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MARMARA ÜNİVERSİTESİ

AVRUPA BİRLİĞİ ENSTİTÜSÜ

AVRUPA BİRLİĞİ SİYASETİ VE ULUSLARARASI İLİŞKİLER
ANABİLİM DALI

CHALLENGES TO THE SOUTH CAUCASUS POLICY OF THE EU: THE
CASE STUDY OF THE NAGORNO KARABAKH CONFLICT

YÜKSEK LİSANS TEZİ

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ONAY SAYFASI

Enstitümüz AB Siyaseti ve Uluslararası İlişkiler Anabilim Dalı Yüksek Lisans öğrencisi Banu TURALI'nın "**CHALLENGES TO SOUTH CAUCASUS POLICY OF THE EU: THE CASE STUDY OF THE NAGORNO KARABAKH CONFLICT**" konulu tez çalışması **16 Mart 2010** tarihinde yapılan tez savunma sınavında aşağıda isimleri yazılı jüri üyeleri tarafından oybirliği/oyçokluğu ile başarılı bulunmuştur.

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ACRONYMS

BOTAŞ: Boru Hatları ile Petrol Taşıma Anonim Şirketi

BP: British Petrol

BTC: Baku Tiflis Ceyhan

BTE: Baku Tiflis Erzurum

BSEC: Organization of Black Sea economic Cooperation

CoE: Council of Europe.

CIS: Commonwealth of Independent States

CSPC: Caucasus Stability and Cooperation Platform

CFSP: Common Foreign Security Policy

CSO: civil society organization

CSTO: Collective Security Treaty Organization

EaP: Eastern Partnership

EC: European Community

ECHO: European Commission Humanitarian Office

ERW: Explosive Remnants of War

EU: The European Union

EUSR: European Union Special Representative

EUJUST: EU rule of law mission

ENP: European Neighbourhood Policy

ENPI: European Neighbourhood Partnership Instrument

ESDP: European Security and Defence Policy

GUAM: Georgia, Ukraine, Uzbekistan, Azerbaijan and Moldova group

IAEA: International Atomic Energy Agency

IDP: Internally Displaced People

INNOGATE: Interstate Oil and gas transport to Europe.

NATO: North Atlantic Treaty Organization

N.K: Nagorno Karabakh

ODIHR:Office For Democratic Institutions and Human Rights
OSCE:Organization For Security and Cooperation in Europe
PCA:partnership and Cooperation Agreement
RRF:Rapid Reaction Force.
PKK:Kurdistan Workers party
SALW: Small Arms and Light Weapons
SOCAR:State Oil Company of Azerbaijan Republic
TACIS:Technical Assistance for Commonwealth of Independent States
TRACECA:Transport Corridor Europe-Caucasus-Asia
TPAO:Türkiye petrolleri Anonim Ortaklığı
TAIEX: Technical Assistance and Information Exchange
USA:United States of America
USSR:The Union of Soviet Socialist Republic
UN:United Nations
WEU:Western European Union
WTO:World Trade Organization.

ÖZET

Soğuk Savaşın sona ermesi ile Güney Kafkasya tüm dikkatleri tekrar üzerine çekti. Zengin yer altı kaynakları bu coğrafyayı bölgesel ve küresel aktörlerin rekabet sahasına çevirdi. Avrupa Birliği de bu rekabette yerini almak isteyen aktörlerden biri oldu. Soğuk Savaş sonrasında ortaya çıkan güvenlik endişelerini öne sürerek, bölgeyi yeniden şekillendirmek adına bu coğrafyada yer alan devletlerle ilişkilerini derinleştirdi. Ancak Avrupa Birliğinin bölgeye uygulayacağı politikalar önünde en büyük engeli bölgesel krizler oluşturuyordu. Krizlerin başka tipte güvenlik tehditlerine ve risklerine yol açacağı gerçeğine inanan Avrupa Birliği bu krizlerin çözümüne kendi sivil metodları ile katkıda bulunmaya karar verdi. Bu tez, Dağlık Karabağ örneğini ele alarak Avrupa Birliğinin kriz çözme politikasının başarılı olup olmadığını incelemiş, bölgesel ve küresel aktörlerin bölgenin siyasi atmosferine, krizlere, Avrupa Birliği'nin Güney Kafkasya politikasına ve sivil kriz çözme metodlarına olan etkisini kanıtlamıştır.

ABSTRACT

The end of the cold war transformed the South Caucasus in to an interest area. The rich resources made the South Caucasus a zone of competition, and both the global actors and the regional actors turned their attention to that geography. The EU was one of the actors that participated in this competition. The EU by putting forward its security concerns, enhanced its relations with the states of the region, in order to reshape the post cold war period. The biggest threat in front of the EU, was the regional crisis. Due to the fact that the regional crisis triggered other security risks and the threats, the EU decided to contribute to the resolution of the regional crisis, by employing its civilian methods. This thesis aimed to explore, to what extent the EU would be successful in treating the regional crisis, by presenting the case study of the Nagorno Karabakh. This thesis, proved the regional and the global actor impact on the political atmosphere of the region, the conflict resolution, the EU's South Caucasus policy, and on its civilian crisis resolution methods.

INTRODUCTION

The European Union's comprehensive external policy prioritizes the harmonization of the values, norms, institutions and the perceptions. In that sense, the other of what the EU represents, becomes a candidate to undergo to the Europeanization. This controlling and regulating attitude of the EU constitutes the building block of its claim to become a global actor. As a matter of course, the new challenging geographies become the new opportunities for the EU to mature the personality of its actorness. Therefore, with the collapse of the Soviet Union, the South Caucasus appeared as a testing ground of the EU's pro experiments. With the inherited crises and the confusion from the Soviet hegemony, the region was desperately in need of support.

In 1996, the EU signed the Partnership and Cooperation Agreements with the states of the region and the agreements entered into force in 1999. Later, in 2004, the EU decided to tackle the issue in a more comprehensive manner, in the framework of the Neighbourhood Policy, and incorporated the states of the region in the Neighbourhood Policy in 2004. The ENP was a kind of arouse against the new security threats, that emerged in the post cold war period. The new security threats that were identified by the European New Security Strategy was prioritized in the ENP. But, the EU who seemed promising in carrying out the ENP in the South Caucasus was confronted with serious challenges. The domestic challenges but mainly, the external challenges engulf the EU as an actor, and does not let it to take brave decisions on the conflict resolution.

This thesis focuses on the challenges that endanger the EU's success regarding the ENP. My major argument is that regional conflicts are the cardinal challenges facing the ENP. This thesis attempts to defend this argument through a discussion of the Nagorno-Karabakh conflict and the EU's and its ENP's role in it. It has two supporting arguments that may contribute to its major argument. Its supportive arguments are that the EU as an international actor has some limitations which also affect the course of the ENP and that also domestic challenges both in EU Member States and in ENP countries also undermine the efficiency of

the ENP in conflict resolution. It looks into the chaotic political atmosphere in the South Caucasus region and evaluates the security vacuum that is generated as a consequence. Thus, it involves an analysis the root causes of the Nagorno-Karabakh conflict, and presents an attempt at enlightening the political weaknesses of the South Caucasus states. It reveals the negative repercussions of the crises in the South Caucasus and attempts to prove how the security strategy of the EU is damaged by this crisis. The Nagorno Karabakh case is also supported with some other cases such as the Abkhazian and the Ossetian crises in order to show the weaknesses of the ENP regarding the region. This thesis takes the Nagorno Karabakh crisis as a political, military and legal problem and evaluates why the ENP could not succeed as a conflict prevention/resolution tool by itself. In order to analyse the cardinal obstacles in front of the ENP, this study further investigates the OSCE's actorness in the Nagorno Karabakh crisis since the OSCE is the chief actor in Southern Caucasus. Moreover it exhibit the external actors' influence on the crisis and on the ENP since their policies sometimes may rival and/or undermine the ENP.

In the light of this overview, this thesis consists of two parts. The first part focuses on the EU, as an external actor. In the context of external actorness, what the EU represents, is discussed. The European identity and the norms enlighten what kind of actor the EU is. While the actorness requires undertaking the responsibilities of the international issues, and the export of the values to the regions that live political confusion, in the light of the EU's values and norms, how the EU dispenses its values is discussed. Furthermore, this part demonstrates how, and why the European values try to reconstruct the political atmosphere of the Trans-Caucasian geography. The geo strategical importance of the Trans Caucasian geography, and why the ENP enveloped the region will be presented. In this context, the first part elaborates the European Neighbourhood Policy, its objectives, and its methods. How the EU perceives the threats that is imported from the Trans Caucasian region, and how it wants to tackle with them will be questioned. While doing so, the domestic challenges of the EU is presented, since they have serious impact on the treatment of the ENP. Furthermore, the dynamics in the Trans Caucasian geography is discussed on Azerbaijan, Armenia, and, Georgia cases individually, and the EU's diaognosis for each country is dealt in the framework

of the Action Plans.

The second part of the thesis focuses on the crises in the region, since they are the cardinal challenges against the EU's plans for the region. In this context, how, and why the crises may appear as the biggest obstacle in front of the EU will be discussed. The Abkhazian and the South Ossetian crises are glanced at as the secondary sample cases. I call these secondary sample cases, since this thesis mainly elaborates the Nagorno Karabakh crisis. The second part concentrates on the Nagorno Karabakh crisis, and it tries to determine its negative role on the region. The political incidents that had generated the roots of the crisis is revealed, since this could guide the EU in developing appropriate solution for the conflicting states and for the region. Moreover, the course of the crisis is presented in order to discriminate the legitimate claims from the illegitimate ones.

Besides, the second part of the thesis analyses the EU actorness, and presents to what extent the EU actorness, the ENP, and the complementary projects such as, the Black Sea Synergy, and the Eastern Partnership contribute to the resolution of the Nagorno Karabakh crisis. Owing to the fact that, the EU is not the main actor in resolution of the Nagorno Karabakh crisis, the OSCE's treatment of the matter is discussed, since the OSCE success determines the EU's success in the region. Due to the fact that the effectiveness of the EU's post conflict strategies, the conflict prevention methods, and the confidence building endeavours are dependent on the finalization of the resolution of the Nagorno Karabakh crisis, the insufficient sides of the EU and the OSCE are exhibited. Finally, in the second part of the thesis, the external actor influence on the ENP, and on the Nagorno Karabakh issue is debated. How the USA perceives the region, and why it interferes the political atmosphere of the region, is discussed. The differences between the USA and the EU are exhibited, since this determines the success of the ENP, and naturally the resolution of the Karabakh conflict. On the other hand, the Russian factor and its regional hegemony is discussed, since the stability of the region is dependent on Russian's feeling security in its backyard. This part also focuses on, why Russia feels insecure in its neighbourhood, and how this insecurity triggers Russia's behaviour as an external actor, and how it effects the EU's projects. The second part discusses Turkey's role in the region and presents its relations with the other regional actors. It tries to demonstrate to what extent it is difficult for Turkey, to take any step for the resolution of the

crisis when there exists the Russian, the USA, and the EU factors in the region. Finally, the Iran's role as a regional actor is discussed. Iran's fragile relations with the EU, and particularly, with the USA, is presented. The differences between the EU and the USA in treating Iran are demonstrated, since this determines Iran's positive or negative attitude to the political atmosphere of the region, and to the resolution of the Nagorno Karabakh crisis.

PART ONE

THE CONSIDERATION OF THE EU AS AN EXTERNAL ACTOR

The EU in the light of its features that enables itself as an external actor, endeavours to take on the responsibility to create a harmonious world order. In the new global world order, the EU has to represent itself and its capabilities as an actor, against the new challenges emerged as the result of the changing political order. The new world order will compel the EU to get new measures, such as transforming its environment, via using different methods. The EU's actorness will be recognized to the extent of its becoming a strong agent, in the reconstruction of the world political order.

I-THE REPRESENTATION OF THE EU AS AN ACTOR

Charlotte Bretherton and John Vogler explain EU's actorness by referring to three structural elements; “presence, opportunity and capability.”(..) They define *presence* as “relationship between internal development of the EC and external expectation”(..), the *opportunity* as “factors in the external environment which enable or constrain actorness”(..) and the *capability* as “capacity to respond effectively to external expectations and opportunities”.¹*Presence* presents the existence of the community and its basic establishment norms which comprise further integration and enlargement. The self existence of community on its own norms and principles generates the demand to see the EU playing its actor role. But according to Bretherton and Vogler, this is not enough to be an actor since an actor should find an *opportunity* to make itself recognized by the other entities which comes to mean the reception of what is offered.²The post cold war period entitled the EC/EU with this opportunity. The EU reconstructed itself and transformed to an uncommon formation in order

1 Charlotte Bretherton and John Vogler, **The European Union as a Global Actor**, Routledge:Canada and USA, 1999 (first edition), This edition is published in Taylor&Francis e-library in 2002 (electronic version) http://books.google.com.tr/books?id=n_8vOfRqtBUC&dq=VOGLER+AND+BRETHERTON+EU+AS+A+GLOBAL+ACTOR&printsec=frontcover&source=bn&hl=tr&ei=scWsS6rUL5iG4gaZl4ziDw&sa=X&oi=book_result&ct=result&resnum=4&ved=0CB4Q6AEwAw#v=onepage&q=VOGLER%20AND%20BRETHERTON%20EU%20AS%20A%20GLOBAL%20ACTOR&f=false.(25 March 2010),p.5.

2 Bretherton and Vogler, p.13

to reinforce its existence since it needed to oppose the negative remnants of the communist system and the new challenges of globalism which inhabited within its domestic borders. The EU took a further action to prove its *capabilities* and evaluated an opportunity to be recognized as an external actor. The partnership agreements signed with the states, existed outside the borders of the union, as an alternative to the enlargement. This endeavour is the announcement of the fact that EU is an external actor. The ENP, EaP and the Black Sea Energy arise as the legitimation of the fact that EU is an external actor which seeks the political, cultural role besides the economic one.³

A-THE DEVELOPMENT OF THE EUROPEAN VALUES AND NORMS

“The European Union is a unique endeavour involving economic and political integration in the world today.”⁴ Essentially, the cause that necessitated the establishment of such formation was somewhat different from today's goal. The goal was, to terminate the competition between Germany and France, by transferring their focus from national interest into mutual economic benefit.⁵ The Paris Treaty brought together France, Germany, Italy, the Benelux countries, and founded the European Coal and Steel Community in 1951. That was the first step taken on the way of integration.⁶ Before long, the founding states were determined to carry forward this alliance by ratifying the Treaty of Rome, which founded the common market, and the fundamental institutions of the Community. Nevertheless, The Treaty of European Union achieved the de facto European integration, by intensifying the cooperation. The EU has become a sui generis formation that comprises many different tasks in itself. In fact, the main task of the EU has been to reinforce the European integration.⁷

3Bretherton and Vogler,pp.24-27

4Muzaffer Dardan and Çiğdem Nas(Ed),**The European Union Enlargement Process and Turkey**, Marmara University Publication No:691:Marmara University,European Community Institute,2002, p.V.

5The EU, The history of the European Union 1945-1959;A Peaceful Europe;The beginnings of Cooperation ,http://europa.eu/abc/history/index_en.htm (27 May 2009), and The EU,Why the European Union, http://europa.eu/abc/12lessons/lesson_1/index_en.htm (27 May 2009)

6 Summaries of EU Legislation;Treaty Establishing the European Coal and Steel Community, ECSC Treaty ,http://europa.eu/legislation_summaries/institutional_affairs/treaties/treaties_ecsc_en.htm(27 May 2009)

7 Martin Griffiths and Tery O'Callaghan,**International Relations; The Key Concepts**, London and Newyork:Routledge,2002, pp. 99-100.

The EU has assigned itself as the peace, stability, and prosperity builder. On account of this, it contends with any disunity that happens in the borders of Europe, which may harm the security of the European people. The European people are one of the most significant pillars of the European integration process, because they are the concrete representatives of the European principles, and the standards such as; the human rights, democracy, justice, liberty, the rule of law, social harmony, indulgence, and liberalism. These codes of standards that are attributed as European values, are guaranteed under the Treaties, via the European institutions. Starting with the Treaty of Rome, it is easy to become familiar with some attributions of peace, solidarity, liberty, prosperity, ever-closer union, and the elimination of the barriers. Similarly but, more inclusively, the Preamble of Single European Act, which was signed in 1987, contains the same expectations for the future of the EU. In this Preamble, it is observed that, the EU feels bound to the maintenance of the international peace, which gives the hint that it may take the burden of being an international actor on a wider arena.⁸ This wider arena will be the entire European geography, which has still blurred definition. As Margaret Thatcher uttered the words;

*The European Community is one manifestation of that European identity and we must never forget that east of the Iron Curtain People who once enjoyed a full share of European culture, freedom and identity have been cut off from their roots.*⁹

in one of her speeches, she nearly envisaged the enlargement process of the Union, to the East, which was shaped from 2004 to 2007, and which had become the strongest EU instrument, in terms of the harmonization of values. Despite the fact that the European Community was a way of demonstration of the European values, the European Union that became concrete beyond the foregone expectations through the European Union Treaty, which was signed in 1992, has become the mediator of importing the European values to a wider geography. Accordingly, The European Union Treaty has tried to achieve this strong position, by enforcing the common foreign and security policy, which comprises common defence policy.¹⁰ In a manner of speaking, this policy, was an instrument of declaring predominance of

⁸Brent F.Nelsen and Alexander C-G.Stubb(Ed), **The European Union:Readings on the Theory and Practice of European Integration** :Preambles to the Treaties of Rome (14-15),USA: Lynne Rienner Publishers, 1994, p.43.

⁹ Margaret Thatcher, "A Family of Nations", Brent F. Nelson and Alexander C-G Stubb(Ed), **The European Union: Readings on the Theory and Practice of European Integration**,(45- 47),USA:Lynne Rienner Publishers,2002, p.47.

¹⁰The EU,Treaty on the European Union,1992 ,<http://eurlex.europa.eu/en/treaties/dat/11992M/htm/11992M.htm> (27 May 2009)

its values and its actorness. The EU tries to constitute a sphere of peace and security.¹¹ In that securitized circle, it aims to stabilize a new perception of human rights, by transforming human rights issue into a major concern. In a way, the EU transforms itself as the official authorized plane, which deals with the appeals that come from the people of the other states, or the states themselves, and compels the candidate member states to rectify the breach of the human rights. It adopts this utilitarian model, since the enlarged Europe deals with the security problems, which takes its source from the non-existence of the human rights.¹²

In parallel with this new understanding, The Amsterdam Treaty (1997) gives emphasis to the European identity and to its independence, because it is believed that security and progress is a kind of chain reaction, which diminishes or redounds one another. Owing to this fact, the Union impels the members for supporting common positions and the joint actions within the framework of the Amsterdam Treaty in order to be more convincing at the international level.¹³ Yet, the current security risks are highly the transformed mode of the old security risks, which required the military action. That is why, the EU determined the new type global risks in the Report on the Implementation of European Security Strategy, which was arranged in December, 2008. According to this report, the EU perceives the proliferation of weapons of mass destruction, terrorism, organised crime, energy security and the climate change as the key threats.¹⁴

Herewith, the biggest argument on the EU comes onto the stage. Could the EU as a “civilian power”¹⁵ achieve the success against the new global threats, and develop new strategies in order to cope with the new challenges?¹⁶ In fact, the Report on the Implementation of the European Security Strategy, which was arranged in December, 2008 clarifies what the EU aspires for. The EU wants stability in the world, because it is sure that

11 Christopher Hill, “Pushing the Stone Uphill: The Endless Trials of Europe's Common Foreign Policy”, Krassimir Y. Nikolov (Ed), **More Than a Dwarf : Fornet Essays on Europe's Foreign Policy, Security and Defence** (13-34), Sophia: Bulgarian European Community Studies Association, 2004, p.32.

12 Aslan Gündüz, **Security and Human Rights in Europe: The CSCE Process**, I. Basım, İstanbul: European Community Institute, 1994, p.8(intro).

13 The EU, The Treaty of Amsterdam Amending the Treaty on European Union, 1997
<http://eur-lex.europa.eu/en/treaties/dat/11997D/htm/11997D.html> (1 June 2009)

14 Council of the EU, Report on the Implementation of The European Security Strategy: Providing Security In A Changing World, Brussels, 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/reports/104630.pdf (1 June 2009), pp.3-5.

15 Duchene and Maull originated the civilian power term. Karen E. Smith, “Still civilian power EU?”
<http://www.arena.uio.no/cidel/WorkshopOsloSecurity/Smith.pdf>, (1 June 2009) p.14.

16 Münevver Cebeci, “**The European Security Strategy: A Reflection of EU's Security Identity**”, Marmara University Journal of European Studies, Vol:12, No.1-2(2004), p..302.

“Europe has security interest beyond its immediate neighbours.”¹⁷ Therefore, it tries to mitigate the negative impacts of the globalisation, which is speeding up the displacement of power and revealing distinction in values. It feels the need to secure the people, by exterminating the poverty, the inequality, the regional imbalances, the mal-governance, the misuse of authority and, by establishing new values and a new order. It supports weak states, in order to provide the development, and incline towards the source of the conflict. It tries to reinforce its conflict prevention, crisis management capabilities, and envisages a “multilateral order”¹⁸ in which the EU, the NATO, and the UN act as a crucial alliance.¹⁹

It tries to keep its security circle wider, because it has lot to lose due to the fact that “EU, as a community of values based on peace and freedom, democracy and the rule of law, as well as tolerance and solidarity is the world's largest economic zone.”²⁰ In this context, the EU may provide the security, welfare and stability of its citizens and, remain as the giant economic power, only if, it creates a wider secure neighbourhood that carries the same anxieties and responsibilities, otherwise it remains as a fragile structure.

B- HOW THE EU DISPENSES ITS NORMS AND VALUES

The EU that is well known as a “normative power”(..)deserved this name owing to its “founding principles of liberty, democracy, human rights, fundamental freedoms and the rule of law”(..) to its “tasks and objectives; social progress, discrimination, sustainable development”(..) to its “stable institutions”(..)that ensures its principles, and to the “fundamental rights of the Union”²¹ So, as a *normative power*, the EU generates different methods of dispensing its principles and norms.

17 Council of EU, Report on the Implementation of The European Security Strategy: Providing Security In A Changing World, Brussels, 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/reports/104630.pdf, (1 June 2009), p. 7.

18 Council of EU, Report on the Implementation of The European Security Strategy: Providing Security In A Changing World, Brussels, 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/reports/104630.pdf, (1 June 2009), p. 2.

19 Council of EU, Report on the Implementation of The European Security Strategy: Providing Security In A Changing World, Brussels, 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/reports/104630.pdf, (1 June 2009), pp. 1-6

20 European Commission, The Enlargement Policy, http://ec.europa.eu/enlargement/the-policy/index_en.htm, (28 May 2009)

21 Ian Manners, “Normative Power Europe: The International Role of the EU”, European Community Studies Association Biennial Conference, Wisconsin, USA : The European Union Between International and World Society, 31 May 2001, http://aei.pitt.edu/7263/01/002188_1.PDF, (24 March 2010), p.11.

The Enlargement is the cardinal method of the EU's dispensing its values. The Eastern Enlargement of 2004, in which, Estonia, Latvia, Lithuania, Poland, Czech Republic, Hungary, Slovakia, Slovenia, Cyprus and Malta, took the EU's economic, political and security integration as a shelter, ended in 2007, by entitling Bulgaria and Romania, the EU membership. With the last accessions, the EU attained 25 members, who are the protectors of the European values. In this respect, the Enlargement Process functioned as the instrument of standardizing the values and the institutions. The EU broadened its geography, economic and political zone, via the enlargement. Herewith, the more it broadens its geography, the bigger, it becomes its security and the influence sphere²² The conditions that enable a country to apply for membership, are the instruments for the first filtration of the security. Since, even to make the application, there exists a precondition to be a European country. The country that deserves the application, has to internalize the European values of liberty, democracy, human rights, fundamental freedoms and the rule of law. If the Council does not return the application, the country has to be found compatible with the Copenhagen Criteria, before the negotiations take place.²³ The potential candidate countries are remodelled, via the Stabilisation and Accession Process, and they rasp their inconvenient sides throughout this process.²⁴

Later, the Accession Partnership impels for the obligatory modifications in 35 different chapters. This is followed by regular country report, which encapsulates the evaluation of the performance of the country, and by the process called, the screening and the monitoring action.²⁵ Finally, when all this long process is completed, the states begin to wait for the approval of the Draft Accession Treaty, that will be introduced by the Council, the Commission, the European Parliament, and the Member States,²⁶ which ends in ratification of the Accession Treaty. All these hard procedures are like swearing to contribute to the ongoing democracy, peace, political harmony, social welfare and, to strengthening what the EU

22 EU Legislation, Enlargement Policy,

http://europa.eu/legislation_summaries/enlargement/2004_and_2007_enlargement/e50017_en.htm (2 June 2009)

23 European Commission, Conditions For Enlargement, http://ec.europa.eu/enlargement/the-policy/conditions-for-enlargement/index_en.htm (2 June 2009)

24 European Commission Enlargement, Countries On The Road To Membership, http://ec.europa.eu/enlargement/the-policy/countries-on-the-road-to-membership/index_en.htm (2 June 2009)

25 European Commission Enlargement, The Mandate and The Framework, http://ec.europa.eu/enlargement/the-policy/process-of-enlargement/mandate-and-framework_en.htm (2 June 2009)

26 European Commission Enlargement, Closure of negotiations and Accession Treaty, http://ec.europa.eu/enlargement/the-policy/process-of-enlargement/closure-and-accession_en.htm (3 June 2009)

represents as a model.

However, the EU did not let the countries alone during the pre-accession process. It employed both the financial and the technical instruments in order to rehabilitate the candidate countries. The financial support was to relief the transition period. The EU supported the states for institution building, cross border cooperation, regional development, the human resource development, and for the rural development.²⁷ The technical support, on the other hand, was given to fortify the institutional and the governmental competences, and to have an accomplished human resource, to enable the states speedy in keeping up with their long harmonization process.²⁸ Nevertheless, the EU can not enlarge continuously. Actually, it can not find new geographies that can make compatible with its all filtration criterias. In a world, far from Europe, there are many territories devoid of humanly living standards. The EU associates with them in order to enable the world, as somewhere that could be lived in. It realizes this, via its external relations, or the foreign policy. The EU adopts this policy since it believes that its self-security is dependent on the global security. In this respect, it supports the states in order not to victimize them to the chaotic atmosphere of the territory, in spite of the fact that it does not promise them for membership, instead, the EU employs the most utilitarian instrument, the Humanitarian Aid, to enable the human survival, and to eliminate the overturn of the human values at the crisis times or, in the transitory times, after the crisis, in some other part of the world. The EU perceives chaos, as something contagious, and struggles to demolish the factors that nourish the chaos.

In other words, the EU dispenses its values via utilizing the Humanitarian Aid. The fact that, “The European Union as a whole, member states and the commission is one of the world's main humanitarian aid donors,”²⁹ proves, its strong actorness on the humanitarian issues. It renders humanitarian help to the chaotic regions of the world. The EU believes that the fragile situations are barriers for the improvement of the region, for the territorial steadiness, and for the international governance system. According to the EU, the third countries should be assisted to reconstruct their governmental strategies. If, the fragile

27 European Commission, Enlargement Policy, Instrument For PreAccession Assistance, (http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/instrument-pre-accession_en.htm (27 May 2009))

28 European Commission, Enlargement Policy, Technical Assistant, http://ec.europa.eu/enlargement/how-does-it-work/technical-assistance/index_en.htm (27 May 2009)

29 European Commission, Humanitarian Aid ECHO, http://ec.europa.eu/echo/about/what/presentation_en.htm (22 May 2009)

situation is transformed in to a critical situation, which covers the humanitarian problems, then, it employs its humanitarian aid instrument.³⁰ The Humanitarian Aid Department, ECHO supports the states and the victims that are suffering of conflict, chaos and the disease. The ECHO endows with more than 700 million Euros in a year, for the medical expenditure, the extermination of the mines, the nutrition, and the transport and for the logistical procurement.³¹ Essentially, the EU's real intention was to blockade the chaos creative factors, before letting them to transform into mal condition that requires humanitarian aid. In this respect, the humanitarian aid functions as an instrument, to rehabilitate the undesirable consequences of the chaos, as a part of the crisis management. On the other hand, as the EU idealized to be able to envisage the possible challenges by evaluating the political, economic, social and the cultural atmosphere, could present more efficient results. In this way, the instruments would be utilized for preventive purposes. Since the success of the result will truly be dependent on how successfully you manage your policy against the internal and the external challenges.

In this context,“The Neighbourhood Policy,”³² should be evaluated as a preventive policy of the EU, which is crucial in terms of its own security, owing to the fact that this time, the chaotic territory is, the neighbourhood of the EU. It must also be considered that the neighbourhood region has been hosting for the prolonged conflicts, which comes to mean that preventing the EU territory from the conflict, is also based on the successful crisis management of the EU in its near abroad. Thus, the Neighbourhood policy becomes one of the most fundamental EU methods of derivating its values.

³⁰European Legislation, EU Response To Fragile Situations,
http://europa.eu/legislation_summaries/foreign_and_security_policy/conflict_prevention/r13019_en.htm (21 May 2009)

³¹ European Commission, The EU in The World: The Foreign Policy Of The European Union ,2007,
<http://ec.europa.eu/publications/booklets/move/67/en.pdf>. (27 May 2009),p.15.

³² Commission of The European Communities, European Neighbourhood Policy Strategy Paper, Brussels,2004
http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf (16 May 2009), p.2.

C. THE EU'S APPROACH TO ITS NEIGHBOURHOOD: A CONCEPTUAL FRAMEWORK

According to Antonio Missiroli, the EU has employed two different methods in policymaking towards its neighbours; stabilization and integration. The first method stabilization encapsulates “regional cooperation and broad partnership”³³. The second method, integration entitles the candidate states with the membership.³⁴. Nevertheless, the EU reached its limits and perceived that it could not absorb any further enlargement. Eventually, the EU's policy inclined towards stabilization. Despite the fact that the ENP does not mean the full integration, it surpasses the classic stabilization since it bestows “a stake in the EU market”³⁵ on the states which complete the harmonization process speedily.

According to Ganzle, EC/EU utilized different europeanization methods in order to reinforce the European integration with its neighbours throughout 1990's. Primarily, it employed “comprehensive, all inclusive models of pan-European cooperation (such a EEA or the European Confederation and the European Conference.”³⁶ Later on it introduced “differentiated approaches of gradual and conditional integration of individual countries into EC/EU (based on so called Europe Agreements) or Cooperation -Integration with EC/EU based on Partnership and Cooperation Agreements.”(..) Afterwards, it generated regional policy that concentrates on “non-EU countries (particularly in the context of Euro-Mediterranean partnership (Barcelona Process) and the Northern Dimension Initiative and Stability Pact For Southern Eastern Europe.”(..) Furthermore, French President Mitterand manifested his conception “to establish European Confederation providing links between all European states including Soviet Union.”³⁷

33 Antonio Missiroli, “The Eu and its Changing Neighbourhood:Stabilization,integration and Partnership”,Roland Damreuther (Ed)**European Union Foreign and Security Policy**(12-27)USA and Canada:Routledge,2004, [http://books.google.com.tr/books?id=QPpPr69I88MC&printsec=frontcover&dq=european+union+foreign+and+security+policy+Dann+Reuther&source=bl&ots=i6KloE-ePM&sig=Qlh4eMcyjPVDjmxQPiONFnapDhgg&hl=tr&ei=riCvS9P9Cc3G4gb4uq2zDw&sa=X&oi=book_result&ct=result&resnum=1&ved=0CAgQ6AEwAA#v=onepage&q=&f=false](http://books.google.com.tr/books?id=QPpPr69I88MC&printsec=frontcover&dq=european+union+foreign+and+security+policy+Dann+Reuther&source=bl&ots=i6KloE-ePM&sig=Qlh4eMcyjPVDjmxQPiONFnapDhgg&hl=tr&ei=riCvS9P9Cc3G4gb4uq2zDw&sa=X&oi=book_result&ct=res ult&resnum=1&ved=0CAgQ6AEwAA#v=onepage&q=&f=false), p.12.(23 March 2010)

34 Missiroli, p.12.

35 Raffaella A.Del Sarto and Tobias Schumacher, “From EMP to ENP:What's at with European Neighbourhood Policy Towards Southern Mediterranean?”*European Foreign Affairs Review* 10 (17-38), 2005,p.19.

36 Stefan Ganzle, “The European Neighbourhood Policy (ENP):Extending Governance Beyond Borders” <http://www.unc.edu/euce/eusa2007/papers/gaenzle-s-11a.pdf> p.8 (24 March 2010)

37 Ganzle,p.9.

But EC/EU could not realize what it visualized since the subjects of the policies developed by the EU had different expectations, different problems and different speed of Europeanization. Missiroli explains this situation as “Eastern apples and Southern pears are kept in the same basket.”³⁸ So EC/EU has to reconstruct its approach to its neighbours gradually. Therefore, as Del Sarto and Schumacher highlight the fact that “the regionality of the Barcelona Process”(..)was substituted with “differentiated bilateralism of ENP”³⁹ and “the negative conditionality of Barcelona Process”(..) is substituted with “positive conditionality of the ENP”.⁴⁰ Moreover as Missiroli claims, the multilateral structure of the EMP was transformed to the bilateral structure of the ENP.⁴¹

Despite the fact that the ENP is inspired by the enlargement logic, it has not been so efficient up to now owing to its weak sides. As Melnykovska, Gawrich and Schweickert presented how the conditions of “enlargement europeanization”(..) differs from the “neighbourhood europeanization”(..) in their detailed study called Neighbourhood Europeanization through ENP:The Case Study of Ukraine, and in a way proved, what went wrong. According to Melnykovska, Gawrich and Schweickert, in the enlargement Europeanization states become the “strong consumer of Europeanization”(..) whereas in Neighbourhood Europeanization, states remain as “weak consumers of Europeanization.”(..) Besides, they underscore the importance of “conditionality.”(..) While in the *Enlargement Europeanization*, there exists the item of conditionality which comes to mean the extension of the candidate status, in the Neighbourhood Europeanization there exists no negative conditionality, since there is no prospect of membership.(..) Furthermore, Melnykovska, Gawrich and Schweickert asserted that while enlargement europeanization has prospect of “membership as an incentive”(..) the neighbourhood europeanisation may only offer “intense cooperation”(..) which may result in long phased regular reconstruction process instead of a speedy one.⁴²

38 Rosa Balfour and Antonio Missiroli, “Reassessing the European Neighbourhood Policy “,EPC Issue Paper, No.54, June 2007,p.6.

39 Raffaella A.Del Sarto and Tobias Schumacher, “From EMP to ENP:What's at with European Neighbourhood Policy Towards Southern Mediterranean?”European Foreign Affairs Review 10 (17-38), 2005 p.21

40 Del Sarto and Schumacher, p.22

41 Antonio Missiroli, “The ENP Five Years On:Looking Backward and Forward” Paper for Conference: The EU and Its Neighbours:In Search For New Forms of Partnership :Greece, July 3-6, 2008,<http://central.radiopod.gr/en/wp-content/uploads/2008/10/missiroli-the-enp-five-years-on.pdf> p.4 (24 March 2010)

42 Andrea Gawrich, Inna Melnykovska and Rainer Schweickert, “Neighbourhood Europeanization Through ENP:The Case of Ukraine”,Working Paper KFG, The Transformative Power of Europe: No.3, August

II- THE EUROPEAN NEIGHBOURHOOD POLICY

The new global world order, which assimilated the individual security concerns of the states paved the way for the EU, to prove itself as an external actor. The EU by redefining the security threats, caught an opportunity to identify itself as a 'soft power'. In the light of the identification of the mode of its actorness, the EU earned the right to assimilate the inconsistent agents that confronts with its new security perception. Therefore, the ENP appeared as a preventive method of homogenization of the new political order that is challenged by various threats. Since the EU's actorness capability is dependent on its prosperity, harmony, stability and security, to preserve these conditions would be the cardinal concern of it. This is why, the EU in order to preserve this balance, has to keep a protective eye on its neighbours, and furthermore, has to eliminate all the risky factors existing. Accordingly, the ENP appears as the method of enhancement of the resistance in the EU's neighbourhood against the new challenges and “the establishment of chamber of friendship that promotes the common values.”⁴³

A-.THE GENERAL FRAMES OF THE ENP

The Eastern Enlargement determined the EU's new borders. The new borders gifted the EU, with the new neighbours, and the new challenges. The new conditions in a way, forced the EU, to take precautionary, but, helpful measures.⁴⁴ The ENP, which does not promise any EU membership was introduced in 2004, as a huge EU project, welcomes the countries of ; Algeria, Azerbaijan, Armenia, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Ukraine, Moldova, Palestinian, Syria and Tunisia.⁴⁵

2009,Table1,http://www.politik.unikiel.de/publikationen/gawrich/WP_03_August_Melnykovska_Gawrich_Schweickert.pdf (25 March 2010),p.7

43Ulla Holm, “Kuzey Afrika ve Orta Doğu'daki Kriz Kaynakları ve Bölgelerinin Avrupa Birliğinin Güvenliğine Etkileri”, N.Reşat Ödün (Ed), **Türkiye, Nato ve Avrupa Birliği Perspektifinden Kriz Bölgelerinin İncelenmesi ve Türkiye'nin Güvenliğine Etkileri, İkinci Uluslararası Sempozyum Bildirileri**, (69-88) Ankara:SAREM,Genelkurmay Basım Evi,2004, p.85.

44 Commission of The European Communities, European Neighbourhood Policy Strategy Paper, Brussels,2004, http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf (16 May 2009), p.2.

45 European Commission, European Neighbourhood Policy, http://ec.europa.eu/world/enp/policy_en.htm (15 May 2009)

The main goal of the ENP is, to avoid any lack of connection with these regions, and to involve them into the EU's cultural, political, and economic influence area.⁴⁶ The EU tries to spread its European values of democracy, liberty, human rights, rule of law and justice on the neighbourhood territory, by intensifying its political, cultural dialogue, and by creating common concerns and good governance.⁴⁷ Besides, it supports deeper cooperation against the common security concerns such as, prevention of the conflicts and the crisis management.⁴⁸ On the other hand, the ENP encourages the market economy, sustainable development, economic reforms, preferential trade, investment, the integration to the global economic system, in those countries as a part of its rescue activity.⁴⁹ Moreover, the EU plans to involve its neighbouring countries for the enhanced economic cooperation that could entrust them with the “prospect of stake in the EU's internal market and further integration and liberalization to promote the free movement of persons, goods, and capital,”⁵⁰ if they success in their harmonization process.

In this context, the EU believes that the economic success is seriously dependent on the political stability, and on the solution of the territorial clashes. It insists on the claim that security is a must on the way of improvement.⁵¹ In fact, the EU's new security understanding proves that, every item that constructs the security, is dependent on each other. For instance, according to its new security perception, the governance that is lack of authority, democracy, rule of law and human rights, nourishes the territorial clashes. In chain, these clashes trigger the illegal endeavours that undermine the international system. Within the framework of this understanding, the EU functions as a road map, which envisages the possible threats via utilizing the ENP.

The ENP, which is basically founded on the EU's new security perception, presents how states must act with a preventive methods, and in coordination with each other. For

46 Commission of The European Communities, European Neighbourhood Policy Strategy Paper, Brussels,2004 ,http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf , (16 May 2009), p.3.

47 Commission of The European Communities, European Neighbourhood Policy Strategy Paper, Brussels,2004, http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf, (16 May 2009),p. 3.

48 Esra Hatipoğlu,, “**Daha Geniş Avrupa : Avrupa Birliği(AB) nin Komşu Ülkeler Politikasının Analizi**,”Marmara University, journal of European Studies, volume 12 , No.1-2, p.226.

49Hatipoğlu, pp. 225-226.

50 European Communities, Communication From the Commission To The Council and The European Parliament:**Wider Europe,Neighbourhood: A New Framework with Our Eastern and Southern Neighbours**, Brussels, 2003, p.4.

51 European Council, Report on The Implementation of the European Security Strategy: Providing Security in a Changing World,,Brussels, 2008, p.2.

instance, terrorism, which is in the first row of the EU's threat list, could not be dealt separately from the cultural, social, and the political crisis, or from the proliferation of the weapons of mass destruction, and money laundry. It becomes harder to promote the European values in a territory in some part of the world, suffering from the conflicts, and the clashes, which exterminate the human rights, liberty and the rule of law. Furthermore, the EU's security understanding says that state failures are not only the problem of the territory that the state is located on. The degenerated authorities and the incompetent institutions are the factors that increase the organised crime and the terrorism. Likewise, the organised crime nourishes the illicit endeavours that mess up the international ruling system. With an inductive method, it could be claimed that a territorial conflict may cause serious damage to the foundations of the states, eradicates the physical and the social substructure of the state, and causes the economic stagnation and destitution. All these negative formations may drag the states behind the social and the physical reconstruction, which may end in isolation.⁵²

The ENP, which enables the EU with a mission of stabilising its neighbourhood, reinforces the EU's international actorness, which is supported by the UN, the USA, the NATO and by the OSCE. As the security anxieties of the EU were mentioned before, it may be concluded that, the current threats that may be imported from the ENP geography to the world and particularly to the EU as one of the close neighbours, are very intricate. Thereby, the EU cannot tackle with this huge securitization, and development project alone. It can not lose its contact with the UN, the USA, the NATO and the OSCE.⁵³ The method of the EU project is founded on creating common benefit, and coordination areas. This partnership envisages the coordination on politics, security, economy, environment, energy transport, science, culture, human, civil society, justice and home affairs, trade, public health, education, and market regulatory reform. The EU Commission evaluates each country, by arranging country reports, and determines the road map on how to intensify partnership. This process is followed by the arrangement of the ENP Action Plan. Each Action Plan was arranged after mutual diplomacy, and after it satisfied the states' and the EU's priorities. The mutually

⁵² Council of European Union, A Secure Europe In A Better World, European Security Strategy, Brussels, 2003, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf> (9 June 2009), p. 10.

⁵³ European Council, Report on The Implementation of the European Security Strategy: Providing Security in a Changing World, Brussels, 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf, (9 June 2009), p. 2.

approved plan elaborates the coordination areas that was mentioned above, and enables the financial and the technical support.⁵⁴

The Council Joint Action 2008/8539/08 CFSP/ defines the responsibility areas of the Special Representative, who was firstly appointed to the region in 2003, as giving support to the deterrence of all sides involving in conflict, and encourage them for the resolution, and rectify the communication between the EU and the relevant sides.⁵⁵ Despite the Joint Action proves that the EU Special Representative is furnished by the facilities of the CFSP under the Council Decision, the ENP, which is initiated by the Commission, seems to be lack of all CFSP instruments.⁵⁶ In this respect, the contributions of the EU' s instruments to the ENP for the crisis management seem to remain up in the air, when it is evaluated on the institutional plane. They seem to be torn between the pillar differences. The reason that lies behind this indefiniteness is the ENP's being generated by the Commission, and the Commission's incompetency to let the ENP to use the tools of the ESDP, as the part of the CFSP, since the authority to decide on the use of the ESDP device as a part of the CFSP, belongs to the Council.⁵⁷

In this context, the differences between the EU's new civilian crisis management strategy, and the underdeveloped military crisis management strategy should be concretized. The civilian crisis management comprises, "actions in police, the wider rule of law sector including security sector reform, monitoring borders and peace agreement,"⁵⁸ which highly resembles to the ENP content. The EU faces out with the causes that are responsible for the occurrence of the crisis, and tries to cope with them with its own civilian methods. This is exactly, what the ENP tries to achieve. In that sense, the ENP functions as the complementary of the EU civilian crisis management activity, and the vice versa. The EU believes that conflict prevention could be achieved through cooperation projects, development policy, trade, humanitarian aid and through reinforcing the security rehabilitations, as the outcome of

⁵⁴European Commission,European Neighbourhood Policy, http://ec.europa.eu/world/enp/howitworks_en.htm(10 June 2009)

⁵⁵Council Joint Action 2008/CFSP /<http://register.consilium.europa.eu/pdf/en/08/st08/st08539.en08.pdf>, (10 June 2009)p.3.

⁵⁶Stefan Wolf,**The European Union and The Conflict over The Nagorno Karabakh Territory**, Report Prepared For Committee on Member States Obligations, Parliamentary Assembly of the Council of Europe,Berlin, 2007,<http://www.stefanwolff.com/policy-papers/EU-NK.pdf>(14 June 2009),pp.2-3.

⁵⁷Jean F.Crombos, "**The ENP and Crisis Management: Assesing the Use Civilian Power**", Fourth Pan-European Conference on EU Politics, University of Latvia, 25-27 September 2008, [/http://www.jhubc.it/ecpr-riga/virtualpaperroom/003.pdf](http://www.jhubc.it/ecpr-riga/virtualpaperroom/003.pdf), (8 June 2009), p.3.

⁵⁸General Affairs and External Relations Council,Civilian Headline Goal2 010, http://www.consilium.europa.eu/uedocs/cmsUpload/Civilian_Headline_Goal_2010.pdf,(2 June 2009), p.1.

its new security strategy. In this respect, in 2001, the Rapid Reaction Mechanism established to enable the Community, to react quickly and effectively.⁵⁹ Furthermore, the ESDP which has been developed since December 2002, further strengthens EU's foreign policy.

B- THE ENVELOPMENT OF THE SOUTH CAUCASUS BY THE ENP

When we name the geography of the South Caucasus, we mention the overall territory of Georgia, Azerbaijan and Armenia. This region encloses the old routes of the old silk and the spice road, which was surrounded by the Black Sea, and the Caspian.⁶⁰ The Caucasus Mountains, which separates the Caucasian geography, as the north and the south, function as an abundant natural resources.⁶¹ The ethnic structure of the region is very complex.⁶² The fact that the local people had been expelled from their region by the Russian authorities, and that Russia had forced the remaining people for obligatory coexistence with the minority, had caused this intricate structure. In fact, "The Russian Authority's choosing the minority as the governors of the people in predominance functioned as a fuse for today's conflicts."⁶³ The conflicts have become rooted in the region, as the result of the old Russian hegemonic policy, which adopted the method of 'divide and rule', in order to assimilate the national expectations. After the collapse of the de jure Russian hegemony in the region, the conflicts came to light in the EU's near abroad.

59 EU Legislation, Rapid Reaction Mechanism, http://europa.eu/legislation_summaries/foreign_and_security_policy/conflict_prevention/r12701_en.htm (2 June 2009)

60 Ali Faik Demir, *Türk Dış Politikası Perspektifinden Güney Kafkasya*, 1. basım, İstanbul: Bağlam Yayıncılık, 2003, p.61.

61 There are coal, iron substance, zinc, copper, lead, molybdenum and manganese, oil and natural gas are the natural resources of the South Caucasus. Demir, *Türk Dış Politikası Perspektifinden Güney Kafkasya*, p.62.

62 In today's Azerbaijan, there live the Azerbaijanis, the Armenians, Avars, Tats, Talishes and Kurds. As a matter of fact the Avars as The Lezgis, Dargıs, Laks and the Kumuks belong to the Daghestan community. In today's Georgian Republic, there live the Georgians and Megrels, the Laz, the Svans, the Bats, Armenians, Jewish, Assyrians the Abhazians, the Ingushians, the Ajerians, as the subcultures of the Georgians and in today's Armenian Republic, there live the Armenians and the Azerbaijanis. Christianity is widespread among the communities of the Georgians and Armenians. Despite the fact that they represent a smaller community than Georgians, the Ossetians and The Abhazians constitute the other significant Christian population. On the other hand, Islam is another influential religion that finds a space among the Caucasus community. Azerbaijan comes into prominence as a country adopting Shi'i Islam as an official religion but there also exist people who adopted Sunni Islam in Georgia, in Armenia and in Azerbaijan. Demir, pp.67-71 and Ufuk Tavkul, *Kafkasya Gerçeği*, İstanbul: Selenge Yayınları 2007, pp.133-187.

63 Demir, *Türk Dış Politikası Perspektifinden Güney Kafkasya*, p.70.

In fact, the EU' s official relations with the states of the region go back to 1996. In this year, the EU and the South Caucasus states signed the Partnership and Cooperation Agreement, which conducted their cooperation, and which gained validity in 1999.⁶⁴ Although, the recommendations and services to each country in the PCA “differs one another in accordance with the separate measures offered to each country in compatible with their structures, they enclose the political dialogue, trade and economic cooperation in principal.”⁶⁵ The EU in the framework of the Partnership and Cooperation Agreement, (1996) presented the TACIS (Technical Assistance for the Commonwealth of Independent States) Programme for the newly independent countries.⁶⁶

The programme TACIS was a kind of support cane for the newly independent countries, in order to ease their transition process. The transition period required the help on different areas such as; help needed for the acceleration of the juridical, institutional and administrative reconstructioning process, for the strengthening of the private sector and the economy, for the improvement of the infrastructure, for the environmental management, and finally for the right use of natural resources.⁶⁷ In parallel with this, The TRACECA programme was (Transport Corridor Europe, Caucasus, Asia: European Caucasus Asian Transport Corridor) introduced.⁶⁸ The goal of the TRACECA programme was to reinforce the political and economic communication in the Black Sea, the Caucasus and in the Central Asia, by creating an uninterrupted conveyance system.⁶⁹ In addition to all, the EU presented INNOGATE (Interstate Oil and Gas Transport to Europe) programme. The main goal of the programme was to help the CIS and the South Caucasus countries in surmounting the technical, and the financial difficulties.⁷⁰ All programmes that were tackled under the External Policy of the EU with the Commission competence, had become the fundamentals of the ENP years later. In 2001, the General Affairs and External Relations Council announced the EU's

64 European Commission, External Relations, /http://ec.europa.eu/external_relations/azerbaijan/index_en.htm(3 haziran 2009), and Patrick Donabedian and Claude Mutafian, “Introduction To the Caucasian Knot”,**The Caucasian Knot**, Levon Chorbaijan, Patrick Donabedian, Claude Mutafian, London, New Jersey:Zed Books,1994,p.78.

65 Esra Hatipoğlu, “Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu” ,Okan Yeşilot(ed),**Değişen Dünya Düzeninde Kafkasya**, içinde,(19-30),İstanbul:Kitabevi,2005, p. 23.

66 Nadir Devlet,”Rusya Federasyonun Güney Kafkasya Siyaseti ve Türkiyeye Etkileri” ,Okan Yeşilot(Ed) **Değişen Dünya Düzeninde Kafkasya**, (1-17),İstanbul:Kitabevi,2005,p.11.

67 Eulegislation,Tacisprogramme,/ http://europa.eu/legislation_summaries/external_relations/reasons_with_third_countries/eastern_europe_and_central_asia/r17003_en.htm(16 July 2009)

68 Devlet, *Rusya Federasyonun Güney Kafkasya Siyaseti ve Türkiyeye Etkileri*, p.11.

69 EC, Trecaca Programme, <http://www.traceca-org.org/default.php?l=en> (17 July 2009)

70 Devlet, *Rusya Federasyonun Güney Kafkasya Siyaseti ve Türkiyeye Etkileri*, pp.11-12.

“stronger and more active interest”(…) in the South Caucasus, in order to sustain the process “to prevent and resolve conflicts and assist in post conflict rehabilitation.”⁷¹

In 2002 of December, Romano Prodi, the president of the EU's Commission made his influential speech under the title of For Wider Europe and the Neighbourhood Strategy of the EU, and this pretty much constructed the current norms of the ENP, and triggered the EU Commission, to rearrange these norms under the official document called, The Wider Europe and Neighbourhood.⁷² The document comprised the message that the EU was aware of the future challenges, and felt obliged to eliminate the dividing lines, in order to create a “zone of prosperity and friendly neighbourhood.”⁷³ The document presents the EU as a political actor, who should interfere the crisis, and the conflict areas more effectual. Yet, the EU's making the way for the South Caucasus states' appearing on the ENP, had almost come out as the positive consequence of the report, arranged by Javier Solana under title of A Secure Europe in a Better World in June 2003.⁷⁴ Subsequent to this process, “Heikki Talvitie was appointed to the South Caucasus as the EU' s Special Representative in 2003 and involved Azerbaijan, Armenia and Georgia in the context of ENP in 2004.”⁷⁵

In this respect the ENP was sanctified as method of nurturing steadiness, safety and prosperity for all, by eroding the old realist perception that, states have to safeguard their national benefits, against the other nations. Andrew Linklater asserted that “ethical states are required to put the welfare of international society ahead of the relentless pursuit of their own national interest.”(…)As a complementary comment, Dunne and Wheeler claimed that “states that are good citizens not only have to place order before the pursuit of narrow commercial and political advantage, they are also required to forsake these advantages when they conflict with human rights.”⁷⁶ According to Habermas, the assertion of ethical should be based on “utility, values and rights.”⁷⁷ Utility can be recognized as, earnings in safekeeping, economy,

71 Tracey C. German “Visibly Invisible:EU Enlargement in Conflict Resolution in the South Caucasus”, (Electronic Version)*European Security*, Vol.16,No.3-4 (September-December 2007),(357-374), (12.05.2009),p.358.

72 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, p.20.

73 EU Commission, Communication from The Commission To The Council and The European Parliament : Wider Europe-Neighbourhood: A new Framework For Relations with our Eastern and Southern Neighbours, Brussels, 2003, http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf 22 July 2009), p.4.

74 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, pp.21-22.

75 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, p.25.

76 Esther Barbe and Elisabeth Johansson Noguees, “The EU as a Modest Force For Good, The European neighbourhood Policy”(Electronic Version)*International Affairs*, Vol.84 No.1, 2008,(81-96) (13.05.2009), pp. 82-83.

77 Barbe and Elisabeth Johansson Noguees, p.84.

or welfare of the people. Values can be recognized as the prosperity that is based on political choice that considers the collective benefit. Rights can be recognized as developing policy by taking into account of the universal rules such as, democracy, the rule of law and the human rights.⁷⁸ In this respect, the ENP could be interpreted as an ethical project, and likewise, the EU as the “ethical actor,”⁷⁹ who may response to the new conjecture, in spite of the fact that it has some domestic challenges. This makes the EU, a notable actor at the international system.

Despite, John Ruggie's representing the EU as;“The first postmodern international political form,”⁸⁰ still, there are some heavy criticisms against the EU's ethical actorness. According to this understanding; “Many states with hegemonic or power maximizing goals have wrapped their particular interest in cosmopolitan or universal language claiming that what is good for them is good for the world as a whole.”(...)E:H Carr appears as one of the defenders of this claim. He asserts that “clothing one's own interest in the guise of universal interest for the purpose of imposing it on the rest of the world is nothing new.”⁸¹ On the other hand, Morgenthau supports this approach by claiming that “Political realism refuses to identify the moral aspirations of a particular nation with the moral laws that govern the universe.”⁸² Little differently, there is one more belief that, even if, the EU adopts the good intentions for the people, the international disorder in pluralist system restrains it.⁸³ The dissimilarity of the political, cultural, economic and the security structures begets the discrimination in Europe, and triggers the disorder in the pluralist system. Russia is seen as the cause of the discrimination and the isolation in the South Caucasus, which places the region in the priority list of the ENP. According to the EU, the South Caucasus was an insecure region that may endanger the EU security zone, by discharging its risks.⁸⁴ Primarily, the South Caucasus region could be perceived, as both the Asian, and the European territory

78 Barbe and Elisabeth Johansson Nogue, pp. 84-85.

79 Barbe and Elisabeth Johansson Nogue, p.93.

80 Charlotte Bretherton and John Vogler, **The European Union as a Global Actor**, London and New York: Routledge, 1999, p. 1. introduction part.

81 Adrian Hyde Price, “A Tragic Actor? A Realist Perspective on Ethical Power Europe”(Electronic Version), *International Affairs*, Vol.84 No.1, 2008, (29-44)(14.05.2009), p.33.

82 Price, p.35.

83 Price, p.36.

84 Tracey C. German, “Visibly Invisible: EU Enlargement in Conflict Resolution in the South Caucasus”, (Electronic Version) *European Security*, Vol.16, No.3-4 (September-December 2007), (357-374) (12.05.2009), p.358.

despite the “long Sovietisation process”⁸⁵ of the Caucasus people.⁸⁶

In fact, what the ENP tries to achieve for the sake of the South Caucasus countries is, to undermine the negative impact of the illegal habitual practices of the communist system, and to eliminate the security risks that may occur in relation to these practices during the transition period. The EU has to cope with this conditions, since the demolition of the communist system validated all the practices, which had been unlawful before, among the ex states of the Soviet Federation. Naturally, the South Caucasus states had been the part of this huge collapse.⁸⁷ For instance, some so called states that are not known by the international system, aroused after the collapse of the Soviet Federation. The Pridnestrovian Moldovan Republic, The Republic of Abkhazia, The Republic of South Ossetia, and the Nagorno Karabakh Republic are all anarchic entities, which exist outside the international system. Essentially, these illegal existences nourished from the governmental impotence of the border states.⁸⁸

Only, The South Caucasus region was too important to be neglected. This region by encircling the countries of Azerbaijan, Georgia and Armenia, is evaluated as a region that has very crucial geo-strategic and geo-political position. It is being surrounded with Russia, the Black Sea, the Caspian Sea, Turkey and Iran, transforms it into a hub of energy lines.⁸⁹ It's functioning as a passage, which unites the Caspian oil and the gas with the world markets, and of course, with the EU, clarifies the reasons why the region is prioritized both by the EU and by the other external actors. In that sense, the South Caucasus comes into prominence in the ENP, as it provides the EU with the facility of reaching to the Caspian Region, the Central Asia, The Black Sea, and to the old influence area of Russia.⁹⁰

The relation between the EU' s energy policy and the ENP is based on the truth that the EU is highly in need of energy, just like any other state. Despite the fact that there exist

85Alaeddin Yalçinkaya, **Kafkasyada Siyasi gelişmeler:Etnik Düğümden Küresel Kördüğüme**, Ankara: Lalezar Kitabevi,2006,p.1.

86 Yalçinkaya, p.1.

87 James Sherr, “Strengthening Soft Security: What is To Be Done?”(Electronic Version), *European Security*,No.13, issue 1&2,2004 (157-167)(15.May .2009),pp.157-158.

88 Adrian Hyde Price “A Tragic Actor? A Realist Perspective on Ethical Power Europe”(Electronic Version),*International Affairs*, Vol.84 No.1,2008, (29-44)(14.May .2009),p.162.

89 Tracey C. German, “Visibly Invisible:EU Enlargement in Conflict Resolution in the South Caucasus”, (Electronic Version)*European Security* , Vol.16, No.3-4 (September-December 2007),(357-374) (12.May.2009),p.359.

90 Yalçinkaya, p.2.

multiple energy suppliers in world, the problem lies in the arbitrary attitude of the suppliers, who may leave the receiver devoid of energy sometimes. Therefore, the first priority of the EU is, to provide alternative loyal suppliers in order to mitigate the weakness, in the matter of procurement of energy from one source. Another challenge to the EU is, the increasing global demand to energy, which places the insufficiency of the energy sources on the agenda. This is why, on one hand, the EU prioritizes the conservation of current energy sources on the other hand, it strives for redounding the energy assortment and the energy sources.⁹¹

In this respect, the EU pulls the remote but prospective energy sources to itself such as, the Southern Gas, which will convey the Caspian and the Middle Eastern gas. The EU aims to improve the electricity, and the gas linkage lines throughout all Europe.⁹² This is why, the Black Sea Synergy, a new region cooperation initiative, tries to promote the European values in the region, and encourage the old actors of the region, in order to enhance the regional communication. Primarily, the EU envisages that this communication will spill out on the energy area, bring together the energy suppliers and the energy users, and create a synergy.⁹³ Yet, the challenge against the Black Sea Synergy, which is expected to contribute to the ENP, is Russia's "Near Abroad policy,"⁹⁴ which is nourished out of the regional conflicts and arbitrary political manoeuvres, in order to keep the region in its monopoly.⁹⁵ The fact that regional synergy is based on energy, which has become the primary source of battle for years, is challenging owing to the fact that other global actors will be in pursuit of sustainable energy, which contributes to the sustainable economies,⁹⁶ and to the EU's inability to influence the regional dynamics, in comparison to the powerful regional actors.⁹⁷

91 European Commission, Energy: Security of Supply, http://ec.europa.eu/energy/security/index_en.htm (12.May .2009)and, Necdet Pamir, "Rus gazı ve Enerjide Bağımlılığın Bedeli" ,**Stratejik Analiz**, No.70,Şubat 2006 ,pp.18-19.

92 The EU Legislation, Energy Security and Solidarity Action Plan, http://europa.eu/legislation_summaries/energy/european_energy_policy/en0003_en.htm (13.May. 2009)

93 EU Legislation, Black Sea Synergy, http://europa.eu/legislation_summaries/energy/external_dimension_enlargement/r17102_en.htm (13.May .2009)

94Fırat Purtaş, "Rusya'ya ve Rus Dış Politikasına Panoramik Bir Bakış", **Stratejik Analiz**,No.84,Nisan 2007,p.23.

95 Hamit Ersoy and Lale Ersoy, **Küreselleşen Dünyada Bölgesel Oluşumlar ve Türkiye**,Ankara:Siyasal Kitabevi,2002, p.198.

96 Ersoy, and Lale Ersoy, p.193.

97 Ersoy, and Lale Ersoy, p.121.

C- THE DOMESTIC CHALLENGES TO THE NEIGHBOURHOOD POLICY

With a good judgement, it could be claimed that The Neighbourhood Policy has some problematic and weak sides. For instance, despite the fact that the EU has serious intentions of sharing its market facilities, and freedoms with the ENP countries, it cannot make certain of how, and when this may come true. Likewise, the EU cannot rehabilitate the access routines of the citizens of partner states in spite of the fact that, it incites for enhanced cross border collaboration,⁹⁸ which means that the partner states are devoid of the freedom of moving in the EU geography. The EU retains the instrument of the Schengen Area, which is too far to initiate the security zone since the solution of the problem is multidimensional. As much as the EU's border regime, the inter regimes of the bordering states in the region gain importance, when the success of the Schengen is considered. This was the outcome of the fragile relations that the regional states established with Russia. For instance, according to the claims of the State Committee on the State Border of Ukraine, until 2003, the de facto border between Russia and Ukraine had not been determined, in spite of the fact that this accession zone is the passageway of the illicit groups and the migrants.⁹⁹ In that sense, we can not only consider the mutual border regime arrangements of the EU with the old Soviet states, we have to take in to account of the ongoing Russian impact on these states.

Yet the major problem in front of the EU in regulating the ENP is, the regional conflicts. It is named as a major problem, because this problem is adverse to the principles of the existence of the EU's policy. The ENP was formulated on spreading its new security understanding to the new neighbourhood of the EU.¹⁰⁰ That is to say, if the EU could not eliminate the obstacles, which diminishes its efficiency in the settlement of the conflict, the ENP may not be so prospective, and the EU may not be titled as a successful international actor. According to the EU's new security perception; destitution, decay in economy,

⁹⁸ European Commission: Communication From The Commission To The Council and the European parliament: On Strengthening The European Neighbourhood Policy, Brussels, 2006, http://ec.europa.eu/world/enp/pdf/com06_726_en.pdf (20 June 2009), p.3.

⁹⁹ Adrian Hyde Price, "A Tragic Actor? A Realist Perspective on Ethical Power Europe"(Electronic Version), *International Affairs*, Vol.84 No.1, 2008, (29-44)(14.May 2009), p.164.

¹⁰⁰ EU Commission, Communication From The Commission To The Council and the European parliament: On Strengthening The European Neighbourhood Policy, Brussels, 2006, http://ec.europa.eu/world/enp/pdf/com06_726_en.pdf, (20 June 2009), p.9.

unbalanced dispersion of the resources, maladministration, racism, any segregation, displaced people, suffering minority groups, environmental deterioration, contagious disease, human trafficking are all different circumstances that trigger the conflicts.¹⁰¹ Likewise, the dynamics that provoke the crisis in the South Caucasus are multidimensional:

*The weak state structure, defraud, the inability to put law into practice, the discussions on the legality of the current governments, the social and economic disillusion and in parallel with this the potential social reaction, weak political culture, nationalistic and ethnic clashes, the personification of the politics, regions' being at the focus of other regional and global actor's interest area and their intention to preserve this ill situation.*¹⁰²

Despite the fact that, the EU has generated a huge project and strong claims, the ENP policy instruments are not designed in compliance with the settlement of the conflicts, or with any crisis management strategies such as, peacekeeping. Actually, the problem occurs in the structure of the EU itself, which is separated between three pillars. While, the first pillar namely, the supranational institution represented by the Commission may only give decision in favour of the conflict prevention, and the post conflict reconstructions, the second pillar namely, the intergovernmental institution, represented by the Council of the EU, focuses on the confidence building, and the conflict management.

Stefan Ganzle summarized the situation as “cross pillar problem,”¹⁰³ which comes to mean that while the ENP was generated under the first pillar with the authority of the Commission, the conflict management was generated under the second pillar with the authority of the Council. Fundamentally, The article 17.2 of The European Union Treaty clarifies the EU's status in the crisis management. The intervention status comprises both the civilian and the military scopes by depending on both the decision area of the first pillar, and the second pillar.¹⁰⁴ Then, the hesitation occurs that while the EU conflict management instruments can make use of facilities of both pillars, the ENP conflict management instruments are limited to only the first pillar authority.¹⁰⁵ In short, the fact that there exists

101 EU Legislation: Conflict Prevention, http://europa.eu/legislation_summaries/foreign_and_security_policy/conflict_prevention/r12700_en.htm, (18 June 2009)

102 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, p.26.

103 Jean F. Crombois, “The ENP and EU Actions in Conflict Management: Comparing Between Eastern Europe and The Maghreb” (Electronic version), *Perspectives*, Vol 16, No.2, 2008 (16.May .2009), p.35.

104 Crombois, pp.30-35.

105 Crombois, p.41.

“the lack of internal coherence”(…) and “the lack of external coherence”¹⁰⁶ between the civilian crisis instruments, the actors of the ENP and the ESDP, arise as a spiny issue in term of the EU.

In this respect, how the EU defines itself as an international actor, gains importance. It's insistently describing itself, as the civilian power, in spite of its being empowered with the military competency in a way, proves its neglect of the military side.¹⁰⁷ On the other hand, it is embracing the security actorness by creating the European security strategy (2003) rises the expectations of the EU's strengthening its military capabilities.¹⁰⁸ Otherwise, the EU is doomed to tackle with the “non defence areas “(…) named as “economic security, environmental security and common security”(…) by adopting the new perception of security. In this context, security is dislocated into another sphere. It was converted to “a concern to reduce or eliminate threats, risks or merely uncertainties in a number of different areas of activity-political, economic, and environmental and so on, as well as dealing with threats of strictly military nature.”¹⁰⁹

In other words, the EU presents a new security understanding, which could be called “soft security,”(…) which does not interfere the area of “hard security”¹¹⁰ and, this determined the EU's harmony with the external actors. Essentially, hard security means heavy financial burden on the EU. Having a loose structure; it is difficult to provide the coherency among the member states. Besides, the EU has to utilize its budget for the welfare of its citizens as a priority.¹¹¹ It has been difficult for the EU to convince all the member states' for the approval of the single decision. Different member states may have different drawbacks in different cases. In this respect, another internal discord arises among the member states. For instance, some members' being in favour of the EU's closest strategic partner, the USA, in spite of the fact that some are not, is an open presentation of the internal discord that may occur. The

106_European Consortium For Political Research Standing Group on The European Union, Fourth Pan European Conference on The EU Politics, University of Latvia,Riga, Latvia.,25-27 September 2008,(19 June 2009), p.16.

107 Brian White, **Understanding European Foreign Policy**,2.edition,Wales:Palgrave,2001, p.28.

108 Tanguy de Wilde and Gaelle Pellon, “The Implications of The European Neighbourhood(ENP) on the EU-Russian Strategic Partnership”, **Helsinki Monitor**, April 2006, Vol.17,issue2, p.121.

109 Brian White, **Understanding European Foreign Policy**, 2.edition,Wales:Palgrave,2001,p.142, (Buzan1990:4-5;Stainer 1995:17)

110 White, p.143.

111 David P.Calleo, “How Could Europe Save the World”,(electronic version)*World Policy Journal*, Fall 2008,Vol 25, No.3(15 May 2009),p.5.

member states such as, Italy, Great Britain and Spain, who are backing the USA methods are called, the Atlanticists. On the other hand, the opponent group such as, France and Germany who supported the European military power are called, the Europeanists.¹¹² The reasons that lie under this disagreement could be evaluated as; the USA's tendency to military solutions namely, the hard security instruments in order to keep its supremacy by neglecting the multilateral ones and the international rules, rather than embracing the long lasting strategies. Yet, the EU's security perception differs highly than the USA's. The EU tries to employ the political, economic, social and the cultural instruments. The EU prefers to be compatible with the non governmental international organisations, and the international rules.¹¹³ Therefore, the individual policies cherished by Britain, France and Germany, undermines the EU's efficiency in the region.¹¹⁴

France and Germany create their individual policies on the South Caucasus and the Central Asia, by considering this geography as their interest area. France contributes to the OSCE, the UN and the EU practices, in order to strengthen its individual existence in the region.. Nevertheless, France can not be expected to be a reliable actor, or a peace mediator in Azerbaijan-Armenian conflict owing to the fact that it embraces Armenian diaspora in its country. France prioritized to rescue the states in the region from the Russian influence area, by enhancing its cooperation areas in the region. In this respect;

*France constituted a chamber of industry and trade in common with the Azerbaijan. It took over the distribution of the water in Baku. Besides, France made 20 different agreements with Georgia that comprises the issues of energy, agriculture, telecommunication and etc.*¹¹⁵

Despite the approach of France, Germany was in favour of the Russia's being recognised as a part in struggling against the instability. The NATO-EU partnership and the EU's strong actorness in the conflict resolution was promoted by Germany, and it did not neglect the USA's actorness in the region. Germany has become a powerful trade partner for the states in

112 Hanspeter Neuhold, "The European Union and The United States: An Increasingly Difficult Relationship" Krassimir Y. Nikolov (Ed) **More Than A Dwarf** (43-50), Sofia: Bulgarian European Community Studies Association, p. 47. and Antonio Missiroli, "How it works" Nicole Gnesotto (Ed), **EU Security and Defence Policy**,(55-72),Paris:EU Institute for Security Studies, p. 55.

113 Hanspeter Neuhold, "The European Union and The United States: An Increasingly Difficult Relationship" ,Krassimir Y. Nikolov (Ed), **More Than A Dwarf** (43-50), Sofia: Bulgarian European Community Studies Association, pp.45-46.

114 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, p.26.

115 Ali Faik Demir, **Türk Dış Politikası perspektifinden Güney Kafkasya**, 1.basım,Ankara:Bağlam yayıncılık,2003, p.152.

the South Caucasus.¹¹⁶ For instance, “It exports, electronic equipment, trucks, nutritional products and imports gold, nickel, copper, fruit and vegetables.”¹¹⁷ Furthermore, “there are a lot of German institutions making studies on the region which helps in formation of the South Caucasus policy.”¹¹⁸

In this context, the EU by deciding to improve its military collaboration with the NATO in the framework of the Berlin-Plus Decisions taken in 2002, in a way, avoids the direct bilateral dialogue with the USA, which came out as drawbacks for some members.¹¹⁹ Alongside, the EU's being perceived as a complementary actor, functions as a challenge against the EU policy. This undermines the EU's trump, since the EU rules are not binding on the neighbouring countries in the framework of the ENP. Another internal challenge, which seems to be a potential obstacle in front of the ENP, is the late discovery of the region by the EU. The late discovery of the region caused the EU's manoeuvring in dependence to the regional, and the global actor's manoeuvres in the region, rather than the predetermined strategies.¹²⁰ In parallel with this challenge, the destiny of the South Caucasus policy is rather dependent on “the question that which country keeps the control of the Commission presidency and on what the efficient people think, taking place in the key decision making mechanisms of the EU.”¹²¹

116 Demir, pp. 152-153.

117 Demir, p. 153.

118 Demir, p. 154.

119 Hanspeter Neuhold, “The European Union and The United States: An Increasingly Difficult Relationship”, Krassmir Y.Nikolov.(Ed), **More Than A Dwarf** (43-50), Sofia: Bulgarian European Community Studies Association, 2004, p.47.

120 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, pp.26-27.

121 Hatipoğlu, *Avrupa Komşuluk Politikasının Güney Kafkasya Boyutu*, p. 27.

III-DYNAMICS IN THE TRANS-CAUCASIAN GEOGRAPHY

After the collapse of the Soviet Union, the Trans-Caucasian geography had been transformed to the competition arena of the regional, and the global powers, who are aspirant to make use of the political vacuum occurred. Yet, the political vacuum, was sheltering various security threats, and the competition between different actors was deepening the security vacuum.

The EU, who seems to be eager to dispose of the security vacuum in the region, has to differentiate its position as an ethical actor, among the other actors, and support the three states in their struggle for deliverance, from the old rotten political order of the Soviet Union, which bequeathed the regional crises. Since, the regional crises are the strongest obstacles in front of the EU's endeavours to integrate the Trans-Caucasian states in to the western political order, its success would be dependent on to what extent the EU would contribute to the discovery of the real causes of the conflicts, which would lead it to generate convenient resolution methods. In the light of the political actuality of the three states, in those years, the complex geopolitical mood of the South Caucasus will be identified.

A- AZERBAIJAN AS THE PIVOT OF THE ENP

Azerbaijan¹²² as having the richest oil resources had become the focus area of the regional and the global powers after its independence. Essentially, this attention was redoubled when the country began to suffer from the conflicts. Since there was a huge pipeline project, which would enable the transmission of the Azerbaijan and the Caspian oil and the natural gas to the world, by making Azerbaijan both an important supplier and the transit country.

122 Azerbaijan has a 765km of border with Iran and 15 km of border with Turkey on the South. It has 390 km of border with the Russia on the north and 480 km of border with Georgia on the Northwest and 1007 km of border with Armenia on the West. Azerbaijan has one autonomous region under its administration: The Nakhchivan Autonomous Republics, 65 districts, 69 cities and 13 city districts and 130 urban villages, Azerbaijan Government, Azerbaijan Territory, http://www.president.az/browse.php?sec_id=50&lang=en (23 July 2009)

The period after the independence was tough, in terms of Azerbaijan that was struggling with different problems. On one hand, there was Azerbaijan People's Front under the leadership of Elchibey, on the other hand, there was a political power under the governance of Muttalibov, who can not abandon the Russian protection, and insist on involving in the CIS. Elchibey was strongly against the CIS membership, which meant to be devoid of an absolute independence. Throughout the year of 1991, Azerbaijan did not only struggle with the mal-governance of Muttalibov, but also had to war with Armenia, who sieged ten Azerbaijan villages and Hocalı, which meant the blockade of the Mountainous Karabakh with the Russian military support. However, in June 1992, The Azerbaijan People's Front got hold of the political power but, they still had to face with the serious problems, since Azerbaijan had become an area of illicit actions and the plunder. Therefore, Elchibey claimed that Azerbaijan's presentation of self reliant existence on the international arena and its economic development, is dependent on the solution of the Karabakh problem, in the framework of the OSCE and the UN. Elchibey believed that the primary condition for the solution is the recognition of the territorial integrity of Azerbaijan, and envisaged that, a strong national army would be the guarantor of the political settlement of the Karabakh conflict.¹²³

On the other hand, his second priority was to integrate the Caucasian states under the Turkic identity.¹²⁴ Elchibey was adopting Turkish nationalism as an ideology, and this approach of him deteriorated the relations with Iran. The fact that there had been huge number of Azerbaijani Turk living in the North part of Iran, and Elchibey's making the Single Azerbaijan as the current issue of his political agenda, had become the negative factors that accelerated this deterioration. A multilateral approach was important in term of Elcibey "in order to rescue Azerbaijan from the Russian political and military influence area,"¹²⁵ which Elchibey perceived as the greatest threat, since this was the factor that triggered Azerbaijan's

123 Elchibey would summarize the current situation in the Azerbaijan as: The lack of national army, engendered the territorial lost and the obligatory immigration of the people from the conquered territories. Due to the non functioning institutions of the government and corruption which triggered the existence of illegal groups and illegal deeds such as; smuggling of valuable materials, raw stuff and animals, Azerbaijan had become an area of plunder. The ex government's lagging in adopting an independent foreign policy. Nazim Cafersoy, **Elçibey Dönemi Azerbaycan Dış Politikası**, Ankara:Avrasya Stratejik Araştırmalar merkezi yayınları,2001, p. 47.

124 Demir, *Türk Dış Politikası Perspektifinden Güney Kafkasya*, p.97. and Nazim Cafersoy and the others, " Azerbaycan bağımsızlığının Diğer Adı:Ebülfez Elçibey", **Stratejik Analiz**,Vol.1,No.5, September 2000, p.21.

125 Araz Aslanlı and İlham Hesenov, **Haydar Aliyev Dönemi Azerbaycan Dış Politikası**, Ankara:Platin yayınları ,2005, p.33.

isolation. According to him, this approach, particularly, the relations with the OSCE would undermine the political manoeuvres of the Russia, who used the Karabakh issue against Azerbaijan.¹²⁶ Owing to such drawbacks, Azerbaijan, joined in the OSCE and in the UN in 1992.¹²⁷ Hence, Azerbaijan's diverging from Russia, resisting to the CIS, and showing inclination to place the Karabakh issue on the international arena, aggravated the conditions against the Azerbaijan. In this context, the various dynamics such as; “The ongoing war, migration movements by depending on the war conditions, new balances, some applications of Moscow, the collapse of the economy and the fall of the Kelbecer after Lachin”¹²⁸ had served for the decline of Elchibey government.

In subsequent to Elchibey, Haydar Aliyev got the leadership. The country was in political turmoil. The Lezghies, an ethnical group in Azerbaijan, had turned out to be the cardinal actors of this internal turmoil. In parallel with the Lezgi revolt, the Karabakh problem was surged again. Meanwhile, Aliyev declared the Russia's partial position, by revealing its military equipment support to Armenia, and decided to be closer to Turkey. In this respect, in 1997 of May, he visited Ankara and initiated the Strategic Partnership with Turkey. The agreement enclosed the issues of placing Turkey, at the heart of oil import routes of Azerbaijan; bolding the tone of Turkish political reactions against Armenia in accordance with the Karabakh conflict; and the evacuation of the Armenian forces from Azerbaijan territory and the economic embargo. This was followed by the Ankara Declaration, which was signed in 1998.¹²⁹

The vanish of the Soviet federalism determined the new actorness in the region, by destructing the ex actorness, and by empowering the new players. The new political struggle aimed to achieve in the participation race, which offered good share from the redistribution of the energy sources. Azerbaijan was lucky in terms of being located on such a geography that is rich of oil and natural resources. This prioritized Azerbaijan's position in the context of

126 Nazim Cafersoy and the others, “ Azerbaycan bağımsızlığının Diğer Adı: Ebülfez Elçibey”, **Stratejik Analiz**, Vol.1, No.5, September 2000 p.20.

127 Republic of Azerbaijan, Ministry of Foreign Affairs, Azerbaijan United Nations, http://www.mfa.gov.az/eng/index.php?option=com_content&task=view&id=549&Itemid=1 and Azerbaijan-OSCE, http://www.mfa.gov.az/eng/index.php?option=com_content&task=view&id=551&Itemid=1 (11 July 2009)

128 Demir, p.98.

129 As a matter of fact, in 1992 this ethnic group revolted against the government with the territory claims from the Azerbaijan geography; between the north of Azerbaijan and the south of Dagestan, in order to establish Lezgisistan Republic. Demir, *Türk Dış Politikası Perspektifinden Güney Kafkasya*, pp. 99-105.

policy formation of the regional, and the global actors.¹³⁰ Essentially, Azerbaijan comprehended energy resources as the greatest chance to resist against Russia and Armenia. By transforming its geography into an international benefit area, which was expected to end in over securitization of the Azerbaijan territory, and according as; with the solution of the Karabakh conflict, Azerbaijan could reposition itself.

Despite the fact that both Elchibey and Aliyev have the ultimate goal of gaining real independence from Russia, their methods were rather different. The difference in approach displayed itself, during the activation of the energy policies. Elchibey adopted the idea that the Caspian oil should reach to Ceyhan. On the other hand, Aliyev was distant to the project that would carry Turkey to a more prominent position, since this would trouble its relations with Russia. Besides, the territory on the route of the imagined pipeline was chaotic. Azerbaijan and Georgian were still suffering of the conflict. The conveyance arteries were blocked, owing to the conflicts in Abkhazia and Ajaria.¹³¹ Within such a desperate political scene, Elchibey declared that the only choice was Armenia for the import of the Azerbaijan oil.¹³² His theory behind this declaration was more interesting. He explained the situation with these words:

*The Azerbaijan and Armenia are like the two prisoners who are captivated in two different cells of the big Russian prison. We could set ourselves free from Russia but Armenia could not. This pipeline would also set them free from Russia. As long as Armenia remain under the domination of Russia, there would be no way of real peace in Caucasus*¹³³

Since BOTAŞ, owing to Azerbaijan's loosing territory to Armenians, abandoned the Armenian choice, the Mediterranean or the Black Sea remained as the strongest alternatives, for the conveyance of Azerbaijan oil to the international markets. However, while one project was to be enlivening the importance of Turkey, the other project would strengthen Russia's position in the region.¹³⁴ At last, "The memorandum of Understanding No 1 Export Pipeline Protocol

130 Araz Aslanlı and İlham Hesenov, **Haydar Aliyev Dönemi Azerbaycan Dış Politikası**, Ankara:Platin yayınları, 2005, p.85. and Cenk Pala, Hasan Kanbolat and others, "Baku Tiflis Ceyhan 21.yüzyılın İpek Yolu",**Stratejik Analiz**,Vol.6,No.62,Haziran 2005, p.18.

131 Yunus Şen, **Hazarın Kanı:Orta Asyanın Petrolle Yazılan Tarihi**,İstanbul,Doğan Egmont yayıncılık, 1.baskı. 2009, pp..56-57 and Atakan Gül, Ayfer Yazgan Gül, **Avrasya Boru Hatları ve Türkiye**, İstanbul:Bağlam yayıncılık, 1.basım, 1995, p.39.

132 Şen, pp..56-57 and Gül, Ayfer Yazgan Gül, p.57.

133 Şen, p. 57.

134 Şen,pp. 68-69.

was signed in Baku 1992 by BOTAŞ, AMOCO, and PENNZOIL and by SOCAR”.¹³⁵ Following the memorandum of 1992, “the pre agreement of Baku-Ceyhan Export crude oil pipeline was signed in 1993.”¹³⁶ In fact, the architect of the process that opened up the Azerbaijan oil to international companies was Elchibey himself. He initiated the project in 1992, by deriving SOCAR from Azerineft and Azneftkimya.¹³⁷ Afterwards, he called in the international oil companies of AMOCO, BP, MCDERMOTT; PENNZOIL, UNOCAL; RAMCO, STATOIL and TPAO for the international consortium.¹³⁸

However, Russia's not tolerating of remaining outside the consortium triggered, its advocating attitude in favour of Armenia. Moreover, Azerbaijan's gradually losing more territory, speeded up the internal strife, which resulted in termination of the Elchibey period. On the other hand, Aliyev's pragmatic attitude enforced him “to suspend the dialogue with the international oil companies and cancel the Baku Ceyhan Pipeline project that will convey the Azerbaijan oil to Mediterranean via Turkey,”¹³⁹ in order not to disturb Russia. Aliyev's involving Russian LUKOIL into this huge project, and adopting the CIS membership, in 1993, diminished the Russian pressure on the Azerbaijan.¹⁴⁰ The Russian goal was to surround Azerbaijan under the image of CIS and offer its military guardianship for the solution of the Nagorno Karabakh Conflict.

The ultimate goal hidden in this artificial closeness, was to achieve the opportunity of “landing Russian army with a status of peacekeeper force.”¹⁴¹ Yet, with Aliyev's resistance to Russian offer, Azerbaijan began to pay the price.¹⁴² Russia played a trick on Aliyev, by denying the validity of the agreement in spite of its % 10 share. Russian justification for this U-turn was the claim that the demarcation of the Caspian, and the sharing of the natural resources had to be done in accordance with the agreements, ratified with Iran in 1920 and in 1940. Russia was prevailing on the claim that there could not be done any operation in the Caspian, without providing unanimity, since it was open to the collective usage of the littoral

135 Gül, and Ayfer Yazgan Gül, p.35.

136 Gül, and Ayfer Yazgan Gül, p.36.

137 Araz Aslanlı and İlham Hesenov, *Haydar Aliyev Dönemi Azerbaycan Dış Politikası*, Ankara:Platin yayınları, 2005, p.86.

138 Gül, and Ayfer Yazgan Gül, p. 35.

139 Aslanlı, and İlham Hesenov, p.89.

140 Aslanlı, and İlham Hesenov, pp.88-89.

141 Emin Arif Şihaliyev, *Kafkasya jeopolitiğinde Rusya, İran, Türkiye Rekabetleri ve Ermeni Faktörü*, Ankara:Naturel yayıncılık,2004, p.66.

142 Şihaliyev, p.66.

states. The idea hidden behind this claim was, to purge the Caspian from the international oil companies, and to leave Azerbaijan alone, and to keep the problem of the Caspian as undetermined.¹⁴³ Actually, Russia was resisting to the definition of the Caspian as Sea.¹⁴⁴ In this way, Russia was struggling to get the higher benefit, by making the condition difficult, furthermore, intricate for all sides. Despite the political manoeuvres of Russia, there were ongoing projects, on how the Azerbaijan oil will be imported. There had been five official routes for the conveyance of Azerbaijan oil. There was Baku-Novorossiysk route in the north, Baku-Supsa route in the west, Baku-Iran route in the south and Baku-Pakistan route in the east, and finally Baku-Ceyhan route in the south-west direction.¹⁴⁵

In this context, the EU member states used their preference in favour of the Baku-Supsa route. Two reasons lied behind this choice were; “the hesitation that Turkey may strengthen its position if they support Baku-Ceyhan, and the hesitation that Russia will have the monopoly of the oil and natural gas export if they support Baku-Novorossiysk.”¹⁴⁶ Despite all strategic games of Russia, in 1994 of September, in the Aliyev period, Azerbaijan oil was internationalised officially. Furthermore, Baku-Ceyhan Pipeline Project, which should be recognized as the highest benefit of the internationalization of the Azerbaijan oil, was finalised in Turkey in 2000.¹⁴⁷ With the Aliyev's down to earth policy, Azerbaijan had become the EU's apple of the eye. The year 1996, could be named as the starting point of the official relations, owing to the fact that, today's ENP is the improved format of the Partnership and Cooperation Agreement that was signed in 1996. Once the Partnership and Cooperation Agreement was a format of cooperation, the ENP was a project of transferring cooperation into a limited form of integration, which offers the prospect of incorporation to the EU's market, and taking part in the EU's policies and the programmes. The EU Commission employs the ENPI, (European Neighbourhood Partnership Instrument) as a financial reinforcement, and the TAIEX, as device for the technical reinforcement. The relation

143 Aslanlı, and İlham Hesenov, p.92.

144 Russia prefers to present Caspian as a lake and demands the “*equal sharing of Caspian between five countries that shores the Caspian: Russia, Kazakhstan, Turkmenistan, Iran, and Azerbaijan.*” Fırat Karabayram, **Rusya Federasyonun Güney Kafkasya Politikası**, Ankara:Lalezar yayın,1.baskı, 2007,p.313.

145 Kenan Çelik and Cemalettin Kalaycı, “Azeri Petrolünün Dünü ve Bugünü”
<http://www.qafqaz.edu.az/journal/KENAN%20CELİK-CEMALEDDİN%20GALAYCI.pdf>, (1 August 2009)

146 Aslanlı, and İlham Hesenov, p.108.

147 Aslanlı, and İlham Hesenov, p.112. and Cenk Pala, Hasan Kanbolat, and the others, “Baku Tiflis Ceyhan 21.yüzyılın İpek Yolu”, **Stratejik Analiz**, Vol.6, No.62, Haziran 2005, p.18.

between the EU and Azerbaijan is based on the priorities of the Action Plan. There exists ten priorities in the Action Plan, and the first priority is on the political settlement of the Nagorno Karabakh conflict. The EU enhances its political dialogue, via utilizing the EUSR, and follows the pathway to sustain the OSCE Minks Group solutions.¹⁴⁸

In the light of the Action Plans, it could be claimed that the Nagorno Karabakh conflict is the chief challenge in the region. Therefore, the success of the international actorness depends on vanishing the root of the problem, which comes to mean, if the secondary challenges in the region depend on the major challenge of the Nagorno Karabakh, the success of the actorness of the EU depends on its settling the Nagorno Karabakh Conflict. Without the settlement of the Nagorno Karabakh Conflict, it is hard to mention the success of the secondary policies that were developed around this key issue.¹⁴⁹

If we glance at the other priority areas in the second raw, it is observed that a sensitiveness was attributed on democracy. The EU motivates the Azerbaijan, to fill the inside of the word democracy in compliance with the essentials of the international norms, in the framework of the CoE, the Venice Commission, the OSCE and the ODIHR advices.¹⁵⁰ For instance, in 2003 presidential elections, which had been supervised seriously, both by the local and the international officials had been a shame in terms of democracy, since the OSCE declared that the elections had not been done in compliance with the democratic norms. In a similar manner, the municipal elections of 2004, had become a democratic fail. On the other hand, Azerbaijan did not defer to the principle of separation of powers, according to the observations of the Council of Europe because, the executive functioned as a controlling mechanism on the legislative and the judicial bodies. Finally, The Council of Europe found inconvenient of the assignment of the judges of the Court of Appeal, and the Supreme Court upon the presidential recommendation.¹⁵¹

148 EU Commission, External Relations, ENP Action Plan, Azerbaijan, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf, (3 August 2009) p.2.

149 EU Commission, External Relations, ENP Action Plan, Azerbaijan, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf, (3 August 2009) p.3.

150 EU Commission, External Relations, ENP Action Plan, Azerbaijan, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf, (3 August 2009) p.4.

151 EU Commission: Commission Staff Working paper Annex To European Neighbourhood Policy: Country Report: Azerbaijan, http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf, (3 August 2009) p. 6.

The third priority in the Action plan is, on the human rights, fundamental freedoms and the rule of law. The EU tries to elevate Azerbaijan norms to the CoE, the OSCE and the UN standards.¹⁵² The beaten and imprisoned journalists during the turbulence after the 2003 elections, the condition of 46 prisons, which is devoid of the international standards by sheltering persecution, mal behaviours and ill management, and the fact that press and media suffer from confrontations of financial, economic, and the political pressures,¹⁵³ are all black stains on the Azerbaijan democracy. The fourth priority area rests on the elimination of the corruption. The EU follows the method of enhancing business partnership.¹⁵⁴ Despite the fact that Azerbaijan seems well intentioned on the way of mitigating the corruption, its measures drag behind the international norms. (Such as the UN convention on corruption, the CoE criminal law on corruption, etc) For instance, the corruption crime is involved in the Azerbaijani Criminal Code but, there is an incompatibility with the statement of the meaning of the deed.¹⁵⁵

The fifth priority is based on the well exercise of the customs regulations. The sixth priority supports the fourth, and the eight issue, and aims to achieve the prolonged and stabilizing economic improvement, by eliminating the regional deprivations. Furthermore, it highlights the necessity of the environmental protection.¹⁵⁶ The underdeveloped, impoverished regions of Azerbaijan comes out as risk factors, because of sheltering the danger of Malaria, Diphtheria, Hepatic B and Tuberculosis. In this respect, the drinking water, triggers the disease in rural areas and in the Caspian littoral, owing to the oil emanation. In this respect, the EU encourages privatisation in order to keep from the unsuccessful state power supply system, and intransparency of the state system.¹⁵⁷

152 EU Commission, External Relations, ENP Action Plan, Azerbaijan

, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf, (3 August 2009) p.4.

153 EU Commission: Commission Staff Working paper, Annex To European neighbourhood Policy:Country Report:Azerbaijan, http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf (3 August 2009), pp. 8-9.

154 EU Commission ,External Relations, ENP Action Plan

, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf, (3 August 2009), p.5.

155 European Commission:Commission Staff Working Paper Annex To European Neighbourhood Policy:Country Report: Azerbaijan, http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf , (3 August 2009), p.7.

156 European Commission:External Relations,ENP Action Plan,

http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf , (3 August 2009),pp.5-6.

157 European Commission:Commission Staff Working Paper Annex To European Neighbourhood Policy:Country Report: Azerbaijan, http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf ,(3 August 2009), p.31.

Besides, the sixth item is designed to diminish the poverty, and to cultivate the the rural areas. The EU tries to achieve this, by following the UN Millennium Development Goals, but it seems too hard to catch this target in short term, while considering the fact that, % 45 of the people are living below the national poverty line, which means that %3.7 of the whole population bring in less than 1 US dollar and %9.1 of the whole population bring in less than 2 dollars a day. Besides to this negative chart, the real figures of the jobless people represented as %10.7 are rather challenging, in terms of the EU.¹⁵⁸ On the other hand, the seventh priority is on the harmonization of the economic rules with the executive routines.¹⁵⁹ Despite the fact that the EU supports Azerbaijan, on the way to privatization, which it believes it would trigger the competitiveness and undermine the states' functioning as a monopoly, to set up a private work is rather exhaustive,¹⁶⁰ due to the fact that “procedures are demanding contract enforcement is expensive and investor protection is limited.”¹⁶¹

The eight priority is on the EU-Azerbaijan energy cooperation, and on Azerbaijan's regional cooperation on the energy, and the transport.¹⁶² The TRACECA support had recreated Azerbaijan as a country, which came into prominence as a transit country. Yet, in order to enable the Azerbaijan as a functional transit corridor, the EU had to support for additional measures such as, the supplementary infrastructure projects, and the institutional advancement. As a matter of fact, the security of the roads is another crucial issue. For instance, the road that provides the connection between Azerbaijan and Armenia is obstructed, owing to the military struggle between two countries on the Nagorno Karabakh issue. As it comes to the issue of maritime transport, there occurs the problem of superposition of the duties of the shipping company, that is operated by the Azerbaijan state. The commercial

158 European Commission:Commission Staff Working Paper Annex To European Neighbourhood Policy:Country Report:Azerbaijan http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf ,(3 August 2009), p. 17.

159 European Commission: External Relations ,ENP Action Plan, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf , (3 Augusts 2009),p.7.

160European Commission:Commission Staff Working PaperAnnex To European Neighbourhood Policy:Country Report:Azerbaijan, http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf (3 August 2009), p.19.

161 European Commission:Commission Staff Working Paper Annex To European neighbourhood Policy:Country Report:Azerbaijan,http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf (3 August 2009), p.19.

162 European Commission: External Relations, ENP Action Plan, http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf (3 August 2009)p.8.

activities of the Company are interfered with its regulatory duties.¹⁶³

As, Azerbaijan is highly crucial in terms of its being an energy supplier, and a prospective transitory country, the EU seems to be ready to do its best, in order to securitize this precious energy corridor that will provide Europe with energy, and enable it independent of Russia, as a supplier. Furthermore, this position of Azerbaijan will undermine the geopolitical facilities of Russia, which possess the control of the oil export operations, mostly done through the Russian transit route of Novorossiysk. Nevertheless, both Baku-Tbilisi-Ceyhan (2005) oil pipeline, and Baku-Tbilisi-Erzurum gas pipeline projects are contributing agents for weakening the position of Russia. The gas pipeline projects of Nabucco and the Trans-Balkan Project, and the oil pipeline projects of Constantza-Trieste, Burgas-Alexandropolis seem like the security guarantees of the energy routes of the Europe.¹⁶⁴

The ninth priority is on the area of Justice, Freedom and Security, which covered the issue of border management.¹⁶⁵ This is an important issue in terms of the EU, since the insecurity of the borders meant the conveyance of threats from one country to another. If it is considered that, The State Border Service of Azerbaijan was deprived of its facilities by Russia, it can be envisaged that Azerbaijan needs the support of the EU on this matter since, with a weak border management, Azerbaijan functions as a doorway to the drug trafficking, which gets its source from the Afghanistan, and which heads towards the Europe through Iran. As it comes to the human trafficking, it is interesting to see that “trafficking is not itself criminalized in the criminal code of Azerbaijan.”¹⁶⁶ As the natural result of such border challenges, Azerbaijan has been blacklisted as the geography of human trafficking.¹⁶⁷

163 European Commission: Commission Staff Working Paper Annex To European neighbourhood Policy:Country Report:Azerbaijan, http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf, (3 August 2009), pp.26-27.

164 European Commission:Commission Staff Working Paper Annex To European neighbourhood Policy:Country Report:Azerbaijan http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf ,(3 August 2009) p..27.

165 European Commission: External Relations, ENP Action Plan http://ec.europa.eu/world/enp/pdf/action_plans/azerbaijan_enp_final_en.pdf, (3 August 2009)p.8.

166 European Commission:Commission Staff Working Paper Annex To European neighbourhood Policy:Country Report:Azerbaijan http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf , (3 August 2009), p.13.

167 European Commission:Commission Staff Working Paper Annex To European neighbourhood Policy:Country Report:Azerbaijan http://ec.europa.eu/world/enp/pdf/country/azerbaijan_country_report_2005_en.pdf (3 August 2009), p13.

B-ARMENIA AND ITS AGRESSIVE FOREIGN POLICY

Armenia, who is located in the South Caucasus neighbours, with Georgia from the North, with Azerbaijan from the East, with Iran from the South, with Nakchchivan from the South-west and with Turkey from the West.¹⁶⁸ In 1990, The Soviet Armenia established its government and Levon Ter Petrossian became the president of the Soviet Azerbaijan. In 1991, the government made a referendum for separating from Russia, and the people decided in favour of this separation.

After the independence, Armenia adopted the Hai-Taht doctrine as the instrument of its foreign policy.¹⁶⁹ The Hai-Taht doctrine was based on, “the feeling of phobia against neighbours.”¹⁷⁰ Yet, “an ethno-psychology namely the psychology of being treated unjustly,”¹⁷¹ has always dominated the people of Armenia. Furthermore, the Hai-Taht doctrine embraced the Single Armenia utopia, the integration of all the Armenians on the historical geography of this single Armenia, and the establishment of collective governance structure.¹⁷² This doctrine had been the indispensable of the Armenian policy, since XIXth Century. Armenia decided to eternalize this doctrine, by erecting a monumental status, in 1967 in memory of the events happened in 1915, which they claimed as genocide. Furthermore, not finding this provocative action efficient, in 24 April 1988, The Communist Armenian Soviet gifted The Remembrance Day to the Armenian people.¹⁷³ Moreover, they enclosed the passage that supports the genocide claims in the Armenian Declaration of Independence.¹⁷⁴

168 The Government of Republic of Armenia, Geography, /<http://www.gov.am/en/geography> (4 August 2009)

169 Elnur Cemilli, **ABD nin Güney kafkasya Politikası**, 1. basım, İstanbul: IQ Kültür Sanat yayıncılık, 2007, pp.135-136.

170 Cemilli, p.136.

171 Cemilli, 137.

172 Emin Arif Şihaliyev, **Rusya, İran, Türkiye Rekabetleri ve Ermeni Faktörü**, Ankara: Naturel Yayıncılık, 2004, p.22 .and Nazmi Gül, “Yirmibirinci yüzyılın Başlangıcında Haydat(Ermenilerin davası)”, **Stratejik Analiz**, vol.1, no.2, June 2000, p.25. and Nesrin Sarıahmetoğlu Karagür, “Güney kafkasyada Ermenistanın yayılma Politikası ve Bölge ülkeler ile işbirliği”, Ali Ahmetbeyoğlu, Recep Ahışhalı (Ed), **Kafkas Dosyası**, (373-410) İstanbul: Tatav yayımları, 2006, pp.373-374. and Aytan Gahramanova, “Peace Strategies in frozen Etho-territorial Conflicts: Integrating Reconciliation into Conflict Management: The Case of the Nagorno Karabakh”, Mannheimer Zentrum Für Europäische Sozialforschung, Working paper no:103, 2007, <http://www.mzes.uni-mannheim.de/publications/wp/wp-103.pdf> ,(7 August 2009) p.41.

173 Demir, *Türk Dış Politikası Perspektifinden Güney Kafkasya*, p.108 and Yuri Rost, **Armenian Tragedy**, London: Weidenfeld and Nicolson, 1990, p.9.

174 Şihaliyev, p. 265.

In this respect, it could be asserted that, the Armenian genocide claims have been a strategic method of justifying land demands. The Armenian Government “demanded land from Turkey via unofficial declarations and insisted on naming the eastern cities of Turkey as the Western Armenia.”¹⁷⁵ As a matter of fact, the Armenian single utopian geography was reaching out “the Nakchchivan, Mountainous Karabakh, the River of Kura (in the borders of today's Azerbaijan and the districts of Borçalı and Cavahetiya (in the borders of today's Georgia) in the East.”¹⁷⁶ In this context, the root cause of the Armenian-Azerbaijan controversy, which shapes the Caucasian geography and, which motivates the Armenian appetite to expand towards the Azerbaijan territory, by challenging the international laws, is the ongoing Armenian game that goes back to the 19th century.¹⁷⁷ The cause and effect relation between the 1915 events and the Nagorno Karabakh crisis becomes more clear, while Karabakh Prime Minister, Leonard Petrossian was declaring his opinion in 1997, with these words: “the world community's non recognition of the Genocide of Armenians, in Ottoman Turkey as a matter of fact made it possible for massacres to recur in Sumgait and Baku.”¹⁷⁸

The regional instability appeared as the consequence of the Nagorno Karabakh conflict, triggered the security dilemma of Armenia, and pushed this state into the regional influence area of the Russia.¹⁷⁹ In fact, the security dilemma of the Armenia is surrounded by more intensive security dilemma of the Russia, which causes the occurrence of further dilemmas. While the meaning of security dilemma is considered as states “striving to increase their own security by following policies that enhance their military capabilities; as states inadvertently make other feel less secure,”¹⁸⁰ the Haiman doctrine reappears on stage. Hence, the Haiman doctrine, which triggers the continual insecurity feeling of the Armenia, detects a threatening Armenia who imports insecurity to its neighbours except, Russia, whose security dilemma is stronger than itself. In other words, Russia exploits and manipulates the

175 Sedat Laçiner “Ermenistan Dış Politikası ve belirleyici Temel Faktörler 1991-2002”, Ermeni Araştırmaları, Bahar 2002, No.5 <http://www.eraren.org/index.php?Lisan=tr&Page=DergiIcerik&IcerikNo=303> (8 June 2009)

176 Haleddin İbrahimli, **Değişen Avrasyada Kafkasya**, Ankara:ASAM,,2001, p.46.

177 Alaeddin Yalçınkaya, **Kafkasyada Siyasi Gelişmeler:Etnik Düğümden Küresel Düğüme**,Ankara:lalezar Kitabevi,2006, p.164 and, Nesrin Sarıahmetoğlu Karagür “Güney kafkasyada Ermenistanın yayılma Politikası ve Bölge ülkeler ile işbirliği”, Ali Ahmetbeyoğlu, Recep Ahışalı(Ed),**Kafkas Dosyası**,(373-410) İstanbul:Tatav yayınları,2006, p.380.

178 Rachel Anderson Paul, “Grassroots Mobilization and Disapora Politics:Armenian Interest Groups and the Role of Collective Memory(“Electronic version), *Nationalism&Ethnic Politics*, Spring 2000,Vol.6,No.1, (24-47), p.29.

179 Cemilli,p.137.and Hasan Kanbolat, Nazmi Gül, “Kafkasyada Cavaheti ve Krasnador Ermenilerinin jeopolitiği ve Özerklik Arayışı”**Stratejik Analiz**,Vol.1,No.6,Ekim 2000, pp.12-13.

180**The Penguin Dictionary of International Relations**, “Security Dilemma”,England,Penguin Group,1998, p.494.

Armenian's feeling of security dilemma, by keeping it as a loyal geography, on which the Russian military installations could be set up as an instrument of its own security dilemma.¹⁸¹ In this respect, Armenia, whose insecurity feeling transformed itself into almost a military state justifies itself with the events that happened in 1915, during the rule of the Ottoman Government.¹⁸²

Armenian's this approach is rather dependent on its geopolitical, and geo-strategic location. Owing to the fact that Turkey, Iran, Azerbaijan and Georgia envelops Armenia, it feels itself trapped in an unfriendly geography, which is devoid of the geo-economic facilities, and of any passage to the sea. Actually, another reason that kept alive this trapped feeling was, Armenia's being surrounded with three big monotheistic religions of the world, and by different sects such as; the Orthodox Russians, the Shi'i Irans, and by the Sunni Turks. This generates the rise of a condensed ethnical presentation of the self, exists under the conservative religious structure, which supports the conservative Armenian policy, and the strong Armenian Diaspora.¹⁸³ The strong Armenian Diaspora exhibits manipulative approach, and functions as the external actor of the Armenian foreign policy.¹⁸⁴ In this context, the fact that Armenian nationalism is strongly dependent on religious nationalism, should not be disregarded. The Armenian alienation and isolation, which makes them close community, reinforces their identity and claims against the others.¹⁸⁵ Nevertheless, this conservative Armenian policy could easily be expansionist, when the conditions are ripened. This was what happened in 1988, in the Nagorno Karabakh case. In 1988, during the governance of Gorbachev, the Nagorno Karabakh demand for self-determination put forth the revival of the Armenian nationalism.

The Karabakh uprising, organized to become an independent self-governing state, separate from the Soviet Union sparked the "militant nationalism"(...) in the Armenian government. In 1993, when the Armenians conquered considerable Azerbaijan territory, this

181 Cemilli,p.137, and Hasan Kanbolat, and Nazmi Gül, "kafkasyada Cavaheti ve Krasnador Ermenilerinin jeopolitiği ve Özerklik Arayışı"**Stratejik Analiz**,Vol.1,No.6,Ekim 2000, pp.12-13 ,and Nazmi Gül, "Yirmibirinci yüzyılın Başlangıcında Haydat Ermenilerin Davası"**Stratejik Analiz**,Voll, No.2, June 2000, p.26.

182 Richard Girogosian, Redefining Armenian National Security (electronic version)*Demokratizatsiya*,2006,Vol:14,Part 2,(223-234) p.225.

183 Erhan Büyükkakıncı, "Ermenistan Dış politikasından Uluslararası Sistem Değişkenlerine Bakış" Okan yeşilot (Ed),**Değişen Dünya Düzeninde Kafkasya** ,(119-139),İstanbul:Kitabevi,2005, pp.125-126.

184 Şihaliyev, p.263.

185 Şihaliyev, p.21.

generated the “militarization of the society”(…) and, this spilled out in the institutions and penetrated there. The “institutionalism of military”¹⁸⁶ in Armenia, undermined the civil roles and the civil functioning of the government. Moreover, the more the Armenian political elite adhered to the Nagorno Karabakh issue, as a public demonstration, the more they are transformed to the rulers, whose statute had become arbitrary and autocratic, in spite of the danger of the declining democracy. This unchanging state of the Nagorno Karabakh Conflict strengthened the position of the government. In Armenia, the political elite own their career to the “informal cartels and commodity based semi-monopolies.”¹⁸⁷ The political elite foster the illegal formation, and the illegal formation fosters the political elite vice versa. This illegal structure is preserved within the walls of the closed economy.¹⁸⁸ Armenia had closed economy, closed political attitude, and close relations with Russia.

Moreover, the Armenian elite were so devoted to their utopian goals that they even excluded the one, of whom they thought as; undevoted anymore. For instance, the first president of Armenia. Levon Ter Petrossian, (1991) who tried in favour of rectifying the external relations with Turkey, who was moderate in resolution of the Karabakh conflict, and who wanted to get away from the Russian influence area, was excluded from the system in 1998. In that, Petrossian had preferred the normalisation approach, he could not be part of cliché Hai-dat principle and he could not prioritize the Nagorno Karabakh issue in favour of Armenia.¹⁸⁹ Actually, the Armenian political elite were right, in terms of their fanatical political approach since, Petrosyan in an article he wrote, with a title of War and Peace: It is Time to Think confirmed that Armenia was acting against the international system with its current attitude in the Nagorno Karabakh issue.

The next president, Kocharian enhanced its relations with Greece, Russia, and Iran. Kocharian insisted on keeping the statusquo in the Nagorno Karabakh conflict, and did not contribute to its resolution. On the other hand, Kocharian tried to gain the support of Diaspora, via using the Tashnak organization. Tashnak, is a political and militant organization,

186 Richard Girogosian, “Redefining Armenian National Security” (electronic version) *Demokratizatsiya*, 2006, Vol:14, Part 2, (223-234), p.226.

187 Girogosian, p.228.

188 Girogosian, pp.226-228, and Tevan Poghosyon and ICHD, “The Armenian ENP and Conflict Resolution in Nagorno Karabakh”, The International Center For Human Development Crisis Management Initiative, September 2009, pp.13-17.

189 Şihaliyev, pp.265-268, and Nazmi Gül, “Yirmibirinci yüzyılın Başlangıcında Haydat Ermenilerin Davası” **Stratejik Analiz**, Vol.1, No.2, June 2000, pp.26-27.

which touches the sore spot, and undermines the possibility of peace atmosphere.¹⁹⁰ For instance, one of leaders of Tashnak organization, A.Papazyan wrote these words in a column of a newspaper in 1987: "The Armenian have historical claims. The Armenian people have historical territory in the borders of the Caucasus. We determined the territory claims clearly."¹⁹¹ Furthermore, Eduard Ogenedyan, one of the intellectuals of the Tashnak organization, claimed that:

*Justice is a sacred value and it should be elevated higher than laws. We should not consider the law on the way of realisation of these sacred values. Furthermore, we should remove them with harshness if it necessitates.*¹⁹²

Despite the fact that the root causes of the Nagorno Karabakh is based on the aggressive attitude of Armenia, which is nourished by the distorted historical thesis, and which nourishes the present day Armenian political mood, and despite the EU's claim that conflicts are the greatest obstacles in front of the regional progress, it is defining the Nagorno Karabakh crisis as the seventh priority of the Armenian's Action Plan in the framework of the ENP, is rather confusing. Since the Nagorno Karabakh crisis is, the cardinal obstacle on the way of the practice of the utilitarian EU policies, it could be asserted that this approach indicates to the weakness of the Action Plan.

If, the ENP priorities in Armenian Action plan is examined, it is observed that the first priority area of the Action plan is, about the encouragement of the democracy, the rule of law and struggling against the demoralization, namely, the corruption.¹⁹³ This is the strongest pillar of the EU-Armenian relation, in the context of the Neighbourhood policy. The EU recognizes corruption, as a crucial distressing issue. Yet, the statement of the meaning of corruption is not neat in the Armenia's Criminal Code, as it has to be in accordance with the international rule. Furthermore, Armenia's lagging behind in signing the UN Convention against Corruption is another challenge in terms of the EU.¹⁹⁴

190 Şihaliyev, pp.139-150, and Nesrin Sarıahmetoğlu Karagür, "Güney kafkasyada Ermenistanın Yayılma Politikası ve Bölge ülkeler ile işbirliği", Ali Ahmetbeyoğlu, Recep Ahışhalı(Ed)**Kafkas Dosyası**,(373-410), İstanbul:Tatav yayınları,2006,p.405, and Sevan B.Beuyukian, "Armenia.Fifteen Years of Independence:Where are We Today?"*Zavarian Review*, 2006,No.4, pp.28-29, and Armenian Issue, Terrorism:The Tashnak Terrorist Organization, <http://www.ermenisorunu.gen.tr/english/terrorism/tashnak.html> (10August 2009)

191 Şihaliyev, p.19.

192 Şihaliyev, p.23.

193 European Commission,EU-Armenian Action Plan,

http://www.delarm.ec.europa.eu/en/press/16_11_2006.pdf, (16 August 2009),p.4.

194 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country

The second priority area indicates the need for encouragement of the human rights, and the fundamental freedoms in the framework of the CoE, the OSCE and the UN.¹⁹⁵ Nevertheless, the Armenian law on the human rights defender (ombudsman) was infringed by the central, and the local governance system. In fact, the locking up of the Ombudsman system, is triggered by the arbitrary assignment of the Ombudsman, and by the president himself, instead of the national assembly. On the other hand, it is hard to mention the freedom of media, and the association right of the people in Armenia. Besides, the long detention time that may extend to 15 days, before the detained person may find opportunity to see his or her lawyer is another disputable issue in terms of human rights and individual rights. Moreover, according to the 2004 Report of the European Committee For Prevention of Torture and Inhuman or Degrading Treatment of Punishment, police was violent to the people under detention.¹⁹⁶ The third priority area is about diminishing the destitution, and the EU encourages Armenia, on the way of its providing long lasting advancement.¹⁹⁷ The rate of the Armenian people, suffering of the destitution was reported as % 49 in 2001-2002. Besides, the official figures of the people, who have no job is predicated as %10,¹⁹⁸ which may increase while the unofficial figures are considered.¹⁹⁹ Essentially, the emigration that had started in 1990's caused negative consequences such as, “ageing problem, gender imbalance, loss of skilled labour.”²⁰⁰

The fourth priority comprises the encouragement of the independent venture, and private sector.²⁰¹ However, the challenge in front of this goal is the intermingling of the official and the unofficial economy. The unofficial economy in Azerbaijan, which provides the % 70 of the entire employment, should be transformed to the official one, in order to

Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf (16 August 2009), p.9.

195 European Commission, EU-Armenia Action Plan, http://www.delarm.ec.europa.eu/en/press/16_11_2006.pdf (16 August 2009), p.5.

196 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf (16 August 2009),p.10.

197 European Commission,EU-Armenian Action Plan, http://www.delarm.ec.europa.eu/en/press/16_11_2006.pdf, (16 August 2009), p.6.

198 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf (16 August 2009),p.10.

199 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf (16 August 2009),p.10.

200 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf(16 August 2009), p.16.

201 European Commission,EU-Armenian Action Plan, http://www.delarm.ec.europa.eu/en/press/16_11_2006.pdf, (16 August 2009),p.7.

eliminate this contradiction.²⁰² The fifth one is about the harmonization of the regulation on economy, and the government's action reports. Some failings are observed related to this issue such as, “deficiencies in corporate governance and audit standards”(…)and “collateral and bankruptcy provisions should be further defined.”²⁰³ The sixth priority envisages the rendering of the Medzamor Nuclear Power Plant inoperative.²⁰⁴ Unfortunately, Armenia’s insistence on this power plant, which is recognised as,“the most dangerous nuclear power plant of the world by International nuclear energy institution and EU,”²⁰⁵ is dependent on, its being landlocked country, and on its being devoid of any good relations, with the neighbours except, Russia, which functions as the financial and the energy source for Armenia.²⁰⁶

The seventh priority field is, the Nagorno Karabakh issue.²⁰⁷The EU advises Armenia to be partly responsible of the pacific endeavours, that initiate the resolution in the framework of the OSCE Mink Group actions and the international rules. Yet, there is one significant detail in this item, which creates a fundamental difference in comparison with the Azerbaijan's first item, which covers the Nagorno Karabakh issue. On one hand, with Azerbaijan, the EU develops its actions for the resolution on the groundwork of the OSCE Minsk Group decisions, and in the framework of the UN, which recognizes the territorial integrity of Azerbaijan and does not mention any word of “self determination,”²⁰⁸ on the other hand, it attributes to the matter of self determination in the Armenian Action Plan.

The Self-determination, which comes to mean the community's determining for their own fate has two cardinal dialectic; “the first one is, the equality of the people the second one is, the idea that there exists a social contract between the ruling and the ruled.”²⁰⁹ However, in spite of its underlining the territorial integrity of the states, The UN Contract is not crystal

202 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf,(16 August 2009), p.18.

203 European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf,(16 August 2009), p.18.

204 European Commission,EU-Armenian Action Plan, http://www.delarm.ec.europa.eu/en/press/16_11_2006.pdf, (16 August 2009), p.8.

205 Sinan Oğan, “Türkiye ile Rusya Arasında Ermenistan ve 90.Yıl Tartışmaları”,Okan Yeşiot(Ed),**Değişen Dünya Düzeninde Kafkasya içinde**,(97-117) ,İstanbul:Kitabevi,2005, p.116.

206 Oğan, p.117.

207 European Commission, EU Armenian Action Plan, http://ec.europa.eu/world/enp/pdf/action_plans/armenia_enp_ap_final_en.pdf, (16 August 2009),p.9.

208 European Commission,EU-Armenian Action Plan, http://www.delarm.ec.europa.eu/en/press/16_11_2006.pdf, (16 August 2009), p.16.

209 Mustafa Şahin, **Avrupa Birliğinin Self Determinasyon Politikası**,Ankara:Nobel Yayın Dağıtım,2000,p.8.

clear in the self-determination right. The UN Contract hints the self-determination right but, not present a direct statement. What the UN Contract says is that:

*The self determining territories, dominions, colonials could be the UN member. Besides if the self determining territories do not belong to any dominion, colonial or anywhere indicated in the annex and if it is recognized by two thirds of the members they could be member of UN.*²¹⁰

Since the EU recognizes the UN resolutions, the dilemma arises on the Nagorno Karabakh issue, when it is considered that this territory belongs to a state. Using that fragile phrase, endangers the objectivity of the EU, furthermore, it paved the way for the Armenia to adopt the Kosova case as an example. Finally, the eight priority in the EU-Armenian Action plan is about reinforcing the regional collaboration on the issues that offer vital interest such as; environment, water, energy, transport and education. The EU emboldens the Black Sea Region collaboration in this item, by considering the fact that as a land, Armenia, which is devoid of the natural resources and lacking the facilities to incorporate the transport network, remains out of the trade interconnections, and becomes an insignificant country in terms of the world trade. Furthermore, it was also mentioned that due to the Karabakh conflict, there exists serious obstacles in front of its making a regional trade.²¹¹ The Action plan also included the fact that the energy sector in Armenia is in great difficulty due to the;

*bad state of infrastructure and networks from losses including theft, inefficiencies, high dependence on one source (Russia), underinvestment, non payment of debts and dependence on nuclear power plant to be closed.*²¹²

C-GEORGIA : A COUNTRY STRUGGLING TO RESCUE ITSELF FROM THE SHADE OF RUSSIA

Georgia is crucial for the EU, due to the fact that it is a passageway for the conveyance of oil, gas and the dry cargo. Georgian geography functions as the hub of the oil, and the gas pipelines. Since, the Baku-Ceyhan pipeline, the South Caucasus pipeline and the

²¹⁰Şahin, p.12.

²¹¹ European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf (16 August 2009), p.20.

²¹²European Commission, Commission Working Paper Annex to European Neighbourhood Policy: Country Report:Armenia, http://www.delarm.ec.europa.eu/en/press/armenia_cr_0503.pdf (16 August 2009), p. 26.

Baku-Supsa pipeline are all seated on the Georgian territory, it becomes so precious to the EU. Furthermore, by having a shore in the Black Sea, and by hosting the Poti Port, the Black Sea Port, the Batum Sea Port and the free industrial zone on the Poti Port, Georgia could also be named as an important shipment, and trading hub.²¹³ Having the facility of reaching the open sea via the Black Sea, determines the ascendant geopolitical position of Georgia.²¹⁴ The fact that Georgian geography is abundant of various important minerals,²¹⁵ makes it an important actor in the region.

Georgia declared its independence from Russia in 1991. However, it could not provide the stability on its territory and he exploited the nationalism.²¹⁶ The main factor that triggered the condition of this instability was the first president Gamsahurdia's adopting a policy of the "Georgianization"²¹⁷ of the Abhazian people. In consequence, the Abhazians and the Ossettians, whose autonomous status was ended by Gamsahurdia,²¹⁸ began to stand out against this assimilation and the pressure, which they perceived as a threat to their ethnical identity, and struggled for their independence.²¹⁹ Apart from the fact that the ethnical conflict caused the Georgian instability, it came out as a geopolitical deficit. Owing to this chaos, some arteries of transportations of Georgia remained under the management of the Abhazian and the Ossetian.²²⁰

213 Georgia Government, Strategic Geographic Location, http://www.georgia.gov.ge/pdf/2009_03_27_19_00_51_1.pdf (17 August 2009), pp.1-2.

214 Haleddin İbrahimli, *Değişen Avrasyada Kafkasya*, Ankara:ASAM;2001,p.31.

215 Georgia is rich of the hydro power, forests, citrus, fruits, tea and rich in non ferrous metals as manganese, iron ore and copper. Georgia's governance area contains 9 regions, 2 Autonomous Republics (Ajaria and Abkhazia) and 1 city and South Ossetia Autonomous District. Yet, it is a chaotic region owing to the fact that, it shelters different ethnical group of people inside and the fact that it lacks of good governance system. Among its neighbours there are, "*Turkish, Armenian, Azerbaijan, Russian, Karachay-Cherkessia, Kabartai-Balkaria, North Ossetia, Ingushetia, Chechenian and Dagestan Autonomy Republic*" The religious majority belongs to Georgian orthodox population with %65 .The Muslim population have %11 and The Russian Orthodox population possess % 10 and the Armenian orthodox population have the %8 of the overall population. The ethnical distribution in Georgia could be presented as, %70 Georgian, %8 Russian,%10 Armenian, %5 Azerbaijani, Abhazian, Ukranian and Ossetian. etc Central Intelligence Agency, The World Factbook: Georgia, <https://www.cia.gov/library/publications/the-world-factbook/geos/gg.html> (17 August 2009) and Alaeddin Yalçınkaya, *kafkasyada Siyasi Gelişmeler*: Etnik Düğümden Küresel Kördüğümüne, Ankara: lalezar Kitabevi, 2006 p.168.

216 Christopher Zürcher, "Georgia's Time of Troubles:1989-1993", *Statehood and Security*, Bruno Coppier and Robert Legvold (Ed), Cambridge: American Academy of Arts and Sciences, 2005, chapter 2, p.102-103.

217 Independent International Fact Finding Mission on the conflict Georgia, Report on Georgia, <http://www.ceig.ch/Report.html> (3 August 2009), p.67.

218 Demir, p.121.

219 Demir, p.121, and p.172, For further reading see, Christopher Zürcher, "Georgia's Time of Troubles:1989-1993", Chapter 2, *Statehood and Security*, Bruno Coppier and Robert Legvold (Ed) Cambridge, American Academy of Arts and Sciences, pp.94-96.

220 İbrahimli, p.31.

The Georgians in Abkhazia had to emigrate from these lands, and the Armenians, remained as a majority in the region, which enabled them an opportunity to expand their influence area in the Abkhazia. Nevertheless, the unsuccessful Georgian policy founded on artificial nationalism, which is devoid of any political strategy, and the Russian impact had become the strong determinants of this chaos. In fact, it was hard to mention the Georgian nationalism, since Georgia had been devoid of the factors that constitute the nationalism such as civil and state awareness of a nation.²²¹ Accordingly, the artificially constructed Georgian nationalism had become fanatic, and provocative during the governance of Gamsahurdia. Most of the Avars, Berzens and Turks could not live in Georgia. A great number of Azerbaijani Turk were forced for migration.²²²

As a latter president, Shevardnadze was elected in 1992. Shevardnadze tried to array the corrupted political system in Georgia, which is shaped on benefit chain that undermined the community benefit as a Russian legacy. At the one end of this benefit chain, there was the feudal structure and at the other end, there were the politicians and the public institutions.²²³ On the other hand, Shevardnadze thought that he might at least abate the conflicts, by adopting a foreign policy that, envisages the necessity of remaining close to Russia and being one member of the CIS.²²⁴ Unfortunately, this did not end the military conflict between the Abkhazia and Georgia. In this respect, Shevardnadze had to “request Russia for the rescue of the Abkhazian refugees from the Abhazian, and the protection of the Georgian Railway and seaway connections.”²²⁵

Despite the Georgian Government's belief that Russia was supporting this conflict, they recognized Russia as a party, that functions as the warrantor in the Sochi Agreement signed in 1993.²²⁶ But, Russia was not the only country, that supported the conflict; the Chechens were acting as the alliance of the Abhazian against the Georgians.²²⁷ Nevertheless, it

221 Ibrahimli, p.29.

222 Ibrahimli, *Değişen Avrasyada Kafkasya*, Ankara:ASAM,2001,p.30.

223 Fırat Karabayram, *Rusya Federasyonun Güney Kafkasya Politikası*, Ankara:lalezar publication, 2007, p.188.

224 Jaba Devdariani, “Georgia and Russia: The Troubled Road to Accomodation”, *Statehood and Security*, Bruno Coppieters and Robert Legvold(Ed), Cambridge:American Academy of Arts and Sciences, 2005,chapter 4, pp.162-167.

225 Karabayram, p.181.

226 Karabayram,p.180, and Christopher Zürcher, “Georgia's Time of troubles:1989-1993”, Chapter 2, *Statehood and Security*, Bruno Coppieters and Robert Legvold(Ed), Cambridge:American Academy of Arts and Sciences, 2005,pp.98-99.

227 Yalçınkaya, p.176, and Ariel Cohen, “The West Should Unite in Support of Georgia”, The Heritage Foundation, April 2008, No.1907, https://www.policyarchive.org/bitstream/handle/10207/13644/wm_1907.pdf?sequence=1 (17 August 2009), p.2.

should be indicated that, Russia was the biggest protagonist in both the Abkhazian and the South Ossetian conflict. Essentially, both the South Ossetia and the North Ossetia had been geographies, governed by Russia, in 19th century. In the past, Russia gifted the South Ossetia as a political bribe to the Georgian powerful landowners, in order to undermine the integration of the Ossetians. Feeling similar concerns in 1990, Georgia perceived the Ossetia autonomy, as a threat to its own structure, and ended the self- government in Ossetia. The Ossetian did not lose time to get the support of Russia who drove out the Georgians from the Ossetia region. In the context of the Sochi Agreement, the control of the region was surrendered to the peacekeeping power, which involved the Georgian, the Russian and the Ossetian military units.²²⁸

In fact, the year 1993 would be crucial, in terms of the Caucasian states since the Near Abroad Doctrine of Russia would be introduced, and this would both determine the Russian foreign policy in the region, and at the international level, and furthermore, the foreign policy of the regional actors towards Russia and the West. The first negative outcome of the Russian doctrine was clarified, when they compelled Georgia to consent for the remaining of the Russian troops on the Russian- Georgian border.²²⁹ This Georgian concession against Russia would be repeated in 1995, which would end in the Russian's obtaining the right of setting up four military installations in Georgia. Russia was driving Georgia into the corner, when it found little opportunity. Yet, this would impel Georgia to incline towards alternative formations, other than Russia. GUUAM was a that kind of formation, which gathered up the states, that feel sympathy for the Western projects for the Caucasian Region. Among the members of this organization, there were Azerbaijan,(1997) Georgia,(1997) Moldavia (1997), Ukraine(1997) and Uzbekistan (1999).²³⁰

The goal of the GUUM (1997) was, to constitute self reliant states in the region since there existed too many serious obstacles in front of the member states, to augment the economic partnership, which could enable their total freedom from the Russia. This is why,

²²⁸ Karabayram, p.186.

²²⁹Jaba Devdariani, "Georgia and Russia:The Troubled Road to Accomodation", **Statehood and Security**,Bruno Coppieters and Robert Legvold(Ed),Cambridge,:American Academy of Arts and Sciences,2005, chapter 4, pp.163-167,and Elnur Cemilli,**ABD nin Güney kafkasya Politikası**,İstanbul:IQ Kültür Sanat publishing, 1.Edition, 2007,p.107.

²³⁰Cemilli,pp.107-109, and Tomas Valasiek, "Military Cooperation between Georgia,Ukraine,Uzbekistan,Azerbaijan and Moldova in the GUUAM Framework",Policy Brief 2, Caspian Studies program, http://belfercenter.ksg.harvard.edu/publication/3102/military_cooperation_between_georgia_ukraine_uzbekistan_azerbaijan_and_moldova_in_the_guam_framework.html ,(10 August 2009)

the GUUAM pronounced that since the crises are grave challenges to the regional progress, they should be resolved “on the basis of sovereignty, territorial integrity, inviolability of recognized borders and the independence of the states.”²³¹ In accordance to the GUUAM declaration, (2000) the resolution of the crises would ensure the TRACECA and the oil transportation corridors,²³² which would attach great importance to the membership of Georgia, since it, renders a passageway between the Eurasia, and the Europe.

Hardly, four years after the development of intra-regional cooperation, Georgia would become the target of another challenge. The tragic terrorist experience of the USA, (2001) which turned out to be a global crisis, involved Georgia on the list of the regions, that have the security gap. The USA was declaring that Bin Ladin and El-Kaide were stationing in the Pankisi Valley on the Georgian territory,²³³ and that they had to wipe off the region from the terrorists. However, the USA was not the only country, that was disturbed by the Pankisi valley. The Russian government was also asserting that Georgia was condoning to the hiding Chechens in the region, and paving way for itself to keep its military stations.²³⁴ Since this conducted the USA, and Russia, to believe in the necessity of common military action against the terrorists. Yet, Georgia did not approve any Russian intervention to its region, and declared its preference as the USA intervention.²³⁵ Therefore, this brought the USA and Georgian interests closer, since Georgia was after the mitigation of the Russian influence on its own territory, and on the Caucasian region. By being propped up by the USA, Georgia was hopeful to transform the condition in favour of itself. Besides, it was ready to pay for the USA support, by allowing the stationing of the USA soldiers, in all its military service areas, during the Iraq operations.²³⁶

On the other hand, the year 2003, had become another turning point in terms of Georgia, since, the president, Schverdnadze, was removed from the authority with a Rose

231 The GUUAM Group:History and principles,Briefing Paper,<http://www.guam.org/general/browse.html> (11 August 2009)

232The GUUAM Group:History and principles,Briefing Paper,<http://www.guam.org/general/browse.html> (11 August 2009)

233 Yalçınkaya,p.177, and M.Ali Bolat, “Gürcü Acara Bütünleşmesi gerçekleşti mi?”Ali Ahmetbeyoğlu, Recep Ahışalı and others (Ed)**Kafkas Dosyası**,(319-360),İstanbul:Tatav yayınları,2006,p.358.

234 Karabayram, p.197, and M.Ali Bolat, “Gürcü Acara Bütünleşmesi gerçekleşti mi?”Ali Ahmetbeyoğlu, Recep Ahışalı and the others (Ed)**Kafkas Dosyası**,(319-360)İstanbul:Tatav yayınları,2006,p.334.

235 Yalçınkaya,p.177, and M.Ali Bolat, “Gürcü Acara Bütünleşmesi gerçekleşti mi?”Ali Ahmetbeyoğlu, Recep Ahışalı ve diğerleri (Ed)**Kafkas Dosyası**,(319-360),İstanbul:Tatav yayınları,2006,pp.334-335.

236Karabayram,p.201.

Revolution arranged by Saakashvili,²³⁷ who would make the challenging declaration that “Russia had played a negative role in Georgia’s history and that Moscow had to be aware of the fact that Georgia is an independent country.”²³⁸ one year later, in 2004. Nevertheless, this time, the president of Ajaria Autonomous Republic, Abasidze revolted against the Saakashvili Government, and Saakashvili had to response this revolt by terminating the Abasidze Government, and by substituting it with a new one, that is close to him.²³⁹ As İsmet Berkan, summarized the late Saakashvili period in a very striking way, I prefer to convey his diagnose of the Saakashvili period as :

(...) For a long time, there had been a ceasefire between Georgia and Abkhazia. In the meanwhile, the Georgian navy was applying embargo on Black Sea and did not allow the ships drawing into the Abkhazian ports or their leaving them. Yet as the time past, the practices of Abkhazian embargo had relented as it happens in all embargoes. Nevertheless, Saakasvili started work by reinforcing the embargo firstly. Abkhazia had begun to suffer of being devoid of primary foodstuff and medicine. Saakasvili was aware of the fact that, he could not manage Abkhazia without battle. He did not look for alternative solutions either. On the other hand, battle is arduous alternative for him. This is why he lost his attention towards Abkhazia and began to set off for South Ossetia (...)Georgia is moving forward towards chaos in the hands of a president who is ready to make any madness²⁴⁰

Georgia suffering from the obscure political atmosphere, was open to every security challenge that could erode the entire European security, by showing inability to avoid the spill over of the crisis. This is why, the EU securitized Georgia, by involving it in to the scope of the ENP. The ENP considered the matter as a package project. It treated the security issue as a method of attaching importance to the minor problems that were caused by the major ones. Since these minor measures were crucial, in terms of the Georgian integration to the West, which would accelerate the conflict resolution process. Nevertheless, as it happened in the Armenian Action Plan, the Georgian Agreement that is emplacing the crisis issue on the sixth item, seems rather contradictory with the EU's declarations that prioritizes the crisis as a major threat in the South Caucasus region.

237 Robert legvold, “Outlining The Challenge”, **Statehood and Security**, Bruno Coppieri and Robert legvold (Ed), Cambridge: American Academy of Arts and Sciences, 2005, p.3.

238 Fırat karabayram, **Rusya federasyonun Güney kafkasya Politikası**, Ankara: Lalezar Kitabevi, 2007, p.205.

239 Ghia Nodia, “ Georgia: Dimension of Insecurity “, **Statehood and Security**, Bruno Coppieri and Robert legvold (Ed), Cambridge, Massachusetts: American Academy of Arts and Sciences, 2005, p.56, and ,Aleaddin Yalçınkaya, **Kafkasyada Siyasi Gelişmeler: Etnik Düğümünden Küresel Kördüğümüne**, Ankara: Lalezar Kitabevi, 2006, p.178, and Zaal Anjapandze, “One Year After The Fall of Abashidze, Ajaria still plagued with governance problems”, *Eurasia Daily Monitor*, Volume 2, issue 88.

240 Yalçınkaya, pp. 180-181.

As the Georgian Action Plan is considered, it could be observed that the first priority area is related to the reinforcement of the rule of law, the human rights and the improvement of the judicial system. This item envisages the importance of reconstructing the governmental institutions in harmony with the requirements of the Council of Europe, the OSCE and the UN.²⁴¹ Yet, in the context of the modifications that had been done on the Constitution, the prime minister is charged with a quasi service of mediation between the president government, the parliament executive and the judiciary. This approach disturbed the civil society in Georgia, since they believed that this would strengthen the position of the government over the parliament, and enable the president's getting arbitrary decisions regarding the parliament and exercising pressure on the judiciary. The government took up some rehabilitation in the legislation, but, this did not prevent its being dependent, and impotent. On the other hand, the civil society was anxious about the freedom of the media. Besides, there existed some limitations on the right to strike. As it comes to the issue of torture, and the Police's using violence against the people, who are put under surveillance, this is rather distressing in terms of the EU since, the Georgian Law does not criminalize such acts.²⁴²

The second priority area is about fostering the trade facilities, and about the improvement of the privatization actions.²⁴³ Despite the fact that the Georgian government encouraged the privatisation, their effort concluded in disappointment because the investor could not be attracted. On the other hand, the condition of the agricultural sector was not so bright in terms of the inability of the farmer, to show money or the property as a guarantee to get a bank loan.²⁴⁴ The third priority area is related to providing the harmonization of the regulations on economy with the governmental applications.²⁴⁵ The most important pillar of this activity is, prioritizing the competition policies, which will eliminate the states' providing some advantages to some actors that trigger the monopolization. Yet, the state support and

241 EU Commission:European Union-Georgia Action Plan,

<http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf> (2 August 2009),p.7.

242 EU Commission,:Commission Staff Working Paper Annex ToEuropean Neighbourhood Policy Country Report:Georgia,

http://www.delgeo.ec.europa.eu/en/press/georgia_cr_0503.pdf (2 August 2009),pp. 9-12.

243 EU Commission:European Union-Georgia Action Plan,

<http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf> (2 August 2009),p.8.

244 EU Commission,:Commission Staff Working Paper Annex ToEuropean Neighbourhood Policy Country Report:Georgia,

http://www.delgeo.ec.europa.eu/en/press/georgia_cr_0503.pdf (2 August 2009), p.20.

245 EU Commission:European Union-Georgia Action Plan,<http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf>, (2 August 2009), p.9.

state supervision seems to be too weak on the price control, and anti monopoly agencies.²⁴⁶

The fourth priority area is about reinforcing the collaboration on the border control, in the context of the combined efforts made.²⁴⁷ The EU sustained the incompetent Georgian border management in order to eliminate any possibility of getting on the Chechen conflict. In addition to this, an ill managed border could enable the Georgia's functioning as a hub of women and men trafficking, which could be assumed as the act of an organized crime where, the women are employed by force in the sex sector, and the men are used as a cheap workers. Besides, drug trafficking, which is another action field of organized crime, comes out as one of the biggest challenges for Georgia, and for the EU.²⁴⁸ Furthermore, the Georgian borders are confronted with the challenge, since the Georgian authority is not competent in the Abkhazia and the South Ossetia region.²⁴⁹

The fifth priority area is on bracing the regional partnership on the issues of the Black Sea, the environment, the transport and the energy.²⁵⁰ Despite the fact that the EU highlights the necessity of the regional cooperation, there are some serious obstacles in front of this process. As a start, the security of the roads is debatable in Georgia. On the other hand, the energy infrastructure seems to be disillusioning. According to the Strategic Action Plan of the Energy Sector, the collapse of the degenerated infrastructure is about to happen. Besides, the budget deficit appeared as a serious blow to the electricity, and the gas sector. In addition to all, the regional conflicts mitigate the confidence in Georgia.

Therefore, all the individual crisis function as a great obstacle on the way of the regional coordination,²⁵¹ and the regional security, by bearing the risk of provoking the other crisis in the region. This is why, the priority area number six, mentions about the regional conflicts in Georgia such as; the conflicts in the Abkhazia, and in the South Ossetia, besides, it

246 EU Commission,:Commission Staff Working Paper Annex To European Neighbourhood Policy Country Report:Georgia, http://www.delgeo.ec.europa.eu/en/press/georgia_cr_0503.pdf (2 August 2009), p.20.

247 EU Commission:European Union-Georgia Action Plan,<http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf>, (2 August 2009), p.10.

248 EU Commission:European Union-Georgia Action Plan, <http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf>, (2 August 2009), p.16.

249 EU Commission:European Union-Georgia Action Plan, <http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf>, (2 August 2009), p. 23.

250 EU Commission:European Union-Georgia Action Plan, <http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf>, (2 August 2009),p.11.

251 EU Commission,:Commission Staff Working Paper Annex To European Neighbourhood Policy Country Report:Georgia, http://www.delgeo.ec.europa.eu/en/press/georgia_cr_0503.pdf, (2 August 2009),pp.27-28.

emphasizes the significance of Georgian's territorial integrity.²⁵² As a result of these regional conflicts, there occurred an authority vacuum on the geography of the conflict, which makes the %18²⁵³ of the entire Georgian land and furthermore, serious number of people remained homeless, due to the forced emigration. In 2002, the UN Security Council encouraged the political dialogue between Georgian and the Abkhazian, by introducing a legal paper that comprises the formula, on how the authority would be divided between Georgia and the Abkhazia. Yet, it ended with the rejection of the Abkhazian side, and this triggered the Russian influence.

The EU supported the people, who suffered of this conflict, via using its instruments of the rehabilitation programme and the humanitarian aid. On the other hand, the Ossetia conflict created many homeless people, who found themselves as the victims of obligatory emigration. The conflict has not been solved, in spite of the ceasefire, recognized by both sides in 1992.²⁵⁴ This is why, the seventh priority comprises, the intensification of the EU-Georgian collaboration on the Common Foreign Security policy, comprehending the European foreign and security policy. Finally, the eight item is on Georgia's functioning as the hub of the energy, and transport lines between the Asia, the Black Sea, the Caspian and the Europe. Therefore, the EU reinforces the TRACECE, and the INNOGATE as political measure, and support Georgia in its reconstruction of manifold infrastructure and lead Georgia in its institutional advancement.²⁵⁵

252 EU Commission:European Union-Georgia Action Plan, <http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf> (2 August 2009) p.11.

253 EU Commission,:Commission Staff Working Paper Annex To European Neighbourhood Policy Country Report:Georgia, http://www.delgeo.ec.europa.eu/en/press/georgia_cr_0503.pdf (2 August 2009) p.13.

254 EU Commission,:Commission Staff Working Paper Annex To European Neighbourhood Policy Country Report:Georgia, http://www.delgeo.ec.europa.eu/en/press/georgia_cr_0503.pdf (2 August 2009), pp. 13-15.

255 EU Commission:European Union-Georgia Action Plan, <http://www.delgeo.ec.europa.eu/en/trade/Booklet%20A4-2.pdf> (2 August 2009),p.12.

PART II

CHALLENGES OF THE EU IN THE SOUTH CAUCASUS

I- CRISES IN THE SOUTH CAUCASUS.

The fact that, the EU recognizes the security as indivisible determines its attitude to the crisis. The EU tackles the crisis mostly as a post conflict resolution actor that aims to prevent the eruption of the military aggression, and that aims to rehabilitate the bitter consequences of the military battle. The EU believes that the crisis triggers the confusion, corruption, the violation of the human rights, the rule of law, undemocratic governing methods and the formation of the other crises. According to the EU security is indivisible, one threat may spill over to the other regions besides, one threat may provoke other types of threats or the frozen crisis may upset the regional stability. This is why, the EU treats the conflict resolution as a long phased process .The roots of the battle, the course of the battle are significant, since they determine the characteristics of the EU's actorness and how it responds to the crisis.

A-THE ABKHAZIAN AND THE OSSETIAN CRISES

The Abkhazian Autonomous Republic is one of the conflict areas in the South Caucasus. In fact, the problem shelters different dynamics in itself. These dynamics determine the roots of the conflict, and the roots of the conflict enlighten the challenges on the way of the resolution. In this respect, the chronology of the events, which guides us in diagnosing the real cause of the events will gain importance. In the light of the course of the conflict, the challenges will be revealed, and the cause and effect of the conflict will be perceived more

neatly. As a matter of fact, when the ethnical distribution is considered in the Abkhazian Republic, it is observed that the Georgian people are nearly making up the majority of the region, while the sum of the Abkhazian, the Armenian, and the Russian population makes up the other half of the population.²⁵⁶

Since, this weird coexistence is triggered by the bad governance, the ethnical crisis seems to be inevitable. Besides, Georgian' s separation from the Soviet Union, sparked the radical nationalistic feelings, and this came into being in Gamsakhurdian oppressive segregationist policy, which disturbed the ethnical minority in Georgia, in the beginnings of 1990's. The segregation was done over class and ethnical identity. The central state perception of Georgia had done negative psychological impact on the ethnical minority such as, the Abkhazians and the Ossetians.²⁵⁷ In 1990 of August, the parliament of Abkhazian Autonomous Republic decided in favour of the self rule. Nevertheless, in 1992, the new Abkhazian parliament declared that, they refuse to recognise the 1978 Constitution, but the 1925 Constitution which declares the transfer of sovereignty between Georgia and the Soviet Union. In 1992, Shevardnadze offered both the Abkhazian, and the Ossetian governments an Autonomy but, he could not avoid the Abkhazian revolt.²⁵⁸

Georgia 's entering into Abkhazia had become the cause of war in August, 1992. Meanwhile, Russia began to play the reconciler part during the crisis, and called for the help of the UN, who created great disappointment by getting late action. On the other hand, Russia was strengthening the Abkhazian side, by arming the Abkhazian military force. In fact, it is not so hard to evaluate the success of the Abkhazian military force, which could continue its military strife till 1993 against the Georgian army, while the Russian military assistance, and the Chechen factor is considered.²⁵⁹ In this way, Russia could prove its regional actorness, domination and secured its security zone, which uncovers its security dilemma. Likewise, the 1993 Sochi Agreement brought the ceasefire, consolidated the Russian position and endowed Russia a guarantorship. Nevertheless, Abkhazia did not accomplish the requirements of the

256 %44 is made up of the Georgian people,%16 of the Russian people,%15 of the Abkhazian people and the %15 of Armenian people, Alaeddin Yalçinkaya, **Kafkasyada Siyasi Gelişmeler: Etnik Dügümden Küresel Kördügüme**, Ankara:Lalezar Kitabevi,2006, pp.181-182.

257 Karabayram, pp.173-175.

258 Karabayram,p.177.

259 Yalçinkaya, p.184.

Agreements.²⁶⁰

In 1998, the crisis broke again owing to the provocative actions of the Abkhazian, which aims to uphold the parliamentary elections arranged by the secessionist. This was followed by the 2001 crisis, where the Georgian guerillas combat with the Abkhazian military force in the Kodori Valley. The second Kodori conflict in 2006, which was commenced by Georgia as an operation against illicit actions yielded to the formation of Abkhazian government in Kodori. In 2008, Georgia one more time, encountered with the assaults of the Abkhazian and Russian forces, which ended in complete evacuation of the Georgian forces and the approval of Abkhazia, as a separate state by the Russian state.²⁶¹ Meanwhile, Abkhazian de facto state is under the; “de jure responsibility of international police and the United Nations as the international organizations such as United Nations, EC, OSCE, NATO, WTO, Council of EU, CIS.”²⁶² On the other hand, the UN Security Council has declared 32 decisions on the Abkhazian crisis, and in each of these declarations, it highlighted the statement that the territorial integrity of Georgia must be preserved, on the basis of the international law. The UN dwells on the matter of the 250.000 displaced Georgians' going back to their home, and on the resolution of the state building model of Abkhazia, without endangering the territorial integrity of Georgia. The UN decisions determined the duty of Russia as a peace builder.

In addition to the UN approach, the OSCE denounced the genocide of the Georgians in Abkhazia, the Georgians' forced displacement, and the impediment of the Georgian people's going back to their home by the segregationists, in the Lisbon Summit.²⁶³ The OSCE emphasized the recognition of the indivisibility of the Georgian territory under the Georgian

260 David L.Philips, “Restoring Georgia's Sovereignty in Abkhazia”The Atlantic Council of the United States, policy paper, July 2008,<http://www.acus.org/docs/Restoring%20Georgia's%20Sovereignty%20in%20Abkhazia.pdf> ,(10 August 2009), pp.12-14. and Firat Karabayram,**Rusya Federasyonun Güney kfkasya Politikası**,Ankara:Lalezar Kitabevi, 2007, p.180.

261 Georgian Abkhazian Conflict, http://en.wikipedia.org/wiki/Georgian%E2%80%93Abkhazian_conflict , (9 August 2009), and Oksana Antonenko, “ Frozen Uncertainty:The conflict over Abkhazia”,**Statehood and Security** ,Bruno Coppier and Robert legvold,(Ed), Cambrdige:American Academy of Arts and Sciences, 2005, pp.224-230 and International Crisis Group , Europe Report No.179,Abkhazia:Ways Forward,p.16.

262 Law Enforcement in Abkhazia, http://en.wikipedia.org/wiki/Law_enforcement_in_Abkhazia (9 Ağustos 2009)

263 OSCE,Lisbon Summit Document,1996,http://www.osce.org/documents/html/pdftohtml/4049_en.pdf.html (7 August 2009) p.8.

dominance, in the OSCE Budapest Summit.²⁶⁴ Likewise in Istanbul Summit, besides the previously discussed issues in Lisbon and Budapest, an emphasis was done to the necessity of determination of the state format of the de facto states under the dominance of Georgia. Furthermore, the OSCE declared its intention to coordinate with the UN, on determining the division of state competences between Georgia and Abkhazia.²⁶⁵

Nevertheless, there were serious challenges on the way of the resolution. For instance, among those, the mutual misrepresentation of each sides could be assumed. Misrepresentation could be defined as the Georgian political strategy, to generate its hegemony on the people of the de facto states. In this context, the Georgian state, who has to preserve its dominance on its territory and its people, has to present these illicit acts with negative terminology. For instance, Georgia's insistently describing the others as the invader or rebels or aggressor separatist or as attacker is in fact, a linguistic effort to make its dominance, and rightfulness recognised on the international arena. On the contrary, the de facto states' defining the Georgian side as, despotic, rapist or segregationist or as the side, who is responsible of genocide is, related to its adherence to its victim position, which could justify its revolting position on the international arena, and to prove the victimizer position of Georgia. As a matter of fact, two sides by offending each other gain nothing, but, they slow down the peace process. As one researcher identifies the situation;

The serious mass violation of human rights in this period, with ethnically motivated murders, civilians among them, extremely aggravated the enemy image and mutual tolerance. In practically all the issues are connected with this problem.²⁶⁶

The next one could be the strong Russian actorness, which manipulates the Abkhazian government that will be discussed thereafter. In addition to these, from the perspective of the EU, Georgia's showing intention to tackle the major problematic issues, rather than inclining to the minor ones, could be assumed as obstacle. The Georgian neglect of the minor precautions such as; ending the economic embargo against Abkhazia, and providing a cooperation atmosphere, which will enable the law breakers' s being brought into the trial, the

264 OSCE, Budapest Summit Document,1994. http://www.osce.org/documents/mcs/1994/12/4050_en.pdf (7 August 2009), p. 7.

265OSCE,Istanbul Summit, Document, http://www.osce.org/documents/mcs/1999/11/4050_en.pdf (7 August 2009),p.56.

266Independent International Fact Finding Mission on The Conflict Georgia- Report on the Conflicts in Georgia, 2009, IIFMCG Volume 2, <http://www.ceiig.ch/Report.html> (3 August 2009), p.406.

displaced people's going back to their home in security, the improvement of the conveyance conditions, in order to accelerate commercial activities between the Abkhazia and the Georgia, the assignment of mediator by the Georgian side, who may be approved by the Abkhazian side, could harm the process. On the other hand, the Abkhazian neglect of the minor measures such as, supporting the UN civilian police, enabling Georgia broader delegation right in Gali, undermines the process. As a matter of course, the Russian side has to get some minor measures such as, giving end to economic embargo against Georgia, and to stop expelling the Georgians who live in emigrant status in Russia.²⁶⁷

Another challenge is the Abkhazian distrust for the UN, and the Western peace keepers such as, Germany, the UK, the US and France. According as, the abundance of international and regional actors such as the the UN, the EU, the Group of Friends, the OSCE, the CIS, Georgia, Russia, Abkhazia, and Georgia's putting forward conditions on how the peace process must go on, could be identified as obstacles in terms of Abkhazia. Contrary to Abkhazian perception, the fact that Georgia prefers the UN leadership, the EU, and the OSCE assistance and monitor is based on the strategy to exclude Russia from the process, and to conduct direct negotiations with the de facto Abkhazian government, which Russia did not give consent to.²⁶⁸

In fact, Georgia perceived Russia, as a threat to its territorial and state integrity, due to Russia's sustaining the Abkhazian military revolt. The military revolt of Abkhazia for self determination and the external activities of Russia to sustain the revolt means, the infringement of the Russian Constitution, which says ;“Abkhazia was from the perspective of domestic law an integral part of Republic of Georgia at the moment of Georgia's independence.”²⁶⁹ So, the 2008 crisis is the most concrete proof of this infringement. Despite the fact that the international law and the the Russian Federation law do not support the self determination claims of Abkhazia, the unintersected attitudes of Abkhazia and Georgia,

267International Crisis Group :Europe Report No.179, Abkhazia: Ways Forward, 2007,___
http://www.crisisgroup.org/library/documents/europe/caucasus/179_abkhazia_ways_forward.pdf (3 August 2009),pp. i-ii.

268International Crisis Group: Europe Report No.179, Abkhazia: Ways Forward, 2007,___
http://www.crisisgroup.org/library/documents/europe/caucasus/179_abkhazia_ways_forward.pdf pp. 3-5, and

Ron Asmus ,Swante Cornell and the others “Internationalizing the Georgian Abkhazian Conflict Resolution Process:Why A Greater Europe is Needed?”,The German Marshall Fund of the United States,Foreign Policy Brief on Conflict Resolution,
http://www.gmfus.org/doc/Georgia-Abkhazia_PolicyBrief_Final2.pdf (6 August 2009), p.3.

269 Independent International Fact Finding Mission on The Conflict Georgia- Report on the Conflicts in Georgia, 2009,
http://www.ceiig.ch/pdf/IIFMCG_Volume_II.pdf (3 August 2009), p.146.

deciding on the state format arises, as the spiny issue.

For instance, in 2006, Georgia came out with a draft of solution, which stipulates its freedom, non divisibility of its territory and its position as a supreme ruler as a must. In response to Georgia's this draft, the Abkhazian draft appeared in the same year. In the draft, Abkhazia stipulated the acknowledgement of its freedom in determining its political status as the condition of tackling with other problems. Besides, the Georgian and Abkhazian different state format expectations, the UN's hesitant approach on tackling this issue displays itself in developing solution plans such as Boden Paper.²⁷⁰ The Boden Paper tries to secure both the indivisibility of the Georgian territory and the Abkhazian decision on the political status of the Abkhazia under the dome of the federal structure, which seemed to be unconvincing. Thus, the Boden Plan did not satisfy the Abkhazian side, nearly furnished with self ruling right as a part of Georgia.²⁷¹

Another challenge is, getting longer of the resolution process. It endangers the peace process by disillusioning both sides, and by triggering the tension that may result in infringement of the ceasefire rules as happened three times in the past. As it comes to the problem of Russia, it is the most harmful issue in terms of Georgia. Georgia refused the CIS actorness, owing to the fact that Russia has the greatest weight in the CIS formation. Georgia demanded its being substituted with the international police force.²⁷² Particularly, after the August 2008 crisis, Georgia pronounced Russia as the invader. Therefore, Georgia with a parliament decision identified Russia, as a “military occupier,”(...) and pronounced the South Ossetian and Abkhazian lands as, “occupied territories.”²⁷³ However, the Russian justification was based on the argument that: “The determining factor in international law necessary to recognize military presence as an occupation regime is whether the invading state has

270 International Crisis Group: Europe Report No.179, Abkhazia :Ways Forward, 2007, http://www.crisisgroup.org/library/documents/europe/caucasus/179_abkhazia_ways_forward.pdf , (3 August 2009), pp. 9 -11

271 Damien Helly and Giorgi Gogia, “ Georgian Security and the Role of The West”, **Statehood and Security**, Bruno Coppieters and Robert legvold(Ed), Cambridge:American Academy of Arts and Sciences,2005,p.288.

272International Crisis Group: Europe Report No.179, Abkhazia: Ways Forward, 2007, http://www.crisisgroup.org/library/documents/europe/caucasus/179_abkhazia_ways_forward.pdf . (3 August 2009),pp. 13-14, .and Ron Asmus ,Swante Cornell ve diğerleri, “Internationalizing the Georgian Abkhazian Conflict Resolution Process:Why A Greater Europe is Needed?”The German Marshall Fund of the United States,Foreign Policy Brief on Conflict Resolution, http://www.gmfus.org/doc/Georgia-Abkhazia_PolicyBrief_Final2.pdf . (6 August 2009),p.3.

273 Amnesty International Report, “Civilians in The Aftermath of War”August 2009, http://www.amnesty-eu.org/static/documents/2009/Civilians_in_aftermath_of_warEUR_04_001_2009.pdf , (4 August 2009), p.34 .

established effective control over the territory of the country in question and its population,²⁷⁴ which comes to mean that Georgia, whose sovereignty is disputable on its lands, and who is devoid of the efficiency, and competence of securing the lives of its citizens, has to give consent to the securitization operations of the Russia.

The dilemma was; in spite of the fact that Georgia was recognizing Russia as the invader, the international organizations and the individual states who effort for the resolution, avoid to draw Russia out of the resolution process, by entitling Russia as a reliable actor, including the EU.²⁷⁵ Furthermore, the Russians' anti-Georgia activities were not limited to military ground. Russia was driving Georgia in to the corner, by playing political games such as, “passportisation”(…)of the citizens of de facto states “as a part of its wider policy of support to separatists authorities.”²⁷⁶ Another challenge is the position of the obligatory immigrated Georgians from the Abkhazian territory. Despite the fact that Abkhazia is de facto state, it is bound to secure the lives of Georgians planning to go back to their home in Abkhazian lands, owing to the fact that “Georgian and Abkhaz groups have threatened robbed and killed returnees in Gali region.”²⁷⁷

As it comes to the South Ossetian problem, it goes beyond to 1989, the year that the South Ossetian Public Front revolted against Georgia in the Soviet Union, with the demand of becoming a Single Ossetia dominated by the Soviet Union.²⁷⁸ After the liberation of Georgia from the Soviet Union, it went on as an organized identity struggle against the Georgian suppression, under the roof of the Adamon Nihaz General Assembly Organization. This time, the organization longed for the Single Ossetia, as the part of the Russian Federation. Upon Georgia's perceiving this approach as a security threat, the Georgian parliament ended the autonomous status of the South Ossetia.²⁷⁹

274 Independent International Fact Finding Mission on The Conflict Georgia- Report on the Conflicts in Georgia, 2009, IIFMCG Volume 2,http://www.ceiig.ch/pdf/IIFMCG_Volume_II.pdf ,(3 August 2009),p.308.

275Ron Asmus ,Swante Cornell ve diğerleri “Internationalizing the Georgian Abkhazian Conflict Resolution Process:Why A Greater Europe is Needed?”The German Marshall Fund of the United States,Foreign Policy Brief on Coflict Resolution, http://www.gmfus.org/doc/Georgia-Abkhazia_PolicyBrief_Final2.pdf (1 August 2009), pp.1 -2.

276 Dov Lynch, “Why Georgia Matters”,Chaillot Papers,2006,No.86, <http://www.iss.europa.eu/uploads/media/cp086.pdf> (23 June 2009), p.48.

277International Crisis Group: Europe Report No.179, Abkhazia :Ways Forward, 2007,____ http://www.crisisgroup.org/library/documents/europe/caucasus/179_abkhazia_ways_forward.pdf (3 August 2009),p. 20.

278 Yalçınkaya, p.190.

279 Cemilli, p.133.

In response, the South Ossetia announced itself as the self governing free state, in 1991.²⁸⁰ As the main actor behind the conflicts, Russia compelled Georgia to let upon, and give way to the Dagomis Agreement, which ensured the stationing of the CIS peace keeping force.²⁸¹ This hostile attitude of Russia aimed to draw Abkhazia and the Ossetia into its own influence area and break off their ties with Georgia. Furthermore, the visa issue was perceived by Georgia as the Russian sanction, due to the fact that Georgia did not support Russia in their war to Chenchnya. Georgia could not do this, because it could not take the risk of aggravating its Chechen population, living in the Pankisi Valley. Again, this visa issue was a kind of the Russian instrument in order to create trouble for the Georgian people, earning their lives in Russia, and to create hopelessness for the new comers, which would end in the extermination of the working opportunities in Russia, and which would have negative impact on the resolution of the crisis in the region.²⁸²

The provocative, and challenging attitude of Saakashvili against the Ossetians and Russia has escalated the tension between the Ossetia and Georgia, and between Russia and Georgia, since 2004. Saakashvili did not recognize the Ossetians as the collocutor for the negotiations but, the Russian state. Nevertheless, he did not trust Russia for the resolution of the crisis. As a matter of fact, the 2004 negotiations between Russia and Georgia did not contribute to the peace, but, to an over militarization of Georgia.²⁸³ Eventually, “The South Ossetian-Georgian War was almost transformed to the Russian Georgian war in August 2008.”²⁸⁴

In fact, the mutual threats between Georgia-Russia, and Georgia-Ossetia was harmful in terms of the peace process. While the fact that Georgia is surrounded by anti-Georgian attitudes is considered, the threat remarks of Georgia could be perceived as one of the instruments of its military defence. On the other hand, Russia which could be defined as, the victimizer of Georgia rather than its protector, could utilize threatening remarks as a political

280 Yalçinkaya, p.190.

281 Vakhtang Dzhikaev and Alan Parastaev, “Economic and Conflict in South Ossetia”, International Alert, From War Economies to Peace Economies in the South Caucasus, Chapter 6,

http://www.international-alert.org/pdf/2_WEeng_ch1.pdf, (1 September 2009), p.183, and Elnur Cemilli, **ABD nin Güney Kafkasya Politikası**, İstanbul: 1. basım, IQ Kültür sanat yayıncılık, 2007, p.134.

282 Karabayram, pp.208-209.

283 Yalçinkaya, pp. 191-192, and Hasan Kanbolat, “Güney Osetya Savaşı Bitti mi?: Gürcistan Bölünüyor mu?”, **Stratejik Analiz**, vol.9 Number.101, Eylül 2008, p.23.

284 Mithat Çelikpala, “Kafkaslardaki Son Gelişmeler, Küresel Hakimiyet Mücadelesi ve Türkiye”, **Stratejik Analiz**, Vol.9, Number 101, Eylül 2008, p.35.

suppression on Georgia. For instance, in 2008;

Russia warned Tbilisi that Georgian NATO membership would result in permanent loss of its breakaway territories and Russian military bases would be established there”, (...) besides, “Russian war plane repeatedly flew over Abkhaz, South Ossetian territory in a clear warning to Tbilisi.”²⁸⁵

All these prove that, Russia perceives the Abkhaz and the South Ossetia territory as a part of its own state, which has to be defended against Georgia. Russia creates de facto security complex between itself, Abkhazia and Ossetia. Despite the fact that the causes that endanger the conditions, which may bring resolution were multidimensional, as it happened in the Abkhazian case, the Russian factor and the lack of trust between Georgia and the South Ossetia, and their colliding security dilemmas constitute the problem mainly. As the South Ossetian domestic security dilemma is exploited by Russia, it escalates the security dilemma of Georgia, who almost feels itself contingent on Russia for the resolution of the crisis, and on the crisis management. Yet, the de facto security complex between Russia, Abkhazia and Ossetia endangers the state integrity of Georgia, which is tried to be preserved in the framework of international agreements.

However, the security gap of Georgia, caused by the security complex of Russia, enhances the over militarization and threats of Georgia, and yields to the provocative speeches and insistence on the indivisibility of Georgia. Therefore, the South Ossetian played the trump card of self governing demand, which locks the process a great deal. The self governing demand and the announcement of appetite for the unification of the South and the North Ossetia should be perceived, as the instrument of the military defence of the South Ossetia in order to daunt Georgia. The next obstacle in front of the resolution of the crisis seems to be the bicephalous situation of the de facto Ossetian state. While, Russia advocates the Tskhinvali leadership Eduard Kokoity, the Georgian side advocates Dimitri Sanakoev, as having a more moderate relations with Georgia. Despite the fact that the Georgian side insists on broader acceptance of Sanakoev, the Tskhinvali side perceives Sanakoev, as an obstacle on the course of the resolution. Therefore, the international actors do not know how to tackle

285 Independent International Fact Finding Mission on The Conflict Georgia- Report on the Conflicts in Georgia, 2009, IIFMCG Volume 2, http://www.ceiig.ch/pdf/IIFMCG_Volume_II.pdf, (3 August 2009),p.234.

with the issue of Sanakoev.²⁸⁶

Besides, another challenge is, the high risk of the increase of the illicit activities in the crisis region. The Georgian side clarifies the case, by defending the idea that illicit activities in the Roki Tunnel sustain the de facto entities and “greased corruption and crime inside Georgia.”²⁸⁷ Moreover, The Ergneti Market served as an exchange point and “criminalize the economy and prevent the settlement of the conflict.”²⁸⁸

On the other hand, the impasse of the political dialogue between Georgia, the South Ossetia, the North Ossetia and Russia owing to the fact that their description of the problem is too different, arises as the another difficulty. For instance, while Georgia perceives and defines the problem as political the Ossetians define it as identity problem.²⁸⁹ Representing the case as an identity problem, which is done on purpose to cover its illegal position, the South Ossetian Government takes refuges in the international humanitarian law. This is why, in June 2004, President Kokoity declared that, “Georgian Parliament should acknowledge that genocide was carried out against South Ossetians.”²⁹⁰

The next problematic issue is, both sides' getting their individual unconfirmed measures on their own initiative, a part from the consent of the joint peacekeeping force in order to prevent the illicit operations.²⁹¹ Since apart from the joint peacekeeping force, Georgia maintains “the rights of its individual or collective self defence if an armed attack occurs,”²⁹² in accordance with the Article 51 of the UN decision. Here is the threat perception of Georgia is put into use. Georgia as a legal state, may hold the individual right of getting

286 International crisis Group, Europe Report No.183: Georgia's South Ossetia Conflict: Make Haste Slowly, 2007 http://www.crisisgroup.org/library/documents/europe/caucasus/183_georgia_s_south_ossetia_conflict_make_haste_slowly.pdf, (4 September 2009), pp.6- 7.

287 Swante E. Cornell, “The Narcotics Threats in Greater Central Asia .From Crime -Terror Nexus To State Infiltration?” , Central Asia Caucasus Institute, Silk Road Studies programme, *China and Eurasia Forum Quarterly* , Volume 4, No.1, 2006, p.62.

288 Bruno Coppieters, “Locating Georgian Security”, Bruno Coppieters and Robert Legvold (Ed), *State and Security*, (339-387), p.363.

289 International Crisis Group, Europe Report No.183, Georgia's South Ossetia Conflict: Make Haste Slowly, June 2007, http://www.crisisgroup.org/library/documents/europe/caucasus/183_georgia_s_south_ossetia_conflict_make_haste_slowly.pdf (4 September 2009), p.9.

290 International Crisis Group Europe Report No.159, Georgia Avoiding War in The South Ossetia, November 2004, <http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN019224.pdf> (4 September 2009), p.7.

291 International Crisis Group, Europe Report No.183, Georgia's South Ossetia Conflict: Make Haste Slowly , June 2007, http://www.crisisgroup.org/library/documents/europe/caucasus/183_georgia_s_south_ossetia_conflict_make_haste_slowly.pdf, (4 September 2009), p. 15.

292 Independent International Fact Finding Mission , Report on the Conflict in Georgia http://www.ceig.ch/pdf/IIFMCG_Volume_II.pdf, (5 September 2009), p.239.

measures against any illicit operations taking place on its territory and may resort to self defence, if there occurs any armed assault against itself. But, this is a very fragile issue, owing to the impossibility of utilizing self defence, as a preventive measure in the consequence of any threat perception. For instance, Georgia could not resort to the UN article 51, with the assumption of the Russian, the Ossetian, or the Abkhazian threat unless, the Russian, the Abkhazian, and the Ossetian threats appear as something visible in the form of assault. So, if Georgia attempts to employ military instruments by eliminating the JPKF with the claim of self defence, before receiving any assault, this makes its position unjustifiable in terms of the Sochi Agreement, the UN Article 51 and the UN Article 2, which defends the inhibition of force between the clashing sides.²⁹³

Furthermore, the OSCE and the EU's having none credibility from the perspective of Tskhinvali side, in spite of their attempts to eliminate the illicit acts that come out, owing to the confused nature of the region and in spite of their trust building endeavours between both sides, arise as another problem. Yet, this is mostly depends on the South Ossetian de facto state position. The fact that both the OSCE and the EU have to resort to the international law in their policies, which generally justify the major concerns of Georgia, could not be sympathized by the Ossetian and the Abkhazian side. On the other hand, the EU's avoiding to be involved in visible activities may disillusion both sides. Nevertheless, the EU by donating the OSCE with € 500.000, in order to subsidize the Joint Control Commission proved that, it is striving to gain this credibility, by doing material sacrifices, besides developing projects.²⁹⁴

As a matter of fact, the EU had adopted a more process based approach in the conflict resolution but, this requires time to reach the final outcome. Yet, the roots of the conflict, the course of the conflict, the Russian attitude, the legal aspects in terms of Georgia, Ossetia and Abkhazia, and other minor issues have great influence on the processing of the soft policy of the EU. Since both crisis, which is the outcome of the Russian real politik, could not only be eliminated with complementary soft policy but, it may yield to an

293 Independent International Fact Finding Mission, Report on the Conflict in Georgia [./www.ceiig.ch/pdf/IIFFMCG_Volume_II.pdf](http://www.ceiig.ch/pdf/IIFFMCG_Volume_II.pdf), (5 September 2009), pp.239-260.

294 [International Crisis Group, Europe Report No:183, Georgia's South Ossetia Conflict:Make Haste Slowly , tp://www.crisisgroup.org/library/documents/europe/caucasus/183_georgia_s_south_ossetia_conflict_make_haste_slowly.pdf](http://www.crisisgroup.org/library/documents/europe/caucasus/183_georgia_s_south_ossetia_conflict_make_haste_slowly.pdf) (4 September 2009),p.19. * EU consigned 25 million Euro for the tasks in Abkhazia The scope of the tasks was wide such as “economic rehabilitation, humanitarian and technical assistance” EU supported “the rehabilitation of Inguri powerplant ,electricity network,hospitals,basic utilities” Nicu Popescu, “Europes Unrecognized neighbours: The EU in the Abkhazia and The South ossetia” *CEPS* ,No.260, March 2007, p.13.

atmosphere that may destroy the resistance of all conflicting sides and the normalisation of the Russian realpolitik. Thus, the EU's connective project was a long process of deterring the claims of the realpolitik. Yet, the 2008 war betrayed the EU's utopian claims.

According to Bruno Coppieters, the EU conflict resolution model has different pillars. One of the pillars is the conflict prevention, the other is the conflict transformation, another is the international conflict management, and ultimately, the conflict settlement. The conflict prevention method tries to ensure the abandon of the battle. The second pillar conflict transformation endeavours, enhancing the reconcilability of both sides. On the other hand, the third pillar is about the intense inclusion of the regional and the global actors in the conflict resolution process. As it comes to the last pillar, this makes up the ultimate goal; the conflict settlement which prioritizes the mutual compliance to the ultimate draft, came out as the common decision of both sides.²⁹⁵ As a part of the third step of the conflict resolution, the EU makes use of its influence on both sides, by supporting and encouraging them or by regulating the level of forcefulness on each other. The EU asserts that the most constructive conflict resolution consequence could be the federal formation. Nevertheless, all these steps on the way of conflict resolution that the EU hopes to end with a federation, should be evaluated within the timing policy of the EU. For instance, the rapid decision of reinforcing the frontier management of Georgia against the Russian intervention, is too different than the long time task of reconstruction of the railway lines between Georgia and Russia, in terms of the EU's time policy.²⁹⁶

Nevertheless in the 2008 war, the EU's long time project got serious damage owing to the futile war that harmed the “political balances of the democracy,”²⁹⁷ and caused serious anxiety in the Western world, whose backing is conditional upon the political stability of Georgia. On the other hand, the EU, who believes in the long term gains of the confidence building method was disillusioned, owing to the conquered condition of Georgia.²⁹⁸ Russia's realpolitik ruined the EU project, by ruining Georgia in order to reinforce its hegemony, to put an end to NATO Enlargement, and to undermine the Georgian corridor role, and to sabotage

295 Bruno Coppieters, “The EU and Georgia: Time Perspectives in conflict resolution”, No.70, December 2007, Institute For Security Studies, <http://www.iss.europa.eu/uploads/media/occ70.pdf> (6 September 2009), pp.3-4.

296 Bruno Coppieters, *The EU and Georgia: Time Perspectives in Conflict Resolution*, pp.3-4.

297 Svante Cornell and Niklas Nilsson, “Georgian Politics Since the August 2008 war”, *Demokratiszya*, Vol.17, issue no.3, p.251.

298 Cornell, and Niklas Nilsson, pp.257-259.

the Nabucco project.²⁹⁹

In this context, it is important to evaluate the influence of the EU institutions on the resolution process. For instance, while the European Commission tackles with enhancing the reconcilability of both sides, the Council and the Special Representative are engaged in ending the conflict, which seems a longer process than the first one, in terms of EU's time policy. Besides, The European Parliament oversees the EU's international actorness, which requires different time process and multilateral approach. As a matter of fact, different timing and different methods for different tasks may come out as the handicap, in terms of the EU's attaining to its ultimate goal. The EU's regulating the poise condition in favour of Georgia, by depending on its being an internationally recognised legal state, endangers the possibility of enhancing the reconciliation, which requires the recognition of the other illegal entity as a negotiator. This is one of the biggest challenges in front of the EU, since for both Abkhazia and the Ossetia, there exists a problem of remaining outside of the international legal system. The Abkhazia and Ossetia that are parts of this long process may come out as troubling entities, if they insist on their self government in a confederative structure, which threatens the Georgian state integrity and the international norms.³⁰⁰

Nevertheless, after the 2008 battle, Russia challenged the EU and the international norms, via acknowledgement of the “self declared independence of Abkhazia and South Ossetia by Russia.”³⁰¹ Despite the fact that, Saakashvili in 2005, claimed their desire that the EU could become a “peace guarantor”(…) and Russia, who supports the current conditions in favour of the illegal entities, and, who support the “common state,”³⁰² may leave little control to the EU, should have become disillusioned by the EU's falling astern, in comparison to French president Sarkozy's personal endeavours during the 2008 War. Besides, the outcome that appeared as a result of this personal endeavour was not satisfactory, in terms of Georgia, since, “six principles allowed Russia to take security measures in case of need.”³⁰³

299 Alexander Rahr,-Director of the Russian Eurasia programme,“ The Caucasus Needs a Rest After The War :Interview with Alexander Rahr”, *Caucasian Review of International Affairs*, vol 2(4),Autumn 2008, p 254.

300 Coppieters, *The EU and Georgia:Time Perspectives in conflict resolution*, pp.3-4.

301 EU Commission Staff Working Document:Communication from the Commission To The European Parliament and The Council: Implementation of The ENP in 2008. Progress Report, Georgia, Brussels, 2009
http://ec.europa.eu/world/enp/pdf/progress2009/sec09_513_en.pdf,(4 September 2009), p.8.

302 Coppieters, *The EU and Georgia:Time Perspectives in Conflict Resolution*, p.12.

303 Arie Bloed, “Georgian Russian War, The Turning point in the East West Relation”, *Security&Human Rights*, Vol.19, issue 4,2008,p.324.

On the other hand, the Abkhazian blocking up the relation rehabilitations process, by not letting the Georgian people turning back to Georgia besides, the Ossetians inability to set the representative government damages the EU's long term project. In fact, the strong challenges that come from the illegal entities, may both cause the hesitations for the limited acceptance, in the framework of the international peace projects, and the anxiety of what could happen without the shelter of limited acceptance. As the conflict transformation process is harmed by different dynamics, the conflict resolution target becomes distant. For instance, the absence of political dialogue between the South Ossetia and Georgia endangered the trade activities between Russia and Georgia, owing to the fact that it created an absence of authority in the transit corridor of the Ossetia.³⁰⁴

As a matter of fact, the EU had no sanctions on Russia, in order to block its abet. As a part of the conflict prevention, the EU is striving to initiate a common plane of sensibleness, where fragile issues are let in such as the the root cause of the battle, the unlawful acts done during the battle. In this respect, the EU claimed that they would station units for peacekeeping. Nevertheless, it does not seem to be satisfied of classic perception peacekeeping. The EU envisages the necessity of incorporating the international security institutions that are constituted of independent recognized states. Besides, the EU seeks to act in common with the OSCE and the NATO on the resolution of both conflicts but, this uncovers the internal dilemma that the EU would function as a civilian power or as a military one.³⁰⁵ The classic understanding of crisis management, which carry inside the essential nature of the hard politics, is treated as improper, by the EU. Actually, this could also be observed in the Action Plans in the Neighbourhood Framework, which emphasizes the EU's soft politics methods, which becomes blind to “projects in the politically sensitive fields of judiciary and law enforcement reform, civil society development and human rights.”³⁰⁶

Georgia criticizes the EU, as; “EU' s approach is outdated as it continues to provide technical experts,sending highly paid European consultants who provide no added value in addressing hard or soft security problems.”³⁰⁷ Furthermore, Georgia expected that the crisis

304 Coppieters, *The EU and Georgia:Time Perspectives in Conflict Resolution*, pp.9-10.

305 Coppieters, *The EU and Georgia:Time Perspectives in conflict resolution*, pp. 13-14.

306 International Crisis Group, *Conflict Resolution in the South Caucasus :Euro Report No.173:The EU's Role*, 2006, http://www.crisisgroup.org/library/documents/europe/caucasus/173_conflict_resolution_south_caucasus.pdf, (4 September 2009), p.6.

307 International Crisis Group, *Conflict Resolution in the South Caucasus :Euro Report No.173:The EU's Role*, 2006,

issue will have precedence over the other issues in the EU's Action Plan but, this did not come true. Besides, Georgia was also disillusioned by the poor utilization of the ESDP facilities, such as the EUJUST THEMIS and EUSR Border Team and by its not involving in the formal negotiations.³⁰⁸The crisis being tackled as the first issue, would rehabilitate the Georgian psychology yet, the EU could not evaluate this opportunity. Despite the fact that there had been some negative aspects with the Georgian way of handling the crisis, the EU should consider the fact that Georgia is not the side that has to make the major concession.

On the other hand, the toughness of appearing as sheer structure owing to the non existence of compact federal organization, drags the EU in to the influence area of the UN particularly, in the Abkhazian conflict. The EU has to be content with showing it self off in the softer areas that represents it inconspicuous, which ends in almost no recognition of what the EU does among the people of the neighbourhood territory. This little recognition and avoidance to make feel its weight of actor skills reduced the EU, almost to a good willed humanitarian assistance envoy. For instance, ECHO between the years of 1992 and 2004 donated € 168 million for food supply³⁰⁹ ECHO spent € 9.5 million for restoring the Enguri Hydro Power Plant, and € 1.98 million for restoring the hospitals and installing electricity, in the framework of EC Rehabilitation Programme.³¹⁰

The EU that becomes the biggest representative of the humanitarian aid strives for amending the current physical conditions, and the maintenance of the victims of obligatory emigration in both sides. The main purpose is, to remove the negative aspects and to rectify the confidence between the battling sides. But, in almost every phase of the EU task, there is a

http://www.crisisgroup.org/library/documents/europe/caucasus/173_conflict_resolution_south_caucasus.pdf
(4 September 2009),p. 7.

308EUJUST was introduced under the Council joint Action 2004/523/CFSP in 2004 in order to conduct the Georgian government on criminal justice reform strategy,reinforce the harmonization of Georgian judicial reform and anti-corruption and sustain the criminal procedure code.and EUSR BST was introduced under the Joint Action 2005/582/CFSP/ in order to constitute efficiently governed border management structure in Georgia.

International Crisis Group, Conflict Resolution in the South Caucasus :Euro Report No.173:The EU's Role, 2006, http://www.crisisgroup.org/library/documents/europe/caucasus/173_conflict_resolution_south_caucasus.pdf
(4 September 2009),p. 9. and Nice Popescu, "Europe's Unrecognized Neighbours :The EU in Abkhazia and South Ossetia,(electronic version) CEPS,No.260, March 2007, p.9, and Official Journal of the EU,Council Joint Action 2004/523/CFSP, Council of EU,EUSR BST factsheet.

309 International Crisis Group, Euro Report No:173,Conflict Resolution in the South Caucasus:The EU's Role http://www.crisisgroup.org/library/documents/europe/caucasus/173_conflict_resolution_south_caucasus.pdf
(10 September 2009),pp. 2-5.

310Delegation of the EU, Overview of Ongoing and Planned EC Assistance To People Affected by Conflict In Georgia: Including Post Crisis Response 2008, <http://www.delgeo.ec.europa.eu/en/programmes/rehabilitation1.html> (11 September 2009)

need for asking the official assent of the battling sides, particularly, for the recognised side. Yet, this obligation causes other hesitations in terms of Georgia such as, recognition of the de facto states, who feel themselves equal in the framework of the EU task. In fact, as a part of the conflict transformation process, the EU feels the need to carry out the ENP goals in the de facto states. Since Georgia perceives such kind of attempt as a threat to its state integrity, it has to carry out this task one sidedly, which trusses up the EU.³¹¹

Nevertheless, Georgia was not satisfied the EU's current approach since, it was long and complicated process. The EU insists on the positive contributions of the ENP rehabilitations to conflict resolution process that aspires for magnetizing the people of de facto states to the new advantages but, Georgia aspires to accelerate the process. Yet, there are some concerns related to the EU approach that the development process of Georgia via the support of the EU, would not heal the crisis which had ethnic roots and external factors. Moreover, in spite of the fact that the EU has to preserve its detachment in order to lead both sides, it mostly confronts with the danger of being partial. On the other hand, the anxiety felt for the EU task, and the Russian influence compelled Georgia, for dispensing the responsibility among the international actors. But, this did not end the Georgian anxiety that had been transformed to trust phobia. Furthermore, the EU had no choice of breaking off the relations with Russia, which Georgia feels trust phobic.

On the contrary, the EU enhanced its communication with Russia, by building up partnership on common spaces, including the external security and crisis management, which aims to provide the collaboration on the conduct of conflicts. In a way, with this cooperation method, the EU plans to rehabilitate the relation between Russia and Georgia.³¹² Nevertheless the EU can not be arbiter on Russia, when Russia infringe the Georgian supremacy rights, by intermeddling the domestic affairs of Georgia, via misusing its “passportisation policy.”³¹³ For instance, in 2005, South Ossetia declined the Georgian peace plan by putting forward the claim that they are the subjects of Russia.³¹⁴ Moreover, on the contrary to the EU's underestimating the military side of the issue, Georgian's being approved by the USA for its

311 Bruno Coppieters, “The EU and Georgia: Time Perspectives in conflict resolution”, No.70, December 2007, Institute For Security Studies, <http://www.iss.europa.eu/uploads/media/occ70.pdf>, (8 September 2009) pp.17-18.

312 Bruno Coppieters, *The EU and Georgia: Time Perspectives in Conflict Resolution*, pp. 19-21.

313 Dov Lynch, “Why Georgia Matters”(electronic version), *Chaillot Paper*, February 2008, No.86.(18 June 2009), p.48.

314 Independent Fact Finding Mission on the Conflict in Georgia, Report on the Conflict in Georgia, Vol II, http://www.ceiig.ch/pdf/IIFMCG_Volume_II.pdf, (12 September 2009), p.15.

applying for military measures invalidated the EU's approach. When the Georgian endeavours in 2008 were defined as an obligation, “to protect the sovereignty, ”(..) and, “democratic Euro-atlantic orientation, ”³¹⁵ the EU's civilian approach suffers.

Furthermore, what Georgia, offered as a solution was, encompassing the military measures rather than the civilian ones. On the contrary, when the Russian military intervention to Georgia was considered, Georgia turns out to be in the right, by confessing that its security is under threat depending on this conflict. Besides, Russia's defending its counter attack as a “special peace enforcement operation”³¹⁶ is chaotic situation, in terms of the EU that perceives Russia, as a useful actor. In 2008, the Russian so called peace operation, eroded the Georgian suzerainty, devastated the Georgian military power and ruined its economy.³¹⁷

The EU by constructing a multilateral plane of accord, tries to involve the regional and the international actors into its task but, this disturbs Georgia because this approach necessitates recognizing the defying entities as almost official sides. Therefore, the antagonism between the defying sides, and Georgia and between Georgia, and Russia endangers the EU task. This includes the tensions, which arise from the discussion of on what basis the de facto states could be transformed to de jure status. For instance, despite the Russian's common state preference for Abkhazia, Georgia insists on the supra presidential system. Moreover, the EU has to convince the de-facto states for the assets of the federal structure, which will enable them with the protection on the worldwide. Nevertheless, one of the biggest challenges is, the non statutory position of the entities in terms of the EU, and the international organizations.³¹⁸ Since this undermines the equal access facility of the sides to the EU' s reconstruction project, and triggers the detachment of the illicit states due to the fact that they are not encompassed in the EU Action Plan.³¹⁹

315 John E.Chicky, “The Russian - Georgian War:Political and Military Implications For US Policy”, Central Asia Caucasus Institute , Silk Road Studies Programme,John Hopkins University, February 2009, http://www.isdp.eu/files/publications/pp/09/jc09russiageorgia_2_.pdf (12 September 2009),p.8.

316 Georgian Government-Russian Agression of Georgia:Escalation of crisis in 2004- August 2008:Russian policy,Towards Georgia in the Months Before The Invasion, http://www.smr.gov.ge/uploads/file/Escalation_of_crisis.pdf (20 September 2009),p.2.

317 Oksana Antonenko, “A War With No Winners”, *Survival*, Vol.50, No.5,October/November 2008 ,p.24.

318 Bruno Coppieters, *The EU and Georgia:Time Perspectives in Conflict Resolution* ,pp.22-24.

319 International Crisis Group, Euro Report No:173,Conflict Resolution in the South Caucasus:The EU's Role, http://www.crisisgroup.org/library/documents/europe/caucasus/173_conflict_resolution_south_caucasus.pdf (13 September 2009),p. 15.

However, the EU's introducing Independent Fact Finding Mission in December 2008, enabled the EU's arbitrating the military struggle, in order to find out the facts about the source and the progress of the battle “with regard to international law, (Helsinki Final Act) humanitarian law, human rights, the accusations made in that context, allegations of war crime.”³²⁰ Nevertheless, this mission would force the EU to take into account of the allegations, done by the de facto states and, unrests Georgia that sees unilateral rightfulness in this crisis .On the other hand, giving reference to human right, would undermine the rightfulness of Georgia, who is ready to do everything to regain its sovereignty. The EU report has to include the issues war crimes, reciprocal imputations and any offensive behaviours, which is harmful in terms of its constructive friendly policy.

On the other hand, human right issue would strenghten the Russia's hand, owing to the fact that it may justify its military attacks on Georgia by getting reference of the Article 61(2)of the Russian Constitution, which assigns the Russian government to protect its subjects, who even do not reside in Russia.³²¹ This eventuated in 2008, with the Russian-Georgian war. However, the 2008 events forced the EU to become more engaged in the Georgian conflict. In 15 September 2008, it organized “autonomous civilian monitoring mission in Georgia” (..)“under the ESDP.”³²² On the other hand, the EU has tried to focus on Georgia as a part of its Black Sea Synergy Project but, Georgia preferred the externalization of the EU's project by including the countries of Black Sea.³²³ As a matter fact, Georgian expectation was satisfied in the EU's Eastern Partnership project.

The EU's Black Sea Synergy, which seems to strengthen the ENP goals for the conflict resolution by “addressing the overall climate by tackling underlying issues of governance and lack of economic development, lack of social cohesion, security and stability.”³²⁴ The Black Sea Synergy Project involves the “The core of the Black Sea Region

320Independent Fact Finding Mission on the Conflict in Georgia , Report on the Conflict in Georgia, Vol I, http://www.ceiig.ch/pdf/IIFFMCG_Volume_I.pdf, (12 September 2009),p.3.

321 Independent Fact Finding Mission on the Conflict in Georgia , Report on the Conflict in Georgia, Vol I, http://www.ceiig.ch/pdf/IIFFMCG_Volume_I.pdf, (12 September 2009),pp.24-31.

322Council of The European Union, EUMM Georgia, ESDP, <http://www.consilium.europa.eu/showPage.aspx?id=1512&lang=En> (13 September 2009)

323 International Crisis Group, Euro Report No:173,Conflict Resolution in the South Caucasus:The EU's Role, http://www.crisisgroup.org/library/documents/europe/caucasus/173_conflict_resolution_south_caucasus.pdf (13 September 2009),p. 16 .

324 EU Communication from The Commission To The Council and the European Parliament: Black Sea Synergy:A New Regional Cooperation Initiative ,Brussels, 2007 http://ec.europa.eu/world/enp/pdf/com07_160_en.pdf ,(13 September 2009),p. 4 .

consists of the littoral states of Ukraine, Russia, Georgia, Turkey, Greece, Bulgaria, Romania, Armenia, Azerbaijan and Moldova.³²⁵ For instance, Georgia, who is dependent on the EU values with the ENP, becomes the actor of the “Borjomi Declaration,”(..) and in consequence “The Community of Democratic Choice,”(...) which strives for “ending the remaining divisions in the Baltic sea region, human rights violations, any type of confrontation or frozen conflict”(...) with the Ukraine. Later, these countries are supported by “Lithuania, Latvia, Estonia, Romania, Moldova, Slovenia, and Macedonia.”³²⁶

The Black Sea Synergy, which functions as the counterpart of the ENP, creates intersected leagues that have common benefit for the sake of the region. With the same logic, Russia, who acted as the monopoly of energy resources in the region, by depriving Ukraine of the energy arbitrarily, and by putting embargo against Georgia and Moldova, had brought these countries together. This triggered the formation of the *GUAM*, which was transformed to the Organization For Democracy and Economic Development. The EU envisaged this synergy as a must, when Romania and Bulgaria became the members of the EU, which meant that the EU incorporated the Black Sea in to its security territory.³²⁷ When we take a look at the structure of the Black Sea Synergy, we confront with highly complicated fabric. In fact, the extension of the project may appear as a challenge to the EU, due to the fact that it involves various dynamics and actors into the process.³²⁸ In the context of Black Sea process, the EU has to emulate the more experienced organizations such as, the NATO, the OSCE, the Council of Europe and the UN, but particularly, with the NATO due to the fact that the Black Sea region has become another surveillance area from the respect of the EU's new security understanding. Another challenge in terms of the EU could be the question whether, both the

325 Graeme P.Herd ve Fotios Moustakis, “Black Sea Geopolitics:A Litmus Test For The European Security Order”,*Mediterranean Politics*,Vol.5, No.3,Autumn 2000.p.117.

326 Fabrizio Tassinari, “A Synergy For Black Sea Regional Cooperation:Guideline For an EU Initiative”(electronic version)*CEPS Policy Brief*,June 2006, No.105,p.1.

327 Tassinari, p. 2.

328 For instance, while in energy cooperation EU interrelates with “*Baltic states, Caspian States, New GUAM, EU Commission, Member States, USA, Banks, UNECE, BSEC, Private Consortia*” (...),in cooperation on democracy EU adopts “*Black Sea, Adjacent States, New GUAM, EU Commission, EU member states, OSCE, Council of Europe, Littoral states, NGO's, BSEC, US, Independent Think Tanks*” (...)as team mates. On the other hand, EU works with “*Baltic States,Caspian States, EU Commission, Member States, Banks, OSCE, UNECE*” (...)on the transport issues and with “*Black Sea and Danube Commissions, EU Commission, Member States,GEF-UNDP project, FAO, Baltic States, Banks, NGO's*”(…) on environmental issues. As it comes to its connections on security issue “*BSEC member states, EU Commission, Member states and OSCE, Council of Europe, NATO, relevant UN agencies, US Government, Think Thanks, Europol, Interpol*” (...)could get their place in the scheme Fabrizio Tassinari, “A Synergy For Black Sea Regional Cooperation:Guideline For an EU Initiative”(electronic version)*CEPS Policy Brief*,June 2006, No.105, p. 12.

EU, and individual countries would have the faculty of absorbing the transformation agonies, a part from the security threats, and provide the tissue concordance, and work in harmony in the light of “new European Security order.”³²⁹

On the other hand, the greatest trouble in terms of the EU is, the difficulty of the normalisation of the Russian negative influence in the region, and the impossibility of the subordination of Russia to the EU's expectations as the other little states, in spite of the strategic partnership process between the EU and Russia.³³⁰ In fact, these challenges have interdependent aspects, and they are not separate from each other. For instance, when it is considered that the 2004 enlargement of NATO included the states, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovenia, Slovakia, and that the 2009 enlargement had increased the number by adding two more countries of Croatia and Albania,³³¹ it could be claimed that the NATO turned its face to “wider Black Sea Region”(…) same like, the EU, which covers the broad region of “Central Europe, Caspian, Baltic and Russia.”³³²

When the benchmarks for NATO membership is considered such as, “the institutionalization of democratic values, a free market, the resolution of disputes with neighbours, democratic civil-military relations and ability to contribute to NATO's military effectiveness,”³³³ this could be evaluated as, something positive in terms of the EU. The NATO by defining the content of the disputes in detail with such words; “states which have ethnic disputes or external territorial disputes including irredentist claims or internal jurisdictional disputes,”³³⁴ it gives clues on, how the NATO wants to solve this issue. The condition for resolution of the disputes with neighbours come into prominence, in terms of the EU's ENP, in spite of the fact that the NATO challenges to the EU actorness, by interfering the most of the ENP fields. The NATO, by interfering the civilian issues such as, democratization, and by interrelating the civilian and the military issues such as conflicts, has aroused as an alternative of the EU. Russia, as being the biggest challenge for the EU's policy, is expected to

329 Graeme P.Herd and Fotios Moustakis, “Black Sea Geopolitics:A Litmus Test For The European Security Order”, **Mediterranean Politics**, Vol.5, No.3, Autumn 2000, p.118.

330 Herd ve Fotios Moustakis, p. 118.

331 Natonun Genişlemesi, http://tr.wikipedia.org/wiki/NATO#NATO.27nun_Geni.C5.9 (14 September 2009)

332 Fabrizio Tassinari, “A Synergy For Black Sea Regional Cooperation:Guideline For an EU Initiative”(electronic version)*CEPS Policy Brief*, June 2006, No.105, p.10.

333 Herd and Fotios Moustakis, p.119

334 Independent Fact Finding Mission in Georgia, Report on the Conflict in Georgia, Vol II, http://www.ceiiig.ch/pdf/IIFMCG_Volume_II.pdf, (12 September 2009), p.38.

be overhang for the Black Sea Synergy, in spite of its partner status. Russia is devoid of using its ex facilities in the Black Sea ,and the Caspian Sea, owing to the fact that “it is stuck in North West Caucasus in Black Sea Coast and in the North East Caucasus in the Caspian Coast.”³³⁵

As a matter of fact, another challenge for the ENP, and for the Wider Black Sea Synergy is, the USA. The fact that Black Sea has prior importance in terms of the USA, when its interventions to Iraq in the Middle East, and to Afghanistan in the Central Asia, are considered. Therefore, the USA approach to the region does not securitize the region as the EU expects. Furthermore, the USA militarizes the region, owing to the fact that it may utilize these military facilities in a possible military action. The USA reinforces its approach for the Black Sea, and perceives the region as military storage, when Iran and Russia are considered. In fact, the USA policy arises as the negative dynamic on the ENP, and the Black Sea Synergy, by increasing the security dilemma of Russia, and Iran. This approach undermines the civilian projects of the EU, and its endeavours to securitize the region as an Energy hub.³³⁶

B-THE NAGORNO KARABAKH CONFLICT :THE ROOTS AND THE COURSE OF THE CRISIS AS A CHALLENGE

The nature of the Karabakh conflict, the historical and the legal facts,³³⁷ the indisputable rightfulness of Azerbaijan side, in spite of its management faults, the inexcusable brutality scenes, the support given to Armenian injustice, the fear that this tragedy may recur, if Armenia does not step back, furthermore, an ethnic cleansing crime are all bitter facts inscribed in the memories of Azerbaijan people, which reject the minor solutions. While the nature of the conflict is nourished by revenge, it is difficult to mention about the normalisation process. Moreover, it would be a highly optimistic expectation that, normalisation process would start before justice was ensured in favour of Azerbaijan.³³⁸

335Hasan Kanbolat, “Karadenizin Değişen Jeopolitiği”,**Stratejik Analiz**, No.72,Nisan 2006,p.25.

336Kanbolat ,pp. 25-28.

337 For further information see Swante E.Cornell, “The Nagorno karabakh Conflict”,Report 46,Department of East European Studies,Uppsala University,1999, pp.31-35.

338 According to the Per Gahrton Report: The Nagorno Karabakh Conflict is the most dangerous conflict in the region. And the report “calls upon the countries in the region not to block efforts to bring three states closer together by demanding a resolution of the N.K conflict as aprecondition.” EU Parliament Report No.A5-0052/2004, p.9.

Therefore, in the light of the historical facts of the conflict, the perception of the conflict by the Azerbaijan side, which is the biggest obstacle in front of the international resolution attempts and particularly for the EU, will be presented.

This is why, the phases of the conflict will be exhibited in order to distinguish the real roots of the problem, which has to determine the conflict resolution principles by functioning as a cardinal reference, which the EU avoids to embed in its political approach of the problem. But, there exists many challenges on the way of the EU's soft policy .The primary challenge is; in spite of Azerbaijan's placing the nature, and the root of the conflict in the first row, which would facilitate it with the legal retrieval, the EU's insistence on tackling the minor solutions, by supposing the nature and source of the conflict as non existent, in order to concentrate on the normalisation process. As a matter of fact, the Azerbaijanis, who were forced for emigration from his lands, express the fragility of the situation with the following words:

*All we want is to return to our fatherlands. The peace negotiations have been lasting ten years and there are no results. The people can get used to poverty, to being homeless and to different difficulties but they can never get used to dishonour and the loss of their motherlands.*³³⁹

The Nagorno Karabakh conflict has to be perceived as the Russian strategy, of using Armenia as a paw, who craves for conquering the Azerbaijan territory, which Armenia associates itself, as part of its created history, in order to discourage Azerbaijan on the way of its independence struggle, and in order to conceal the pains of transformation from radical communism to a more moderate approach of Gorbachev.³⁴⁰ Furthermore, this unjust current Russian attitude is the continuation of the 18th century Russian policy, which facilitated the displacement of Azerbaijan people from their lands, and the increase in Armenian population on the Azerbaijan land, by neglecting the fact that the Nagorno Karabakh belongs to Azerbaijan, in the framework of agreements, in de jure. Nevertheless, the Armenian Diaspora impact, the Armenian elites being arbiter in the decision making system of the Russian State,

339 Shannon O'Lear and Angela Gray, "Asking The Right Question :Environmental Conflict in The Case of Azerbaijan",*Royal Geographical Society*, Vol.38.No.4, p.397.

340 Şihaliyev, pp.47-48, and Aygün Attar, **Karabağ Sorunu Kapsamında Ermeniler ve Ermeni Siyaseti**,Ankara:Atatürk Araştırma Merkez,2005, p.119. * for further information , see the Yuri Rost, **Armenian Tragedy**, London:George Weidenfeld and Nicolson Limited,1990, pp.1-15 .

and the Armenians' functioning as the building block of the Russian's chess game in the Caucasus, blackened the historical facts, furthermore, opened the way for the future unrest.³⁴¹

In fact, the first spark of trouble appeared on 20 February of 1988, when the Nagorno Karabakh Autonomous Soviet Republic declared its self determination decision, in favour of Armenia, and when it was recognized by the Armenian government on 15 June of 1988,³⁴² by trying to justify themselves with the 70th clause of the Russian Constitution, which contradicts the 78th clause, in the Russian Constitution. The combatant of the revolt were both nationalist and communist Tashnak groups, who were nourished by the Armenian Diaspora such as The Krunk Organization, who contributed to the revolt's growing violent.³⁴³ The Soviet Azerbaijan government had become just passive onlooker to the painful expulsion of the 230.000 Azerbaijan Turks, living in Armenia, and in the Nagorno Karabakh in 1988. The balance sheet of expulsion was a tragedy such as;

*185 Turkish villages and towns were confiscated, 31.000 house, private farms, 165 collective farms and private property was plundered and usurped, 214 Azerbaijan Turk were murdered, 1154 were wounded, hundreds of Turks were tormented, many women and girl were raped. 230 thousand Turks, 15 thousand Kurds and Russian took refuge in Azerbaijan.*³⁴⁴

On one hand, the Armenian intellectuals were provoking the people for the massacres of Azerbaijan people, on the other hand, the Armenian religious leader ,Vazgen, was irritating the Azerbaijan people by defending the rights of Armenian diaspora, who believed that the Nagorno Karabakh would become an Armenian territory.³⁴⁵ Despite the fact that Armenia was challenging Azerbaijan, by trusting on diaspora' s reinforcement of the Armenian army and the budget, Azerbaijan was left alone by the West, the US, and by the other regional actors. In this context, the misrepresentation of the Azerbaijan Turks was significant, in terms of Armenia, in order to mislead the world public opinion, and to enable the West, sympathize with their struggle. As a result of this approach, the Armenian terrorists massacred 26

341 Mustafa Budak, "Azerbaycan-Ermenistan İlişkilerinde Dağlık Karabağ Meselesi ve Türkiye'nin Politikası", Mehmet Saray, Cezmi Eraslan, Ali Arslan and others, (Ed))**Kafkas Araştırmaları II**,(107-139),İstanbul Üniversitesi Eddebiyat Fakültesi, Türkiye Cumhuriyeti Tarihi Anabilim Dalı, 1996, p.107.

342 Şihaliyev, p. 48, and Aygün Attar, **Karabağ Sorunu Kapsamında Ermeniler ve Ermeni Siyaseti**,Ankara:Atatürk Araştırma Merkez,2005,p.122.

343 Şihaliyev, p. 48.

344 Aygün Attar, **Karabağ Sorunu Kapsamında Ermeniler ve Ermeni Siyaseti**,Ankara:Atatürk Araştırma Merkez,2005,pp.122-123.

345 Attar, pp.123-124.

Armenian citizens in Sumgait city, in order to convince the idea that Azeri people are threat to the lives of the Armenian people moreover, to the Christian community.³⁴⁶ On the other hand, the Soviet officials' slandering Azerbaijan, with the claims of “pan-turkism,”(...) and, “panislamism”³⁴⁷ proves, the Armenian-Soviet political cooperation in the misrepresentation of Azerbaijan.

This massacre would be kept as a trump card in Armenian hand, in order to use against Azerbaijan during the negotiations. The fact that Armenian massacres were supported actively by the Russian Red Army came out, as a result of Russian's slaughtering 137 people, and damaging 744 people, in one day between 19th and 20th of January in 1990. Nevertheless, this was also the proof of insufficiency or worse, the treason of the Azerbaijan Soviet government under the governance of Vezirov, who asked for the help of the Russian Red army in order to repel the OMON, the police force, which brings to heel the Armenian army. The world press and Moscow distorted the reality, and misrepresented the massacre as the suppression of an anarchist movement.³⁴⁸

The 1991 public vote in Nagorno Karabakh, originated the de facto “Artsak Armenian Republic,”³⁴⁹ in 1992, of January. Actually, this was the resiliar of the decision of the Alma Ata Declaration (1991), and the 5th article of the 1991 Minsk Agreement, which asserts that “each country has recognized the territorial integrity of the other state and the inviolability of the current borders.”³⁵⁰ As a matter of fact, the intense Armenian violence could not be stopped, in spite of the decisions taken in the framework of Jeleznovadosk Protocol, (1991) which claims that “it is an obligation to stop this vicious circle based on murder and revenge,”(...) since the Armenian side's one more time challenging Azerbaijan by hitting the helicopter “that carries the committee that taking part in Karabakh negotiations”³⁵¹ and, received its response from the Azerbaijan side, by drawing back the autonomous governing rights of the Nagorno Karabakh. This sparked the tension between both sides. The

346 Şihaliyev, pp. 49-50.

347 Swante E. Cornell, “The Politicization of Islam in Azerbaijan”, 2006, Central Asia Caucasus Institute, Silk Road Studies Program: Silk Road Paper, p.19.

348 Attar, pp. 125-133.

349 Aslanlı and İlham Hesenov, p.46.

350 Yalçinkaya, p.133.

351 Mustafa Budak, “Azerbaycan-Ermenistan İlişkilerinde Dağlık Karabağ Meselesi ve Türkiye'nin Politikası”, Mehmet Saray, Cezmi Eraslan, Ali Arslan ve diğerleri, (Ed) **Kafkas Araştırmaları II**, (107-139), İstanbul Üniversitesi Eddebiyat Fakültesi, Türkiye Cumhuriyeti Tarihi Anabilim Dalı, 1996, p.113.

unchallenged massacres, and inconceivable western toleration, encouraged the Armenian side. The ethnic cleansing of Azeri Turks in Hojaly, (1992) had become the peak point for the Armenian wilderness, which resulted in depressive balance sheet.³⁵²

The years between 1991-93 was so tough, in terms of Azerbaijan. Despite the fact that it was represented as the Armenian military dominance over Azerbaijan, the fall of Kalbajar in 1993, was the success of the Russian military force. This would trigger the disengagement of the Azerbaijan side, and yielded to the fall of Fizuli, Gubadly and Zengilan regions.³⁵³ Likewise, the uprising in Ganja was the strategic trick of Russia. S.Hüseynov, the leader of the Ganja uprising was, Russia's pawn and his intention was to let Azerbaijan, fall into a desperate position, which would necessitate the peaceful intervention of the Russian Army, that was sent away from the Azerbaijan territory.³⁵⁴ The last blow to Azerbaijan came, with the fall of Sucha and Lachin region, “which are centuries old cultural centers of Azerbaijan.”³⁵⁵ The total balance sheet of the battle, was devastating.³⁵⁶

As it comes to Azerbaijan's political faults that influenced the process negatively, it could be claimed that; primarily, Azerbaijan Peoples Front's and Elchibey's adoption of the utopia that “Single Azerbaijan had become the political and cultural influence area of Turkish spirit, language, culture and the tradition of state socialism,”(...)and the idea that this would uncover the “political Turkism.”³⁵⁷ In this context, political Turkism highlighted the otherness of their identity from the Perisan culture and had exalted the ideology of nationalism that became the political target of Iran and Armenia.³⁵⁸ Becoming the political target of Iran and Armenia, Azerbaijan, had adopted the ideology of “Musavatism, an ideology of self defence.”³⁵⁹ Relying on this nationalist approach, and Islam, Elchibey was aiming to discard the Russian political remnants, and rendering true identity of the Azerbaijan people living in Iran, in other words, he was politicizing the identity issue as an instrument of magnetizing

352 “450 people were killed, 400 people were injured, 70-80 people were lost, 20 people were captivated as prisoner of war and 800 people were harmed in this or that way”, Nazim Cafersoy, **Elçibey Dönemi Azerbaycan Dış Politikası**, Ankara:ASAM,2001, p.41.

353 Nazim Cafersoy, **Elçibey Dönemi Azerbaycan Dış Politikası**, Ankara:ASAM,2001,p.49.

354 Şihaliyev, p.64.

355 Attar, p.144.

356 “the loss of %20 of Azerbaijan territory, the death of 32 thousand civilian Azerbaijan, and the death of 16 thousand Azerbaijan soldier” Aygün Attar, **Karabağ Sorunu Kapsamında Ermeniler ve Ermeni Siyaseti**, Ankara:Atatürk Araştırma Merkez,2005, p. 149.

357 Haleddin İbrahimli, **Değişen Avrasya'da Kafkasya**, Ankara: ASAM,2001,p.3.

358 İbrahimli, p.4.

359 İbrahimli, p.6.

the other Turkish cultures around Azerbaijan. Nevertheless, the multi ethnic, religious structure of the Azerbaijan community, who lost its homogeneous Turkish Azerbaijan nature as the consequence of community engineering of Russia, did not adopt this policy as a role model, and generated the negative political image of Azerbaijan.³⁶⁰

As a matter of fact, this ideology was the consequence of the delirium, tasted after continuously loosing territory. This generated the feeling of hopelessness, desperateness, and the loss of national pride. Despite the fact that Islam Turk' had become a role model for some of the groups in Azerbaijan, the danger of fanaticism of Islam, should also be considered as a challenge. As, there has been no clear Islam perception among Azerbaijan community, there exists the potential that radical Islam may diffuse through the community, with the support of Iran. As a matter of fact, the radical Islam could appear as a resistance against the globalisation, which could be evaluated as the danger of adopting the western values blindly.³⁶¹

Secondly “the inability of the Azerbaijan's government obviating the forces that advocate Russia,”³⁶² had appeared as a challenge to Azerbaijan, since Russia had never worked in favour of Azerbaijan, since it would set back Azerbaijan of seeking solution, via the international law, and furthermore, since this attitude may overshadow the rightfulness of Azerbaijan claims on the international arena that highlights the Russian intrigues in the conflict.³⁶³ Azerbaijan, during the Aliyev leadership, reconstructed its foreign policy, abandoned the old claims and adopted a more pragmatic approach, which would enable Azerbaijan as a strong actor in the region. Azerbaijan decided to utilize its oil and gas as a shield against the Russian, and the Armenian foreign policy. Yet, Azerbaijan's this attitude created controversial opinions on, whether Azerbaijan's over politization of its natural resources will have positive impact on its coming close to the conflict resolution.

Despite the USA's, and the Europe's propping Azerbaijan for the over politization of its natural resources, as the part their international energy policy, and the sensitiveness they felt for the securitization of energy; there is an opposing evaluation that; “approach linking environmental resources with conflict points to the abundance of resources as destabilizing,”

360 Nazrin Mehdiyeva, Azerbaijan and Its Foreign Policy Dilemma, *Asian Affairs*, vol.34, No.3, November 2003, p.274.

361 Ibrahimli, pp.18-24.

362 Attar, p.144.

363 Attar, p. 144 .

(...) and, likewise, the evaluation that; “depending on how a government manages its resource wealth, rapid expansion of resource sectors toward export can result in a wider gap, rural decline, centralization of control and unchecked corruption,”³⁶⁴ demonstrates that the politization of the resources as a strategy of conflict resolution may end up having negative consequences. As a matter of fact, the sub issue of these controversial evaluations questions the “uneven access to or distribution of resource benefits.”³⁶⁵

Despite Azerbaijan's utilizing its natural resources as a key to access the international security arena, the management of the financial input, is held by the Azerbaijan elite, who has high level of income, in contrary to the simple citizen, who have low income. In fact, this situation contradicts the idea of communal development. The lack of communal development harms the EU's democratization projects, and the state's becoming over potent likewise, it happened in the communist system. On the contrary, the equal distribution of income strengthens the civil society, undermines the corruption, regional differences, elevates the living standards of people and give an end to the destitution of people. In return, an internal normalisation process could be provided just like the EU asserts. The internal normalisation process will encourage the self confident attitude of the people, and naturally the elite, who may concentrate on the high politics apart from the low politics. Yet, Azerbaijan's getting control of the reins from the Europe by asking it self the question “if we have oil do we still need Europe?”,³⁶⁶ may endanger the EU's projects.

The non existent of the Azerbaijan political determination of good management of the defence sector, which was exploited by the high rank officials, gives way to the non existence of the professional army that could have rehabilitate the crisis management process. Owing to the fact that Azerbaijan has been devoid of the tradition of democracy, and the requirements of democracy, this negative habitual behaviour mode, may reveal it self in the governing method of the army. But, Azerbaijan in spite of all these anxieties, endeavoured to reinforce its defence structure via allocating \$1.85 billion in 2008. The fact that Azerbaijan is inexperienced on defence issues, and that there is lack of democracy in the country, has

364 Shannon O'Leary and Angela Gray, “Asking The Right Question :Environmental Conflict in The Case of Azerbaijan”, *Royal Geographical Society*, Vol.38.No.4,p.391-(Amuzer 1982,Gelb 1986 1988, Karl 1997 2000)(Auty and Mikesell 1998;Auty 2001b)

365 O'Leary and Angela Gray, p. 393. (Gleditsch and Urdal 2002)

366 International Crisis Group:Europe Report No.173,Conflict Resolution in The South Caucasus:The EU's Role,March 2006,p.7.

negative impact on the good intentions of building a strong army, and cause the prejudice that even strong army could be corrupted in a mal governed system, in which the parliament remains outside of the competence of controlling the army expenses and the action records and in where army is utilized as the guarantor of permanence of president's political life.³⁶⁷

On the other hand, the insistence of the defence units, leaving the civil society unaware of what is going on triggered the impassivity of civil society. In spite of EU's attempts of exalting the civil society mechanism, as the mechanism of following up the faults and positive criticism, Azerbaijan political elites avoidance to incorporate the civil society in the political and the military issues appears as a challenge to the EU. Yet, the ENP could not be generated without the civil society of Azerbaijan. The fact that most of the people are unaware of the the EU tasks, arises as the problem of the EU.³⁶⁸

In March 1992, January 1994, February 1995, and in March 1999, in the EU Parliament Declarations, the EU attributed to its anxieties, opinions and inferences gained through the Nagorno Karabakh Conflict. Yet, it has always highlighted the fact that the EU has to take into consideration of the OSCE decisions in its attempts.³⁶⁹ In that sense, the EU acknowledges its role as a supplementary to the OSCE's. For instance, The ENPI assures that if the N.K is resolved, the EC will support both sides to reinforce the resolution, which comes to mean that the EC will promote the confidence building, the civil society role, socio-economic reform, the legislative and the administrative reforms, democracy, the rule of law, the humanitarian and the demining tasks, and it may even contribute to the international peacekeeping. Besides, it promises Azerbaijan for the renovation of the crisis region, for the settlement of the IDP problem, and for the disposal of SALW and ERW. The EC supports both countries with the post war rehabilitation programmes, sustained by the ECHO and the EIDHR. Despite the fact that both Azerbaijan and Armenian Strategy Paper hint for the emergency of the case, by claming that this frozen status has negative influence on the

367 International Crisis Group:Europe Briefing No.50:Azerbaijan :Defence Sector Management and Reform ,2008, http://www.crisisgroup.org/library/documents/europe/caucasus/b50_azerbaijan___defence_sector_management_and_reform.pdf, pp.1-2.

368 International Crisis Group:Europe Report No.173,Conflict Resolution in The South Caucasus:The EU's Role,March 2006, pp. 13-15.

369Ali Faik Demir, "AB' nin Güney Kafkasya Politikaları"**Dünden Bugüne Avrupa Birliği**, Beril Dedeoğlu(der)İstanbul:Boyut yayınları,Ekim 2003,pp.374-375.

Armenian and Azerbaijan foreign policy, the EU does not represent itself as a direct conflict resolution actor in the N.K sample.³⁷⁰

The EU, whose civilian crisis strategy on the Nagorno Karabakh is constituted on the ENP and on the EUSR, lays stress on the necessity of the EU engagement in the conflict resolution in the framework of the ENP Action Plans. The EUSR, who is supposedly, authorized with the mission of sustaining the conflicting sides during their transformation period, and enhancing the EU communication with the regional actors,³⁷¹ seems to be illusory. Thus, a contradictory position emerges. The EU, which concentrates on the confidence building and the post conflict peace building seems not to be volunteered to a mediation role, since the EUSR is not convenient for undertaking a mediation role.³⁷² As a matter of fact, the EUSR was mandated to encourage the development of comprehensive EU policy in the frame work of the ENP, and to accomplish the political and the economic reforms in the field of rule of law, to enhance democratisation, the human rights and the good governance and the media freedom. Furthermore, the EUSR was assigned with the missions of preventing the conflict in the region, contributing to the peaceful settlement of the conflict, promotion of the situation of the IDP, encouraging the cooperation on energy and economy, promoting the EU's actor identity, generating dialogue with the governments, civil society and the parliaments.³⁷³

For instance, in response to Azerbaijan's locating the Karabakh issue, as the primary concern of its foreign policy, Armenia follows the same path, and by securitizing the issue, as it was taking place on its own territory, traps the EU and, leaves it stagnant. Armenia endeavours to keep the frozen status for the sake of counteracting Azerbaijan, and the international mediation efforts.³⁷⁴ In this respect, apart from its over militarization as the result of its security addiction, Armenia's perception of balancing the powers in the region, is based

370 EU Commission, European Neighbourhood and Partnership Instrument: Azerbaijan Country Strategy Paper 2007-2013, (16 Eylül 2009), http://www.delaze.ec.europa.eu/publications/enp/ENP_CSP_2007_13.pdf, pp.1-6.

371 Giovanni Grevi, "Pioneering Foreign Policy, The EU Special Representatives", Chaillot paper No.106, Institute for Security studies, October 2007
<http://www.iss.europa.eu/fileadmin/fichiers/pdf/chaillot/chai106.pdf> (19 September 2009) pp.53-54.

372 Emma J. Stewart, "The EU As an Actor in Conflict Resolution: Out of its Depth?", 2008, Plymouth International paper Series. International Studies center, University of Plymouth
<http://www.politics.plymouth.ac.uk/pip.htm> (16 September 2009) p.p.1-10.

373 Official Journal of the EU, Council Joint Action 2006/121/CFSP, February 2006

http://www.consilium.europa.eu/uedocs/cmsUpload/1_04920060221en00140016.pdf (16 September 2009)

374 Taline Papazian, "From Ter Petrossian to Kocharian: Explaining Continuity in Armenian Foreign Policy, 1991-2003" *Demokratizatsiya*, Spring 2006, Vol.14, No.2, p.p. 236-238.

on its approach of “politicisation of ethnicity.”³⁷⁵ Due to the small number of Armenian population, and its detached position, Armenia adopts the attack as the best defence method. As a matter of fact, over militarization of Armenia is the continuation of the politicisation of ethnicity, which is a way of sanctioning its behaviours. The repetition of the political claims on ethnicity, which is in fact, a cultural issue diffuse in to the perceptions after some time, and gains political recognition, and generate serious results such as, self determination.³⁷⁶

By doing so, Armenia endows itself with the mission of authorized interfering side, by considering the fact that “state institutions were the only legitimate actors in the process of state building and regional integration. Non state actors were not accepted as the legitimate partners in state and nation building.”³⁷⁷ In this respect, Armenia by suppressing the self determination of the Nagorno Karabakh, makes the process difficult in terms of the non governmental organizations, and particularly, for Azerbaijan, who even rejected the OSCE plan that envisages the “condominium model” (...) namely, the “shared sovereignty.”³⁷⁸

Another challenge is, Armenia's inability to be convinced, since it holds on to the conjectural interpretation of the past, without being loyal to the facts and law, but to the distorted, misrepresented illustrations. For instance, insisting on the claim that the Nagorno Karabakh Autonomous Region, “was a truly autonomous region of the Soviet Union that was in no way officially linked to Azerbaijani Soviet Republic,”³⁷⁹ makes Armenia, irreconcilable. As it was clarified before, Armenia had adopted the irreconcilability as a mode of behaviour. The Armenians' could not disclaim of their conjectural rights due to their belief that the Nagorno Karabakh is their war trophy. Likewise the case of Nagorno Karabakh, the misrepresentation of the Armenians', which told the same old refrain, seems to be recognized by the Western intellectuals, who claim that the Armenians “have always played the role of victim, suffering the consequences of the desires of Roman, Byzantine, Persian, Ottoman and Russian Empire.”³⁸⁰

375 Bruno Coppieters, “The Politicisation and The Securitisation of Ethnicity :The Case of the Southern Caucasus”, *Civil Wars*, Winter 2001, Vol.4, No.4 , p.79.

376 Coppieters, *The Politicisation and The Securitisation of Ethnicity :The Case of the Southern Caucasus Civil Wars*, p.80.

377 Coppieters, *The Politicisation and The Securitisation of Ethnicity :The Case of the Southern Caucasus, Civil Wars*, p. 81.

378 Micheal Emerson, Nathelie Tocci, Elena Prokhorova, “ A stability Pact For The Caucasus in Theory and Practice”, (electronic version), *CEPS*, September 2000, No.152, p.8.

379 Russell L.Grimley, “Framing Nagorno Karabakh Conflict: Understanding The Reasons Of Failure and Assessing The Future” 2008, US Army War College,

<http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA493722&Location=U2&doc=GetTRDoc.pdf> (20 September 2009), p. 5.

380 Grimley, p.13.

Furthermore, the miscomparison done between 1915 events, and the Holocaust raises the feeling of revenge, among the Armenian people. Nevertheless, conquering the lands of another state, and keeping the control of territory, in contrast with the existence of several decisions, law clauses, actors and the international organizations, had created a feeling of triumph in Armenia, against the Azerbaijanis. In addition to all, the fact that, most of the ex leaders of the Nagorno Karabakh separatist movement had become the main element in the Karabakh negotiations as the leaders of the Armenian government such as, Kocharian and Sargsyan, is a striking detail in terms of the challenging conditions for the resolution. It is so utopian to expect a milder attitude, and positive contribution for the normalisation process, from the people, who took the primary mission in separatist movement.³⁸¹

On the other hand, the Armenian diaspora impact should not be neglected in the Karabakh issue in terms of its functioning as a conserver of the status quo. As the strong crier of the claims that Armenia is only after the common defense of its community, Armenia diaspora manipulates the process, and distorts the legitimacy of the Azerbaijan battle, gone through with the Nagorno Karabakh. Furthermore, the Armenian diaspora, by highlighting the misrepresentations that Armenia is the injured side, tries to mitigate the truth that both Armenia and the Nagorno Karabakh infringed the international law, which support the territorial integrity of Azerbaijan.³⁸² Despite the claims of some Armenian sources that “The Republic of Armenia is not engaged in military forces fighting in Karabakh,”³⁸³ Armenian conquest of the Azerbaijan land was justified as, “pre-emptive strike,”³⁸⁴ by the diaspora, who tries to work hard to be the winner side of the war, by getting the support of the US Congress.³⁸⁵ Armenia tries justify itself on the international platform, by presenting itself as if it has no direct role in this battle. Armenia reduces its role to a humanitarian support by claiming that “The Republic of Armenia has been a source of food, fuel, medical, personnel, supplies and volunteered fighters,”³⁸⁶ in order to strengthen its hand in the future bargains that

381.Grimley, pp.14-19.

382 Thomas Ambrosio, “Congressional perceptions of Ethnic Cleansing :Reactions To Nagorno Karabagh War and The Influence of Ethnic Interest Group”,*Review of International Affairs*, Autumn 2002, vol.2, no.1, pp. 24-26.

383 Levon Chorbaian, Patric Donabedian and Claude Mutafian, **The Caucasian Knot** :The History Geopolitics of Nagorno Karabakh,UK:Zed Books, 1994, p.2.

384 Thomas Ambrosio, “Congressional perceptions of Ethnic Cleansing :Reactions To Nagorno Karabagh War and The Influence of Ethnic Interest Group”,*Review of International Affairs*, Autumn 2002, vol.2, no.1,p.38.

385 Ambrosio, p.24 .

386 Chorbaian, Patric Donabedian and Claude Mutafian, p.2.

will be done with Azerbaijan. Of course, the greatest challenge in front of the political attempts, to solve the conflict is the de facto state, the Nagorno Karabakh itself, and its claims that plugs the process. Furthermore, the fact that independence is indispensable for the N.K elite, invalidates all the apolitical endeavours of the EU, and the OSCE.³⁸⁷

As a matter of fact, the de facto Nagorno Karabakh state is seeking the ways for the justification of its de facto status, by taking shelter in the clauses of the international law, which may arise as a bizarre situation depending on, how these clauses are interpreted. For instance, as a part of its state declaration on the issue, the N.K claims that democracy should be valid for every citizen of a state without making any, “ethnic, religious, cultural segregation,”³⁸⁸ between the citizens, but on the contrary, as an ethnic element and citizen of Azerbaijan, it struggles for the ethnical decomposition of Azerbaijan citizens, and ethnical homogenization of Armenians, on the other's land. Despite the fact that de facto N.K state declarations involve references to the international law clauses, in order to justify its de facto status, it mostly contradicts itself, such as;

There are no absolute freedoms and absolute rights. Those can be limited , but done so only in confirmation with law which is ratified by the constitution and the corresponding requirements and goals of the international law(...)the state is not only the major responsible subject in regards with defending and guaranteeing human and citizen rights and freedoms, but also acts responsible in the event of violation of those rights, which should be in harmony with internal legislation and should not contradict the international obligations of the given country. For example, according to Article 15 of the European Convention on Human Rights and Fundamental Freedoms, 1950 there are two cases when a signatory country is granted a right to withdraw from carrying out obligations under the Convention (derogation) and those are in time of war other public emergency threatening the life of the nation.³⁸⁹

When the events occurred between the years 1988-1993 is considered, it could be claimed that the Nagorno Autonomous Republic in Azerbaijan Soviet Republic had already started its illicit operations that could enable the infrastructure of the military war, against the Soviet Azerbaijan state. Furthermore, after Azerbaijan's independence, this ethnic revolt had

387Dov Lynch, “ Managing Separatist States: A Eurasian Case Study”, November 2001, Institute For Security Studies, Western European Union, <http://www.iss.europa.eu/nc/actualites/actualite/browse/54/article/managing-separatist-states-a-eurasian-case-study/> (18 September 2009), p.12 .

388The Nagorno Karabakh Republic: The Ministry of Foreign Affairs. The legal Status of Individuals, www.nkr.am/en/the-legal-status-of-individuals/63/ (18 September 2009), p.1.

389 The Nagorno Karabakh Republic: The Ministry of Foreign Affairs. The legal Status of Individuals, www.nkr.am/en/the-legal-status-of-individuals/63/ ,(18 September 2009), p. 2.

been transformed to a military battle, which could be recognized as the primary threat to the existence of Azerbaijan state. In this context, the Nagorno Karabakh State Declarations that recognizes the Azerbaijan State as the chief responsible for the protection of the human rights and the fundamental rights' of the N.K Armenians, undermines reality by neglecting the fact that Azerbaijan State was in war with the N.K Autonomous Republic that revolted against the Azerbaijan state, by declaring its self self-determination and in this exceptional process, the state could be exempted from the responsibility of well government, owing to the fact that it is in position of the self defence.³⁹⁰

As it was mentioned in the paragraph, there are no absolute freedoms and absolute rights, which has to be valid for the N.K Armenian citizens. The Azerbaijan Government may have the right to get some precautions in order to eliminate the dynamics, which may arise as a threat to its state integrity. The Nagorno Karabakh conflict seemed to be the battle of literature of law, which is utilized as the justification of the illegal acts over the legal ones. For instance, in spite of the insistent approach of the Nagorno Karabakh government in evaluating the status of the N.K Armenians, after the Azerbaijan Soviet Republic's collective eviction between the years of 1988-1990, as the émigré contradicted with both the USSR and Azerbaijan Soviet Republic's claims that based on the international law, which rejected the existence of term such as, “internally displaced person.”³⁹¹

Therefore, the NK charged Azerbaijan of victimizing the N.K Armenians, who fell into the status of émigré, by getting reference of the articles of the Guiding principles on Internal Displacement. By giving this principles as a reference, the Nagorno Karabakh was demanding atonement, in accordance with the Article 2, principle 29 of the Guiding Principles on the Internal Displacement. Furthermore, the N.K tries to justify its self determination right as the result of the infringement of the 12th Article of the the Azerbaijan Republic Constitution, by the Azerbaijan government, which asserts that “the highest priority of the state is to protect the rights and liberties of a person and citizen.”³⁹²

390 International Fact Finding Mission on The Conflict in Georgia: Report on Conflict in Georgia:Volume II,September 2009,<http://www.ceiig.ch/Report.html>(21 September 2009), p.188.

391 Nagorno Karabakh Republic: Ministry of Foreign Affairs:The Categories of Refugees and Forced Migrants, www.nkr.am/en/the-categories-of-refugees-and-forced-migrants/64/ NKR,(21 September 2009), p.1.

392Nagorno Karabakh Republic: Ministry of Foreign Affairs:The Categories of Refugees and Forced Migrants, www.nkr.am/en/the-categories-of-refugees-and-forced-migrants/64/ NKR,(21 September 2009), p .2.

Meanwhile, the N.K Armenians who wanted to get refugee from the Russian Federation were challenged by the same response that these people could not be protected under the title of internally displaced people, owing to the fact that this is an uncovered issue in the Russian law and rather different and a bizarre situation, as these people could not be protected also under the category of the compulsory migrant, owing to the fact that this title do not cover the people, who were not the subjects and the dwellers of the Russian Federation. The recent dispute is based on the envision that what could be the possible scenarios, if the emigre status of the people were to be evaluated in the context of the “Reduction of Statelessness.”³⁹³

The N.K de facto state does not recognize the Azerbaijan state as the home, due to the fact that it was devoid of the capability and the legal authority. But, Armenia could be perceived as a home for the N.K Armenians, yet, the insufficiency of the working facilities impelled people to seek an opportunity in the Russian federation. The de facto government of the N.K evaluates the Russian Federation, as the authorized but, the reluctant side. The N.K de facto government's emphasis on the Armenian's claim that there are similarities between the course and the outcome of the expulsion of the Armenians, from one Ottoman land to another, with the N.K Armenians' expulsion that happened within the Azerbaijan Soviet Republic, arises as a challenge on the way of the resolution attempts.³⁹⁴

II-EU-OSCE PRIORITIES IN THE CRISIS

A-EU'S POSITION AS A CRISIS RESOLUTION ACTOR

The fact that, the EU could do nothing for the N.K Armenians, arises as a serious problem, since the resolution of the crisis is to some extent dependent on their claims. But, the EU, who serves for the reinforcement of the international norms, could not support an illegal entity, since it contradicts with its claims, if it adopts that attitude. Furthermore, the Nagorno Karabakh conflict caused serious socio-economic damage to Azerbaijan with the

393 Nagorno Karabakh Republic: Ministry of Foreign Affairs: The Categories of Refugees and Forced Migrants, www.nkr.am/en/the-categories-of-refugees-and-forced-migrants/64/ NKR (21 September 2009), p .4.

394 Nagorno Karabakh Republic: Ministry of Foreign Affairs: The Categories of Refugees and Forced Migrants, www.nkr.am/en/the-categories-of-refugees-and-forced-migrants/64/ NKR, (24 September 2009), pp..3-4.

reconstruction and rehabilitation activities, which required high amount of financial power and various donors. So, the EU as a post conflict rehabilitation actor, feels responsible for Azerbaijan, who was victimized by the N.K and Armenia. For instance, while Germany has been supporting Azerbaijan in the fields of economic development reform, and private sector via donating, 3 million Euros per year, Italy provides the humanitarian aid, for the refugees and for the displaced people via donating, 1 million Euro per year. On the other hand, Sweden contributes to the mitigation of poverty, via donating 1million Euro, and Denmark provided 3.200.000 Euros for the IDP's, between the years of 2005 and 2007.³⁹⁵

Due to the fact that, IDP problem involves the social, the economic and the humanitarian factors, the EU tries to focus on the IDP's of Azerbaijan in the framework of its ENPI, with the support of the donors. It is estimated that 570.000 IDP can not return to their home, owing to the fact that a resolution could not be obtained. The Azerbaijani Government tried to maintain them in collective centers but, the conditions are tough, since the maintenance required some social measures such as, providing work, medical care, social security and allocating allowance. Some of the IDP's have to live in public building, some live in hostels, wagons, schools or, in sanatoriums.³⁹⁶

As a matter of fact, the EU supported these people, via using the EC Post Conflict Rehabilitation Programme and TACIS funding, which was later substituted with ENPI since 1999. The TACIS programme allocated resources for the IDP, and endeavoured for the integration of these people in to the social system that may enable them with the income.³⁹⁷ For instance, under the Reconstruction Programme of TACIS, drinking water supply, electricity supply, the irrigation system were completed, the railway was restored in Fuzuli and 600 houses and twelve schools were reconstructed with the support of ECHO.³⁹⁸ The EC

395 European Neighbourhood and Partnership Instrument: Azerbaijan Country Strategy Paper 2007-2013 and the UN Report A/58/594/S/2003/1090 According to the UN Report A/58/594/S/2003/1090 :6 city,12 village,830 settlement,700 hospital, 150 houses burned,destroyed,4.366 social and medical building,including schools sanatorium complex public health destroyed, 927 libraries plundered,4.6 million books, valuable manuscript burned,6 state theatre 85 music school destroyed,600 factories pillaged,1.200 irrigation system destroyed,160 bridges,800km road, 2.300 km pipeline destroyed.

396 Internal Displacement Monitory Center, Azerbaijan:IDP's still Trapped in Poverty and Dependence, 14 July 2008,[http://www.internaldisplacement.org/8025708F004BE3B1/\(httpInfoFiles\)/8B6C4C522BEC7261C12574860040F726/\\$file/Azerbaijan_Overview_Jul08.pdf](http://www.internaldisplacement.org/8025708F004BE3B1/(httpInfoFiles)/8B6C4C522BEC7261C12574860040F726/$file/Azerbaijan_Overview_Jul08.pdf) (24 September 2009)

397 European Commission,TACIS Indicative Programme For Azerbaijan 2004-2006, 22 May 2003,http://www.delaze.ec.europa.eu/pdfs/NIP_2004_06_en.pdf (23 September 2009), pp..4-10.

398 World Bank Report No.PIC5532, Azerbaijan Pilot Reconstruction project,http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/1997/09/05/000009265_3971229185059/Rendered/PDF/multi0page.pdf ,(25 September 2009), pp..4-5.

between the years of 1991-2005, supported Azerbaijan on different issues with 400 million Euro, and proved itself as a post conflict crisis management actor, by employing its TACIS programme, Food Security programme, and post war rehabilitation activities under the EIDHR and the ECHO.³⁹⁹

Therefore, the IDP problem is rather a thorny issue, since Azerbaijan seeks the ways for secure relocation of the IDP's, and since those territories are devastated areas.⁴⁰⁰ Furthermore, the relocation of the Azeri IDP's has to be assented by the Armenians, and in return, Azerbaijan had to assent that a referendum will shape the final status.⁴⁰¹ On the other hand, “the existence of large IDP population and loss of substantial national territory constitute a serious security threat” (..) for Azerbaijan since, “IDP's have become drain on economic financial resources of new states and the loss of separatist areas has serious economic loss.”⁴⁰²

On the other hand, the fact that the EU's policy are not binding on Azerbaijan, and on Armenia, and that it is not involving in the diplomatic communication as an official side, are the primary challenges in terms of the EU' s actorness in the Nagorno Karabakh conflict. For instance, the EU, who tried to reinforce its actorness by attending Peter Semneby, as the EUSR to South Caucasus in 2007, disillusioned by the Azerbaijan governments' negative attitude when, Peter Semneby's attempts to visit the Nagorno Karabakh, for the sake of generating a more dynamic role that would contribute to the conflict resolution was not authorized, by the Azerbaijan government. On the contrary, in the year 2005, the EU showed reaction to Azerbaijan's attempt to set up commercial air link with the Northern Cyprus, since this attempt would trouble the EU, due to the fragility of the issue.⁴⁰³ On the other hand, despite the EUSR Peter Semneby's belief that without the Europeanization of the institutions,

399 European Neighbourhood and Partnership Instrument. Country Strategy Paper 2007-2013 http://ec.europa.eu/world/enp/pdf/country/enpi_csp_azerbaijan_en.pdf (23 September 2009),p.15.

400 International Crisis Group Report, Nagorno Karabakh : A Plan For Peace, Europe Report No.167, 11 October 2005, http://www.crisisgroup.org/library/documents/europe/caucasus/167_nagorno_karabakh_a_plan_for_peace.pdf (24 September 2009) pp..24-26.

401 International Crisis Group Report: Risking War, Europe Report No:187, 14 November 2007 http://www.crisisgroup.org/library/documents/europe/caucasus/187_nagorno_karabakh_risking_war.pdf (29 September 2009),p.3.

402 Dov Lynch, “Defacto States Around The Black Sea: The importance of Fear”, *Southeast European and Black Sea Studies*, Vol.7, No.3, September,2007,p.492.

403 Tabib Huseynov, “The EU and Azerbaijan : Destination Unclear”, *Europe in Dialogue*, 2009, issue 1, Central and Eastern online Library, <http://www.ceeol.com/aspx/issuedetails.aspx?issueid=b21c7a8f-7e8b-4327-a861-9b0c3ceef92e&articleId=2a371d32-91e1-4525-bd76-c921df48e6af> (30 September 2009), pp.77-78.

policy and norms, a healthy relation could not be provided between the EU and the South Caucasus states, Armenia's perceiving the Europeanization as a menace for its integrity appears as a challenge, in terms of the EU.⁴⁰⁴

The fact that the EU focuses on corruption, democratization, civil society is based on the belief that corruption feeds on the void of the legislative rules, democracy, and the frozen conflicts. The political elite, who are not the true representatives of the public, may control the course of resolution and endeavour to keep the status quo, in order to enable the corrupted system work with the diaspora contributions, or via the external assistance.⁴⁰⁵ This is why, the EU interlinks the crisis, stability, security, good governance and democracy. The EU aim is, to provide the atmosphere for peace. The 2007 People to People Contact between Armenian and Azerbaijan intellectuals,⁴⁰⁶ is, the proof of the civilian initiatives, apart from the political ones. The EU believes that all these activities will mature the political atmosphere that would enable the political dialogue. For instance, in spite of its offering no tangible solution, The Moscow Declaration signed by Armenia and Azerbaijan, in 2008 which pronounces that;

*To restore stability security in the region by resolving N.K by political means (..) and agreeing that the peace settlement should be accompanied by legally binding international guarantees of all its aspects and stages.”(..)and that considering important encouraging the establishment of conditions to realize measures on consolidating trust in the context of efforts on settlement.*⁴⁰⁷

is the proof of good intention, in terms of the EU. Nevertheless, the EUSR's reluctant attitude to take on the monitoring mission in the Nagorno Karabakh political dialogue platforms, and furthermore, the EU's inability to generate original settlement plan, apart from the OSCE Minsk Group settlement task, and the ENP, which has limited concentration on the conflict itself, and which seated the conflict issue in a distinct perception of security, is a challenge to

404Tigran Mkrtchyan,, “Armenian's European Future”, Europe in Dialogue,2009,issue.1,Central and Eastern Online Library,<http://www.ceeol.com/aspx/issuedetails.aspx?issueid=b21c7a8f-7e8b-4327-a861-9b0c3ceef92e&articleId=2a371d32-91e1-4525-bd76-c921df48e6af> (30 September 2009), pp.21-31.

405Natalia Mirimanova, “Corruption and Conflict in the South Caucasus”, International Alert, January 2006,http://www.international-alert.org/pdf/Corruption_Conflict_inSC.pdf, (28 September 2009),pp.10-11.

406European Commission:Commission Staff Working Document:Progress Report :Azerbaijan,Brussels,2009, http://ec.europa.eu/world/enp/pdf/progress2008/sec08_391_en.pdf (23 September 2009),p.6.

407European Commission:Commission Staff Working Document:progress Report :Armenia,Brussels, 2009, http://ec.europa.eu/world/enp/pdf/progress2009/sec09_511_en.pdf (23 September 2009),p.6.

the EU. On the other hand, the EU's inability of pledging the EU membership, on the contrary to its intense business associate position with Armenia and Azerbaijan, could be evaluated as, mitigating factors, in terms of its conflict resolution actorness capability, owing to the fact that remaining outside of the membership facilities may disillusion both Azerbaijan and Armenia and this may end in with their becoming indifferent to the ENP, and seeking alternative methods outside the EU. Furthermore, the EC's supplying £160 million for the needs of Azerbaijan, and £171 million for the needs of Armenia locates the EU, as a benefactor, rather than crisis management actor, despite the fact that till 2006, the EU could not realise its restoring tasks, and the de-mining operation, which would enable the return of the accustomed daily lives.⁴⁰⁸

As a matter of fact, Armenia's perceiving some of the regional tasks as the factors that triggers its detachment and pushes Armenia to persuade the EU, in order not to supply these tasks, if it needs, appears as a challenge for the EU, who has to keep the same distance, with the two countries. Since the EU seemed reluctant to recognize the fact that Armenia is occupant in the framework of the international law, it may shadow its objective actorness. The EU's subjection to Armenian side that rejects the possible alternative of the EU's assistance, could be contingent upon Armenia's abandonment of the Azerbaijan territory, and its not taking place in the OSCE Minsk political dialogue platform, may upset the verdant relations between the EU-Azerbaijan, and the EU-Armenia in favour of one side, but against the other one. This fragile actorness of the EU may be undermined, while two countries' balance policy is considered with the primary actors of the region, such as, Russia, Iran and, with the global actors, who exploit the Nagorno Karabakh conflict for the sake of their foreign policy. The fact that Armenia is not after the resolution of the Nagorno Karabakh conflict while adopting the ENP, but ending its economic isolation, should be well perceived by the EU.⁴⁰⁹

On the other hand, the National Progressive Reports demonstrate that Armenia has not adopted a National Action Plan on human rights, and that it is still a matter of concern on the ill treatment, torture, and on the freedom of expression. But, Azerbaijan seems to be less successful according to the National Progress Report, since it did not progress the measures

408 International Crisis Group: Conflict Resolution In The South Caucasus :The EU's Role: Euro Report No 173, March 2006, pp.1-6.

409 International Crisis Group: Conflict Resolution In The South Caucasus :The EU's Role: Euro Report No 173, March 2006, pp. 11-15.

against torture, freedom of assembly, protection of national minorities, corruption, unemployment, and poverty reduction, which arises as a serious challenge against the EU strategy.⁴¹⁰

Basically, the EU, whose ENP policy is founded on the confidence building, peace settlement, post conflict rehabilitation, and conflict prevention strategy, has to struggle with the outcome of the long transformative policy, that envelopes wide spectrum of topics. Due to the fact that the EU has to mature and test its global actorness at the threshold of the South Caucasus, it had to learn great number of things in a short period of time, which did not provide the EU with the necessary experience. The 2008 Georgia-Ossetia war forced the EU to comprehend and to witness the tangible outcomes of the war. The EU recognized that global actorness required stronger attitude.

Therefore, The East Partnership was introduced with the Prague Summit in 7th of May 2009. The Eastern Partnership could be recognized as the reinforcement of the ENP, which could not be effective, in the crisis region. As it was stated in the official document of the Communication From The Commission to the EU Parliament, the EaP would represent the EU solidarity, and its determination for the reforms, and it would be founded on the principles of the rule of law, good governance, respect for the human rights, respect for the protection of the minorities, market economy, and for the sustainable development. The EaP aims for more comprehensive approach that incorporates the social and the economic policies, in order to lessen the discrepancy within each partner country. For instance, the EU tries to rehabilitate the ENP format, by entitling citizens of the partner states with progressive visa liberalisation. The EaP aims to support the partner states with a comprehensive Institution Building Programme. The goal is, to provide the Europeanisation of the institutions, and the legislations of the partner states, in order to intensify its political ties and, to let the CFSP and the ESDP in the system, via reinforcing the political communication on common concern areas. The EaP as the ENP did, imagines to create a security order, in which the threats that may arise from the illegal migration, maladministration of the borders, could be eliminated, via the Europeanisation of the state policies of the partners. Furthermore, the EaP attributes to

410 European Commission: Commission Staff Working Document: Progress Report : Azerbaijan, Brussels, 2009, http://ec.europa.eu/world/enp/pdf/progress2008/sec08_391_en.pdf, and European Commission: Commission Staff Working Document: progress Report : Armenia, Brussels, 2009, http://ec.europa.eu/world/enp/pdf/progress2009/sec09_511_en.pdf, (2 October 2009)

the need felt for additional funding, required for all these long lasting tasks, since it aims to incorporate many different actors such as, government ministries, agencies, parliament, civil society, international organizations. It prioritizes the cultural programmes, which will contribute to the indulgence, the social and, the regional accord. On the other hand, the EaP as the ENP did, recognizes the energy diversification, and the energy security as a rescue strategy for the region. That is why, it elevates the role of the Black Sea Synergy.⁴¹¹

The Black Sea Synergy political scope covers the democracy, the human rights, good governance, trade, security, energy, transport, employment, regional development, and the frozen conflicts.⁴¹² The EU, by attributing to the frozen conflicts in the Black Sea Synergy Initiative, pronounces that it will have active role in the resolution efforts, engage in monitoring, enhance confidence building measures, and introduce cooperation programmes to bring together the conflicting parties.⁴¹³ Thus, The Black Sea Synergy is another method of importing the European values to a region that is confronted with serious difficulties. The Black Sea Synergy enables different structures that become interdependent to each other, connected the actors in the region, and moreover, devoted to the deepening of the relations. If, the region is perceived as the heart of the body that pumps the blood, and the countries as the other organs that carry the blood, this means that the countries are there for the existence of the region. The EU tries to diffuse the idea that if any of the country is harmed by any threat, this may strain the heart namely, the region itself. As the ENP priorities the establishment of democracy, in the Caucasus region, The Black Sea Synergy impels them to broaden the circle, by developing bilateral or multilateral agreements. On the other hand, the Black Sea Synergy is promoted by the Eap.

The EU, by generating the Eastern Partnership Culture Programme tries to reinforce the regional cultural relations between states, in order to conduce for the conflict resolution, and the conflict prevention. For instance, the EU, by reinforcing the conservation of the regional cultural resources and the heritage, may mitigate the tension between Armenia and

411 European Commission, Communication From The Commission To The European Parliament and The Council .Eastern Partnership, Brussels, 2008, pp.1-13, and The Joint Declaration of The Prague Eastern Partnership Summit,Prague,7 May 2009,http://ec.europa.eu/external_relations/eastern/index_en.htm (5 October 2009), pp. 5-10.

412 Yannis Tsantoutis, "Black Sea Synergy and Eastern Partnership:Different centers For Gravity Complementarity or Confusing Signals?"ICBSS,Policy Brief,No.12, February 2009, p.7.

413 Union of Black Sea and Caspian Confederation of Enterprises:Black Sea Synergy:A New Regional Cooperation Initiative:Bucharest presentation, http://www.ubcce.org/md/TC_I_Bucharest_Presentation_Patsiavos.pdf (6 October 2009)

Azerbaijan, since the city of Shusha, which was besieged in war, and, which signified a lot in terms of Azerbaijan and Armenia, could be preserved in the framework of the Eastern Partnership Culture Programme. Furthermore, the Cultural Programme may contribute to the eliminations of the cultural misrepresentation between Armenia and Azerbaijan, which seems to be the greatest obstacle on the way of the resolution. But, in contrary to its cultural connotations, the senior target's being based on economic and energy concerns may mitigate the power of the programme.⁴¹⁴

Moreover, the Eastern Partnership Culture Programme may contribute to the conditions of the IDP's, in Azerbaijan via reinforcement of the civilian society. Nevertheless, the CSO's are not effective in Azerbaijan. The CSO that support the peace, are under heavy control of the government. The IDP's problems are not on the agenda of the current CSO. On the other hand, the CSO's are not volunteered to work for the peace, since they believe that the crisis had to be settled politically, and the self determination of the N.K should be finalised, before the social inclusion of the people. Furthermore, some CSO's in Armenia, make propaganda for the illegal settlement of the Armenians, in the occupied territories. On the other hand, both in Azerbaijan and in Armenia, there is lack of academic study on the crisis settlement issues. The media, in both countries, do not contribute to the normalisation of the relations. The media sparks the hate. In Armenia, the media hides some of the political facts.⁴¹⁵

On the other hand, The Support to Integrated Border Management Systems in the South Caucasus, is again designed to enhance the preventive security measures in the region, and enable for secure borders. Moreover, The Programme is designed to develop common training activities between Armenia, Azerbaijan and Georgia, and bilateral activities between, Georgia, Azerbaijan and Georgia, Armenia, on the border management.⁴¹⁶ In addition to these programmes, the EU introduced the Regional Information and Communication Programme,

414ENPI,Eastern Partnership Culture Programme-Part I,http://www.enpi-info.eu/maineast.php?id=286&id_type=10 (7 October 2009),and UN Repertoire of the Practice of the Security Council:Considerations of questions under the responsibility of Security Council for the maintenance of international peace and security, http://www.un.org/en/sc/repertoire/89-92/CHAPTER%208/EUROPE/item%2019_Nagorny-Karabakh.pdf (11 October 2009)

415Nona Mikhelidze and Nicoletta Pirozzi, "Civil Society and Conflict transformation in Abkhazia, Israel-Palestine,Nagorno Karabakh,Transnistria and Western Sahara" ,Micron Policy Working Paper 3, Brighton:Microcon,2008, http://www.microconflict.eu/publications/PWP3_NM_NP.pdf(11 October 2009),pp.32-34.

416ENPI,Project.Support To Integrated Borer Management Systems In The South Caucasus,http://www.enpi-info.eu/maineast.php?id=299&id_type=10 (12 october 2009)

which aimed to create recognition of its policies, goals and assistance. If the EU may disseminate its values, norms approach and strategy, it may register its conflict resolution identity, due to the fact that it ensures recognition.⁴¹⁷ The EU employed the TAIEX, TWINNING; SIGMA and the NIF instruments, in order to encourage the states for the Europeanization of their institutions, law and policy.⁴¹⁸

On the other hand, the EIDHR, which is an initiative of the European Parliament, contibuted to the conflict prevention, and the post conflict rehabilitation, with its thematic projects such as; Armenia and Azerbaijan on The Crossroads of Neither Peace Nor War that took place between the 2004-2005, Interactive Human Rights projects between the years 2004-2005, Strenghtening Civil Society Role In Good Governance Development in Armenia between the years 2006-2008.⁴¹⁹

The TACIS Regional Action Plan in 2003, promoted the TRACECA, INNOGATE, and the Environment Management Projects. Furthermore, the TACIS contributed to the regional projects such as, Armenia Demining Programme project, took place between the years, 2003-2006, and, the TACIS Rehabilitation of Caucasus Highways that took place between the years, 2002-2004.⁴²⁰ Furthermore, it is observed that 2002 TACIS Action Programmes prioritize the support of the institutional, legal and the administrative reforms in Azerbaijan, and in Armenia. It contibutes to the social consequences of the transition by supporting both sides, and by reinforcing the private sector. In 2004-2005 Action Programmes of both countries, it is observed that contributions are done for the border management, transport sector, and for the social assistance system. In 2006 Armenian Action Programme, while the poverty reduction strategy is tackled in Azerbaijan Action Programme, the support for the investment and the export is tackled.⁴²¹

417ENPI, Regional Information and Communication Programme,http://www.enpi-info.eu/maineast.php?id=247&id_type=10 (12 October 2009)

418ENPI, Multi Country Cooperation Instruments(EAST):CBC,NIF;TWINNING;TAIEX;SIGMA, http://www.enpi-info.eu/maineast.php?id=289&id_type=10 (12 October 2009)

419The European Union's Delegation :European Initiative For Democracy and Human Rights <http://www.delarm.ec.europa.eu/en/programmes/europeaninit.htm> (17 October 2009)

420European Union's Delegation:TACIS Regional Action Plan 2003 <http://www.delarm.ec.europa.eu/en/programmesactions/regionalprogramme.htm> (15 October 2009),and European Union's Delegation :TACIS Regional projects,<http://www.delarm.ec.europa.eu/en/programmesactions/listprojects.htm> (15 October 2009)

421European Commission:External Cooperation Programmes: Annual Programmes East http://ec.europa.eu/europeaid/where/neighbourhood/regional-cooperation/enpi-east/annual-programmes_en.htm#armenia (13 October 2009)

Before launching the ENP, the EU underscored the importance of generating a political dialogue between the conflicting parties, and the conflicting parties with the EU, in the framework of the PCA. It was also highlighted in the Article 5 of the PCA that the political dialogue, democracy, promotion of the human rights, including the minorities is a must, for the establishment of the security and the stability. In Article 7 of the PCA's, it was pronounced that political dialogue will contribute to the resolution of the regional conflicts, and the OSCE would be the diplomatic channel for the resolution of the conflict.⁴²²

As a matter of fact, the EU in the light of the multilateral approach to conflict resolution's perspective, has cooperated with the OSCE, before the Eastern Partnership was introduced. The ENP goals required the enhanced cooperation with the OSCE. The EU and the OSCE have cooperated on the judicial, political reform, public administration, anti corruption measures, media development, small and medium sized enterprise development, border management, and on combating the human trafficking. They have realised this cooperation, in the framework of the consultations, between Troikas and the OSCE General, at both the Ministerial, ambassadorial, political, Security Committee level, via the addresses by the EU presidency to the OSCE permanent Council, invitations to the Secretary General, the High Representative and the External Relations Commissioner, via contacts between the Secretary General and the EU External Relations Commissioner and the High Representative for the Common Foreign and Security Policy, via, participation of the European Commission in the framework of OSCE bodies, through its delegation in Vienna, and via coordination between the Heads of the OSCE Field Operation, and the EU Special Representative or the Heads of the EC Delegation.⁴²³

Despite the EU and the OSCE claims that they work in coordination, they have some problems that create frustration in terms of achieving tangible results. For instance, the fact that the OSCE documents are unattainable, since they are intimate, this OSCE attitude leaves the EU, devoid of the official documents on the crisis, which is fundamentally opposite to the requirement of bartering information between the two entities. On the other hand, the fact that

422 European Commission Partnership and Cooperation Agreement, Azerbaijan ,http://ec.europa.eu/external_relations/ceeca/pca/pca_azerbaijan.pdf (13 October 2009),and European Commission Partnership and Cooperation Agreement, Armenia ,http://ec.europa.eu/external_relations/ceeca/pca/pca_armenia.pdf (13 October 2009)

423 OSCE Secretariat ,External Cooperation, European Union, <http://www.osce.org/ec/13066.html> (20 October 2009)

the EU utilizes the mixed competence for the decision making, creates correlative problems in terms of harmony.⁴²⁴ Besides, the OSCE weight in “rule of law and police training”(…)the fact that, “Election assistance is organized under ODIHR” and, the “Deployment of Rapid Expert Assistance React,”⁴²⁵ under the mandate of the OSCE, appears as the signs of emulation, or furthermore, as a competition.

The OSCE tries to keep the EU as an interdependent actor, and bestow the primary role to itself, in spite of the fact that the EU's policy functions as the wagons of the locomotive. It could be claimed that the more the OSCE shakes, the more the EU becomes dispersed. Yet, it is interesting that, the EU does not seem to be disturbed by the OSCE's actorness. Thus, the normalisation of the idea that, not needed yet, is also internalised by the Commission itself: “No one has allowed us to do anything in Nagorno Karabakh we would do something there if we were asked by the sides,”⁴²⁶ arise as the deficit of the EU. Finally, in case of reference to the EU's military power, the EU will be limited to,“EU capabilities, funding availability, in addition to, member state political will.”⁴²⁷ Therefore, the EU as being interdependent to the leadership of the OSCE who could not be called a successful role model, is stuck in the scope of low politics. On the other hand, the OSCE, who could not tackle the high priority issues such as, finalizing the conflict resolution, slides to softer issues as the EU did. As a matter of fact, if the roots of the OSCE failure could be perceived well, the challenges in front of the EU is become known, since the logic of their interdependence seems to resemble a locomotive train relation.

B-OSCE ACTORNESS IN THE NAGORNO KARABAKH CRISIS AND ITS IMPACT ON THE EU POLICY

Initially, it would be helpful to explain where the OSCE places itself as an actor in the resolution process of the N.K conflict. The OSCE defines itself as an organization that has different scopes such as, the politico-military, economic, environmental and the human issues.

424 Emma J. Stewart, **The European Union and Conflict Prevention: Policy Evolution and Outcome**, Vol 12 (electronic version) Berlin: Lit Verlag 2006 and Transaction Publishers in USA, London, pp.188-197.

425 Stewart, p.190.

426 International Crisis Group: Conflict Resolution In The South Caucasus :The EU's Role: Euro Report No 173, March 2006, p. 25.

427 International Crisis Group: Conflict Resolution In The South Caucasus :The EU's Role: Euro Report No 173, March 2006, p. 26.

Thus, the OSCE as an actor assumes that it can accommodate three different challenging issues, under the domain of one structure in a way, challenges itself. Yet, if the OSCE as an actor assumes that these different scopes could be dealt within, “the process of dialogue negotiations based on the consensus,”⁴²⁸ it comes to mean that it doubles its challenges. The fact that each issue individually could be politicized easily, undermines the rapidness of the process. In this context, the Report from the Co-chairmen of the OSCE Minsk Conference, to the Ministerial Council of the OSCE, on the Nagorno Karabakh issue, is a good example in order to recognize, how the OSCE wanted to tackle the issue. The OSCE aimed;

*to end the conflict, including troop withdrawals deployment of multinational peacekeeping force, return of displaced person, establishment of measures to guarantee the security of all populations, removal of blockades and embargoes, normalization of communication throughout the region (...)*and later it preferred *to determine the status of Nagorno Karabakh independently.*⁴²⁹

As a matter of fact, the cardinal error of the OSCE starts with this approach. The status of the Nagorno Karabakh should not be dealt independently, owing to the fact that it is the root of the problem. On the contrary, the OSCE concentrates on the rehabilitation of the consequent situation primarily. If the OSCE could employ the sanctions on the contravening side (Nagorno Karabakh Armenians) instead of rendering service for enabling the contravening side advantageous over Azerbaijan, it could at least, force the Karabakh Armenians withdraw from the Azerbaijan territory. The so called normalisation process undermines the legal, the military sides of the issue, and it is transformed to a political issue. As a matter of fact, this error is dependent on how the OSCE represent its actorness. With the multifunctional identity that was put on very rapidly in the Budapest Summit in 1994, the OSCE found itself in a transition process. Nevertheless, the fact that states repositioned themselves after the cold war, and the fact that the post cold war period constituted its own conjecture, and it own principles impelled the OSCE to reconstruct itself. The OSCE in 1994 Budapest Summit, defined the new complications of the period and identified its new position

428OSCE,Common Purpose Towards More Effective OSCE, Final Report and Recommendations of The Panel of Eminent Persons On Strengthening Effectiness of OSCES, http://www.osce.org/documents/cio/2005/06/15432_en.pdf ,(22 October 2009),p.9.

429OSCE ,Sixth Meeting of TheMinisterial Council, Copenhagen, 18-19 December, 1997 ,http://www.osce.org/documents/mcs/1997/12/4167_en (22 October 2009),p.38.

in accordance to the undulation.⁴³⁰

However, the fidgeting climate of the new world structure, embedded a new perception of security, which was also adopted by the OSCE before long. This perception enabled the politization of security and thus, security had become the subject of soft politics. The fact that the security was emancipated from the intense military approach, undermined the position of the OSCE same like, the NATO, and the EU. Furthermore, this new approach demolished the accumulation of the crisis management competence, in one hand. The new established order elevates the division of the competence of tackling with security issues, which creates the consequence of uniformity in conflict resolution. However, this arises the question of, in whose competence area the hard security issues that required military operations, will be. For instance, if the OSCE prioritize the soft security issues then, it means that it needs to be supported by the NATO, or the prospective EU military force. Otherwise, while two formations tackle with the soft security issues, the hard ones will remain suspended, as it happens in the Nagorno Karabakh case. In fact, this creates another challenge in terms of the OSCE due to the fact that the soft security issues are covered by political diplomacy. When the fact that the OSCE as a formation brings together 55 countries,⁴³¹ which may have derogations on different issues is considered, the clumsy position of the OSCE could be understood, more easily. For instance, since the OSCE adopts the security approach that, “All the security issues in Osce is often related to ethnic problem often find their origins in violation of human rights”⁴³² this approach would require the “legalization of Osce commitments that would imply the necessity of ratification of new OSCE convention by national parliaments.”⁴³³ Yet, the process would be blocked by national derogation, spite of the fact that it would enable more efficient organic OSCE structure. Furthermore, this would trigger a dilemma of which is more binding the OSCE, the UN or the CoE etc.⁴³⁴

430 Conference For Security and Cooperation in Europe: 1994 Summit: Budapest Summit Document: http://www.osce.org/documents/mcs/1994/12/4050_en.pdf (23 October 2009),p.2.

431 Organization For Security and Cooperation in Europe: Participating States: http://en.wikipedia.org/wiki/Organization_for_Security_and_Co-operation_in_Europe#Participating_States (25 October 2009)

432 OSCE Bulletin Special Issue, Fall 1995, Vol.3, No.3, p.15.

433 OSCE Bulletin Special Issue, Fall 1995, Vol.3, No.3, p.24.

434 OSCE Bulletin Special Issue, Fall 1995, Vol.3, No.3, p.24.

For instance, in spite of the fact that the OSCE High Planning Group, which was established in 1994, was endowed with the mandate of planning for the operation of multinational OSCE peacekeeping force in the Nagorno Karabakh, the OSCE's inability to deploy the OSCE multinational peacekeeping force in the Nagorno Karabakh, as a mediator, and its giving consent to the operations of Armenian and N.K peacekeeping force, arise as a great weakness in comparison to the UN operations.⁴³⁵ The fact that the peacekeeping role has impact on the power of the mediation, the OSCE's inability to struggle with the Russian resistance to international peacekeeping, and to convince Armenia, and the Nagorno Karabakh is spiny issue in terms of the OSCE.⁴³⁶

On the other hand, it could be claimed that one of the biggest challenges in front of the OSCE in tackling the Nagorno Karabakh conflict is, the perceptions of two conflicting sides, and its own perception. First, it should be assumed that the OSCE crisis management and peacekeeping are, run in circles efforts for the enforcement of the international law, which means that international law is degenerated for the sake of peacekeeping. The resolution and peacekeeping could not be enabled at any price. The OSCE perception that the process must go on, what ever the cost is wrong, since it loses confidence. Nevertheless, the fact that the OSCE could not be binding on the states, owing to the reality that the Helsinki final Act was not an agreement, which may force for legitimate engagement, is great handicap for the OSCE to execute a manoeuvre. Furthermore, this deficiency enables the prominence of the political claims. Therefore, the OSCE process on the resolution is transformed to a sticky long bargaining activities, which do not satisfy both sides. For instance, the Azerbaijan people are scared that “peacekeeping must freeze present situation on the ground whereas Nagorno Karabakh Armenians are worried that if they retreat from territory they hold without international guarantees, they will be exposed to retaliation.”⁴³⁷

In fact, this situation must be seen as the consequence of impotency of the OSCE that rendered international law impractical. The OSCE, by sticking around the international law, extends the process, since this prolonged process serves for the enhance of the controversial

435 OSCE, CiO Representative on Minsk Conference, <http://www.osce.org/item/13668.html> (25 October 2009)

436 Isak Svensson, “The Nagorno Karabakh: Lessons From The Medaiton Effort”, Crisis management Initiative, Initiative For Peacebuilding, March 2009, p.12.

437 OSCE, “New Challenges on The Osce Conflict Resolution Agenda”, Speech at the Nato Crisis Management Seminar, March 1995, Brussels, p.7.

issues right or wrong. By depending on the international law, the OSCE has to be efficient in elimination of the breaches of international law. Thus, the Armenians could not make withdrawing from the Azerbaijan territory a bargaining issue, and increase their expectations for more OSCE concessions. According as, the each country asserting its own modality, in the absence of binding sanctions in the framework of the international law. Then, the OSCE begins to normalise this bizarre process, and the new process is shaped within this distorted mechanism.

The fact that, the “Official of Yerevan speaks for the package resolution of the conflict whereas Baku adheres to stage by stage resolution,”⁴³⁸ is the result of the arbitrary bargaining instinct. While the package resolution would undermine Azerbaijan's stipulations on withdrawal, and strengthens the Armenian side in freezing the issue, by making the issue nested and intermingled, it challenges to the international law and the OSCE. The Azerbaijan side's insistence on the stage by stage process is completely dependent on its emphasize on withdrawal of Armenia, which is the greatest threat to its territorial, and state integrity. By doing so, Azerbaijan is trying to regain the benefits, endowed to it by the international law. Besides, it rejects the withdrawal as a matter of dispute and break down the frozen status in favour of itself. When the Armenian invader position is considered, the OSCE has to prioritize the Azerbaijan security, owing to the fact that its territory is conquered. Nevertheless, the OSCE asks for the insolubility, when it seeks recognition from both sides for ambiguous definition of security such as; “They remained convinced that security is indivisible and that security of each of them is inseparably linked to the security of all others. They will not strengthen their security at the expense of security of other states.”⁴³⁹

The fact that the OSCE perceives security as indivisible, is the consequence of its need to keep two countries interdependent as a part of its distorted peacekeeping understanding. Particularly, the second motto in the citation that, they will not strengthen their security at the expense of security of other state, gives away the OSCE weakness in conflict resolution, since the invader position of Armenia is considered dependent on the Armenian belief that they feel threat, which does not entitle Armenia self defence right. Furthermore, the

438OSCE,Osce Chairman Office Dr Dimitrij Rupel Interview with Mediamax - (Armenia) Interview, 30 March 2005, <http://www.osce.si/docs/2005-03-30-mediamax-intervju-rupel.pdf>, (27 October 2009), p.1.

439OSCE, “Code of Conduct on Politico-Military Aspects of Security”, Plenary Meeting of Special Committee of CSCE Forum For Security Cooperation, 3 December 1994, p.1.

OSCE challenges to its own principles, when it condones the Russian and Armenian support to Nagorno Karabakh, since the OSCE principles declare that:

*The participating states will not provide assistance to or support states that are in violation of their obligation to refrain from the threat or use of force against territorial integrity or political independence of state or in any other manner inconsistent with the charter of UN and with the Declarations of Principles Guiding Relations Between Participating States contained in Helsinki Final Act.*⁴⁴⁰

Despite the fact that the “unilateral military thinking of Russian federation and USA” (...) and, the belief that, “states are no longer able to agree on the meaning of key norms such as democracy and human rights,”⁴⁴¹ are recognized as one of the reasons of the OSCE failure in succeeding to generate common security perception. Nevertheless, there exists a very fragile problem, since the military approach of Russia, which comes to the point of intervention to another state, could not be stopped in the framework of so called OSCE principles or, in the framework of the international law that the OSCE makes reference to. The fact that the military intervention of Russia in Georgia, and the military support of Armenia and Russia in the Nagorno Karabakh, could not be sanctioned with the OSCE instruments, is the most prominent factor that undermines the security actorness of the OSCE.

On the other hand, the Nagorno Karabakh crisis could not be exclusively evaluated, as the consequence of Azerbaijan's breach of democracy and the human rights. The OSCE could generate this approach for the sake of substituting interim solutions, instead of permanent strategy. This is why, the recommendations to the OSCE, on the way of its need to effectuate a “serious of inter religious inter cultural dialogue on security related subject,”⁴⁴² seems to be futile, when there exists the serious political, and the military calculations behind the screen. The OSCE perceives the concentration on “operational issues as the marginalization of the organization.” (...) However, the OSCE could not put the Russian and the USA instinct to concentrate on the military issues in the same basket with Azerbaijan's or Armeian's. If the OSCE unilaterally attempts to repress Azerbaijan from using its military force for self defence, and can not influence Armenia or Russia, the OSCE harms its security

440 OSCE, “Code of Conduct on Politico-Military Aspects of Security”, Plenary Meeting of Special Committee of CSCE Forum For Security Cooperation, 3 December 1994, p.2.

441 Wolfgang Zellner, “Identifying the Cutting Edge: The Future Impact of the Osce”, Centre For OSCE Research Report, Hamburg, 2007, p.4 .

442 Zellner, p.26.

actorness, by proving its inability to challenge Russia when it requires. This is why, the OSCE had become just an onlooker to the “collapse of the Conventional Armed Forces in Europe Treaty,”⁴⁴³ owing to the fact that it had been subordinate to the big powers such as, Russia and the USA.

A part from these major issues, there are more minor criticisms against the OSCE. For instance, it is claimed that the OSCE, by deciding to adopt an inclusive perception of security, has to strengthen its institutions due to the fact that such perception, which shelters many dynamics, requires the potent institutions.⁴⁴⁴ On the other hand, the Delegation of Armenia defines the co-chairs of Minsk Group as serious obstacle, on the way of the negotiations, since they are so over panicky that they can not show courage to give notice to the side that avoids to comply with the decisions taken, and step back in order not to harm the course of the negotiations.⁴⁴⁵ On the other hand, the EU criticizes the OSCE, as it seems to be devoid of the political determination to employ its instruments effectively, in spite of the fact that it is a serious politico-military actor.⁴⁴⁶

Therefore, it is necessary to glance at the ground that the OSCE generates its politico-military approach, in order to conceive the hesitations that blocks up the process. Yet, in order to evaluate the hesitation clearly, it is necessary to elaborate the solution methods that are deliberated. Despite the fact that it is what the OSCE and the EU abstained, The Azeri side may break down the frozen status of the conflict and, may commence a counter attack in order to regain its conquered lands. In fact, this is what makes the frozen status risky. Due to the fact that there came out nothing, since the 1994 Bucharest Document of Russia, there exists the possibility of defrozing of the conflict. The challenge was, the requirement to satisfy both sides.

For instance, the package solution, which was introduced in July, 1997 offers the termination of the agreements by regarding the enforcement of the actions that required for the prospective, permanent peace. It presents the Nagorno Karabakh as a state, and territorial entity within Azerbaijan, it determines the N.K territory as 4.4 thousand of 59 km, and offers

443 Zellner, p.4.

444 OSCE, Speech Addressed to 39th General Assembly of the Atlantic Treaty Association : “Ensuring Stability in Europe: The CSCE Contribution”, Athens, 1993, p. 2.

445 OSCE 550th Permanent Council Meeting: Delegation of the Republic of Armenia Statement On Nagorno Karabakh, April 2005, pp.2-3.

446 EU, Annual Security Review Conference, EU Opening Statement, Vienna, June 2009, pp.2-3.

the Lachin corridor to the N.K, under the OSCE control. Besides, it entitles the N.K citizens with Azerbaijani passports. As it comes to the passage between Armenia and the Nagorno Karabakh, Azerbaijan leases the corridor to the OSCE, and it limits the usage with exclusive conditions. But no solution came out, since Armenia declined the offer. As it comes to the stage by stage solution model, introduced by the OSCE, in 1997, it recognizes that sides do not come to terms with the entire conditions, but, a stage by stage retreat of the Armenian side, except the Lachin corridor and the Karabakh, could be achieved. The stage by stage solution did not offer anything for the status of the N.K. The OSCE in this resolution plan entitles the N.K, with 4.4 thousand and 39 km territory, and the Lachin District. The N.K is regressed to its 1988 boundaries, except the Lachin. Yet, the OSCE plan declined, due to the fact that the N.K rejected it. On the other hand, in the Common State model, in 1998, the OSCE introduced the N.K as a common state, and as a territorial integrity, within Azerbaijan's internationally recognized border. In this model, the N.K citizens will be entitled with Azerbaijani passports, and the use of the Lachin corridor would be tackled with individual agreement. The plan presents Shusha, as the part of the N.K, and gives the Azerbaijani people the right, to return home. But, this plan also declined, since Azerbaijan did not approve the conditions.⁴⁴⁷

As it comes to the Paris unofficial proposal in 2001, Azerbaijan and Armenia negotiated on the Paris principles, which offers common state model, in 2001 Key West Meeting came out with the model that the N.K with the Lachin will be the sovereign territory of Armenia, and the N.K citizens will be the citizens of Armenia. According to this unofficial OSCE proposal, Azerbaijan would receive sovereign passage to Nakhichevan through the south of Armenia, and the Armenian army would withdraw from the six regions.⁴⁴⁸

In all OSCE plans, the return of the refugees and the displaced persons issues were incorporated. In the back up plan, the major factor of the whole disturbance is tackled, since it suspends the diplomacy process. The Dayton model envisaged the necessity of a compelling

447 The Armenian Reporter, "Settling The Nagorno Karabakh Conflict:Proposals Negotiated from 1994 to 2008", November 22, 2008, <http://www.reporter.am/pdfs/Settling-the-Nagorno-Karabakh-conflict.pdf> (1 October 2009),pp.1-5.

448 The Armenian Reporter, "Settling The Nagorno Karabakh Conflict:Proposals Negotiated from 1994 to 2008", November 22, 2008, <http://www.reporter.am/pdfs/Settling-the-Nagorno-Karabakh-conflict.pdf> (1 October 2009), pp.1-5 ,and Nadia Milanova , "The Territory-Identity Nexus in the Conflict over Nagorno Karabakh:Implications For OSCE peace Efforts",*Journal On Ethnopolitics and Minority issues in Europe*, European Center For Minority Issues,2003,issue 2 http://www.ecmi.de/jemie/download/Focus2-2003_Milanova.pdf (1 October 2009),pp.15-16.

model, which requires the mediation of an international structure. The integration system offered a security system that is constituted by Russia, Iran, Turkey, the US, and the EU. Finally, the Dartmouth model is based on the approach, to eliminate the inconsistent sides in the package and stage by stage models.⁴⁴⁹

In the Prague process, both sides came to an agreement that if the resolution is finalized, the Armenian side would leave the control of five regions neighbouring to the N.K to Azerbaijan. But, Azerbaijan insisted on the withdrawal of the Armenian military power, and on the return of the Azeri IDP. But, no solution came out since the return of the Azeri IDP would play determinant role in the possible referendum that would decide for the status of the region.⁴⁵⁰ Yet, the most significant approach from the OSCE appeared with the Madrid Decisions, as a mixed type, stage by stage package solution. So, in order to conceive the constrains on the OSCE, it will be convenient to remember what the Madrid decision are ;

*Return of the territories surrounding Nagorno-Karabakh to Azerbaijani control, an interim status for Nagorno-Karabakh providing guarantees for security and self-governance, a corridor linking Armenia to Nagorno-Karabakh; future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will; the right of all internally displaced persons and refugees to return to their former places of residence; and international security guarantees that would include a peacekeeping operation.*⁴⁵¹

Despite the fact the Armenian side paraphrases the future determination of final status of N.K, as the self determination, and elevates the passageway, which could be created between the N.K and Armenia, and approves the offer that the N.K Armenian would be under the safekeeping of the international security, there exist the Armenian political elite, who do not

449 with the package solution method, method each sides may have the opportunity to bargain for little packages. For instance the Azeri side's ceasefire is conditional to the Armenian withdrawal from Lachin Shusha and as a second stage to the Armenian withdrawal from the other conquered lands. As it comes to stage by stage method, it transforms the conflict from the military level to the political one. The Armenian Reporter, "Settling The Nagorno Karabakh Conflict: Proposals Negotiated from 1994 to 2008", November 22, 2008, <http://www.reporter.am/pdfs/Settling-the-Nagorno-Karabakh-conflict.pdf> (1 October 2009), pp.1-5 and Ali Abasov and Haroutiun Khachatryan, **The Karabakh Conflict : Variants of Settlement , Concept and Reality**, Baku, Yerevan: 3rd edition, Ca&Cc Press, 2006 (electronic version) pp.52-60.

Back Up Plan: In order to eliminate the obstacles between two sides, this plan was recommended. The fact that Armenia insisted on self determination of Karabakh in the package solution made the package solution collapsed. On the other hand Azerbaijan caused the collapse of stage by stage solution owing to the fact that it insisted on Armenian withdrawal from the occupied lands. Ali Abasov and Haroutiun Khachatryan, **The Karabakh Conflict : Variants of Settlement, Concept and Reality**, Baku, Yerevan: 3rd edition, Ca&Cc Press, 2006 (electronic version) pp.52-60.

450 Benjamin A.T Graham, "Nagorno Karabakh in Limbo", *Middle East Quarterly*, Fall 2009, Vol XVI, No.4, <http://www.meforum.org/2483/nagorno-karabakh-limbo> (6 October 2009)

451 OSCE, Statement by the Osce Minsk Group Co-Chair, Basic Principles, Italy, 2009 <http://www.osce.org/item/38731.html> (11 October 2009)

trust the international assurance of security, and who criticise the OSCE attitude that excluded the N.K side, in the creation of the fundamentals of the negotiation process. Furthermore, the Armenian side paraphrases the self determination, as legally breakaway from Azerbaijan, and stipulates this as a condition for coming through other major concerns. Azerbaijan evaluates the Armenian paraphrase of self determination as a threat to Azerbaijan state integrity. On the other hand, Azerbaijan side seems to be content with the principle on internally displaced persons, due to the fact that it shelter the N.K Azeris. Besides, Azerbaijan insists on the “equal and mutual use of Lachin corridor,” (...) and, “timetable for Armenian withdrawal from seven occupied districts adjacent to Karabakh.”⁴⁵²

However, Armenia seems to be calculating on the principle on internally displaced people, due to the fact that it reverses its plans, before the settlement of the state format of the N.K. On the other hand, Armenia seems to insist on more moderate and gradual withdrawal, in spite of the Azerbaijan's instantaneous approach, when their hints on the possibility of withdrawal from “Kelbajar and part of Lachin in exchange for twenty to 25 km wide land connection between Armenia and N.K” (...) is considered. Nevertheless, the Armenian attempts could not be perceived other than, the manoeuvres to put Azerbaijan off, by promises, in order to come to the point. The point is Azerbaijan's finalizing its decision on the self determination of the N.K. This is why, the conflict is doomed to be frozen, until the status and the size of the Lachin corridor is determined. Until then, both sides concede to the “interim status,” (...) which seems to function as a patience trial. Although holding on to such a temporary status, strengthens the OSCE, and the Armenian side, until Armenia gains the permanent status of the N.K from Azerbaijan, since so called “interim status would legitimize the existing institutions and practices in N.K.”⁴⁵³

Despite the fact that Madrid principles are beneficial in favour of Armenia, it is not put into words on purpose by the incumbent political elites, since they try to misrepresent the situation as one that could turn in favour of Azerbaijan. Furthermore, the N.K civil society

452 International Crisis Group, Europe Briefing No.55, “ Nagorno Karabakh: Getting To a Breakthrough”, Baku, Yerevan, Tbilisi, Brussels, October 2009 http://www.crisisgroup.org/library/documents/europe/caucasus/b55_nagorno_karabakh_getting_to_a_breakthrough.pdf (6 October 2009) p.6.

453 International Crisis Group, Europe Briefing No.55, “ Nagorno Karabakh: Getting To a Breakthrough”, Baku, Yerevan, Tbilisi, Brussels, October 2009, http://www.crisisgroup.org/library/documents/europe/caucasus/b55_nagorno_karabakh_getting_to_a_breakthrough.pdf -(18 October 2009), p.7.

evaluates the Madrid Principles as discordant with the benefits of the N.K state.⁴⁵⁴ However, the ex Foreign Minister of Armenia Vartan Oskanians made the following sincere comment on the Madrid principles, which could be seen as important bend on the way of the OSCE negotiations:

*The content of the Madrid principles is disproportionately advantageous in comparison with that of all previous proposals. On this, there is no doubt and no argument. As regard to the status of the Nagorno Karabakh, in the past, the worst proposal was high autonomy within Azerbaijan, and the best was a horizontal link between Nagorno Karabakh and Azerbaijan within a common state, but the content of the Madrid principles specifically offers self-determination for the people of Nagorno Karabakh, and this naturally and obviously means Nagorno Karabakh's independence or reunification with Armenia. So, the Madrid principles in comparison with those that came before are disproportionately better*⁴⁵⁵

As a matter of fact, this proves how Armenia carries out the psychological war successfully. First, they strain the relations, and then they pretend to be uncompromising, in this way, they force Azerbaijan to give consent to the worst. If the ex Foreign Minister recognizes that the Madrid principles are a gain for Armenia, after the Lisbon Decisions, this means that Azerbaijan lost great opportunity with the Lisbon Decisions, which declares that “legal status of N.K defined in an agreement based on self determination which confers N.K the highest degree of self rule within Azerbaijan,”⁴⁵⁶ and, it is doomed to lose more with the Madrid Principles.

Nevertheless, Armenia and the N. K seem to keep the game going on till they gain the utmost advantage. In fact, the insistence to keep the Azerbaijan land arises from the need to maintain its ascendant but unfair position, which enable it with opportunity to alter the demographic structure, by emplacing Armenians on the invaded lands. The main goal is, to stress the perception that the Armenian majority is not just an ethnic population, but the essential elements of the N.K state. The secondary goal is, to preclude communication between the N.K and Azerbaijan, who declares that the dialogue with the de facto Nagorno Karabakh government may only start on the condition that the Armenian military force would

454 International Crisis Group, Europe Briefing No.55, “ Nagorno Karabakh: Getting To a Breakthrough”, Baku, Yerevan, Tbilisi, Brussels, October 2009, p.8.

455 Vartan Oskanian-Foreign Minister of Armenia - “Madrid principles” interview, 1 August 2009, <http://www.civilitasfoundation.org/cf/interviews/199-vartan-oskanians-interview.html> (24 October 2009)

456 OSCE, Lisbon Summit Document, Lisbon, 1996, http://www.osce.org/documents/mcs/1996/12/4049_en.pdf (25 October 2009), p.15.

retreat from the N.K, and from the other conquered lands.⁴⁵⁷

Furthermore, the continuation of this game under the dome of the OSCE, enables the Armenian side, with opportunity to balk the full status representation of the N.K on the OSCE platform, since Armenia perceives it as a threat, in terms of the possibility that the de facto notion could become approved. This could mitigate the expectations on the way of the N.K' s recognition as a de jure state. Moreover, the full status representation of the N.K would diminish the actorness of Armenia, and keep it away from the position of which it exploited via manipulations. On the contrary to the Armenian attitude, the N.K asserts for the full status individual representation. Furthermore, on contrary to Armenian's perception of the N.K, as the sole representative of the Armenian people, Azerbaijan treats both side as equals. The fact that Azerbaijan supporting the N.K Azerbaijanis, disturbs Armenia and the N.K Armenians who differentiates the N.K Azerbaijanis.⁴⁵⁸

Nevertheless, all these negotiations, bargains, claims, different interpretations, different views, accusations, which had become the concern of the OSCE, are the cardinal challenging factors in terms of resolution process, since there is only one truth and one perspective. This is why, it will be useful to evaluate the conflict in the light of the UN resolutions, and the international law, in order to see to how the OSCE remains inefficient, in terms of moderating the negotiation process on the legitimate facts, and on the UN resolutions. As it is mentioned before, according to the UN Security Council Resolution 822, Armenia did not show “respect for sovereignty and territorial integrity,”⁴⁵⁹ of Azerbaijan, by also challenging to the Article 2(4) of the UN Resolution that bans any apply of threat or military power against the sovereignty of any state.⁴⁶⁰

The fact that the UN Resolutions on territory, could be supported by the Helsinki Final Act 1975, Principle IV and III, which reinforces the victim position of Azerbaijan, and the invader position of Armenia,⁴⁶¹ by proving that, Armenia challenged to the inviolability of

457 International Crisis Group, Europe Briefing No.55, “ Nagorno Karabakh: Getting To a Breakthrough”, Baku, Yerevan, Tbilisi, Brussels, October 2009, pp.9-12.

458 International Crisis Group, Europe Briefing No.55, “ Nagorno Karabakh: Getting To a Breakthrough”, Baku, Yerevan, Tbilisi, Brussels, October 2009, pp. 12-14.

459S UN Decisions on Karabakh

<http://daccessdds.un.org/doc/UNDOC/GEN/N93/247/71/IMG/N9324771.pdf?OpenElement>, (27 October 2009), p.1.

460 UN decision, [http://www.worldpress.org/specials/iraq/article2\(4\).htm](http://www.worldpress.org/specials/iraq/article2(4).htm) (27 October 2009)

461 OSCE, Conference on Security and Cooperation in Europe, Helsinki Final Act, 1975, http://www.osce.org/documents/mcs/1975/08/4044_en.pdf, (29 October 2009), p.5.

the international borders, and the inadmissibility of the use of force for acquisition of territory.⁴⁶² As it comes to the UN Security Council Resolution 853 Article 3, it declares the “unconditional withdrawal of occupying forces,”⁴⁶³ which seems rather contrary to the bargaining approach of Armenia who postpones this obligatory action with its own initiative. Moreover, in spite of the fact that the UN Resolution 853 Article 9 compels Armenia, to use its leverage on the N.K, in order to provide its conformity to the UN Resolution 822, Armenia had done the opposite of what it is expected to do. Furthermore, in spite of the fact that UN Resolution 874 article 5 demands the immediate schedule for the extraction of the Armenian invaders,⁴⁶⁴ Armenia pretends as if there is no such UN Resolution, that addresses to itself.

On the other hand, as it was determined in the Annex to the letter, dated 23 January 2009, from the Permanent Representative of Azerbaijan to the UN addressed to Secretary General, Armenia is proved to be guilty, and an invader according to the Hague Convention IV, Respecting laws and Customs of War on land 1907, guilty according to the Geneva Convention IV on the Protection of Civilians in the time of war 1949, and according to the Additional Protocol 1 to the Geneva Conventions 1949 relating to Protection of victims of International Armed conflict 1977 owing to the fact that, Armenia and Azerbaijan, recognized the Geneva Convention IV legally, in 1993.⁴⁶⁵ Moreover, Armenia is proved to be guilty in accordance with the Article 49 of Geneva Convention that declares, “occupying power shall not deport or transfer parts of its own civilian population into territory it occupies,⁴⁶⁶ since, it executed such an illegal act. Besides, according to the Declaration of the UK Manual of Law of Armed Conflict that emphasizes, “The occupying power can not circumvent its responsibilities by installing a puppet government or by issuing orders that are implemented through local government officials still operating in the territory.”⁴⁶⁷ Armenia could be blamed for its own illegal operations, and for the illegal operations of the N.K. Finally, according to

462 UN General Assembly Security Council, Letter From Permanent Representative of Azerbaijan to United Nations, 27 January 2009 http://www.azembassy.ch/docs/az_am_agression/elave5eng.pdf, (27 October 2009), p.3.

463 UN Decisions, <http://daccessdds.un.org/doc/UNDOC/GEN/N93/428/34/IMG/N9342834.pdf?OpenElement> (27 October 2009), p.2.

464 UN Decisions - <http://daccessdds.un.org/doc/UNDOC/GEN/N93/428/34/IMG/N9342834.pdf?OpenElement> (10 October 2009), p.2.

465 UN General Assembly Security Council, Letter From Permanent Representative of Azerbaijan to United Nations, 27 January 2009, http://www.azembassy.ch/docs/az_am_agression/elave5eng.pdf, (10 October 2009), pp. 2-3.

466 UN General Assembly Security Council, Letter From Permanent Representative of Azerbaijan to United Nations, 27 January 2009, http://www.azembassy.ch/docs/az_am_agression/elave5eng.pdf, (10 October 2009), p.15.

467 UN General Assembly Security Council, Letter From Permanent Representative of Azerbaijan to United Nations, 27 January 2009 http://www.azembassy.ch/docs/az_am_agression/elave5eng.pdf, (10 October 2009) p.18.

Article 43 of the Hague Regulations:

*The authority of legitimate power in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore and ensure as far as possible public order and safety while respecting unless absolutely prevented the laws in force in the country.*⁴⁶⁸

Armenia is responsible for any misgoing crime, torture, theft, rape and genocide etc that had eventuated on the occupied territory. Thus, Armenia challenges to the international law, by taking ground of some international decisions.⁴⁶⁹

On the other hand, one of the biggest challenges in front of the OSCE is the IDP problem. Due to the fact that the IDP problem has different dynamics, the OSCE remains inefficient in tackling this problem. First, the OSCE could not make the IDP's, a subject of mediation. Later, the IDP problem requires the reinforcement of the legal clauses, the human rights, the civil society, the gender issues, and it covers the migration issues, refugee problems, furthermore, it is claimed to have negative impact on human trafficking. The IDP's have individual rights, and their rights should be protected by the national governments. If there occurs a demand for going back, the maintenance of their security, and the issue of indemnity, appears as a challenge. On the other hand, if they prefer to stay, their education, housing, working and medical needs besides to their security and political right, should be preserved by the national government.

Despite the fact that the OSCE/ODHIR tried to support the governments by recommending them on the legal issues, by arranging workshops and training programmes and by reinforcing the civil society, the rule of law, the justice mechanism or by acting as a monitor in elections, it could not function efficiently since, the international system, and the national law are devoid of the instruments, to support the OSCE on the matter. For instance, in the case of the N.K IDP, the fact that Armenia is devoid of the legal clause for the

468 UN General Assembly Security Council, Letter From Permanent Representative of Azerbaijan to United Nations, 27 January 2009, http://www.azembassy.ch/docs/az_am_agression/elave5eng.pdf, (10 October 2009),p.10.

469N.K's self determination is the right that should be surrendered to N.K in accordance with the "International Covenant civil and political Rights of December 16, 1966, Vienna Declaration and Programme of Action adopted by world conference on Human Rights on June 25, 1993, UN General Assembly Declaration on Universal Realization of the Right of People to self Determination (December 20,1993),International Labour Organization (ILO Conventions 107, and 169,(article 1(3),1998,),UN General Assembly Declaration on principles of international law concerning Friendly Relation and Cooperation among states in accordance with Charter of United Nations (October 24,1970), Shahen Avakian "Nagorno Karabagh Legal Aspects", 2005,http://www.armenianatomission.com/picture/doc/legalaspect_text.pdf (6 October 2009), p.15.

conservation of the IDP, is a great hamper in front of the OSCE, and likewise in Azerbaijan, there is a confusion of clarification between the status of the refugees and IDP's. Besides, Azerbaijan needs to initiate new law clause on the IDP issues, and the OSCE should force the national governments for these measures. Otherwise, the OSCE could not tackle the issue, and the IDP problem remains as a trauma for the OSCE.⁴⁷⁰ Monitoring the elections is another mission that is under the OSCE mandate, but there exists serious challenges against the OSCE, while executing its mission such as:

Attempts to limit the competition of parties, candidates and their ideas, refusal of registration or deregistration of candidates in unclear proceeding with the potential to impose disproportionate sanctions for minor violations, misuse of state administrative sources by incumbents, pressure on electorate to vote in specific manner, media bias, particularly with regard to state controlled media in favour of incumbents(...)lack of transparency and accountability during the vote count, (...)lack of sufficient will to rectify, identified shortcomings⁴⁷¹

Consequently, the OSCE that is the locomotive of the security wagons of the EU, could never be competent and potent, if it devoids of the legitimate binding power. Naturally, the EU's policy, which is dependent on the OSCE 's success is doomed to fail, if the OSCE could not win through the resolution of the crisis in compliance with the international law. Furthermore, the OSCE could enhance the EU success in the South Caucasus region, if it could actualize at least, the resolution of the Nagorno Karabakh crisis, since it may become a sample case. It is so fanciful to expect a absolute success in democratization of the institutions in the conservation of the human rights, in the regional development, and in maintaining the security, if the organization who claims that it is a security actor can not put into practice law, at the expense of loosing confidence. Therefore, the EU policy would become more active, if the OSCE could become a more efficient politico-military actor, and leave the other complementary fields to the EU. Now, both the EU and the OSCE are in similar impotent position, owing to the fact that the OSCE could not carry out its responsibilities sufficiently.

470OSCE Supplementary Human Dimension Meeting Final Report, "Internally Displaced People", November 2004,http://www.osce.org/documents/odihr/2004/11/3988_en.pdf (10 October 2009), pp.1-30, and Johns Hopkins SAIS Project, "The Voting Rights of Internally Displaced People: The Osce Region", the Brooking Institution, November 2004, http://www.osce.org/documents/odihr/2004/11/3988_en.pdf (26 October 2009), pp.1-18, and OSCE/ODIHR Report, "Review of Compliance on Domestic Legislation of Armenia, Georgia and Azerbaijan with Guiding Principles on Internal Displacement", 2001-2002, http://www.osce.org/documents/odihr/2002/09/1514_en.pdf (26 October 2009), pp.1-10.

471OSCE, ODIHR: Elections: Challenges to OSCE Election Commitments, <http://www.osce.org/odihr-elections/13765.html> (26 October 2009)

The OSCE has to stop pretending to be a pilot and, has to be equipped with legally binding sanctioning power. On the other hand, the OSCE can not follow the “win win policy”⁴⁷² of the EU, which could come to the agenda of the OSCE, only after the resolution could be achieved. Since there could be no win win approach in the resolution of the Nagorno Karabakh crisis, owing to the fact that Armenia is doomed to loose as the result of the international law's being put into practice.

On the other hand, if the international law could not be put into practice as the result of OSCE's being devoid of the political will, Azerbaijan is doomed to loose. Therefore, the EU belief that “Rebalancing OSCE must not be done at the expense of human rights,”⁴⁷³ remains as a political fancy of the EU, since there is no political will of the OSCE that may trigger the politico-military force to remove the Armenian force from the Azerbaijan territory, so there is no need to mention the rebalance of the OSCE but, maybe the substitution of its politico military mission. Furthermore, the point is; will OSCE condone for the creation of de jure Armenian state at the expense of victimization of Azerbaijan state and naturally, the people or not.

III- THE EXTERNAL ACTORS' INFLUENCE ON THE ENP AND ON THE NAGORNO KARABAKH CONFLICT:

In addition to the serious domestic challenges exist in front of the EU projects, which were developed for the maintenance of the stability in the region, the regional actors' intra regional competition appear as a burden on the EU. Moreover, the regional actors' positioning themselves in accordance to the USA, or the Russian hegemony appears as the major challenge to the EU, since the region is transformed to the playground of the USA and Russia. So, the treatment of the EU projects which takes the resolution of the Nagorno Karabakh as a goal, becomes predominantly interconnected to the political manoeuvres of the external

472 Benito Ferrero Waldner Speech , “EU and OSCE, A Strong Partnership”, 13th OSCE Ministerial , Ljubljana, December 2005, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/05/760&format=HTML&aged=0&language=EN&guiLanguage=en> (1 November 2009), p.2.

473 Benito Ferrero Waldner Speech , “EU and OSCE A Strong Partnership”, 13th OSCE Ministerial , Ljubljana, December 2005, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/05/760&format=HTML&aged=0&language=EN&guiLanguage=en> ,(1 November 2009), p.3.

actors.

A-THE USA AND ITS NEW WORLD ORDER

With the break up of the Union of Soviet Socialist Republic, the USA remained as the sole hegemonic power that may shape the “New World Order.”⁴⁷⁴ If the so called New World Order is defined as, “a powerful and secretive elite of globalist conspiring to eventually rule the world through an autonomous world government, which would replace nation-states and other checks and balances in international power struggle,”⁴⁷⁵ Caucasus, could be perceived as one of the playgrounds of the New World Order. Furthermore, this playground is defined as “The Great Chessboard,”⁴⁷⁶ by Brzezinski. This was the location that witnessed the competition of the different actors for the pursuit of more advantage. In appearance, the South Caucasus signified security for the USA. Yet, in fact it signified the security of its assets and energy,⁴⁷⁷ which comes to mean that the USA government is ready to eliminate every threat that may challenge to the Western capital.

As a matter of fact, the biggest threat took the shape of terror on 11th September 2001, which facilitated the USA to ripen its New World Order. In the light of the new security perception of the USA, which took shape after the 11th September terrorist attack, terrorism had become the cardinal disaster that had to be terminated without delay. As a matter of fact, through the agency of new global attitude that is determined not to give any concession to terrorism, the USA caught an opportunity for justification of its military landings, on the haunt of terrorism. On the basis of the American diagnosis that Afghanistan was one of the haunts of terrorism, the USA shifted the helm towards Afghanistan. However, this operation required the secure passageway to Afghanistan. Azerbaijan, could facilitate the American military intervention to the Afghan land. Thus, Azerbaijan gained importance, when Iran had appeared as the new target on the USA agenda.⁴⁷⁸ The fact that the USA perceived the security of the Caucasus as the security of the Caucasus resources, made Iran and Afghanistan, the new playing ground for the USA. According to the USA, the region has to be cleaned from

474Necati İyikan, “ABD nin Azerbaycan İlişkilerine Etki Eden Parametreler”,**Selçuk Üniversitesi Sosyal Bilimler Enstitüsü Dergisi**, No.21,2009, p.256.

475 **New World Order**, [http://en.wikipedia.org/wiki/New_World_Order_\(conspiracy_theory\)](http://en.wikipedia.org/wiki/New_World_Order_(conspiracy_theory)) (2 November 2009)

476 İyikan, p.257. (Brzezinski 2005:51)

477 İyikan, pp. 258-260.

478 Ramil Memmedov, “Güney kafkasyadaki Yeni Jeostratejik Oyunun Güvenlik Yapılanması ve Azerbaycan”,**TASAM, Stratejik Öngörü**, issue.4, p.59.

any threatening development such as, the nuclear activities, conflicts, bad governance and, terrorism, which may undermine the USA gain from the region.⁴⁷⁹ “As a part of the USA global war on terror, the USA military in 2002 began providing equipment and training for Georgia's military and security forces.”⁴⁸⁰

This is why, the USA was compelled to eliminate any problem in the region, in order to obstruct Russia's creating obstinate crisis in the region, and it had to support any preventive military approach, which contradicts with the EU's strategy that prefers a more systematic approach based on the multilateral normalization perception. Nevertheless, the EU's strives seemed to come to nothing, due to the fact that the crisis would exist as far as the mutual challenge between Russia and the USA for the Caspian energy resources would go on.⁴⁸¹ In the meantime, Azerbaijan, where is the pilot of the EU's ENP project, had also become the headquarters of the USA's South Caucasus policy, owing to its hydrocarbon resources, and its closeness to Iran, who was included in the black list of the USA. Furthermore, while it is considered that Azerbaijan was at the heart of the oil sources, then it could be claimed that the USA calculated to get another opportunity to challenge China, if it gains privileged status on the Caspian resources.⁴⁸²

On the other hand, the USA was insistent on diffusing the region, by playing the trump card of NATO. Due to the fact that Azerbaijan, Armenia, and Georgia had remained underdeveloped in the military sense, the USA would conduce these states, by transforming their military mentality under the frame of the NATO. The NATO would exterminate the Russian military remnants in the region, enhance their relation with the west, and create an opportunity for itself, in order to diffuse in the region. As a matter of fact, the NATO opened the way for the USA, with the, “Partnership For Peace (1994) Programme,”⁴⁸³ which Azerbaijan had been involved in 2002 Prague Summit. Yet, there occurred a hesitant approach that the NATO, who was expected to adjust itself to the current climate of new region, has to

479. Mustafa Gökçe, “Sovyet Sonrası Dönemde Hazar Çevresinde Yaşanan Rekabet”, *The Journal of International Social Research*, Vol.1 No.3 Spring 2008, pp.189-191.

480 Jim Nichol, “Armenia, Azerbaijan, and Georgia: Political Development and Implications for US Interest”, CRS Report For Congress, July 2009, p. summary part.

481 Gökçe, pp.189-192.

482 İyikan, pp.257-258.

483 Ramil Memmedov, “Güney kafkasyadaki Yeni Jeostratejik Oyunun Güvenlik Yapılanması ve Azerbaycan”, *TASAM, Stratejik Öngörü*, sayı.4, pp.56-57.

identify itself and its position, which would come to mean its becoming more civilian.⁴⁸⁴ The specification of the new threats by the NATO as; “terrorism, proliferation, use of weapons of mass destruction, illegal drugs, human trafficking, ecological catastrophes” (...) reveals the argument that “the problem of dealing with these new security challenges is a problem of choosing between hard, military power and soft power.”⁴⁸⁵

However, if the new perception of security, which covers the soft policy issue is adopted by the NATO, this would facilitate the USA, to take over in the region, tackling with the hard policy issues on contrary to the EU, as the natural consequence of its realpolitik. Yet, the EU that supposedly striving to subvert the old order of realpolitik, seemed to fail against the USA's capturing most of the organizations. Furthermore, the EU's showing intention to exclude some of the European States from the membership, owing to its private drawbacks, arises as a contradictory attitude in terms of its own political goals. If we adopt the belief that “membership in NATO and the EU is complementray issue,”⁴⁸⁶ this will convince us that, being a member to one organization would both undermine the integrity, and the success of the organizations, on the other hand, not being a member to both organizations, would mean failure, and disillusion, as it happened in the South Caucasus' case. This, may create the danger of inclining towards the unilateral solutions such as, the USA or Russia, rather than, the multilateral solution of the EU, the NATO, or the OSCE. Therefore, it could be claimed that the USA approach was harmful in terms of the young and small states, who are seeking their position on the international political arena, due to the fact that they hope to obtain the advantages of the American supremacy, which comes to mean the assurance of security, when they enter the NATO. As a logic, every USA manoeuvre that reinforces its hegemonic position was dislodging the stones of the Russian politics in the region. In parallel, to be jammed in between two powers, made Azerbaijan fall into the dilemma; the dilemma of deciding in whose influence area to remain; the USA, or the Russia. Since becoming closer to the USA would disturb Russia, and this would undermine the EU's regional cooperation. Furthermore, this would trouble the resolution process of the Karabakh crisis, owing to the fact that Armenia would prefer to remain in the Russian side, which would trigger the opposition

484 Petar Kureric, “Nato Enlargement : A Geopolitical Victory of the United States in the Post Cold Era”, *Crotian Geographical Bulletin*, 2008, vol.70,issue 1.p.28.

485 Kureric, p .36.

486 Kureric, p.29.

between two powers. Though, Russia would go on giving countenance to Armenia on this issue, the resolution process is doomed to get longer.⁴⁸⁷ On the other hand, Russia may develop new strategies against the USA' s positioning in the region, and this may create new threats such as, Russia's denouncing the Treaty on Conventional Armed Forces.⁴⁸⁸

As a matter of fact, the opposition parties in Azerbaijan are blaming the USA for blocking the democracy, in order not to make things difficult for the western capital which invested on energy. Furthermore, they claim that “there could be no way for colorful revolution,”⁴⁸⁹ in Azerbaijan due to the same reason, which comes to mean that as far as the USA interest in the region continues, the Azerbaijan government has to be in accord with the USA plans. Thus, any Azerbaijan government, which can not be the fair representation of the Azerbaijani people, could secure its authority with the USA support, if it works in accord with USA plans. But, if not, Azerbaijan should consider the possibility of being left alone as backless, while defending itself in the Karabakh issue. The best example, would be Azerbaijan's being deprived of the facilities of 1991 USA Freedom Support Act, during the government of Elchibey (still continues) owing to the fact that Azerbaijan practised impediment on the N.K and Armenia, which does not comply with the USA strategy generated for the region. Furthermore, when the perception that the USA may give consent to every illicit operation in the region, if it complies with the USA objectives is considered, there arises the hesitations that, the USA may condone to the nuclear activities of Iran, if it becomes the New Azerbaijan for the USA.⁴⁹⁰

On the other hand, the USA Armenian Diaspora impact on the USA parliament, impels the USA to get wrong decisions on this fragile issues. The fact that "until creation of independent Armenian state the diaspora perceived themselves as sole representatives of their nation,”⁴⁹¹ dragged the USA in a tangled position. Owing to the “Armenian diaspora attempts to legalize Recognition of the Armenian Genocide in the USA Congress since 1984,”⁴⁹² the USA impartiality on the Armenian issue was questioned by the Turkish side, and the USA

487 Ramil Memmedov, “Güney kafkasyadaki Yeni Jeostratejik Oyunun Güvenlik Yapılanması ve Azerbaycan”,TASAM, **Stratejik Öngörü**, issue.4, p.60.

488 İyikan, p.264.

489 İyikan, p.261.

490 İyikan, p.262.

491 Bahar Baser and Ashok Swan, “Dispora Design versus Homeland Realities:Case Study of Armenian Diaspora”, *Caucasian Review of International Affairs*, Vol.3, No.1,winter 2009, p.55.

492Şihaliyev, pp.274-275.

government consent to negative diaspora approach did not contribute something positive, in favour of the Armenian State.⁴⁹³

Thus, the USA mission in the OSCE, and its recommendations on the Karabakh issue becomes controversial. For instance, the USA proposal on the resolution of the Karabakh, which recommends the self determination of the Nagorno Karabakh, and the incorporation of the Lachin corridor to Armenia, in return of incorporating the Zengezur region to Azerbaijan, seems to be conflicting with the Azerbaijan benefits. Furthermore, the USA's bargaining with Armenia on this proposal, "by undertaking 3 billion dollars of investment in Armenia"⁴⁹⁴ is unethical, in terms of the mediator role of the USA. Despite the fact that the USA showed great effort for the establishment of the Minsk Group in 1992, and contributed to the 3+1 negotiations between the conflicting parts with the support of Turkey and Russia, in 1993, the hegemony competition between Russia and, the USA nullified the endeavours.⁴⁹⁵

The USA attitude mitigates the possible mediator role of Turkey on the Karabakh issue, and make things difficult in terms of Armenia and Turkey, for generating moderate policy towards each other. Besides, it challenges to the EU's Black Sea Synergy project, and the ENP which reinforces the regional dialogue, cooperation on trade, energy and environment with the neighbourhood countries. On the other hand, while the motto that the EU-USA strategic partnership is based on, is considered, "Together we built institutions and patterns of cooperation that ensured our security and economic strenght,"⁴⁹⁶ there comes out a consequence that the USA-EU strategic partnership functions, as the channel of securitization of the economy and trade or as "supply security."⁴⁹⁷ As a matter of fact, any strategic partnership, which founded its principles on securitization of the most competitive fields, is doomed to fail, since the instinct for competition provokes the most unfair realpolitik tactics, which could never be in compliance with the EU's goals. When the securitization of the economy, oil supply, oil transport is considered, the USA wants to mean that every way is

493 Şihaliyev, p. 291.

494 Osman Nuri Aras, "Ermeni İşgalinin Azerbaycan Ekonomisine Etkisi", *Journal of Qafqaz University*, Fall 2003, No.12, p.47

495 Bahar Başer, "Third Party Mediation in Nagorno Karabakh: Part of The Cure Or Part Of The Disease?", *OAKA, USAK*, 2008, cilt.3, issue.5, pp.92-100.

496 European Commission, *The New Transatlantic Agenda*,

http://ec.europa.eu/external_relations/us/docs/new_transatlantic_agenda_en.pdf, (4 November 2009), p.1.

497 Anush Begoyan, "United States Policy in The South Caucasus :Securitisation of The Baku Ceyhan Project", *Iran&Caucasus*, 2004, Vol.8, issue 1, p.141.

allowable as it was hinted in the following example:

*The process of presenting a matter as an existential issue which requires the mobilisation of all resources whether political, economic or other and gives the securitising actor the right to solve the issue not through political consultations but through decisive actions that may go beyond the normal of things and break established rules.*⁴⁹⁸

The USA as a securitising actor, bestows it self with a right to neglect political dialogue, and to set its own rules in spite of the EU's emphasis that this is the USA's individual approach, which comes to mean that the USA challenges to the EU's multilateral approach, by asserting its unilateral solutions. On the other hand, the the decisive actions, which was hinted in the citation paragraph, is not the type of attitude that the EU can approve, since the EU prefers the gray zones, which facilitate it to avoid getting decisive actions that may upside down the current balance in the region. Due to the fact that the USA decisive action, undermines the EU's civilian approach, namely, the soft policy of the EU, it challenges to the EU actorness. On the other hand, the strong emphasis on economy and trade, disregards the discovery of the roots of the conflicts in the region and the long resolution process, since the securitization of economy, trade, petrol and hydorcarbon redounds in favour of one side, yet, reduces the other side to a disadvantageous position, which is too far from the EU's win win objective.

Therefore, the belief that “our economic relation sustain our security,”⁴⁹⁹ manifests the USA's indifference to the fair resolution of the frozen crisis, since the USA would be the only beneficial side in any case. The USA approach to the region set at odds the regional actors, owing to the competition of who would be the second biggest winner, after the USA companies, who “invested milliards of dollars in the region in hopes of striking it big.”⁵⁰⁰ Moreover, the conveyance of the oil had become another competition issue between the regional actors. This issue had enhanced the “bargaining between hostile neighbouring countries,”⁵⁰¹ on the contrary to what, the USA and the EU had declared. Bargaining for

498 Anush Begoyan, “United States Policy in The South Caucasus :Securitisation of The Baku Ceyhan Project”, *Iran&Caucasus*, 2004, Vol.8, issue,1, p.149.

499 European Commission, The New Transatlantic Agenda, European Commission, The New Transatlantic Agenda, http://ec.europa.eu/external_relations/us/docs/new_transatlantic_agenda_en.pdf, (7 November 2009), p.1.

500 Begoyan, p.144.

501 Begoyan, p.145.

economic gain, suspended the resolution of the Karabakh conflict and polarised the states in to camps, as pro-Americans, and pro-Russians, which eroded the EU's multilateral resolution endeavours.

Besides, in spite of the USA declarations on the preservation of the environment, with the support of the EU, in the framework of their strategic partnership,⁵⁰² the USA invites for environmental problems, by promoting increment of the pipeline projects in the region. As stated by different experts, “the pipeline endangers the unique ecosystem of that region.”⁵⁰³ Eventually, the EU's securitization of the energy project is transformed to the destruction of the environment project. In a long running process, the EU's good willed project would begin to harm the nature, economy and the geopolitics of the region, since the positive sides of the EU project would be victimized by the USA national security interest. Unfortunately, the USA advocates itself by claiming that, “This is not just another pipeline, it is a strategic framework that advances America's national security interest.”⁵⁰⁴

In this manner, the USA prioritizes its own national security interest as the consequence of its realpolitik, which contradicts the EU's idealistic approach. The USA realpolitik divided the region into camps, on contrary to the EU's integration policy. For instance, the USA realpolitik, which makes use of the current frozen crisis atmosphere triggers the Russian realpolitik, which recognizes its rapprochement with Iran, who supported Armenia in the Nagorno Karabakh crisis, against Azerbaijan. On the other hand, Russia sustained, “Iran's strategic goal of dominating the Persian Gulf by supplying it with conventional weaponry and nuclear technology in exchange for Iranian's backing of Russia's effort to dominate the Caspian.”⁵⁰⁵ In return, Iran challenged Azerbaijan, and the USA, by adopting the Russian thesis, on how to divide the Caspian.⁵⁰⁶ On the other hand, in 2007, Armenia, who was by passed by Azerbaijan on the BCT project, made the opening of new project with Iran; “ 88 mile gas pipeline from Tabriz in Iran to Kadjaran in Armenia and 123 mile from Kadjaran to Ararat which would be completed in December 2008.”⁵⁰⁷

502 European Commission, The New Transatlantic Agenda, European Commission, The New Transatlantic Agenda, http://ec.europa.eu/external_relations/us/docs/new_transatlantic_agenda_en.pdf, (7 November 2009), p.3.

503 Begoyan, p.148.

504 Begoyan, p.150.

505 Michael .P Croissant, “US Interest in The Caspian Sea Basin”, *Comparative Study*, Oct-Dec 1997, Vol.16, issue 4, p.360.

506 Croissant, p.360.

507 Jim Nichol, “Armenia, Azerbaijan, and Georgia: Political Developments and Implications for US Interest”, CRS Report For Congress, July 2009, p.31.

All these states position themselves in accordance with, the USA's positioning itself in the region. Despite the de jure methods of solving the crisis, the USA favours the de facto methods that elevate the competition, rather than coordination. When the fact that the OSCE had been declared as the strongest actor, in the crisis management was considered, as the method of the USA's bypassing Iran, from the resolution process, though, "Iran was not OSCE member,"⁵⁰⁸ puts forth, the USA cunning approach. Furthermore, the USA evaluates its mission in the OSCE, as a way of speaking for the "interest of United States in OSCE."⁵⁰⁹ For instance, if the interest of the USA recognizes Iran, as an obstacle in front of the USA politics, the USA inclines towards promoting another actor in the region, which it is satisfied with, in order to create an opposed power, that may mitigate the Iranian intrusion, as it happened in the Turkey example. This results in the USA's pretending to back the Azerbaijan legitimacy in the conflict, owing to the fact that there is great USA interest in the Caspian resources, and the fact that Turkey, who is giving its full support to Azerbaijan on the N.K issue, is the chosen actor, in order to block Iran's control of the region. However, the USA put itself in contradictory position as the natural consequence of its benefit focused policy. While on one hand, it defends Azerbaijan claims on the Karabakh issue, on the other hand, it endeavours to enable the Armenian side advantageous, as it could be observed in the following example case:⁵¹⁰

*In March 2008, the UN General Assembly approved Resolution that called for Armenia to immediately and unconditionally withdraw from occupied Azerbaijan territory.(...) but The United States voted against the Resolution in part because according to Deputy Assistant secretary of State Matthew Byrza; it violated the provisions of the Basic principles and thus harmed the peace process.*⁵¹¹

This proves that ultra flexible USA policy is harmful to the EU's resolution process, due to the fact that it lacks the ability to conform the expectation of the international law, ethical principles or idealistic approaches. The fact that USA interest will determine the winner, should be a matter of concern for the EU, who believes that peace and security would

508 Carol Migdalovitz, "Armenia-Azerbaijan Conflict", CRS Report for Congress, December ,2001,p.11.

509 US Department of State, United States Mission to OSCE, C:\Documents and Settings\Casper\Belgelerim\U_S_and OSCE - U_S_Mission to the Organization for Security and Cooperation in Europe (OSCE).mht (8 November 2009)

510 Jim Nichol, "Armenia,Azerbaijan and Georgia Political Developments and Implications For US Interest", CRS Report For Congress, May, 2006, pp.10-14.

511 Nichol, p.11.

win. In this context, it could also be claimed that the USA is not interested in the real causes of the conflicts as the EU tries to do, but rather, with its economic consequences. The USA's approach to the issue is; peace would be more profitable than the conflict, owing to the fact that states spend a lot in order to conserve the status quo, with the hope that the situation may change in favour of their side.⁵¹² So, no matter who is responsible of the crisis, the USA would go on flirting with states in the region and, finally stake on one for the sake of economic profit. While doing so, it may conduct the EU policy in the region, and undermine the EU's advantageous position, by blocking its fresh relation with Russia or Iran.⁵¹³ The fact that

*for the rest of Europe however Russia's vast resources complement Europe's needs and offer big opportunities for Western capital. Whereas the United States is still inclined to see Russia through the lens of military competition,*⁵¹⁴

arises as the significant challenge, in front of the EU policy. Furthermore, by emplacing the new rules of free enterprise in the states, that have been newly rescued from the communist system would damage the EU's values, and the long transition period, given for adaptation. Thus, the capability of the states to absorb the EU values would be weakened since, the USA model offers them the distorted ones. On the other hand, the EU's image that reflects excessive fondness for being strategic partner of the USA, harms the EU actorness. The belief that the USA is essential element of the EU's new security strategy, strengthens the USA's hand in the region, but, triggers the disunity among member states, since there exists pro-American approaches, and anti American ones after the USA experience in Iraq. This disunity could be explained as the opposition, between the Europeanist or the Atlanticist perspectives.⁵¹⁵

B-RUSSIA AND ITS NEAR ABROAD POLICY

As it comes to the most prominent actor in the region, Russia could be claimed to engrave its strong policy in the region and on the Nagorno Karabakh issue. The fact that Russia's divide and rule policy sparked the crisis, since the Soviet Russia gave the sovereignty

512 Nichol, p.12.

513 David P.Calleo, "How Could Europe Save The World", *World Policy Journal*, Fall 2008, Vol.25,issue 3, pp.5-7.

514 Calleo, p. 10.

515. Calleo, pp. 6-10.

of the Karabakh Autonomous Republic, whose %95 population was Armenian, to the dominance of Azerbaijan Soviet in 1924, makes Russia, the chief responsible side of the crisis.⁵¹⁶

The Russians so called endeavours for the settlement of the crisis goes back to 1991, to Yeltsin period. Russia offered the termination of the military battle, recommended new elections, proposed the IDP's coming back to their home, and the establishment of the constitutional government in the N.K. But, the Russian proposal was not adopted by both sides. In 1993, the UN denounced Russia and Armenia for providing arms to the battling sides. Furthermore, between the years 1993 and 1994, Russia continued to its mediation role, under the mandate of the Special Envoy in Minsk Group. But, Russia's individual attempts for settling the conflict, and its introducing separate plans a part from the OSCE, was weakening the actorness of the OSCE. Russia was exploiting its mediation efforts in order to enhance its hegemony.⁵¹⁷

In this context, to what extent the EU actorness in the region will be tolerated by the Russian state will be clarified, within the analysis of the Russian foreign policy, which constructed and reconstructed itself, in accordance to some variables. That is why, the Russian Foreign Policy could be analysed, in the light of the following dynamics. These are :

The character of the domestic ruling political group, world prices of oil and gas, the status of the natural resource dependent on economy, less relations with west but more on the situation in the Caucasus, Central Asia and Eurasian South, choice within the Russian political mentality between global superpower mentality for Russia or more limited self identification as no more than a regional power, choices by the Russian political class; isolationism, active nationalism and internationalism(globalism),⁵¹⁸

in addition to this, the Russian-Armenian master-apprentice relationship.⁵¹⁹The fact that Russian-American competition nourished the realism in foreign policy of Russia, which was

516 James D. Fearon and David D. Laitin, "Azerbaijan", Stanford University

<http://www.stanford.edu/group/ethnic/Random%20Narratives/AzerbaijanRN1.2.pdf> (10 November 2009), p.3.

517 Bahar Başer, "Third Party Mediation in Nagorno Karabakh: Part of the Cure or Part of the Disease?", **OAKA**, USAK, vol. 3, issue. 5, 2008, pp.87-101.

518 Alexander Nikitin, "Russian Foreign Policy in The Fragmented Post Soviet Space", *International Journal on World Peace*, June 2008, Vol.25, issue 2, p.7.

519 Gaidz Minassian, "Armenia, a Russian Outpost in the Caucasus?", Report of IFRI Russia NIS Center, February 2008, http://www.ifri.org/files/Russie/ifri_RNV_minassian_Armenie_Russie_ANG_fevr2008.pdf, (10 November 2009), p.7.

fed on its military doctrine, and the fact that both the regional and the international actors shaped their own attitudes, in accordance with this competition, clarifies the confused nature of the period after the competition came to an end. The fact that both the USA and Russia lost their opportunity to otherize each other, created an ideological emptiness. Furthermore, Russia and the newly independent states had been experiencing a new adventure, which was not too familiar to them. The mutual perception of Russia, and the newly independent states, on the other hand, newly independent states' perception of each other, the regional and the international actor's perception of Russia, newly independent states and the geography itself, would reconstruct the new political atmosphere. However, owing to the fact that, the geography began to give signals of insecurity and threat, the neo-realist approach, which adopts the motto that security is the cardinal concern of the state had begun to envelope the Europe.⁵²⁰ The rising insecurity had triggered the Europe, the international actors, and the USA.

On the other hand, the chaotic political atmosphere around Russia enabled it with a new opportunity to influence the region. In this respect, the new Russian perception came into being within the Near Abroad Doctrine, which was inspired by “Monroe Doctrine.”⁵²¹ The idea for Russia was, to survive. With the seperation of the old federal states, Russia had become devoid of its ex natural resources, ports, and the transportation corridors. This is why, Russia could not leave the neighbour states on their own initiatives. According to Russia, the states of near abroad should have become the instruments of the Russian security.⁵²² Putin, who was belived to constitute its geo policy on “Eurasianism,”⁵²³ could reinforce the Russian security in two ways; first, by generating a “Single democratic field, common European Home, Single Left World,” (...) according to the Russian Left or second, by generating, “Eurasian Empire or The Reconstruction of USSR” according to the Russian Right.⁵²⁴ While the fact that the “Near Abroad compasses the old USSR,”⁵²⁵ is considered, then, it could be claimed that Putin appropriates rather the 'Eurasianism 'adopted by the Russian Right, which

520 Fırat Karabayram, **Rusya Federasyonunun Güney Kafkasya Politikası**, Ankara:Lalezar Yayın,2007,pp.99-100.

521 Karabayram, p. 101.

522 Hamit Ersoy ve Lale Ersoy , **Küreselleşen Dünyada Bölgesel Oluşumlar ve Türkiye**, Ankara:Siyasal Kitabevi,2002, p.198.

523 Fırat Purtaş,“Rusya'ya ve Rus Dış Politikasına Panoromik Bir Bakış”**Stratejik Analiz**, issue.84,Nisan 2007, p.22.

524 Aleksandr Dugin, **Rus Jeopolitiği Avrasyacı Yaklaşım**, İstanbul: Küre yayınları,Strateji 2, 2004, p.245.

525 Erol Bilbilik, **Kürsel Dünya politikaları ve Ulusal Seçenekler**,İstanbul:Kaynak yayınları, Analiz Basın Yayın, 2002,p.132.

embraces the “pan nationalism.”⁵²⁶ As a matter of fact, Putin's Eurasianism should be evaluated as a strategy that proves Russia's determinism to challenge the USA “New World Order,”(...) that recognizes, “Eurasia as the biggest geo geopolitic award for the Americans”⁵²⁷ as Brezezinski stated. This USA viewpoint triggered the Russian Eurasianism, which securitizes the Russian Eastern partnership, that prioritizes China.⁵²⁸ In a way, this comes to mean that Russia, who had no intentions to give Eurasia as a gift to the USA, is predisposing the new political formations in Eurasia, which would make the USA intrusion more complicated.

Nevertheless, the EU seemed to get its share from the Russian exclusion plans, done for the USA, since the EU declared the USA, as the most important strategic actor on security issues. The fact that the EU seemed to recognize the USA unilateral world comprehension, by declaring it, as its most important strategic partner estranged the EU from Russia, and made the relations difficult with Russia. Furthermore, the Russian declaration that “there seems to be a growing sense that the European Union might in some respects prove to be a more serious challenger to Russia's position than NATO, the traditional adversary,”⁵²⁹ aggravates the EU's actorness, in the region, since the EU becomes an unreliable actor, which renders service to the goals of the USA realpolitik. The homogenization of the declarations of the USA, the NATO and even the EU on security issues disturbed Russia. Despite the fact that the EU has generated soft security perception, the USA, the NATO, and the EU had seemed to be like minded on the definition of the new threats that may endanger the international security order. Moreover, the EU's enhancing its relations with the NATO, and giving countenance to the NATO decisions, comes to mean that it can never be a trusted neighbour to Russia any more.

In this context, “The Russian Federation National Security Doctrine”(2000)(...)which was much like the contra declaration, and challenge against the NATO's pronouncement that “NATO adopted a new strategic doctrine which enables NATO intervene to the events that have not been under its mission field and the NATO enlargement to the Russian

526Pan Nationalism, <http://en.wikipedia.org/wiki/Pan-nationalism> (12 November 2009)

527Bilbilik, p.139.

528Bilbilik, p.140.

529 Hiski Haukkala, “Russian Reaction to the European Neighbourhood Policy”, *Problems of Post Communism*, September,October 2008, Vol.55,issue.5,p.44.

neighbourhood,”⁵³⁰ had also become a daunting message for the EU, since Russia identified any endeavour to intervene the Russian domestic affairs, any endeavour that disregards the concerns of the Russian Federation, while tackling with the global security threats, and any endeavour that confronts the reinforcement of the Russian Federation as one of the most prominent actors of the international arena, as the principle menace to the Russian security. Likewise, Russia declared that it would recognize the operations attempting to impede any Russian military action, as a threat to the Russian security. The fact that Russia represents its military security, as the guarantee of the Russian democracy, of the Russian foreign policy, and of the global security and the harmony,⁵³¹ undermines the EU's ENP, which constituted its strategy on soft or civilian politics. Furthermore, Russia's insistence on utilizing the military power, as the instrument of crisis prevention method, is rather contradictory in terms of the EU's policy.

On the other hand, the Russian attempts to reinforce the CIS would come to mean, the mitigation of the EU impact on the South Caucasus, owing to the fact that, Azerbaijan, Georgia, Armenia, would remain under the Russian hegemony. Furthermore, the Russian Federation Foreign Policy Doctrine 2000, which emphasized the issues of, “the preservation of Russia territorial integrity, the rights of the Russian minority living abroad,”⁵³² appears, as another challenge to the EU policy, in the South Caucasus, since the phrase that the territorial integrity hints the Wider Russia; the old USSR land, which comprises the South Caucasian territory. Besides, the hint grew stronger, when the Russian minority living abroad was taken in to the scope of the Russian foreign policy. As it is mentioned before, Russia gains the opportunity to intervene its Near Abroad, via securitizing the human right, and individual freedom issues, which aggravates the crisis in the region, as it happened in the Abkhazia, and in the South Ossetia. In this context, the Russian Federation Military Doctrine, (2000) which pronounces that, “If Russia or its allies are confronted with any nuclear attack, they would response with counter attack with its nuclear arms,”⁵³³ seems to be enough to terminate (de facto) the ENP which owes its existence to the alternative civilian politics or soft politics. When the fact that, Russia defines its allies as;

530 Karabayram, p.114.

531 Ole Kvarno, “A New Russian Military Doctrine?” *Baltic Defence Review*, No.2, Vol.2,1999, pp.91-93.

532 Karabayram, p.120.

533 Karabayram, p.119.

Armenia, Belarus, Kazakhstan, Krygstan, Moldova, Turkmenistan, Tajikistan, Uzbekistan”(...) under the Collective Security Treaty Organization which, asserts that “Signatories would not be able to join other military alliances or other groups of states while aggression against one signatory would be perceived as an aggression against all,⁵³⁴

is considered, a logical inference could be deduced that, if Russia or the states mentioned above, receives any nuclear attack, then, Russia will respond in the same manner. This shortly comes to mean, the untouchability and the isolation of Armenia, which gives the notice of the approaching danger. For instance, if the Karabakh crisis erupts again and, if it requires any military intervention to the region,(by the USA, the NATO or the OSCE, the UN etc), without the consent of Russia, and without the military force of Russia, (with a peacekeeping purpose) Russia may interpret this effort, as an aggression to Armenia, or as an aggression towards its near abroad, since Armenia is one side in the war, and, since both Armenia and Azerbaijan are recognized as the Russian near abroad by the Russian state. This may cause a big disaster, since in the case of any aggression towards Russia's allies, Russia will be involved in the battle, by the side of its ally.

At that rate, the EU is put to a serious test, since it has to decide how it could remain as a utilitarian actor, on the collision arena of the realpolitik, without showing the determination to employ the instruments of hard politics, if it requires. Then, for the EU, this decision will be a matter of deciding, to what extent it may pretend to play the Pollyanna. Because, such an utopian positivism could only serve the purpose of actors, who try to violate the international norms, or reinterpret them, as Russia did. So, in the direction of its new national security principles, Russia has been making a reconstruction on the political substructure of the CSTO, and transforms it to a military entity, in order to enhance the military alliance between the member states.⁵³⁵

On the other hand, Russia justifies this militarized formation as a security measure, by attributing to the Western diagnosis of New Threats, such as “terrorism, proliferation of weapons of mass destruction, drug trafficking, illegal arms sale, organized crime in National

534 Collective Security Treaty Organization,

http://en.wikipedia.org/wiki/Collective_Security_Treaty_Organisation#Member_states-(12 November 2009)

535 John A.Mowchan, “The Militarization of Collective Security Treaty Organization”, July 2009,US Army War College,Center For Strategic Leadership,

http://www.csl.army.mil/usacsl/publications/IP_6_09_Militarization_of_the_CSTO.pdf, (12 November 2009),p.1.

Security Strategy released in 2009.⁵³⁶ In a way, Russia exploits the new western diagnosis of new threats as the USA did, and this creates the biggest challenge for the EU, since the EU's new soft security perception, which is based on giving struggle against the new threats (too different than the USA unilateral endeavours) is doomed to suffer, from the ill willed politics.

The Russian National Security Strategy defines that the positioning of the NATO will determine the positioning of Russia, and this military formation (CSTO) would be the most reliable security entity that would secure Russia, from any possible menace. Nevertheless, it is nearly impossible to believe in reliability of the CIS collective peacekeeping activities, namely, the “Russian intervention under the name of peacekeeping,” (...) when it is considered that it, “broke the cardinal rule of peacekeeping, which prohibits peacekeepers from siding with one of the combatants,”⁵³⁷ in the Georgian and the Nagorno Karabakh crisis. The fact that Moscow is pretending to act the peacekeeper role is dangerous manoeuvre, for the sake of the stability of the region.⁵³⁸ In this respect, the unilateral tendency of Russia to secure itself, and its near abroad, arises as the greatest challenge in front of the EU, since this approach had negative impact on the conflict resolution process, and on the ENP. Moreover, the situation seems to become a vicious circle, since the EU seems to be incompetent, in its relations with Russia. As long as the crisis remain as unresolved, Russia would be the winner side. Besides, this would consolidate its national pride, and influence its capability which would ensure Russia with power that maintains its resistance to the EU, the USA, and to the NATO.

The Russian perception of Near Abroad, which recognizes “entire geopolitical space of the former Soviet Union is a sphere of Russia's vital interest,”⁵³⁹ does not seem to make the region a playground of the USA or the EU, since Russia is a strong actor, who is insistent to gain its share from the global avails. However, Russia's keeping its assertion on global actorness after the collapse of the Soviet Union, lies in its strong regional actorness. In this respect, it should also be claimed that the Russian foreign policy, which keeps its hard politics agenda hot, is disturbed by the prevalent understanding of soft politics, which enabled the EU,

536. Mowchan, p.2.

537 Paul Kubicek, “End of The Line for The Commonwealth of Independent States”, *Problems of Post Communism*, Vol. 46, No.2, March/April 1999, p.19.

538 Kubicek, p.19.

539 Kubicek, p.19.

with an opportunity to securitize the minor issues in the Russian neighbourhood. While the EU's soft politics would harm the image of the Russian hegemonic identity, it would also undermine its bargaining capabilities. How Russia perceives, and represents itself, is a challenge to the EU policy:

*Russia is a large self sufficient country with its own views on European and Euro-Atlantic integration. In contrast, to some smaller Eastern European or South Caucasus countries striving for EU membership. Russia is neither a subject nor an object of the European Neighbourhood Policy.*⁵⁴⁰

On the other hand, the fact that Russia still tries to construct its self image on the basis of its being a superpower in the past, and that it desires to be treated, it challenges to any method of subordination that may limit its manoeuvres in the region. Russia perceives dominance of the western values, and norms, as a threat to its existence. Furthermore, Russia recognizes the imposition of the western liberal values via rule based⁵⁴¹ approach as the EU does, rather unacceptable, in terms of Russia, owing to the fact that “The Union does not give neighbours any meaningful input in setting the normative agenda, the objectives and the means are non negotiable.”⁵⁴² The fact that Russia does not give consent to be manipulated by the EU, and that it underlines its strong opposition to EU's attempts to standardize Russia, by neglecting its capabilities and identity, is based on the Russian perception that the EU could not be a superior actor over Russia, since they are equal.

The fact that globalization created many different actors, who were assigned to meddle the domestic affairs of the states, and who motivated the interdependence of the states, isolated Russia, owing to its insistence to keep its sovereignty, and the individuality. Russia's regional policy should not be interpreted in its narrow meaning, since Russia's economy, which feeds its policy, and which may expand its political potency, is dependent on this region. This is why, the EU's expectations on the Europeanization of the Russian legislation, which was hinted in the Partnership and Cooperation Agreement between the EU and Russia, justifies the Russian fear that the EU is after meddling the domestic affairs of Russia, in order to harmonize the norms, in accordance with the EU norms. For Russia, the insistence of the

540 Hiski Haukkala, “Russian Reactions To The European Neighbourhood Policy”, *Problems of Post Communism*, September/October 2008, Vol.55, issue 5, p.43.

541 Haukkala, pp.40-41.

542 Haukkala, p.42.

EU for the Europeanization of the Russian Economy comes to mean, its loosing its privileged status as an energy supplier country.⁵⁴³

Despite the fact that it is one of the most important natural gas and oil supplier, Russia is challenged with the fact that, “Russia's oil and gas fields are aging.”⁵⁴⁴ As a matter of fact, before 1991, Russia began to run short of the oil supply, and this is why, it headed towards the Siberia. On the other hand, there had been some problems with the Russian natural gas. The heavy state domination on the natural gas market, and on the sources of supply, obstructed the healthy import of the energy from Russia. As a matter of fact, the same problem exists for the states that import oil from Russia. Due to the fact that the Russian state dominates the pipelines also, the energy import is rather challenging, in terms of the European importers. On the other hand, Russia was devoid of the new technology, to survey new energy sources. However, it had to meet the energy demands, since its development is conditional to the energy income.⁵⁴⁵ This creates another serious challenge in terms of the EU, since the EU has to push Russia, for enhanced cooperation on “environmental matter including speedy ratification of Kyoto Protocol and modernization of Russia energy sector,”⁵⁴⁶ as it was stated, in 2004 Moscow Summit. However, the Russian's over commercializing the oil, its underdeveloped technology, and the infrastructure, causes its disregard of the environmental dimension of the matter.⁵⁴⁷

On the other hand, as Russia obtains its power from its near abroad, the Russian-Armenia solidarity gains importance in order to imagine to what extent this mutual cooperation hold negative impact on the Russian near abroad, and on the EU policy. The Russian ambition to dominate the Caspian, the Black Sea, and the Baltic Sea, in order to enable itself with geo-political supremacy, was frustrated with the independence of the old Soviet states. In other words, Russia had to take advantage of the crisis, to maintain its superior position in the region, and to regain its geopolitical rise. The Russian plan was to remove the Western investors, and the states from the Near Abroad resources. According to

543 Haukkala, pp.43-45.

544 Bernard A. Gelb, “Russian Oil and Gas Challenges”, CRS Report For Congress, January 2006, p..summary part.

545 Gelb, pp.1-6.

546_The Delegation of The European Union: Press Release on First Summit between EU and Russia, May, 2004, http://www.delrus.ec.europa.eu/en/news_576.htm-(14 November 2009)

547 Mark A. Smith, “Russian Environmental Problems”, September 2006, Defence Academy of UK, [www.da.mod.uk/colleges/arag/document.../russian/06\(41\)MAS.pdf](http://www.da.mod.uk/colleges/arag/document.../russian/06(41)MAS.pdf) (14 November 2009), pp.1-4.

Russia, Baku-Tbilisi-Supsa, Baku-Tbilisi-Ceyhan and Baku-Tbilisi-Erzurum were all operations of betrayal against itself. The fact that both Azerbaijan and Georgia preferred the Western patronage, gave rise to the Russian- Armenian master-apprentice relation. As a matter of fact, why the Armenian preferred the Russian patronage, by keeping itself distant from the Western patronage, is based on the Armenian expectation that Russia would safeguard Armenia in this confused geography, if it remains loyal to Russia,⁵⁴⁸ due to the fact that they had been experiencing this mutual silent agreement since ,“the rivalry between Russian and Ottoman Empire,”(..) which aspired the “thwarting the influence of Turkey in the region of South Caucasus.”⁵⁴⁹

At the present times, Turkey's alliance with the USA, the NATO, and its candidate status for the EU membership are the determining factors of the Russia-Turkey relation, which also give direction to the Russian Armenian relation, to some extent. For instance, in spite of the fact that both the US and the EU are sticking out the normalisation of Armenian-Turkey relations, and advocating the belief that moderation between the relations would have positive impact on the settlement of the N.K crisis, Russia does not adopt this Western strategy, since, this makes Russia, lose its trump card.⁵⁵⁰

Due to the fact that Russia's strategy is based on chain reaction of the regional, and the international actors, Russia has to control the regional actor behavior primarily. Despite the fact that it seems to declare Armenia as the protagonist of its alternative game, it tries to be prudential against Armenia and its demands. For instance, although Armenia called for “military support of CSTO RRF during the crisis with Azerbaijan over the disputed territory of N.K,”⁵⁵¹ Russia did not sympathize with this approach, owing to the fact that any self determination example case, would jeopardize its position with Chechenia. On the contrary, Armenia emphasizes the sample of Kosova,⁵⁵² whose self determination was approved partially, by some countries including the USA, 18 EU countries, 39 UN member states and,

548Gaidz Minassian, “Armenia, a Russian Outpost in The Caucasus?” IFRI, Russia NIS Center,February 2008, No.27,[www.da.mod.uk/colleges/arag/document.../russian/06\(41\)MAS.pdf](http://www.da.mod.uk/colleges/arag/document.../russian/06(41)MAS.pdf) (15 November 2009),pp.4-7.

549Minassian, p.5

550 Minassian, p.17

551 John A.Mowchan, “The Militarization of The Collective Security Organization “, Center For Strategic Leadership, US Army War College, Vol.6-09, July 2009,

http://www.csl.army.mil/usacsl/publications/IP_6_09_Militarization_of_the_CSTO.pdf (16 November 2009), p.5.

552 Wolfgang Danspeckgruber, “Self Governance Plus Regional Integration: A Solution To Self Determination or Secession Claims in The Emerging International System” ,Paper prepared for 2002 Annual Convention of the American Political Science Association, Boston,2002, p.23.

Turkey.⁵⁵³

The other example could be building of the Iranian-Armenian gas pipeline in 2006, which damaged the Russian-Armenian relations. The tension could be subsided, when Russia secured itself, by blocking Armenian's economic freedom, and any Iran-EU rapprochement. Moreover, Russia captured the control of high portion of the project. The Armenian economic dependence on Russia owing to the fact that Armenia owns huge debts to Russia, returned to Russia, as the geo-strategic acquirement, since Armenia had to bestow five hydroelectric power plants to Russia, and the monetary administration of Medzamor Nuclear Power Station. In addition to all, the fact that there exists the Russian monopoly on heavy industry, energy and, on other major sectors, is the consequence of the Russia's Eurasianist approach to the region. The desire of Russia to divide and to control the elements of the region reveals itself, on the Armenian case. What Russia has to do, is to conserve the rooted status of the Nagorno Karabakh conflict, in order to block up any moderation between Armenia and Azerbaijan, which may generate new cooperation between Armenia, Azerbaijan and Georgia that was initiated by the EU. Apart from the fact that, Russia wants to block any Armenia-Georgian rapprochement, which Armenia is volunteered to, it plans to make tool of Armenia, for the provocation of the Armenian ethnical group in Georgia in order to confuse Georgia.⁵⁵⁴

On the other hand, “to halt the spread of revolutions Russian, Armenian Regimes adopted the interventionist policy of restoring the authority of the state” (...) furthermore, “They rely on oligarchs to as guarantors for centrally managed capitalism in exchange of seat in parliament,”⁵⁵⁵ which is rather challenging in terms of the EU attempt that promotes democratic reforms, the rule of law and the civil society.⁵⁵⁶ It could be claimed that the dangerous Armenian-Russia excessive partnership was a disaster, in terms of the EU's strategy for the resolution of the regional crisis. As it was declared in 2005 London Summit, the EU expected enhanced support from Russia on “conflict prevention, crisis management and post conflict rehabilitation,”⁵⁵⁷ yet, it did not come true.

553 EU Parliament, Who Recognized Kosova As an Independent, State?
http://www.europarl.europa.eu/meetdocs/2004_2009/documents/dv/dsee_20080505_04_/DSEE_20080505_04_en.pdf (11 November 2009)

554 Minassian, pp.8-17.

555 Minassian, p.10.

556 The Delegation of the EU: Europe and Russia. Building Strategic Partnership : Overview of Relations
http://www.delrus.ec.europa.eu/en/p_210.htm, (14 November 2009)

557 Council of The European Union; 15th EU-Russia Summit : Road Map:10 May 2005, Brussels,

On the contrary, Russia arranged a military operation to Georgia, which received reaction from the EU, in 2008 Nice Summit. The EU declared in the summit that “Russian violation of the territorial integrity and unilateral recognition of Abkhazia and South Ossetia are unacceptable.”⁵⁵⁸ Yet, Russia did not soften its claims on Georgia. On the contrary, it sent the message that Russia is the sole actor that can conduct the course of the crisis. As a matter of fact, the Moscow Summit 2008 on the Nagorno Karabakh crisis had become a kind of public demonstration to prove who is the boss in the region. The summit was held after the Russian military operation, which redounded Russia more confident. This summit was a method of declaration of the consolidation of Russian dominance. The Moscow declaration states that the diplomatic resolution of the conflict should be established on the fundamentals of international law,⁵⁵⁹ which comes to mean that this conflict could not be resolved, since the international law endows “territorial integrity”(…) to one side, and “national self determination,”⁵⁶⁰ to another. Russia in a way, encourages the Armenian strategy, which insists on the phrase of self determination to preserve the status quo since 1994.

Furthermore, the Moscow Declaration asserts; “support for ongoing and future mediation by OSCE Minsk co-chairs taking into consideration their meeting with the parties on November 29, 2007,”⁵⁶¹ which comes to mean that there be no resolution, since both parties criticized the Madrid Principles, and evaluated them as a retreat from their claims, in 2007. The Moscow Declaration states; “peaceful resolution should be accompanied by legally binding international guarantees in all aspects and stages of settlement,”(…) which comes to mean that Russia is looking for an alternative “for deploying Russian peacekeeping on guarantorship troops.”⁵⁶² In this respect, it could be claimed that Russia seems to leave the crisis in the region particularly, the Nagorno Karabakh crisis in abeyance, since it utilizes the crisis as an instrument of its sub politics, which renders service to its macro politics. In this context, in order to predict what kind of role Russia wants to play for its part, for the future of

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/er/84815.pdf (17 November 2009), p.34.

558 EU, EU-Russia Summit, Nice , November,2008

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1701&format=HTML&aged=0&language=EN&guiLanguage=en> p.2.

559 Vladimir Socor,“Moscow Summit on Karabakh Short of Medvedev's Goals”, *Eurasia Daily Monitor*(4.11.2008) http://www.gabibn.com/IMG/pdf/Re5_Moscow_Summit_on_Karabakh_Short_of_Medvedev_s_Goals.pdf (17 November 2009),p.1.

560 Socor, p.2.

561 Socor, p.1.

562Socor,p.2.

this geography, it would be enlightening to glance at the Medvedev period.

As the international actors, and the EU have been looking for the methods of integrating Russia in to the international system in order to prevent its isolation, Russia with Medvedev came into prominence with an interesting offer to Europe. Medvedev introduced the irrevocable New Security Treaty For Europe. According to Medvedev, this new treaty would adopt the UN norms as the fundamental, and the binding norms, which would justify the legality of the treaty. Russia was trying to globalize its regional security strategy, by trying to eliminate the dividing lines between the global, international, and the regional actors. This is why, Medvedev asserts for obtaining a space for the members of the Shanghai Organization Cooperation, in order to neutralize the NATO.⁵⁶³

Medvedev's new strategy was to redefine the position of the states, who want to contribute to the European Security, by detaching them from the ex formations that magnifies the competition, and the segregation. Medvedev attributed to the “Briand-Kellogg Pact,”(...) in order to represent what kind of new principle ground he imagines for the new security order. He did so, because the Secretary of the State, Kellog highlighted the approach that “the right to self defense is not limited to territory in the continental to US” (...) in 1928, which promoted the “Monroe Doctrine,”⁵⁶⁴ which was authorizing any attempt for individual security. Medvedev was also claimed to take Carl Schmitt as a model, who declared the necessity of creating suzerainty, in order to become a strong empire. Anyhow, this approach shows similarity with the Medvedev approach that defends the idea that safeguarding the lives and the self esteem of the Russian people, wherever they live, is the Russian state's primary concern. Medvedev's new strategy was found remarkable by Italy, Germany, France and Spain.⁵⁶⁵

However, despite some EU members' positive perception of the new Russian attitude, in fact, it was a real challenge in terms of the EU-Russian cooperation. By asserting that it has the right to intervene its neighbourhood, if it requires, it gives the signals of the possibility that it may degenerate the Russian actorness, while there is an accord between the

563 Marcel H. Van Herpen, “Medvedev's Proposal For Pan-European Security Pact: Its Six Hidden Objectives and How The West Should Respond”, Lecture for Cicero Foundation, 27 October 2008, http://www.cicerofoundation.org/lectures/Marcel_H_Van_Herpen_Medvedevs_Proposal_for_a_Pan-European_Security_Pact.pdf (18 November 2009),pp.1-2.

564 Herpen, p. 4.

565 Herpen, pp. 5- 9.

EU and Russia, on struggling against “terrorism, non proliferation of weapons of mass destruction, disarmament” (...) and for the collaboration “in crisis management and in civil protection.”⁵⁶⁶ According to new Medvedev Doctrine, all these fragile issues may create a motive for Russia, to intervene its near abroad unilaterally by disregarding the EU principles. On the contrary to the EU's ambitious mood to diffuse in the region by getting the Russian consent, Russia does not sympathize with the EU's authority. This is why, Russia asserts the necessity of consolidation of the UN principles, as binding. In a way, this is method of blocking the consolidation of the EU's norms. For the same reason, Russia rejects the EU's representing the “EU-Russian border” (...) as a “common neighbourhood.”⁵⁶⁷

The representation of common neighbourhood triggers the EU's common strategies that charges the EU, with a mission of security guard of the region. As it would later get matured in St Petersburg Summit in 2003, this common neighbourhood will be transformed to a, “new Europe without dividing lines.” (..) On the other hand, what the EU tries to stick out as, “multilateralism,”⁵⁶⁸ on the way of eliminating the dividing lines is different than Russian's new multilateralism perspective. Russia puts forth a more Eastern multilateralism, which is rather contradictory with the EU's Western Multilateralism. Russia challenges to the EU's attempts to melt Russia in the Western norms. Russia believes that the UN is the only wide ground that may absorb both the EU and the Russian approaches. This is why, the Russian side in Moscow Summit 2000, pointed out the fact that its partnership with the EU, is based on carrying out the UN principles. Furthermore, in the same summit, the EU side emphasized the strong necessity that the EU and Russia should confront against the global challenges together, since the challenges compel for organizing, and assembling the individual activities.⁵⁶⁹

As a matter of fact, the EU's insistence on the phrase, mobilization was the first signal that determined higher EU expectations for the Russian-EU cooperation. One year later, in Moscow 2001 Summit, the EU put forth its belief that the EU and Russia had to

566_European Commission.:External Relations:External Security:EU Policy Aims for Eu-Russia Cooperation, http://ec.europa.eu/external_relations/russia/common_spaces/external_security_en.htm (18 November 2009)

567 European Commission.:External Relations:External Security:EU Policy Aims for Eu-Russia Cooperation, http://ec.europa.eu/external_relations/russia/common_spaces/external_security_en.htm (19 November 2009)

568_European Commission.:External Relations:External Security:EU Policy Aims for Eu-Russia Cooperation, http://ec.europa.eu/external_relations/russia/common_spaces/external_security_en.htm (19 November 2009)

569 EU -Russia Summit Joint Statement, Moscow,29 May 2000,http://www.delrus.ec.europa.eu/en/p_241.htm-word (19 November 2009),pp.1-2.

enhance their “security policy dialogue including the work of EU on military and civilian crisis management.”⁵⁷⁰ In the frame of the EU partnership, Russia was not the pivot yet, a complementary partner. In this respect, there could be no way to mention about the equality of the Russian and the EU actorness, which rather disturbed Russia. On the other hand, it could be claimed that Russia had generated alternative formations for the region, where it could assert its pivot actorness, and where it might build up more direct dialogue with the UN, from the Russian declarations such as; “The CSTO has prepared to use its military instruments for use under a UN or OSCE mandate or under certain conditions, on its own political initiative.”⁵⁷¹

Nevertheless, the EU, who is stuck with dilemma; whether to become an ethical actor or the realist one, tries to keep Russia, in its orbit by rewarding it with the EU's financial, and technical assistance. In return, the EU expects Russia, to provide transparency of energy market, reliability of existing energy, transport, infrastructure cooperation and the nuclear safety.⁵⁷² As a matter of fact, this proves that when the South Caucasus geo-politics is concerned and when you pronounce your strategic partner as the USA, and when there is a smell of oil in the air, it becomes harder to remain as an ethical actor. When it is considered that, realpolitik put its own rules and conditions, the EU should get ready for the new, artificial challenges created by Russia. Moreover, Russia by reinforcing its relation with its Eastern allies, and with China, would never be desperate to make concessions for the EU, which comes to mean that the new Russian policy got the opportunity to undermine the EU's trump card, by diversifying its state income, and by reconstructing itself with the support of the new partners in the CSTO:

*New Goals of Russian foreign Policy: to decrease dependency on Russian oil Gas exports, to moderately fence ourselves off from negative aspects of globalization, to overcome the final manifestations of the syndrome of post soviet weakness, to restore a collective security approach and forge the military security infrastructures of the seven CSTO states into a new alliance, to negotiate a share of functions and responsibilities with NATO and EU in Central Asia, Moldova and South Caucasus.*⁵⁷³

570 EU-Russia Summit Joint Statement, Moscow, 17 May 2001, http://www.delrus.ec.europa.eu/en/p_239.htm (19 November 2009), p.2.

571 Alexander Nikitin, “Russian Foreign Policy in The Fragmented Post Soviet Space”, *International Journal on World Peace*, June 2008, Vol.25, issue 2, p. 24.

572 EU-Russia Energy Dialogue, Sixth Progress Report, http://ec.europa.eu/energy/international/bilateral_cooperation/russia/doc/reports/progress6_en.pdf (18 November 2009), pp.1-7.

573 Alexander Nikitin, “Russian Foreign Policy in The Fragmented Post Soviet Space”, *International Journal on World*

Consequently, the more the West attempts to drive Russia into the corner, in order to extend their political hegemony, irregardless of their methods, soft or hard, the more, Russia disorders the region, in order to enable the position inextricable for the Western hegemony. This comes to mean that the states would go on suffering from the negative consequences of the conflict, since Russia would not use its initiative in favour of the resolution of the conflicts, till it secures its new position on the international arena, and till, this newly obtained position is recognized by the Western side. Therefore, if the Russian near abroad is left to Russia, there could be no import of insecurity from that geography. The Western hegemony should recognize the fact that Russia may become a center for new formations, and leave the Western projects devoid of Russia, if it is not treated as equivalent.

C-TURKEY AS A NEGLECTED ACTOR

Turkey's positive impact on the possible success of the ENP, is undermined by the EU, since the EU underestimates Turkey's role, by resisting to its EU membership. The EU, who asserts that it visualises a wider picture of the security, challenges to its own perspective by neglecting Turkey, as an actor. On the other hand, the EU continues to line up its unilateral expectations from Turkey, by disregarding the EU's need for Turkey in order to mature its South Caucasus policy. The fact that Turkey has developed geographic brotherhood with the states that have been located in the Caucasus and furthermore, cultural brotherhood with some of them, makes Turkey, an arbiter on the Caucasian issues. This is why, Turkey attributed significance to, "independence, protection and recognition of territorial integrity of the newly independent states."⁵⁷⁴ However, the transition period brought in to open the time worn strives. On the other hand, the fact that any problem occurs in this geography has become the primary concern of Turkey, engendered a regional actor, who has to block any threat that may spill over to itself from its neighbourhood geography.

Peace, June 2008, Vol.25,issue 2, p. 28.
574 Mithat çelikpala "Türkiye Bölgesel Güç Konsepti ve Kafkasya örneği", **Stratejik Analiz**, Mayıs 2007, issue. 85, p.31.

This is why, it could be claimed that The South Caucasus, which Turkey neighbours to its three states, has been on the Turkish political agenda, more intensively since 1991, with the collapse of the Soviet Union, since the geography inherited many rooted conflicts from the Soviet Union. As a matter of fact, Turkey did not intervene in the Nagorno Karabakh war directly, due to the fact that it has some serious drawbacks. In the war years, Turkey had to turn down the Azerbaijani call for support, since the Turkish government did follow a more utilitarian policy that avoids to contribute to a more tangled situation. On the other hand, the Europe and the USA did not seem to encourage Turkey, on this issue, since they sustained the Armenian side. Turkey could not challenge to the USA, since it may draw back its support in the PKK operation and, could not challenge to the EU, since it could not endanger its membership. Furthermore, there was the Russian factor. Russia also tried keep Turkey away from Azerbaijan, and the Nagorno Karabakh conflict.⁵⁷⁵

Yet, later the regional actorness of Turkey was reshaped by its concerns that this insecure environment would have negative impact on its own stability, on its political advancement, and on its potential economic development. When the fact that there exists a conditionality between the economic and the political advancement of Turkey is considered, then, it seems more reasonable to represent the South Caucasus, both as a geography that may facilitate Turkey's reinforcement of its regional actorness, if it may achieve a positive contribution to the peace in the region, and as a geography, that promotes the Turkish economy, by enabling it as passage for the conveyance of the Caspian resources.⁵⁷⁶

It is necessary to emphasize that East-West Energy Corridor generated as the building block of Turkey's energy policy, and Turkey ascertained its prominent role in the region, by generating tasks on oil, and gas transport. The crucial elements of the corridor that endeavours for the secure conveyance of "Caucasian and central Asian oil as well as natural gas" (...) to the West are the, "BTC crude oil pipeline, Shahdeniz natural gas pipeline (BTE)

575 Swante E. Cornell, "The Nagorno Karabakh Conflict" Report No.46, Department of East European Studies, Uppsala University, 1999, pp.70-73. Rooted Conflicts: "the legacy of the institutionalized ethnicity the nexus between ethnicity and territoriality and the ethno-political hierarchy of inequalities, unbalanced socio-professional structures of different ethnic groups, history of assimilation and cultural discrimination under the Soviet regime", Airat Aklaev, "Causes and Prevention of Ethnic Conflict: An Overview of Post Soviet Russian Language Literature", **Leadership and conflict Resolution** (193-233), Adel Safty (Ed), Tokyo, New York: EMU Press and Eastern Mediterranean University Press, United Nations University, 1999, p.211

576 Adam Szymanski, "South Caucasus, The case For Joint Commitment of Turkey and the EU", June 2009, The Polish Institute of International Affairs, Pism Strategic Files, http://www.pism.pl/zalaczniki/Strategic_File_8.pdf (20 November 2009) pp.1-2.

and Transcaspian natural gas pipeline projects, rail roads, and other infrastructure.⁵⁷⁷ In addition to all, Turkey's hosting for another giant project; Nabucco would reinforce Turkey's position as the most significant energy corridor, when the significance of the Nabucco Project that is, “stretching from Turkey to Austria via Bulgaria, Romania and Hungary,”⁵⁷⁸ is considered.

In this respect, Turkey's new shining position was commensurating with the EU's and the US' plans, which projected to be rescued from the Russian energy monopoly. From this perspective, Turkey was the most stable country in the region, and could function as an intermediary for the conveyance of the Caspian oil, and the natural gas to the West. Moreover, another reason that lies behind this support was, the endeavour to demonstrate the advantages of, “Turkish model of economic, political transformation,” (...) for the Caucasian states. Particularly, the EU believed that creating an economic synergy or benefit chain among the states of the region, would speed up their endeavours to keep up with the conditions of the liberal world, and this would make positive contributions to the constitution of the conditions, required for security. Nevertheless, the EU task had some difficulties in the pillar of Turkey, since Turkey had some rooted problems with Armenia. On the other hand, Armenia, who is the responsible side of the Nagorno Karabakh crisis, was having problem with Azerbaijan, and Turkey. Although, Turkey was promoted as an actor in the region by the EU and the USA, the fact that “South Caucasus states are not seeking for big brother,”⁵⁷⁹ had eroded the Western project.

On the other hand, the EU was undermining Turkey's role in the region, by keeping Turkey out of the decision making mechanism of the EU, namely, the membership. In this respect, the EU was following a rather a contradictory tactic, since it was criticising harshly, Turkey's economic, and political progress. Moreover, the EU was leaving a doubt on Turkey's being a secure zone to carry out its responsibility as a transport country, by putting forward the terrorist activities.⁵⁸⁰ The EU's contradictory attitude was impoverishing Turkey's role in the region, and in return, causing the inefficiency of the ENP. On the other hand, in spite of

577 Ministry of Foreign Affairs Deputy General Directorate For Energy ,Water and Environment, Turkey's Energy Strategy, June 2006, Ankara, p.3.

578 Ministry of Foreign Affairs Deputy General Directorate For Energy ,Water and Environment, Turkey's Energy Strategy, June 2006, Ankara, p.6.

579 Szymanski, p.2.

580 Szymanski, p.2.

Turkey's adopting a new regional policy, the moderation of the relations between Armenia and Turkey seem rather troubling, since Turkey does not want to damage the Turkey-Azerbaijan relations. The EU believes that the resolution of the Nagorno Karabakh crisis is dependent on the moderation of the relations between Armenia and Azerbaijan, via complaisance, and down to earth politics and, entrusts Turkey, with a mission of nourishing this normalisation process between two countries, by normalising its relations with Armenia in the framework of its “zero problem policy.”⁵⁸¹

As a matter of fact, Turkey had rendered service to this externally imposed normalisation strategy since 1991, on its own initiative by, “opening the railway between Kars and Gyumri, by supplying energy, and by giving Armenia a seat in regional grouping, BSEC.”⁵⁸² However, when the Nagorno Karabakh crisis burst out, Turkey's efforts for the normalisation was destructed. Turkey blockaded the Armenian rail connection, in order to lock the Armenian military support, to the battle ground. Furthermore, Turkey declared that it would check the planes that are on route to Armenia in order to cease the logistic support to the Nagorno Karabakh.⁵⁸³ Later in 1993, Turkey had to block Turkey-Armenia border as a coercive measure to force Armenia to stop the war.⁵⁸⁴

While with the Karabakh war, the relations between Turkey and Armenia had become a deadlock, Armenian president, Kocharian's adopting a hostile attitude towards Turkey, by seeking the acknowledgement of the so called genocide claims on the worldwide political arena, deteriorated the relations. However, recently, with the impulse of the EU and the USA, Turkey attempted for another experimentation of normalisation process, with Armenia, in the framework of a new protocol (ratified on 10th October 2009), which is designated for the reconstruction of “mutual confidence between two countries,”⁵⁸⁵ and, which assures the common acknowledgement of the current borders, as it was determined by the international agreements, and the law,⁵⁸⁶ and which lays stress on their strength of will to open

581 Szymanski, p.3.

582 International Crisis Group Euro Report No:199, “Turkey and Armenia:Opening Minds ,Opening Borders”, 14 April 2009, p.1.

583 International Crisis Group Euro Report No:199, “Turkey and Armenia:Opening Minds ,Opening Borders”, 14 April 2009, p.2.

584 Armenia, <http://tr.wikipedia.org/wiki/Ermenistan>(21 November 2009)

585 Republic of Turkey, Ministry of Foreign Affairs, Protocol on The Establishment of Diplomatic Relations Between The Republic of Turkey and the Republic of Armenia, <http://www.mfa.gov.tr/data/DISPOLITIKA/t%C3%BCrkiye-ermenistan-ingilizce.pdf> (22 November 2009),p.1.

586 Republic of Turkey, Ministry of Foreign Affairs, Protocol on The Establishment of Diplomatic Relations Between The

the border. The acknowledgement of the current borders will be a good progress, in terms of the elimination of the uneasiness in the Turkish side, since it would invalidate the “de jure claims on Turkish territory.”⁵⁸⁷

Besides, the protocol highlights the significance of the dialogue between two states in terms of exalting the “regional stability and security for ensuring democratic and sustainable development of the region.”⁵⁸⁸ Furthermore, it emphasized the significance of the resolution of the crisis, in accordance with the fundamentals of the international law. On the other hand, the protocol recognizes the formation of the sub-commission, in order to enable the objective and accurate research of the resources to identify the historical problem, between Turkey and Armenia, correctly.⁵⁸⁹ Despite the goodwill of the protocol, there are Armenians, who adopt the opinion that “historical commission is a Turkish play or delay of genocide recognition.” (...) On the other hand, there is a great fear on the Armenian side owing to the fact that “Commission might question the Armenian view of events and this undermines the fundamental tenet of Armenian self identity.”⁵⁹⁰

However, the EU, who envisages that the normalisation between Turkey and Armenia will ensure positive contributions to the Nagorno Karabakh resolution process,⁵⁹¹ may be disillusioned from the Armenian approach, which stipulates that normalisation with Turkey has to be tackled independently, from the Nagorno Karabakh. In contrary to Armenia, Turkey perceives this normalisation attempt, as a way of promoting the regional peace and security, which would trigger the evolution of more comprehensive peace, and security perception. Within this perspective, for the insurance of the regional peace, the resolution of the Nagorno Karabakh is essential, which comes to mean that Turkey perceives the

Republic of Turkey and the Republic of Armenia, <http://www.mfa.gov.tr/data/DISPOLITIKA/t%C3%BCrkiye-ermenistan-ingilizce.pdf> (22 November 2009),p.1.

587 International Crisis Group Euro Report No:199, “Turkey and Armenia:Opening Minds ,Opening Borders”, 14 April 2009, p..5.

588 Republic of Turkey, Ministry of Foreign Affairs, Protocol on The Establishment of Diplomatic Relations Between The Republic of Turkey and the Republic of Armenia, <http://www.mfa.gov.tr/data/DISPOLITIKA/t%C3%BCrkiye-ermenistan-ingilizce.pdf> (22 November 2009), p.2.

589 Republic of Turkey, Ministry of Foreign Affairs, Protocol on The Establishment of Diplomatic Relations Between The Republic of Turkey and the Republic of Armenia, <http://www.mfa.gov.tr/data/DISPOLITIKA/t%C3%BCrkiye-ermenistan-ingilizce.pdf> (22 November 2009),pp. 2-4 .

590 International Crisis Group Euro Report No:199, “Turkey and Armenia:Opening Minds ,Opening Borders”, 14 April 2009, p. 6.

591 According to the Per Gahrton Report Turkey should lift trade restrictions and reopen the land border with Armenia and made reference to the June 1987 Resolution for the political resolution of the Armenian question. EUParliament Report No. A5-0082/2004, p.8.

normalisation as one of pillars of the resolution of the Nagorno Karabakh crisis and, is not satisfied with the stipulation of Armenia that tends to segregate two issues, since both issues are interdependent.⁵⁹²

On the other hand, Armenia is disturbed by Turkey's adopting the Nagorno Karabakh issue as its own problem, as it was stated by the Turkish Prime Minister, Mr Erdoğan several times that Turkey embraces the Azerbaijan attitude on the Nagorno Karabakh issue. Besides, Armenia's keeping distant to this approach, Armenia prefers to resist the Turkey's stipulations on “Armenia's withdrawal from occupied Azerbaijani territory,” (...) in order to make a progress for “opening of the border and establishing diplomatic relation,”⁵⁹³ which troubles the process a lot. Of course, the fact that Azerbaijan's conditions would determine the process should not be disregarded, since Azerbaijan made a strong remark that; “the precondition for Turkey's opening the border is, Armenia's withdrawing from at least five reynons it occupied and the return of the displaced people to their homeland.”⁵⁹⁴ In the context of this conjectural scenerio, Azerbaijan should not be offended yet, Armenia has to be removed from the Russian security zone. Since, with the new conjecture that had been created after “Russia invaded Georgia” (...) and, after “the geopolitics of South Caucasus has been transformed”(...) and since “ the old players changed their positions,”⁵⁹⁵ the condition got matured for the external actors.

The new game was generated on the USA strategy, which presumed that a more locked Armenia has to make concession for moderating its relation with Turkey, if it begins to feel the need fo the umbrella of the Western security. In fact, this new manoeuvre was something positive, in terms of the EU's ENP. Yet, there were some challenges in front of this USA strategy, such as, Russia. Russia has been striving to undermine the relations between Turkey and Azerbaijan, in order to erode the Nabucco project.⁵⁹⁶ As Alexander Dugin, the Eurasian party leader, in Russia, asserted that “Nabucco has to be wrecked at any cost because

592 Ahmet Davutoğlu-Turkish foreign Minister- “TRT Interview on The Protocol Ratified between Turkey and Armenia in Zurich”Ankara TRT:11.10.2009.

593 International Crisis Group Euro Report No:199, “Turkey and Armenia:Opening Minds ,Opening Borders”, 14 April 2009, p.18.

594 Kamer Kasım, “Türkiye -Azerbaycan -Ermenistan Üçgeni”,USAK,<http://www.usak.org.tr/makale.asp?id=955>(23 November 2009)

595 Paul Goble, “The South Caucasus Reordered:New Challenges To Bakus's Foreign Policy Assuptions”,Azerbaijan In The World, *ADA Biweekly Newsletter*, Vol2, No.4, February 15, 2009,p.1.

596 Kamer Kasım, “Türkiye -Azerbaycan -Ermenistan Üçgeni”,USAK,<http://www.usak.org.tr/makale.asp?id=955> (23 November 2009)

we are talking about geopolitics of gas.”⁵⁹⁷ In this respect, an offended Azerbaijan would pave the way for the Russian plan, and unfortunately, could return to the bosom of Russia. As a matter of fact, Russia gave its message to all the actors, by taking advantage of the negative consequences of Georgian-Russian war, which took place in 2008, since “Azerbaijan diverted its oil supplies to Russia and Iran,”(...) owing to the fact that “BTC pipeline is frozen.”⁵⁹⁸ As a matter of fact, the Russian message was clear; Any pipeline project that would bypass Russia and that would mitigate its influence, is at the risk of confronting with the crisis. So, this would shortly mean the collapse of the ENP project, which sets its hopes on energy projects and furthermore, which reconciled energy with security. The Russian attitude could also be interpreted as that the energy factor could return to the EU as a nightmare, on contrary to what it expects to happen.

As a matter of fact, the EU's inefficiency to move against the Russian actorness, made Turkey, come into prominence as a more active, self assertive actor. However, to make manoeuvres in the South Caucasus geopolitics would not be easy for Turkey, since it has very fragile relations with some of the regional actors, and since most of the actors in the region have fragile relations with each other. For instance, Turkey, who desired to amplify the scope of its foreign policy, by declaring its zero problem with the neighbours strategy, which encapsulates the more dialogue with Armenia, and Russia, has come at the threshold of offending Azerbaijan, who was disturbed by the idea that Turkey was promoting the Russian actorness in the region by adopting this strategy.⁵⁹⁹

Moreover, this disturbance wrapped into a political threat within the claims of Azerbaijan President; “before finding a way to solve the Karabakh issue if Turkey cuts a deal with Armenia we would cut gas flow to Turkey.”⁶⁰⁰ The fact that Azerbaijan seems convinced with the idea that Armenia would not take a step to resolve the Nagorno Karabakh crisis, if Turkey retreats on border issue, and that, Turkey may deviate from Azerbaijan posture, if Turkey enhances its relations with Armenia. On the other hand, this could canalize Azerbaijan

597 Mithat Çelikpala, “Can Turkey and Armenia Normalize Their Relations?” *Azerbaijan In The World, ADA Biweekly Newsletter*, Vol2, No.4, February 15, 2009, p.4.

598 Nona Mikhelidze, “After The 2008 Russian War: Implications For Western Involvement In Conflict Resolution” ,Background Paper for Conference on : Caucasus and Black Sea Region, ENP and Beyond, Rome, 6-7 February 2009, p.9.

599 Goble, p.3.

600 Eleni Fotiou, “Caucasus Stability and Cooperation Platform: What is at Stake For Regional Cooperation?”, *International Center For Black Sea Studies*, June 2009, Brief No.16, p.12.

to Russia, if Turkey-Azerbaijan relations got damaged, since it would not be volunteered any more to follow a pragmatic policy towards Turkey and the West.⁶⁰¹ In fact, Turkey had no alternative to detach itself from Russia, since Russia was, “Turkey's major trade partner and key gas supplier” (..) In the light of its new zero problems with the neighbours approach, which comes to mean the, “preservation of geopolitical pluralism,” (...) Turkey began to consolidate its regional role by expanding its political dominance area, which it believes it would reinforce its “economic pluralism,” (...) either. The fact that this attitude required the, “multidimensional partnership with Russia,”⁶⁰² there began to appear the challenge that Turkey may upset its relations with Azerbaijan, with the EU, and even with the USA, if it slides the balance in favour of Russia, in order to establish a new regional actorness detached from the EU and the USA.⁶⁰³

As Turkey's regional actorness was supported by the USA, and since it accorded with the EU interest to some extent, it is confronted with the challenge that Turkey seems to be become distant to unilateralism with the West and reconstruct its regional actorness, by redefining it. Furthermore, if Turkey succeeds in resolving the Nagorno Karabakh crisis in favour of Azerbaijan, regains Azerbaijan's confidence, and enhances its relations with Armenia and Russia, this comes to mean that Turkey would emerge as the competitor for the EU, since Turkey gets hold of the opportunity to realise most of the ENP goals. The fact that the Russian-Georgian war 2008 had necessitated the settlement of all the conflicts more compelling, created a more detached regional actor, Turkey who carried forward the EU project, by constituting a new pragmatic regional policy. As one of the new instruments of the Turkish foreign policy, the Caucasus Stability and Cooperation Platform was established by Turkey.⁶⁰⁴ It could be claimed that this platform was derived from Turkey's need to demonstrate Russia its own existence in the region, by generating a convenient groundwork for the settlement of the conflicts.⁶⁰⁵

601 Goble, p.3.

602 Igor Torbakov, “The Georgia Crisis and Russia-Turkey Relations”, The Jamestown Foundation, <http://www.jamestown.org/uploads/media/GeorgiaCrisisTorbakov.pdf>. (24 November 2009),p.5.

603 Torbakov, p. 6.

604 Torbakov, pp.5-11.

605 Torbakov, p.30.

So, in this respect, Turkey becomes a imponderable actor for the EU, since it wants to keep the control of the region it its own hands. Turkey's individually accomplishing the primary EU task in the South Caucasus, via employing its own methods in spite of its not being an EU member, mitigates the EU actorness in the region. Again, the fact that Turkey's geo-political existence is based on multidimensional actuality, triggers Turkey's acting more boldly than the EU. For instance, Turkey's political manoeuvres may manifest resemblance to Russia's on particular issues such as: “both countries wish to distance US from the use of Black Sea for potential strike against Iran or for military operation against Iraq. They do not want Black Sea to become a NATO preserve,” (..) in spite of the USA factor. On the other hand, although the EU has some inner arguments on the issues mentioned above, it can not act as a state, since some of its members have particular drawbacks. Another example could be that, “Russia and Turkey agree on the need to combat terrorism with reference to Chechenya and PKK.” (..) As one of the real elements of the region, Turkey is equipped with some political opportunities, and facilities to bargain with Russia, easier than the EU, since Turkey owns, “Turkic-Muslim”⁶⁰⁶ structure, which makes Russia retreat from giving countenance to PKK, owing to the fear that Turkey may misuse the Chechen element.

Nevertheless, this bilateral policy is not the ideal pattern that the EU takes as an example, since it bypasses the EU actorness. On the other hand, the possibility that Turkey's Muslim identity may enable to get ahead its actorness in the region, in comparison to the EU's, if Turkey may achieve the reinforcement of its relations with Iran. Besides, by enhancing relations with Iran, Turkey would may strengthen its hand in reconstructing its relations with Armenia, while it may cause new problems with Azerbaijan. On the other hand, this may manifest Turkey's inclination to the East as the former Head of National Security Council claimed as; “Turkey should work on alliance in the East alternative to the EU implying enhanced cooperation with Russia, China and Iran.”⁶⁰⁷ On the other hand, if the CSPC could make a positive impact on the resolution of the Karabakh conflict, it would also undermine the role of the OSCE, and in parallel, the EU's position, which attributes to the OSCE decisions. Despite the fact that Turkey is the member of the OSCE, its detached

606 Eleni Fotiou, “Caucasus Stability and Cooperation Platform:What is at Stake For Regional Cooperation?”, International Center For Black Sea Studies, June 2009, Brief No.16, p. 7.

607 Fotiou, p.8.

mediator role could create a new alternative to the OSCE. Furthermore, the resolution of the crisis would reposition the old actors in the region, by redefining their roles. For instance, a rescued Armenia from the isolation may substitute Georgia's corridor role, which may diminish the expenses by offering a shorter corridor, but, this may enhance the competition in the region.⁶⁰⁸

As a matter of fact, Russia does not welcome a stronger Armenia, who may enhance the European concentration on Armenia. Likewise Russia, Georgia would not welcome to lose its significance as an energy hub, particularly, after the 2008 war, since the securization of the energy infrastructure meant the securitization of Georgia. Moreover, Georgia carried the issue to the meetings of the BSEC that was initiated by Turkey in 1992,⁶⁰⁹ by asserting that, “multilateral organization adherence to such fundamental principles of international law is inviolability of state sovereignty and territorial integrity should be a top priority,”(...) “and necessary precondition for sound economic cooperation.”(...) Georgia by addressing to the BSEC members claimed that otherwise “existence of separatist regimes and ethnic conflicts on territory of BSEC has been threatened,”⁶¹⁰ which comes to mean that the BSEC, which defines itself as an economic cooperation organization, has to shoulder new roles, pertaining to the security of the region, if it aims to be lasting. In this context, it could be claimed that, if the BSEC may decide to tackle with security issues, this would reinforce Turkey's actorness in the region, and mitigate the role of the Black Sea Synergy, and the EU, if the EU continues to show ill intention to keep Turkey, away from the membership.

D-IRAN THE UNMANAGEABLE ACTOR

With the fact that crisis brought the South Caucasus and the Caspian in the focus of the Western policy, Iran got its share from this Western interest. Iran positioned itself in the region, by appealing to an approach that the enemy of my enemy is my friend. Iran, who perceived Azerbaijan, as a threat to its national integrity, embraced the partnership of Armenia. Thus, Iran believed that this strategy would also undermine Turkey's endeavours,

608 Fotiou, pp. 11-17.

609 Organization of The Black Sea Cooperation

http://en.wikipedia.org/wiki/Organization_of_the_Black_Sea_Economic_Cooperation (25 November 2009)

610, BSEC Organization, 19th Meeting of The Council of Foreign Ministers of the BSEC, Special Statement of the Georgian Delegation, <http://www.bsec-organization.org/speeches/council/Reports/statements%20webpage.pdf> (25 November 2009)

for the peace resolution that was supported by the USA. Furthermore, Iran, whose major policy is based on the idea of termination of the USA dominance in the South Caucasus, caught an opportunity to act as the upholder of the Russian policy, which opposes to the USA policy. In this context, Azerbaijan preferred to keep itself distant from Iran, owing to the anxiety that “Iran may support Islamic extremism”⁶¹¹ in Azerbaijan. Moreover, this judgement motivated Azerbaijan, to make sharp declaration on Iran such as, “Iran is more enemy to Azerbaijan than Russia.”⁶¹² In fact, Azerbaijan's positioning itself as the partner of the USA, had seated Azerbaijan, on Iran's black list as one of the countries that should be beware of. As a matter of fact, the enmity between two states go back to 1918's since, “Azerbaijani nationalist in 1918 or the Communists in 1945 pursued a single goal: to unite Northern and Southern Azerbaijan.”⁶¹³

As it was mentioned in the first part of the thesis, Iran's Azerbaijan phobia had erupted again, in the Elchibey period, (1992-1993) since he put into words his desire for Single Azerbaijan. In this respect, Iran's attempts to export political Islam to Azerbaijan territory could be recognized as a preventive political measure, to undermine the political authority in Azerbaijan, in order to break the Azerbaijan influence in the North of Iran,⁶¹⁴ where shelters approximately, “20 million Azeri Turks,”⁶¹⁵ owing to the broad Iranian confidence that the Shii Islam may erode the secular, political, and social structure of Azerbaijan. Despite the fact that Azerbaijan's over nationalistic attitude had calmed down with Aliyev policy, Iran preserved its anti Azerbaijan attitude, due to the hegemony competition, joined against Azerbaijan on the Caspian resources. This time, Iran was disturbed by Aliyev's coming closer to the USA. The Iranian blamed Azerbaijan, for its being used as a pawn by the USA. The securitization of the energy resources by the Iran, enhanced the Iran-Russian collaboration, since they were both after eroding the USA projects on the region. When it was considered that BTC was one of the biggest projects, which would exclude Iran from the opportunity of being an energy corridor and, which would mitigate the

611 Swante E. Cornell, “The Politicization of Islam in Azerbaijan”, October 2006, Central Asia Caucasus Institute, Silk Road Studies program, <http://www.isdp.eu/files/publications/srp/06/sc06politicizationof.pdf>, (1 November 2009), p.9.

612 Emil Souleimanov and Ondrej Ditrych, “A Contested Neighbourhood”, *Middle East Policy*, June 2007, Vol.14, issue 2, p.107.

613 Souleimanov, and Ondrej Ditrych, p.102.

614 Haleddin İbrahimli, *Değişen Avrasyada Kafkasya*, Ankara:ASAM,2001,p.5.

615 Gülara Yenisey, *İran'da Etnopolitik Hareketler*, İstanbul:Ötüken Yayınları,2008,p.190.

Russian role as an energy monopoly, it would not be so hard to estimate the reasons of Iran-Russian mutual struggle to obstruct the accomplishment of the BTC project.⁶¹⁶

Iran envisaged the dangers that Azerbaijan would be promoted as the new energy supplier of the West, Turkey would reinforce its position in the region as an energy corridor, Armenia would be pushed to solitariness, and the Russia's stance against the USA would be weakened, while the USA would gain an opportunity to diffuse in the region. This is why, "Tehran used the Nagorno Karabakh conflict to exert pressure on Azerbaijan and thus pursue its own interest."(...) Furthermore, it supported Armenian side by, "supplying Armenia with raw materials and food when Armenia was blockaded by Azerbaijan and Turkey."⁶¹⁷ Nevertheless, Iran had to pacify its partial attitude in favour of Armenia, when it was confronted with the challenge that the sphere of the war was broadening to the periphery of the boundaries of Iran, which comes to mean that the Azerbaijani people in the North of Iran, may enforce the government for armed operation, in order to rescue their kinsman.⁶¹⁸

This would be harmful in terms of the Iranian national security, who felt itself suppressed among the regional actors of Azerbaijan and Turkey, and by the global actor, the USA. In this context, Iran had to strive for maintaining ceasefire, since the war atmosphere may return to Iran, as a negative experience. In 1993, the condition of the ceasefire was bargained, with the mediation of Iran in Tehran but, no permanent solution came out. Before that, in 1992, the Armenian Foreign Minister came to Tehran, in order to get the support of Iran on natural gas and to develop partnership on economy and on the technical issues. However, this does not mean that Iran was giving countenance to the permanent peace. Iran was threatening Azerbaijan against its generating relations with Israel.⁶¹⁹

As a matter of fact, this fixed condition was perpetuating its regional actorness. More divided but, less connected neighbours would open more space for Iran, to manoeuvre. For instance, Iran took refuge in its regional actorness, in spite of the fact that it was not taking place in the official peace negotiations, when it obstructed the positive development that envisages the necessity of maintaining, "trade corridors linking Armenia and Azerbaijan to

616 Souleimanov and Ondrej Ditrych, pp.103-107.

617 Souleimanov and Ondrej Ditrych, p. 106.

618 Souleimanov and Ondrej Ditrych, pp. 106- 107.

619 Svante E. Cornell, "The Nagorno Conflict", Department of East European Studies Report No.46, Uppsala University, 1999, http://www.silkroadstudies.org/new/inside/publications/1999_NK_Book.pdf, (26 November 2009), pp.93-97.

Nakhchevan” (...) owing to the fact that such corridor would give rise to “extension of common border between Azerbaijan and Iran which Tehran avoids.”⁶²⁰ From a different perspective, Iran seemed to manifest no intention for the “Islamic solidarity” (...) with Azerbaijan. It was only after meeting the requirements of its “geopolitical interest.”⁶²¹

The Iranian foreign policy seems to be based on the belief that; as long as Iran pretends to be the ill tempered, fearless, uncontrollable boy of the region, the international actors, particularly the EU would make concessions, in order to integrate Iran in to the international platform, as it happened in 2001. The French Head of OSCE in 2001, bestowed Iran, an opportunity to tackle the Karabakh issue by encouraging Iran, to attend the meetings.⁶²² Yet, this offer was not found appropriate by the USA. As a matter of fact, this was the proof of the disparity between the European and the USA approach towards Iran. While the EU wants to draw Iran into the Western world, the USA repels it. For instance, the USA recognized the 2001 September terrorist action as a facility, to overpower Iran, by securitizing the terrorism on the Iranian neighbourhood, on the contrary, this rendered Iran, more challenging, owing to its “new insecurity argument,” (...) that had been developed against the USA “anti-Iran policy.”⁶²³ In this respect, it could be claimed that the EU policy, which advocated the utilization of soft policy instruments that could be defined as constructive, is doomed to be eroded by the punitive USA approach. On the other hand, the feeling of insecurity relapses in Iran, and this feeling motivates Iran, to incline towards the Eastern partnership formation such as, the Shanghai Cooperation Organization, whose primary actors are, Russia and China.⁶²⁴ The fact that the feeling of insecurity triggered Iran's desire for economic resurgence, Russia and China had come into prominence as “the most important commercial partners.”⁶²⁵

Iran considered that being economic power meant, becoming the military power in the region. Thus, Iran speeded up its nuclear activities due to its security dilemma. In a way,

620 Brenda Shaffer, “Iran's Role in the South Caucasus and Caspian Region :Diverging views of US and Europe” (electronic version) Chapter 2, Iran and Its neighbours.Diverging Views on Strategic Region, Berlin:German Institute For International Security Affairs, 2003, p.19.

621 Shaffer,p.2.

622 Kaveh Afrasiabi and Abbas Maleki ,Brown *Journal of World Affairs*, Winter /Spring 2003,Vol. 9, issue.2, p. 258.

623 Afrasiabi and Abbas Maleki ,Brown, p.256.

624 Afrasiabi and Abbas Maleki ,Brown ,p.263.

625 Robert Lowe and Claire Spencer, “Iran Its Neighbours and The regional Crisis”, Middle East Programme Report, Chatham House, Royal Institute of International Affairs,2006, p.11.

this was the practice of counteraction against the Western strategy, to control a detached Islam country. Iran defends its nuclear activities as; “symbol of Iran's strength of its national ambitions and resistance to what is seen as interference and pressure from the West.”⁶²⁶ The fact that Iran did not retreat, in spite of the international pressure, and the USA threats proves that; “Islamic Iran does not fear of military assault or strike or political and economic sanctions which are already in operation what it fears is to open doors of the country's economy to international activities.”⁶²⁷

For instance, the USA's putting embargo on two companies in Armenia, which made trade with Iran with the accusations that the purchased products are exploited for the improvement of the banned military equipment, did not stop Iran from enhancing its relations with Armenia on military issues, by signing, “A letter of Understanding on Military Cooperation in 2002.”⁶²⁸ A side from Iran's developing its commercial activities with Armenia, at the expense of changing the situation in favour of one side, could be evaluated as Iran's reactive manoeuvre to upset the USA arrangement. Furthermore, apart from the oil issues, Iran's sensitivity on the Caspian could also be evaluated as; “Iran sees Caspian a market for Iranian goods.”⁶²⁹

Nevertheless, two goals overlap each other, since both the Caspian and the South Caucasus meant the source of “economic reconstruction at home safeguarding the Iranian revolution against perceived threats.”⁶³⁰ Furthermore, Iran adopts any endeavour to block the economic resurgence of Azerbaijan and Turkey as the sacred service to be done for the preservation of Iran Islam model, which is not modern, secular, and liberal. In this context, it could also be claimed that Iran, “insists on crisis over Caspian demarcation by sending gun boats to threaten BP explorer vessel,”⁶³¹ in order to block the USA diffusion, and Azerbaijan,

626-Fred Halliday, “Iran's Regional and Strategic Interests”, Iranian Challenges (Ed) Walter, May 2006, Posch, Chaillot Paper No.89, Institute For Security Studies, <http://www.iss.europa.eu/uploads/media/cp089.pdf> (27 November 2009), p..62.

627 Bernard Hourcade, “Iran's Internal Security Challenges”, Iranian Challenges (Ed) Walter, May 2006, Posch, Chaillot Paper No.89, Institute For Security Studies, <http://www.iss.europa.eu/uploads/media/cp089.pdf> (27 November 2009), p.56.

628 Brenda Shaffer, “Iran's Role in the South Caucasus and Caspian Region :Diverging views of US and Europe” (electronic version) Chapter 2, Iran and Its Neighbours.Diverging Views on Strategic Region, Berlin:German Institute For International Security Affairs, 2003, p. 20.

629 Richard Sokolsky and Tanya Charlick Paley, “ The Threat of Regional hegemony “Chapter 4: Nato and Caspian Security: A Mission Too Far”, Report Prepared for U.S Air Force http://www.rand.org/pubs/monograph_reports/MR1074/mr1074.chap4.pdf (27 November 2009),p.45.

630 Sokolsky and Tanya Charlick Paley, p.46.

631 Shaffer, p.21.

Turkey resurgence in the region. As a matter of fact, this also meant the hindrance of the EU project, since the EU was struggling against the over-militarization of the regional actors, the decomposition, or, the opposition between the actors. Furthermore, Iran's foreign policy was undermining the EU's approach, which favours the multilateral dialogue, rather than allied stance as it was observed in Iran-Armenia, or, in Iran-Russia case. What worse in terms of the EU project is, this allied stance position is exploited in order to keep the status quo in the Nagorno Karabakh, which serves Iran as an instrument to obviate the Azerbaijan resurgence, that may cause the Azerbaijan support of "Azeri majority in Northern Iran."⁶³²

Furthermore, the USA political methods challenges to the EU, since most of Iran's reactive attitude takes its source from Iran-USA opposition, which provoked the Iranian feeling of insecurity. This opposition, caused the "Iran's support for extremist Islamist groups in Middle East."⁶³³ Moreover, the Iranian belief that with the USA intervention in Iraq, Iran, lost the capability to influence the Shiite population in Iraq, ignites Iran's desire to become a over militarized regional power, since it felt that it was surrounded by different threats, nourished by the USA. When its is considered that, Israel was declared as one of the biggest threats for Iran, the support given to the extreme Islamist groups could be evaluated as, Iran's my enemy's enemy is my friend strategy.⁶³⁴ As a matter of fact, If the EU could not restrain the USA, there is a risk for Iran's marginalisation. While, the EU endeavours to eliminate the risk of marginalisation of Iran, by trying to involve it into new projects such as, Nabucco Project, on the contrary, the USA repels Iran from Nabucco, and furthermore, restrains Iran for doing business with India and Pakistan.⁶³⁵

Nevertheless, the EU's good intentions for Iran, did not prevent the EU's getting its share from Iran's security phobia, which provoked Iran's nuclear activities that may also generate a threat for the EU's policy, which founded its norms on the international law. Therefore, Iran's nuclear activities, which challenges to the norms of the international law is

632 Andrej Tibold and Vincent Cillesen, "Geostrategy in The South Caucasus:Powerplay and Energy Security of States and Organizations",Marcel de Haas(Ed)November 2006, The Hague,Netherlands Institute of International Relations, p.38.

633 Andrej Tibold and Vincent Cillesen, "Geostrategy in The South Caucasus:Powerplay and Energy Security of States and Organizations", Marcel de Haas(Ed)November 2006, The Hague,Netherlands Institute of International Relations, p.54.

634SWP-Nixon Center Working Group, Iran and Its Neighbours :Diverging Views on a Strategic Region, 2nd Colloquium, Berlin,29-30 2003,p.3.

635 Nicklas Norling, "Gazprom's Monopoly and Nabucco's Potentials:Strategic Decisions For Europe"Central Asia -Caucasus Institute, Silk Road Studies Program, November 2007, <http://www.isdp.eu/files/publications/srp/07/0711Nabucco.pdf> , (28 November 2009), pp.7-8.

perceived as, terrifying by the EU, owing to the prevision that competitions for building a regional hegemony may trigger other nuclear activities in the region. On the other hand, the problem of Iran would facilitate the EU, an opportunity to prove its international actorness. When the fact that the EU's South Caucasus policy could not be dealt separate from Iran, is considered, this comes to mean that to what extent the EU could integrate Iran into the international political arena, would highly regulate the EU's South Caucasus policy. The EU has to hold Iran off the nuclear activities, and the illicit organizations, besides, it has contribute to its fostering democracy, and the rule of law. As a matter of fact, the EU caught this opportunity in 2003, when Iran began to receive serious reactions to its nuclear activities.⁶³⁶

The EU decided to employ its soft policy instruments such as, “offering more trade, investment, technology”(…)in return of Iran's “suspending uranium enrichment and accepting highly intrusive inspections of all its nuclear installation.”⁶³⁷ Nevertheless, the EU's endeavours were undermined seriously, with the IAEA pressure on Iran,⁶³⁸ since the EU lost the opportunity to bargain with Iran, owing to the fact that, it had to convince Iran for the requirement of the IAEA, who claims that “Iran wants to become self sufficient in nuclear matters by controlling the nuclear fuel cycle. This would make the country independent from uranium supplier.”⁶³⁹

However, Iran's this attitude justifies the USA strategy, and creates a big disillusion in terms of the EU. A self sufficient Iran would avoid to be involved in multilateral dialogues, imposed by the West. Besides, an inefficient EU, would push Iran into the laps of Russia. On the other hand, a more detached strong Iran would mitigate Turkey's position in the region, and less effective Turkey would become a disillusion for Azerbaijan, and for the resolution of the Karabakh crisis. Since, Iran's positive or the negative impact on the resolution of the Karabakh crisis, would be dependent on to what extent, Iran feels secure in its neighbourhood, the EU has to earn confidence of Iran, by bypassing the USA, if it is necessary. Otherwise, all the crisis in the region including the Karabakh, are doomed to create inconclusive endeavours,

636 Steven Everts, “Engaging Iran:A Test Case For EU Foreign Policy”Center For European Reform, March 2004, http://www.cer.org.uk/pdf/wp513_eng_iran.pdf ,(28 November 2009), pp.2-7.

637 Everts, p.7.

638 Everts, pp.7-11.

639 Everts, p.11.

which damage the EU actorness seriously.

CONCLUSION

Owing to the political actuality, this thesis has argued that the EU policy seems to battle with the windmills, since the South Caucasus will remain as the chess board of the USA and the Near abroad of Russia. The fact that energy could not be a reconciling factor, undermines the EU's comprehensive political approach to the region. Thus, the EU's civilian conflict resolution methods that strive to prevent the crisis or rehabilitate the post conflict conditions are doomed to be consumed, when the hegemony of the realpolitik is considered. The conditions of the realpolitik devours the undesired sides of the EU's project and do not let any external intervention, since the external intervention spoils the rules of current hegemony, which comes to mean that the current hegemony repels the prospective hegemony. As a matter of fact, the USA, who pretends to be the strategic partner of the EU, has been setting its play on the South Caucasus since the 19th century, by justifying itself as; “The people, the governments in the region are in need of an external guide in order to survive, be free, and be happy. The people in the region and the states that have benefit on the region chose the USA as the external guide.”⁶⁴⁰

On the other hand, the EU, who follows the same path behind the USA, for the same goal is rather clumsy. It adopts a very long phased project in order to generate its own style of hegemony. Due to the fact that it is not binding on the states of the region, its Europeanisation project goes at a snail's pace which is too slow. On the other hand, the finalization of the conflict resolution, which seems to be the precondition of all the Europeanisation project, seems to be stumbling owing to the OSCE's inefficient posture. In the case of the Nagorno Karabakh, the OSCE, who is trying to reconcile two sides on political level seems to fail, when the Russian factor is considered. According as, the EU recognizes the security as a very comprehensive issue, in which every element is interdependent to each other. In this respect, the conflict resolution is the building block of the EU's project. But, owing to the OSCE inefficiency, and the frozen status of the Nagorno Karabakh crisis, the EU has to be content with the post conflict conflict resolution or with the conflict prevention

640Nurşen MAZICI , **ABD 'nin Güney kaskasya Politikası Olarak Ermenistan Sorunu** ,İstanbul:Pozitif Yayınları, Mart 2005, p. 58.

actorness, which does not make it a strong actor. But, on the other hand, the EU is not potent to struggle with the USA hegemony, “which had exploited the Armenian issue in order to dominate the Ottoman markets in the South Caucasus and the Middle East,”⁶⁴¹ and with the Russian divide and rule strategy, that had been projected for the long time. When it is considered that, the Nagorno Karabakh issue is the continuation of the Armenian issue, to achieve the political settlement of the issue seems, rather tangled in terms of the EU. The fact that the success of the ENP is rather dependent on the conflict resolution, since the crisis has negative impact on the region and cause a security vacuum. Besides, the Russian hegemony that is nourished on this security vacuum, shows inclination to keep the statusquo, in order to prevent the further internationalisation of the management of the resources of the Caspian. So, the EU has to generate a more pragmatic policy in order to involve Russia, into the international system. The Russian fear that “the successful transition would trigger a domino effect on neighbouring states” (..) and in consequence, “its regularized pattern of superpower intervention”⁶⁴² should be kept under control.

On the other hand, the USA and the EU are expected to securitize the resources, the oil and the gas corridors and use the insecurity in the region as an excuse to manipulate the course of the events. If the EU wants to create its own dominance in the region, it has to consider the status of Turkey, and should not let Turkey out of the scope of the membership. Besides, the EU should underscore its difference from the USA, in order to gain Iran as a positive contribution to its policy. Furthermore, the EU should take place in the resolution negotiations of the Nagorno Karabakh conflict, and take on some OSCE responsibilities such as, monitoring the elections, and the resolution of the IDP problem. Moreover, if the OSCE decides to constitute an international peacekeeping force, the EU should involve in it. This is why, it has to improve its military capabilities and in this sense, it has to redefine and reconstruct its actor identity.

Finally, there is no serious way for the EU, to maintain its assertion that it is a prospective global actor, who is ready to overturn the rules of the realpolitik, by utilizing only the ENP. The ENP is not equipped with the political determination to carry out the crisis management, but only, the post conflict management, and the conflict prevention. Since this is

641 Mazıcı , p 125.

642Roland Dannreuther, **International Security**,UK,USA:Polity Press,2008,chapter8,p.114.

the way it is, the EU has to leave the crisis management role to the OSCE, and can not shape the negotiation process. The EU, who stays out of the official negotiation process has to limit itself and the ENP, in accordance with the OSCE decisions. The resolution process, which remains devoid of the political settlement of the conflict, is doomed to fail, since the major problem remains frozen. The minor endeavours will never be enough to provide the political settlement of the conflict. The EU has to produce alternative methods, suggestions and a new negotiation task, independent from the OSCE. But, unfortunately, the EU could not treat the issue bravely, since some of the member states follow their own individual policy and this role requires some heavy budget.

On the other hand, the EU synergy, which is mostly established on energy could, damage the democratisation process in this region, particularly in Azerbaijan owing to the fact that the oil and gas revenues create great gap between the state elite and the public. Moreover in the long process, this attitude may give harm to Azerbaijan, since it may be confronted with the “Holland Disease.”⁶⁴³

643 Sedat Laçiner and Hasan Selim Özertem, “Hazar Enerji Kaynakları: Enerji-Siyaset İlişkisi ve Türkiye”, **Orta Asya ve Kafkasya'da Güç Politikası** (63-119), M. Turgut Demirtepe (der), Ankara: 1st. edition, USAK Publishing no. 16, 2008, p. 64.

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APPENDIX

THE NAGORNO KARABAKH OCCUPATION MAP



The Nagorno Karabakh Occupation Map.

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