations Law and Policy in the Post-Lisbon Era*, The Hague: Asser Press: 217-240.

Drury, A. C. et al (2006) 'Corruption, Democracy, and Economic Growth', *International Political Science Review* 27 (2): 121-136.

Duchêne, F. (1972) 'Europe's Role in World Peace', in R. Mayne (ed.) *Europe Tomorrow: Sixteen Europeans Look Ahead*, London: Fontana: 32-47.

Duchêne, F. (1973) 'The European Community and the Uncertainties of Interdependence', in M. Kohnstamm and W. Hager (eds.) *A Nation Writ Large? Foreign Policy Problems Before the European Community*, Basingstoke: Palgrave Macmillan.

Dyson, K. and Goetz, K. (2003 eds.) *Germany, Europe and the Politics of Constraint*, Oxford: Oxford University Press.

Edwards, G. (2008) 'The Construction of Ambiguity and Limits of Attraction: Europe and its Neighbourhood Policy', *Journal of European Integration*, 30 (1): 45-62.

Edwards, G. and Regelsberger, E. (1990) *Europe's Global Links: The European Community and Inter-Regional Cooperation*, London: Pinter Publication.

Elsuwege, P. (2008) *From Soviet Republics to EU Member States: A Legal and Political Assessment of the Baltic States' Accession to the EU*, Martinus Nijhoff Publishers: Leiden.

Emerson, M. (2004a) 'European Neighbourhood Policy: Strategy or Placebo?', *Centre for European Policy Studies Working Paper 215*, November, Brussels: Centre for European Policy Studies, available at: <http://www.pedz.uni-mannheim.de/daten/edz-k/gde/04/1176%5B2%5D.pdf> [accessed 30 October 2015].

Emerson, M. (2004b) 'Europeanisation as a Gravity Model of Democratisation', *Centre for European Policy Studies Working Paper 214*, Brussels: Centre for European Policy Studies.

Emerson, M. (2004c) 'Europeanisation and Conflict Resolution: Testing an Analytical Framework', *Centre for European Policy Studies Policy Brief 59*, Brussels: Centre for European Policy Studies.

Emerson, M. (2005) 'The Reluctant Debutante: the European Union as Promoter of Democracy in its Neighbourhood', *Centre for European Policy Studies Working Document 223*, Brussels: Centre for European Policy Studies.

Emerson, M. (2010) 'Rendez-vous with Eastern Europe', *Commentary Thinking ahead for Europe*, Brussels: Centre for European Policy Studies.

Emerson, M. (2014) 'Countdown to the Vilnius Summit: The EU's Trade Relations with Moldova and the South Caucasus', *The Directorate-General for External Policies Policy Department Workshop*, Brussels.

Emerson, M. and Kostanyan, H. (2013) 'Putins' grand design to destroy the EU's Eastern Partnership and replace it with a disastrous neighbourhood policy of his own', *Commentary Thinking ahead for Europe*, 17/09/2013, Brussels: Centre for European Policy Studies.

Emerson, M. and Noutcheva, G. (2005), 'From Barcelona Process to Neighbourhood Policy: Assessments and Open Issues', *Centre for European Policy Studies Working Document 220*, Brussels: Centre for European Policy Studies.

Emerson, M. et al (2007) 'European Neighbourhood Policy Two Years on: Time indeed for an 'ENP plus'', *Centre for European Policy Studies Policy Brief 126*: 1-28.

Epstein, R. A. and Sedelmeier, U. (2008) 'Beyond Conditionality: international institutions in post-communist Europe after enlargement', *Journal of European Public Policy*, 15(6): 796 - 805.



Evans, A. (1997) 'Voluntary Harmonisation in Integration between the European Community and Eastern Europe', *European Law Review* (22): 201-220.

Fantini, M. and Dodini, M. (2005) 'The Economic Effects of the European Neighbourhood Policy', in N. Copsey and A. Mayhew (eds.) *European Neighbourhood Policy and Ukraine*, Brighton: Sussex European Institute.

Fean, D. (2009) 'Making Good Use of the EU in Georgia: the "Eastern Partnership" and Conflict Policy', *Ifri Russia. Nei.Visions* 44, September, Paris.

Fearon, J. D. (1998) 'Domestic Policies, Foreign Policy, and Theories of International Relations', *Annual review of Political Science*, (1): 289-313.

Featherstone, K. and Kazamias, G. (2001 eds.) *Europeanization and the Southern Periphery*, Frank Cass: London.

Ferrero-Waldner, B. (2006) 'Remarks on democracy promotion', paper prepared for conference organised by the European Parliament's Alliance of Liberals and Democrats for Europe: *Democracy Promotion: The European Way*, 07/12/2006, the European Commission: Brussels.

Freyburg, T. et al (2011) 'Democracy promotion through functional cooperation? The case of European Neighbourhood Policy', *Democratization*, 18 (4): 1026-1054.

Gabrichidze, G. (2014) 'Legislative approximation and application of EU law in Georgia', in P. Elsuwege and R. Petrov (eds) *Legislative Approximation and Application of EU Law in the Eastern Neighbourhood of the European Union*, New York: Routledge.

Galbreath, D. J. and Lamoreaux, J. W. (2007) 'Bastion, Beacon or Bridge? Conceptualising the Baltic Logic of the EU's Neighbourhood', *Geopolitics*, 12 (1): 109-132.

Galtung, J. (1973) *The European Community: A Superpower in the Making?*, London: Harper Collins Publishers.

Gänzle, S. (2009) 'EU Governance and the European Neighbourhood Policy: A Framework for Analysis', *Europe-Asia Studies*, 61(10): 1715-1734.

Gänzle, S. (2002) 'Presence and Actorness of the EU in the Baltic Sea Area: Multilevel Governance Beyond the External Borders of the European Union', in H. Hubel et al. (eds) *EU Enlargement and Beyond: the Baltic States and Russia*, Berlin: Berlin Verlag.

Gawrich, A. et al (2009) 'Neighbourhood Europeanization Through ENP: The Case of Ukraine', *The Transformative Power of Europe KFG Working Paper Series 3*, 08/2009, Berlin: Free University Berlin.

George, S. (2001) 'The Europeanization of UK Politics and Policy-Making: The Effects of European Integration on the UK', *UACES/ESRC November Workshop*, Sheffield University.

Ghazaryan, N. (2010) 'How effective is the European Neighbourhood Policy as a mechanism for transposing the European Unions' democratic values in the South Caucasus?', PhD thesis, the University of Nottingham.

Ghazaryan, N. (2014) *The European Neighbourhood Policy and the Democratic Values of the EU: A legal Analysis*, Oxford: Hart Publishing.

Ginsberg, R. (2001) *The European Union in International Politics: Baptism by Fire*, Oxford: Rowman and Littlefield.

Giuliani, M. (2003), 'Europeanisation in comparative perspective: Institutional fit and national adaptation' in K. Featherstone and C. M. Radaelli (eds.), *The Politics of Europeanisation*, Oxford: Oxford University Press: 135-155.

Gogolashvili, K. (2011) 'The Conflicts in the South Caucasus and Their Impact on the Eastern Partnership', *Eastern Partnership Review* (9), 12/2011, Tallin: Estonian Center of Eastern Partnership.

Goldstein, J. and Keohane, R. O. (1991) 'Ideas and Foreign Policy: An Analytical Approach', in Goldstein and Keohane (eds.), *Ideas and Foreign Policy: Beliefs, Institutions and Political Change*, London: Cornell University Press.

Gordadze, T. (2009) 'Georgian-Russian Relations in the 1990s', in S. E. Cornell and Frederick Starr (eds.) *The Guns of August 2008, Russia's War in Georgia*, Armonk, New York and London: M.E. Sharpe.

Grabbe, H. (2003), 'Europeanization goes East: Power and Uncertainty in the EU Accession Process, in K. Featherstone and C. M. Radaelli (Eds.) *The Politics of Europeanization*, Oxford University Press: 303-327.

Grabbe, H. (2005) 'Regulating the Flow of People across Europe', in F. Schimmelfennig and U. Sedelmeier (eds.) *The Europeanization of Central and Eastern Europe*, Ithaca, NY: Cornell University Press.

Grabbe, H. (2006) *The EU's Transformative Power, Europeanization through Conditionality in Central and Eastern Europe*, Basingstoke: Palgrave MacMillan.

Grabbe, H. (2002) 'European Union Conditionality and Acquis Communautaire', *International Political Science Review* (23) 3: 249-268.

Grabbe, H. (2004) 'How the EU should Help its Neighbours', *Centre for European Reform Policy Brief*, 25/06/2004, London: Centre for European Reform.

Grant, Ch. (2006) *Europe's Blurred Boundaries, Rethinking Enlargement and Neighbourhood Policy*, London: Centre for European Reform.

Gromadzki, G. et al (2009) 'The Eastern Partnership: Towards a New Era of Cooperation between the EU and its Eastern Neighbours?' *The Revised Overview Paper Clingendael European Studies Programme EU Policies Seminar*, 09/12/2009, the Hague.

Grugel, J. (2004) 'New Regionalism and Modes of Governance – Comparing US and EU Strategies in Latin America', *European Journal of International Relations* 10 (4): 603-626.

Gualini, E. (2003) *Multi-level Governance and Institutional Change: The Europeanization of Regional Policy in Italy*, Aldershot: Ashgate Publishing Company.

Gungor, G. (2007). 'Ever expanding Union? A closer look as the European Union's enlargement agenda', available at:

<http://77aei.pitt.edu/8202/1/GungorEnlargementEUMA07edi.pdf> [accessed 1 June 2015].

Haas, E. B. (1958) *The Uniting of Europe: Political, Social and Economic Forces 1950-1957* (2<sup>nd</sup> ed.), Stanford: Stanford University Press.

Haass, R. N. (2008) 'The Age of Nonpolarity – What Will Follow US Dominance?', *Foreign Affairs*, 87 (3): 44-56.

Hall, P. (1993) 'Policy Paradigms, Social Learning and the State', *Comparative Politics*, 25 (3): 275-296.

Hanns, M. W. (1990) 'Germany and Japan: the new civilian powers', *Foreign Affairs*, (69)5: 91-106.

Hassenteufel, P. and Surel, Y. (2000), 'Des politiques publiques comme les autres? Construction del'objet et outils d'analyse des politiques européennes', *Politique Européenne*, (1): 8-24.

Haukkala, H. (2008) 'The European neighborhood policy', in S. Biscop and J. Lembke (eds.) *EU enlargement and transatlantic alliance: A security relationship in flux*, Lynne Rienner Publishers: 159-172.

Haukkala, M. and Moshes, A. (2004) 'Beyond 'Bing Bang': The Challenges of the EU's Neighbourhood Policy in the East', *The Finnish Institute of International Affairs Report*, 09/2004.

Havlik, P. (2014) 'Vilnius Eastern Partnership Summit: Milestone in EU-Russia Relations – Not Just for Ukraine', *Law and Economic Review*, 5 (1): 21-51.

Hellman, J. S. et al (2000) 'Seize the State, Seize the Day: State Capture, Corruption, and Influence in Transition', *World Bank Research Working Paper* (2444) September, available at <http://info.worldbank.org/etools/docs/library/17638/seize.pdf> [accessed 31 September 2015].

Helly, D. and Gogia, G. (2013) 'Georgian Security and the Role of the West', in Coppieters and Legvold (eds.), *Statehood and Security: Georgia after the Rose Revolution*, Cambridge: The MITT press.

Hernández i Sagrera, R. (2014) 'The Impact of Visa Liberalisation in Eastern Partnership Countries, Russia and Turkey on Trans-Border Mobility', *Centre for European Policy Studies paper in Liberty and Security in Europe* 63, 03/2014, Brussels.

Hill, C. (1990) 'European Foreign Policy: Power Bloc, Civilian Model - or Flop?' in R. Rummel (ed.) *The Evolution of an International Actor*, Boulded Company: Wesrview: 31-55.

Hill, C. (1993) 'The Capacity-Expectations Gap, or Conceptualizing Europe's International Role', *Journal of Common Market Studies*, 31(3): 305-328.

Hillion, Ch. (1998) 'Partnership and cooperation agreements between the EU and the NIS of the ex-Soviet Union', *European Foreign Affairs Review*, (3): 399-415.

Hillion, Ch. (2000) 'Institutional aspects of the partnership between the EU and the newly independent states of the former Soviet Union – Case studies of Russia and Ukraine', *Common Market Law Reviw* (37): 1211-1235.

Hillion, Ch. (2005) 'The Evolving System of European Union External Relations as evidenced in the EU partnerships with Russia and Ukraine', PhD dissertation, Leiden: University of Leiden.

Hillion, Ch. (2014) 'Anatomy of EU Norm Export Towards Neighbourhood: The Impact of Article 8 TEU' in R. Petrov and P. V. Elsuwege (eds.), *Legislative Approximation and*

*Application of EU Law in the Eastern Neighbourhood of the European Union: Towards a Common Regulatory Space?*, New York: Routledge: 13-20.

Holland, M. (2003) 'Complementarity and Conditionality: Evaluating Good Governance', in M. Holand (ed) *The European Union and Third World*, London: Palgrave: 113-139.

Howard, M. M. (2003), *The Weakness of Civil Society in Post-Communist Europe*, Cambridge and New York: Cambridge University Press.

Howell, K. (2002), 'Developing Conceptualising of Europeanization and European Integration: Mixing Methodologies', *ESRC Seminar 1/ UACES Study Group on the Europeanization of British Politics*, 29/11/2002.

Howell, K. E. (2004) 'Developing Conceptualisations of Europeanization: Synthesising Methodological Approaches', *Queen's Papers on Europeanization*, available at: [https://www.qub.ac.uk/schools/SchoolofPoliticsInternationalStudiesandPhilosophy/FileStore/EuropeanisationFiles/Fileupload\\_38403\\_en.pdf](https://www.qub.ac.uk/schools/SchoolofPoliticsInternationalStudiesandPhilosophy/FileStore/EuropeanisationFiles/Fileupload_38403_en.pdf) [accessed 10 October 2015].

Hughes, J. et al. (2004) *Europeanisation and Regionalisation in the EU's Enlargement to Central and Eastern Europe*, Basingstoke: Palgrave Macmillan.

Hübner, D. (2006) At the 'Club of Three', Conference on the Frontiers of Europe, Warsaw 03/02/2006, available at: <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/58&format=HTML&aged=0&language=EN&guiLanguage=en> [accessed 20 April 2015].

Inglis, K. (2010) 'The European Agreements Compared in the Light of their Pre-Accession Reorientation', *Common Markets Law Review*, 37(5): 1173-1210.

Inotai, A. (2007) 'Remarks on the future challenges of the European Union' in R. H. Tilly, P. J. Welfens and M. Heise (eds.), *50 Years of EU Economic Dynamics: Integration, Financial Markets and Innovations*, New York: Springer: 261-274.

Jacoby, W. (2004) *The Enlargement of the European Union and NATO: Ordering from the Menu*, Cambridge: Cambridge University Press.

Jacoby, W. (2006) 'Inspiration, Coalition and Substitution. External Influences on Postcommunist Transformations', *World Politics* (58): 623–651.

Jandieri, G. et al (2011) *An Appraisal of the EU's Trade Policy towards its Eastern Neighbours: the Case of Georgia*, Brussels: SciencesPo and Centre for European Policy Studies.

Johansson-Nogués, E. (2007) 'The EU and its Neighbours: An Overview', in K. Weber, M. E. Smith and M. Baun (eds.), *Governing Europe's Neighbourhood: Partners or Periphery*, Manchester: Manchester University Press.

Jones, S. (2004) 'The Role of Cultural Paradigms in Georgian Foreign Policy', in Fawn (ed.) *Ideology and National Identity in Post - Communist Foreign Policies*, London: London Frank Cass: 83-110.

Jones, S. and Kakhishvili, L. (2013) 'The Interregnum: Georgian Foreign Policy from Independence to the Rose Revolution', in K. Kakachia and M. Cecire (eds.), *Georgian Foreign Policy: The Quest for Sustainable Security*, Tbilisi: Konrad Adenauer Stiftung: 7-52.

Juncos, A. E. and Pomorska, K. (2006) 'Playing the Brussels game: Strategic socialisation in the CFSP', Council Working Groups, *European Integration online Papers* 10 (11): available at: [http://eiop.or.at/eiop/index.php/eiop/article/view/2006\\_011a/34](http://eiop.or.at/eiop/index.php/eiop/article/view/2006_011a/34) [accessed 10 March 2015].

Jupille, J. et al (2002) 'Integrating Institutions: Theory, Method and the Study of the European Union', Oslo: *Arena Working Papers* 02/27.

Kaca, E. and Łada A. (2011) 'Eastern Partnership Forum: How to improve it', Warsaw: *Institute for Public Affairs*, 06/2011, available at: <http://www.isp.org.pl/uploads/pdf/446634733.pdf> [accessed 10 October 2015].

Kagan, R. (2003) *Of Paradise and Power: America and Europe in the New World Order*, London: Atlantic Books.

Kakachia, K. (2013) 'European, Asian or Eurasian? Georgian Identity and the Struggle for Euro-Atlantic Integration', in K. Kakachia and M. Cecire (eds.), *Georgian Foreign Policy: The Quest for Sustainable Security*, Tbilisi: Konrad Adenauer Stiftung: 7-52.

Kakulia, M. (2009) 'Macroeconomic concept of DCFTA', *GEPLAC Technical Paper on DCFTA with Georgia*, Tbilisi.

Kakulia, M. (2011) 'Economic Integration and Regulatory Convergence within the EaP Context: A View from Georgia', in I. Lomashvili and A. Watt (eds.) *Eastern Partnership for the South Caucasus*, Tbilisi: 27-36.

Kant, I. (1970) 'Perpetual peace: A philosophical sketch', in H. S. Reiss (ed.) *Kant: Political writings*, Cambridge: Cambridge University Press: 131-175.

Kappen, T. R. (1994) 'The long - Term Future of European Security: Perpetual Anarchy or Community of Democracies?', in W. Carlsnaes and St. Smith, *European Foreign Policy: The EC and Changing Perspectives in Europe*, SAGE Modern Politics Series (34): 46-60.

Katzenstein, P. (2006) *Beyond Japan: Dynamics of East Asian regionalism*, New York: Cornell University Press.

Kelley, J. (2006) 'New Wine in Old Wineskins: Promoting Political Reforms through the New European Neighbourhood Policy', *Journal of Common Market Studies*, 44 (1): 29-55.

Kempe, I. (2007) 'Identifying an Agenda for a New Eastern Policy - Evaluating the European Neighbourhood Policy beyond the ENP Approach', in B. Lippert *The EU neighbourhood policy: Profile, potential, perspective*, *Intereconomics*, 42 (4): 187-191.

Keohane, R. and Nye, J. (1987) 'Power and Interdependence', *International Organisation* 41 (4): 725-753.

Keukeleire, S. and MacNaughtan, J. (2008) *The Foreign Policy of the European Union*, Basingstoke: Palgrave Macmillan.



Khanna, P. (2004) 'The metrosexual super-power', *Foreign Policy*, July/August, available at: [http://paragkhanna.com/pdf/Parag%20Khanna\\_Metrosexual%20Superpower.pdf](http://paragkhanna.com/pdf/Parag%20Khanna_Metrosexual%20Superpower.pdf) [accessed 5 June 2015].

Kirchanov, M. (2010) 'Europe and 'The West' in Georgias' political imagination and nationalist discourse', *Central Asia and the Caucasus* (11): 158-167.

Knapp, L. (2010) 'Mixed Agreement and the Treaty of Lisbon', *COFOLA The Conference Proceeding 1<sup>st</sup> edition*, Brno Masaryk: Masaryk University, available at: [https://www.law.muni.cz/sborniky/cofola2010/files/subjektivita/Knapp\\_Laszlo\\_\\_1713\\_.pdf](https://www.law.muni.cz/sborniky/cofola2010/files/subjektivita/Knapp_Laszlo__1713_.pdf) [accessed 4 November 2015].

Kochenov, D. (2008) 'The ENP Conditionality: Pre-Accession Mistakes Repeated?' in L. Delcour and E. Toulmets (eds.) *Pioneer Europe? Testing EU Foreign Policy in the European Neighbourhood*, Baden-Baden: Nomos: 105-120.

Kochenov, D. (2009) 'The Eastern Partnership, The Union For The Mediterranean And The Remaining Need To Do Something With The ENP', *CREES Working Paper*, 2009/01, University of Groningen.

Kochenov, D. and Basheska, E. (2015) 'Introduction: Good Neighbourliness inside and outside the Union', *University of Groningen Faculty of Law Research Paper Series* (14): 3-27.

Kohler-Koch, B. and Eising, R. (1999), *The Transformation of Governance in Europe*, London: Routledge.

Korosteleva, E. A. (2011) 'Change or Continuity: Is the Eastern Partnership and Adequate Tool for the European Neighbourhood?' *International Relations* (25): 243-262

Kostanyan, H. (2015) 'The Eastern Partnership after Riga: Review and Reconfirm', *Commentary Thinking ahead for Europe*, Brussels: Centre for European Policy Studies, 29/05/2015.

Kostanyan, H. and Vorobiov, I. (2012) 'Free and fair? A Challenge for the EU as Georgia and Ukraine gear up for elections', *Commentary Thinking ahead for Europe*, Brussels: Centre for European Policy Studies, 27/09/2012.

Koutrakos, P. (2006) 'International Agreements', in P. Koutrakos (eds.) *EU International Relations Law*, Oxford and Portland: Oregon: 360-380.

Krastev, I. et al (2009) 'Introduction', in I. Krastev, M. Leonard and A. Wilson *What does Russia Think?*, London: European Council of Foreign Relations: 1-7.

Kratochvil, P. (2010) 'Evaluating the Multilateral Framework of the Eastern Partnership', paper delivered at the seminar '*Future of the Eastern Partnership: Challenges and Opportunities*', Madrid, 28/01/2010.

Kratochvil, P. (2007) 'New EU Members and the ENP: Different Agendas, Different Strategies', in B. Lippert *The EU neighbourhood policy: Profile, potential, perspective*, *Intereconomics* 42 (4): 191-196.

Kratochvil, P. and Lippert, B. (2007) 'The Cost/Benefit Analysis of the ENP for the EU's Eastern Partnership', *Union Briefing Paper*, Brussels: Directorate General of the External Policies.

Kreutz, J. (2005) 'Hard Measures by a Soft Power? Sanctions policy of the European Union 1981-2004', Bonn: *Bonn International Center for Conversion paper* 45, available at: [http://www.pcr.uu.se/digitalAssets/67/67097\\_1paper45.pdf](http://www.pcr.uu.se/digitalAssets/67/67097_1paper45.pdf) [accessed 20 October 2015].

Kubik, J. (2003) 'Cultural Legacies of State Socialism: History Making and Cultural-Political Entrepreneurship in Post Communist Poland and Russia', in G. Ekiert and S. Hanson (eds.) *Capitalism and democracy in Central Eastern Europe: Accessing the legacy of communist rule*, Cambridge: Cambridge University Press: 317-351.

Kulick, J. and Yakobashvili, T. (2008) 'Georgia and the Wider Black Sea' in D. Hamilton and G. Mangott (eds.) *The Wider Black Sea Region in the 21st Century: strategic, economic and energy perspectives*, Vienna: Austrian Institute for International Affairs: 23-52.

Kuzio, T. (2005) 'The Opposition's Road to Success', *Journal of Democracy*, 16 (2): available at: [http://www.eu-consent.net/library/deliverables/d82\\_raik.pdf](http://www.eu-consent.net/library/deliverables/d82_raik.pdf) [accessed 25 June 2015].

Labeledzka, A. (2006) 'The Southern Caucasus (Armenia, Azerbaijan and Georgia)', in S. Blockmans and A. Lazowski, *The European Union and its' Neighbours: A legal Appraisal of the EU's Policies of Stabilisation*, The Hague: T.M.C Asser Press: 575-612.

Ladrech, R. (2010) *Europeanization and National Politics*, Basingstoke: Palgrave Macmillan.

Ladrech, R. (1994) 'Europeanization of Domestic Politics and Institutions: The Case of France', *Journal of Common Market Studies*, 32 (1): 69-88.

Lakatos, I. (1978) *The Methodology of Scientific Research Programmes: Philosophical Papers*, Cambridge: Cambridge University Press.

Lavenex, S. (2004) 'EU External Governance in 'Wider Europe'', *Journal of European Public Policy*, 11 (4): 680-700.

Lavenex, S. (2008) 'A Governance Perspective on the European Neighbourhood Policy: Integration beyond Conditionality?', *Journal of European Public Policy*, 15 (6): 938- 955.

Lavenex, S. and Schimmelfennig, F. (2011) 'EU democracy promotion in the Neighbourhood: from leverage to governance?', *Democratization*, 18 (4): 885-909.

Lavenex, S. and Schimmelfennig, F. (2009) 'EU rules Beyond EU Borders: Theorizing External Governance in European Politics', *Journal of European Public Policy*, 16 (6): 791-812.

Lavenex, S. and Wichmann, N. (2009) 'The External Governance of EU Internal Security', *Journal of European Integration* 33(1): 83-102.

Lavenex, S. (2008) 'A Governance Perspective on the European Neighbourhood Policy: Integration Beyond Conditionality', *Journal of European Public Policy*, 15 (6): 938-955.

Lavenex, S. (2011) 'Concentric Circles of Flexible 'European' Integration: a Typology of EU External Governance Relations', *Comparative European Politics*, 9 (4/5): 372-393.

Lavenex, S. et al (2007) 'Die Nachbarschaftspolitiken der Europäischen Union: zwischen Hegemonie und erweiterter Governance', in: I. Tömmel (ed.) *Die Europäische Union: Governance und Policy-Making*, Wiesbaden: 367-388.

Law, D. and Myshlovska, O. (2008) 'The Evolution of the Concepts of Security Sector Reform and Security Sector Governance: The EU Perspective', in D. Spence and Ph. Fluri (eds.) *The European Union and Security Sector Reform*, London: John Harper.

Legvold, R. (2005) 'Introduction: Outlining the Challenge', in B. Coppieters and R. Legvold (eds.) *Statehood and Security: Georgia After the Rose Revolution*, London: MIT Press: 1-37.

Leonard, M. and Grant, Ch. (2005) 'Georgia and the EU: Can Europe's neighbourhood policy deliver?', *CER Policy Brief*, London, 10/10/2005.

Lippert, B. (2007) 'Beefing up the ENP: Toward a Modernization and Stability Partnership', in J. Varwick and Lang Kai-Olaf (eds.) *European Neighbourhood Policy: Challenges for the EU-Policy Towards the New Neighbours*, Opladen: Verlag Barbara Budrich: 181-196.

Lippert, B. (2007) 'The EU Neighbourhood Policy - Profile, Potential, Perspective', in B. Lippert *The EU neighbourhood policy: Profile, potential, perspective*, Intereconomics, 42 (4): 1-8.

Lloyd, J. (2009) 'In the Shadow of the Bear', *Financial Times*, 21-22/11/2009.

Longhurst, K. and Nies, S. (2009) 'Recasting Relations with the Neighbours - prospects for the Eastern Partnership', *Europe Visions*, (4): 2-16.

Lucarelli, S. (2006) 'Introduction', in S. Lucarelli and I. Manners (eds.), *Values and Principles in European Union Foreign Policy*, New York: Routledge.

Lynch, D. (2003) 'The EU: towards a strategy', in D. Lynch (ed.) *The South Caucasus a challenge for the EU*, Chaillot Papers 65, Paris: EU Institute for Security Studies.

Lynch, D. (2005) 'The Security Dimension of the European Neighbourhood Policy', *40 International Spectator*, 40 (1): 33-43.

Lynch, D. (2002) 'Separatist states and post-Soviet conflicts', *International Affairs*, 78 (4): 831-848.

Łapczyński, M. (2009) 'The European Union's Eastern Partnership: Changes and Perspectives', *Caucasian Review of International Affairs*, 3(2): 143-155.

MacCormick, J. (2007) *The European Superpower*, Basingstoke: Palgrave Macmillan.

MacFarlane, N. S. (2002) 'Caucasus and Central Asia: Towards a Non-Strategy', *Occasional Paper Series 37*, Geneva: Geneva Centre for Security Studies.

MacFarlane, N. S. (2008) 'The Paradoxical Implications of Russia's Actions in Georgia', *Report BN 98/03*, Chatham House, 09/2008.

Magen, A. (2006) 'The Shadow of Enlargement: Can the European Neighbourhood Policy Achieve Compliance?', *The Columbia Journal of European Law*, 12 (2): 384-427.

Magen, A. (2007) 'Transformative Engagement Through Law: The *Acquis Communautaire* as an Instrument of EU External Influence', *European Journal of Law Reform*, 9 (3): 361-392.

Major, C. (2008) 'Europe is what member states make of it: An assessment of the influence of nation states on the European Security and Defence Policy', PhD thesis submitted at the University of Birmingham.

Maliszewska, M. et al (2008) 'Economic Feasibility, General Economic Impact and Implications of a Free Trade Agreement Between the European Union and Georgia', *CASE Network Report 79/2008*, Warsaw.

Maniokas, K. (2008) 'Towards Association between the EU and Georgia: Possibilities of New Contractual Relations', *GEPLAC Technical Paper*, Tbilisi.

Maniokas, K. (2009a) 'Concept of DCFTA and its implications for Georgia', *GEPLAC Technical Paper*, Tbilisi.

Maniokas, K. (2009b) 'Eastern Partnership in Georgia: Implications and Framework for Deeper Relations with the EU', *GEPLAC Discussion Paper 08/2009*.

Manners, I. (2002) 'Normative Power: a contradiction in terms?', *Journal of Common Market Studies*, 40 (2): 235-258.

Manners, I. (2010) 'As You Like It: European Union Normative Power in the European Neighbourhood Policy' in R. Whitman and S. Wolff (eds.) *The European Neighbourhood Policy in Perspective: Context, Implementation and Impact*, Palgrave Macmillan: Basingstoke.

March, J. G. and Olsen, J. P. (1998) 'The institutional dynamics of international political orders', *International Organization* 52(4): 303-329.

March, J. G. and Olsen, J. P. (2009) 'The logic of appropriateness', *ARENA Working Papers* 04/09, Oslo: Centre for European Studies.

Maresceau, M. (2003) 'Pre-accession', in M. Cremona (ed.) *The enlargement of the European Union*, Oxford: Oxford University Press.

Maresceau, M. (1997) 'On association, partnership, pre-accession and accession' in M. Maresceau (ed.) *Enlarging the European Union: Relation between the EU and Central and Eastern Europe*, London-New York: Longman: 3-12.

Maresceau, M. and Montaguti, E. (1995) 'The relations between the European Union and central and eastern Europe: a legal appraisal', *Common Market Law Review* 32(6): 1327-1367.

Maresceau, M. (2001) 'The EU Pre-accession Strategies: A Political and Legal Analysis', in M. Maresceau and E. Lanon (eds.) *EU Enlargement and Mediterranean Strategies*, Palgrave: Basingstoke: 3-28.

Maresceau, M. (2010) 'A Typology of Mixed Bilateral Agreements', in Ch. Hillion and P. Koutrakos (eds.) *Mixed Agreements Revised: The EU and its Member States*, Oxford and Portland: Hart Publishing: 11-29.

Mayhew, A. and Hillion, C. (2009) 'Eastern Partnership - something new or window-dressing', *SEI Working Paper 109*, available at: [www.sussex.ac.uk/sei/documents/wp\\_109.pdf](http://www.sussex.ac.uk/sei/documents/wp_109.pdf) [accessed June 2014].

McGoldrick, D (1997) *International Relations of the European Union*, London: Longman.

Menon, A. and Sedelmeier, U. (2010) 'Instruments and Intentionality: Civilian Crisis Management and Enlargement Conditionality in EU Security Policy', *West European Politics*, 33(1): 75-92.

Messerlin, P. et al (2011) *An Appraisal of the EU's Trade Policy towards its Eastern Neighbours: The Case of Georgia*, Brussels: Centre for European Policy Studies.

Mikhelidze, N. (2009) 'Eastern Partnership and Conflicts in the South Caucasus: Old Wine in New Skins?', Rome: Istituto Affari Internazionali: 2-14.

Missiroli, A. (2008) 'The ENP five years on: looking backward – and forward', available at: [central.radiopod.gr/en/wp-content/uploads/2008/10/missiroli-the-enp-five-years-on.pdf](http://central.radiopod.gr/en/wp-content/uploads/2008/10/missiroli-the-enp-five-years-on.pdf) [accessed June 5 2015].

Mitchell, L. (2008) *Uncertain Democracy: U.S. Foreign Policy and Georgia's Rose Revolution*, Philadelphia: University of Pennsylvania Press.

Mitchell, P. (2005) *The States of Liberalization. Redefining the Public Sector in Integrated Europe*, State University of New York Press: New York.

Mkrtchyan, T. and Gogolashvili, K. (2009) 'The European Union and the South Caucasus', *Europe in Dialogue*, 2009/01, available at: [http://www.bertelsmann-stiftung.de/fileadmin/system/flexpaper/rsmbstpublications/download\\_file/3290/3290.swf](http://www.bertelsmann-stiftung.de/fileadmin/system/flexpaper/rsmbstpublications/download_file/3290/3290.swf) [accessed 1 December 2015].

Moravcsik, A. (1998) *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, Ithaca: Cornell University Press.

Müller, P. and Flers, N. A. (2010) 'Applying the concept of Europeanisation to the study of foreign policy: Dimensions and mechanisms', *paper prepared for the GARNET Conference: The European Union in international affairs Panel B. 3*, Vienna: Institute for European Integration Research: available at: <http://www.ies.be/files/Müller-B3.pdf> [access October 12 2015].

Müller-Brandeck-Bocquet, G. (2000) 'Perspectives for a new regionalism: relations between the EU and MERCOSUR', *European Foreign Affairs Review*, 5(4): 561-579.

Nilsson, M. and Silander, M. (2014) 'A Wider Europe: Does the European Neighbourhood Policy Work?' *International Relations and Diplomacy*, 2(5): 336 - 353.

Nodia, G. (1998) 'The Georgia Perception of the West', in B. Coppieters, A. Zverev and D. Trenon (eds.) *Commonwealth of Independent States in Post-Soviet Eurasia*, London: Frank Cass: 12-43.

Nodia, G. (2014) 'The Revenge of Geopolitics', *Journal of Democracy*, 25(4): 140-150.

### Northedge 1978

Noutcheva, G. and Emerson, M. (2007) 'Economic and Social Development', in: K. Weber/ M. E. Smith, and M. Baun (eds.) *Governing Europe's Neighbourhood: Partners or Periphery?*, Manchester: Manchester University Press: 76-96.



Nugent, N. (1994) *The Government and Politics of the European Union*, Basingstoke: Macmillan.

Nye, Jr. and Joseph, S. (1990) *Bound to Lead: The Changing Nature of American Power*, New York: Basic Books.

Nye, Jr. and Joseph, S. (2004) *Soft Power: The Means to Success in World Politics*, New York: Public Affairs

Nye, Jr. (1965) *Pan-Africanism and the East African integration*, Cambridge: The Cambridge University Press.

O'Keeffe, D. and Schermers, H.G. (1983 eds.) *Mixed Agreements*, Deventer: Kluwer Publishers.

Olsen, J. P. (2002) 'The many faces of Europeanization', *Journal of Common Market Studies* 40(5): 921-952.

Ott, A. (2001) 'Thirty Years of Case-Law by the European Court of Justice on International Law: a Pragmatic Approach Towards Its Integration', in V. Kronenberger, (ed.), *The European Union and the International Legal Order: Discord or Harmony?*, The Hague: T.M.C. Asser Press.

Ott, A. and Wessel, R. (2006) 'The EU's External Relations Regime: Multilevel Complexity in an Expanding Union', in S. Blockmans and A. Lazowski (eds.), *The European Union and its Neighbours*, Hague: TMC Asser Press: 19-59.

Pace, M. (2006) 'EU Normative Power in Relation to Border Conflicts', *Common Foreign and Security Policy Forum*, 4 (2): 7-44.

Papava, V. (2006) 'Economic Transition to Economic or Post-Communist Capitalism?', *EACES Working Papers*, 1 March/2006.

Papava, V. (2009) 'Anatomical Pathology of Georgia's Rose Revolution', *Current Politics and Economics of the Caucasus Region*, 2(1): 1-18.

Papava, V. (2013) 'Georgia's economy: post-revolutionary development and post-war difficulties', *Central Asian Survey*, 28(2): 199-213.

Papuashvili, G. (2009) *The Constitution of the Democratic Republic of Georgia of 21 February of 1921*, Batumi: The Constitutional Court of Georgia, available at [http://www.constcourt.ge/index.php?lang\\_id=GEO&sec\\_id=248](http://www.constcourt.ge/index.php?lang_id=GEO&sec_id=248) [accessed 20 March 2015].

Peel, Q. (2007) 'Profile: Preaching Creative Destruction', *Financial Times*, 31/10/2007.

Peerenboom, R. (2006) 'What have we learned about law and development? Describing, predicting and assessing legal reforms in China', *Michigan Journal of International Law* 27(3): 823-849.

Peers, S. (2000) 'EC frameworks of international relations: Cooperation, Partnership and Association', in A. Dashwood and C. Hillion (eds.), *The General law of EC external Relations*, London: Sweet and Maxwell.

Pierson, P. (2003) 'Big, Slow-Moving, and . . . Invisible: Macrosocial Processes in the Study of Comparative Politics', in J. Mahoney and D. Rueschemeyer (eds.) *Comparative Historical Analysis in the Social Sciences*, Cambridge: Cambridge University Press.

Pierson, P. (1996) 'The Path to European Integration: A Historical Institutionalist Analysis', *Comparative Political Studies*, 29 (2): 123-163.

Peterson, J. (1998) 'Introduction: The European Union as a Global Actor', in J. Peterson and H. Sjursen (eds.) *A Common Foreign and Security Policy for Europe?*, London: Routledge: 3-17.

Petrov, R. (2008) 'Exporting the Acquis Communautaire into the Legal Systems of Third Countries', *European Foreign Affairs Review*, 13(1): 33-52.

Petrov, R. (1999) 'Rights of Third Country/Newly Independent States' nationals to Pursue Economic Activity in the EU', *European Foreign Affairs Review* 4(2): 235-251.

Petrov, R. and Kalinichenko, P. (2011) 'The Europeanisation of third country judiciaries through the application of the EU Acquis: the cases of Russia and Ukraine', *International and Comparative Law Quarterly*, 60(2): 325-353.

Petrov, R. (2002) 'Enlargement', in A. Ott and K. Inglis (eds.) *The Partnership and Cooperation Agreements with Newly Independent States*, Handbook on European Enlargement, The Hague: TMC Asser Press: 175-194.

Petrov, R. (2008) 'Exporting the Acquis Communautaire into the Legal Systems of Third Countries', *European Foreign Affairs Review*, 13(1): 33-52.

Petrov, R. (2010) 'Association agreement versus partnership agreement: What is difference?', *Eastern Partnership Community*, 11/18.

Popescu, N. (2006) 'Russia's Soft Power Ambitions', *CEPS Policy Brief* 11, 5 October, Brussels, available at: <https://www.ceps.eu/system/files/book/1388.pdf> [accessed 1 November 2015].

Popescu, N. (2006) 'Outsourcing' de facto Statehood: Russia and the Secessionist Entities in Georgia and Moldova', *Policy Brief 109*, July 2006, Brussels, available at: <http://aei.pitt.edu/11718/1/1361.pdf> [accessed 1 November 2015].

Popescu, N. (2007) 'Europe's Unrecognised Neighbours: The EU in Abkhazia and South Ossetia', Working Document No. 260, Centre for European Policy Studies, 15/03/2007, Brussels.

Popescu, N. and Wilson, A. (2009) 'The Limits of Enlargement-Lite: European and Russian Power in the Troubled Neighbourhood', available at: [http://www.ecfr.eu/page/-/ECFR14\\_The\\_Limits\\_of\\_Enlargement-Lite\\_European\\_and\\_Russian\\_Power\\_in\\_the\\_Troubled\\_Neighbourhood.pdf](http://www.ecfr.eu/page/-/ECFR14_The_Limits_of_Enlargement-Lite_European_and_Russian_Power_in_the_Troubled_Neighbourhood.pdf) [accessed 10 August 2015].

Radaeli, C. (2004) 'Europeanisation: Solution or problem?' *European Integration online Papers* 8 (6): 1-23, available at: <http://eiop.or.at/eiop/pdf/2004-016.pdf> [accessed 5 October 2015].

Radaelli, C. (2003) 'The Europeanization of Public Policy', in K. Featherstone and C. Radaelli (ed.) *The Politics of Europeanization*, Oxford: Oxford University Press: 27-56.

Radon, J. and Onoprishvili, D. (2003) 'Rescuing Georgia', *Project Syndicate*, December 2003.

Raik, K. (2006) 'Promoting Democracy through Civil Society: How to step up the EU's policy towards the Eastern Neighbourhood', *CEPS Working Document 237*, January 2006, Brussels.

Raimo, V. (2003) 'Regionalism Old and New', *International Studies Review*, 5(1): 25-51.

Risse, T. and Sikink, K. (1999) 'The Socialization of International Human Rights Norms into Domestic Practices: Introduction', T. Risse (eds.), *The Power of Human Rights: International Norms and Domestic Change*, Cambridge: Cambridge University Press.

Risse, T. et al (2001), 'Europeanization and Domestic Change. Introduction', in M. Cowles, J. Caporaso and T. Risse (eds.) *Transforming Europe: Europeanization and Domestic Change*, Ithaca NY: Cornell University Press: 1-20.

Risse, T. (1994) 'Ideas do not Float Freely: Transnational Coalitions, Domestic Structures, and the End of the Cold War', *International Organization*, 48 (2), The MIT Press: 185-214.

Rondeli, A. (2000) 'Trends of Strategic thinking in Georgia: achievements, problems and prospects', in G. K. Cassady Craft, S. A. Jones and M. Beck (eds.), *Crossroads and Conflicts: Security and Foreign Policy in the Caucasus and Central Asia*, London and New Your: Routledge: 66-74.

Rondeli, A. (2001) 'The Choice of Independent Georgia in: The Security of the Caspian Sea Region', in G. Chufrin (ed.), *The Security of the Caspian Sea Region*, Oxford: Oxford University Press.

Rossi, R. (2004) 'The European Neighbourhood Policy', in F. Attina and R. Rossi, (eds.), *European Neighbourhood Policy: Political. Economic and Social Issues*, The Jean Monnet Centre 'Euro-Med': 8-14.

Safarikova, K. (2008) 'Poland: Eastern Promises', *Transitions Online*, 06/03/2008, available at:

[http://www.gla.ac.uk/0t4/crcees/files/summerschool/readings/summerschool09/readings/Summer\\_School\\_2009\\_Foreign\\_Policy\\_Booklet\\_for\\_Butler.pdf](http://www.gla.ac.uk/0t4/crcees/files/summerschool/readings/summerschool09/readings/Summer_School_2009_Foreign_Policy_Booklet_for_Butler.pdf) [accessed 5 November 2015].

Salgado Sanchez R. and C. Woll (2004), L'Européanisation et les acteurs non-Etatiques, Paper delivered to the conference on *Europeanisation of Public Policies and European Integration*, IEPParis, 13 February [accessed 01 January 2014: [http://www.sciences-po.fr/recherche/forum\\_europeen/prepublications/Papier\\_2\\_Woll\\_Salgado.pdf](http://www.sciences-po.fr/recherche/forum_europeen/prepublications/Papier_2_Woll_Salgado.pdf)].

Schäffer, S. (2010) 'Still a quiet on the Eastern front? The European Union's Eastern Partnership one year after the Prague summit'. *CAPerspectives No.2*, Center for Applied Policy Research, Ludwig Maximilians Universität, 2 June/2010, Munich.

Schäffer, S. and Tolksdorf, D. (2009) 'The Eastern Partnership - "ENP plus" for the Europe's Eastern neighbours', *C.A.Perspectives No.4*, Center for Applied Policy Research, Ludwig-Maximilians-Universität, May/2009, Munich.

Scharpf, F. W. (1999) *Governing in Europe: Effective and Democratic?* Oxford: Oxford University.

Schimmelfennig, F. (2001) 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization*, 55(1): 47-80.

Schimmelfennig, F. (2003) *The EU, NATO and the Integration of Europe: Rules and Rhetoric*, Cambridge: Cambridge University Press.

Schimmelfennig, F. (2007) 'Europeanization beyond Europe', *Living Reviews in European Governance*, 2 (1), available at: <http://www.livingreviews.org/lreg-2007-1> [accessed 20 October 2015].

Schimmelfennig, F. (2009) 'Europeanization beyond Europe', [update] *Living Reviews in European Governance*, 4 (3) available at: <http://www.livingreviews.org/lreg-2009-3> [accessed 10 November 2015].

Schimmelfennig, F. (2010) 'Europeanization beyond the member states', ETH Zurich, paper for: *Zeitschrift für Staats- und Europawissenschaften*, Center for Comparative and International Studies.

Schimmelfennig, F. and Sedelmeier, U. (2004) 'Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe', *Journal of European Public Policy*, 11(4): 661-679.

Schimmelfennig, F. and Sedelmeier, U. (2005) 'Introduction: Conceptualizing the Europeanization of Central and Eastern Europe', in F. Schimmelfennig and U.Sedelmeier (eds.), *The Europeanization of Central and Eastern Europe*, Ithaca, NY: Cornell University Press.

Schimmelfennig, F. (2007) 'European Regional Organizations, Political Conditionality, and Democratic Transformation in Eastern Europe', *East European Politics and Societies* 21(1): 126-141.

Schimmelfennig, F. (2009) 'Europeanisation Beyond Europe', *Living Reviews in European Governance*, Vol.4 No.3, Center for Comparative and International Studies, ETH Zurich, available at: [www.livingreviews.org/lreg-2009-3](http://www.livingreviews.org/lreg-2009-3) [accessed 5 October 2015].

Schimmelfennig, F. (2013) 'Circles and Hemispheres: Differentiated integration in and beyond the European Union', Centre for Comparative and International Studies, EUSA Conference, May, Baltimore.

Schimmelfennig, F. and Sedelmeier, U. (2005) 'Introduction: Conceptualizing the Europeanization of Central and Eastern Europe', in F. Schimmelfennig and U. Sedelmeier (eds.), *The Europeanization of Central and Eastern Europe*, Ithaca, NY: Cornell University Press: 1-28.

Schimmelfennig, F. and Wagner, W. (2004) 'Preface: External Governance in the European Union', *Journal of European Public Policy*, 11(4): 657-660.

Schmidt, M. (2007) 'Foreign Direct Investment to Georgia: Can Active Investment Promotion Policies Make a Difference?', *Georgian Economic Trends*, January 2007, available at: [www.geplac.ge](http://www.geplac.ge) [accessed 20 October 2015].

Schütze, R. (2012) *European Constitutional Law*, CUP: Cambridge.

Sedelmeier, U. (2003) 'EU Enlargement, Identity and the Analysis of European Foreign Policy: Identity Formation Through Policy Practice', *EUI Working Papers* 13, European University Institute.

Shemiatenkov, V. (1998) 'Prémisses du partenariat': l'accord de coopération avec l'URSS (de 1989)' in J. Raux and V. Korovkine (eds), *Le Partenariat entre l'Union Européenne et la Fédération de Russie*, Apogée.

Sierra, O. P. (2010) *The Governance of the European Union in its Eastern Neighbourhood: The Impact of the EU on Georgia*, A PhD thesis submitted to the University of Birmingham.

Sjursen, H. (2007) 'What kind of power?', in H. Sjursen, (ed.), *Civilian or Military Power? European Foreign Policy Perspective*, London: Routledge.

Sjursen, H. (2006) 'The EU as a 'normative' power: how can this be?', *Journal of European Public Policy*, 13 (2): 235-251.

Sjursen, H. and Smith, K. E. (2004) 'Justifying EU Foreign Policy: the Logics Underpinning EU Enlargement' in B. Tonra and T. Christiansen (eds.) *Rethinking European Union Foreign Policy*, Manchester: Manchester UP: 126-141.

Smith, E. K. (2008), *European Union Foreign Policy in a changing World*, Cambridge: Polity Press.

Smith, M. (2003) 'The Framing of European foreign and security policy: towards a post modern framework?', *Journal of European Public Policy*, 10/ 4.

Smith, M. E. (2004a), *Europe's Foreign and Security Policy: The Institutionalisation of Cooperation*, Cambridge: Cambridge University Press.

Smith, M. E. (2004b), 'Institutionalisation, Policy Adaptation and European Foreign Policy Cooperation', *European Journal of International Relations*, 10 (1): 95-136.

Smith, St. (1994), Foreign Policy Theory and the New Europe, in Walter, Carlsnaes and Smith, *European Foreign Policy: The EC and Changing Perspectives in Europe*, *SAGE Modern Politics Series* 34: 2- 20.

Smith, J. (2007) 'Wine Wars', *Russia Profile*, 17 January 2007.

Smith, K. (1996) *The making of foreign policy in the European Community/Union. The case of Eastern Europe 1988-1995*, A PhD thesis submitted to the London School of Economics and Political Sciences.

Smith, K. (1998) 'The use of political conditionality in the EU's relations with third countries: how effective?', *European Foreign Affairs Review*, 3 (2): 253-275.

Smith, K. (2010) 'The European Union in the World: Future Research Agendas' in E. M. Nugent, N. Paterson and E. William (eds.): *Research Agendas in EU Studies. Stalking the Elephant*, Basingstoke: 329-353

Smith, K. E. (1999) *The Making of EU Foreign Policy: The Case of Eastern Europe*, Macmillan: London and New York.



Smith, K. E. (2005a) 'Engagement and Conditionality: Incompatible or Mutually Reinforcing?' in R. Youngs, (ed.), *Global Europe: New Terms of Engagement*, The Foreign Policy Centre, London 23-29.

Smith, K. E. (2005b) 'The outsiders: the European neighbourhood policy', *International Affairs* (81) 4: 757-773.

Smith, K. E. (2008) *European Union Foreign Policy in a Changing World*, (2<sup>nd</sup> ed.) Cambridge: Policy Press: 1-53.

Smith, M. (1996) 'The European Union and a Changing Europe: Establishing the Boundaries of Order', *Journal of Common Market Studies* 34(1): 5-28.

Smith, M. E. and Webber, M. (2008) 'Political Dialogue and Security in the European Neighbourhood: The Virtues and Limits of "New Partnership Perspectives"', *European Foreign Affairs Review* 13: 73-95.

Solana, J. (2007) Statement made on 26 February, available at: [http://www.mfa.gov.ge/index.php?lang\\_id=ENG&sec\\_id=85&info\\_id=3515](http://www.mfa.gov.ge/index.php?lang_id=ENG&sec_id=85&info_id=3515) [accessed 20 August 2015].

Somek, A. (2005) 'The Benign Empire: A Post-Colonial Legal Study,' *Discourse, Politics, Identity Working Papers Series No. 5*, Lancaster University.

Somek, A. (2010) 'The Argument from Transitional Effects: Representing Outsiders Through Freedom of Movement', *European Law Journal* 16 (3): 315-344.

Stefes, C. H. (2006) *Understanding Post-Soviet Transitions: Corruption, Collusion and Clientelism*, Basingstoke: Palgrave.

Tassinari, F. (2005) 'Security and Integration in the EU Neighbourhood: the Case for Regionalism', Centre for European Policy Studies, *CEPS Working Document No. 226/July*, Brussels.

Telò, M. (2006) *Europe: A Civilian Power?* Basingstoke: Palgrave.

Tocci, N. (2007) 'Can the EU Promote Democracy and Human Rights Through the ENP?: The Case for Refocusing on the Rule of Law', in M. Cremona and G. Meloni, (eds.), *The European Neighbourhood Policy: A New Framework for Modernisation?*, EUI Working Papers, LAW 2007/21: 23-35.

Toose, R. (1994) 'Foreign Economic Policy in the New Europe: a Theoretical Audit of a Questionable Category', in W. Carlsnaes and S. Smith, *European Foreign Policy: The EC and Changing Perspectives in Europe*, SAGE Modern Politics Series Volume 34: 62-83.

Turmanidze, S. (2009) *Buffer States: Power Politics, Foreign Policies and Concepts*, Global Political Studies, *Nova Science Publication Inc.*, April/01/2009.

Vachudova, M. A. (2005) *Europe Undivided: Democracy, leverage and integration after communism*, Oxford: Oxford University Press.

Vachudova, M. A.(2003) 'Strategies for Democratization and European Integration in the Balkans', in M. Cremona, *The Enlargement of the European Union*, 12(1), Oxford University Press: 141-160.

Vachudova, M. A. (2007) 'Trade and the Internal Market', in K. Weber, M. E. Smith and M. Baun, (eds.) *Governing Europe's Neighbourhood. Partners or Periphery?* Manchester University Press: Manchester.

Vahl, M. (2007) 'EU-Russia Relations in EU Neighbourhood Policies' in K. Malfliet, L. Verpoest and E. Vinokurov (eds.) *The CIS, the EU and Russia*, Palgrave Macmillan: Basingstoke.

Van der Loo, et al (2014) 'The EU-Ukraine Association Agreement: Assesment of an Innovative Legal Instrument', *EUI Working Papers 2014/09*, Italy: European University Institute.

Verdun, A. and Chira, G. (2008), 'From Neighbourhood to Membership: Moldova's Persuasion Strategy Towards the EU', in *Southeast European and Black Sea Studies* 8(4): 431-444.

Wallace, M. J. (1991) 'Foreign Policy and National Identity in the United Kingdom', *International Affairs Royal Institute of International Affairs*, 67 (1): 65-80.

Waltz, K. (1979) *Theory of International Relations*, Reading, MA: Addison-Wesley.

Weber, K. et al (2007) 'Conclusion', in K. Weber, M. E. Smith and M. Baun (eds.), *Governing Europe's Neighbourhood: Partners or Periphery*, Manchester: Manchester University Press: 218-231.

Wessel, R. A. (1999) 'The European Union's Foreign and Security Policy: A legal Institutional Perspective', *Kluwer Law International* 33: 1-13.

Wessel, R. A. (2010) 'Cross Pillar Mixity: Combining Competences in the Conclusion of EU International Agreements', in Ch. Hillion *Mixed Agreements Revised: The EU and its Members States in the World*, Oxford: Hart Publishing.

Wessel, A. R. (2008) 'The EU as a party to international agreements: shared competence, mixed responsibilities', available at: <https://www.utwente.nl/bms/pa/research/wessel/wessel14.pdf> [accessed 30 October 2015].

Wheatley, J. (2005) *Georgia from National Awakening to Rose Revolution: Delayed Transition in the Former Soviet Union*, Aldershot: Ashgate Publishing.

White, B. (2001) *Understanding of European Union Foreign Policy*, Basingstoke: Palgrave Macmillan.

Whitman, R. (1998) *From Civilian Power to Superpower? The International Identity of European Union*, London: Macmillan.

Wichmann, N. (2007) 'The Interaction Between Justice and Home Affairs and the European Neighbourhood Policy: Taking Stock of the Logic, Objectives and Practices', *CEPS Working Document 275*, Centre for European Policy Studies, Brussels.

Williams, A. (2010) *The Ethos of Europe: Values, Law and Justice in the EU*, Cambridge: CUP Cambridge: 22-69.

Winn, N. and Harris, E. (2003) 'Conclusion: The story of a death foretold?', *Perspectives on European Politics and Society*, 4 (1): 167-170.

Wolczuk, K. (2007) 'Adjectival Europeanisation? The Impact of EU Conditionality on Ukraine under the European Neighbourhood Policy', *European Research Institute Working Paper Series 18*, University of Birmingham.

Wolczuk, K. (2010) 'Convergence Without Finalité: EU Strategy Towards post-Soviet States in the Wider Black Sea Region', K. Handerson and C. Weaver (eds.) *The Black Sea Region and EU Policy: the Challenge of Divergent Agendas*, Aldershot: Ashgate.

Wolczuk, K. (2011) 'Perceptions of, and Attitudes towards, the Eastern Partnership amongst the Partner Countries' Political Elites', *Eastern Partnership Review No.5*, Estonian Center of Eastern Partnership, December.

Wong, R. (2005) 'The Europeanization of Foreign Policy', in: C. Hill and M. Smith (eds.) *International Relations and the EU*, Oxford: Oxford University Press: 134-153.

Youngs, R. (2009) Democracy Promotion as External Governance?, *Journal of European Public Policy* 16(6): 895-915.

Zaborowski, M. and Longhurst, K. (2003) 'America's protégé in the East? The Emergence of Poland as a Regional Leader', *International Affairs*, 79 (5): 1009-1028.

Zaiotti, R. (2007) 'Of Friends and Fences: Europe's Neighbourhood Policy and the 'Gated Community Syndrome'', *Journal of European Integration*, 29 (2): 143-162.

Zielonka, J. (2006) *Europe as Empire: The Nature of the Enlarged European Union*, Oxford: Oxford University Press.

Zourabichvili, S. (2007) *Fermer Yalta*, Chaillot Paper 102, Paris: European Institute for Security Studies.

Żygulski, W. (2008) 'Poland Pushes for New 'Eastern Partnership'', *The Warsaw Voice*, June 11, available at: <http://www.warsawvoice.pl/view/18068/> [accessed September 21 2015].

### **ECJ Cases**

Case C-268/94 *Portugal v. Council* [1996] ECR I-6177.

Case C-265/03 *Igor Simutenkov vs. Ministerio de Educación y Cultura and Real Federación Española de Fútbol* [2005] ECR I-2579.

Case C-438/00 *Deutscher Handballbund eV vs. Maros Kolpak* [2003] ECR I-4135.

Case C-2/73 *Geddo v. Ente Nazionale Risi* [1973] ECR 865.

Case C-8/74 *Procureur du Roi v. Dassonville* [1974] ECR 837.

Case C-104/81 *Hauptzollamt Mainz v. Kupferberg* [1982] ECR 3641.

Case C-192/89 *Sevince v. Staatssecretaris van Justitie* [1990] ECR I-3461.

Case C-12/86 *Demirel v. Stadt Schwäbisch Gmünd* [1987] ECR 3719.

### **Public Speeches and Political Statements**

Ashton, C. (2010) 'Speech at the launching of AA negotiations in Batumi' [http://europa.eu/rapid/press-release\\_SPEECH-10-392\\_en.htm?locale=en](http://europa.eu/rapid/press-release_SPEECH-10-392_en.htm?locale=en) [accessed 10 November 2015].

Baramidze, G. (2010) 'Speech of the State Minister of Georgia' at European and Euro-Atlantic Integration: Future of the Regional Cooperation in CEE Region and Impact of the Eastern Partnership', available at: [www.eu-integration.gov.ge](http://www.eu-integration.gov.ge) [accessed 5 June 2015].

Barroso, J. M. (2007) 'Press Conference in Georgia', 27 February, available at: [http://embassy.mfa.gov.ge/index.php?lang\\_id=ENG&sec\\_id=2](http://embassy.mfa.gov.ge/index.php?lang_id=ENG&sec_id=2) [accessed 5 June 2015].

Barroso, J. M. (2008) 'Eastern Partnershi – An ambitious new chapter in the EU's relations with its Eastern Neighbours', available at: [http://europa.eu/rapid/press-release\\_IP-08-1858\\_en.htm](http://europa.eu/rapid/press-release_IP-08-1858_en.htm) [accessed 30 August 2015].

Bezhuashvili, G. (2007) 'Joint Press Conference with the Polish Foreign Minister', 27 February, available at: [http://www.mfa.gov.ge/index.php?lang\\_id=ENG&sec\\_id=31&info\\_id=3534](http://www.mfa.gov.ge/index.php?lang_id=ENG&sec_id=31&info_id=3534) [accessed 15 April 2014].

Chkheidze, G. (2007) 'Interview', *European Neighbourhood Policy and Georgia*, October-November, Issues No. 17-18.

Dañino, R. (2004), 'Legal and Judicial Reform' available at: [siteresources.worldbank.org/INTLAWJUSTICE/214576-1139604306966/20818449/LJRWBParisBarAssociationConference111104.pdf](http://siteresources.worldbank.org/INTLAWJUSTICE/214576-1139604306966/20818449/LJRWBParisBarAssociationConference111104.pdf) [accessed June 2015].

Ferrero-Waldner, B. (2008) 'Eastern Partnershi – An ambitious new chapter in the EU's relations with its Eastern Neighbours', available at: [http://europa.eu/rapid/press-release\\_IP-08-1858\\_en.htm](http://europa.eu/rapid/press-release_IP-08-1858_en.htm) [accessed 20 May 2015].

Ferrero-Waldner, B. (2004) 'Speech of 9 December', available at: [http://ec.europa.eu/comm/external\\_relations/news/ferrero/2004/sp04\\_529.htm](http://ec.europa.eu/comm/external_relations/news/ferrero/2004/sp04_529.htm) [accessed 5 October 2015].

Füle, S. (2010) 'Speech of the European Commissioner for Enlargement and Neighbourhood Policy', Foreign Affairs Committee of the European Parliament, 26/10/2010.

Garibashvili, I. (2014) 'Speech on the Association Agreement Signature Ceremony', available at: [https://www.youtube.com/watch?v=5IUe1\\_R0sMQ](https://www.youtube.com/watch?v=5IUe1_R0sMQ) [accessed 20 October 2015].

Lavrov, S. (2008) Interview Ekho Moskvyy, available at: <http://www.nato.int/multi/video/now/now080409.htm> [accessed 20 September 2015].

Landaburu, E. (2006) 'From neighbourhood to integration policy: are there concrete alternatives to enlargement?', Speech 23/01, available at: [http://ec.europa.eu/world/enp/pdf/060223\\_el\\_ceps\\_en.pdf](http://ec.europa.eu/world/enp/pdf/060223_el_ceps_en.pdf) [accessed 10 September 2015].

Margvelashvili, G. (2014) 'The Eastern Partnership Conference', available at: <https://www.youtube.com/watch?v=uM1gqqqIMnQ> [accessed 30 November 2015].

Prodi R. (2002), 'A Wider Europe - A Proximity Policy as the Key to Stability', sixth ECSC World Conference, SPEECH/02/619, Brussels, 5-6 December.

Putin, V. (2005) 'Collapse of the Soviet Union was a major geopolitical disaster of the century', World News, available at: <https://www.youtube.com/watch?v=nTvswU5Eco> [accessed 30 November 2015].

Saakashvili, M. (2008) 'Inaugural Speech of President Mikheil Saakashvili', *Civil Georgia*, 21/01/2008.

Saakashvili, M. (2010) 'Why Georgia Matters', Conference at Chatham House, 17 February, London.

Sikorski, R. (2008) 'Meeting of Andrei Stratan and Radoslaw Sikorski', 11 July 2008, available at: [www.mfa.gov.md/news/3012](http://www.mfa.gov.md/news/3012) [accessed 30 September 2015].

Shevardnadze, E. (1997) 'Parliamentary Session', 27 May/1997, *Parliamentis Utskebani* [Parliamentary News], Tbilisi, 31/May.

Vondra, A. (2008) *European Voice*, 6 November 2008, available at: [https://www.ifri.org/sites/default/files/atoms/files/Europe\\_Visions\\_4.pdf](https://www.ifri.org/sites/default/files/atoms/files/Europe_Visions_4.pdf) [accessed 5 October 2015].

### **Primary and Secondary Law**

Council and Commission Decision (1999), on the conclusion of the Partnership and Cooperation Agreement between the EC and their Member States and Georgia (OJ L 1999 205), entered into force 31 May 1999.

Council and Commission Decision (1997), on the conclusion of a PCA between the EC and their Member States and the Russian Federation (OJ 1997 L 327) of 30 October 1997, entered in force 1 December 1997.

Council and Commission Decision (1998), on the conclusion of the PCA between the EC and their Member States and Ukraine (OJ 1998 L 49) of 26 January 1998, entered in force 1 March 1998.

Council and Commission Decision (1998), on the conclusion of the PCA between the EC and their Member States and the Republic of Moldova (OJ 1998 L 181) of 28 May 1998, entered in force 1 July 1999.

Council and Commission Decision (1999), on the conclusion of a PCA between the EC and their Member States and Armenia (OJ 1999 L 239), entered in force 1 July 1999.

Council and Commission Decision (1999), on the conclusion of a PCA between the EC and their Member States and Azerbaijan (OJ 1999 L 246), entered in force 1 July 1999.

Council and Commission Decision (1999), on the conclusion of a PCA between the EC and their Member States and Georgia (OJ 1999 L 205), entered in force 1 July 1999.

Common Position (1995), on Nigeria, 95/51 20 November, OJ 1995 L 298/1.

General Affairs Council, (1997) Council Conclusions on Belarus, 15 September.



European Commission (2003) Georgia Country Strategy Paper 2003-2006 TACIS National Indicative Programme 2004-2006, September 2003, available at [http://eeas.europa.eu/georgia/csp/03\\_06\\_en.pdf](http://eeas.europa.eu/georgia/csp/03_06_en.pdf) [accessed 27 February 2015].

European Commission (1999) 'The Stabilisation and Association Process for Countries of South-Eastern Europe', Brussels, 26 May 1999.

European Commission (1990) Association Agreements with the Countries of Central and Eastern Europe - a General outline, 27 August 1990, 398 Final.

Council Regulation (EC, EURATOM) (1999), concerning the provision of Assistance to the partner States in Eastern Europe and Central Asia, No. 99/2000 of 29 December.

European Commission (2003), Georgia Country Strategy Paper 2003-2006 TACIS National Indicative Programme 2004-2006, September 2003, available at: [http://eeas.europa.eu/georgia/csp/03\\_06\\_en.pdf](http://eeas.europa.eu/georgia/csp/03_06_en.pdf) [accessed June 2013].

The Treaty on European Union (2008), consolidated version 9 May, O J L C115/13.

European Union, *Treaty on European Union (Consolidated Version), Treaty of Maastricht*, 7 February 1992, Official Journal of the European Communities C 325/5

The Treaty on the Functioning of the European Union (2008), consolidated version 9 May, O J L C115/47.

United Nations (1969), Vienna Convention on the Law of the Treaties, 23 May, Vol. 1155, I-18232.

United Nations Development Programme (UNDP), *Human rights Report*, UNDP Country Office: Tbilisi, 2000.

The European Commission, 'Communication from the Commission on Conflict Prevention' 11 May 2001, COM (2001) 211 Final.

Transparency International (2007) 'Refreshing Georgia's Courts - Trial by Jury: More democracy or a face-lift for the judiciary?', *Monitoring Georgia's International Commitments*, <http://www.transparency.ge/en/reports?page=1> [accessed 20 November 2015].

Delegation of the European Commission to Georgia (2007) GSP+, *Enhancing Georgian Exports*, October 2007, Tbilisi.

Transparency International (2007) 'Refreshing Georgia's Courts - Trial by Jury: More democracy or a face-lift for the judiciary?', *Monitoring Georgia's International Commitments*, available at: <http://www.transparency.ge/en/reports?page=1> [accessed June 2015].

Transparency International (2009) 'Food Safety in Georgia, TI Georgia's International', *Monitoring Georgia's International Commitments*, <http://www.transparency.ge/en/reports> [accessed 20 August 2015].

Transparency International (2008) *Corruption Perception Index*, available at: [http://www.transparency.org/news\\_room/in\\_focus/2008/cpi2008/cpi\\_2008\\_table](http://www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table) [last access August 2014].

Freedom House (2005) *Nations in Transit 2005*, available at: <http://www.freedomhouse.org/report/nations-transit/2005/georgia> [last access August 2014].

Freedom House (2006) *Nations in Transit 2006*, available at: <http://www.freedomhouse.org/report/nations-transit/2006/georgia> [accessed August 2014].

Freedom House (2008) *Nations in Transit 2008*, available at: <http://www.freedomhouse.org/report/nations-transit/2008/georgia> [accessed August 2014].

Freedom House (2009) *Nations in Transit 2009*, available at: <http://www.freedomhouse.org/report/nations-transit/2009/georgia> [accessed August 2014].

Freedom House (2011) *Nations in Transit 2011*, available at: <http://www.freedomhouse.org/report/nations-transit/2011/georgia> [accessed August 2014].

Freedom House (2012) *Nations in Transit 2012*, available at: <http://www.freedomhouse.org/report/nations-transit/2012/georgia> [accessed August 2014].

Freedom House (2013) *Nations in Transit 2013*, available at: <http://www.freedomhouse.org/report/nations-transit/2013/georgia> [accessed August 2014].

DG Enlargement (2009) *Eurobarometer 257 'Views on European Union enlargement'*, Brussels.

European Commission (2006) *European neighborhood and partnership instrument, Georgia, country strategy paper 2007-2013*, available at: [http://ec.europa.eu/world/enp/pdf/country/enpi\\_csp\\_georgia\\_en.pdf](http://ec.europa.eu/world/enp/pdf/country/enpi_csp_georgia_en.pdf) [accessed May 2014].

European Commission (2005) *European Neighbourhood Policy - Country Report Georgia*, 72 Final, Brussels.

Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the UN Charter (1970) UNGA Res 2625 (XXV), October.

European Commission (2003), *Paving the way for a new neighbourhood instrument*, 393 Final.

Council Joint Action (2003) *The appointment of an EU Special Representative for the South Caucasus*, OJ 2003 L \69174.

Council Joint Action (2006) *Appointing the European Union Special Representative for the South Caucasus*, OJ 2006 L 49/14.

Council Joint Action (2004) *On the European Union Rule of Law Mission in Georgia*, EUJUST THEMIS, OJ 2004 L 228/21.

Council Decision (2004) *concerning the conclusion of the Agreement between the European Union and Georgia on the status and activities of the European Union Rule of Law Mission in Georgia*, EUJUST THEMIS, OJ 2004 L 389/41.

Council Decision (2004) *Agreement between the European Union and Georgia on status and activities of the European Union Rule of Law Mission in Georgia*, EUJUST THEMIS, OJ 2004 L 389/42.

Civil Georgia (2005) *Russia restricts imports of agricultural products from Georgia*, 20 December.

Civil Georgia (2006) *PM: Russia's ban on Georgian wine unfair*, 30 March.

International Crisis Group (2007) *Georgia: Sliding Towards Authoritarianism?*, Europe Report No. 189, 19 December.

Joint letter by EU Commissioner (2002) Chris Patten and the EU High Representative for the Common Foreign and Security Policy on Wider Europe, 7 August.

Communication from the Commission to the Council and the European Parliament (2003) *Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, 11.04. 2003 COM 104 Final.

Copenhagen European Council, 12 and 13 December 2002, Presidency Conclusions

Conclusions of the Presidency. European Council in Copenhagen, (1993) 21-22 June, SN 180/93.

Commission of the European Communities (2004), *Communication from the Commission, European Neighbourhood Policy - Strategy Paper*, 373 final 12 May Brussels.

ENEPO (EU Eastern Neighbourhood: Economic Potential and Future Development) (2007) Working Paper on concepts and definitions of institutional development (harmonisation) and methodology of measuring them, June.

The World Bank Data on Georgia (1997-2009), available at: <http://data.worldbank.org/indicator> [accessed 20 August 2015].

Index Mundi on FDI, net inflows in Georgia (1997 - 2009) available at: <http://www.indexmundi.com/facts/indicators/BX.KLT.DINV.CD.DT/compare?country=ge#country=ge> [accessed August 2015].

Freedom House (2007) *Nations in Transit*, Country Report on Georgia, available at: <http://www.freedomhouse.org/template.cfm?page=47&nit=423&year=2007> [accessed 20 August 2015].

World Bank (2010) *Data on Country Statistics*, available at: <http://databank.worldbank.org/ddp/home.do> , [accessed November 2015].

World Bank (2011) *Data – Indicators*, available at: <http://data.worldbank.org/indicator> [accessed 30 November 2015].

Freedom House (2006) *Nations in Transit*, available at: <http://www.freedomhouse.hu/nitransit/2006/CountrySummariesNIT06.pdf> [accessed August 2014].

Joint Declaration of the Prague Eastern Partnership Summit, Prague, 7 May 2009;

The Council of the European Union (2011) Joint Declaration of the Eastern Partnership Summit, Warsaw, 29-30 September.

The Council of the European Union (2009) *Declaration on the Eastern Partnership* (Annex to the Eu Presidency Conclusions), European Council Summit, 19-20 March.

European Council, Annex II to the Presidency Conclusions ‘Declaration by the European Council on the Eastern Partnership’, Brussels, 19/20 March 2009 (CL09-067EN);

Commission's Communication 'Eastern Partnership', COM(2008) 823 final, of 3 December 2008;

Commission's Staff Working Document (2008) accompanying Communication on the Eastern Partnership, SEC (2008) 2974/3.

Committee of the Regions, (2009) 'Opinion of the Committee of the Regions on the role of local and regional authorities within the Eastern Partnership', 79th plenary session, 21-22 April.

The EU Press Release (2008) 'The Eastern Partnership - an ambitious new chapter in the EU's relations with its Eastern neighbours', December 3.

Eastern Partnership Civil Society Forum (2015) *European Integration Index 2014 for Eastern Partnership Countries*, available at: [www.eap-index.eu](http://www.eap-index.eu) [last access 20 July 2015].

Implementation of the European Neighbourhood Policy in Georgia Progress in 2013 and recommendations for action, 27 March 2014.

Election Observation Mission Final Report, Presidential Elections (2013) Organisation for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights, 27 October, Georgia.

Council of the European Union (2013) *Joint Declaration of the Eastern Partnership Summit*, Vilnius, 28-29 November 2013.

European Commission (2013) First Progress Report on the implementation by Georgia of the Action Plan on Visa Liberalisation, COM (2013) 808 final, Brussels, 15 November 2013.

EU Georgia Parliamentary Cooperation Committee, Fifth Meeting, 16-17 June 2003, Brussels [http://www.europarl.europa.eu/intcoop/euro/pcc/aag/pcc\\_meeting/recommendations/2003\\_06\\_17\\_georgia\\_en.pdf](http://www.europarl.europa.eu/intcoop/euro/pcc/aag/pcc_meeting/recommendations/2003_06_17_georgia_en.pdf)

Action Plan Georgia, (2006) available at: [http://eeas.europa.eu/enp/pdf/pdf/action\\_plans/georgia\\_enp\\_ap\\_final\\_en.pdf](http://eeas.europa.eu/enp/pdf/pdf/action_plans/georgia_enp_ap_final_en.pdf) [accessed 5 September 2015].

European Parliament Resolution (2011) available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0153+0+DOC+XML+V0//EN>

Visa Facilitation agreement (2008) [http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:22011A0225\(02\)](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:22011A0225(02))

Communication from the Commission (2008) [http://eeas.europa.eu/enp/pdf/pdf/progress2008/com08\\_164\\_en.pdf](http://eeas.europa.eu/enp/pdf/pdf/progress2008/com08_164_en.pdf)

Joint Declaration, Riga Summit <http://www.consilium.europa.eu/en/policies/eastern-partnership/>

Venice Commission (2007) available at: [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2007\)009-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2007)009-e) [accessed 15 November 2015].

GEPLAC (2000), PCA Guide, Georgian-European Policy and Legal Advice Centre, GEPLAC, Tbilisi.

GEPLAC (1995) Georgian Economic Trends, Georgian-European Policy and Legal Advice Centre, GEPLAC, Tbilisi.

The Constitution of Georgia (1995), adopted on 24 August of 1995, available at: [http://www.parliament.ge/files/68\\_1944\\_951190\\_CONSTIT\\_27\\_12.06.pdf](http://www.parliament.ge/files/68_1944_951190_CONSTIT_27_12.06.pdf) [accessed on 15 February 2015].

Georgia and the World: a vision and strategy for the future (2000), The Ministry of Foreign Affairs of Georgia, Tbilisi, available at:

<http://www.bits.de/NRANEU/docs/CFE/GeorgiaStrategy.pdf> [last accessed on 15 of March of 2015].

The Parliament of Georgia, *Newsletter*, Research Department, Parliament of Georgia, no. 2, February 1999:1.

Interview with Menagarishvi, *Recent Political Developments in Georgia*, Tbilisi, no. 1, 31/01/1999, held by Alexander Rondeli at the US Embassy in Georgia.

The Parliament of Georgia (2008) The Law of Georgia on Occupied Territories, Adopted 23 September, published 23 October of 2008 N 431 IIs, available at: <http://www.smr.gov.ge/docs/doc216.pdf> [last access 18 Novemner, 2015].