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## **INTRODUCTION**

The present study was conceptually embedded in the Partnership for Peace Consortium of Defence Academies and Security Studies Institutes (PfP C). It is the outcome of a close cooperation between the PfP C Track on “Security Sector Reform” and the “Regional Stability Track”. It is also part of the cooperation agreement between DCAF and the National Defence Academy.

This publication is the result of the first of two joint workshops between the two tracks with the participation of the PfP-C Security Sector Reform Working Group and the Regional Stability South Caucasus Study Group. The meeting took place in November 2003 in Reichenau, Austria, hosted by the Austrian Ministry of Defense (represented by the National Defense Academy and the Bureau for Security Policy).

The book reflects the excellent possibilities and opportunities the Consortium provides for interdisciplinary, comparative and cross-country studies. It shows how unconventional ideas and new initiatives can be tested without immediately having major political impacts. This is what makes the PfP Consortium so unique and deserves our support and attention.

Under the new PfP Consortium governance structure<sup>1</sup> the combination of a regionally oriented SG (Regional Stability Southern Caucasus) and a topic focussed WG (Security Sector Reform) was a “first” for the PfP C. The initiative was taken on the one side by the Security Sector Reform Working Group in order to start a stock-taking process regarding the status of the security sector in the Southern Caucasus countries – and on the other side by the co-ordinator of the Regional Stability Track who wished to re-launch Consortium activities in the region, as the existing Study Group had been inactive for the past year.

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<sup>1</sup> see [www.pfpconsortium.org](http://www.pfpconsortium.org) for more information

Joint meetings are, regarding the nature of Consortium activities, not the rule, but the exception. Nevertheless, they open a wide range of opportunities – combinations of different approaches, have a wider set of experts contribute, launch new initiatives, define a topic to be dealt with from different angles and have side-meetings.

## **Work in Progress**

On the one hand, recent elections in Armenia (May 2003), Azerbaijan (October 2003) and Georgia (November 2003) showed quite clearly the lack of democracy in those three countries. It is hoped that the velvet revolution in Georgia, culminating eventually in the step down of President Shevardnadze in Tbilisi, will have a positive impact on its neighbouring countries and also launch a more intense dialogue on a regional level. The political situation in those countries is still unstable, but the development in Georgia could be a signal to the better for the region.

On the other hand, one of the consequences of the NATO- and EU enlargement rounds is the question about the future of the Partnership for Peace programme and, ultimately, the PfP Consortium. The NATO Summit in Prague and the EU summit in Copenhagen in late 2002 shifted the political focus towards the Caucasus and Central Asia, thus towards the future borders of a unified Europe.

## **Objectives**

This meeting was an initiative to re-vitalise activities in a region which has been mentioned as essential for the PfP in the future. The objectives were *“to assess the situation in the Caucasus Region through enhanced international cooperation and strategic research on an academic level. The main focus is to elaborate major problem areas and work on possible solutions”*. To that end experts from all three republics and from two of the three unrecognized entities participated. The meeting had a pre-set agenda which helped to identify future experts and gave an evaluation of the actual situation in the region.

Due to the particularity of this region with three secessionist republics and conflicting relations with each other and the neighbouring states Iran, Turkey and Russia, much accent was given to conflict settlement and the conditions under which stable and lasting relationships could be established. These are problems encountered not only in the Caucasus, but also in other post-soviet republics and possible lessons learned might be transferred.

The threat perception in the region varies significantly. One of the first main findings of the meeting was that the presence of foreign military personnel is a very controversial subject with some states depending heavily on foreign armed forces on their territory and others regarding those very forces as a source of tension and a danger for their security. For some country foreign military presence is also a security guarantee toward a third country, with which conflicts are not settled yet fully. This shows once more that not only armed forces are part of the security sector, but also that it is multi-faceted.

### **Questions Raised**

The seminar addressed a set of preliminary questions in order to carry out a modest stocktaking: where do they stand in security sector governance? Who are their allies and what is their political influence? What is the level of international and regional co-operation? How are the border guards organised? To whom do the police report to? What is the role of intelligence services? How well do parliamentarians know their role when taking decisions over the security system? How do those countries define their relationship with NATO and EU and how are those relations reflected in their security policy, what are the steps taken to bridge a possible gap? What are the problems those governments encounter when reforming their security sector? Is there something similar to a “Membership Action Plan” for these countries, or are new developments pending?

What kind of stability is needed? If the existing stability is based on international stability, then there is no stability. The past has shown often enough that the international attention might shift rather quickly to

another hot-spot in the world, a development described by one speaker as the ‘Caucasus fatigue’. Therefore, the reforms must be firmly rooted in the countries themselves, supported by the population and the government.

From the point of view of “regional stability” the workshop was a success; all parties invited being present and discussing the given topics. However, too often political statements drew the attention away from the academic debate about Security Sector Governance. But one had to be clear from the beginning as to not expect too much from the seminar, despite the experts present.

This meeting was certainly a very promising start to develop a set of activities in/for the region, which over time might integrate from a pure regional standpoint into a more topical approach.

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# **Dr Philipp Fluri**

## **PREFACE**

Democratic institution building in and democratic governance of the security sector continue to pose challenges to all governments which have emerged from the former Soviet Union. Sustainable democratization presupposes not only a general willingness and informedness, but also operational knowledge which can only come from democratic practice.

It was with great enthusiasm that the Geneva Centre for the Democratic Control of Armed Forces (DCAF) coordinated PfP Consortium Working Group on Security Sector Governance accepted the challenge to cooperate on the Reichenau (Austria) conference which led to this volume. Scholars and practitioners from the Caucasus and on the Caucasus united to contribute to this publication from the perspectives of their individual specializations.

The organizers and participants were well aware of the fact that they were in for an experiment. Security Sector Governance had not been much of a catchword in a region for which lagging reforms seemed to be a trademark.

The organizers and participants were certainly positively surprised by the how constructive discussions were, and by how cooperative participants showed themselves. Whoever has the experience of attending and/or organising conferences on regional security in the Caucasus will have gone through excruciating reading of prepared texts, and endless discussions of who did what to whom during the last 4'000 years – and who would deny that the Caucasus is a region which has seen violence? The Reichenau conference participants however accepted the challenge to introduce security sector reform efforts, successes and failures in their home countries and territories to representatives of a well-informed, interested and compassionate international community.

The very features which make the Caucasus a unique region – originality, humour, wit, warmth and, more than everything else, hospitality – thus became guiding principles of the conference.

The 2003 Reichenau Caucasus conference was, to a large extent, not yet a conference on security sector reform, nor on good governance in the security sector. It was rather a highly constructive conference at which concepts such as democratic oversight and reform of the security sector were introduced and discussed. Democratic governance of the security sector was identified as a worthwhile objective. Democratic oversight and reform of the security sector were discussed as guiding and shared principles of European integration and Euroatlantic partnership and cooperation. The Caucasian experiences were preferred as experiences in their own right.<sup>2</sup>

I would like to congratulate the organizers on the 2003 conference. The experience certainly bears repetition and expansion.

Geneva, January 2004

Philipp Fluri, DDr.  
Deputy Director DCAF

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<sup>2</sup> See also *Security Sector Governance in Georgia*, DCAF publication, 2004 (forthcoming)

**Peter Forster**

## **THE PARADOX OF POLICY: AMERICAN INTERESTS IN THE POST-9/11 CAUCASUS**

### **Introduction**

For the decade preceding September 11, 2001, the Caucasus was a “C list” foreign policy priority for the United States.<sup>3</sup> The region neither presented an imminent threat to the United States nor its security interests. American policy was focused on “securing the Cold War victory” whilst regional interests in the Caucasus were defined by economic considerations and a pseudo-policy of neo-containment of Russia. However, 9/11 changed American perspectives on its security interests. The sources of terrorism, the reality of the threat posed by failed states, and the proliferation of weapons of mass destruction became the new foreign policy dogma. Under these new circumstances, the Caucasus, arguably, migrated to a “B list” priority or one in which American interests were threatened.

Some continue to debate that the region’s value to the United States is only tangential, in that its proximity to other areas of interest such as the Middle East and Southwest Asia make it important. On the contrary, others argue that the Caucasus themselves are closely linked to American national security interests. In the post-9/11 world, the United States cannot afford to ignore the Caucasus, but it remains unsure of the extent to which it can readily influence regional policy given the obvious geo-political constraints. The reality of the constraints was very apparent in the recent agreements between Georgia, America’s most committed regional ally, and Russia, which resulted in Russian acquisition of 75%

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<sup>3</sup> Nye, Joseph S. Jr. (1999). “Redefining National Interests”. *Foreign Affairs* vol. 78,4, July/August 1999. In his article, Nye contends country’s national interests should be prioritized as “A” list threats (i.e., direct threats to a country’s survival), “B” list threats (i.e., imminent threats to a country’s security and interests), and “C” list threats (i.e., threats to interests but not an immediate threat to one’s security).

of the Telasi energy distribution network and yet unidentified political influence.<sup>4</sup> Nonetheless, the region's propensity towards failed state status and its proximity to Chechnya, which provides an opportunity for Chechen separatists to infiltrate Georgia's Pankisi Gorge, and the ease of transit across the Caspian Sea make it a potential haven for terrorist groups. Second, the lack of effective border control and inspection make it an avenue for smuggling which may include material used in the development of weapons of mass destruction (WMD). Major regional transshipment routes for WMD materiel, including high explosives, include a north-south route from Russia to Pakistan and an east-west route from Kazakhstan to Azerbaijan. The region's weak detection and interdiction capabilities and a limited framework for detaining shipping on the Caspian are the major causes of its susceptibility.<sup>5</sup> Third, its value as energy transport corridor is well known. Fourth, the region is a test case for post-Soviet democratization. Success in the Caucasus may be viewed as an example for other regions. Thus, the region is geographically and politically germane to American interests as well as its recognized trans-regional impact.

Heightened interest in the region since 9/11 has exposed a number of structural paradoxes that confound the implementation of a coherent American foreign policy. Predominant among these is the extent to which American policy in the Caucasus is captive to the variable policy inputs that are simultaneously the strength of the American democratic system and a foreign policy weakness that increases ambiguity causing regional leaders to question Washington's ultimate intentions.

A second structural problem is the collision between the United States dual objectives or multiple missions of maintaining stability while promoting democratization in a region that is struggling with political transition, economic malaise and unresolved conflicts. While the values of democratization and stability ultimately coincide, short-term policy objectives are often more easily achieved by avoiding dramatic political

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<sup>4</sup> Berman, Ilan and Arten Agoulnik (2003). "How Russia Grabbed Power in Georgia". *The Wall Street Journal Europe*, 9 December.

<sup>5</sup> Moroney J. (2003). "US Government Security Assistance to the Caspian Region". Caspian Basin Security Conference, University of Washington, April.

changes that are linked to the more complex and potentially chaotic problems of democratization. One only needs to look as far as American policy towards Egypt and Saudi Arabia to understand the importance of stability. Pursuing a policy of stabilization, aimed at promoting incremental change within the governing system while seeking to contain extreme factions on both the right and left, requires a willingness on the part of the United States to accept a certain level of corruption. On the other hand, a policy advocating democratization, that seeks to fundamentally change the governing system, risks causing social dislocation and anarchy. Both of which may contribute to anti-Americanism and may be exploited by radical or reactionary forces. Over the past year, all three states in the region have held elections. The way in which the United States responds to the succession processes displays the complexities of these different policies. It also presents the fundamental question, does the United States risk its moral legitimacy and potential chaos by condemning the results of recent elections or does it accept the results while continuing to advocate incremental reforms in hopes of maintaining stability?

Finally, the Caucasus rests at the nexus of the United States' new strategic partnership with Moscow. Yet, the United States appears interested in increasing its presence in Moscow's sphere of influence. While this confluence creates tension between the two as each seeks to maintain or expand its influence, it also provides Washington and Moscow with an opportunity to develop a constructive policy towards the region.

These paradoxes are critical to understanding the ambiguity of American involvement in the region and its impact on regional security. Creating a new security environment necessitates regional states settling their disputes, encouraging positive involvement by external actors, and reducing domestic friction.<sup>6</sup> This brings me to the fourth point of this paper. Under the current circumstances, the perpetual threat of conflict has strengthened the political influence of the security sector. Only by resolving the region's currently dormant, yet still explosive, conflicts

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<sup>6</sup> Ayooob, M., ed. (1986). *Regional Security in the Third World*. London and Sydney: Croom Helm, p.4.

and reforming the region's security sector can the region's security dilemma be reduced. Only through reform can the burgeoning social separation between the security sector and society caused by corruption, fraud, and non-participation effectively be reversed. And, only with re-training and de-politization can the region's armed forces effectively contribute to the war on terrorism. When viewed within this context, security sector reform is a primary pillar supporting the broader US objectives and ultimately is critical to the coalescence of stability and democratization. This article distills the complexity of United States' foreign policy in the Caucasus and assesses its role in influencing security sector reform.

### **The Caucasus and the Paradoxes of American Foreign Policy**

Official American policy towards the Caucasus demonstrates a relative consistency. Generally, the United States promotes a regional policy based on the peaceful resolution of inter-regional conflicts, establishing an environment that is conducive to the advancement of democracy and market economics, and the maintenance of a balance of power that curtails both Russian and Iranian influence. Friendly relations with the regions' states remain crucial in order to provide strategic benefits in the war on terrorism. American influence is greatest in Georgia where a strategic partnership emerged after 9/11. Washington views Georgia as being critical to securing the transit of Caspian energy resources through non-Russian controlled area. The completion of the Baku-Tbilisi-Ceyhan pipeline (BTC) will simultaneously decrease Turkey's growing energy dependence on Russia. Georgia also is a buffer between Russia and Turkey and has demonstrated democratic tendencies. A stable democratically oriented Georgia will provide an example to the rest of the region and help contain the conflict in Chechnya. Yet, achieving such objectives, even in the wake of "Rose Revolution" still requires willingness on the part of the United States and the West, in general, to commit time and resources.

Prior to Ilham Aliyev's succession, aides to President Bush characterized Azerbaijan's succession process as stabilizing the region and becoming a

“beacon for democracy.”<sup>7</sup> Although these highly principled statements speak of a neo-liberalism standpoint, American interests in Azerbaijan are more realistic. They rest on maintaining Washington’s access to the Caspian energy resources and increasing security cooperation with Baku to contain Russia and Iranian influence. As is the case with the conflicts between Abkhazia, South Ossetia, and Georgia, the United States would like to see resolution to the Nagorno-Karabakh conflict and Caspian territorial disputes. In the case of the former, United States has demonstrated past leadership. However, the settlement of the Nagorno-Karabakh conflict ultimately requires the two sides to be willing to seek peace. Non-governmental Armenian experts have correctly identified the failure to find a final resolution as being important to the leaders’ legitimacy in both countries and potentially to Georgia as well.<sup>8</sup> Two points are germane here. First, there is a hope that the peoples of both country tire of the costs of the current “no war no peace” circumstances. Second, gathering momentum from the Georgian “Rose Revolution,” hopefully future leaders in both countries will seek legitimacy through negotiating a peace settlement rather than the continued promotion of conflict. Thomas De Waal, in his book *Black Garden*, commented frequently that the conflict between Azeris and Armenians is not one of ancient hatreds<sup>9</sup>. Personally, I have experienced Azeris and Armenians from Nagorno-Karabakh calmly discussing incremental steps towards cooperation and confidence building. Such experience lends credence to the idea that this conflict is resolvable. Finally, there is the military to military relationship with Azerbaijan. Azerbaijan’s interests in joining NATO have been well documented. Azerbaijan granted overflight permission for American planes headed to Afghanistan. Of even greater interest are the on-going discussions about providing basing opportunities to the United States. An agreement providing the United States with a military facility in the region would benefit the new forward deployment strategy. Russian response would undoubtedly be

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<sup>7</sup> Cohen, Ariel (2003). “Washington’s Designs on Azerbaijan Depend on Democratic Transition”. [www.eurasianet.org](http://www.eurasianet.org), 24 April.

<sup>8</sup> The author’s discussions with David Shahnazaryan, Reichenau (Austria), November 2003.

<sup>9</sup> De Waal, Thomas (2003). *Black Garden: Armenia and Azerbaijan Through Peace and War*. New York: New York University Press.

negative to such a move. However, it is most important that the United States and Azerbaijan be cognizant of realities. Such an agreement risks raising Azeri expectations to a level exceeding the United States ability to fulfill, thus another paradox of American policy that will be discussed in more detail later.

American policy towards Armenia also reflects a goal of stability and the peaceful resolution of the Nagorno-Karabakh conflict. As will be discussed later, the government-to- government ties are not as strong as may be possible because of the policies of the current leadership. While the United States seeks to initiate political reform, it recognizes that Robert Kocharian's deep ties with the security sector and Armenia's reliance on Russian security guarantees are obstacles. Yet, Washington is anxious to integrate Armenia into the region's energy transportation process both as a means of stabilizing the region and providing Armenia with much needed resources for economic development. Recently, some minor breakthroughs have occurred. Armenia has renewed ties with NATO and even permitted a Turkish officer to participate in the Partnership for Peace Cooperative Best Effort in 2003. Continued American engagement in Armenia can only benefit both the United States and Armenia in the long-term.

Official American foreign policy remains relatively consistent in its broader, more ambiguous objectives, yet policy implementation is complicated by multiple inputs that often are not understood by those unfamiliar with American foreign policy processes. The Caucasus is an excellent case study on how the variety of inputs on foreign policy decision-making creates regional confusion and frustration. For example, the Armenian Diaspora in the United States conducts a very successful public relations campaign that has positively influenced American policy towards Armenia probably to the detriment of American strategic interests in the region. Congressional support for an annual resolution commemorating the 1915 Armenian genocide, the implementation and maintenance of Resolution 907 of the Freedom Support Act, and the establishment of an American embassy in Yerevan within days of Armenian independence provide examples of the

influence the Armenian Assembly of America has.<sup>10</sup> Some argue that the suspension of Resolution 907 belie this fact. However, the suspension of Resolution 907 was initiated as a consequence of 9/11. In the highly charged environment subsequent to the attack, it is highly unlikely that any lobby promoting the interests of a foreign country, AIPAC included, would have succeeded in blocking the temporary suspension of a resolution, the waiver of which was seen as benefiting the war on terrorism. In fact, the success of Armenian lobby's efforts at maintaining Resolution 907 prior to the cataclysmic events of 9/11 indicate that it's influence on American policy has been significantly underestimated in the past. The influential lobby and Armenia's close Russian ties permit the Armenian government greater flexibility in dealing with the US government than the other regional states. Unlike Azerbaijan who, in spite of general opposition among its Muslim population, decided muted support for the war in Iraq, needed to avoid problems with Washington, Armenia was free to be critical. Moreover, Armenian criticism of American involvement in Iraq, its close ties to Moscow, and its lack of progress towards democratization apparently have failed to significantly erode support for Yerevan in Congress who still received annual assistance that is 50% more than that provided to Azerbaijan.<sup>11</sup>

While US policy towards Armenia has been greatly influenced by what Martin Spechler has called "cultural commitments", economic interest groups greatly influence the United States relationship with Azerbaijan.<sup>12</sup> It receives support from an American energy sector anxious to help develop Azeri energy resources. US-Azerbaijani links are also political. Azerbaijan's role as secular Muslim country that is positively predisposed to the United States is a significant political asset to Washington. Baku's direct military contribution to the war in Iraq was also a political "bonanza" for the Bush Administration. Azerbaijan also

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<sup>10</sup> Olcott, Martha Brill (2002). "U.S. Policy in the South Caucasus". *Connections* vol.1,3, July, p.64.

<sup>11</sup> According to the official Department of State statistics, in fiscal year 2002, Azerbaijan received a total of \$84.04 million in assistance from the United States. Armenia's total assistance was \$123.38 million.

<sup>12</sup> Private discussions with Martin Spechler, University of Washington, April 2003.

serves as a source of intelligence gathering on Iran.<sup>13</sup> Fourth, there are some in Washington who believe that Azerbaijan ultimately will be the United States' most strategic partner in the region. Notwithstanding, Azerbaijan lacks broad-based support in the United States. This is partially attributable to Azerbaijan being either unwilling or unable to launch a public relations campaign to broaden its support among American decision-makers or influence public opinion. Moreover, the recent elections and post-election actions will undoubtedly erode support. One gauge of American commitment will be next year's vote on the continued suspension of Resolution 907. Though successful in 2002 and 2003 in suspending Resolution 907, the Bush Administration faces an annual battle at keeping the Resolution from being re-invoked and this year promises to be a watershed debate.

Finally, Georgia's strong pro-western stance in the face of increasing pressure from Moscow, its value as a transit route for the BTC pipeline, and its frontline status in the war on terrorism have generated support from the White House, the Pentagon, and business sector. Although concerned that foreign extremists might flee American military actions and seek sanctuary in the Pankisi Gorge, both the Georgian government and population unequivocally supported the war on Iraq.

As is evident in the previous examples, American policy reflects a cacophony of interests that push and pull policy in various directions while the various opinions seek compromise. This bureaucratic model perpetuates uncoordinated action, allows for different interpretations of perceptions and actions, and promulgates the development of unfulfilled expectations. As a result, rather than successfully implementing what were perceived as clearly defined regional policy objectives, American policy reflects confusion. This is evident in divergent statements over Nagorno-Karabakh. In addressing the status of enclave, members of the National Security Council and the Departments of Defense and State have stated publicly that Nagorno-Karabakh is an intrinsic part of Azerbaijan. Simultaneously, Congress has allocated US \$20 million to

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<sup>13</sup> Mollazade. Jeyhun (2003). "Iraq and the Caucasus: How Will War Affect the Region?". CSIS/Radio Free Europe/Radio Liberty Conference Washington DC, April.

Nagorno-Karabakh.<sup>14</sup> Moreover, expectations regarding anticipated American actions are raised by erroneous interpretations of previous events. For example, whereas Armenia sees NATO's actions in Kosovo as support for self-determination, Baku interprets them as being a responsible international action aimed at upholding United Nations resolutions. Thus, neither will be satisfied by any American action that appears to contradict these perceptions. Such circumstances increase anti-Americanism from both sides and hinder American mediation efforts.

Confusion among regional actors is further perpetuated by American policy initiatives that apparently fail to recognize the realities of the region. For example, to propose Armenian-Azeri security cooperation, when each is the other's main antagonist or to suggest that re-organizing the Georgian military will lessen rather than increase Georgian-Russian tensions, simply erode American credibility.<sup>15</sup> Finally, when American policy is clearly understood, it can force the region's states to make difficult choices. The American Service Members Protection Act (ASPA) forbids the US government from providing military assistance to a country that does not grant American armed forces personnel immunity from prosecution by the International Criminal Court (ICC). However, the European Union (EU) demands that states recognize ICC jurisdiction as a prerequisite to admission to the EU. Thus, states are forced to balance future EU membership with the immediate gain of military assistance from the United States.

Such examples create the perception that American policy is unbalanced and favors one regional state over the other. Notwithstanding, the greatest risk to enhanced American influence in the region is establishing expectations that, for a variety of reasons, may be left unfulfilled. Creating unfulfilled expectations is more an act of misfeasance than malfeasance. Unfulfilled expectations contribute to regional instability. In the case of the Caucasus, the United States susceptibility to distractions that threaten to quickly re-focus policy

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<sup>14</sup> Shaffer, Brenda (2003). "Security in the South Caucasus: View from the Region". Caspian Basin Security Conference, University of Washington, April, p.31.

<sup>15</sup> Ibid.

attention elsewhere is a concern. The “War on Terrorism’s” fluidity presents a significant risk in this context. Since the collapse of the Soviet Union, the United States has been seeking a definable foreign policy goal. The “War on Terrorism” provides the continuity of purpose, as the Cold War did before it. However, the “War on Terrorism” is far more dynamic. Thus, regional attentiveness will ebb and flow based upon where terrorist attacks occur and terrorist organizations reside. This has potentially dangerous repercussions for the Caucasus where the United States has raised expectations that it may not be able or willing to fulfill. The United States’ broadening relationship with Georgia has resulted in furthering Georgia’s western orientation and military cooperation in the context of the “War on Terrorism”. This enhanced relationship has also led Georgia to call on the United States to put its international legitimacy behind resolving the conflict in Abkhazia and to continue the re-organization and re-development of the Georgian military. In Azerbaijan, there have been discussions of providing the United States with basing rights. While the presence of American forces may provide many benefits to Azerbaijan including assisting its military on the path to civilian control, there should be no misconceptions about security guarantees. Forward deployed forces are positioned to facilitate action in the “War on Terrorism” and not to protect pipelines or defend Azeri territorial integrity. National transformation initiatives require extensive time and resources. However, they are taking place at a time when Iraqi and Afghani reconstruction is competing for a limited resource pool and the American population is increasingly questioning international commitments. Under these circumstances, it is critical for the United States either to control expectations or expend the resources to fulfill them in the Caucasus.

A second expectation is the United States commitment to democratization. As previously noted, democratization and stabilization do not necessarily immediately coincide. Two examples are pertinent. Although the United States fervently pressured both Azerbaijan and Georgia to conduct free and open elections, both were viewed as corrupt and “rigged”. The extent to which irregularities may be tolerated to avoid other instabilities creates a quandary for the United States. In the aftermath of Georgian elections, the United States initially pressured

President Shevardnadze to seek a compromise in order to avoid the unrest turning violent as occurred in 1991, and then pleaded for restraint on all side before embracing the new leadership when Shevardnadze stepped down. Such a stance was tenable because the police have not taken action against the demonstrators but if they had been deployed to protect Shevardnadze, the American position would have been much more difficult.

The situation in Azerbaijan is more complicated. The United States supported Ilham Aliyev becoming Prime Minister and continued to court him during the lead-up to and in the immediate aftermath of the presidential election. In September 2003, he was welcomed by Washington in spite of an on-going corruption investigation that threatened to reach the highest levels of his New Azerbaijan Party. After his election, he received a congratulatory phone call from Richard Armitage. The continuity afforded by Ilham and his party reassured the White House who was reasonably confident he would not pursue a new war with Nagorno-Karabakh. However, the succession process, which typified former Communist Party politics tempered by Yeltsin-Putinesque political maneuvering, caused concern. Washington's support has been undermined by Ihlam's willingness to use force, imprison opposition leaders, and limit access to Baku. Furthermore, Ilham's actions have increased the influence of the security sector in his administration. He has ignored democratic processes thus eroding the validity of American and others' democratization efforts and by inference the credibility of the United States. Finally, he may have accepted Russia's offer to guarantee his authority in exchange for increased influence, which further compromises the American position.<sup>16</sup>

Intangible ideals such as democratization are very difficult to fulfill. Set backs such as Ilham's election are to be expected but the impact on a society unfamiliar with new concepts is de-stabilizing. Thus, it is important to minimize both the number and effect of these reversals. In

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<sup>16</sup> The author's private discussions with a regional expert, University of Washington, April 2003.

the immediate aftermath of the elections, the United States' ability to do just that has had mixed results.

The Azeri government's muted support of American intervention in Iraq raised another issue of democratization. According to Richard Giragosian, an Armenian lobbyist, the Azeri government marginalized public opinion by supporting intervention in the face of general opposition.<sup>17</sup> In developed democratic societies such differences are understood and expected, but in transitional states ignoring public opinion risks reinforcing the society's belief that change is not occurring. Giragosian's assumption indirectly raises the question of the extent to which the creation of the civil society is a single event or multi-event oriented. In Azerbaijan, not only did the government support the intervention even though the majority of the population objected to American military force being used against another Muslim country, but opposition parties also felt compelled to support the intervention or face suppression.<sup>18</sup> Thus, the actions may have slowed the democratization process.

Finally, unfulfilled expectations are a double-edged sword. As is evident, the Caucasus are an extremely complex region, thus change will occur slowly. Yet, if progress and successes do not materialize, the United States risks developing a "Caucasus fatigue" that will result in resources being allocated elsewhere as is the practice in a bureaucratic policy model. Thus, it is beholden of the regional states to take a proactive role in promoting reforms to maintain the momentum and American interest.

A third paradox emerges from the juxtaposition of the role the United States wishes to play in the Caucasus and the impact that role will have on Washington's newly emerging strategic partnership with Moscow. Some experts see the region as an area of enhanced cooperation between

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<sup>17</sup> Giragosian, Richard (2003). "Iraq and the Caucasus: How Will War Affect the Region?". CSIC/Radio Free Europe/Radio Liberty Conference, Washington DC, April, 2003.

<sup>18</sup> Mollazade, J.

the two countries.<sup>19</sup> Russia grudgingly permitted the deployment of US troops in Georgia and has more enthusiastically embraced the training of Armenian officers by American specialists. Furthermore, discussions have been held among the US, Russia, and NATO on establishing joint peace operations in Nagorno-Karabakh. Still, disagreements exist. For the past few years, Moscow has displayed a non-military interventionist policy in the region that is de-stabilizing. Controlling power supplies to Georgia, encouraging continued friction in Abkhazia, and sending the Minister of Interior to talk with Ilham Aliyev immediately after the election are poignant example. Certainly, Russia desires to play a leadership role in a region within its sphere of influence. It is also willing to de-stabilize the region to pursue its interest. The United States is quite aware of Russia's efforts and is seeking to reduce Russian economic dominance, by promoting regional security and integration through a reconstituted GUUAM<sup>20</sup> and maintaining its own engagement. The extent to which either country can impinge upon the other's interest in the Caucasus without significantly affecting their broader relationship remains to be seen. Yet, it is clear that the United States will not trade constructive relations with Moscow for constructive relations with Tbilisi, assuming that the Russians do not use military force in the region. Furthermore, it is quite conceivable that Russia has a good understanding of the ephemeral nature of American foreign policy and is simply waiting for American interests to be re-directed elsewhere, thus eliminating a temporary American presence. Recently, the Russian Foreign Minister Igor Ivanov made it clear that Moscow sees the need for American military forces in Central Asia as diminishing and that the request for departure is inevitable. While it is unlikely that Washington will respond more favorably to Moscow's requests for departure than to the pleas of regional states that it stay, such a circumstance are not

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<sup>19</sup> In his article "Russia Back Dynastic Political Succession Scenario in Azerbaijan", [www.eurasianet.org](http://www.eurasianet.org), 8/7/03, Igor Torbakov says that the US and Russia share an interest in regional stability. Stephan Blank in private conversations with the author cited NATO-Russian cooperation in the war on terrorism illustrated through the Ivanov-Robertson meeting in February 2001 and Putin's May 2002 statement that Collective Security Treaty Organization (CSTO) states might collaborate with NATO as being indicative of an opportunity for the development of a constructive policy.

<sup>20</sup> [www.guuam.org](http://www.guuam.org).

conducive to establishing Russia as a positive rather than negative force in the region. Fundamentally, all parties must recognize that Russian involvement is needed to resolve the conflicts of the region. It is the responsibility of the United States, the European Union, and the regional states, through a combination of “carrots and sticks,” to develop a constructive Russian involvement.

In the Caucasus, stability is needed to prevent failed states, resolve conflicts, contain Iranian or Russian aspirations, and insure access to and security of energy resources. Ultimately, however, democratization is primordial to securing these objectives for the long-term and having the Caucasus become an example for other regions to emulate. In both cases, security sector reform is the foundation of democratization and the means by which these objectives may be met. The next section discusses this process.

### **Security Sector Reform: Stabilization and Democratization United**

The unity between stability and democratization, while desirable, does not necessarily occur simultaneously. One of the primary vehicles used by the United States to accelerate the desired union is security sector reform. To succeed, it is imperative to change the security sector’s perception of its role in society and the society’s perspective of the security sector. Successful security sector reform requires the dispersion of political control of the security sector aimed at eliminating corruption, balancing elite and executive control with that of other governmental institutions to ease oversight, and implementing legalistic controls. It demands transparency in the management of security sector forces; at a national level it includes the integration of the security sector to reduce social divergences and at an international level examples of actions and methods should be provided, and personnel reforms including the downsizing of the general officer corps and replacing those who are resistant to change. Security sector reform is a long-term initiative that may be influenced through training and education, joint and cooperative exercises, and interactions including the presence of democratically controlled forces in a region. Finally, effective security sector reform is

susceptible to shifts in both the international and domestic security environment.

In the Caucasus, the idea of security sector reform may easily be confused with the concept of developing national security forces. Among the states of Eastern Europe and the former Soviet Union, the security sector development process has three levels. The first is the creation of national military and security forces. This has already occurred in the Caucasus although all three still lack qualified personnel, technical capabilities, and adequate training and education. The second is the operational processes of placing the security sector under civilian control and re-focusing its loyalties on the state or constitution rather than the current regime. This requires addressing manpower and training issues, eliminating party control in the military, establishing initial civilian control such as occurred when Yeltsin, a democratically elected president, assumed some control over the security sector in Russia, and re-establishing a proper chain of command that stops “democratic” tendencies in which military-based interest groups were free to express their interests and criticize command decisions.<sup>21</sup> The third level is establishing real civilian democratic control of the forces including civilian leadership and expertise in the Ministries, open media coverage of the military, free debate over security budgets, and balanced oversight responsibilities between the legislative and executive branches.

Armed forces are critical to the development of new states because they defend sovereignty, promote national unity, and contribute to internal stability.<sup>22</sup> However in the former Soviet Union, the development of national security sectors has been tainted with a high degree of Soviet legacy. This is not surprising since those charged with establishing national security services learned under the Soviets. The Soviet legacy remains a serious obstacle to security sector transition within the security services and between the security and society and needs to be eradicated.

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<sup>21</sup> For a more in depth discussion of the issue military democracy see: Barylki, Robert V. (1998). *The Soldier in Russian Politics*. New Brunswick (NJ): Transaction Publishers.

<sup>22</sup> Feinberg, Jared (1999). *The Armed Forces of Georgia*. Center for Defense Information (CDI) monograph. Washington DC, March, p.1.

The Soviet legacy perpetuates corruption and feeds the military's natural conservatism and resistance to change.

In Armenia for example, the former Minister of National Security, Edward Simoniants, has argued against opening the Turkish-Armenian border for fear of jeopardizing Armenia's industrial development and increasing external pressure on resolving the Nagorno-Karabakh conflict.<sup>23</sup> In Georgia, Shevardnadze preferred to maintain up to seven distinct security services in order to maintain a balance among those forces, thus discouraging further coup attempts. Institutional practices such as the hazing of new recruits continue as well and inhibit developing societal respect for the military. Rampant corruption such as recruitment officers taking bribes from families in order to insure a recruit is assigned to better units plague the Georgian and Azeri armies and also enhances social dissatisfaction with the security sector. Poor infrastructure, including failure to pay troops, poor and even inedible food, and the lack of uniforms contributes to the willingness of border guards to either look the other way when appropriately compensated by smugglers or to become knowing accomplices in smuggling and the sale of military *materiel*. Low morale, disease, and the institutionalized hazing of recruits results in an increasing number of "draft dodgers," which is a further indication of the society's lack of respect for the military and erodes the military's effectiveness.

While most of these issues plague the regular military, the security forces are held in even worse regard by society and require extensive reformation. Past experiences such as playing an active role in the crackdowns in Tbilisi in 1989 and Baku in 1990, implementing "operation ring" aimed at isolating Nagorno-Karabakh in 1992, and carrying out two coups in Azerbaijan to oust Ayaz Mutalibov and President Abulfaz Elchibey, have established society's general suspicion of security forces. These suspicions were only reinforced by the use made of the security forces against the population or the political opposition such as occurred in Baku in November 2003.

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<sup>23</sup> Security Watch on-line at [www.isn.ethz.ch/infoservice](http://www.isn.ethz.ch/infoservice), 6/27/03.

Domestic circumstances have embedded the region's security sector into the political processes and thus inhibit reform. In Armenia, where the society's perception of the security sector and the military is generally positive, because of their "victory" in the Nagorno-Karabakh conflict, the security sector is intrinsically involved in most aspects concerning the political life. The war provided an opportunity for merger of the political and military elite. President Robert Kocharian, former head of the Nagorno-Karabakh State Defense Committee, and Serzh Sakarsian, the current Defense Minister, Kocharian's campaign director and the country's wealthiest man, maintain direct control over defense, foreign affairs, and justice and thus epitomize this merger. Moreover, Armenia's security doctrine reinforces a strong role for the security sector in politics by focusing national attention on the fear of Turkish intervention and securing the gains in Nagorno-Karabakh.

In Azerbaijan, the security sector has been interjected into domestic politics as evident in the two previously noted coups and the recent post-election crackdowns. Notwithstanding, the Azeri military is an impotent institution. Heydar Aliyev targeted the military both to eliminate it as a potential source of political opposition to him and to reduce the emphasis on the continued conflict in Nagorno-Karabakh to placate NATO. His efforts succeeded in furthering eroding the society's respect for the military, whose reputation was severely damaged by the poor performance in the Nagorno-Karabakh war. By 2000, it was estimated that as many as four Azeri divisions were only at 40% strength and by 2002 it projected that it was incapable of launching a war to recapture Nagorno-Karabakh for 5 to 10 years.<sup>24</sup> Even if some sectors remain obsessed with re-capturing Nagorno-Karabakh through military means, it appears unlikely that the military will re-emerge as a significant political force. More so, the military has demonstrated an increasing desire to reform. The Azeris have agreed to the transition to a civilian-led military which will probably result in Defense Minister General Safar Abiyev resigning his commission and assuming the role of a civilian minister.<sup>25</sup>

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<sup>24</sup> De Waal, T., p.278.

<sup>25</sup> The author's interview with an anonymous government source, November 2003.

While Aliyev, a former KGB chief, weakened the military, other parts of the security sector, with whom he was more comfortable, remain powerful. One of the greatest threats to security sector reform in Azerbaijan is Namik Abbasov, the Minister of Internal Security, who was also a presidential candidate for a period. Although the security forces' role in the new government is unclear, their influence will undoubtedly have increased with their use in suppressing and imprisoning the opposition after Ilham's election. Ilham's ability to astutely balance the myriad of forces arrayed against him remains to be seen. He was a choice of convenience for Azerbaijan's "old guard" and surely owes a number of political debts. Second, his leadership qualities are at best unclear and it is unlikely that he has a sufficiently strong power base to effect reforms. At worst, he is being characterized as somewhere between Kim Il Jong and Bashir Asad by the Armenian lobby which does not resonant well for being able to bring the sides together on Nagorno-Karabakh.

Georgia simultaneously represents the best and the worst of efforts at security sector reform in the region. Whereas the Armenian military legitimacy and identity results from its role as protector of the state, the Georgian military is generally characterized by corruption, distrust, and incompetence. Moreover, the security sector has simply proliferated. Corruption is so excessive that the United States refuses to deal with certain units. Georgia has the lowest defense budget in the Commonwealth of Independent States, considered canceling conscription for a year, cannot pay its arms suppliers, confronted a mutiny in May 2002 over the lack of pay, and faced the resignation of 102 officers and men who could not perform their duties under such circumstances in Spring 2003.<sup>26</sup>

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<sup>26</sup> Information on these points and the collapse of the Georgian military is available from: Osidze, Archil and Ivliane Haindrava (2003). "Security Sector Reform in Georgia" (presentation). PFP Consortium Security Sector Reform Working Group Meeting, NATO Defense College, Rome, April; Mikeladze, M (2002). "Military Civil Relations in Georgia", in A. Nikitin, *Democratic Control over the Military Sphere in Russia and the CIS*. Moscow: Geneva Center for the Democratic Control of the Armed Forces (DCAF); Doyle, Claire (2002). "Azerbaijan Bluster Masks Military Weakness". [www.eurasianet.org](http://www.eurasianet.org), 13 December;

In spite of these dire circumstances, Georgia is committed to managerial re-organization of the Ministry of Defense under western guidance, including the appointment of a civilian Minister of Defense by 2004. Georgia also has been the recipient of the most significant amount of military assistance through the Georgia Training and Equip Program (GTEP), funded by the US Department of Defense. Allocated to enhance Georgia's ability to contribute to the "War on Terrorism," particularly in controlling the Pankisi Gorge, the GTEP represents both a tactical and strategic success. According to unnamed officials in Washington, the GTEP is "the only thing functioning in Georgia" and represents the first "bottom to top re-organization of the armed forces ever undertaken."<sup>27</sup>

To date, the GTEP has trained four infantry battalions and a mechanized army battalion to NATO standards, including interoperability with NATO forces. The success of the GTEP program and the on-going American presence in Georgia is multidimensional. It has resulted in cleaning up the Pankisi Gorge, generating a high level of transparency between the US and Georgia, and has generated interest among NATO allies which promises increased efforts at security reform in the region. It also has improved civil-military relations at the societal level. The Georgians no longer fear the military as a result of seeing these forces. The GTEP is a major success story for the policy of funding, training, and continued engagement and rests as an example of merger between security sector reform and democratization.

The GTEP's success extends beyond Georgia however. It is leading the United States to closer relations with the other Caucasus states and former Soviet republics in spite of some jealousy. It has demonstrated that cooperation is possible with countries close to Russia. Third, it may stabilize Russia's periphery and thus entice those elements positively disposed to NATO to cooperate further.<sup>28</sup> If such a situation occurs, the GTEP and its successor programs will play a significant role in transforming the region's security sectors and broaden the opportunities

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"Cut spending or lose loans, IMF tells Georgia", Security Watch, [www.isn.ethz.ch/infoservice](http://www.isn.ethz.ch/infoservice), 30 April 2003 and 16 July 2003.

<sup>27</sup> The author's interview with an anonymous government source, November 2003.

<sup>28</sup> Ibid.

for democratization. Notwithstanding, some skepticism regarding the use of the GTEP-trained units remains. Good soldiers obey the chain on command. In a system in which the effectiveness of military forces is dubious, political leader may be persuaded to deploy better-trained troops to more restless spots in western Georgia. It has also been speculated that specialized training creates a dichotomy within the armed forces, thus inhibiting broader reform efforts rather than promoting it.<sup>29</sup>

Security sector reform is also intrinsically linked to the perceived threats of an individual state as well as the dynamics of the international system. Nothing has demonstrated this latter point more than 9/11. The “War on Terrorism” changed the international system’s perception of threats, which resulted in countries re-assessing the nature of their threats and renewed American interest in the security environment. Somewhat neglected during the Clinton Administration, security issues have re-emerged as the predominant issue of foreign policy. As a result, in addition to pursuing more unilateral initiatives such as the GTEP, the United States has also pursued a concurrent multilateral approach. While Washington feels that many multilateral efforts have had only marginal impact on reform, it does support combined unilateral and multilateral efforts at reforming the security sector. Washington continues to promote the further development of GUUAM as a security organization, supports Partnership for Peace efforts, and encourages favorable bilateral relations such as those pursued between Turkey and Azerbaijan. These multi-level interactions have had positive results. Turkey’s influence and Azerbaijan’s participation as a PfP member in peacekeeping and peace enforcement operations have been credits with causing a fundamental improvement in the Azeri military. One US government source noted that “we are starting to see an impact in their (Azeri) soldiers’ behavior when returning from Kosovo, Afghanistan, and Iraq. Just functioning with our military, they have a better understanding of what NATO means when we speak of NCOs, human rights, etc.”<sup>30</sup>

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<sup>29</sup> The author’s discussion with Dov Lynch, European Union Institute for Security Studies, (EUISS) at Reichenau (Austria), November 2003.

<sup>30</sup> The author’s interview with an anonymous government source, November 2003.

On the contrary, multilateralism has had only negligible impact on Armenia. While being the most motivated and probably most capable force in the Caucasus, the Armenian military and security sector generally see little need to reform. Although they have renewed ties with the PFP, the security sector continues to benefit from the promotion of the Nagorno-Karabakh conflict and the predominance of military men in political control. Thus, neither military corporate interests nor individual interests are currently served by reforming the existing circumstances. Second, Armenia's primary benefactor, Russia, hardly offers a viable example for reforming the security sector nor would Russian interests be served by the political changes that would be necessary to effect meaningful reform.

## **Conclusion**

The fundamental question that remains is whether the West is prepared to make the necessary commitments in terms of time and resources to establish grass roots stability that perpetuates reform, to secure the victories of the "Rose Revolution", and to sow the seeds of democratization that will ultimately integrate the Caucasus with the West. At the heart of this question is whether the Caucasus are sufficiently important in themselves to warrant the required commitment or is it simply their proximity to other regions that make them valuable to the United States in particular? If the latter is true, then American interest will wane and the region will be left to its own devices. However, the reality is that the former appears to be truer. The Caucasus is consistently mentioned within the context of the United States global energy security policy. Furthermore, they are certainly recognized as an important area for the forward deployment of American forces fighting the war on terrorism. Third, it is a pivotal region for containing Russia, and to a lesser extent Iran, and extending American influence into Central Asia and the Middle East.

Yet, it is important that all parties view American interests in the region with a degree of reality. First, as previously stated, only under severe circumstances can Washington be convinced to exchange its new relationship with Moscow for one with any of the region's states.

However, the United States must seek to leverage the new Russian relationship that is simultaneously beneficial and important to Moscow to promote a more constructive, rather than destructive, Russian role in the region. Positive Russian involvement is critical to resolving the region's conflicts. Stabilization will also be served by settling the regional conflicts in Nagorno-Karabakh, Abkhazia, and South Ossetia. Concurrently, positive Russian involvement lessens one of the quandaries of American policy by reducing the risks of American involvement.

Second, the United States and the EU should move forward the prospects for stabilization and democratization by implementing security sector reforms including de-politicizing national armies and reducing paramilitaries. Concurrently continued efforts at the creation of a sound civil society through financial support, NGO development, and marketization initiatives need to be pursued because ultimately stability is only achieved through democratization. Within this context, it is important to note that the EU may play a more pivotal role than the United States because the EU's long-term goals and connections with the region may be more significant.

Third, it is critical that the region's states play a proactive and positive role in reform. Successes towards democratization and reform are essential to avoiding "Caucasus fatigue" and the deflection of American attention. While the region's states must be realistic in their expectations regarding their relationship with the United States, there is nothing like a democratic success such as the "Rose Revolution" to focus American attention and generate American support. The Caucasus is a germane region to American interest, but the United States needs to be reminded of their importance. Simultaneously the region must recognize how it fits into the broader strategic goals of the United States.

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## **SECURITY SECTOR GOVERNANCE IN THE SOUTHERN CAUCASUS - TOWARDS AN EU STRATEGY**

### **The EU and Security Sector Governance**

The EU Commission's Communication on Conflict Prevention of April 2001 attributes importance to security sector reform as a key part of a conflict prevention strategy.<sup>31</sup> The Communication states: 'The security sector has not traditionally been a focus of Community cooperation. However, in many countries achieving structural stability may require a fundamental overhaul of the state security sector (i.e. the police, the armed forces and democratic control of the security forces as a whole).' The Communication concludes that: 'Within the limit of its competencies, the Commission intends to play an increasingly active role in the security sector area. This will take the form of activities aimed at improving police services, promoting conversion and decommissioning both as regards weapons of mass destruction and conventional weapons. The Commission could support human rights training for the whole security sector.' At the declaratory level, therefore, the EU has recognized the role of healthy security sector governance in conflict prevention, and for ensuring the structural stability of states and supporting conflict settlement.

In practice, however, the EU has yet to engage actively in promoting security sector governance. The Union has thus far only on an episodic basis provided some support, mainly financial assistance, to security sector related concerns. EU programmes in this area have been usually comprised within the framework of Justice and Home Affairs activities,

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<sup>31</sup> Communication from the Commission on Conflict Prevention (COM 2001 211 Final: Brussels, 11.04.2001); available at: [europa.eu.int/comm/external\\_relations/cfsp/news/com2001\\_211\\_en.pdf](http://europa.eu.int/comm/external_relations/cfsp/news/com2001_211_en.pdf)

and not the Common Security and Foreign Policy (CFSP), and the focus has fallen often on supporting the reform of border control services with the aim of ‘enhancing integrated border management.’<sup>32</sup> The Commission’s Strategy Paper on Central Asia has a particular emphasis on this area.<sup>33</sup>

More relevant for the subject of this paper, the EU has undertaken a handful of activities that could be considered related to security sector governance in the South Caucasus. The Country Strategy Paper 2002-2006 for Georgia, adopted by the Commission in December 2001, provided for assistance to the reform of the Georgian Border Guards with two objectives: ‘To conduct an in-depth study of the best approach and methodology for the reform of the Georgian Border Guards, with implications also for other interior forces; to train personnel and promote exchanges and contacts with EU countries.’<sup>34</sup> One million Euros was foreseen to support the development of a strategic concept for the development of Georgia’s border guards. While the results of this line of activity remain yet unclear, EU engagement in this area is a sign to be welcomed.

Despite recognition in Brussels of the need to promote healthy security sector governance, the realization is still nascent. EU activity remains at the declamatory level, and concrete actions in this area are piece-meal and limited. Instead, in line with the Commission’s Communication on Conflict Prevention, the EU should make security sector governance a major plank of its promotion of security and stability on and around its borders. The European Security Concept, drafted by High Representative Javier Solana in 2003, pledges the creation of a ring of well-governed countries on the Union’s borders. The aim is to have

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<sup>32</sup> See the section on this in the *Tacis Regional Cooperation: Strategy Paper and Indicative Programme 2004-2006* (adopted by the Commission, 11 April 2003); available at: [europa.eu.int/comm/external\\_relations/ceeca/rsp/04\\_06\\_en.pdf](http://europa.eu.int/comm/external_relations/ceeca/rsp/04_06_en.pdf).

<sup>33</sup> *Central Asia: Regional Strategy Paper 2002-2006 & Indicative Programme 2002-2004* (adopted by the Commission, 30 October 2002); available at: [europa.eu.int/comm/external\\_relations/ceeca/rsp2/02\\_06\\_en.pdf](http://europa.eu.int/comm/external_relations/ceeca/rsp2/02_06_en.pdf).

<sup>34</sup> *Country Strategy Paper 2002-2006 & National Indicative Programme 2002-2003 Georgia* (adopted by the Commission 27 December 2001); available at: [europa.eu.int/comm/external\\_relations/georgia/csp/02\\_06\\_en.pdf](http://europa.eu.int/comm/external_relations/georgia/csp/02_06_en.pdf).

friendly and stable states that are institutionally strong and capable on the borders of the EU.<sup>35</sup> Healthy security sector governance is a key to achieving these objectives. The promotion of security sector reform, in fact, could become a niche activity of the EU, especially as it encompasses a wide range of personnel and tasks that are not necessarily best addressed by other organizations, such as NATO in its out-reach activities with the member states of the Partnership for Peace programme. For this, it may be best to place such activities in the context of CFSP and not only Justice and Home Affairs.

Moreover, security sector good governance should be included in the implementation of the EU's *Wider Europe* initiative with neighbouring states, and particularly in the Action Plans that are concluded with these states. On March 11, 2003, the Commission published its Communication on *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, which launched a debate about EU policy to its new neighbours.<sup>36</sup> Security sector reform must assume more priority in the Union's new approach to its neighbours.

The South Caucasus was a footnote in the *Wider Europe* Communication: 'Given their location, the Southern Caucasus therefore also falls outside the geographic scope of this initiative for the time being.' However, only three months later, the EU Council appointed a Special representative to the South Caucasus, the Finnish diplomat, Heikki Talvitie, with a six-month mandate to draw up a strategy to guide EU policy in this region.<sup>37</sup> The decision was declared to be in line with the Council's wish to play a 'more active political role' in the region.<sup>38</sup> Before examining elements of what might be included in an EU strategy

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<sup>35</sup> Solana, Javier. *A Secure Europe in a Better World*. Thessaloniki European Council, 20 June 2003. <http://ue.eu.int/pressdata/EN/reports/76255.pdf>

<sup>36</sup> *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbour* (Commission Communication COM (203) 104 final: Brussels, 11.3.2003).

<sup>37</sup> Decision Taken by Written Procedure (11027/03: Brussels, 7 July 2003).

<sup>38</sup> Parts of this paper are a reduced and revised version of the conclusions by the author of *The South Caucasus: A Challenge for the EU* (Chaillot Paper no. 65, EU Institute for Security Studies: Paris, December 2003).

to the South Caucasus, this paper will explore the process that led the Union to appoint the Special representative. It is vital to understand this wider context in order to grasp the ambition of the EU, and, perhaps more importantly, its limits, with regard to this region. The argument is divided in four parts. The first part outlines the wider trends that drive increasing attention by the EU to the South Caucasus. A second part examines specific conditioning factors that have affected EU thinking on its ability to assume a more active political role. Third, the paper discusses the debates that occurred in the EU since 1999 about how best to reinforce the Union's policies. The last part proposes elements of an EU strategy, which include a focus on security sector governance.

### **The Wider Trends**

The combination of the EU enlargement and the drafting of a constitutional treaty represent a revolution in the composition and internal workings of the EU. These two processes also will impact greatly on the EU's external responsibilities and policies. There are four wider trends to note.

First, the EU will have new member states, which will have different interests than the older members. In the run-up to their accession, Lithuania and Latvia were active in developing military ties with the three South Caucasian states. The new member states will bring new urgency to questions that have hitherto only been touched on superficially by the EU.

Second, the enlarged EU will have new borders, immediately on Belarus, Ukraine, and Russia, and, after 2007, on the Black Sea. The new borders also bring a new immediacy to EU thinking about the states on its periphery, and the policies that should be adopted in response to potential and actual threats emerging from these regions.

Third, partly in response to these pressures, the EU has started to rethink policy to the states on its new borders. For much of the 1990s, EU 'foreign policy' revolved around the dichotomy of membership/non-membership: if membership was on the cards, then the EU had a fully developed policy towards a given state; if it was not, then the EU had

little policy at all. This is changing. The Commission's *Wider Europe* Communication reflects an attempt to develop policies to states where the EU has significant interest but where membership is not in perspective for now. This process is seeing the birth of the EU as a fuller foreign policy actor, able to act beyond the debate of accession/non-accession by drawing on a range of policies to promote its interests abroad.

Finally, for all the clarion calls of the death of the EU's common foreign and security policy (CFSP) in 2003 because of divisions between member states over policy towards Iraq, the EU has emerged as a security actor. In 2003, the EU launched three missions – in Bosnia-Herzegovina, the Former Yugoslav Republic of Macedonia and the Democratic Republic of Congo. These operations have been mandated tasks from law enforcement and ceasefire monitoring to security and humanitarian crisis management. Over 2.000 police and military personnel have been involved in the three operations.<sup>39</sup> The military operations, in particular, are the first test cases of the Union's ability to apply some of the military policy instruments envisaged under the 1999 Helsinki Headline Goal. More widely, the Iraqi crisis stimulated thinking on the development of an EU Security Strategy, drafted by Javier Solana. A major point made in the Security Strategy is the need to have a belt of well-governed countries on the EU's borders. With all this, the EU is developing a strategic view of its borders, which will impact on its policies in and around the South Caucasus. These developments augur an increasing attention by the EU to its neighbours. Until 2003, the EU had a low security profile in the South Caucasus. This is set to change.

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<sup>39</sup> See discussion in D. Lynch and A. Missiroli, *ESDP Operations* (Forthcoming on EU ISS website, [www.iss-eu.org](http://www.iss-eu.org), 2003).

## Conditioning Factors

EU thinking about the South Caucasus has been influenced by internal and external factors.

### *External Factors*

First, the region is crowded with other international actors. The United Nations (UN) and the Organisation for Security and Cooperation in Europe (OSCE) have taken the lead since the early 1990s in promoting conflict settlement. An informal division of labour guides their activities, with the UN leading negotiations between the central Georgian authorities and the separatist leaders in Abkhazia and the OSCE active in the Georgian-South Ossetia conflict and through the Minsk Group for the Nagorno-Karabakh conflict.

In addition, the South Caucasus has received the attention of regional and great powers. The United States ratcheted up its presence in the wake of the 11 September terrorist attacks with a policy that has become more militarised as well as military-led. NATO stepped up its role in the region following the 2002 Prague Summit. The emphasis falls quite heavily on counter-terrorism. For Washington, the crisis over Iraq demonstrated the importance of NATO *partners*, more even than *members*, for U.S. strategic purposes. Russia also maintains a strategic military presence in the South Caucasus. Armenia and Russia agreed to a military alliance in 1997, and military ties are especially deep. Military relations have also come closer between Baku and Moscow since Putin's arrival to power. Relations with Georgia are difficult because of Russia's ambiguous policy towards the separatist regions of Abkhazia and South Ossetia, where there are relaxed visa regimes on the Russian border.

The presence of these important external actors has complicated EU thinking about a reinforced political role in the region by - apparently at least - leaving little room for the Union to claim as its own. The South Caucasus appears busy and confusing.

A second external factor conditioning EU thinking is the complexity of the region's problems. The range of economic, political and social

problems facing the South Caucasus is deep and pernicious. International organisations and European states have sought, with varying degrees of intensity, for a decade to assuage these problems. While the efforts have not been in vain, progress has come by drips. In such complex circumstances, what value may the EU add?

A third conditioning factor is that the states of the South Caucasus are not active *demandeurs* of an increased EU role. To rephrase: they are active *demandeurs* only if it serves their interests, and not necessarily if it serves the interests of the other states in the region. Armenia and Georgia have declared a European vocation, and even a long-term desire to postulate for EU accession. The governments in Azerbaijan have laid less emphasis on this direction of their foreign policy, although it is not absent. These states are not *demandeurs* of a reinforced EU role on the same level, for example, as the states of the western Balkans. The attraction in the South Caucasus for the EU is highly instrumental. The Union is seen as one more forum where these states may promote their own interests, and Brussels is often seen mainly as source of financial support.

### *Internal Factors*

In addition, a number of factors specific to the Union itself have affected EU thinking. First, the South Caucasus is caught in a proximity/distance paradox with regard to the EU.

On the one hand, the region is close enough that the EU has been forced to consider its interests in promoting stability to avoid any regional aggravation that might spill over. At the same time, the region is distant enough that threats emerging from the region are not perceived as immediate. When combined with the reality that the South Caucasian states have not positioned themselves for EU accession, the distance of the region from Brussels becomes amplified.<sup>40</sup>

Second, the South Caucasus did not have a lobbyist within the EU to

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<sup>40</sup> The Conclusions from the Cooperation Council meetings note continually that lack of implementation of the Partnership and Cooperation Agreements by the South Caucasus states.

catalyse a greater interest from Brussels. Finland played a determining role in the formulation of a Northern Dimension for the EU, and Spain has been important in the Barcelona Process. The South Caucasus had no similar supporter in the Union. The picture is not entirely bleak, as certain member states have used their presidencies to focus EU attention on the region. The Finnish presidency in 1999 and the Swedish presidency in 2001 were significant in this respect. Moreover, with enlargement, the South Caucasus will gain sympathetic advocates in the Baltic States.

At the same time, a number of member states have developed definite, even special, positions in the region. The Group of Friends of the UN Secretary General on Georgia includes the United States, the United Kingdom, France, Germany and Russia. A German diplomat, Dieter Boden, held the post of a Special Representative of the Secretary General between 1999 and 2002, and played an influential role in the negotiation process. The British government appointed Sir Brian Fall as a Special Envoy to Georgia in 2002, and enlarged his remit to the South Caucasus in 2003. France holds one of the chairs of the Minsk Group with Russia and the United States. Despite these active roles, coordination between EU member states could certainly be more efficient and transparent.

Finally, the South Caucasus was never a region in itself for the EU. The initial approach, embodied in the Partnership and Cooperation Agreements (PCAs) that were reached with all former Soviet Republics, used the 'former Soviet Union' as the regional category of reference. EU assistance objectives were determined for the whole region — an area, which comprises twelve states with different geographies, political and economic systems and prospects. Differentiation in thinking about the former Soviet Union has been slow in coming – and the South Caucasus has been last on the list.

## The Evolution of EU Thinking

EU thinking about the South Caucasus has been the subject of a series of debates. Participants have included the member states, the Commission, EU heads of mission in the region, the European Parliament, the Council General Secretariat, as well as the Policy Planning and Early Warning Unit. There are two phases to note in the evolution of thinking.

### The 1999 Debate

The Partnership and Cooperation Agreements (PCAs) that came into force in July 1999 represent the basic framework for EU relations with the three states.<sup>41</sup> The PCAs regulate relations, and define objectives, the subjects for cooperation, and the institutional mechanisms of interaction. While the articles dealing with political dialogue call for closer ties ‘to resolve the region’s conflicts and tensions,’ the heart of the PCAs is economic and technical.

The coming into force of the PCAs sparked a discussion on the most fitting approach to be adopted by the EU. The Commission saw the need for the Union to lay down broad strategic objectives to the region.<sup>42</sup> A Communication on EU relations with the South Caucasus under the PCA of June 1999 identified the conflicts as the root causes of the region’s political, economic and humanitarian problems.<sup>43</sup> In the Commission’s view, EU assistance could *only* be effective if two conditions were fulfilled: if the conflicts were settled and if regional cooperation became possible. For this, a regional strategy was deemed necessary.

The response from the General Affairs Council (GAC) in the Council was timid.<sup>44</sup> The GAC recognised that the ‘effectiveness of EC

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<sup>41</sup> All of these documents may be found on the EU website, ‘The EU’s relationship with the countries of Eastern Europe and Central Asia’: [europa.eu.int/comm/external\\_relations/ceeca/index.htm](http://europa.eu.int/comm/external_relations/ceeca/index.htm).

<sup>42</sup> Largely under the impulse of strong individuals in the Commission at the time. The Commission had already put forward similar notions in an earlier Communication in May 1995.

<sup>43</sup> See ‘Bilateral Relations – South Caucasus,’ *Bulletin EU* 6-1999, 1.3.98.

<sup>44</sup> See Press: 198 Nr:9008/99, Luxemburg, 21/6/1999.

assistance is directly connected to the development of the peace processes.’ However, the member states declared that the PCAs offered the best framework for the transformation of the three states. So, there would be no strategy and no political role other than that offered by the PCA framework. The GAC recognised that EU assistance would be ineffective without conflict settlement, but refused to create a framework that would actually enhance the prospects for their settlement, the PCAs patently not being enough for this purpose. The EU had entered something of a vicious circle, where the correct analysis was being made but without the political will to act on its conclusions.

Nonetheless, through the PCAs, the EU did develop something of a political profile. After 1999, EU activities in the region included:

- 1) Reinforced political dialogue with the three states through the PCA mechanisms, including also EU declarations and statements on developments in and around the region’s conflicts;
- 2) Support to the OSCE in South Ossetia, through EU funding of small-scale rehabilitation programmes on the ground, and the presence of the Commission as an observer in the Joint Control Commission (since April 2001) that runs the Russian-led peacekeeping operation in the conflict zone;
- 3) Some EU support to the rehabilitation of Azeri regions freed from Armenian occupation and a declared readiness to support large-scale rehabilitation in the case of a settlement between the two parties;
- 4) Episodic support to the Georgian border guards through three Joint Actions, as well as assistance to the OSCE in monitoring sections of the Georgian-Russian border;
- 5) Support to the rehabilitation of the Inguri power complex, shared between Abkhaz and Georgian control.

These activities are not negligible. However, the EU retained a low profile, with little presence as such in the negotiating mechanisms, no direct involvement in mediation, and an undefined overall strategy to lead policy. Certainly, none of these activities were directly related to the objective of promoting healthy security sector governance, although this may have been a limited side effect.

## EU Politics from 2001 on

The Swedish presidency in early 2001 set the South Caucasus as one of its priorities. The lack of progress in conflict settlement and patent absence of regional cooperation convinced member states that a new approach was required beyond the PCAs.<sup>45</sup> The debate since 2001 circled around the question of appointing a Special Representative and developing a regional strategy.

A number of member states remained unconvinced that the EU should seek to develop an enhanced role in the region or appoint a Special Representative for this purpose. The arguments were familiar: the region was crowded with external actors; the settlement mechanisms were blocked; and the situation on the ground was proving dangerous for the EU (*viz.* the kidnapping of Peter Shaw). The value-added of an enhanced EU role was seen to be very limited. In contrast, other member states argued that the current EU policy was failing. Having no strategy to the region was still a policy – one of neglect. The argument put forward was that the EU should have a strategy in place that could be applied immediately in the aftermath of the transition election years in Georgia (2003), Armenia (2003) and Azerbaijan (2003). The EU had to be ready to act coherently in the perceived ‘window of opportunity’ opened by these elections. In this view, the EU should plan to undertake that which it does best: a long-term and comprehensive approach to the region and its conflicts, including offering the prospect of EU post-conflict rehabilitation.

The nature of a possible Special Representative was another concern. Traditionally, EU Special Representatives (EUSR) are funded by the Council, with an office in Brussels, and are directed to follow an already defined strategy. A first view put forward was that a EUSR to the South Caucasus - if one were appointed – should follow the traditional approach. This implied either finding additional monies from a review of the other Special Representatives or waiting until a new budget could be

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<sup>45</sup> For a full discussion, see the author’s concluding chapter to *The South Caucasus: A Challenge for the EU* (Chaillot Paper no. 65, EU Institute for Security Studies: Paris, December 2003).

put together. The argument was also that a EUSR would be most effective if working from a clearly defined strategy. Without this, the EUSR faced the risk of becoming a solution – and a false one - in itself and of being sidelined. The appointment of a EUSR was noted as a potentially useful idea only *if embedded* in a wider strategy and if provided with the necessary resources.

Another view called for an innovative approach to the mandate of a EUSR. In this, the EUSR would be appointed for a six-month period, during which he/she would consult with as many actors in and outside the region as possible and present a report to the Council on the shape of a possible EU strategy. The EUSR would play an idea-generating and strategy-formulating role, whose report would be discussed by the Political and Security Committee, after which a more targeted mandate would be adopted. In addition, during the first six-months, the costs of the EUSR would be assumed by a member state.

The appointment of Heikki Talvitie as the Special Representative on July 7, 2003, resolved the debate in favour of an innovative approach.<sup>46</sup> If anything, the appointment reflects the recognition by the member states that their individual policies to the region have had limited impact, and that an EU umbrella would bring value-added. However, the questions facing the EU since 1999 are not resolved by the appointment. How will the EU promote regional cooperation when it has failed to do so until now? How will the EU become better coordinated internally, between member states and in Council policy? Underlying all of these remains the central question: What value can the EU add to conflict settlement?

### **Elements for an EU Strategy**

The EU is not set to become involved in the negotiating mechanisms for conflict settlement in the region. Nor should one expect a major and ambitious EU strategy that will paint the South Caucasus the

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<sup>46</sup> Decision Taken by Written Procedure (11027/03: Brussels, 7 July 2003). For the full text of the Joint Action, see *Official Journal of the European Union* (8/7/2003, L 169/74 – L 169/75).

bleu and golden shades of the EU flag. Instead, the EU's reinforced political profile will seek to affect the conditions and the climate in which settlement talks are occurring by strengthening the three South Caucasus states. This is likely to include a focus on promoting security sector governance in the region, starting with Georgia. The main elements of an EU strategy may be inspired by the following principles.

### **An Indirect Approach to Conflict Settlement**

The conflicts lie at the heart of the problems affecting the three states and block regional cooperation. Given that the current negotiating mechanisms are blocked, the EU should avoid seeking a direct role in mediation. Instead, an EU strategy should seek to affect the climate in which the talks occur. This would require a wide political/security approach to the region.

### **Embed the Region**

The EU must not seek to build a region when the notion is premature. Yet, the EU can make use of the structures in which the three states cooperate. The South Caucasus Anti-Drug (SCAD) programme is an example of cooperation in anti-drug trafficking. All three states participate in Inogate and Traceca – programmes that can be more fully exploited by the Union. Cooperation between Armenia, Azerbaijan and Georgia is best embedded in wider and extra-regional structures.

### **Pursue Four Tracks**

#### *The Rule of Law*

The EU should focus on the rule of law as the centre of gravity of state consolidation, conflict settlement and economic development. The rule of law must be fostered in state-society interactions, human and minority rights, the fight against organised crime and the development of market economic principles. The rule of law is a precondition for sustainable development.

### *Effective Multilateralism*

The EU should seek to foster an effective multilateralism in the region by working with all its actors, key external states and the UN and the OSCE. The EU should make use of its strategic partnership with Russia to develop common approaches, and draw on its privileged ties with Turkey. The EU should coordinate members in the OSCE and the UN.

### *Coherence and Capabilities*

It is vital that the EU develop greater coherence amongst its array of tools and with the activities of Members. The full range of EU policies – from diplomatic, assistance to crisis management support – must be joined.

### *Focus on Security Sector Governance*

The promotion of healthy security sector governance is vital for the stability of the South Caucasus, and should become a niche policy for the EU. For this, the Union must launch a full-fledged programme with the new Georgian leadership, building on the limited and episodic support provided since 1999.

### **Link to Wider Europe**

Finally, EU policy to the South Caucasus should be driven by the recognition of the Union's interdependence with Armenia, Azerbaijan and Georgia as part of the EU's future neighbourhood and a Wider Europe.

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**Sir Garry Johnson**

## **SECURITY SECTOR REFORM IN THE SOUTHERN CAUCASUS**

The dissolution of the Soviet Union left its former nations and those of the Warsaw Pact with a mammoth task of reform and restructuring to be carried out in all the political, social and economic spheres of national life. The fundamental challenge facing these countries was simple: could they modernise all the relevant aspects of their society well enough, and quickly enough, to claim a space in the successful community of the Western nations which had emerged strengthened from the Cold War while the window of integration opportunity remained open?

This contribution addresses security reform in the Caucasus from the perspective of a unique international organisation with experience of working in the field of security sector reform in some of the countries of the Former Soviet Union, namely the International Security Advisory Board, or ISAB for short<sup>47</sup>. Although my focus will be on the Caucasus, I will draw upon the experiences of ISAB in the Baltic States as these are relevant both to that and in general terms for the future. I will start with a description of ISAB and how it works.

The International Security Advisory Board was set up under my chairmanship in 1995 at the request of the Foreign and Defence Ministers of Estonia, Latvia and Lithuania with the objective of offering strategic advice to the Governments of the Baltic States in the field of security sector reform. Membership of the Board was to be a single member from a number of countries most relevant to the aspirations of the Baltic States: in addition to the United Kingdom, these were seen as being the United States, Germany, Denmark, Norway, Sweden, Finland and, later, France. The members were all senior and respected national figures from a range of background in the security sector. The collective background of the Board covered high rank experience in international

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<sup>47</sup> For more information consult: [www.protocol-learning.net/Advisory\\_Board.html](http://www.protocol-learning.net/Advisory_Board.html).

organisations such as the UN and NATO, in all functions of the military and the security sphere, in diplomacy, and in the field of politics, NGOs and institutes. I insisted that the Board should work at the strategic level directly to Heads of State and Ministers in the receiving nations and that no Board member should hold a position in his own government agencies, thus allowing the advice offered by the Board to be independent and objective and not constrained by the national interests of the supporting nations. There was to be no permanent office, no secretariat and a minimum of paperwork. Funding for the Board was a simple arrangement: supporting nations would meet the costs of their Board member and the receiving nations would fund the in-country costs during Board visits. The Board would carry out a regular programme of visits to the receiving countries, at intervals of around a month or six weeks at the most.

This arrangement worked efficiently and well in the Baltic States where the programme was brought to a close in 1999, by which time the reform process was embedded and the three nations were well set on the path to membership of NATO and the EU.

In 1999 a similar programme was set up at the request of the Government of Georgia. On this occasion the Board initially comprised three members with, besides myself, members from the United States and Germany. In 2001 one member from each of the three Baltic States was added. The ISAB programme is ongoing in Georgia with early 2005 set as the date for closing down the official programme, after which I expect there to be a continuing liaison as there has been in the Baltic States since 1999.

The problem facing the Board in both regions, namely what advice to give, was relatively simple. It is not a difficult matter to elaborate the principles and logic of the reform process, the steps which must be taken and the relationship of these steps to each other. Implementation is another matter.

The foundation of reform has to be a clear elucidation of foreign policy objectives and security policy by the government in terms which can be

understood externally by other countries and supported internally by the population. It suits countries from time to time for their foreign policies to be somewhat opaque, but in general terms it is helpful that the objectives of a country are made clear to the international community. Similarly it is necessary in a free and independent state that the foreign alignment is supported by the people and that it has some form of democratic endorsement. Many countries find it helpful to express this foreign policy orientation in the form of a security concept document which gains parliamentary approval. This prime requirement has been particularly important for the nations of the former Soviet Union, particularly for those seeking a western orientation, where a clear stance leads both to external support and sets the patterns and models to be followed in the transformation process.

Having set the direction to be followed, it is clear that the reform process should be on lines which will be acceptable to the institutions and organisations which the country aspires to join or be closely associated with. Thus reform in the military sphere must be NATO-compatible and reform in the interior agencies must be EU-compatible. In this simple statement of the obvious lies much difficulty in implementation.

It is equally clear that security sector reform requires democratic supervision and public support, which in turn calls for an increased sophistication of understanding of these matters in an arena outside the previously closed worlds of the defence and security professionals of the state.

Finally, the correlation of the sector components must be correctly managed, the timing of change carefully calculated and the stability of the security sector must remain untroubled during the transitional process.

This is all very clear when set out in an academic manner, but life in practise is never so simple. So let me look now at the problems which the countries I have mentioned faced in their efforts towards modernisation.

Somewhat to my surprise the foundation step caused some difficulties in both regions. The senior leaders in all countries have from the days of early independence asserted their intentions that their countries should be part of the Euro-Atlantic community and its organisations and institutions. In the Baltic States all three countries declared their strong desire to join NATO as the prime security guarantor and followed this closely, but more quietly, with a declaration of intent to join the EU. A decade later both those intentions are about to be fulfilled, but there were times in the early days when, despite the three nations being self-evidently part of the European homeland and heritage, it seemed that the Western European nations would, without the urging of the United States, still be dragging their feet. Nor could internal political support be taken for granted. There were, and still are although in decreasing numbers, those who regretted the certainties of former times and who feared that they would be swamped by the political and economic power of the West. It took clear political will and courage to win the case in the Baltic States, but it was done and the foundation was secured in good time.

This is not yet the case in Georgia, where the issues are less clear. President Shevardnadze has always reached out to the West and has recently declared his intention that Georgia should become a member of NATO and the EU in addition to all the other organisations of which it is already a member. Given the proximity of Russia, the complexities of the region and the greater distance from the heart of Europe, these intentions are less easy to make convincing, although Georgia's support for the United States actions in Iraq has brought increased support from that country. Georgia also has difficulty in expressing the intentions in explicit foreign policy terms. After several attempts at drafting a security concept document, a final version is now being considered by the government, but when and how it will receive democratic endorsement is still undecided.

Even having set the course, all former Soviet countries faced, and still face a number of major difficulties in carrying through the reform process. I will refer to four of these.

The first of these is a lack of resources. This takes two forms. Firstly and crucially, there is a lack of money. With governments struggling to build economies and the people desperate for social underpinning and stability, there is little political mileage in putting money into defence which could be spent on school, hospitals or even paying pensions. Eventually, as their economies strengthened, the Baltic States accepted that setting a percentage target of their GDP for defence expenditure which approximated to the NATO average of around 2% was a necessary political signal of intent. The case for Georgia is far more difficult. The GDP is largely unquantifiable and the revenue largely uncollected. The exchequer is always on the brink of emptiness. The security sector ministries put in annual budgetary requests, which are usually cut by around a half, and of which only around a half reaches the ministries. Salaries are low and often paid in arrears, leading to corruption and 'moonlighting'. The ministries struggle to keep their heads above water, and there is no money to pay redundancy to those who should return to civilian life or to carry out the necessary structural, infrastructure and equipment reform programmes.

The second lies in the lack of human resources. There are many extremely intelligent, dedicated and patriotic young men and women in the countries in which I have worked, both civilian and military, who are the hope for the future and without whom the state sector would be in great difficulty. The training of these people improves steadily, but their numbers do not, as many find the comparison between official and private sector salaries to be hugely to the disadvantage of themselves and their families. Again, with increasing national prosperity, that problem is being overcome in the Baltic States, but it remains a serious issue in Georgia.

Another obstacle to progress is within a form of cultural gap which seems to have been exacerbated by the long period of isolation of Soviet society. This is most noticeable in the differing approaches to problem solving which have evolved. The contrast is between a relatively closely focused and pragmatic western model and a more collegiate, discursive Soviet model. Thus the drafting process for a security concept document in the western style would be driven by a fairly small team of drafters

who seek comment from wider participants as the shape comes quickly clearer, whereas in Georgia such matters tend to be handled by unwieldy committees of largely academic members, with the outcome being a longer, less precise product formed over a lengthy time-span. The dangers of displaying initiative within the old system have left their mark and a cautious and slow way of responding is evident throughout the official sector, where the lack of financial resources referred to earlier provides no spur for greater speed. To this must added, as another factor, that of national character. The farther east the traveler goes the more it is noticeable that problems are more readily acknowledged than addressed, more often borne than solved and, when solved, more often done so by consensus and the pressure of events than by confrontation and design. Thus we should not be surprised that the progress of reform is slower the Caucasus than it was in the Baltic.

The fourth obstacle lies in human nature. Change is always a challenge, particularly when it seems to threaten personal interests or welfare. Change is more difficult to accept the older one becomes. There are many in official positions in the former Soviet countries who feel threatened by the changes which are sweeping through their countries and the natural reaction of such individuals is to resist to change, either actively or passively. There is a great issue to face around how such people are to be handled. Some will bow to the inevitable and modernise themselves. Others will be unable or unwilling to change themselves. These must not be allowed to obstruct progress and must be removed if they prove intractable, but it has to be remembered that these people have served their country well under a different system, and they must be allowed to stand aside with dignity. At the heart of the reform process it must be recognised that change management is a most important issue to be recognised and addressed.

Moving from philosophical to more factual issues, let us look briefly at the steps of the reform process and see how they stand in Georgia. The requirements for the various sectors are fairly clear. In the military it requires a move from quantity to quality, a reduction of numbers and an enhancement of capability to provide a more flexible military which is interoperable with NATO and other western forces. In the Interior

Ministry it means moving from Interior Troops in the military model to a gendarmerie force which is essentially an enhanced police component. In border security it means changing the military Border Guards to a largely civilianised security agency for border security and control, which is again essentially a form of police control. In the Security Ministry it means moving to a plain-clothed agency basis, with no place in the prosecuting procedures. The thread which runs through all these requirements is that of demilitarisation, for security is not just about tanks in the modern era. It also means an acceptance of some form of democratic oversight and an understanding of how to apply that without it turning into an unreasonable and potentially dangerous form of political control.

In Georgia, these strategic requirements were set out in the first ISAB Report to the National Security Council in 2000, and were accepted and endorsed for action by the President. Subsequent annual ISAB Reports, the last issued in July of this year, have monitored progress and made further recommendations. Steady progress is being made.

An essential facilitator of progress is outside assistance, which is now being provided in increasingly useful programmes by a number of nations, and therein lies another problem: that of coordination. Too often the aid programmes are not adequately coordinated nor tied in closely enough to supporting the reform process plan and timetable. On the military side NATO provides some of the cohesion required through the PfP and other programmes, but NATO only deals with the defence component. The EU, although it puts a great deal of financial and technical assistance into Georgia, is less good at coordinating its efforts and curiously reluctant to mirror NATO's lead role in the non-military parts of the security sector. In the absence of effective official international coordination mechanisms much reliance is placed on the efforts of embassy staffs in country and on quasi-international organisations such as ISAB. There are improvements in sight in this area.

With regard to security sector reform elsewhere in the Caucasus, the ongoing dispute between Azerbaijan and Armenia has prevented serious

attention being paid to reform in the former as it has hindered external assistance to that objective. Armenia's adherence to the Russian security interests has similarly been an obstacle to outside participation in meaningful modernisation there, as it has elsewhere in the Central Asian countries of the former Soviet Union. Regional cooperation has been almost non-existent to date. However, here too, there are encouraging signs that some progress can be anticipated, and the need to provide security for the pipeline system will be a driver here.

What are the major lessons which can be learned from these experiences which might be useful elsewhere? I suggest the importance of the following:

- clarifying at the outset the political and security framework within which reform is to take place;
- setting an overall strategic plan for the whole security sector;
- Government approval, at the highest level, of the major issues of the reform process;
- Government control and political support of and for the process;
- Coordination of external assistance, and a direct linkage to the development of the overall reform process.

Finally, some thoughts on the ISAB concept. Experience shows that to be successful an advisory group such as ISAB must:

- Have access to the highest levels in the receiving country. It must therefore be composed of individuals whose standing and experience qualify them for such access, and must work to an influential point of contact;
- Be trusted by the receiving government to provide objective, independent, experience-based advice, and by the supporting governments to act responsibly with regard to their own national policies and interests;
- Work across the whole security spectrum and those in society connected to it and affected by it. This implies a wide span of experience within the group;

- Be prepared to make a short-term time commitment of around three years, followed by a follow-up contact period;
- Be available as required by the receiving government. A schedule of formal visits should be supplemented by an ‘on call’ capability;
- Be aware of local politics and of the effect of group recommendations in that sphere, whilst being scrupulously, and demonstrably non-political and non-partisan;
- Be patient, and seek a good and workable outcome, rather than strive for a swift and unobtainable perfection.

The concept developed by ISAB over the last several years is unique. There is no other body, official or semi-official, which works across the whole security spectrum at the strategic level in a continuing process. It is a proven success. It is inherently flexible and cost-effective. It is capable of application in a wide variety of circumstances.

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## **THE ROLE OF CIVIL SOCIETY IN SECURITY SECTOR GOVERNANCE IN THE SOUTH CAUCASUS**

### **Introduction**

Over the last ten years, there has been an increasing amount of interest in the issue of security sector reform, and, as a subset of this, a specific focus on the question of democratic governance over the security sector. It has been widely recognised that if security institutions are not fully under democratic civilian control, they can impede the development of the state in a number of ways. This may involve the squandering of scarce national resources because there is little civilian oversight over how they spend their money. It may be a matter of poorly trained and badly paid staff turning to corruption in order to supplement their income, with no mechanisms in place to stop them doing so. In extreme cases, the security sector may become so independent of external control that it starts to become a ‘state within a state’ or threatens to take over the state in order to better pursue its own objectives. Emphasis has thus been placed on ensuring that all the state institutions that are involved in the provision of security have clearly defined roles and remits within society, are professional and accountable, and that they are overseen by capable civilian administration and democratically-elected bodies.

A well-functioning security sector thus consists of three main categories of institution: organisations authorised to use force, civil management and oversight bodies, and justice and law-enforcement institutions.<sup>48</sup> Recently, however, it has become clear that it is not enough to focus only on the official state bodies that make up the security sector. In order to have a full understanding of the security situation in the country, it is also necessary to take into account two further groups that are part of the

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<sup>48</sup> Ball, Nicole (2002). ‘Democratic Governance in the Security Sector’. UNDP Workshop on ‘Learning from Experience for Afghanistan’, February.

wider ‘security community’. The first is non-state security actors that may use force, such as guerrilla fighters, political militias, civil defence groups and private security companies. This spans a range of different organisations, some of which are legal, some of which are illegal. At times, they can play an important role in ‘filling in the gaps’ where the state is unable or unwilling to tread. In many parts of the world, however, these groups function in parallel or even against the official state bodies, and they can frequently impede state-led efforts to reform. This is a genuine threat in the South Caucasus, and the influence of such non-state actors must be considered when designing projects to improve security sector governance.

In this paper, however, the focus will be on the second category of non-state bodies that have, or should have, a role to play in the provision of security: a wide range of civilian-run, non-violent groups that together form what has become known as ‘civil society.’

### **What Is Civil Society, and what Relevance does it have to Security Matters?**

Before considering the importance of civil society involvement in security matters, it is necessary to define what is actually meant by ‘civil society,’ as different people and organisations tend to have a different scope in mind when using this term. At its most reductionist, the words ‘civil society’ are often used interchangeably with ‘non-governmental organisations’ (NGOs). This in itself can be problematic, as the whole concept of what constitutes an NGO is also somewhat amorphous; however, the term generally refers to organised, non-profit groups that are thought to be representative of society more broadly and claim to strive for some social goal. This tendency to equate ‘civil society’ with NGOs is seen particularly frequently in development circles, where the number and efficiency of NGOs is seen as a good marker of the overall democratic health of the state.

Properly understood, however, the concept of civil society is much wider in scope, ‘encompassing all the organizations and associations that exist

outside of the state (including political parties) and the market.<sup>49</sup> This broader definition would embrace everything from research, policy and advocacy organisations, through trade unions, religious and faith-based organisations to traditional structures (such as village elders) and small community groups, and even those with no social or political agenda (such as film clubs or sports associations). It can include concerned members of the public who have not founded formal organisations but are nonetheless active in the public sphere. Importantly, it also includes the media, which in most societies plays a key role in sharing information and helping to form public attitudes. It is this broader definition that will be used in this paper, as will be shown, to equate civil society merely with NGOs in the South Caucasus would be a grave mistake.

It is now widely accepted that a strong, active civil society greatly enhances the vitality and durability of a democracy, functioning as a transmission belt easing the interaction between the state and the individual. The role of civil society organisations in issues relating to security, however, is often much more controversial. Members of the military, the police, and other governmental institutions authorised to use force often feel that their job is by its nature a matter of state, to be dealt with by state professionals alone. They may believe that civilians are ignorant of what they do and are therefore incapable of contributing usefully to their work. But a state can best provide security only if it takes into account the opinions of the people it is ultimately protecting, even if these views do not always correspond to those of state officials. Furthermore, in countries with a well-developed civil society, non-state civilian bodies can perform a number of functions that help to improve the governance of the security sector, ultimately strengthening the security of the state itself.

Perhaps the most obvious role that civil society can play in security matters is as a public watchdog, checking that security sector actors are performing their tasks both within the remits assigned to them and within the general direction in which society is developing. For example,

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<sup>49</sup> Carothers, Thomas. 'Think again: civil society'. *Foreign Policy*. Winter 1999-2000.

academics and research organisations might evaluate the state's overall defence policy, or consider whether specific actions are in line with the government's stated aims. They may wish to focus on one particular element of security affairs, such as defence expenditure or the arms trade<sup>50</sup>, or on specific events, such as a decision to send troops to a particular conflict or peacekeeping operation. Organisations might also monitor the level of respect for human rights and the rule of law within the security sector, highlighting infringements with the aim of ensuring that such abuses will not happen again. This will obviously involve the government being subjected to a certain amount of criticism, but providing the criticism is responsible and constructive, it will benefit the state as a whole by raising awareness of security issues and hopefully increasing the range and quality of ideas to solve them. Furthermore, this monitoring acts as an extra check and balance within the democratic system – but one that the state does not itself have to pay for.

As noted earlier, in most countries the media is influential in forming and informing public opinion. Security actors are often suspicious of the media, particularly as some of their work naturally requires secrecy. It is indeed important that there is clear legislation in place governing what the media can and cannot report, and that the media is responsible enough to respect the state's need for secrecy, when it is genuine. Yet too often, official secrecy can be used as a veil to hide incidences of inefficiency, incompetence or corruption. Security officials often complain that civilians are ill-informed while at the same time withholding much information that could be made public without endangering state security. At times, this restriction of data is so severe that even civilian oversight bodies that form part of the official security sector, such as finance ministries and parliamentary oversight committees, do not have the necessary facts to make informed decisions. There is no reason, however, why many items should not be made publicly available. These include major documents such as the state's national security policy, the defence budget (except secret funds), the

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<sup>50</sup> For example, every year, London-based NGO Saferworld publishes an audit of the UK Government's annual report on arms exports in order to analyse whether authorised UK arms sales adhere to the government's own human rights and arms export criteria.

minutes of parliamentary meetings on security issues (except when these are behind closed doors), and government statements on all major security-related issues.<sup>51</sup> Security officials should realise that there can be benefits to having a more open relationship with the public and the media. Though the media may at times be openly critical of the government, it can also help to publicise the government's successes, enhance the public's understanding of the security challenges facing the state, and build greater will for reform.

A final, but often overlooked benefit of a strong civil society working on security issues is that it provides a pool of knowledge and experience into which governments can tap. Most obviously, it is an alternative source of skilled professionals from which government agencies can recruit. Furthermore, academics and research organisations offer an extra resource to government officials who may wish to seek advice at any stage of policy planning and implementation.

### **The Development of the Civil Society in the South Caucasus**

How do these general theories on the benefits of civil society involvement in security sector governance relate to the specific case of the South Caucasus? To answer this question, it is necessary first to consider the particular circumstances relating to the development of both the security sector and civil society since the collapse of the Soviet Union, as this period has seen dramatic changes to both. In fact, the histories of the two are inter-related, particularly in the immediate pre- and post-independence era.

Going back only twenty years it is almost impossible to identify anything that resembled an active 'civil society.' Though it is debatable to what extent the Soviet Union was a truly totalitarian society, particularly post-Stalin, few would deny that it shared the totalitarian characteristic of being 'a modern autocratic government in which the

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<sup>51</sup> For a more comprehensive list of information that should be publicly available, see. Born, Hans, et al. (2003). *Parliamentary Oversight of the Security Sector: Principles, mechanisms and practices*. Handbook for Parliamentarians no. 5. Geneva: IPU/DCAF.

state involves itself in all facets of society...erasing the distinction between state and society.’<sup>52</sup> The state involved itself in everything from children’s youth groups to veterans’ associations, from sports clubs to theatre groups. There was no independent media. There were no independent research or advocacy groups. Organised religion was always frowned upon, and usually severely repressed.

This is not to say that there were absolutely no units bigger than the individual, but smaller than the state. In fact, the near omnipresence of the state actually heightened the importance of close personal links, and people relied heavily on small networks of family and friends. This was as true in urban areas of the Caucasus as elsewhere in the Soviet Union, whilst in the more rural and remote regions, where modern Soviet life had penetrated less deeply, traditional family, clan and ethnic allegiances continued to play an important role in the organisation of society. Yet such structures were by nature unofficial, small and isolated, and therefore could not combine to make a concerted impact on Soviet public life.

It was during Mikhail Gorbachev’s attempts to revitalise the Soviet society through *perestroika* (restructuring) and *glasnost* (openness), that the civil society, in its broadest sense, began to awake. The state allowed citizens to form independent organisations, and almost overnight groups sprouted up across the Soviet Union, from those campaigning on human rights or environmental issues to those concerned with minor local issues. The press was allowed greater freedom to discuss issues that had previously been totally taboo. Political life became relatively more open and inclusive’; in a situation where for many years there had been no independent political or social life, the development of one was so closely linked to that of the other that it makes little sense to discuss the regeneration of civil society separately from the overall political revival. Gorbachev himself did not seem to divide the two, extolling the ideal of

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<sup>52</sup> *Totalitarianism*. The Columbia Encyclopedia, sixth edition, 2001.

‘whole-hearted, active participation by the whole community in all of society’s affairs’ in 1987.<sup>53</sup>

One apparently unintended consequence of Gorbachev’s political and social reforms was a sharp increase in overt nationalism. The easing of state control over certain spheres of life created a vacuum that was soon filled by nationalist rhetoric. This meant that other social goals soon took a back seat to political campaigning. Many civil society organisations that had begun as apolitical interest groups became increasingly politicised. Some issues were exploited by nationalist campaigners looking for reasons to criticise the central authorities. This was particularly true of the environment movement. In Armenia, for example, already powerful nationalist sentiments were further strengthened by the Soviet government’s insufficient response to the terrible earthquake in Leninakan (Gyumri) in December 1988.

Thus, in the last years of the USSR, the sudden renaissance in civil society was part of a wider political reawakening that led eventually to independence for the South Caucasus states of Armenia, Azerbaijan and Georgia. With independence, of course, came the need to create new institutions of state, including the establishment of security sectors. Out of the mixed bag of institutions, personnel and weaponry inherited from the Soviet Union, these states were forced to construct ministries of defence, armed forces, police services etc almost overnight. This process was greatly complicated by the fact that all three states were engaged in some form of conflict: until a ceasefire in May 1994, Armenia and Azerbaijan were at war over the largely ethnic-Armenian-populated region of Nagorno-Karabakh in Azerbaijan, whilst by the end of 1993 the central Georgian authorities had already lost two separatist regions, Abkhazia and South Ossetia, and had also seen large-scale fighting, often referred to as a civil war, by political factions competing for control of the state. Understandably, with much of the South Caucasus on a war footing, the security sectors in these states (including in the breakaway regions) were very much moulded to the needs of war, and

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<sup>53</sup> *Pravda*, 26 February 1987, quoted in Peter Reddaway and Dmitri Glinski (2001). *The Tragedy of Russia’s Reforms: Market Bolshevism Against Democracy*. Washington DC: United States Institute of Peace.

indeed the development of all state structures in the region was strongly influenced by the atmosphere of conflict. One almost inevitable consequence of this was that normal civilian life – and with it much of civil society – took a back seat or disappeared entirely.

Since 1994, the three major conflicts in the South Caucasus (Abkhazia, Nagorno-Karabakh and South Ossetia) have all remained stuck in a situation of ‘no peace, no war’ (though much more progress appears to have been made in regard to South Ossetia than in the other two conflicts). There has been a much higher degree of stability since then, though the backdrop of ‘frozen’ conflicts and the potential for internal political instability (as indicated by the varying levels of protest in 2003 against election results in Armenia, Azerbaijan and Georgia) continues to cause concern and threatens the evolution of a mature, democratic state with a vibrant civil society.

In general, civil society in the South Caucasus remains weak and underdeveloped, though recent events in Georgia suggest that observers had underestimated the strength of civil society and public opinion there. There is general agreement that NGOs and the independent media played a crucial role in spreading democratic ideas among the population, leading to the peaceful ‘Rose Revolution’ of November 2003, when President Shevardnadze was forced to resign after three weeks of protests about fraud in parliamentary elections. Nonetheless, it is too early to confirm that this represents a genuine entrenchment of civil society in the Georgian political system.

Despite these differences between the three recognised states, not to mention the breakaway regions, some broad observations can be made about civil society in the South Caucasus. To focus first on NGOs, there is still limited understanding both within government and amongst the public itself as to what NGOs can offer. In part, this is probably because they are still a somewhat new phenomenon; however, it is also the case that they have a poor (or sometimes no) public image. USAID’s 2002 NGO Sustainability Index notes that in Georgia ‘people are aware of

NGOs' existence, but have little specific knowledge of their activities',<sup>54</sup> whilst in Azerbaijan 'NGOs do not take sufficient efforts to create a positive public image...and they remain closed from the general population...68% of those surveyed were not aware of what an NGO is.'<sup>55</sup> NGOs are sometimes seen in a negative light due to apparent political bias, or because they are largely dependent on international funding. This can lead to a perception (sometimes well-founded) that NGOs are more interested in earning money than in their supposed social goals. For example, in large-scale sociological surveys in 2002 across the South Caucasus on human rights issues, nearly half of respondents in Armenia (47.8%) and Georgia (49.8%), and over a quarter in Azerbaijan (26%) expressed an opinion that human rights organisations 'engage mostly in self-advertising and receiving foreign grants, and their real assistance to people is insignificant.'<sup>56</sup> Even when NGOs are representative of a particular constituency or interest group, the huge majority of them works only in their respective capital cities and has little influence in more remote regions. Finally, most NGOs still have little organisational capacity and lack experience in co-operating with other actors (e.g. governments, the media, other NGOs). Despite all these negative comments, however, it should be recognised that in all three states there are examples of well-organised, well-respected NGOs that have succeeded in helping their community, either by providing a service that the government itself was unable or unwilling to provide, or by campaigning for certain rights to be respected or legislation to be implemented.

It should also be noted at this point that since the mid-1990s, the work of local NGOs has been supplemented by the involvement of a number of international NGOs. Initially focused largely on issues such as caring for refugees and supporting democracy-building activities, the scope of foreign involvement has broadened in line with the overall increase in international interest in the South Caucasus. Such organisations

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<sup>54</sup> NGO Sustainability Index (2002). USAID, p.79.

<sup>55</sup> Ibid. p.38.

<sup>56</sup> Regional Project "South Caucasus Network for Civil Accord", 'Situation with Human Rights in Countries of South Caucasus: Results of sociological surveys 2002'. Yerevan: Armenian Sociological Association, 2003.

potentially bring a wealth of knowledge, experience and resources to the region. However, in order to be effective they must strive to understand and adapt to local realities, and thus many of them seek out local partners with which they can co-operate.

The situation regarding the media in the South Caucasus is as ambiguous as that of NGOs. For a start, state-controlled media has not been politically neutral, particularly in the run-up to elections. The OSCE stated that during campaigning for the March 2003 presidential elections in Armenia, ‘public TV and the major State-funded newspaper were heavily biased in favour of the incumbent’ and that in corresponding elections in Azerbaijan in November 2003, ‘media coverage of the campaign was characterized by an overwhelming tendency of state-owned and government-oriented media to exhibit an overt bias in favour of Prime Minister Ilham Aliyev.’ In Georgia, the state media was less overtly biased, and the reporting on independent television channel Rustavi-2 was considered to play a key role in informing the public about the election violations and subsequent protests. Though this is a very positive step, there is a danger that this example might convince other regimes to clamp down even more firmly on freedom of speech, as it can clearly present a threat to their continued hold on power.

The level of press freedom in the three countries is also less than ideal. The 2003 press freedom rankings by Reporters Without Borders placed Georgia 73<sup>rd</sup>, Armenia 90<sup>th</sup>, and Azerbaijan 113<sup>th</sup> out of 164 countries.<sup>57</sup> There have been a number of cases where journalists have been intimidated or attacked, though of course it is hard to say who is ultimately responsible. Nonetheless, incidents such as the death of independent television presenters Georgy Sanaya in Georgia in July 2001 and Tigran Naghdalian in Armenia in December 2002 suggest that journalists cannot feel entirely safe when reporting on certain issues. Private broadcasters and newspapers have sometimes been fined or lost their licenses for apparently political reasons. In Azerbaijan, for example, journalists from several independent newspapers, including *Azadliq*, *Femida* and *Yeni Musavat* have faced libel proceedings for

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<sup>57</sup> Reporters without borders, annual report, 2003.

publishing articles focusing on corruption, incompetence and social problems. In Armenia, Mesrop Movsesian, the outgoing chief of television channel *AI+*, alleged that he had lost his license to another bidder because his station criticised the government. Nevertheless, in all three countries there are independent media outlets. Furthermore, despite the flaws in both the independent and state-controlled media, it clearly does play a key role in formulating public opinion and thus provides an important function in society.

One further element of civil society that is often overlooked, but may be particularly significant in the Caucasus, is at the level of local community institutions, both formal and informal. Given the difficult mountainous terrain, the large number of ethnic groups in the region, and the fact that outside the major cities, the influence of modern urban life has been quite small, family, clan and ethnic loyalties often play a particularly important role in daily life. Religious figures may also be well respected and often have more authority in the public's eyes than government officials.

### **Civil Society and the Security Sector**

Thus civil society as a whole is flawed, but in some ways quite vibrant. As far as the security sector is concerned, however, it is undoubtedly the case that civil society involvement is very low. There are no more than a handful of organisations across the region that work directly on security issues.<sup>58</sup> There are a number of reasons for this. The first may simply be that there are few individuals with much expertise on the civilian side of security matters; it may not be surprising that there is a knowledge vacuum within civil society, when governments themselves struggle to find suitably trained staff. Secondly, in some areas it may be felt that security issues are not one of the most pressing priorities – this appears to be the case in Armenia, where, given that there are no conflicts directly on Armenian territory and there is a perception that Armenia has

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<sup>58</sup> The one notable exception are groups uniting veterans of the recent wars in the South Caucasus. These have the potential to play a significant role in pressing for the rights of ex-combatants, but some feel they are deliberately marginalised or ignored by their governments.

‘won’ the war in Nagorno-Karabakh, other issues, such as basic poverty, are thought to be much more important. Thirdly, some people may feel that work that involves analysing and criticising the work of the security sector is too dangerous, as being too vigorous in one’s criticism could potentially lead to trouble, either officially or unofficially, with people who, for their own reasons, wish to keep certain information out of the public domain. Finally, and perhaps most importantly, there is widespread pessimism about what, if anything, civilian actors can achieve in such matters – and thus a feeling that it is better not to waste one’s time trying.

It is this general public cynicism that gives the clearest indication of the lack of civil society engagement in the security sector. To some extent, this cynicism towards the security sector is merely part of a wider public distrust of the state – though much of this distrust is caused particularly by the actions of the ‘power ministries’ (i.e. the ministries of defence, interior and state security), who are generally seen as being the most corrupt and threatening branch of power. For many civilians, their primary (and perhaps only) mode of interaction with the police force may be in the payment of ‘fines’ for questionable traffic offences. The public holds little hope that it can rely on the law-enforcement agencies for protection from crime. In the aforementioned sociological surveys, only 5.5% of Georgian respondents, 10.5% of Armenian respondents and 26.4% of Azerbaijani respondents answered positively to the question ‘How would you characterise the work of the police in your country?’; the most common answers in all three countries were ‘they mostly pursue their own interests’ and ‘regular citizens would do better to avoid the police.’<sup>59</sup> Similar attitudes are generally found towards the legal system – there is a widespread belief that the decision of the courts depends on the bribe paid, rather than on justice or the truth.<sup>60</sup> This leads

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<sup>59</sup> Regional Project “South Caucasus Network for Civil Accord”, ‘Situation with Human Rights in Countries of South Caucasus: Results of sociological surveys 2002’, Yerevan: Armenian Sociological Association, 2003, p.32.

<sup>60</sup> Civil society groups such as the Helsinki Association of Armenia, the Human Rights Centre of Azerbaijan and the Georgian Young Lawyers Association have been campaigning for the strengthening of the rule of law and highlighting human rights abuses, meaning that there is at least some monitoring of the legal system by civil society.

to a general perception that security is not a public right – it is a commodity available only to those who can afford it. Even where official complaint mechanisms exist, the public tends to doubt they will have any effect. In response to a question on who they turn to when their civil rights are violated, over 80% of Armenians and Azerbaijanis, and 70% of Georgians, answered either ‘nobody’ or ‘friends and relatives.’

The overall view is that most security forces are more concerned with pursuing their own interests than in defending the citizens and the state. This may take two forms. Firstly, there are often suspicions that certain security services are not politically neutral, and function as much to preserve the incumbent regime as to maintain stability in the state as a whole. In the October 2003 presidential election in Azerbaijan, for instance, international observers noted that ‘an atmosphere of intimidation gravely undercut public participation and free campaigning. This situation was compounded by serious violence and an excessive use of force by police at some stages.’ Examples of state agencies functioning in an apparently biased way were also quoted in elections in Armenia and Georgia.<sup>61</sup> Secondly, these forces are often corrupt, and simply more interested in making money than their official tasks. It is well known in Armenia that Ministry of Defence officials have business interests in a number of profitable industries, such as the oil and tobacco trade. Some of the profits go into unofficial ‘slush funds’ that boost the Ministry’s budget; the rest presumably goes straight to those involved.<sup>62</sup> This is not an isolated case – similarly corrupt practices have been

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<sup>61</sup> OSCE/ODIHR Election Observation Mission Report, ‘Republic of Azerbaijan Presidential Election 15 October 2003’, p.3, [www.osce.org/documents/odihr/2003/11/1151\\_en.pdf](http://www.osce.org/documents/odihr/2003/11/1151_en.pdf)  
see also ‘Republic of Armenia Presidential Election 19 February 2003: Statement of Preliminary Findings and Conclusions’, [www.osce.org/odihr/documents/reports/election\\_reports/am/am\\_19feb2003\\_efr.p hp3](http://www.osce.org/odihr/documents/reports/election_reports/am/am_19feb2003_efr.p hp3);  
‘International Election Observation Mission: Parliamentary Elections, Georgia – 2 November 2003’, [www.osce.org/press\\_rel/2003/pdf\\_documents/11-3659-odihr1.pdf](http://www.osce.org/press_rel/2003/pdf_documents/11-3659-odihr1.pdf)

<sup>62</sup> Avagyan, Gagik (2003). ‘Armenia: Forcing the Peace’ in Anna Matveeva and Duncan Hiscock (eds), *The Caucasus: Armed and Divided – Small arms and light weapons proliferation and humanitarian consequences in the Caucasus*. London: Saferworld, p.37.

identified in a number of ministries in all three countries. Given that Azerbaijan and Georgia both ranked joint 124<sup>th</sup> out of 133 countries in Transparency International's Corruption Perception Index,<sup>63</sup> it is safe to say that high levels of corruption are pervasive across the South Caucasus.

### **Improving Security Sector Governance in the South Caucasus, and Integrating Civil Society into the Equation – why does it all Matter?**

Does this lack of civil society involvement, and the largely negative public attitudes towards the security sector, actually matter? The answer is yes, both because they limit the efficacy of the state security actors to perform their tasks, and because they are also an obstacle to the peaceful resolution of the frozen conflicts in the South Caucasus.

At the national level, it is clear that the poor level of interaction between civil society and the security sector makes it harder for the state agencies to function efficiently. For a start, it is clear that they are missing out on the potential benefits listed above of greater civil society involvement, in terms of more individuals with expert knowledge of security issues, more and better ideas being generated, independent monitoring of their progress, and so on. At a much more basic level, however, public co-operation is often essential to the successful work of certain agencies. For example, the police cannot hope to be very effective if people do not even report crimes, or do not trust the police enough to aid them in their enquiries. The work of customs officials and border guards can similarly be enhanced by public willingness to co-operate and provide information on criminal activity. Recruitment for the armed forces, whether for military service or career professionals, is hindered by negativity towards army life, and those that can find a way to avoid enlisting generally do so. The result is that the army may have trouble attracting the most talented or suitable members of the population.

Where the official security agencies are perceived to be unable to defend their citizens, protecting oneself becomes a personal matter. One clear result of this is high levels of illegal small arms possession in many

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<sup>63</sup> 'Transparency International Corruption Perceptions Index 2003', [www.transparency.org/cpi/2003/cpi2003.en](http://www.transparency.org/cpi/2003/cpi2003.en)

areas. People may acquire weapons to defend themselves against mafia groups and other criminals, believing the police will not do this for them. With no final peace deal found to the conflicts in the region, the fear of further fighting provides another strong reason to hold on to one's weapon. The danger is, however, that this arms proliferation makes the region as a whole more insecure. Weapons that are not registered or controlled can easily fall into criminal hands or through the illegal arms trade flow to and from conflict hotspots, fuelling further violence. Furthermore, high levels of arms possession impede conflict resolution, as the presence of large quantities of weapons, particularly if they are not under state control, stokes suspicion that the other side either intends, or is unable to prevent, further violence.

In fact, it is clear that the whole issue of security sector governance and reform is closely linked to the success or failure of conflict resolution efforts. Improving security sector governance is but one part of a process of strengthening the state and making it more acceptable to the people, and only if the public has a sufficient degree of trust in the state can the state be confident that it will be supported when it makes the compromises that are necessary to the non-violent resolution of any conflict. It is essential that civil society is part of this process, even though it is unlikely to be directly involved in peace negotiations. The difficulties surrounding the attempts to come to an agreement on the future of Nagorno-Karabakh are a clear demonstration of what can happen if the public is not considered. Though the frozen conflict in Karabakh is obviously the most important security issues facing both Armenia and Azerbaijan, the search for peace was seen as a matter for senior government officials only. Those that were directly affected by the conflict, in particular refugee groups, felt that they were rarely consulted. Crucially, little effort was made to generate a realistic public debate in either country about the future of the territory. The result is that even when it has appeared that behind closed doors, progress has been made, both the Armenian and Azerbaijani leadership have had trouble promoting any aspect of a peace deal to a cynical public, who exhibit little understanding that compromise is either necessary or, in the long term, to their benefit. Accusations that Levon Ter-Petrosian was preparing to 'sell out' Karabakh were a major factor in his fall from

power in 1998, whilst it is generally believed that agreement was close at Key West in Florida in 2001, but later abandoned when presidents Kocharyan and (in particular) Aliyev returned to their respective countries to find that the deal on offer was politically beyond the pale. Until more is done to foster public support for a peace settlement, including an awareness that compromises will need to be made, this situation is likely to continue. This will require greater involvement of civil society organisations in the peace dialogue, and in particular, the transmission of these ideas through the media.<sup>64</sup>

It is not only the citizens of a state itself that need to be convinced that the security sector is democratically controlled and essentially aims to protect their lives and rights. Though the peace-loving nature of democracies is often exaggerated, it is not unreasonable to suggest that most states would prefer their neighbours to have responsible and efficient security institutions, with which it is possible to co-operate on cross-border security issues. Moreover, trust in the security sector is a key issue in resolving conflict between central government and separatist regions. If the final goal of the central authorities is some form of re-integration of the separatist region into a unified state, one of the largest obstacles will be the lack of trust between those security officials in the capital and those in the breakaway (unrecognised) republic. This lack of trust, or even animosity, is likely to be particularly intense as it is probable that these people fought against each other in the original conflict. Persuading the separatist state that some form of re-integration is acceptable will therefore require firm evidence that the central security institutions do not present a threat to the people of the separatist state – which is unlikely to be possible unless these institutions are seen to have changed and are now democratically accountable and non-biased. Even where such re-integration currently seems totally unrealistic, well-designed security sector reform may still succeed in improving trust between the conflicting sides, making some form of resolution possible.

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<sup>64</sup> One step in this process is being supported by the UK Department for International Development, which has sponsored a consortium of NGOs to work on building dialogue and a constituency for peace through work with civil society, the media and the parliaments of the conflict states.

## Challenges to the Reform Process

The potential benefits of improving the level of democratic governance over the security sector should thus be clear. The question now is whether such reform is actually achievable, and whether possible obstacles to the success of the reform process can be overcome. By far the biggest challenge will be to ensure that there is enough political backing for reform. Without a genuine commitment to reform on the part of the states of the South Caucasus themselves, the process will fall at the first hurdle. Similarly, if the international community cannot coordinate its policies on political, technical and financial support, reform is likely to be piecemeal and ineffective. To avoid these potential traps, it will be necessary to consult widely to clarify the aims and objectives of reform, and how it will be implemented – and civil society must be part of this dialogue.

Two observations about the nature of ‘security sector reform’ should help to highlight the potential risks associated with initiating such a reform process in the South Caucasus. Firstly, a brief glance at the history of ‘security sector reform’ as a concept makes it clear that it has generally been an externally-led process. What is now referred to as security sector reform stems largely from the traditional study of civil-military relations being adapted to the needs of development agencies, as they became increasingly aware in the post-Cold War environment that insecurity could be a major obstacle to development.<sup>65</sup> Hence security sector reform has been largely donor-driven, and this is reflected by the fact that there appear to be as many documents detailing how donors should input into the process as there are giving practical advice to states that are themselves trying to implement reform. The implication is that the nascent interest in security sector governance and reform in the South Caucasus may stem as much from a shifting of international priorities as to an internal realisation that reform is necessary. In the last few years, Western interest in the Caucasus has been growing, both because of its natural resources and because of its key strategic position. Alongside greater bilateral involvement, organisations such as the OSCE

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<sup>65</sup> Edmunds, Timothy (2002). *Security Sector Reform: Concepts and Implementation*, Working Paper no. 3. Geneva: DCAF.

and NATO have expressed their intention to focus more on the South Caucasus (and Central Asia). This is clearly to be welcomed – but the success or failure of co-operation on specific issues will depend on whether common objectives can be found by enough of the actors involved.

Is security sector reform an area where enough common ground can be found? A second observation about the discipline highlights a potential problem. Security sector reform has been most concerned with two types of situation – post-conflict and post-authoritarian scenarios. The states of the South Caucasus contain elements of both, but fit neatly into neither. Though there has been virtually no active fighting since 1994, no part of the region can truly claim to be ‘post-conflict’, as between them, the three frozen wars continue to affect everyone. Nor do these states really fit into the ‘post-authoritarian’ category. At first, this may seem strange: surely the Soviet Union was authoritarian, and thus the states that were formed out of them may be classed as ‘post-authoritarian’? Perhaps, but replacing the word ‘post-authoritarian’ with another (admittedly problematic) word, ‘transition’, illustrates the problem better. Unlike post-authoritarian, transition states in Central and Eastern Europe, or even Latin America, there is no clarity about what form of state the governments of the South Caucasus are attempting to transform into, and this is the crucial difference. Most international experience in security sector reform has been in situations where there is a clear break from the old regime, and general agreement about the eventual goals; attempts to run reform programmes in parallel with conflict resolution, and with less certainty about the overall direction the state is headed, are much less charted waters. While Poland and Hungary, for example, saw security sector reform as an essential part of their integration into Western structures such as the EU and NATO, this remains a distant prospect for the states of the South Caucasus. If the international community wishes these states to reform, it will need to think carefully about what incentives it can offer beyond the usual abstract promises of greater peace and prosperity. Part of this entails demonstrating that its engagement in the region will be substantial and long-term; if involvement does not exceed occasional workshops and seminars that

focus more on what states should do than on giving them the resources to do so, interest in reform will soon wane.

This is not to say that successful reform is impossible. If enough common ground and political will can be found, there is no reason why any obstacle cannot be overcome. Does this agreement exist, however? It would be foolish to rush into reform projects simply because various people feel that they must be seen to be doing something. Unfortunately, there are reasons to be pessimistic about the commitment of the states of the South Caucasus themselves, and about the usefulness of international involvement in the process.

Perhaps the greatest reason to doubt the commitment of states in the South Caucasus to security sector reform is that their attitude towards democracy as a whole remains questionable. The elections held in all three recognised states in 2003, criticised to varying degrees for infringements such as ballot-stuffing, incorrect voter lists, and voter intimidation, provided strong evidence that these regimes' approach to democracy is less than satisfactory. International observer missions felt that these failures could not be attributed to a lack of technical expertise or equipment. The OSCE concluded that the deficiencies in the 2003 presidential election in Armenia were due to 'a lack of sufficient political determination by the authorities to ensure a fair and honest process,'<sup>66</sup> and that the failure to meet international standards in the Azerbaijani presidential election 'reflected a lack of sufficient political commitment to implement a genuine election process.'<sup>67</sup> This apparent lack of enthusiasm for proper democratic procedures in their most obvious manifestation does not bode well for attempts to improve democratic mechanisms in a field as sensitive and central to the functioning of the state as the security sector. Georgia presents a different case. The 2 November parliamentary elections, which raised

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<sup>66</sup> 'Republic of Armenia Presidential Election 19 February 2003: Statement of Preliminary Findings and Conclusions', accessed on 6 January 2004 under [www.osce.org/odihr/documents/reports/election\\_reports/am/am\\_19feb2003\\_ehr.php3](http://www.osce.org/odihr/documents/reports/election_reports/am/am_19feb2003_ehr.php3).

<sup>67</sup> 'Republic of Azerbaijan Presidential Election 15 October 2003', OSCE/ODIHR Election Observation Mission Report, 2003, p.3, accessed on 6 January 2004 under [www.osce.org/documents/odihr/2003/11/1151\\_en.pdf](http://www.osce.org/documents/odihr/2003/11/1151_en.pdf).

‘questions about the willingness and capacity of the Georgian governmental and parliamentary authorities to conduct a credible election process,’<sup>68</sup> led to the mass protests that culminated in the resignation of President Shevardnadze. It remains to be seen, however, whether the new government, once elected, will maintain its commitment to anti-corruption measures, openness and transparency – particularly in the security sector – once it has been in power for a while.

The commitment of the international community to act is less in doubt; it has been noted earlier that both national governments and international organisations have expressed their desire to deepen their engagement in the region. The risk here is more that the multitude of international actors that are interested in the South Caucasus may all pull in different directions, effectively cancelling each other out. The South Caucasus forms a natural crossroads between a number of great civilisations and powers, and this, combined with the Caspian basin’s natural oil and gas resources, has meant that Western planners have begun to attach greater significance to the region. Yet Western governments have often ignored the fact that despite their greater involvement in the area, they are still far from the only voice that is heard there, and that the interests of a number of other states must be taken into account. This means, above all, Russia. After all, Moscow was in control of the region that has come to be known as the South Caucasus until 1991, and it is understandable that Russia will continue to have an interest in what happens along its borders. Western governments must accept that Russia will continue to play an important role in the South Caucasus, even if its actions are not always positive or benign. Even where other states are not directly included into the dialogue, their likely reactions to events must be factored in. This is particularly true of Iran, which certain Western governments have sought to isolate; whether they like it or not, however, Iran shares a border with Azerbaijan and Armenia, and its views will need to be considered. Lastly, though Turkey is seen as a Western ally in the region, it should be realised that Turkey’s priorities in the region, in

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<sup>68</sup> ‘International Election Observation Mission: Parliamentary Elections, Georgia – 2 November 2003’, accessed on 6 January 2004, [www.osce.org/press\\_rel/2003/pdf\\_documents/11-3659-odihrl.pdf](http://www.osce.org/press_rel/2003/pdf_documents/11-3659-odihrl.pdf).

particular its strong support for Azerbaijan, may not always correspond to the strategic interests of the West more broadly.

The danger is that the South Caucasus continues to be a geopolitical or ideological battleground. This could mean that different major actors engage in activities that although designed for the benefit of the region, end up negating each other's effects; the states in the region might see an interest in playing major actors off against each other – even if this is to the detriment of regional, and eventually their own, development. Even if reforms are carried out with some success, it could come to nothing if the success of these reforms in one area causes fear and suspicion in neighbouring areas. For example, the US Georgia Train and Equip (GTEP) programme designed to enhance that country's counter-terrorism and command and control capacities, has aroused concern in South Ossetia and Abkhazia that Georgian troops might one day be deployed in operations against these breakaway states, though the Georgian leadership have stated that this will not happen. In a similar fashion, it is not hard to imagine that many possible security-related reforms in Armenia or Azerbaijan could be interpreted by the other side as increasing the threat towards them, leading them to take counter-measures that succeed only in making everyone less secure.

Hence unless more is done from the early planning stages to coordinate policy objectives and programmes, the best intentions may run aground. This will involve a wide consultation process that aims to take in the voices of all concerned, with the purpose of identifying how much genuine political support there currently is for security sector reform (and from whom), and what can be done to build on this. The UK Department for International Development suggests 'the convening of a series of small workshops that bring together the military and other security and intelligence actors, civil servants, politicians, media and civil society groups.'<sup>69</sup> Indeed, civil society, including the media, academics and NGOs, has a crucial role to play in this process. Firstly, it is important to understand that although on the surface the states of the South Caucasus may be similar in structure to those of Western

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<sup>69</sup> *Understanding and Supporting Security Sector Reform*. London: Department for International Development, 2002, p.14.

developed countries, the underlying assumptions and attitudes towards security issues, and the practice that results from this, may be quite different. Civil society actors may be able to speak more openly and candidly about such issues than government officials who feel they must follow a particular line, and their input is thus vital. Secondly, as noted above, civil society plays a vital role in bridging the gap between the individual and the state; this is particularly true of the media and, in much of the Caucasus, veterans groups. Civil society involvement is a two-way process: not only can civil society actors contribute their opinions to the dialogue; they can also transmit information back to the public at large, thus building interest and support for reform. Thirdly, civil society, especially research institutions and NGOs, can actually help to organise the consultation process, as often they are seen as more neutral than other actors, and thus able to bring together a wider spectrum of participants. Given the complicated political situation in the South Caucasus, international NGOs may be best placed to facilitate dialogue at the regional and international levels.

## **A Programme for Reform**

The first step, then, will be reaching some sort of consensus on a broad agenda for security sector reform in the South Caucasus. Once this has been agreed, it will be necessary to develop programmes aimed at improving specific aspects of security sector governance. In its recently published Institutional Assessment Framework, the Clingendael Institute suggests five entry points it considers key for interventions strengthening the quality of democratic governance in the security sector: the rule of law; policy development, planning and implementation, professionalism of the security forces; oversight; and managing security sector expenditures.<sup>70</sup> This list is not extensive, but gives an indication of the type of areas in which reform may be necessary.

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<sup>70</sup> Ball, Nicole, et. al. (2003). *Enhancing Democratic Governance of the Security Sector: An Institutional Assessment Framework*. The Netherlands Ministry of Foreign Affairs/The Netherlands Institute of International Relations 'Clingendael', p.26.

It is at this stage in the reform process that civilians with a high level of expertise are most valuable. The Assessment Framework suggests that a multidisciplinary team of experts should provide an evaluation (‘mapping and analysis’) of the key factors influencing the level of democratic governance in the five areas outlined above, the core needs and challenges for the security sector, obstacles to change and how these obstacles might be overcome. It is important that this team should include independent experts, ‘so that the various stakeholders in the process will have a high level of confidence that no specific interests are either being served or remain unacknowledged or unaddressed’.<sup>71</sup> Academics, and possibly also certain NGO staff, are most likely to have the necessary combination of experience and independence.

Once this mapping and analysis phase is complete, it will be largely up to the government, supported by its partners, to decide on how best to implement these recommendations – and then, crucially, to actually implement reform. The states of the South Caucasus are likely to remain cautious about the benefits of engaging with the international community on an issue as sensitive as security sector governance until they can see some tangible results. Well-chosen pilot projects may help to test the ground for future co-operation. The choice of project will of course depend on the specific needs and capacities of the state in question. One possible entry point for countries wishing to work together, however, may be police reform.

Over the past few years, there has been increasing interest in the concept of ‘community-based policing’, which aims to build trust and partnership between the community and the police. It is based on a belief that ‘the solutions to community problems demand allowing the police and the public to examine innovative ways to address community concerns beyond a narrow focus on individual crimes or incidents.’<sup>72</sup>

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<sup>71</sup> Ibid, p 94.

<sup>72</sup> Saferworld (2003). Philosophy and Principles of Community Based Policing. Policy Options Framework Document on Community-Based Policing, produced for the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), the UNDP Country Office in Albania and the UNDP

Such initiatives are already showing positive results in countries such as South Africa, Malawi and Northern Ireland, and are being introduced in a number of other countries across the globe. The OSCE has been active in promoting police reform within its region, and has initiated projects, *inter alia*, in Serbia and Montenegro, Kyrgyzstan, and most recently Armenia (still at the consultation and design phase).

Police reform projects may be a suitable entry point for a number of reasons. Firstly, of all the security institutions, the police is probably the one that interacts (or at least *should* interact) most regularly with the public, and has the biggest influence over daily security. Fear of crime and personal security are one of the most important issues for civilians across the region. Efforts to reform the police therefore send a strong signal about the government's commitment to improving democratic governance and public security. Secondly, community-based policing may be of particular relevance to the South Caucasus environment; there are a lot of small communities that are currently poorly policed and isolated, and such initiatives could have a state-building element by improving their level of interaction with the authorities. Furthermore, the influence of traditional forms of self-policing is still much stronger in such small isolated communities, and they can thus provide vital experience about the local security context. Finally, though the police must also respond to cross-border threats from organised crime and terrorism, they are concerned primarily with their own territory. This means that reform of the police is generally less sensitive than of more obviously military institutions.

A further obstacle, as noted above, is that civil society in the South Caucasus remains weak, and knowledge of security matters is low. Much of what needs to be done applies equally across the third sector. Government attitudes towards NGOs and the media are often very negative and obstructive. The legislative environment, particularly in Azerbaijan, complicates the registration of NGOs and discourages philanthropy. For their part, NGOs themselves must work to improve their image, become less politicised, and demonstrate that they are truly

able to provide some form of public service rather than simply making money. In the short to medium term, the health of civil society will continue to depend in part on foreign support. Donors should target this aid to improve the professionalism, organisational and planning abilities of NGOs. They could sponsor regional networks of academics and NGOs, and help to strengthen links between local civil society actors with the wider world. International actors are well placed to develop the capacity of civil society to work on security-related issues, if possible working with more developed local organisations that already have some experience themselves. Some possible examples might be training to improve conflict sensitivity and awareness of small arms and other security issues; media projects to improve the quality of reporting and investigative journalism; or work with community leaders to raise understanding of security issues at the local level. This should eventually lead to civil society becoming more able to play the watchdog role it already plays in some developed democracies.

### **Conclusion – First Steps and Entry Points**

The ideal of a strong, vibrant, knowledgeable and responsible civil society contributing to the democratic governance of the security sector of states in the South Caucasus is still a long way off. This paper has attempted to indicate some of the steps that will be needed to get there, and how and why civil society should be involved, and has also highlighted some of the potential threats to the reform process. The biggest challenge will be to ensure that right from the start there is a coherent vision for reform shared by governmental and non-governmental actors both from the South Caucasus itself and from the wider international community. Achieving this will require wide-ranging consultation, a venture that civil society can help to organise.

Nonetheless, it is naïve to imagine that complete unity can be obtained on the objectives of reform. Well-chosen pilot projects will be needed to demonstrate the benefits of national governments, the international community and civil society working together on an issue as sensitive as security sector governance. Community-based policing projects may be the best means of showing that civil society, from community leaders, to

NGOs, to the media, is essential to the process of security sector reform. The OSCE police reform project in the Arabkir region of Yerevan will be an early test of whether the governments of the South Caucasus and the international community can work together. It is hoped that this project will be a success, and that it will lead to more substantial efforts to improve the quality of democratic governance over the security sector, and, ultimately, the security and quality of life of the citizens of the South Caucasus.

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## GEORGIAN SECURITY SECTOR: ACHIEVEMENTS AND FAILURES<sup>73</sup>

### Introduction

Currently, the term security sector is not only understood in terms of traditional military-political institutions such as army, external intelligence, and command and control systems. As the edition of the UK Department for International Development "Understanding and Supporting Security Sector Reform" puts it: "[...] in broad terms the security sector comprises all those responsible for protecting the state and communities within it."<sup>74</sup> Accordingly, police, justice, public and nongovernmental organizations and human rights protection institutions can also be included in the security actors' list.

The understanding of security policy has been broadened over the years and thus also the definition of what the security sector is. This can be illustrated by the fact that security becomes a field of interest and activity not only for national defense ministries, security councils or regional military-political organizations. Nowadays, the international or national developmental agencies also pay attention to this area, which traditionally belonged to the sphere of the so called 'high politics' and was associated with the military build-up and strategic planning. Recent conferences dedicated to developmental issues are not content to simply condemn armament and excessive military spending, but also address the subject of best practices in building security institutions, the

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<sup>73</sup> This text will also be published in Wilhelm N. Germann and Andrzej Karkoszka (eds.), *Success and Failure in Security Sector Reform in Central and Eastern Europe. A Review of Case and Country Studies*. Baden-Baden: NOMOS, 2004 (forthcoming).

<sup>74</sup> Understanding and Supporting Security Sector Reform, Issues, DFID, 2002, p.7

transformation of roles and missions of defense and security agencies, civil control and the development of a national strategy.<sup>75</sup>

The notion and politics of security are currently under change for several reasons and are conducted in several directions. Firstly, on the national level the threats have changed and imply now activities of non-state actors rather than hostile intentions of competing national powers. Those include organized crime, drug trafficking and terrorism. Intrastate conflicts, environmental degradation and mass displacement of refugees also constitute new risks. It is essential to protect energy routes and international free trade regimes. In several transition states corruption has increased to a degree that it has become a national security threat.<sup>76</sup> Consequently, intra-political, economic, societal, environmental dimensions increasingly enrich the military-strategic dimension of security politics. It expands the number of actors and agencies of the national security systems.

Secondly, in the West the notion of national security is further complemented with the concept of human security. This is partly due to a highly developed civil society that cares about security issues as much as do the military, diplomats or police. This is enforced by the fact that the borderline between security and development policies is slightly blurred and that human rights and human basic needs have acquired paradigmatic understanding. According to a new approach the national security concept does not suffice to guarantee people's security.<sup>77</sup> The protection of state sovereignty, territorial integrity and independence cannot be the only set of objectives of a security policy. The new approach thus advocates for the humanization of the security system, calls for the protection of citizens in their daily life and the respect of

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<sup>75</sup> Conflict, Peace and Development Cooperation on the Threshold of the 21st Century, Development Assistance Committee. Organization for Economic Cooperation and Development 1998; Military Expenditures in Developing Countries: Security and Development, DAC, Government of Canada 1998 (Final Report and Follow up to the 1997 Ottawa Symposium).

<sup>76</sup> Chris Donnelly, Rethinking Security, NATO Review 2000-2001, p.33.

<sup>77</sup> Human Security. Safety for People in a Changing World, Canadian Department of Foreign Affairs and International Trade, April 1999.

citizens' rights even at the expense of short-term efficiency of security institutions.

The human security policy stipulates that national security threats foremost arise when the governmental and security institutions fail to protect the citizens' rights, and/or even treat them in a predatory manner. At the same time, developmental issues such as unemployment, problems of nutrition, clean water and sanitation, become relevant for security. The merging of security and development policies and the equal importance of national and human security policies is becoming a cornerstone of the foreign assistance to the developing world. As an example one might recall the US assistance to Honduras and San Salvador in the 90's, when anti-insurgency assistance has had important developmental and democracy building dimensions.

At the same time a shift from armament and security dilemmas towards a cooperative security approach could be observed since the late Cold War period. The concept of cooperative security sees the basis of peace not in a balance of power, but in confidence building and the coincidence of national value systems.<sup>78</sup> In fact, the cooperative security fits the broader understanding of security, since the democratization of national security sectors and the transparency of security postures are the best tools for confidence building in the international arena.

However, the implementation of new security approaches is not always effective. The outcome of security assistance for developing and post-Soviet countries depends on the level of donors' coordination and the professionalism and political will of the recipients. Speaking about security, one cannot completely disregard competing national interests, old animosities and mistrusts in international relations. Still, despite the absence of world peace or the end of history, despite the dramatic developments since 9/11, the attitude of the international community towards various security issues basically follows the above-described pattern of cooperation. Deviations from the cooperative and human security approaches risk bringing international isolation and are

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<sup>78</sup> Richard Cohen, Michael Mihalka, Cooperative Security: New Horizons for International Order, The Marshall Center Papers, No 3, April 2001.

particularly dangerous for weak countries, as it is the case of Georgia. Globalization imperatively requires the democratization of the security sector and underlines the need of cooperative and human security.

### **The Georgian Security Sector: an Oversight**

From the first glance, the Western lessons and assistance given in the democratization and civilianization of the national security sector and policy did make a difference in the activity of the Georgian political elite.

Georgia is a member of the Council of Europe and participant of the NATO Partnership for Peace (PfP) Program. After NATO's Prague summit the Georgian government started the development of the individual partnership action plan with NATO. The country receives assistance from international financial organizations and from the US and other developed Western states. As a result, Georgia is obliged to take into consideration the recommendations and demands of the international community with regards to security sector reform and the involvement in regional or international cooperation programs.

To a certain degree, the Georgian security sector has many similarities with the democratic security systems. The country has a constitution, which stipulates the division of powers and submits the military and paramilitary agencies to a political control. The parliament discusses and adopts the state budget, which includes defense and security spending. The President is the Supreme Commander of the armed forces and chairs the National Security Council. The armed forces, including army formations and the National Guard, border protection forces, interior troops and some other units, are subordinated to the various state ministries and agencies. An independent judiciary is guaranteed under the constitution. Furthermore, Georgia joined the Convention for the Protection of Human Rights and Fundamental Freedoms<sup>79</sup> and incorporated many of its principles in the constitution.

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<sup>79</sup> [www.echr.coe.int/Convention/webConvenENG.pdf](http://www.echr.coe.int/Convention/webConvenENG.pdf).

Also, the government declares that the conflicts with the secessionist, former autonomous, republics from Abkhazia and South Ossetia should be managed by peaceful means and through international peace mechanisms. Official Tbilisi condemns the so-called 'aggressive' separatism, but the extremist nationalism from the Georgian side is not welcomed either. The former Georgian president, Edouard Shevardnadze, supported and promoted the idea of regional co-operation in several international forums. Among the South Caucasus countries, Georgia is especially inclined towards a strategic partnership with Azerbaijan as it has a vital interest in transporting Azeri energy resources towards the West. However, Tbilisi is also sensitive in relations with Armenia, which has serious problems with Azerbaijan. Thus, Georgia has acquired some sort of leadership and actively promotes the idea of cooperative security within the South Caucasus region. Despite the tensions arising in its relations with Russia, one can say that the official rhetoric with regards to this northern neighbor is relatively cautious and peaceful.

But Georgia is also being called a weak state.<sup>80</sup> Therefore, the country's security sector encounters a range of serious problems. Some of those are determined by external and internal risks and threats. Others result from the shortfalls of the security sector and the political system itself. As a result, the achievements mentioned above are only partial, to put it mildly. The legislative activity and the steps made in the international arena cannot disguise failures of the security policy and in the state building process. But the main problem remains the change from words to acts.

Neither national nor human security is provided in Georgia and its real contribution in promoting cooperative regional security is very weak. The conflicting situation in the region is not the only cause. The low level of internal legitimacy and international respect for the former Georgian government caused further difficulties. Problems of legitimacy

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<sup>80</sup> For more information see: Darchiashvili, David and Ghia Nodia. 'The Weak State Syndrome and Corruption', in *Building Democracy in Georgia*, International IDEA, Discussion Paper no5, Printinfo, Armenia, May 2003.

and lack of respect had been strongly affecting the security sector for years.

Using the criteria of "best practices" in the security sphere, this paper discusses Georgia's bewildering pace towards democratization, particularly in regard to its security sector. Together with a few achievements, the essential problems and threats faced by the country are shown and ways ahead are highlighted.

## **Achievements**

Several mechanisms for the establishment of the democratic civilian control over the defense and security forces are incorporated in the constitution and the subsequent laws. As an example, one can mention that according to the constitution, the parliament adopts the budget and defines the main lines of the national and foreign policy. The president, as the supreme commander, cannot employ armed forces in emergency situations without the parliamentary consent.

Among the laws addressing roles and responsibilities of power agencies<sup>81</sup>, there are some on defense, on policing, the interior troops and on state security etc. The law on operative-investigative activity is noteworthy in this respect: according to it, special operations, which are secret (covert observation of suspects, creation of a network of special agents etc) can be conducted by not less than seven agencies. Four out of the seven belong to military power agencies, two are more civil than militarized institutions and one is the State Intelligence Department.<sup>82</sup>

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<sup>81</sup> The Notion, "Power Agency" comes from Soviet past and is still heavily used in some post-Soviet states. It implies those structures, which have military character.

<sup>82</sup> Among them, the Ministry for Interior and the Ministry for Security, the State Protection Service and the State Department for Border Protection are defined as power agencies. The State Intelligence Department can also partially be regarded as power agency (its officers have ranks, analogous to the military. They are armed and participate in special operations). The two remaining ones are the Customs Department and the Taxation Inspection. (The Law on operative-investigative activity, 1999, April 30, in Sakartvelos Sakanonmdblo Matsne, No14, 1999).

This or some other special laws (i.e. the Law on State Secrets and the Law on the Status of the Servicemen) contribute to the building of a democratic state, based on the rule of law. For example, amendments of the Law on Defense, adopted in 2001, made an attempt to separate the functions of the General Staff and the Ministry of Defense. This idea derived from the practice of civil-military relations in mature democracies. Parallel to that, a general legislation such as the Administrative Code establishes the principles of democratic accountability.

According to legislation, any commercial activity is prohibited for the employees of power agencies. This prohibition also follows the pattern of democratic civil-military relations. Security agencies can lease or sell property which is not needed any more. Some of the power structures, namely the State Protection Service and the Property Protection Department of the Ministry of Interior, can place contracts and provide protection for payment. But this should be done in a transparent manner, monitored by the state authorities and the income should be used for the respective agencies' development and not taken by its commanders. All power structures have some productive assets, agricultural or other, which might be used for extra budgetary income generation, but this income should also be shown in the state budget. The law dealing with conflicts of interest and corruption in public agencies regularizes the above-mentioned in order to prevent the uncontrolled commercialization of power agencies. According to it, any public servant is prohibited from commercial deals with his/her relatives.

The political activity of the military, police and special agency employees is also restricted. The Law on the Status of the Servicemen, passed in 1998, prohibits any political activity of the military. Policemen are not allowed to create political party cells in their units. Those restrictions can be understood as a tribute to the liberal-democratic ideals of the separation of military/paramilitary and political spheres.

There are other noteworthy expressions of the respect for the rule of law and human rights in the legislation: According to the Law on Police, blackmailing, coercion and deception of citizens is prohibited in

operative-investigative activity. Policemen are not freed of personal responsibility if they execute a clearly illegal order.<sup>83</sup> Servicemen of the Security Ministry are obliged to follow the law in case a superior orders unlawful actions.<sup>84</sup> The Administrative Code enforces transparency and human rights and underlines the principles of human security on the level of national security. According to the article 3 of the Code military information should be disclosed if it is related to human rights and liberties. The Law on Alternative Service also has some positive implications on the human rights' protection. The law gives the chance to avoid military service on the grounds of conscience and religious beliefs. It should be mentioned that the law was adopted in 1997 but its full implementation was not possible until 2002 because no alternative service had been established. Moreover, until 2002 the duration of alternative service was 36 months, thus twice as long as the military service and having a discriminatory character. Positive steps have been taken in May-June 2002, when the first 200 conscripts were drafted into the alternative service and the duration was reduced to twenty four months.

Together with the constitution and the above-mentioned laws, civilian control over the armed forces is also promoted by the Law on Budgetary System and Responsibilities, enforced through the committees of the parliament, by the Ad Hoc Investigative Commission of the parliament and by the Group of Trust. The Group of Trust is formed in the parliament for the oversight of special, classified military and security programs and activities.

The most effective mechanism of civilian control is the institution of the president. As a Supreme Commander and Chairman of the Security Council, the president is entitled to lead power agencies and to play a crucial role in staffing of their commanding layer.

The legislation allows for judiciary control. The judiciary is declared independent and subordinated only to the legal provisions. The office of the prosecutor general, which is part of the judiciary, has to oversee the investigative activity of the relevant agencies. This office also controls

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<sup>83</sup> The Law on Police, article 24.

<sup>84</sup> The Law on Security Service, article 12.

the implementation of the legislation for preliminary detention and prisons. Thus, the general prosecutor's office is directly involved in controlling some power agencies. The military prosecutor's office is part of the general one. In times of peace, Georgia does not know military courts, and servicemen have to stand before civilian courts. It should also be mentioned that in the second half of the 90s the penitentiary system was transferred from the Ministry of Interior to the Ministry of Justice. The main reason was to separate investigative agencies from the penitentiary ones.

In essence, one can retain that in 1995, when the new constitution was adopted and the activity of the semi legal military formations were restricted, the foundation of the political and the security system of independent Georgia had been laid down. It is based on the democratic tradition, namely on the basics of Western justice and civil-military traditions.

Attempts in this direction were made even earlier, immediately after the declaration of independence. So, in December 1990, the National Guard was created. In 1991 the presidential model of the political system was elaborated, the Ministry of Defense founded and the first law on alternative service adopted. Parliamentary commissions for defense, national security and legal order started to operate. Parallel to the Governmental Commission for Defense, the parliamentary commission worked on the concept of an army build-up. However, an inexperienced political elite, the isolation from the international community, the commingling of civilian and military responsibilities,<sup>85</sup> the uneasy relations with Moscow and the unrestrained personal ambitions soon moved the political process towards armed struggles.

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<sup>85</sup> The chairman of the governmental commission for defense, Tengiz Kitovani, was at the same time a member of the parliament and the commander of National Guard. The chairman of the parliamentary commission for defense, security and legal order Vaja Adamia was commanding the armed unit; In April 1991 President Gamsakhurdia personally subordinated the National Guard and other power structures. Little later he was personally deciding who should be the battalion commander (D.Darchiashvili, *Politicians, Soldiers, Citizens*, Tbilisi State University Publications, 2000).

The new parliament, elected against the background of civil war and ethnic conflicts, adopted in 1992 several laws related to defense and security issues. From 1993 to 1994 further changes in the security and defense system had been conducted. At that time the government started the build-up of border protection troops. However, the process was influenced by the extraordinary circumstances and the numerous changes were contradictory. Armed struggles and hyperinflation continued. The leaders of the competing official as well as unofficial armed units had no less political weight than the civilian governmental institutions. There was no permanent and structured cooperation with relevant agencies from abroad apart of the Russian military. But the mission of the Russian military had nothing to do with reforming the Georgian security sector. It was not until 1995 that serious changes happened in this regard.

The most noteworthy changes in the second half of the 1990s was that the Georgian government was looking for external security guarantees, asking for the Western assistance in security sector reform and made attempts in the direction of a cooperative security approach within the region. However, the breakthrough in those spheres did not happen immediately in 1995. As a deputy secretary of the Security Council once said, it was decided in 1998 that Georgia's security orientation would be towards the Euro-Atlantic community. As evidence he mentioned the Georgia's accession to the Council of Europe and the decision of the oil companies to choose the Georgian territory in order to transport Azeri oil to the West.<sup>86</sup> As a result, the projects of the Baku-Tbilisi-Ceyhan oil pipelines and the Shakhdeniz-Arzerum gas pipelines have been elaborated.

The political elite saw in these projects less economic than strategic and security benefits. They were perceived as a tool to increase the Western, especially the US, interests in an independent Georgia. Eventually, the Russian border guard which had stayed there as a remnant of the dissolved USSR left the Georgian-Turkish border in 1998. D. Tevzadze, a Georgian military educated in the USA, took the position of a Defense

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<sup>86</sup> Newspaper, Akhali Taoba, October 19, 1999.

Minister, replacing the Russian oriented General V. Nadibaidze. After this, Georgia's Individual Partnership Program under NATO's PfP programs, formally started in 1996 already, finally became the real cornerstone of the army build-up. Also in 1998, an International Security Advisory Board (ISAB), entitled to come up with recommendations concerning security was founded under the provision of the National Security Council of Georgia and led by a retired British general. The chairman of the Parliamentary Defense and Security Committee, R. Adamia, known for his pro-Western stance, became the liaison between the ISAB and the Georgian security structures.

In 1996, the so called GUUAM<sup>87</sup> initiative was launched as an attempt to develop the cooperative approaches in the region. It was created by Georgia, Moldova, Ukraine and Azerbaijan and later joined by Uzbekistan. Supported by the US and the EU, the first step of the initiative was the harmonization of the positions regarding the Agreement over Conventional Forces in Europe (CFE Treaty). The member states refused to share their national quotas of conventional weapons with Russia, which was still maintaining its military bases in Moldova and Georgia. A Cooperation for conflict settlement and the development of East-West transport corridors was also one of GUUAM's key interests.

Georgia's main objective when participating in these or other regional initiatives was the reduction of the Russian influence. During the first half of the 1990s, Georgia tended to agree on the Caucasian dialogue formula 3+1, which meant a special role for Russia. But in 1996 Shevardnadze came up with the initiative "Peaceful Caucasus", according to which Russia and Turkey would have equal roles in regional affairs. In 1999, the Georgian government went further. Its new security discourse increasingly paid attention to Russia's dubious role in Georgian internal affairs while also the CIS's critique was becoming sharper and more frequent. All these on the objective grounds of a long experience with the Russian policy, which used its mediating position in

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<sup>87</sup> For more information see: [www.guuam.org](http://www.guuam.org), accessed on 27 November 2003.

the Georgian-Abkhaz conflict to actually supported Abkhazia's secessionist government.

In 1999, Georgia left the collective security treaty of the CIS, openly noting its ineffectiveness. In the same year it refused Russia the use of the Georgian territory for the Chechen operation. On the OSCE's summit in Istanbul in November 1999, Georgia got the promise from the Russian side, that two out of four Russian bases would be closed by July 2001 and that the future of the two remaining bases would be decided by that time through negotiations. This agreement was fixed in the final act of the conference<sup>88</sup>. Georgia achieved in Istanbul the right to control its own security. The Georgian side considered this agreement a success not only in terms of a Russian military withdrawal from the country, but also from the viewpoint of giving the Russian-Georgian military relations a European and transatlantic resonance. According to the then Foreign Minister of Georgia, I. Menagarishvili, this was made possible by the adapted CFE system<sup>89</sup>.

The Support and advice given to Georgia by the USA proved crucial. The advisor of the US State Secretary, S. Sestanovich, visited Tbilisi on the eve of the Istanbul conference and openly expressed the US' support of the Georgian demands regarding the dismantling of Russian military bases.<sup>90</sup> Nowadays, more than half of the Russian conventional armament is withdrawn from Georgia. Thus, US official publications admit that "...Sustained US Government engagement was critical in achieving this result".<sup>91</sup>

The US support became crucial once again after 9/11. At that time the relations between Russia and Georgia had deteriorated because of the movement of Chechen fighters on Georgian soil. Undeniably Russia had

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<sup>88</sup> [www.osce.org/docs/english/1990-1999/summits/istadec199e.htm](http://www.osce.org/docs/english/1990-1999/summits/istadec199e.htm), accessed on 28 November 2003.

<sup>89</sup> TV Channel Rustavi-2, informational program Kurieri, 19 November 1999.

<sup>90</sup> Georgian state TV, Informational program Moambe, 20 October 1999.

<sup>91</sup> US Government Assistance to and Cooperative Activities with Eurasia, Fiscal Year 2001, Office of Coordinator of US Assistance to Europe and Eurasia, Department of State Publication 10952, March 2002.

objective reasons to be concerned about this, but the reaction was hardly proportional. Many Russian politicians and journalists accused Georgia of protecting terrorists and the Russian leadership did not exclude military operations on Georgian territory. After Bush administration came to power and even after 9/11 the Russian-US anti-terrorist dialogue did not hamper the US' containment strategy named "the Red Line policy"<sup>92</sup>, meaning, that Caucasus Range constitutes a natural barrier for the Russian expansionism.

US security assistance to Georgia during the last years was quite impressive in terms of material support and reform of the security sector of Georgia. It included a Georgia Border Security and Law Enforcement Assistance Program, a Military/Ammunition Relocations Program, Nonproliferation Programs, Anti-Terrorist Assistance Programs, Foreign Military Financing Program and an International Military Education and Training Program. The US is the main donor of Georgia's participation in NATO's PfP program. These efforts are focused on assisting the Defense Ministry by supporting the establishment of a defense resource management office to mention one example. For the first time in the history of the Georgian security and defense agencies, this office attempted to develop a relatively transparent budget program on defense spending in 2001. With regard to the US security assistance, one also has to mention the Training and Equipment program started in 2002. In the frames of this USD 65 million program, the build-up and training of four Georgian battalions has been planned. The program is scheduled to be accomplished in the early 2004.

The conversion of Georgian border troops into a civilian police structure supported by German experts, British and Turkish assistance to the Georgian military academy and other projects, supported and funded by the West, constituted a new wave of a security sector reform in the late 1990s.

Supported by the West various state commissions were created in 2000-2002, aiming at correcting different shortfalls existing in Georgia's security system. A commission was set up to develop the main directions

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<sup>92</sup> Interview with Georgian diplomats in the US, December 2002.

of an Anti-corruption Program and in April 2001 the president ordered the creation of the Coordination Council for an Anti-corruption Policy. In July 2001 the president issued an order concerning the creation of a state commission tasked to study and improve military legislation. In December 2001 a presidential order requested the creation of a commission, which would elaborate suggestions concerning the institutional reform of security and law enforcement agencies.

The work of these commissions was accompanied with the development of new draft laws, personnel changes and anti-criminal operations. In late 2001 the president replaced the Ministers for Security and Interior and the Prosecutor General resigned. In 2002 an anti-criminal operation was conducted in Pankisi Gorge, which had developed into a criminal enclave and where Chechen fighters had found shelter. In 2003 operations against the trade of smuggled petrol was conducted.

But Georgia remains a weak state despite these efforts. In this connection weakness is not defined in terms of territory, population or natural resources. The point is that even during the last years, when many legislative and administrative changes took place, the share of the shadow economy in Georgia exceeded half of the GDP.<sup>93</sup> Despite the Russian mediation and the participation of the UN and OSCE in conflict settlement, 10-11% of the Georgia's state territory, namely Abkhazia and South Ossetia, are de facto separated. Adjara autonomous region, which formally remains within the national borders, frequently ignores the state constitution.

There are objective reasons for this situation. Relations with Russia are tense as that state does not fully implement the Istanbul agreement concerning the dismantling of the Russian military bases in Georgia. Russian business illegally enters Abkhazia and South Ossetia, thus creating problems for Georgia's economic and political sovereignty. Russia also unilaterally eased visa procedures for Abkhazian and South Ossetian inhabitants and decided to grant them a privileged position in obtaining the Russian citizenship. In response to the US security

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<sup>93</sup> Tvalchrelidze, Alexander G. 'Shades of Georgian Economy', in *Caucasus US Context*, No1, 2003, p.76.

assistance for Georgia, the Russian military strengthens the Abkhazian and South Ossetian armed forces.<sup>94</sup> Russian military is stationed in Adjara, developing a special relation with its leadership. So far Russia is an almost monopolist supplier of energy to Georgia and there is a ground for suspicion that its monopolist position is sometimes used as a lever for the achievement of political objectives. Thus, an analyst points out that the Russian president, Vladimir Putin, should make clear whether he considers international law still applicable to the relation between the two countries.<sup>95</sup>

However, the handling of foreign policy problems would have been much easier without the internal, more subjective threats and risk factors. It was Shevardnadze's government, who until recently was largely responsible for the lack of progress in ethnic conflicts, budgetary cuts and unpaid salaries and pensions. The same can be said concerning the lawlessness cultivated in Pankisi Gorge and elsewhere and of the existence of a so-called war economy, the formation of clan oligarchy and a Mafia-dominated state. A serious lack of knowledge and political will for solving these problems must be stated as the laws mentioned above were constantly ignored. Despite the foreign assistance, until very recently, the security structures did not and could not effectively fulfill their obligations. By and large, if one takes the criteria of democratic national and human security, the laws in Georgia fall short from being perfect and the institutional reforms remain largely unfinished.

## **Failures**

One of the main shortfalls of the Georgian security system is the general character of some important laws and their internal contradictions. The work of the above mentioned various commissions did not provide answers to many vital questions.

The Constitutional clauses stipulating that the "parliament defines the basic directions of internal and foreign policy", and the president "directs

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<sup>94</sup> Interview with the representatives of British NGO Saferworld, March 2003.

<sup>95</sup> Socor, Vladimir. 'A Test Ground of Putin's International Conduct', in *The Wall Street Journal*, Europe, 18-20 October 2002.

and conducts foreign and internal policy" are quite close to each other and need further clarification. The clause saying that during the emergency situations, the president cannot employ armed forces without consent of the parliament seems decorative and doomed for violation, especially given the fact that the interior troops are formally part of the armed forces.<sup>96</sup>

Paragraph 98 of the constitution declares that the president defines the structure of the armed forces, while the parliament defines its number. As a result, a legal solution will not be found easily if two branches of the state fail to agree over the armed forces' composition. Moreover, the Law on Defense contradicts this provision when saying that a law (adopted by the parliament) should define the structure of the armed forces. More contradictions between the constitution and the legal provisions can be found. For example, paragraph 78 of the constitution prohibits any form of unification of the armed forces, security services and police. However, the Law on Defense says that interior troops, which are subordinated to the Ministry of Interior, also belong to the armed forces.

The legal frames regulating state secrets are also vague or contradict the principle of transparency. For example, paragraph 28 of the Administrative Code states that information can be classified only when its disclosure would harm a planned or ongoing military, diplomatic or intelligence operation and if the physical safety of those participating in those operations would be compromised.

However, the Law on State Secrets does not respect the above-mentioned clause. According to its paragraph 7, information about operational and strategic plans in the field of defense, issues of military

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<sup>96</sup> Basically, this clause has been violated by the president at least twice: In 1998 the president sent troops against rebel units in Western Georgia. Recently, in November 2003, the president alerted internal troops and some other units and deployed them around the presidential chancellery, when mass protest rallies started. The rallies have been conducted after the fraudulent parliamentary elections and have eventually led to the government's and the parliament's resignation. New elections are planned for early January 2004.

readiness, weapons development programs etc. are classified. In fact, this general clause can be understood as an obstacle for budgetary control of the armed forces. The more so as, according to the law, the president signs a list of state secrets and that currently everything related to the armed forces is classified. The list leaves no space for a transparent defense policy.

The Law on the National Security Council also raises questions as it contains elements of commingling of the executive and legislative branches. For example, the speaker of the parliament and the speakers of the legislatures of Ajaria and Abkhazian autonomous republics<sup>97</sup> participate in its work. The secretary of the council, who should direct the technical and administrative activities, is also a full member of it. The law does not make a clear functional distinction between those "participating" and those being members of the council. The council is an advisory body of the president, but at the same time it coordinates and controls the governmental security agencies. The law does not particularly specify the working procedures of the council.

The rights of Members of Parliament (MPs) regarding the budgetary processes are rather limited. The Georgian parliament does not have a right to discuss in advance and then approve or disapprove acquisition projects by the security agencies. The necessity of empowering the parliament in this regard was even recommended by external security experts. The parliament cannot make changes in the draft budget submitted by the executive. If a mutual consent between the legislative and the executive is not possible then the MPs can only disapprove the overall budgetary figures. But such a decision would require a serious mobilization and political courage and thus is always difficult to achieve. The legislation also does not provide clear guidelines and mechanisms for the work of the parliamentary Group of Trust, set up to control the special programs of the security agencies. However, when there is no shared point of view between the group and the president

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<sup>97</sup> Apart of the government of de facto separated Abkhazia, there is a Tbilisi based Abkhazian government in exile, claiming to represent refugees from Abkhazia.

regarding certain programs it is not clear what measures can or should be taken.<sup>98</sup>

It seems also problematic, that the structural and procedural details concerning the functioning of various executive agencies are defined through bylaws, mostly by presidential orders and internal regulations. It limits the legislative power of the parliament, which should be a cornerstone of democratic civilian control.

The transition of the security agencies for meeting NATO standards only insufficiently addressed the issue of the rights and duties of servicemen. For example, military servicemen do not have an effective legal lever for refusing to obey a criminal order.

On the other hand, Soviet norms still exist in the criminal procedural code and in other legal texts defining the activity of law enforcement agencies and thus making the ordinary citizens unprotected in case of police's and security services' misconduct. By maintaining the old Soviet right to investigate economic crimes, the Security Ministry and the police partly assume the role of a tax inspection agency. Also, the human rights protection organizations believe that criminal code and criminal procedural code do not clearly enough define the responsibility of law enforcers when torturing detainees, that the formal moment of detention is not clearly defined and hours might pass before the police formally registers the act of detention, that citizens do not have access to a lawyer from the beginning of the detention etc. A commission was set up in order to develop the recommendations made on the reform of the security and law enforcement system. The commission finished its work at the end of 2002, but the resistance of power structures' representatives made it impossible to find solutions.

This already difficult situation is further complicated by a more system-related shortcoming which has direct implications for the actual conduct of the security policy and the civilian control over security agencies. Namely, the shortcomings is that under the constitution the president cannot dissolve the parliament and that it is extremely difficult and

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<sup>98</sup> Personal interview with one of the author of this law, L. Alapishvili.

factually unimaginable to impeach the president. Therefore, it is virtually impossible to find a solution if the president and the parliament have principal disagreements. Thus either they find a consensus or one branch should find a way to politically control the other. Actually, through the various normative acts and political levers, it is the president who has practical advantages in comparison to the parliament and even to the judiciary. As a result, the control of the security agencies is concentrated in his hands.

For example, the parliament does not have the right to approve the appointment of the heads of some independent power agencies, which have lesser status than ministries. The list of such agencies includes the State Border Protection Department, the State Protection Service and the Intelligence Department. The parliament also does not control the staff of the National Security Council, which plays a crucial role in the development and implementation of various aspects of the security policy.

But the main shortfall of the Georgian security system lies in the fact that despite the numerous reform attempts and despite the establishment of the rule of law, the actual implementation of this legislation is on an extremely low level. One can also observe the weakness of the structures put in place to face and combat threats. One has to take into consideration the observations of many external or local experts, who point to the fact that interesting anti-corruption suggestions mostly remain on the project level or have been simply ignored by the Shevardnadze's government.<sup>99</sup>

Georgia faces an increased level of threats such as an expansion of the influence and scope of the organized crime according to the statements made by the Security Minister on the joint session of the Security and Justice Councils in December 2002. According to him, wealthy criminal-oligarchic groups, expelled from other countries, are settling in

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<sup>99</sup> See i.e. the statement made by George Soros on Rustavi-2, 20 June 2002, or the statement made by the secretary of the Anti-corruption Coordination Council, M. Gogiasgvili, during the extended governmental meeting on 4 September 2001 (Newspaper, Sakartvelos Respublika, 6 September 2001).

Georgia. They use the poverty of the population in order to buy people, objects and influence. They purchased famous buildings, mass media and strategic objects of transport and the facilities in the military-industrial complex. They are financial monopolists and blackmail the government's representatives.

The Security Minister, Khaburdzania, alleges that in some regions, criminals unite in clans. They support the former members of the paramilitary unit Mkhedrioni, abolished in 1995 by the government.<sup>100</sup> This semi-independent unit had been known for its disobedience and criminal habits. According to the minister, the leaders of a criminal group, the so-called 'Thieves in Law', who previously considered kidnapping as a sin, now happily participate in this "business".<sup>101</sup> This criminal institution, inherited from the Soviet past, mostly sustains itself through extortion. During the last years of the Shevardnadze's rule, there were indications that the 'Thieves in Law' tried to enter into politics. For example, in some places, the criminal leaders tried to influence the outcome of local elections in 2002. Also, the representatives of the then ruling party did not hesitate to contact 'Thieves in Law' on the eve of the 1999 parliamentary elections.<sup>102</sup> Various sources allege that during the parliamentary election campaign of 2003 the representative of the oppositional National Movement, Z. Dzidziguri, was confronted in his electoral district by the organized crime.

Many politicians and leading servicemen directly or through relatives have been monopolizing business areas despite the fact that combining a political or a public position with a commercial activity is prohibited by law. Until recently, substantial success in business was possible only through corruption which showed that illegal criminal relations was increasing in the politics and economics. Among the most influential

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<sup>100</sup> Mkhedrioni was notorious in the first half of 1990's as a combat force against Abkhazian secessionists, armed supporter of ousted president Gamsakhurdia and for its lawlessness. Former criminal authority, Jaba Ioseliani, led it.

<sup>101</sup> Caucasus Press, Tbilisi, 21 December, 2002; Prime News, Tbilisi, 22 December 2002.

<sup>102</sup> Personal interviews with the representatives of the parliament and of the political parties, June-July 2003.

business clans with such political connections could be found within the former president Shevardnadze's family. Shevardnadze's nephew and the father-in-law of the president's son have been associated with the petrol business for years. One can recall in this regard that the import of petrol became one of the vital parts of the shadow economy of Georgia.<sup>103</sup> So far The former president's relatives control big shares of the commercial activity at Poti Seaport. There is strong ground to believe that the success of the Shevardnadze family is achieved through corruption. For example, Poti seaport has received important privileges in comparison to Batumi seaport through presidential decrees and during last years the president allowed the postponement of tax payments to some companies. In both cases the main beneficiaries were members of Shevardnadze's family or the persons closely associated with him.<sup>104</sup>

It is debatable if the link between the politico-economic clans and the leaders of the organized crime constitutes an immediate national security threat. However, it seems clear that such developments do not facilitate the provision of human security in the country and that it does not meet the requirements of the rule of law, democracy, equality and market economy. Thus, clannish relations have immediate negative implications for the national security system.

The increasing corruption and professional criminality in politics and economy is dangerous and linked with security issues from more than one angle. Even some of those Georgian commercial companies who are widely respected today had misused Soviet/communist party funds in the period when the USSR collapsed and gained privileges through the governmental connections in the aftermath of the Soviet Union's breakdown. Representatives of the government in power at that time, the nomenclature and power agencies took part in this. As a result, the new Georgian business elite owes a lot to those forces. They know the "secrets" of the Georgian businessmen and one can guess that they have

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<sup>103</sup> Ken Stier, *Report Details Failures in Georgian Petroleum Tax Collection, Business and Economics*, 10 December 2002.  
[www.eurasianet.org/departments/business/articles/eav120202.shtml](http://www.eurasianet.org/departments/business/articles/eav120202.shtml).

<sup>104</sup> Interview with the representatives of the Young Lawyers Association, which monitors the fulfillment of the budget. September 2003.

means to control the young business elite.<sup>105</sup> This has dramatic consequences as those forces are not interested in democratizing and developing Georgia.

The so-called 'Thieves in Law' also find support in Russia. The lion's share of their income had been generated through money extortion and illegal business activities there. They have contacts with the representatives of the Russia's business and political elite<sup>106</sup> and probably also established links with the Russian special services. As Russia's relations with Georgia are not free from the post-imperial grievances and ambitions, one can guess that those criminals can potentially play the role of a Fifth Column for the Russian neo-expansionist circles.

But the statements of Shevardnadze and his lieutenants, distancing themselves from Russia and requesting security guarantees from the West were not unequivocal and certain steps with regards to the foreign orientation of the country were not coherent. Recently, there were evidences of a rapprochement between Georgia and Russia and in a certain degree these evidences have had a flavor of "forgetting" national interests from the Georgian side. The point is that the Georgian elite, led by Shevardnadze until the end of its rule largely believed that the restoration of the territorial integrity simply depended on Russia's good will. One can argue that the believe is still persistent in Georgia. As a result there were numerous discussions in Georgia whether in case of certain strategic concessions to Russia, the government could restore its jurisdiction in Abkhazia and South Ossetia.

During the meeting between Shevardnadze and the russian president Vladimir Putin, in Sochi in March 2003, Shevardnadze agreed in

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<sup>105</sup> The fact that political parties New Rightists and Industrialist's Union, claiming to be oppositional to Shevardnadze's rule, suddenly supported him and did not protest about very transparent frauds during the elections 2003, indirectly proves the above-said. The both parties consist of Georgian businessmen who enriched themselves through usage of former party funds and governmental connections.

<sup>106</sup> Mukhin, A. A. *Rossiiskaia organizovannaja prestupnost i vlast.* Centr politicheskoi informacii, Moskva 2003.

principle to prolong the mandate of the Russian peacekeepers in the Georgian-Abkhazian conflict zone. The mission would end when one of the conflicting parties would officially demand their withdrawal. As one Georgian diplomat puts it, this factually means an indefinite prolongation of the operation.<sup>107</sup> As a consequence, Georgia lost a meaningful means of influence over Russia, namely the compulsory approval of the prolongation every six months.

The Georgian elite accepted with a certain enthusiasm the suggestions of Putin to establish a three-lateral working group in the conflict zone<sup>108</sup> and to discuss the economic cooperation with Abkhazia before a political settlement takes place. Interestingly, the compatibility of this initiative with the UN initiative of a Georgian-Abkhazian dialogue was not clear. One has also to point out that the UN-led negotiations were somehow eclipsed during this meeting as the Russian side did not prove loyal to the UN initiative.<sup>109</sup>

By the end of 2002 Georgia increasingly softened its critique of Russia's non-compliance with the CFE conference of 1999 concerning the military bases in Georgia. At a ministerial meeting in Vienna concerning the CFE Treaty, the Russian foreign minister, Igor Ivanov, convinced Georgia to accept a new formula on this issue. They agreed upon taking a decision by the end of 2003, if the conditions allow for it. According to a high rank official of the OSCE, this decision clearly weakened Georgia's position with regards to the dismantling of the Russian bases in the shortest possible time frame and raised the question whether Shevardnadze's Georgia still cared about the issue. According to the same official, it is rather unclear, what Georgia expects from Russia or from the international community.<sup>110</sup>

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<sup>107</sup> Confidential interview with a Georgian diplomat, April 2003.

<sup>108</sup> The history of this idea is somehow unclear. According to some Georgian sources, it actually meant the establishment of the Russian-Georgian-Abkhazian administration in Gali, but Abkhazians deny it (Prime News, March 10, 2003; Caucasus Press, 13 March 2003).

<sup>109</sup> Confidential interview with a Georgian diplomat, April 2003.

<sup>110</sup> Confidential interview, January 2003.

Georgia's dependence on Russia was further reinforced following a series of negotiations in effect of which the control of a number of strategic objects was transferred to the Russian companies. Currently, the electricity distribution network in Tbilisi is operated by a Russian state company. The Russian firm Itera received guarantees for the possession of the chemical enterprise Azoti.<sup>111</sup> In July 2003 negotiations between the Russian state gas company Gazprom and the Georgian Ministry of Energy were revealed. A protocol of understanding, which mentions the possibility of 25 years of strategic cooperation, was signed. Both the democratic opposition in Georgia and the advisor to the US president in Caspian energy issues expressed concern about this protocol, pointing out that strategic cooperation with Gazprom might have negative consequences for the national energy security.

In itself, settling the problems with Russia and enhancing economic cooperation between these two countries is necessary and would have a positive impact. But the point is, that

- a) Until today Georgia was too much inclined towards covert deals for the "return" of separated Abkhazia and South Ossetia, which might have included not only the departure from internationally recognized means of conflict settlement, but also revealed a dangerous readiness to compromise its national sovereignty and security;
- b) These moves put into question the sincerity of Georgian elite in its pro-Western rhetoric.

While the government of Shevardnadze has been adopting various conflict settlement strategies, the conflict zones themselves continued to pose a serious problem for the national security as they constituted a safe haven for criminal economic activities. From 1992 to 1993 bloody civil and ethnic struggles took place as the financial-economic system virtually collapsed. As a result, the state action became more and more illegal, resembling criminal practices. As an example one can mention that the army supply system of that period was mainly based on illegal extortion.

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<sup>111</sup> TV Company Rustavi-2, Program Kurieri, 21 March, 2003.

Under these circumstances people with criminal habits were gaining momentum.

After the civil and ethnic wars were over, the situation changed, but still the so-called zones of frozen conflicts were the source of fraudulent activities. Until recently, criminal 'rules' were established by the local bandits and guerillas, the Russian peacekeepers and the Georgian law enforcers. These rules were based on illegal deals between the actors and frequently accompanied by bloody competitions, where one could hardly distinguish a criminal motive from the competing nationalistic ones. In any case, the property and the lives of the ordinary people remained absolutely unprotected.<sup>112</sup>

The overall situation in these zones did not only indicate the weakness of the national security and law enforcement agencies, which was not improved despite various reforms, and showed that criminal structures penetrated into these agencies. But the lawlessness and corruption distinguished not only the state and security officials stationed in the conflict zone but became a characteristic feature of Georgian public life. Despite several anti-corruption measures and personnel changes, the misuse of budgetary funds, the extortion of money from ordinary citizens and businessmen and the cooperation with criminal organizations remained widespread, especially in law enforcement and security agencies.

In 2003 the State Chamber of Control made an audit of the Ministry of Defense with the results being declared secret. However, some independent media reported that about 40% of the foreign grants received by the ministry have been spent without further planning or at least producing of a financial documentation. The High rank officials of the ministry explained this with the lack of experience and the

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<sup>112</sup> The famous report "60 minutes", conducted by the TV company Rustavi-2, and broadcasted on 29 September 2002 showed that on the background of power agencies' passivity the criminal economic activity has been flourishing in the Georgian-Abkhazian conflict zone. Even the representatives of the Abkhazian government and the Tbilisi-based so called Abkhazian government in exile, Russian peacekeepers, guerillas and professional criminals participated in it. Many armed clashes have been taking place and were not so much the results of residual ethnic fights as of criminal competition.

underdeveloped mechanisms of accounting. However, this explanation is rather hard to believe as the US is supporting the Ministry of Defense since the end of 1990s in establishing a financial order.

Until the recent revolution of November 2003 it was frequent that the ministry's leadership was accused for their inability to curb desertion and to take measures against corrupt officers. Furthermore, representatives of the Ministry of Defense were linked with criminals, implicated in the protection of dubious commercial enterprises (nightclubs) and in illegal arms sales.<sup>113</sup>

At the same time, the Ministry of Defense was leading in terms of reform processes and it certainly was not the leading agency in terms of corruption and other forms of crime spread in the state structures. On the contrary, the Ministry of Interior has been so far successfully resisting demands of the Council of Europe and the local non-governmental organizations to adapt the procedures of preliminary detention to the standard practices of democratic countries. Also, cases of torture, extortion of money conducted by police, have been reported. Evidence indicates that the police, subordinated to the Ministry of Interior, has been continuing to tolerate the "Thieves in Law" and even cooperated with its representatives upon reception of regularly paid "taxes"<sup>114</sup>, as analysts point out. It is practically impossible to prove such payments as the criminals would hardly report about their colleague-policemen and thus endanger the freedom to "work" and the guarantees to control the prisons from inside. It is interesting to note that as the penitentiary system was transferred from the Ministry of Interior to the Ministry of Justice and thus controlling prisons by the criminals became difficult, the Ministry of Interior brought forward a request to get the prisons back. This request was strongly backed by the former president Shevardnadze. But in the whole, professional criminals still enjoyed privileged positions no matter whether they were free or in prison.

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<sup>113</sup> Interview with former high rank officer of the Ministry of Defense, September 2003; information about the audit in the ministry are published in the newspaper "24 Hours", 17 September 2003.

<sup>114</sup> According to some reports, police officers protected the meetings of the Thieves in Law.

Some experts suppose that the criminal world was an additional weapon for the security agencies and the government and mainly controlled by them.<sup>115</sup> However, it is not easy to determine who served whom and for what purpose under Shevardnadze's reign. For example, the media reported that a security officer was serving as a driver for an influential thief and also that the UN observers kidnapped in the Georgian-Abkhazian conflict zone have been released with the help of influential criminals. As a result, nobody was accused and punished for the kidnapping.

During the extended governmental meeting on 4 September 2001 the secretary of the Anti-corruption Council mentioned numerous complaints concerning the Ministry of Interior such as the behavior of police officers and illegal extra-budgetary income. Most of the power agencies were involved in corrupted activities, namely in "crisis corruption", "patronage systems", "friendship and the institution of godfathers". He summarized that the power agencies were the pillar of corrupted high ranking public servants and that their existence was a threat for the state.<sup>116</sup> A high ranking official from the presidential office openly admitted at that time that he knew of the involvement of power structures in smuggling. However, he feared that fighting the corrupted officials might leave the state without protection and thus be even a greater danger. On the other hand, by bribing the "guardians" the government had become their hostage.

As mentioned above, only in 2002-2003 the government made some initial steps in fighting crime, corruption, conflict economy and shadow business in general. The Ministers of Interior and Security had been changed. Under public pressure the prosecutor general stepped down. The official rhetoric about fighting criminal leaders had been increasing and in the summer 2003 the police, the security service and the special legion of the Ministry of Finance started an operation against tax evasion in the cigarette and petrol business and a new commission, tasked to

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<sup>115</sup> Interview with Gigi Tevzadze, member of the local expert group of the International Institute for Democracy and Electoral Assistance (IDEA).

<sup>116</sup> Newspaper, Sakartvelos Respublika, 6 September 2001.

coordinate the fight against tax evasion, was set up within the government. The operation started with actions against unregistered petrol in petrol stations. Officials have been mentioning in their interviews some MPs, public servants, “Thieves in Law” and representatives of the local government, who were behind many petrol stations involved in tax avoidance.<sup>117</sup> However, the former political opposition as well as the independent analysts considered this anti-corruption campaign with suspicion.<sup>118</sup> D. Usupashvili, a former member of the commission working on the reformation of security and law enforcement agencies and R. Gotsiridze, head of the Budgetary Office of the Parliament, pointed out its missing coherence and they doubted that the campaign would be successful. This suspicion proved to be well-founded as the fight was conducted against petrol stations while the main problem with regards to illegal petrol trade is smuggling. Doubtful was also the fact that no names of direct or indirect owners of these stations have been disclosed so far.

## **Ways Ahead**

One can continue pointing out the shortfalls of the security system and failures of its security policy by mentioning the constant disagreement and quarrel between the Ministries of Defense and Finances which have been hampering a real move towards a transparent defense budgeting. Until very recently MPs were receiving the parameters of the defense budget in the very last moment and thus not being able to devote enough time for its discussion. Also, the Ministry of Defense did not or could not provide the parliament with precise information about officers studying abroad and many young officers, graduated from Western courses and colleges. Another essential shortfall of the security sector can be seen in the still existing parallelism and overlap as, for example, armed units are dispersed under six state agencies. The situation looks even grimmer when we consider that progressive laws or recommendations for the reform of the security sector have been adopted

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<sup>117</sup> Newspaper Mteli Kvira, 18 August 2003.

<sup>118</sup> Newspaper Mteli Kvira, 18 August 2003. Also interview with David Usupashvili and the member of the board of Young Lawyers Association, Tina Khidasheli.

but, by and large, are not implemented. Completely different "laws" and relations governed the reality of Georgia under Shevardnadze's regime.

In the light of the current development it remains largely a rhetorical question, whether the former government of Georgia had enough political will to build-up an effective national and human security system and a policy based on the rule of law. The former ruling elite bore clear features of an oligarchy and invested many efforts in the monopolization of economic and political levers.

But in November 2003 something not very much expected happened. The democratic opposition appeared to be able to launch mass anti-governmental rallies, triggered by the fraudulence of the November 2 parliamentary elections. The event, which resulted in the retirement of president Shevardnadze, was named a Revolution of Roses for its peaceful character and with reference to the roses, carried by the opposition leaders, when they occupied governmental buildings. An interim government, led by the former speaker of the parliament, Nino Burjanadze, has been established.

One can argue that people's determination for the revolution was caused by many sins and shortfalls described above. In any case, the revolution was conducted under the democratic slogans, demanding the establishment of the rule of law.

Today, it is with great interest that the West, Russia and Georgia itself await the complementary presidential and parliamentary elections. A sound analysis of the attitudes of the elected MPs as well as of the new president will be necessary in order to know where Georgia will tend to go and in what pace. In her speeches, the ad interim president, Nino Burjanadze, made clear that Georgia is willing to continue its cooperation with the West and seeks a further harmonization with the Western standards. Nevertheless, in the light of the above-said one has to remain cautious and wait for the first steps of the new elected government regarding the fight of the organized crime, corruption and the misuse of funds inside and outside the state apparatus. Another important criterion in a later phase will be the settlement of the conflicts

with Abkhazia and South Ossetia and the management of the autonomous republic of Adjara. Clear steps towards the reformation of the security sector will also be an indicator of the future development of the country.

Should the new government and parliament fail, then Georgia risks losing the remaining Western assistance. As the head of the budgetary office of the parliament says, if the situation does not improve in regards to criminal activity, Georgia will not attract any serious Western investment. The foreign businessmen already hesitate to travel to Georgia, because business has become a risky endeavor during the last five years.<sup>119</sup> It is due to the criminality and corruption that a budgetary crisis developed, causing the decrease of financial assistance from the world financial institutions. Before the so called Rose Revolution took place, the US State Department was considering serious cuts in its Georgian programs. Thus, the future Georgian government has to make serious corrections regarding the internal policy. It is thus primordial that no member of the new government is either linked to the former ruling class or to the organized crime.

It is hopeful for a start that the demission of both the government and the parliament happened in a peaceful manner. However, there is still a danger that the former ruling elite might regroup and completely turn its back to the West, searching for support in Russia. There are influential circles in Russia which do not care about the level of democracy in Georgia, if only the country decides to go back under Moscow's unilateral protectorate.

On the other hand, there exist numerous resources to change the situation including the constitution and laws, which provide levers to fight with legal means criminality. There exist thus independent media and nongovernmental organizations like the TV Company Rustavi-2, which openly criticized the shortfalls of the political and the security system in Georgia, and which contributed to the democratic revolution no less than the oppositional political figures. We can also observe a

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<sup>119</sup> Prime News, Tbilisi, 22 December 2002.

further strengthening of the civil society such as the Young Lawyers Association, which has been monitoring the financial activity of the Interior Ministry even under the Shevardnadze's regime. And last but not least, masses of the population opted for change. It was only these massive protests by the society which finally brought down the government.

But, by and large, Georgia still remains on the crossroad and the future is vague. The forces of the past are weakened but not completely defeated. The democratic movement is expanding, but former oligarchy maintains its wealth and power, allegedly having supporters and followers among the law enforcers. Thus, the near future might bring new struggles and violence cannot be excluded. As the democratic forces internally, so the international community from the outside should do its best in order to keep Georgia on the path of a peaceful and democratic development. Otherwise Georgia might risk facing a new civil war. It remains, that Georgians long for a national and human security.

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## **STATUS REPORT ON SECURITY SECTOR GOVERNANCE IN GEORGIA**

### **Expert Interviews on State and Prospects of SSR in Georgia**

Security Sector Governance in Georgia is a topic which is certainly not easy to explore. First of all there is no up-to-date literature, at least none which considers the entire complexity of the relevant aspects and elements influencing security sector governance and security sector reform (SSR) in the country. Second research work on security sector governance relevant issues looks like a patch-work quilt. There is no comprehensive evaluation of the standing of security sector reform: Studies mainly focus on singled-out aspects and the various threads are not brought together, at least not in a way which would allow an evaluation of the overall situation of security sector governance in Georgia. The closest to those needs comes the Center for Civil Military Relations and Security Studies (CCMRSS) in Tbilisi. The research work of David Darchiashvili and Tamara Pataraiia provides crucial insights and profound background information on security sector relevant issues.<sup>120</sup>

In order to bring the threads together and to gain a basic overview on the current state of security sector reform in Georgia, a stock taking, based on expert interviews was launched in September 2002. Up-dates have been made continuously, the latest in January 2004.

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<sup>120</sup> Recent contributions are for example: David Darchiashvili, Implementation of Parliamentary Control over the Armed Forces: The Georgian Case. In: H. Born, M. Caparini, K. Haltiner, J. Kuhlmann (eds.): Democratic Governance of Civil-Military Relations in Europe: Learning from Crisis and Institutional Change. Berlin: Lit-Verlag 2004 (forthcoming). And: Tamara Pataraiia: Civilians in National Security Structures in Georgia. Paper Presented at the Working Group Meeting: Civilians in National Security Policy, Geneva, November 2-4, 2002.

In the overall 24 interviews have been carried out with Georgian experts, involved in security sector related issues, working within the Georgian Ministry of Defence (MoD), the Ministry of Foreign Affairs (MFA), the Ministry of Internal Affairs (MIA), the Georgian Military Academy, furthermore with parliamentary staffers including members of the Parliamentary Committee on Defence and Security, with members of Non-Governmental Organizations (NGO's) and with Military Journalists. Most of the interviews (13) have been carried out in Tbilisi, in September 2002, some (5) in Zurich, Switzerland during the 5<sup>th</sup> International Security Forum in October 2002, furthermore one interview during a Conference on Border Management in March 2003 in Geneva, Switzerland, two interviews at the Workshop on "Security Sector Governance in Southern Caucasus – Challenges and Visions", held in Reichenau/Rax, 21-24 November 2003. And finally three interviews have been carried out by e-mail communication in January 2004 in order to get an up-to-date picture of the situation after the "velvet revolution" and the January 4 presidential election.

Basis of the interviews have been several questionnaires used as frameworks for assessing SSR. The evaluation, presented within this paper is based on a small selection of broad and general questions on the current state of SSR in Georgia, prospects for the upcoming years and also on recommendations and priorities seen by the experts in view of the reform process.<sup>121</sup> The objective was, to get a broad overview on the assessment of the state and prospects of Security Sector Reform in Georgia by local experts, working within the field of security policy. The picture given is deliberately focused on those factors and aspects of SSR, which are – according to the interviewees – currently relevant and therefore have an impact on the ongoing developments.

It is not the aim of this paper to give a comprehensive overview on the state of all security sector institutions in Georgia and neither on the history of Security Sector Reform and the process of building up the Georgian Armed Forces. Details on state security services and

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<sup>121</sup> Please find questionnaire: "General Assessment SSR in Georgia" attached to this article.

institutions might be found within the White Paper of the MoD<sup>122</sup>. A profound background on developments in view of the reform of the security sector and the building up of the Georgian Armed Forces can be found in the research work of David Darchiashvili and Tamara Pataraiia, without whose support and encouragement this project would not have been possible.

### **Problems, Challenges and Obstacles**

Given the current situation in Georgia there is an overwhelmingly long list of aspects, which can be seen as major challenges to SSR. The interviewees name most various and different obstacles. Angles and perspectives of those assessments are quite different, but in the main points agreements are obvious. The various aspects can be structured into three categories:

- Basic problems: The broader context of SSR and Armed Forces reform;
- General Problems in view of Security Sector Reform;
- Specific problems in view of reforming the Armed and other Security Forces.

### **Basic Problems: The Broader Context of SSR and Armed Forces Reform**

As widely accepted the reform of the security sector can not be seen without the frame of general democratization within a country. This is why we have to look first into basic problems of democracy-building in Georgia before going over to general problems of SSR.

#### *Democratic Structures and National Mentality*

“The problem lies within the system.”<sup>123</sup>

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<sup>122</sup> White Paper of the MoD, Georgian Ministry of Defence, Tbilisi 2002.

<sup>123</sup> Quotation from an interview with a member of a Georgian NGO.

More than 12 years after the breakdown of the soviet system, democratic structures have still not been sufficiently implemented in Georgia. The situation is quite similar to those in other transition countries: Legislation seems to be principally sufficient and is formally based on Western models, whereas the real challenge lies in implementing and enforcing the law.

The implementation of democratic structures becomes even more difficult, since the whole system is determined by personal relationships rather than by well defined democratic procedures. (For details on this phenomenon see below). The majority of the interviewees stressed, that the mentality and with it the whole climate in the country has to change before it might become possible to built up sustainable democratic structures.<sup>124</sup>

Another factor is the general weakness of state management culture which makes the situation considerably worse: Those in power have basic problems to properly manage the system.<sup>125</sup> State structures support corruption, i.e. the existence of only one account for each ministry makes management and control of revenues and expenditures extremely difficult.

### *Clientelism and Corruption*

“The legacy of clannish thinking is one of the most significant obstacles to development.”<sup>126</sup>

“If there wouldn’t be any corruption, Georgia would be fine within ten years.”<sup>127</sup>

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<sup>124</sup> Referring to an interview with a member of a Georgian NGO.

<sup>125</sup> Referring to an interview with a member of a Georgian NGO.

<sup>126</sup> Koba Kikabidze, David Losaberidze, Institutionalism and Clientelism in Georgia. Unpublished article. Tbilisi, 2002, page 2.

<sup>127</sup> Quotation from an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

Most crucial elements which prevent a continuous transition to democracy are certainly clientelism and the widespread corruption, both phenomena which are running like red threads through the entire Georgian state sector, political system and society. Since those structures are not only contra-productive to any democratization, but also determine the broader context of security sector reform, those phenomena merit to be looked at closer.

In Georgia the soviet totalitarianism produced a bizarre symbiosis of the specific bureaucratic system mixed with traditional values and a certain modus vivendi in the population, which is determined by traditional clannish relationships. As a result, the interdependence of social mentality – mirrored especially in the way of thinking and behaving of the public officials, but also the society at large – and the institutional development of the state system becomes a crucial dilemma.<sup>128</sup> The relationships between the officials and their subordinates determine the state structures as well as the state authority.<sup>129</sup> Those “...clientele relationships in Georgia ... still play the most important role both in everyday life and in the political processes of the country.”<sup>130</sup> As a result, policy objectives rather support the development of oligarchic groups than encourage national development and as follows the political system is profaned and restricted.<sup>131</sup>

The primary problem, resulting from clientelism is corruption, which has an obvious systemic character and is in Georgia generally seen as “the rule of the game”.<sup>132</sup> Whereas corruption has been grown significantly since the end of the Cold War<sup>133</sup>, the phenomenon is well known already since the first years of soviet rule and grasped at the latest from the

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<sup>128</sup> Kokabidze, Losaberidze 2002, op. cit., p. 2.

<sup>129</sup> Ibid., p. 3.

<sup>130</sup> Ibid., p. 20.

<sup>131</sup> Ibid., pp. 7-8.

<sup>132</sup> Ibid., pp. 4 and 7.

<sup>133</sup> Ibid., p. 7.

beginning of the 1960s all levels of Georgian society, especially the ruling “nomenclatura” and the “red directors” of the state enterprises.<sup>134</sup>

The clientele and corruptive structures may most illustratively be described as a pyramid, with a very small level at its top which is formed by the president and his family clan and then the biggest and broadest levels at its bottom which are formed by those elements of the society which have the least power and authority. “Money making” depends on the level within the pyramid: The higher the level, the more authority and the more money can be made. Those in power are depending on this pyramid, since this societal structure is helping them to stabilize their position. Therefore it seems understandable that a real intention to fight corruption can not be stated yet. Deeply rooted corrupted interests throughout the political and societal structure prevent serious and effective measures.<sup>135</sup> Whereas some state, that there is hope to fight corruption, since the pyramid seems to get “holes”<sup>136</sup>, others say, that there is no way to fight it at the current stage and that the only way is, to wait for an alternation of generations.<sup>137</sup> There is no doubt that only a long term process may see first positive results.<sup>138</sup>

### *Public Involvement in the Democratization Process*

“They don’t clearly understand what democracy means.”<sup>139</sup>

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<sup>134</sup> Alexandre Kukhianidze, Criminalization and Cross-Border Issues: The Case of Georgia. Paper presented at the Workshop “Managing International and Inter-Agency Cooperation at the Border”, held in Geneva, March 13-15 2003, p. 2.

<sup>135</sup> Referring an interview with a member of a Georgian NGO.

<sup>136</sup> Referring to an interview with a member of a Georgian NGO.

<sup>137</sup> These prognoses are referring to “lessons” from history, i.e. on the transition of states towards capitalism. The US is an example in the 20<sup>th</sup> and 30<sup>th</sup> of last century. According to these prognosis, the only hope is offered by the time passing by: The mafia-members are increasingly investing their money in “clean” and legal businesses, which help to create new and legal jobs. They send their children to renowned universities abroad. The children get accustomed to another “style” of living and behaving and of “making money”. Later on they bring this “style” back home and the mafia-structures slowly recede.

<sup>138</sup> Referring to interviews with several members of Georgian NGOs.

<sup>139</sup> Quotation from an interview with a member of a Georgian NGO.

Within the last 12 years “democracy” is tiptoeing around Georgia like a shy and obscure ghost, who does not want to come in, sit down and make himself visible. At least for Georgians this picture may arise. The golden word “democracy” has been repeated by western advisors like magic formulas and still it is not clear what is behind this abstract phenomenon, which sneaks around and still is hiding carefully behind quite obvious and self confident co-visitors: economic crisis, corruption and political chaos. No wonder, that something which is as vague and obscure, and which does not bring any obvious incentive nor benefit, is clearly seen as something which one might easily do without. With other words: the tiptoeing ghostly visitor may – in the eyes of the one or the other Georgian - easily stay outside.

After the hardships of the last decade it seems to be understandable that society-at-large sees “democracy” as failure and “democratic values” as nothing which is worth to strive for. Even if those values would be accepted and understood as something valuable, the citizens would not feel that their involvement could help implementing those values in societal life.<sup>140</sup> This mentality is a part of the soviet legacy which still has not been overcome.

Furthermore it seems to be quite understandable that in their fight to survive economic and political crises people look first of all after their own needs and requirements, are generally oriented towards family, relatives, and friends rather than towards public life.<sup>141</sup> As follows the society is quite “nuclearized” and as a result there is a weak socialization of citizens in terms of understanding “community”.<sup>142</sup>

Another reason for public’s retreat from involvement into any reform and democratization processes is to be found in the general lack of the rule of law in the country which is going along with a widespread

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<sup>140</sup> Referring to an interview with a member of a Georgian NGO.

<sup>141</sup> Kukhianidze 2003, op. cit., p. 3.

<sup>142</sup> Referring to an interview with a member of a Georgian NGO.

mistrust in the government.<sup>143</sup> For those, not being already totally indifferent to political developments, the government is mainly seen as direct enemy to the general public.<sup>144</sup>

Civil-Society is still hardly developed and only very marginal involved in democratization and reform processes. One of the main problems is, that a “disorganized NGO community<sup>145</sup> and mostly incompetent and still insufficiently developed media<sup>146</sup> lack necessary resources to exercise decisive influence over the government”.<sup>147</sup> Furthermore, the society ignores the reform process, since “reforms are, as a rule, launched and implemented by upper echelons or nomenclatura. The society is not much involved in this process and perceives any change as

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<sup>143</sup> The United States Information Agency (USIA) carried out opinion polls, showing the dramatic increase of public mistrust towards the government during the last few years.

<sup>144</sup> Referring to an interview with a member of a Georgian NGO.

<sup>145</sup> “There are some 5,000 civilian associations and 500 foundations registered in Georgia, however, only 10 to 15% can be considered true Non-Governmental Organizations (NGOs).” See NATO PA: Background Document to the Rose-Roth Seminar, Tbilisi, Georgia, 27-29 September 2002, p. 6. “Only 50-60 of them are active. Most often they are very small.” Quotation by member of a Georgian NGO. Even the most well-established and powerful organizations face financial problems, and depend entirely upon foreign grants or donations. Most NGOs are based in the capital while outlying regions are often ignored. Despite these weaknesses, the NGO sector in Georgia has gained influence both over policymaking and public opinion in the past few years.” NATO PA 2002, op. cit., p. 6.

<sup>146</sup> “There are approximately 200 independent print outlets nationwide, some eight TV stations in the capital and more than 45 regional TV stations, 17 of which offer daily news. Radio and a few daily newspapers remain the major source of information for peripheral regions that lack electricity. Poor finances force most print outlets to labour under the influence of political ‘sponsors’ while television is the most popular source for news broadcasts.” NATO PA 2002, op. cit., p. 7. “Georgian media operate with a greater level of freedom compared to counterparts in most post-Soviet countries. However, there are cases of state-sponsored breaches of freedom of speech as well as incidents of violence against journalists.” NATO PA 2002, op. cit., p.7.

<sup>147</sup> Archil Gegeshidze, Security Strategies for Georgia. A Georgian Perspective. Remarks to the AGBC Forth Annual Conference “Development Strategies for Georgia”. Washington: 2001, page 3.

an action directed against it.”<sup>148</sup> Civil-society building, a task which has been taken up by several NGO’s, has to suffer from a lack of cooperation, coordination and continuity within NGO involvement.<sup>149</sup>

The enhancement of public involvement within the democratization process is a Sisyphean task, which has to deal with the major challenge to explain to society-at-large, that “democracy”, which is perceived as failing on a day-to-day base is nevertheless in the long run no failure, but a crucial value to strive for.

### *Influence of the Security Environment*

Beside the above mentioned internal aspects, also external threats and influences by the security environment determine the broader context of security sector reform in Georgia: Those threats, most of all the Russian threat to Georgian territory, but also the frozen conflicts in the autonomous regions are seen as basic negative factors to SSR in Georgia. The permanent pressure most of all prevents that enough capacities and energies are left available for reforms.<sup>150</sup>

On the other hand those factors may imply a certain ambivalence: incidents, like the Russian bombing of the Pankisi gorge, also seemed to have enforced Georgian will to further cooperate with the West and to come as close to NATO integration as possible, which is for the time being the most important incentive for the Georgian government to implement required reforms.

Furthermore the security threats enforce the longing for general security and for a strong and professional army. Therefore they also positively influence the will to reform the Armed Forces, but at the same time hinder a consequent reduction to their natural size. A negative influence is certainly, that the one-sided focus on a reform of the Armed Forces

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<sup>148</sup> Liklikadze, Losaberidze 2002, op. cit., p. 34.

<sup>149</sup> Referring to an interview with a Member of a Georgian NGO.

<sup>150</sup> Referring to an interview with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs.

prevents a necessary reform of other security forces, i.e. border guards and police forces.

## **General Problems in View of Security Sector Reform**

After having had a look on the broader context, we may shift towards general problems of security sector reform itself. The following chapter reflects the most vehemently and repeatedly stressed aspects:

### *Lack of a Security Strategy and a Reform Concept*

“The biggest problem is that the reform process is not well understood. There is no consensus what SSR would mean for Georgia and there is no precise programme for reforms. Only recommendations from foreign experts.”<sup>151</sup>

The lack of a national security strategy and a precise concept for SSR in Georgia is probably the most fundamental obstacle to any effective reform. Whereas some exceptional statements<sup>152</sup> allude to an internal, not yet published long-term plan for reforms, most of the interviewees<sup>153</sup> insist, that there is still no concrete reform-programme and only recommendations of foreign experts i.e. from the International Security Advisory Board (ISAB)<sup>154</sup> available.<sup>155</sup>

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<sup>151</sup> Quotation from interview with a member of the Defence and Security Committee of the Georgian Parliament.

<sup>152</sup> Referring to interviews i.e. with a member of the Georgian Defence Academy and a member of a Georgian NGO.

<sup>153</sup> Referring to interviews with a member of the Defence and Security Committee of the Georgian Parliament and a member of the Georgian Ministry of Defence (MoD).

<sup>154</sup> “The International Security Advisory Board (ISAB) was established by a memorandum of Understanding dated 14 April 1998. ISAB is an independent body, working directly to the Government of Georgia. In accordance with the MOU, ISAB submitted a draft Report, with recommendations, to the national Security Council at the six-month point. After out-of-committee consideration the Secretary of the National Security Council informed ISAB that the content and recommendations of the draft Report were broadly acceptable. He also requested ISAB to elaborate an outline schedule for implementation of the recommendations, and to submit the final Report at the twelve month point.” See:

Nevertheless, first tentative steps towards a reform plan have been taken: The White Paper of the Ministry of Defence<sup>156</sup> includes brief outlines on Georgian defence policy, defence structures, personnel policy, logistics, defence budget and the relation between Armed Forces and society. Furthermore it contains information on roles of the Armed Forces, military co-operation, the various defence and security forces, the general staff, civilian personnel, the military service and education system, information on defence planning, defence finance and military legislation. It takes stock of the current state of institutional changes, and gives a very broad idea in which direction a general reform should go. However, the White Paper is far from being precise enough to provide clear guidelines and priorities. The Paper has obviously been drafted in order to demonstrate a certain transparency in giving an overview of the current state of the security sector. It obviously lacks a national vision and concrete information how the very broad defined goals should be transferred into missions.<sup>157</sup> Georgia's strategic interests are set out briefly on only one page and are vaguely, partially and rather inconsistently mentioned within the introduction of the paper. Following the White Paper, interests are to be found in regional stability and cooperation, a modernization of its Armed Forces and an interest in "moving Georgia closer to the Euro-Atlantic community of nations"<sup>158</sup>. Merely stating that the Georgian Armed Forces should be "NATO-compatible" leaves open how this will affect the allocation of scarce fiscal resources or the priority of reforms. The rest of the White Paper is descriptive and does not provide guidance for further reforms. According to an expert, the "White Paper 'puts the cart before the horse'. Without the delineation of Georgia's strategic interests and

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[www.cpirs.org.ge/Archive/ISAB.html](http://www.cpirs.org.ge/Archive/ISAB.html); 06.04.2003. The report is to be found at: [www.cpirs.org.ge/Archive/ISAB.pdf](http://www.cpirs.org.ge/Archive/ISAB.pdf)

<sup>155</sup> Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

<sup>156</sup> White Paper of the MoD, Ministry of Defence Georgia, Tbilisi 2002.

<sup>157</sup> Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament

<sup>158</sup> See White Paper of the Georgian Ministry of Defence, Tbilisi 2002, page 3.

objectives the paper is void of any indication of where Armed Forces reform should be heading.”<sup>159</sup>

Another effort towards the conceptualization of SSR has been taken in view of the elaboration of a reform of the Security and Law Enforcement Services of Georgia. Problems and challenges are different here, but also enforce the impression of the creation of a patchwork quilt rather than a strategic implementation of a clear national security strategy.

Bringing it to the point one could put it like that: Georgia has a lot of general recommendations in view of SSR, provided by international advisors. What Georgia does not have is an adaptation of these recommendations to the country’s situation and background and it also lacks concrete directives in view of a practical implementation of the reform.

Nevertheless there are signs for improvements<sup>160</sup>: A member of the International Security Advisory Board recently<sup>161</sup> confirmed that a draft of the National Security Strategy is finalized. However it is not published yet and one can not tell if the new government will agree on the current version.

For those involved in the reform process it is still extremely difficult to understand what SSR should mean for Georgia and how an implementation could look like. For those, having at least a broad idea what a reform could or should imply, there is an obvious lack of consensus. Taking for example the Armed Forces: On the one hand it is an accepted fact that the reform should imply a downsizing to its natural size. On the other hand, taking the current security threats into account, the readiness should be increased.<sup>162</sup>

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<sup>159</sup> An assessment by Marina Caparina, Senior Fellow at the Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva, Switzerland.

<sup>160</sup> See also the chapter on achievements and positive trends.

<sup>161</sup> At the Workshop on Security Sector Governance in Southern Caucasus in Reichenau/Rax, November 21-24 2003.

<sup>162</sup> Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

As a next step it is of crucial importance to agree on a common concept which is based on a broad consensus within the country, having in mind that “SSR implies that the national leadership has gone through a process by which the strategic interests of the country have been assessed, and implications identified for key sectors of the state. That is, there is an understanding and consensus on which areas need to be tackled for reform that flows from the highest levels of the political leadership, based on a comprehensive view of the strategic and national interests of the state.”<sup>163</sup>

A consistent guideline in view of security structures and institutions as well as in view of goals and missions would be a basic starting point to SSR in Georgia. As long as those guidelines and directions are absent, effective reforms will remain a crucial challenge.<sup>164</sup>

Most of the experts agreed that it is not a lack of expertise or experience but the absence of political will which prevents the implementation of a national security strategy<sup>165</sup>.

### *Lack of Political Will of the Executive Power*

“The most important obstacle is the lack of political will.”<sup>166</sup>

“Certain people don’t have any interest in a concept.”<sup>167</sup>

Following the views of some interviewees, it was clearly the lack of political will of the former government that hindered a serious progress of the reforms.<sup>168</sup> The experts explicitly stressed the negative role the

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<sup>163</sup> An assessment by Marina Caparina, Senior Fellow at the Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva, Switzerland.

<sup>164</sup> Referring to an interview with a member of a Georgian NGO.

<sup>165</sup> Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

<sup>166</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>167</sup> Quotation from an interview with a member of the Defence and Security Committee of the Georgian Parliament.

<sup>168</sup> Referring to an interview with a military journalist and several members of Georgian NGOs.

president himself was playing in that aspect. Whereas Shevardnadze officially pushed the reforms in view of meeting the MAP requirements, he was obviously not in a rush to give consistent directives to implement them.

This leads to another factor: the role of the president in defence and security issues versus the role of the parliament: The head of the executive power clearly dominated political life in Georgia. The parliament was much weaker than the presidential power:

“...The President can and does ignore the opinion of parliamentarians concerning various issues of security and defence policy.”<sup>169</sup>

Whereas legislation speaks for parliamentary control of the security sector, reality shows a different picture, for example in view of the oversight on defence spending:

“The parliament hardly fulfils its main obligation in security and defence policy: budgetary control.”<sup>170</sup>

Two reasons for the neglect of this obligation might be mentioned: At first there is still little knowledge and understanding on how defence resources are allocated and spent.<sup>171</sup> A second reason is, that the “Parliament does not have the right to amend the budget without the consent of the president, who is the only person authorised to submit official budgetary drafts or amendments. The legislature has only two options – to agree the overall figures or to reject the entire draft. To reject the draft would require enormous political effort and compliance with numerous conditions, and so far legislators have not resorted to such measures. Nor was any action taken on the many occasions when

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<sup>169</sup> Hans Born, Recipients’ Views on Interparliamentary Assistance: A Short Report on the Czech Republic, Ukraine, Georgia – Three Case Studies; In: Hans Born/Marina Caparini/Philipp Fluri (eds.), Security Sector Reform and Democracy in Transitional Societies. Proceedings of the Democratic Control of Armed Forces Workshops at the 4<sup>th</sup> International Security Forum, Geneva, November 15-17, 2000. Baden-Baden: Nomos 2002, p. 61-67; p. 65.

<sup>170</sup> Ibid., p. 65.

<sup>171</sup> Ibid.

the parliamentary taskforce responsible for reviewing the power ministries<sup>172</sup> spending on classified activities found that it knew no more than the other deputies.”<sup>173</sup>

Generally it can be stated that the authoritarian style of Shevardnadze’s leadership definitely played a considerable and negative role in security sector governance in Georgia. The crucial importance of the presidential elections on January 4<sup>th</sup> as well as of the very role the new Georgian president will play in security sector governance does not need to be stressed.

Furthermore the “Parliament’s weak role is one indication that democratic control is still incomplete. The civilian element of control is also underdeveloped, as the Ministers of the Interior and of Defence, and the heads of the security departments are all generals<sup>174</sup>. The President and the Secretary of the National Security Council are almost the only civilians with any real power at the top levels of the executive.”<sup>175</sup> It can be stated that one of the basic pre-conditions of a democratic oversight of the security sector<sup>176</sup>, a “dividing line” between the political and military leaders does not exist in Georgia.

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<sup>172</sup> The defense ministry, ministry of internal affairs and the ministry of state security are the so called “power ministries”.

<sup>173</sup> Darchiashvili David, 'Georgia: A Hostage to Arms' in Matveeva, Anna & Duncan Hiscock (eds.), 'The Caucasus: Armed and Divided - Small arms and light weapons proliferation and humanitarian consequences in the Caucasus', London: Saferworld, 2003, p. 86.

<sup>174</sup> Until recently, the first exception to this rule was the new Minister of State Security Valery Khaburdzhania.

<sup>175</sup> Darchiashvili 2003, Op. cit., p. 86.

<sup>176</sup> For background information on the theory of civil-military relations, see i.e. the classical works of Samuel Huntington, *The Soldier and the State: the Theory and Politics of Civil-Military Relations*. New York: Vintage books 1964, 1<sup>st</sup> edition 1957 and Morris Janowitz, *The Professional Soldier: A Social and Political Portrait*. New York: Free Press of Glencoe 1960.

### *Lack of Civilian Expertise*

The above stated lack of civilian oversight was not only caused by the strong authoritative role of the president and the partly militarized leadership. A second reason is also to be found in the lack of civilian expertise on security and defence related issues. This holds true for civilians in the ‘power ministries’ as well as for the Members of Parliament. As example might be mentioned the apparent lack of knowledge on defence resources allocation by Members of the Parliamentary Defence and Security Committee which hinders to fulfil their oversight and control functions. This absence of knowledge and expertise on security sector related issues is deeply rooted in former soviet times, when there have not been any civilian experts on defence issues at all. Like in most transitional countries it is still a basic challenge to build up the necessary expertise from scratch.<sup>177</sup>

### *Problems in Defence Budgeting*

It goes without saying that the lack of adequate financial means forms a major obstacle to SSR. Nevertheless some of the interviewees clearly see financial problems as painful but as secondary compared to other factors, which have been mentioned above, i.e. the lack of political consensus and will to implement the reforms.<sup>178</sup>

In view of the Defence Resources Management Department within the MoD, the lack of adequate resources forms of course a continuous hardship within the budgetary process. However it is only one in a long row of various problems:

“It is hard to argument for funds if they don’t have a basis.”<sup>179</sup>

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<sup>177</sup> Referring to an interview with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs and with a member of a Georgian NGO.

<sup>178</sup> Referring to an interview with a member of a Georgian NGO.

<sup>179</sup> Quotation from an interview with a member of the Georgian Ministry of Defence (MoD).

A first basic challenge to determine a clear defence budget is caused by the above mentioned lack of a clear and binding security concept. Therefore those, working on the budget within the MoD state the urgent need of a clear security strategy and a binding concept in order to be able to argument for funds and to get a guideline how to set defence resources priorities.

A second problem in defence budgeting is, that there are no clear and reliable figures on the state income, microeconomic prognosis and socio-economic parameters available. This is why it is extremely challenging to set a frame for the budget. Generally military expenditures only take a very small proportion of the rather vaguely calculated Gross Domestic Product (GDP).<sup>180</sup>

A third challenging factor is, that the Georgian state has only one main treasury, one account for all ministries. This makes transparency extremely difficult and gives free way to corruption.

Furthermore a fourth obstacle is that personal influences within the Defence Resources Management department negatively affect the budgetary process:

“Personal influence is the disease of the moment.”<sup>181</sup>

The budgeting process is still influenced by problems of mental interoperability amongst those in charge. Some people in the MoD understood how inconvenient the increase of transparency might become and started to fight a new and more transparent budgeting system.<sup>182</sup> Personal influences are currently a major problem not only in view of

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<sup>180</sup> 0,2-0,3 percent in comparison to the average 2-3 percent of NATO states.

<sup>181</sup> Quotation from an interview with a member of the Georgian Ministry of Defence (MoD).

<sup>182</sup> The PPBS (Programme Process Budget System) has been implemented in 2001 and gives hope for more transparency in defence spendings. See details in following chapter on achievements.

defence budgeting but generally a widespread phenomenon within the country.<sup>183</sup>

Nevertheless some signs for improvements could be found in the introduction of the new budgetary system:

The Programme Project Budgeting System (PPBS) has been implemented in 2001. It can be seen as a first step towards more transparency on defence spending. Until 2001 defence budgeting contained only figures without any explanations. In 2001 for the first time exact and clear defined categories for expenditures have been introduced. The MoD has been one of the first ministries, introducing the system and counts on positive experiences made within other countries with the new system, i.e. within the Baltic States. During 2003 British advisors supported the Georgian MoD in implementing the PPBS system.

When talking to a MoD official in September 2002, the assessments on the prospects of the new system have been quite positive: Despite having a strong opposition within the own department and ministry the new system was generally seen as irreversible. “There is no way back, the implementation will continuously proceed.”<sup>184</sup>

One year later the situation proved much less euphemistic: The Parliament didn’t adopt the programming budget, because of a row between the MoD and the Ministry of Finance. The Ministry of Finance cut the budget, which had been prepared according to the new system in a way that it had to be drafted from scratch. The 2003 budget which had been proposed as 129 million Georgian Lari by the MoD was finally adopted with 78 million Lari. After these severe cuts, the MoD failed to prepare a revised budget applicable to the PPBS approach. The defence expenditures are currently spent according to the old procedures. The development is obviously in the interest of MoD officials not to change

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<sup>183</sup> Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

<sup>184</sup> Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

the established soviet type procedures and therefore not to help reducing the level of corruption.<sup>185</sup>

### *Misuse of International Assistance*

“50% of EU funds simply vanished in Georgia.”<sup>186</sup>

Whereas international aid is supposed to have a quite positive influence on SSR, it is on the other hand confronted by major obstacles and problems: The apparent misuse of international assistance and an obvious lack of coordination in those programmes can be considered as crucial draw-backs in view of a reform of the Georgian security sector. Just as a small example of the disastrous dimensions of the above described corruption in the country, it might be mentioned, that about 50% of international donor’s contributions tend to vanish in private pockets instead of being used for the sake of democratization and development of the country.<sup>187</sup> Ammunition and equipment, originating from international assistance programmes, have for example been found quite often on bazaars rather than in the barracks; Trucks and special transport equipment have been used by the general staff instead of units within which they were needed and originally supposed to be used. Coordination problems also hindered efficient results: Ammunition and equipment has been delivered, but there was no infrastructure to store it properly.<sup>188</sup>

As a cause of misuse and lack of proper results the interviewees stated a continuous fear that international assistance would break off and leave a chaotic and hopeless situation behind.

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<sup>185</sup> Referring to a recent assessment by a member of a Georgian NGO.

<sup>186</sup> Quotation from an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

<sup>187</sup> Referring to an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

<sup>188</sup> Referring to an interview with a parliamentary staff member.

## **Specific Problems in View of Reforming Armed as well as other Security Forces**

Since it is not possible to look within this paper at all developments in view of building up as well as reforming security forces in Georgia, just some glimpses on three main actors: the Armed Forces, Police Forces and Border Guards.

Generally the picture in Georgia is quite similar to those which are well-known from other transitional countries: The personnel size of security forces is twice or thrice as high as necessary and useful, effectiveness at the same time thrice as low as you even can imagine. The last aspect is a result of various issues, i.e. the lack of discipline, and professionalism<sup>189</sup> along with the absence of appropriate education and training<sup>190</sup>, extremely low salaries and a rather high demoralization. Low payments and the lack of basic social securities encourages personnel of law enforcement bodies to abuse their power positions for private income generation by bribery, corruption and other illegal activities.<sup>191</sup> This is why society-at-large is far away from even considering to trust or to respect the country's security forces.

Given the long list of challenges, the question arises where exactly to start with a reform. When looking at western models or let's say, when checking out security sector success stories, one might rather get depressed: How should this gap be bridged? To overstress the point: It is hard to imagine how Georgian security forces may become strong, disciplined, smart, wealthy and respected in one go. Starting with the reforms step by step might sound a little bit more realistic but is – at the same time not possible. There is no strength without discipline and education, no discipline and motivation without appropriate salaries and no respect without all the other aspects taken together.

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<sup>189</sup> Referring to interviews with several members of Georgian NGOs.

<sup>190</sup> Referring to an interview with a military journalist.

<sup>191</sup> See also the chapter on police forces.

## *Armed Forces*

The reform process of the Georgian Armed Forces (GAF) gives - most of all because of the immense international assistance – some reason for hope in prospective positive results.

Nevertheless fundamental problems have to be overcome: The absence of a national security strategy as well as the lack of professional experience negatively influence the reform process.

“The current military still lacks both professional experience and a coherent strategy addressing national threats.”<sup>192</sup>

Furthermore the formation of the military did not follow any strategic considerations but rather personal influences:

“...The Georgian army has been developing according to individual politicians' or the military commandment's ambitions rather than to a state programme.”<sup>193</sup>

Furthermore the “army suffers from frequent structural and staff changes. Finally, what is currently built up follows yesterday's, in particular the Soviet army's, model in miniature.”<sup>194</sup>

“Today's Georgian army is not ready to check possible threats to the country's national security.”<sup>195</sup>

The combat readiness of the Armed Forces is quite low and given the lack of professionalism and strength, the public at large has little respect for the Georgian military.”<sup>196</sup>

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<sup>192</sup> Shukuko Koyama, Security sector reform in Georgia. Saferworld, London, 2002, p. 7.

<sup>193</sup> David Darchiashvili, The Army-Building and Security Problems in Georgia. Tbilisi 1997, p. 3.

<sup>194</sup> Ibid.

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.

Financial problems still crucially affect the restructuring process of the Armed Forces. Downsizing implies financial and social impacts, which can't be properly addressed yet. Retired militaries' integration into civilian life often fails and results in their participation in corruption and other illegal activities. Beside the lack of financial resources, the absence of motivated and educated officers is also seen as a major problem to a reform.<sup>197</sup>

“A hungry, untrained army cannot defend its country.”<sup>198</sup>

The financial situation aggravated in a way that not only the reform process is affected but also very basic aspects of maintaining the army. Desertion rates increase tremendously since conscript soldiers face chronic hunger. The families of the conscripts have to organize food supply in order to prevent their sons from starving. Those who don't get any help from at home have to steal food in order to supplement their meagre rations.

Hunger is certainly one of the main reasons – but not the only one – for the high level of desertion within the Georgian Armed Forces. Soldiers face poor nourishment, shortage of uniforms and medical supplies, low wages and unsafe accommodation.

Under those circumstances military units can no longer afford to be fully manned. Even in conflict prone and security priority regions like the Pankisi Gorge units are manned to only thirty or forty per cent of the required strength. In 2002 the military recruited just one third of the conscripts in need. Young Georgians on their part try to avoid military service by all means, i.e. by buying an official 12-month deferral.<sup>199</sup>

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<sup>197</sup> Referring to an interview with a military journalist.

<sup>198</sup> Irakly Seshiashvili, director of the Georgian NGO “Rights and Freedom”. Quoted after Maia Chitaia and Nino Zhvania: Hunger, Desertion plague Georgian Army. Georgia's national security at stake as conscript soldiers face chronic hunger. In: Institute for War & Peace Reporting IWPR's Caucasus Reporting Service, No. 176, April 25, 2003, p. 3.

<sup>199</sup> See Chitaia, Zhvania 2003, op. cit., p.2.

A member of a Georgian NGO brings it to the point when stating that the military leadership recognizes that an army which is manned by starving soldiers cannot fight effectively. “So they never train them...As a consequence, the army is not battle-trained. A hungry, untrained army cannot defend its country.”<sup>200</sup>

### *Police Forces*

“Why dying for nothing?”<sup>201</sup>

According to statements of the deputy minister of the Interior, there are currently up to 60 000 police officers in Georgia. Other estimations range about at least 40 000 policemen.<sup>202</sup> An urgent necessary reduction of the personnel implies the same financial and social impacts as mentioned above in view of the Armed Forces.

Since the official salaries of police officers are extremely low it is widely accepted that they make money by bribery and corruption and that they are carrying out extortion and racketeering against individuals and small business.<sup>203</sup>

Options for private income-generation make the profession of a police-officer quite attractive and since there are no major restrictions to become a police officer (usually by bribing the officials in charge), the number of police personnel is still growing. It seems to be self evident, that a policeman, who does not even earn enough to support his own family, would not start fighting corruption or illegal mafia activities, following the motto: “Why dying for nothing?”. Economic problems are therefore closely related to a basic absence of a professional ethic and also a crucial lack of motivation. Result is a quite high demoralization of Georgian police.<sup>204</sup>

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<sup>200</sup> Irakly Seshiashvili quoted after *ibid*.

<sup>201</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>202</sup> Referring to an interview with a member of a Georgian NGO.

<sup>203</sup> Darchiashvili 2003, *op. cit.*, p. 76.

<sup>204</sup> “Violations of human rights, torture, illegal arrests, extortion of money from business people, drivers and criminals, bribery, falsification of the results of

The lack of appropriate access-restriction to the profession also determines the absence of adequate training and education.<sup>205</sup> Foreign assistance programmes started to offer training courses for Georgian police officers. Most of the courses focus on Human Rights related aspects. OSCE Training Programmes started to broaden the perspective and offer training courses on specific issues, i.e. domestic and gender-based violence.<sup>206</sup> Human rights training courses for police officers have been organized by the Swedish government in cooperation with the United Nations Development Programme and the Public Defender's Office. Donors and human rights oriented non-governmental organizations promoted human rights issues among police officers. But still, police academy classes on human rights are not compulsory for graduation or promotion in the police organizations.<sup>207</sup>

Basic results of the lack of professionalism and education, along with frequent criminal activities are the crucial absence of a trustful and respectful relationship between citizens and police. Lack of professionalism and corruption among police officers is named as one of the major reasons, why government lacks legitimization, respect and reliability from the general public.<sup>208</sup> For many Georgians, police forces mainly exist in order to support the state authority and those in power rather than the citizens.<sup>209</sup> Since the state law enforcement bodies fail to establish the rule of law within the country, the clan system and other mafia structures started to provide their own informal justice mechanisms.<sup>210</sup>

Since they range among the most important supporters of the ruling elite, police forces are consequently excluded from any serious reform

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investigations, involvement in crimes and assassinations became the usual practice of the police forces.” Kukhianidze 2003, op. cit., p. 6-7.

<sup>205</sup> Referring to an interview with a member of a Georgian NGO

<sup>206</sup> See: OSCE begins training for Georgian Police Officers on combating domestic violence. To be found at: [http://www.osce.org/news/show\\_news.php?id=3330](http://www.osce.org/news/show_news.php?id=3330)

<sup>207</sup> Koyama 2002, op. cit., p.13.

<sup>208</sup> Referring to an interview with a Member of a Georgian NGO.

<sup>209</sup> Koyama 2002, op cit, p.8.

<sup>210</sup> UNDP Human Development Report: Georgia 2000, UNDP Country Office, Tbilisi, p. 72, cited after Koyama 2002, op cit, p. 9.

attempts.<sup>211</sup> “For many years, the MOI was the stronghold of the ruling elite and enjoyed the unofficial right to engage in illegal activities.”<sup>212</sup> “Until very recently, the state leadership took no effective measures to stamp out such practices. The Council for Anti-Corruption Policy set up by the president had little impact.”<sup>213</sup>

An effort towards an improvement of the situation has been finally taken in February 2002, when the Georgian president established an Interagency-Commission (based on a presidential decree, issued on 6<sup>th</sup> December 2001), which had to elaborate a concept for a reform of the Security and Law Enforcement Services of Georgia. The current version of the reform concept has been put online along with a series of recommendations by foreign experts and institutions (i.e. recommendations by the Committee of Ministers of the Council of Europe). The concept is publicly available via the website of the Georgian supreme court<sup>214</sup> and starts with the promising insight that “The process of democratization and reforms of the Police in Georgia can only be based on firm political will”<sup>215</sup> and furthermore states that “The police should comply with the demands of democratic society in order to represent the institution – the guarantor of the democratic state.”<sup>216</sup>

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<sup>211</sup> Refer to Koyama, op cit, page 8.

<sup>212</sup> Darchiashvili 2003, op. cit., p. 76.

<sup>213</sup> Ibid., p. 77.

<sup>214</sup> See: <http://www.supremecourt.ge/english/About.htm> → Public Information → Reform Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

<sup>215</sup> See concept of the Georgian Police Reform, page 1. Annex XI to the Concept of the reform of the Security and Law Enforcement Services of Georgia. To be found at: <http://www.supremecourt.ge/english/About.htm> → Public Information → Reform Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

<sup>216</sup> See Concept of the reform of the Security and Law Enforcement Services of Georgia, page 13. To be found at: <http://www.supremecourt.ge/english/About.htm> → Public Information → Reform Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

On the one hand the concept is much more precise in giving measures to improve the performance of Georgian law enforcement agencies than any other paper before; on the other hand, it has not been adopted yet as formal document. It still has to be approved and signed by the president in order to become a binding and official guideline. Even if the concept will be adopted, it won't guarantee a successful reform process, since the power ministries as well as the procurator's office are reluctant to any reforms within their agencies.<sup>217</sup>

Nevertheless, statements of the minister of Internal Affairs Narchemashvili on the need for reform raise some hopes. "Narchemashvili argues that he belongs to a new generation of lawyer-reformers and would like to leave a positive legacy. Some district police officers were dismissed. However it is difficult to say whether the reforms are genuine or if this is merely a tactical move by the police."<sup>218</sup>

### *Border Guards*

"The Pankisi Gorge incidents showed how much border incidents and a lack of efficient border controlling is affecting national, transnational and international security."<sup>219</sup>

Generally it can be stated that poorly equipped, hardly trained and meagerly paid Georgian Border Guards are not able to sufficiently and effectively control the country's borders<sup>220</sup>. Failures in border-management had in recent times major impacts on the country's security: Chechen rebels crossed the borders, entered the Georgian territory and found refuge in the Pankisi Gorge. Russia, accusing Georgia of supporting Chechen rebels and terrorists, started bombing Georgian territory. The incident has shown how much failures in border-management and controlling may affect national as well as international security.<sup>221</sup>

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<sup>217</sup> Quotation of an interview with a member of a Georgian NGO.

<sup>218</sup> Darchiashvili 2003, op. cit., p. 77.

<sup>219</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>220</sup> Referring to an interview with a member of a Georgian NGO.

<sup>221</sup> Referring to an interview with a member of a Georgian NGO.

Smuggling and trafficking at Georgian borders forms an additional and general problem, especially since Georgia does not confirm the secessionist territories Abkhazia and Ossetia as external territories. Georgian authorities do not employ Border Guards at these borders, because if they would do so it would be considered as recognition of the independence of the secessionist territories. Therefore those borders are not controlled as inter-state borders and especially prone to any trafficking, drug and weapon smuggling activities: “Corruption, organized crime, trafficking in drugs and weapons, terrorist acts and participation in smuggling through their territories became a profitable business for all sides of conflicts: Russian, Georgian and Ossetian criminals, peacekeepers, law enforcement bodies, and Georgian partisans in Abkhazia.”<sup>222</sup> It has been clearly stated that “smuggling and organized crime through Abkhazia and South Ossetia can be minimized only in close cooperation between Georgian, Abkhaz and Ossetian law enforcement bodies.”<sup>223</sup>

In 1999 the OSCE Mission to Georgia was mandated to observe and report on movements across the Chechen segment of the Georgian-Russian border. The mandate was enlarged to further segments in 2001 and 2003. Within the cooperation programme the OSCE border monitors are accompanying Georgian Border Guards while fulfilling their daily duties.

In June 2003 a 100.000 euro grant from the European Union was used to purchase equipment for Georgian border guards in order to improve the joint border monitoring of the department of the Georgian State Border Protection and the OSCE Border Monitoring Operation.

However those grants and aid programmes seem to be a drop in the ocean in view of the tremendous amount of illegal activities along mostly unprotected Georgian borders.

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<sup>222</sup> Kukhianidze 2003, op. cit. p. 8.

<sup>223</sup> Ibid.

## Achievements and Positive Trends

Despite major challenges and obstacles, there have been positive developments and considerable steps into the right direction. A focus will be set on four relevant trends: an apparent tendency towards transparency enhancement, a positive and ongoing process in training and professionalisation of the Armed Forces, general promising signs for a slow but continuous system change and efforts to adapt and coordinate international assistance.

“The threats are at least transparent.”<sup>224</sup>

As a crucial positive starting point one might state that none of the mentioned challenges to SSR are seen as absolute or insoluble problems and in comparison to the still vivid soviet past, an extremely important step has already been taken: The threats and challenges are transparent<sup>225</sup> and therefore have a chance to be addressed and tackled. The pressure to further elaborate a national security concept as well as to adopt a binding SSR-concept is increasing and coming from all kind of political actors: NGOs, parliamentary staffers as well as various members of the MoD demand a transparent and precise programme, as well as binding and reliable directives and guidelines.

“In general I would be optimistic about the reform process... If we conduct reforms effectively we would be able to join MAP.”<sup>226</sup>

The decision of the National Security Council to elaborate the cooperation with NATO seems to give hope for an acceleration of the process. The government is well aware, that the reforms are a crucial condition for entering the preparatory phase to join MAP.<sup>227</sup> It is clearly

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<sup>224</sup> Quotation from an interview with a member of the Defence and Security Committee of the Georgian Parliament.

<sup>225</sup> Referring to an interview with a member of the Defence and Security Committee of the Georgian Parliament.

<sup>226</sup> Quotation from an interview with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs.

<sup>227</sup> NATO Membership Action Plan

seen, that the quite powerful incentive of joining MAP can't be reached without a quite swift and effective implementation of necessary standards.<sup>228</sup>

Therefore we may state a starting point which is not as bad as might have been assumed: There is a general will to proceed with the reforms and a concrete knowledge on the traps which are to be found on the way.

### **First Signs of System Improvement**

“The pyramid is getting holes.”<sup>229</sup>

According to some interviewees there are first signs of a general system improvement. They state a general societal transformation process, which is irreversible and also affects the security sector relevant structures. They are positive that the transition process towards a democratic society will successfully proceed.<sup>230</sup>

It has been stated, that first “holes” have been occurred within the “corruption-pyramid”, mainly caused by the dismissal of highly corruptive personnel and their replacement by members of a “new generation”. Ministers as well as head of units within the Ministry of Internal Affairs and the Ministry of State Security became exchanged after having been heavily involved in criminal activities.<sup>231</sup> The new appointed officials in charge seem not to be involved in illegal processes and obviously try to stay out of the usual mafia-pyramid. The leadership of the Ministry of Internal Affairs is said to be dedicated to reforms. Those examples for transformation and an alternation of political

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<sup>228</sup> Referring to an interview with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs.

<sup>229</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>230</sup> Referring to an interview with a Member of the Georgian Ministry of Defence (MoD) and to a member of a Georgian NGO.

<sup>231</sup> Minister Targamadze, the founder of the MOI empire has been dismissed and replaced by his deputy, Koba Narchemashvili. See also: Darchiashvili, 2003, op. cit., pp.76-78.

generations are made public and seem to give a certain hope for an improvement of the situation.<sup>232</sup>

The downfall of Shevardnadze and his clan will certainly also have positive effects. The Shevardnadze clan in itself was the most apparent symbol of the corruptive and clientele society. As long as the leader of the state was the most obvious representative of those negative structures no change could be expected.

### **Achievements in Transparency**

Considerable improvements are to be noted in view of transparency of security structures as well as of defence spending. Especially mentioned should be the concept of the reform of the Security and Law Enforcement Services of Georgia, the MoD White Paper, the new PPBS<sup>233</sup> budgeting system which is providing more transparency in defence spending and finally a quite close cooperation of the MoD with NGOs and interested public.

#### *The Concept of the Reform of the Security and Law Enforcement Services*

As already mentioned before, the concept of the reform of the security and law enforcement services, elaborated by an Interagency Commission, has been made publicly available with a series of relevant expert's and institution's recommendations, including recommendations adopted by the Council of Europe on the role of public prosecution in the criminal justice system, recommendations on the Police Ethics Code, furthermore concepts of the reform of investigation and of the reform of procuracy, a concept of the police reform, a concept on the reform of the ministry of state security etc. The web-publication of the concept as well

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<sup>232</sup> Referring to interviews with a military journalist and a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs as well as members of Georgian NGOs.

<sup>233</sup> See the chapter on defence budgeting.

as other relevant material<sup>234</sup> might be seen as a first step towards a public dialogue and public involvement in the reform process.

### *The MoD White Paper*

As stated above, the White Paper is seen as a first step towards more transparency and public involvement in security related issues. At the same time it has been criticized for not going far enough, i.e. for not containing a more precise reform concept<sup>235</sup>. Nevertheless it can't be neglected within the chapter on achievements. Most of the interviewees mentioned it proudly as a first and remarkable step into the right direction, especially as a sign that the government understood the importance of transparency in view of defence and security related issues.<sup>236</sup> Looking on the paper from the perspective of somebody with a soviet past background, it is a huge step towards transparency, public involvement and participation in the reform process. And seeing it in relation to the historic background, where transparency and public involvement were simply not imaginable, one may also understand the motivation the paper triggered within the strategic community. Not only MOD officials and parliamentary staffers, but also members of NGOs, working within the field of security policy and civil-military relations, relate this paper with a considerable hope, that the real reform process finally and irreversibly has started.

### *Increasing Transparency in Defence Spending*

Above the quite optimistic assessment of the introduction of the new PPBS budgeting system is mentioned which is supposed to provide enhanced transparency in defence spending. It has also been stated that meanwhile the process of introducing the system is blocked. Despite this

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<sup>234</sup> See: <http://www.supremecourt.ge/english/About.htm> → Public Information → Reform Commission of the Law Enforcement and Security Agencies → Concept of the reform of the Security and Law Enforcement Services of Georgia.

<sup>235</sup> Referring to an interview with a Member of the Defence and Security Committee of the Georgian Parliament.

<sup>236</sup> Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

drawback the system should not be described as entirely failed. Taking the circumstances into account it does not make sense to expect that such a process is going smoothly without any drawbacks. Even if it will take a certain time, one may state that a first and important step is done and that at least with some pressure of the international community, the process of introducing the new system will be irreversible.

### *Cooperation with NGOs and Interested Public*

The tense relation with Russia but also the engagement of the West in security related assistance programmes - especially the American Training and Equipment (T&E) programme<sup>237</sup> - caused a quite high public interest towards defence and security related issues. This can be seen in a quite extensive media coverage on defence issues. Some papers even dedicate up to one fourth of their coverage to defence related information.<sup>238</sup>

Understanding the importance of a public understanding and interest towards the reform issues, the MoD follows a quite open policy towards interest and active involvement of NGOs and the general public.<sup>239</sup> Admitting, that MoD issues are still not transparent enough, at least some departments try to be as open as possible. They keep a good and close relationship to NGOs, appreciate their interest and keep them updated on new developments.<sup>240</sup>

### **Training and Motivation for the Armed Forces**

The reform process of the Armed Forces is stated to be well proceeding while considering NATO standards as well as general western advice as basic guidelines. Western advisors are not only appreciated as trusted

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<sup>237</sup> The over 60 million worth of assistance is provided to train and equip about 2 000 Georgian soldiers within the overall framework of American anti-terrorism campaign.

<sup>238</sup> Referring to an interview with a military journalist.

<sup>239</sup> Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

<sup>240</sup> Referring to an interview with a member of the Georgian Ministry of Defence (MoD).

and respected experts but also seen as main source for motivation and hope in success of any reforms.<sup>241</sup>

The obvious engagement and interest by the West, which found a new peak in the American Training and Equipment Programme (T&E programme) considerably increased the motivation to continue with the reform process and is generally seen as crucial basis for a professional army-building process.

The over 60 million worth of assistance is provided to train and equip about 2000 Georgian soldiers within the overall framework of the American anti-terrorism campaign. Members of the Armed Forces as well as of other security forces are undergoing the intensive training programme, which is supposed to result in a first basis for a well trained, reliable and disciplined army.<sup>242</sup> Media echo as well as expert views on this programme show the importance of such a project, not only in view of training and professionalisation of the Armed Forces, but much more in view of the motivation which has been triggered by this new sign of international engagement and support.<sup>243</sup>

### **Coordinating International Assistance**

Western assistance is clearly seen as fundamental for any success in SSR and it has been understood, that a crucial matter of concern is the proper use of foreign aid. First steps have been taken to arrange programmes which help to coordinate different support projects and try to guarantee their most effective use. An example of those positive coordination-efforts has been launched by the Parliamentary Defence and Security Committee, which arranged meetings with the military attachés of those countries, supporting Georgia in its reforms in order to start a comprehensive coordination of useful assistance programmes, which

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<sup>241</sup> Referring i.e. to an interview with a Member of the Georgian Defence Academy and to several members of Georgian NGOs.

<sup>242</sup> Referring to an interview with a military journalist and to a member of a Georgian NGO.

<sup>243</sup> Referring to an interview with a military journalist and to a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs.

also take into account the current infrastructure, as well as capacities and challenges caused by corruption. The feedback on those meetings has been quite positive.<sup>244</sup>

A Swiss pilot project has also been mentioned, which takes into account corruptive structures by purchasing necessary equipment in Georgia and handing it over directly to the departments in need without involving any money transfer.<sup>245</sup> Those pilot projects may help to avoid mismanagement in view of international assistance and help to built up sustainable donors' involvement in the process. Seeing those efforts as valuable steps within the reform process it should of course be mentioned that an effective coordination finally only can take place when clear priorities are set by the government.

### **Prospects for the Future and Factors for Success and Failure**

“Reforms will be definitely implemented. It only takes time.”<sup>246</sup>

We asked the interviewees on prospects for the future and factors for success and failure in view of a democratic governance of the security sector. The following picture is a selection of the most important factors, which determine the future reform process.

Generally there have not been any crucial doubts in a final success of a democratic reform of the security sector, even if it is admitted, that it probably would take quite a long time to implement the democratic changes. However there are a lot of uncertainties in view of concrete prospects of the next years and quite a lot of different variables and factors, determining anticipated developments:

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<sup>244</sup> Referring to an interview with a parliamentary staff member.

<sup>245</sup> Referring to an interview with a member of the Georgian Ministry of Internal Affairs (MIA).

<sup>246</sup> Quotation from an interview with a Member of the Georgian Defence Academy.

## The Role of International Assistance

International support in SSR is clearly seen as most fundamental factor in view of a successful implementation of the reforms in future. The following quotations of our experts' statements mirror their concerns in this direction:

“The prospects of security sector reform depend on the involvement of international aid. Our own forces and energy are not strong enough. We need Western assistance on educational and strategic level. If the assistance will remain, the SSR has a chance to progress. In case Western support would stop, no chances would be left for any progress.”<sup>247</sup>

“During the past years we saw what Georgia can do by itself: We saw that we can do nothing! We need the Americans and their Training and Assistance Programmes.”<sup>248</sup>

“I hope the Americans don't let Georgia down. They are stakeholders now.”<sup>249</sup>

There is no doubt, that the Georgian perspective clearly sees international support and assistance as basic factor and absolute necessary pre-condition for the success of Security Sector Reform. Georgians seem to be convinced, that, if the West would let them down and stop supporting them a total failure not only in view of a reform of the security sector but also of democratization in general is to be expected. Furthermore it has been repeatedly stressed how important a general support and cooperation concerning democracy-building and a basic development of the whole country would be. Hopes are especially linked to Turkey, Germany, US, France, Switzerland, as well as to UN, EU and NATO. Assistance is especially appreciated and needed with regard to training, education and qualification of militaries as well as civilians. Those assistance programmes are seen as basis for any future

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<sup>247</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>248</sup> Quotation from an interview with a Member of a Georgian NGO.

<sup>249</sup> Quotation from an interview with a member of a Georgian NGO.

prospects of SSR in Georgia.<sup>250</sup> In view of a time-wise perspective most experts are convinced, that international and especially American interest in Georgian SSR clearly helps to speed-up the process.<sup>251</sup>

## **The Role of National Motivation**

”We need readiness and motivation from our side.”<sup>252</sup>

”We have to sit down like the Estonians and say ‘We have Zero’ and start building everything from the scratch.”<sup>253</sup>

”For 200 years we had no state, no army...Now it is most important to get a strategy. That is very difficult, because we have to start from Zero-position. But we will try...”<sup>254</sup>

International Assistance is certainly a crucial aspect in view of Georgian security sector reform but an even more important point is the role of national motivation and self-confidence within the reform process. Like in Estonia or Latvia also in Georgia the state and governance structures have to be built from scratch. Those states naturally face crucial additional challenges in reforming their Armed Forces and security structures than long established states. The interviewees quite often alluded to the magic number “Zero” when referring to this fact. The awareness of having no own historical experiences on which they could built up an own success-story appears as a quite strong psychological burden. “Zero” experience and knowledge is clearly seen as a “Zero” basis for the “reform”. Quotation-marks are used here because it has been stressed out, that “reform” is not the right expression. There was

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<sup>250</sup> Referring to interviews with a member of the Georgian Ministry of Internal Affairs (MIA), with several members of Georgian NGOs, with a parliamentary staff member and with a member of the Georgian Mission to NATO within the Ministry of Foreign Affairs.

<sup>251</sup> Referring to an interview with a member of a Georgian NGO.

<sup>252</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>253</sup> Quotation from an interview with a Member of the Defence and Security Committee of the Georgian Parliament.

<sup>254</sup> Quotation from an interview with a Member of the Georgian Ministry of Defence (MoD).

more or less nothing to reform in Georgia. The first roots of the Georgian Armed Forces appeared spontaneously without any strategy or concept within a chaos situation at the beginning of the civil war. Therefore the interviewees' statements refer to a complete new construction of the security sector rather than to its "reform".

This magic figure "Zero" is a quite relevant factor in Georgian SSR and nothing can counter it but national motivation and self-confidence. However, statements on confidence in Georgia's own will and energy to successfully proceed on the democratic path have been quite rare.

While the interviewees hardly mentioned any conviction to be able to rely on the own national will and energy, "International Assistance" or "Western support" are dominating expressions which have been repeated like magic formulas when talking on a prospective success of Georgian Security Sector Reform.

### **The Role of Political Goodwill**

Speaking on national motivation in a country where the nation's fate is almost exclusively determined by governmental actors there is no way to forget about the political good will of the government as crucial factor, determining the future of Georgian SSR:

"The prospects depend on how far the politicians are willing to move the reforms."<sup>255</sup>

Basically nobody seems to doubt that capacities and knowledge for the conceptualization is available. However, finally everything depends on the political will to give concrete directives and elaborate a consistent strategy, which could be used as binding guideline for all those involved in security sector reform. Such an official obligation and commitment would have to be launched and seriously promoted by the government. As long as there is no binding and officially adopted security concept

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<sup>255</sup> Quotation from an interview with a member of a Georgian NGO.

available, no effective improvement of the situation can be expected.<sup>256</sup> The role of the new government will be crucial in this regards.

### **The Role of Political Stability**

A most crucial factor for the democratization of the security sector is – needless to say – the political stability in the country during the upcoming years. Everything depends on the ability and willingness of the new government to proceed with the democratization process and the implementation of the reforms. The presidential election in January 2004 as well as the first months under the new government will provide a test of the stability of Georgian democracy.<sup>257</sup>

The international community is obviously ready to support Georgia by all means in securing the stability in the country: Several million euros have been for example pledged by OSCE participating states for the “Georgia Elections Assistance Programme”.<sup>258</sup>

### **General Democratization and Change of Mentality**

“If the democratic change in Georgia will be successful, the governance of the security sector will also have a chance to change in a positive and democratic way.”<sup>259</sup>

The general importance of democratization and democracy-building as a basis for a democratic governance of the security sector has been stressed quite often. And furthermore for a general democratization a change of mentality is seen as crucial pre-condition. As stated before soviet legacies still have strong influence and impact on all kind of societal and political life and prevent democratic changes.<sup>260</sup> The future

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<sup>256</sup> Referring to interviews with a Member of the Defence and Security Committee of the Georgian Parliament and with several members of Georgian NGOs.

<sup>257</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>258</sup> See: OSCE States pledge almost four million euros for assisting Georgia in 2004 elections. Article to be found online at: [www.osce.org/news/show\\_news.php?ut=2&id=3792](http://www.osce.org/news/show_news.php?ut=2&id=3792).

<sup>259</sup> Quotation from an interview with a member of a Georgian NGO.

<sup>260</sup> Referring to an interview with a member of a Georgian NGO.

of the general transformation process will determine the future of a democratization of the security sector and the other way around.<sup>261</sup>

## **Priorities and Recommendations for SSR and International Involvement in the Reform Process**

The interviewees have been finally asked on priorities and recommendations in view of the implementation of SSR in Georgia. The recommendations will be split into national and international implications. The first aspect considers actions and steps to be taken on a national level. The second aspect considers implications for international assistance and support.

### **Implications: the National Dimension**

A first range priority is the adoption and promotion of a national security concept as well as a concrete and precise concept for the security sector reform in Georgia. The reform plan has not only to list NATO requirements for joining MAP or list recommendations of foreign advisors, but also has to take into account the basic question: “What actually does SSR mean for Georgia?” and “What are the implications for a binding implementation of such a reform?” Those considerations should include the following questions: “What are the main obstacles to Georgia’s democratization? What are the primary challenges to its security? Are the current military, police, border guard and intelligence structures capable of responding effectively to those challenges? Why not? What are the priority areas for a reform? What are the domestic and institutional barriers to a reform? etc.”<sup>262</sup> The concept should be precise in view of structures, institutions and responsibilities and give concrete directives for implementation to accountable persons in charge.

The conceptualization of SSR should build up on a national consensus. Therefore all kind of political actors as well as the general public have to

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<sup>261</sup> Referring to an interview with a military journalist and to a Member of the Georgian Ministry of Defence (MoD).

<sup>262</sup> Assessment and recommendations by Marina Caparini, Senior Fellow, Geneva Centre for the Democratic Control of Armed Forces, Geneva.

be involved in this process. Requirements as well as developments must be made transparent. Transparency has to be promoted in view of all SSR-related aspects. Successful cases should be promoted in order to motivate actors as well as the general public.

Not only the Armed Forces, but also other security forces, most of all police forces, have to be reduced to its natural size and be restructured in a most professional way. Increased salaries and social securities should be provided in order to prevent corruption and illegal activities of the personnel. Furthermore civilian, especially parliamentary control over the armed and other security forces have to be guaranteed. The implementation of Disarmament-, Demobilisation, Reintegration- and Retraining- programmes is of crucial importance.

Restructuring processes in the government must focus on the separation of responsibilities and improved decision-making processes. Some experts also suggested an improvement of legislation and a reform of the court system. The need of the establishment of a proper crisis management system has also been stressed out during the interviews.

### **Implications: the International Dimension**

International Community has to give up its one-sided focus on the support of the reform of Armed Forces and has to strengthen its assistance in view of a reform of internal security forces, especially the police forces. This is especially important since the Police forces are at the very heart of a society and interact with public and societal life on a daily basis. As law enforcement body they form the direct arm of the government and therefore strengthen or weaken directly governmental legitimization. Democratization has no chance without a reformed police, since democracy has to be based on the rule of law.

Also crucial is a training and reform of the border guards. An effective border management system will help preventing conflicts with neighbouring countries. A reformed and more effective border management system will also help preventing smuggling and trafficking

and is therefore not only of importance for Georgia, but for the whole region.

Training and educational programmes have to be launched and/or further supported. Further training is crucial in view of all kind of military, political and other societal actors. Programmes should be focused on Armed Forces, Internal Security Forces, including Police and Border Guards, but also on civilians in defence structure, including civilians within the ministries, parliamentarians, and civil society in general. Therefore the Military Academy as well as other institutions need to start long-term training programmes for civilians in Military Affairs. Civic education-programmes should be conceptualized in view of general democracy-building but also in view of democratic civilian involvement in security issues.

A crucial support should be provided in view of parliamentary involvement and oversight of the security sector. International assistance has to help strengthening knowledge and expertise among parliamentarians and staffers with the help of specialized training programmes.

A general support of civil society building is in need. A further retreat of the public has to be prevented. International assistance has to invest in civic education and civil society building. It is crucial to help making democracy as well as democratic oversight over the security sector understandable. The role of donors in this respect is crucial: they must send clear messages, that political leadership as well as civil society are all participants in efforts to improve security. Furthermore donors should seek local organizations with ties in the Georgian community, in order to bring SSR into the own local agendas.<sup>263</sup>

International assistance is generally and basically in need of cooperation and coordination. Various programmes and efforts have to be coordinated and re-evaluated in view of efficiency. Despite “conditionality” is quite often considered as politically incorrect,

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<sup>263</sup> See Johanna Mendelson Forman: “Promoting Civil Society in Good Governance: Lessons for the Security Sector”. DCAF Working Paper Series No. 29, page 15.

international assistance should be at least conditional on i.e. respect for the rule of law and human rights.<sup>264</sup> A certain political will and at least a basic processing of the reforms, not only in view of Armed Forces and MoD, but in view of all security forces and their related agencies, should serve as measure for the assessment of prospective support programmes. Democracy-Building has to be supported in general. A system of democratic and understandable values has to be established in order to support a change of mentality. Root causes of bad governance of the security sector have to be considered in the assistance programmes. Therefore i.e. enhanced support of anti-corruption programmes would be in need.

Financial aid and support with technical equipment has to take corruption into account, i.e. assistance has to be adapted: direct hand over of equipment rather than money transfer to in-transparent accounts.

Assistance in stabilizing the security environment and settling frozen conflicts in the Caucasus region would help providing a solid basis for reforms. Long term international back-up against aggressive territorial infringements would help to free resources and invest them in democratic reforms of SSR rather than in efforts to enlarge combat readiness.

Trainings and seminars on professional state-management are in need, as well as assistance in creation of a state-management culture.

### **Conclusion: Reforming the Reform**

“The Security Sector Reform in Georgia is in need of a reform. The current reform is leading to nowhere.”<sup>265</sup>

One of the main conclusions from the preceding chapters might be that the security sector reform in Georgia is in need of a reform. Considering the main points of what was said before, one might conclude, that such a

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<sup>264</sup> Born 2002, op. cit., p.66.

<sup>265</sup> Quotation from an interview with a member of a Georgian NGO.

reform should have an external as well as an internal dimension. One also might call it an international and a national dimension.

### **The International Dimension**

The international assistance has to shift its focus. On the one hand it is taken for granted that SSR must be seen in a general frame of democratization and democracy-building and can't be promoted as a separate issue (as well as the other way around democratization itself is not possible without an effective reform of the security sector). Nevertheless this insight seems not to be mirrored in international assistance programmes. International support is still focusing on a reform of the Armed Forces, which is certainly an important factor for the country's and region's security. However another crucial factor is the countries democratization. Crucial elements in view of democratization are internal security forces and law enforcement bodies as direct links between government and society. Without a reform of Georgian law enforcement bodies, especially police forces, general democratization will not be able to succeed.

A basic and most important conclusion is that international assistance has to considerably reinforce its support of a reform of the police and internal security forces. Given the crucial importance of police forces within a society - and especially a society in transition -, donors have to become aware of the implications and bundle efforts and energy to help transforming the internal security actors.

Furthermore an intensified cooperation and a coordination of SSR-relevant programmes would be in need – always having in mind, that SSR can't be seen as singled-out factor. Therefore not only mere security sector related, but also general assistance in democracy-building would have to be taken into consideration when coordinating relevant assistance.

Such coordination would also help to develop a joint assistance policy, which would eventually be able to link support to a minimum of concrete results. We don't mean that support should stop in case reform

would not be implemented fast and successful enough. But pre-conditions in view of assistance programmes must more clearly be promoted as incentives to further proceed with the implementation.

Coordination would also help evaluating success and failure of support programmes. It might help determining the further direction of assistance, especially in view of the given background, i.e. the corruptive structures.

### **The National Dimension**

International assistance can't help reforming the security sector without national motivation. Domestic will is crucial for the reforms.

So far Georgia has made a good start, mirrored i.e. in the Defence White Paper - despite its flaws – and in the Police Reform Concept, both considerable exercises in transparency. Furthermore Georgia is an active PfP partner and open to international advice, assistance and models, i.e. to be seen in the adoption of western legislation and the PPBS budgeting system. Nevertheless, receiving advice and assistance is not enough. A country and most of all its government should know where it wants and needs to go. It is not sufficient to wait until Georgia is told by NATO how and what to reform. It is of crucial importance to undertake itself the step to identify the specific national interests and requirements and then build a political consensus on a respective reform plan.<sup>266</sup>

Political goodwill alone is maybe the first and foremost important aspect to trigger a positive process, but it also would not be able to succeed without a broad national consensus, getting a back-up by all kind of political actors as well as the general public. And here again one should stress the importance of transparency on the one hand and civil-society-building on the other. National security including the reform of the security sector must become a transparent issue, discussed and promoted publicly. The role of civic education on those issues as well as on general democracy related aspects is of crucial importance.

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<sup>266</sup> Assessment by Marina Caparini, Senior Fellow at the Geneva Centre for the Democratic Control of Armed Forces (DCAF), Geneva, Switzerland.

Whatever the reasons for the failure to take the necessary steps towards a concrete reform plan are – domestic constraints, persistence of old-guard nomenclatura in key positions, clientelism and corruption etc. – the step has finally to be taken - and this by the country itself.

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<b>Questionnaire: General Assessment of Security Sector Reform in Georgia</b>	
<b>QE1</b>	<b>In view of a reform of the security sector in Georgia, what would you say are in the moment the most challenging obstacles/problems?</b>
<b>QE2</b>	<b>Seeing the SSR as a process, what would you say, are the prospects for the upcoming years?</b>
<b>QE3</b>	<b>What are in your opinion the priorities in SSR? Which are the most important most crucial next steps to be taken?</b>
<b>QE4</b>	<b>If you would be asked for your personal recommendations in view of SSR, which advice would you give, which alternatives would you suggest etc.</b>

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**Aram Harutyunyan**

## **ARMENIA AS A FACTOR OF BALANCE IN THE SOUTHERN CAUCASUS REGION**

### **Introduction**

The Southern Caucasus is a crucial region situated between Central Asia and Europe. Therefore, its political stability, security and economic development are important to the West. Rich in oil and gas, the region is certainly of great interest for the energy needs of the West. But on the other hand, ethnic and religious tensions and an increasingly impoverished and embittered population make that the South Caucasus requires sustained attention from world policymakers over the next several decades.

In recent years, three main priorities, namely a) the build-up of a democracy with market principles, b) enhancing regional stability and security and c) the exploitation of oil and gas resources have drawn the world's attention towards the region. The growing awareness of the rich hydro-carbon resources in conjuncture with regional and internal conflicts have dragged the United States into a more active role in the Southern Caucasus. This external support is badly needed as the countries of the South Caucasus have limited resources to devote to the domestic, border security and law enforcement reforms that must be undertaken. The region will also need additional assistance on military training to prevent terrorist attacks and to create functioning, professional armies.

The process of involving NATO in the South Caucasus is gradually gaining support albeit for different reasons. On the one hand, after the Prague summit in 2002 it was obvious that joining NATO is a high priority issue for Georgia and for Azerbaijan although NATO leaders frequently reiterate that none of the countries of the region would be invited for membership as the block as a whole is not ready yet. On the other hand, the Western and particularly the US attitude regarding its

involvement in the region changed considerably recently. The Deputy Commander of the US European Command, Gen Charles Wald, mentioned in an interview with the American Defense News magazine the possible re-examination of the deployment of American military bases as the US European Command is going to strengthen its presence in Africa and the Caspian region. Charles Wald listed countries where US military bases may be deployed and Azerbaijan is among them. According to the general the US army would patrol and safeguard a new oil pipeline in the region<sup>267</sup> because "the main part of [Azerbaijani] oil and gas goes to Western Europe, which is why safeguarding this route dovetails with the interests of the USA. As for me, I think that this is a NATO mission". Furthermore, the US stands as the "godfather" of the Baku-Georgia-Ceyhan project, a main export pipeline, by allocating additional means for the set-up of special battalions to protect the pipeline.<sup>268</sup>

With regards to the settlement of the Nagorno-Karabakh conflict, much will depend on the newly elected Azeri president, Ilham Aliyev. A further prolongation of the conflict will be very disadvantageous for the region in many respects - affecting particularly the two parties involved.

The security situation in the region is in so far complicated as no two countries are member of the same politico-military block. Azerbaijan and Georgia refused to continue military partnership within the framework of the Commonwealth of Independent States (CIS), thus not being affiliated anymore with Russia. Armenia has membership in the Collective Security Treaty Organization, but its most important neighbour Iran is not member. On the other hand, we have already mentioned that none of the three countries has joined NATO, where Turkey has been participating since almost fifty years. This had however no influence on the development of bilateral and trilateral cooperation

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<sup>267</sup> According to several forecasts, Azerbaijan may have the world's fifth highest per capita income in several years due to the development of oil projects.

<sup>268</sup> *USA gives 11m dollars to Georgia for Baku-Tbilisi-Ceyhan pipeline protection*, Kavkasia-Press news agency, 4 Jan 03, Tbilisi;  
*Georgia, US firm sign accord on Baku-Ceyhan security monitoring*, Kavkasia-Press news agency, 3 Jan 03, Tbilisi.

within the region in trade, economy and even military. Turkey, Azerbaijan and Georgia announced a strategic partnership, which gives the latter two countries an insight of NATO and is also supposed to have economical and financial prospects even though the US tends not to attach importance to the active cooperation and developments between these countries in the military and military technical sphere.

Today, the Southern Caucasus faces serious internal threats, which might further endanger the regional security and stability. Dramatic changes in the political life due to recent elections, bringing to power revanchist groups and radical religious movements<sup>269</sup>, constitute a setback for the democratization process of the region. Despite considerable assistance from the Council of Europe and the OSCE providing an adequate framework for the organization of democratic elections, the election processes did not meet international standards due to a lack of political will of the authorities and the opposition to guarantee impartiality and transparency. The continuation of frozen conflicts in the region proved to be unfavorable to the completion of democratic transition, genuine regional cooperation and further European integration.<sup>270</sup> Extremist forces are able to take advantage during radical changes in the internal political situation caused by events such as political assassinations, terrorist acts, changes in tax and fiscal policy and during serious social protests. These factors and challenges influence the political climate in Armenia by pushing the political leadership to further strengthen its own security.

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<sup>269</sup> Should those groups try to take profit from political changes and make attempts to seize power in an undemocratic manner special preventive measures taken by alliances and even superpowers are of highest importance. Despite the fact that this might be criticized as interference, this is a negligible risk compared to the problems that might arouse without foreign intervention.

<sup>270</sup> Joint Declaration, Council of Europe-OSCE 13th High-level "2+2" Meeting, Chisinau, 5 November 2003, CoE Press Release.

## **The Role of the Security Sector in Stabilizing Armenia**

After the collapse of the USSR the period of illusions of the newly independent states did not last for too long. The mid 90's appeared as the period of "disillusionment" when the actual situation and potential perspectives were realistically evaluated. In Armenia, this period coincided with the truce in the Nagorno-Karabakh conflict which gave the government the opportunity to assess its geopolitical position and future role in the region more pragmatically. It soon seemed that the most prospective cooperation area would be the military and the military-industrial areas, being a more or less advanced and well operating structure inherited from the Soviet era that did not require large financial or human investment.

After the collapse of the Soviet Union the political and military leadership of Armenia faced new problems of different character and scope. A sustained development of the security sector and of a security policy depended upon the settlement of these problems. As the armed forces were seen as an essential means to ensure security and stability much effort was given for professional training by a well experienced and dedicated military leadership.

As the truce with Azerbaijan was fragile and the reopening of hostilities seemed possible, pragmatism was much needed. Thus, the existing Collective Security Treaty agreements (signed 1992) were reinforced, new ways of integration with NIS leaders were sought as well as cooperation with NATO member-states. In June 2003 NATO military training exercises were held in Armenia and for the first time ever Russia participated. Although certain political circles in Russia deliberately ignore Armenia as a factor of political and military stability and balance in the region, a fact particularly obvious during the financial and economical negotiations between Russia and Armenia, high-ranking Russian military staff frequently reiterates that there are no alternatives to the politico-military perspectives of the CIS, particularly for Armenia.

Some progress has been achieved since the early 1990s but further the development of modern strategic and political measures is much needed.

A new policy must allow Armenia to meet the new challenges and cope with the forces that threaten its stability without endangering the fragile balance of power in the region.

### **Enhancing Stability through Economic Development**

The multinational oil companies which are currently exploring and developing petroleum resources in the Southern Caucasus might play a significant and decisive role by involving all concerned players of the region and by further integrating the US. Stepping into a vacuum left by a weakened Russia, multinationals can bolster stability, security and prosperity. Although the potential profits of the natural resources beckon for quick exploitation and transport to the world markets the oil companies involved will only fully profit through a balanced policy coordinated with Washington.

### **Ethnic Clashes as an Obstacle to Development**

After the collapse of the Soviet Union in December of 1991, the transformation of the former soviet republics into independent states produced three countries in the region of Transcaucasia (South Caucasus): Azerbaijan, Georgia and Armenia. Over the past years, the three countries have experienced substantial political and economic turmoil. Indeed, from 1988 to May of 1994 Azerbaijanis and Armenians fought each other over the still unsettled fate of Nagorno-Karabakh. Within this same period Georgia also experienced moments of civil war and de facto secession of the autonomous republics of Abkhazia and South Ossetia. Further north, the Russian Federation experienced severe turmoil and civil war, most notably in the secessionist republic of Chechnya.

In order to understand better the current context of ethnic clashes in the Southern Caucasus, one must take a step backwards in history. For the early Bolshevik leaders, the decision-making process surrounding the national and administrative division of the region was certainly very complicated. But in retrospect, one now knows for sure that they acted blatantly and deliberately irresponsibly, wreaking havoc with the nations

residing in Transcaucasia by inserting into the newly constituted Soviet republics of the area five "autonomous districts" (most of them created from 1921 to 1925). The Caucasian Bureau of the Russian Communist Party eventually adopted a fatal political decision, when in the early 1920s it attached the predominantly Armenian-populated Nagorno-Karabakh territory to Soviet Azerbaijan. Shortly thereafter, it repeated its action by attaching ethnically distinct Abkhazia to Georgia. These two short-sighted moves laid the perilous foundation for the Stalinist practice of what could be called the *divide et impera* rule (divide and reign). This is to say, by displacing entire populations and creating inner-ethnic tensions the communist rulers wanted to avoid the build-up of a unified, strong opposition. The Soviet regime pursued the same inflammable policy throughout the course of its history, which spanned over seventy years.<sup>271</sup>

### **Russia's Influence over the Former Soviet South (FSS)**

During the post cold war period, Moscow has attempted to spread its influence in its so-called "near abroad" via the framework it established under Boris Yeltsin as the Commonwealth of Independent States (CIS). As Russia neither had the resources nor the strong will to fashion a truly integrated bloc, its attempt at organizing the successor states to its liking have been ignored by the majority of the newly independent states<sup>272</sup>. There is no consensus on how far reconciliation and rapprochement in the region should go and thus multilateral initiatives will hardly be possible, let alone successful. In specific domains, such as those pertaining to economics, trade, communication, society, education or politics, the extent of cooperation has been quite modest. It is obvious that Russia, having lost its former levers of control, is at present utilizing and exploiting whatever is left of its military legacy. It is doing so through the military bases in Armenia, whose existence further

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<sup>271</sup> Nagorno Karabakh, A White Paper, The Armenian Center for National and International Studies, Yerevan, Armenia. The publication sponsored by the Armenian Assembly of America, Washington, D.C. Second Edition, March 1997

<sup>272</sup> Those states are regrouped in the NIS forums which now serve to outline the current attitudes prevalent among the elite in both Russia and the states of the Former Soviet South (FSS).

destabilize the already volatile Southern Caucasus. It is thus in this context that the needs of the Southern Caucasus states are to be assessed. A rather complex, but nonetheless haphazard interaction has evolved which entails bilateral, trilateral and other arrangements that are not in the CIS' competence.

While it seems obvious that in the foreseeable future the CIS will be unable to develop into an amalgamated bloc of regional states, Russia and the CIS struggle nonetheless to keep some influence in the FSS as one of the world's greatest oil rushes has seized the region.<sup>273</sup> The oil boom has also attracted the United States and its international oil companies, which are advised by former and current high-ranking U.S. government officials. They are collaboration to effect policy changes seen as necessary for giving U.S. companies unparalleled dominance in the Caspian basin.

### **The Role of Multinational Oil Companies**

The engagement of pre-eminent advisers and politicians resulted in an intensified lobbying and public relations campaign in Washington. US oil companies, desirous of Azerbaijani hydrocarbon resources, hoped to get the U.S. government to ease blockade-related restrictions of US aid to Baku. At the same time, they request the government to provide the security of government-backed loans and financial assistance. These would facilitate the exploitation of oil fields believed to contain around 200 billion barrels, more oil than any other region in the world outside the Persian Gulf.

In order to understand this lobbying, let's have a brief look back. In 1992, the US foreign policy was codified in the Freedom Support Act (FSA)<sup>274</sup> and its Section 907<sup>275</sup>, the piece of legislation that directed U.S.

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<sup>273</sup> An estimated \$4 trillion patch of petroleum resources is located in the Caspian Sea basin. For further information see: Lenczowski, George (1997). 'The Caspian Oil and Gas Basin: A New Source of Wealth?' *Middle East Policy*, Vol. V,1, January.

<sup>274</sup> For a press release see: [www.fas.org/spp/starwars/offdocs/b920401.htm](http://www.fas.org/spp/starwars/offdocs/b920401.htm)

aid into the successor states of the Soviet Union. Obstructive to the exploitation of the natural resources of the region, the Clinton administration agreed with the message promoted by Amoco, Pennzoil, Mobil and Chevron and the possibility of ending the ban of US Government aid to Azerbaijan was made public. After the tragic events of 11 September 2001, the US Senate discussed the lifting of the provisions of Section 907 of the FSA, which had excluded Azerbaijan from financial support by the US Government<sup>276</sup>. Political observers linked this action to Azerbaijan's contribution to the US led struggle against terrorism. This change naturally worried Armenia who has enjoyed favorable US-Armenian relations since the collapse of the Soviet Union, reinforced by the adoption of Section 907 of the FSA. Thus, in the near future, the U.S. intents must be made clear and it is hoped that the new resources gained by Azerbaijan would not be used to prevent the peaceful settlement in the Nagorno-Karabakh conflict.

At the same time, the United States is increasingly cooperating with Russia in the diplomatic realm in order to settle the Nagorno-Karabakh dispute (within the OSCE's "Minsk Group"), an act that put additional pressure on Armenia. Furthermore, a State Department report of April 1997 noted that "the Caspian region could become the most important new player on the world oil markets over the next decades. The United States has critical foreign policy interests at stake such as the increase and diversification of world energy supplies, the independence and sovereignty of the NIS and isolation of nearby Iran." If the administration and the multinationals are one-sidedly concentrated on

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<sup>275</sup> "United States Assistance under this or any other act (other than assistance under Title V of this act) may not be provided to the government of Azerbaijan until the President determines and so reports to Congress, that the government of Azerbaijan is taking demonstrable steps to cease all blockades and other offensives uses of force against Armenia and Nagorno-Karabakh." (Section 097 of the Freedom support Act, adopted by Congress in 1992 with the support of the Bush Administration as expressed by current Deputy Secretary of State Richard Armitage on June 10, 1992).

<sup>276</sup> Armenian Assembly of America (AAA). 'Corporations and Major Jewish Organizations Ask Congress to Lift Section 907. Former National Security Advisers Also Seek Repeal'. Press Release, 26 Oct 2001. [www.aaainc.org/press/archive01/10-26-01.htm](http://www.aaainc.org/press/archive01/10-26-01.htm), accessed on 23 December 2003.

potential oil receipts, their policy risks being self-defeating. A balanced policy vis-à-vis the Southern Caucasus states must be pursued in order to reinforce the prospects of peace, stability and prosperity, needed to access the oil resources. Suffice it to say that missteps might produce a political and economic chaos unprecedented in the Southern Caucasus.

Achieving a relatively equal share of Caspian oil revenues for all actors in the region - Azerbaijan, Georgia, Armenia, Russia, Turkey, and Iran - should be an essential goal of US foreign policy. Just as the US has guaranteed stability by providing aid to Israel and Egypt and by mediating between Turkey and Greece, it can and should strive to do so in the Southern Caucasus. If the so-called "Great Game" for petroleum resources in the Caspian basin is to be played wisely, there should not be defeated players. In the long run, it is in the multinationals' and the US government's interest that all actors involved benefit from the natural resources.

### **Strong Concerns**

It seems that the US currently is on this track. As former Deputy Secretary of State Strobe Talbott said: "We want to see all responsible players in the Caucasus and Central Asia to be winners."<sup>277</sup> Nevertheless, the administration is under great pressure from all sides, even from those who hold no financial stake in the matter, to move full steam ahead in supporting US multinationals' access in the Caspian Sea region. These risks producing grave repercussions if the US government and the multinationals do not give more reflection to the security dynamics in the region, no matter how well intended the main actors are.

While Armenia on the one hand strives to support the transport of oil and gas across its territory, it is also strongly concerned about the way Azerbaijan will use the receipts from its massive oil deposits. Armenia possesses few natural resources and has generated little interest among international businessmen while Western oil companies have flocked to

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<sup>277</sup> Quoted in Jofi, Joseph (1999). *Pipeline Democracy: The Clinton Administration's Fight for Baku-Ceyhan*. Woodrow Wilson School of Public and International Affairs, Case Study, January.

Baku with contracts worth of billions of dollars. Armenia understandably fears the rise of an excessively wealthy neighbor emboldened by Western interest in its natural resources and has consequently, adopted an ultra-vigilant stance on Azerbaijani rearmament stemming from oil sales.

In order to illustrate these worries, we shall give an overview of the major deals concluded. Beginning with the "contract of the century" proposed by BP-Amoco and signed in Azerbaijan in September 1994; Baku has concluded more than 20 major agreements, creating consortiums with international oil companies that involve more than \$50 billion in projected investments<sup>278</sup>. Virtually assuring the bypass of Armenia as a transit state for Caspian petroleum resources, Azerbaijan and an international consortium of mostly western oil companies unveiled plans in 1995 to pursue a two-route strategy (to the north and to the west) for the shipping of oil to the world markets. Hence, it is apparent that Armenia is excluded from the lucrative transport (or transit) of energy to the west.

The masterpiece of the various ambitious projects is certainly the Baku-Tbilissi-Ceyhan (BTC) main pipeline. This exorbitantly priced pipeline project was developed to transport the crude oil produced in Azerbaijan via Georgia to the sea terminal of Ceyhan in Turkey, from where it could be exported to the international markets. The project negotiations started in 1997-98 and a series of protocols and declarations have been signed in order to define the purposes and commitments. The construction of the pipeline of a total length of 1,750 km will cost \$2.9 billion and should be finished by 2005. It is expected that the annual quantity transported would amount to 50 million tons. The exploitation period of the BTC was designed to be 40 years, but upon the demand of the shareholders it can twice be prolonged for 10 years. For Turkey alone it is expected that the annual benefit will amount to \$200-300 million.

The former Turkish, Azeri and Georgian presidents Ahmet Necdet Sezer, Heydar Aliyev and Edward Shevardnadze spoke of a dream

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<sup>278</sup> Oil consortia in Azerbaijan, An updated breakdown of all international oil consortia working in Azerbaijan. Reuters English News Service, 06/13/2000.

becoming reality when they announced the project in front of energy ministers and numerous invitees taking part in the ceremony. Azerbaijan's president stated that those who characterized BTC as the "project of the century" were right. Aliyev also noted that the implementation of this project was the result of a close cooperation between the USA, Turkey, Azerbaijan and Georgia. The US Secretary of Energy, Spencer Abraham, started his speech with an address of US President George W. Bush. The US President congratulated the three presidents, expressed his satisfaction about the involvement of two American companies in the project and was confident that BTC would help to strengthen the energy security in the world and assure the development and stability in the region.

For Armenia, this development was a harsh disappointment, as Washington has given serious thought in the mid-1990s to the idea of constructing a main export pipeline from Azerbaijan to the Turkish Mediterranean port of Ceyhan via Armenia. Such a pipeline might have contributed to the resolution of the Nagorno-Karabakh dispute by prompting the warring parties to settle their differences and jointly realize the benefits of oil exports. The trans-Armenian route would also be the most reliable, direct and cost-effective one. It has been estimated that a pipeline from Baku to Ceyhan over Armenian territory would save approximately \$600 million, compared to the currently proposed route. With the former "peace pipeline" now a dead letter, Armenia has effectively been sidelined in the development and export of Caspian Sea resources. Moreover, while Azerbaijan stands to receive vast economic and political benefits from its crude oil resources (as well as Georgia as a transit state), Armenia will gain nothing. But, as Zeyno Baran puts it: "Continued engagement in the East-West pipelines is essential. The single most important positive development in the Caucasus region is the investment in the energy sector, ranging from investment in oil fields to transportation of Azeri oil via the Baku-Supsa oil pipeline as well as the proposed BTC and Shah Deniz pipelines. Although Armenia so far has not benefited from these pipeline projects, a spur of a gas pipeline may eventually go to Armenia. To help the Caucasus region develop

economically and to secure their independence, U.S. support for the East-West pipelines must remain in place.”<sup>279</sup>

This is in line with a declaration submitted to President George W. Bush by the leader of a congressional delegation, Congressman Joseph Crowley, expressing concerns over the National Energy Policy Development Group’s recommendation to support the Baku-Ceyhan pipeline. "Exclusion of one country in regional projects only fosters instability. The United States must make it clear that Armenia be included in regional and trans-regional economic plans and projects. Without east-west transportation and commercial corridors, Armenia is isolated from the economies of the west. The United States must not acquiesce to Azerbaijan's demands to exclude Armenia from all east-west commercial corridors and energy routes. If the Caucasus region is to move forward, we must ensure that all countries move forward together at the same time. Choosing winners and losers in the Caucasus will not promote regional stability, economic integration and peace.”<sup>280</sup>

## Conclusions

In sum, the emerging security environment in the Southern Caucasus is not favorably for Armenia. An increasingly rich and diplomatically stiffened Azerbaijan might use its riches to challenge an isolated Armenia. Baku makes no secret of its plans to use oil revenues and growing military-technical cooperation with Turkey and the United States to rebuild its military forces. A development that greatly alarms Armenia. "There is no issue of greater importance than ensuring the long-run prosperity and stability of resource-rich countries by developing ways to use these resources and the wealth they generate

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<sup>279</sup> Baran, Zeyno (2000). ‘The Caucasus: Ten Years after Independence’. *The Washington Quarterly*. Washington DC: The Center for Strategic and International Studies and the Massachusetts Institute of Technology, vol. 25,1, pp.221-234.

<sup>280</sup> Office of Congressman Joseph Crowley (NY-07), 25 Jul 2001, Contact: Joshua Straka, Communications Director, 312 Cannon H.O.B. Washington, DC 20515, Tel: 202-225-3965, Email: [joshua.straka@mail.house.gov](mailto:joshua.straka@mail.house.gov).

well," Joseph E. Stiglitz, Nobel Prize winner in economics, writes in his foreword to the report *Caspian Oil Windfalls: Who Will Benefit?*<sup>281</sup>

It is to be hoped that natural resources are used as a means of cooperation and stabilization among nations instead of confrontation and bloodshed. So Western states and multinational energy companies are currently playing a determining role in furthering Western foreign policy objectives of stability and intraregional cooperation.

The Trans Caucasian region enjoys sovereignty, but still suffers from an incomplete transition process and is in dire need of security and peace. These and the development of much-needed democratic principles and self-governance capacities for are essential for the stabilization of the volatile Southern Caucasus societies.

Aram Harutyunyan  
Armenian Center for National and International Studies (ACNIS)  
Yerevan

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<sup>281</sup> The report was written by Svetlana Tsalik, director of the [Caspian Revenue Watch](#), a program of the Open Society Institute's Central Eurasia Project. The report, *Caspian Oil Windfalls: Who Will Benefit?* urges foreign oil companies, their home governments, and international financial institutions to promote good governance and democracy in Azerbaijan and Kazakhstan to ensure that petroleum revenues generate social prosperity and stable governments.

**Elkhan Mehtiyev**

## **PERSPECTIVES OF SECURITY DEVELOPMENT IN THE SOUTH CAUCASUS**

### **Introduction**

Many observers emphasize the importance and strategic location of the Caucasus region in the struggle for access to Central Asia. For Turkey and Western countries, the Caucasus is a linkage to Central Asia and, after the collapse of the Taliban regime in November 2001, to Afghanistan. For Central Asia, the Caucasus is a vital route to both the West and Turkey for transportation of energy resources, goods and commodities. For Russia, the Caucasus has always been a gateway to the Middle East.

### **Background**

If we focus on the security developments in the South Caucasus, we see a complex environment of territorial claims and territorial gains by force, which have encouraged radical forces to come to power and to lead the region toward violent developments and militarization.

The region has faced the terrible consequences of a war between Armenia and Azerbaijan that has led to a human and economic catastrophe, causing the suffering of hundreds of thousands of people, turning the region into great uncertainty and producing feelings of revenge and anger. In addition to this, the dispute over the energy resources of the Caspian basin among the coastal states makes the region even more volatile as the Baku-Ceyhan and Baku-Erzurum pipeline projects have a polarizing effect and have aggravated the traditionally dominant rivalry, thus hampering the regional development and economic confidence.

## **Security Arrangements of the CIS in the South Caucasus Collective Security Treaty (CST)**

The Collective Security Treaty (CST) was signed in May 1992 by Russia, Armenia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan in the Uzbek capital of Tashkent. Azerbaijan and Georgia joined it in late 1993. Azerbaijan's decision was prompted by indirect assurances of the Russian leadership to former president Haydar Aliyev, that they would support Azerbaijan's struggle against the Armenian forces. This policy soon proved to be short-sighted and in early 1999, Azerbaijan, Georgia and Uzbekistan withdrew from the CST. Azerbaijan mostly criticized that CST did not take a firm stance on Armenia's occupation of another CST member country's territory and that there was consequently no need to prolong membership.

The recent reorganization of the CST into the Collective Security Treaty Organization (CSTO) has created suspicions. The structure of the CSTO envisages the build-up of unified headquarters for the operative management of the Rapid Reaction Forces (RRF) formed in three directions with regional commands<sup>282</sup>. The structure of the CSTO is similar to the former Warsaw Pact, but has its own specifics: The highest body of the CSTO, the Collective Security Council, is composed of the heads of states of the six member countries. Furthermore, the CSTO has a Council of Foreign Ministers, a Council of Defense Ministers, a Committee of the Secretaries of the Security Councils, a Permanent Council of special representatives of the member states, and a Secretariat, the highest coordinating body, with a Secretary General.

Russian president Vladimir Putin has argued that the CSTO will counter the threats posed by the drug trafficking from Afghanistan and by radical Islamic groups in Central Asia. In reality, the organization is a tool of Putin's CIS doctrine to keep the former Soviet republics in Russia's "political orbit" and to challenge the US advance in the area. The

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<sup>282</sup> Namely „Western“ in Belarus (Russia, Belarus), „Caucasus“ (Russia, Armenia) in Armenia and „Central Asia“ (Russia, Tajikistan, Kazakhstan, Kyrgyzstan) in Kazakhstan.

purpose is to preserve or to restore the presence of Russian military forces in the former Soviet Union through multilateral.

The Caucasus group was planned as a joint Russian-Armenian RRF of about 10.000 soldiers under joint Russian-Armenian command. This intention was confirmed again by Russian Defense Minister Sergey Ivanov during his visit in Armenia in November 2003: "We will work on creating a combined Russian-Armenian group of troops. Our general staffs are working on this," he said. This was assessed by former Georgian president Eduard Shevardnadze as "incomprehensible to Georgia and Azerbaijan."

### **Other Regional Structures**

The so-called "Caucasus Four", Azerbaijan, Armenia, Georgia and Russia are greatly concerned with security issues at the presidential, parliamentary and intelligence level. Since Azerbaijan and Georgia are not represented in the CSTO, it serves as a substitute security forum without military components. But it is clear that the "Caucasus Four," too, are expected to promote Putin's above-mentioned approach.

Another regional structure is GUUAM<sup>283</sup>. Its member states Georgia, Ukraine, Uzbekistan, Azerbaijan and Moldova pledged to cooperate multilaterally in peacekeeping efforts and to promote the peaceful settlement of conflicts, expressing their determination to confront the threats to peace and security at the national, regional and global level. At a meeting in Tbilisi on 24 May 2003, the GUUAM member countries and the United States discussed joint projects designed to improve the regional security by developing so-called "virtual centers" to combat terrorism, drug trafficking and other crimes and to launch border security and customs control projects, intended to facilitate trade and transportation.

Some other regional security initiatives such as Caucasian Stability Pact that envisioned the disintegration of foreign military bases from South Caucasus, establishing peace and security in the region and developing

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<sup>283</sup> "<http://www.guuam.org>".

closer economic cooperation. The initiated formula “3+2+2” and later “3+3+2” (the three Caucasian states plus Russia, Turkey and Iran plus EU and the US) had no success due to the joint Russian-Armenian stance that the Russian military presence in the South Caucasus should be a major component of a new system of regional security.

As a member of the CIS, the three Caucasian countries are participating in its political, military and security bodies like the CIS Council of Defense Ministers and the CIS Council of Ministers of the Interior. In these councils, the national representatives discuss military cooperation, cooperation on border protection, the collective combat of crime, terrorism and drug trafficking and bilateral cooperation on legal assistance. An own Anti-Terrorist Center has been set up to combat terrorism and to prevent their incursion in the CIS.

After the removal of Saddam Hussein in Iraq in April 2003, Iranian Foreign Minister Kamal Kharrazi visited the South Caucasus, Turkey and Russia in order to promote the Iranian model of a regional security arrangement. As many experts argued, the Iranian proposals were aimed at countering the increased US presence in the region. However, Russia’s silence and the Georgian and Azerbaijani bid for NATO membership have torpedoed the Iranian initiative.

## **Relations with NATO**

Azerbaijan is very active in the framework of the Partnership for Peace (PfP) program and other NATO initiatives. Former president Aliyev confirmed at several occasions Azerbaijan’s intentions to join NATO. Azerbaijan’s society supports this initiative, as the membership process is considered as an important step towards democratization and transparency. But Azerbaijan’s aspirations for closer security relations with NATO provoke rather harsh reactions of some of its neighbours.

Iran considers Azerbaijan’s strive for closer cooperation with NATO as a hostile action since they consider the alliance as US-dominated. In Tehran, the NATO expansion is perceived as an American attempt for regime change in Iran and a US ally close to its borders is thus

considered a threat.<sup>284</sup> There are signs of an Iranian-Russian counterbalance in the region to contain NATO influence. However, Russia's NATO policy and the recent events in Iraq have changed the regional environment. The Iranian government adapted its position consequently and Kharrazi said that Iran would respect the decision of its neighbour countries to join NATO.

Despite Russia's representation in Brussels, the old thinking in the security and foreign policy establishment in Moscow led to an enhancement of Russian military presence in the North Caucasus and particularly in Armenia, intended to counter the rapprochement of Azerbaijan and Georgia with Turkey, the US and other NATO members. If we look at the Russian North Caucasus, in immediate proximity to Azerbaijan and Georgia, we see an enormous accumulation of Russian forces. Russia maintains enormous troops<sup>285</sup>; a fact that contradicts the Russian obligations under the CFE treaty.

During his visit to Armenia in November 2003, Russian Defense Minister Sergey Ivanov said that Armenia is Russia's major strategic partner in the Transcaucasia. It is the only member of the CSTO which shares a border with NATO countries. [...] 5.000 Defense Ministry servicemen, plus the Russian border guard troops in Armenia are enough, but we are not happy with the military equipment", he said. And: "We will rearm and re-equip the Russian 102nd military base in Armenia." Azerbaijan has repeatedly protested against Russian military supplies to Armenia, considered incompatible with Russia's mediation activities in the Nagorno-Karabakh conflict.

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<sup>284</sup> The Iranian side has repeatedly expressed its opposition to American oil companies' involvement in the Caspian basin and development of bilateral Azerbaijani-Turkish and Azerbaijani-US security cooperation. From Tehran's point of view, they complicate the bilateral relations with Azerbaijan.

<sup>285</sup> According to Russian sources, the 58<sup>th</sup> army, the VDD 7, the marines brigade no 77, the special task forces, border troops and troops of the Ministry of the Interior are deployed in the North Caucasus. Not taken into consideration the troops of the Ministry of the Interior, the Russian military presence amounts to 300.000 troops deployed in Southern Russia; 80.000 of them in Chechnya. A further 100.000 soldiers of the Ministry of the Interior are located in the North Caucasus.

Georgia is steadfastly determined to join NATO. Former Georgian president Eduard Shevardnadze made an official announcement at NATO's Prague summit in November 2002. In his radio address in Tbilisi afterwards, Shevardnadze said that he regarded the alliance as a "guarantee for Georgia's security." In this regard, the US-led "Train and Equip" program could create the framework for a professional army which will allow Georgia to join the Euro-Atlantic military and political sphere in the next few years and, eventually, to join NATO. Currently, a total of four battalions is expected to be trained under the "Train and Equip" program, but it will certainly be extended. The program irritated Russia, which delayed the dismantling of its two remaining bases in Georgia, whereas Tbilisi insists on a complete withdrawal within three years.

The situation is different in Armenia. It hosts the Russian military base no 102 and Russian border troops (on the borders with Iran and Turkey). The Armenian-Russian military agreement, concluded in March 1995, is valid for 25 years with extension for another five years, unless any side terminates it. Armenia has signed military agreements with Belarus and China as well. Further, Armenia is the only member of the CST in the South Caucasus. Its leadership has stated clearly that the country will not seek NATO membership, but to continue to be part of the CST. Armenia opposes Azerbaijani and Georgia's NATO bid, arguing that their membership in the alliance would change the regional landscape. For Yerevan, a NATO expansion to the South Caucasus would create new dividing lines and aggravate the problems of the region. The Armenian leadership strives to keep the current status quo, which is used as leverage for internal politics. A disturbing factor for Azerbaijan is that unofficial NATO sources still say that a possible Azerbaijani membership bid should be balanced with Armenia, while Yerevan clearly sees Russia as a guarantor for its security.

Another aspect of the Armenian security policy is that Armenia-NATO and Armenia-US military relations are developing; Armenians call this a „four-staged security policy. “ Military-technological relations with Russia and military-technical relations with the CSTO members are the core of this policy, supplemented by the development of bilateral relations with NATO and the US. Looking at Armenia from the outside,

one may judge that Yerevan is pursuing a policy qualified as “Realpolitik”. Armenia will wait until the transformation of NATO and its relations with Russia are completed. By cooperating with NATO, Armenia prepares itself to any possible development. From the Azerbaijani perspective, Yerevan’s cautious approach to NATO is related with the total dependence on Russian military support for pursuing Armenian policy in the Caucasus.

The countries of the South Caucasus and Central Asia should concentrate more on internal security, which is not dealt with by NATO, but by the national governments. Security cannot be guaranteed if authoritarian rulers and warlords continue to ravage their countries, causing corruption, emigration, human trafficking and clan monopoly over the resources, thus restricting basic and human rights. At the Madrid meeting of NATO-EAPC foreign ministers on 4 June 2003, the Secretary General of NATO, Lord George Robinson, emphasized the importance of democratic transformation for an enduring security and stressed the need for democratic transformation in the Euro-Atlantic area as a major security investment.

But fraud of national and local elections is a common feature in all three South Caucasus countries, as well as corruption, the lack of transparency (including the security sector), the state monopoly over the media and the restricted political activities of the civil society.

The Caspian energy resources affect not only Azerbaijan, but also Georgia and Armenia. Azerbaijan has already seen the installation of a dynastic regime by the power transfer from father to son, accompanied by a brutal repression against political opponents. The concentration of property and energy revenues in the hands of ruling elites will lead to huge disparity in the living standards in all three countries and might cause systematic unrest (which is already the case in Azerbaijan and Georgia). Furthermore, Azerbaijan has already serious tensions with Iran and Turkmenistan over the Caspian Sea energy resources. Iran has long disputed the status of the Caspian Sea, demanding its division into five equal parts, in violation of Azerbaijan’s sovereignty in its sector of the Caspian Sea. Tehran also opposes the Azerbaijani-Russian and Russian-Kazakh agreements on the division of the Caspian Sea.

In Azerbaijan's case, the national security is compromised by the increasing poverty, unemployment, rampant corruption, social unrest and religious radicalism. An estimated two million Azerbaijanis emigrated to Russia to earn money for their families. Azerbaijan has the highest rates of child mortality in the former Soviet space, while prostitution has dramatically increased, spreading from Europe to Gulf Arab countries, and women trafficking is a prospering business with impunity.

When it comes to the relations between Azerbaijan and Turkey, Baku views the Turkish presence in the region as a factor of security, proved by Turkish cooperation with Georgia and Azerbaijan for the past ten years. This cooperation gives an additional momentum to Azerbaijan's and Georgia's aspiration for NATO accession and further stabilizes the region. Azerbaijan does not yet have a security treaty with Turkey, similar to the above Armenian-Russian document, but Azerbaijan's society is inclined towards more Turkish military involvement in the reconstruction of Azerbaijan's army. Until now, the military cooperation with Turkey is limited to the formation of a Council on Military Cooperation with office in Baku. The council is responsible for the training of Azerbaijani officers in Turkey and in Turkish-led military schools in Azerbaijan. The military training is being conducted according to NATO standards.

Turkish interest in the Caspian basin and in Central Asia has traditionally been viewed by Russia as undesirable and as one of the main concerns of its foreign policy. Transportation of energy resources via Turkey to international markets has increased Russia's opposition. Turkey's involvement in the region faces resistance from Iran and Armenia as well.

## **The South Caucasus Security Relationship with the US**

The involvement of American companies in the exploitation and transportation of the energy resources of the Caspian basin and the unresolved regional conflicts in the area are major elements of US involvement.

The American-Azerbaijani security dialogue goes back to 1997, followed by a joint statement where the US gave Azerbaijan security assurances. This dialogue found its expression in a statement of presidents Aliev and Clinton in Washington in August 1997, where both parties agreed to explore the opportunities of expanding security cooperation. On 28 September 1999, the US Department of Defense and the Azerbaijani Foreign Ministry signed a weapons security agreement. As a result of this agreement, equipment has been provided for the prevention of the trafficking of WMD and their detection at border checkpoints. The Pentagon has also delivered two patrol boats to patrol the Caspian Sea.

Two major factors have dramatically changed the bilateral security relations. After 09/11, Baku sided with the US on the “War against Terror” in Afghanistan, offering security cooperation and allowing American military and transport aircraft to use its air space and airports. The US, in turn, offered to modernize the air defense system and the military airports in Azerbaijan and established a Defense Cooperation section at the US embassy in Baku to boost military-to-military cooperation. For this purpose an equal amount of military aid (4,5 million dollars) were allocated to Azerbaijan and Armenia. Azerbaijani-American cooperation cleared the way for military cooperation with EU countries such as Germany, Italy, and Britain.

The Iraq crisis and Azerbaijan’s support for the US military actions in Iraq in 2003 have created a new situation in the Middle East. Azerbaijan’s geographic location, its support of the US and the fact that it is a predominantly Shiite Muslim nation, increased the opportunities for long term allied relationships in the region. Its readiness to join the US-led “coalition of the willing” in Iraq and to deploy peacekeeping forces to Afghanistan was welcomed by Washington. Baku also signed a

bilateral protocol allowing American soldiers to bypass the newly established International Criminal Court. All this raised suspicions that Washington strives for military presence in Azerbaijan.

The US has consistently emphasized that it looks for ways to invigorate the security of the Caucasus nations through strengthening political institutions and creating an effective participatory governmental system. However, many observers and civil society organizations are increasingly concerned that prevailing military considerations in the US foreign policy could lead to more autocratic regimes in the South Caucasus and in Central Asia. For example, Washington has supported the dynastic regime change in Azerbaijan in October 2003.

Recent developments indicate that the US intention to relocate some of its forces from Western Europe to the Caucasus and the Caspian basin are driven by the increasing importance of the Caspian oil reserves as well as by geopolitical considerations. General Charles Wald, deputy US commander in Europe, said: “In the Caspian Sea you have large mineral reserves. [...] We want to be able to assure the long-term viability of those resources.” In the Caucasus region, defense officials said that the US was likely to have as many as 15.000 troops, some “rotating through small, Spartan bases in places such as Azerbaijan. However, it should be noted, that the security cooperation between the US and Azerbaijan is to a big extent unilateral, characterized by the ignorance of Azerbaijan’s security interests concerning the continued transfer of Russian military hardware to Armenia.<sup>286</sup> But there is little doubt that the current US administration will continue its military commitment in the region. It cannot be ruled out that Washington will even open military bases in Armenia. In Kyrgyzstan, Russian and Western bases already coexist.

The American military presence in Georgia has changed the two centuries old geopolitical reality and the political environment and shook Russian dominance in the region. However, the Azerbaijani case is more

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<sup>286</sup> Russian arms shipments to Armenia in 1993-96 amounted to US \$1 billion. The US State Department however referred to “some pieces of Russian equipment” transferred to Armenia.

complex since it shares borders with US rivals both in the south and the north.

Iran and Russia criticize any military cooperation between Azerbaijan and the US and a possible US military presence in the South Caucasus. Russia considers the Caucasus as its traditional sphere of influence and is not ready to accept any foreign military deployment, not to mention the US army next to its borders. For that reason, the American “Train and Equip” program for the Georgian army has caused fierce initial reactions in the foreign and military establishment in Russia. The climax was a discussion in the Russian State Duma (Lower House of Parliament) and in the press about the possible recognition of the Georgian breakaway regions as sovereign states.

### **The Nagorno-Karabakh Conflict and Security Challenges**

The occupied territories of Azerbaijan are heavily militarized: the quantity of weapons accumulated there exceed twice the amount of arms in possession of the Azerbaijani army. Large parts of Azerbaijan’s borders with Iran and with Armenia are no longer under Baku’s control.

The UN Security Council has adopted four resolutions for immediate and unconditional Armenian withdrawal from the occupied territories, but all of them were ignored by Yerevan, with the tacit support of some Security Council members. Also, Moscow continues to arm Armenia, although Russia is co-chairing the Minsk Group for the settlement of the Karabakh conflict. During the Karabakh war (1991-94) and afterwards, Russia assisted Armenia diplomatically to avert an anti-Armenian coalition. The then Russian Foreign Minister, Andrei Kozyrev, outlined Russia’s position: „What we can do for you is prevention the formation of a coalition against Armenia.”

Armenia’s government increased the defense budget 2003 (+20%) and in 2004 (+13%). But even these numbers, as admitted by Defense Minister Serge Sarkisyan do not contain the complete military expenditures of Armenia: The budgetary funds are not the only financial source of the Armenian military, as weapon transfers are carried out

through the black market. The Armenian military is expected to account for the biggest single share of government expenditures.

The question at stake now is how to ensure the state security of Azerbaijan. On the one hand, Azerbaijan had also increased its defense expenditures for the year 2003, which amounted to US \$140 million. Azerbaijan's draft defense budget for 2004 is to rise by 7 percent, amounting to US \$146 million. On the other hand, the elimination of Armenian weapons in the occupied territories is the security issue number one for Azerbaijan. Military operations to liquidate them would again lead to a full scale war between the two countries. Thus, the activities should be started by verifying the CFE obligations in the region. CFE inspectors should be mandated for verification and inventory of uncontrolled weapons in the region, their elimination or at least withdrawal should be part of any peace agreement. These measures also require further international involvement in the region. Azerbaijan side is ready for peace but does not accept the annexing of its land by force.

Recent developments in Azerbaijan and Armenia do not give hope for the near future. Armenia has a militarist government that lacks clear-cut visions of how to shape relations with its neighbours. The former Armenian president, Levon Ter-Petrosyan, called the current Armenian leadership a “war party”. Azerbaijan has a corrupt authoritarian dynastic regime without any political will. It is equally incapable to overcome the current impasse. Neither war no peace has also been serving to the current regime’s interests since change of the status quo requires creative and intensive work which is alien to a system based on bribery and corruption.

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### **VISIONS OF THE CAUCASUS**

When I prepared for this presentation, I assumed that the bulk of the conversation would deal with concrete issues of security sector reform. I could then, in looking at the future, step back and discuss the evolving political, economic, and social context in which security sector reform proceeds or does not proceed. However, the preceding papers mainly deal with the strategic, political and economic context. In contrast little was said about security sector reform.

And then there are the events in Tbilisi. When you write a paper about the future, you have a particular view of the present. Velvet revolution or not, the events in Tbilisi have potentially altered significantly the situation on which my paper is based. And not only in Georgia. So, my remarks here under will draw in part from the paper previously prepared, but also from our discussion at the meeting and the ongoing regional events.

I understand that the organizers might have preferred us to focus on specific issues such as how the security sector is organized in the different states of the southern Caucasus, how it is controlled, what its legislative basis is, the development of ties with multilateral institutions such as NATO in the security sector, and how these ties have affected the security sector, and so on. It is not surprising to me that, on the whole, speakers preferred to deal with broader political and geopolitical issues. Security sector reform does not proceed in isolation. It is part of a broader process of transition towards law-governed, transparent, and accountable governance. Security sector reform cannot proceed independently from these wider processes.

So, in beginning, what do we think security sector reform is? We seem to have agreed that it involves transition to professional and democratically controlled armed forces. I would add that it involves a transition to a position where these forces are not only controlled by the

democratic will, but are governed by the law. This is an often overlooked but important dimension, since, as we have seen in this region (e.g. Zviad Gamsakhurdia) democratically elected governments can misuse the security sector. There needs to be a constraint beyond the will of the people and that constraint is embodied in constitutional provisions and legislation governing the use of the armed forces and police.

An important further point here is that professionalism, democratic control, and the rule of law do not necessarily go together. One of the real dangers in incomplete security sector reform is that you may get professionalism without the democracy and rule of law dimensions. This danger is evident as show the concerns raised about GTEP<sup>287</sup>-trained forces in Georgia.

To take an example from another region, the problem is equally evident in the concerns expressed in Kyrgyzstan over the recently mounted OSCE police assistance programme. In part, this programme was a response to the events in Aksy, where Interior Ministry troops fired on a peaceful crowd of opposition forces, killing six men. The programme is a broad one, involving support for the MVD<sup>288</sup> Academy, community policing, the investigative branches of the MVD, but also in riot control. All of this sounds good on the face of it, but one might ask whether we are just rendering an oppressive state apparatus more efficient in its oppression. In other words, there is a real danger of negative unintended consequences from assistance in security sector reform.

I think we have also agreed that security sector reform should be broad rather than narrow. It needs to go beyond the military to the police and to “third forces” (e.g. MoI troops), and to border control. It involves change not only in the forces themselves, but the development of more effective mechanisms for parliamentary oversight. It goes beyond the legislature to the judiciary in the fostering of courts that are capable of and committed to constraining power and protecting rights.

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<sup>287</sup> Georgia Train and Equip program (<http://web.sanet.ge/usembassy/gtep.htm>).

<sup>288</sup> Russian for Ministry of Interior (MoI).

This wider vision of security sector reform suggests the need for a broad array of institutional partners and a need to think carefully about the division of labour among them. One such potential division would have NATO and NATO members taking the lead with the military, the OSCE and/or the EU in addressing the challenges of reform of the MoI police and gendarmerie, and the Council of Europe tackling capacity-building in the courts.

In any complex division of labour between states and partly cooperating, partly competing organizations, there are dangers of overlap and turf wars. This raises real prospects for waste and confusion, mixed signals and the potential to play one external actor off against another. One sees this, to some extent, in the rush to assist Central Asian states with border control and the control of narcotics trafficking, where the United Nations Office on Drugs and Crime (UNODC), the OSCE, the EU, and various states (e.g. the US) are heavily engaged. Complex assistance processes of this type require close and effective coordination, something which, hitherto, has been lacking.

Finally, I think at least some of us agree that security sector reform must be comprehensive, not selective. That is to say, we need to face the problem of the unrecognized territories. It makes sense to include these entities in broader reform processes, for a number of obvious reasons. For example, transition in the border control and customs services in Georgia is of limited use only, if focused on the government side alone, since much of the northern border is controlled by forces loyal to the Abkhaz and Southern Ossetian *de facto* authorities. Likewise, if the return of the displaced to Gali is to be successful, it must be accompanied by human rights training of local police and other security forces serving the authorities of Abkhazia. This is a real problem, since national authorities are understandably sensitive to international engagement with secessionist entities, since such engagement may have a legitimizing effect.<sup>289</sup> Secessionist authorities are generally enthusiastic about such contacts for the same reason, although I suspect

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<sup>289</sup> In this regard, it is pertinent to note that the Georgian government has allowed greater scope for multilateral engagement with the *de facto* authorities in Abkhazia than the Azerbaijani government has with those in Nagorno-Karabakh.

that they would quickly become uncomfortable with the implications of deep engagement by multilateral organizations in their security sector.

It is worth noting that we have not yet discussed the question of what we mean by security when speaking about security sector reform. This vision of security sector reform presumes a particular approach to security itself. That is to say, security is not about, or not only about, the security of the state. It is also about securing the rights of people, as individuals or as members of communities.

This brings me back to the general context of security sector reform. Much of the discussion thus far has accepted that success in security sector reform depends on success in the transition towards political democracy, the liberal economy, and the rule of law. So where are we with these transitions? I would like to comment on five dimensions.

My first comment concerns the region's conflicts. As you all know, the active conflicts in the southern Caucasus came to an end in 1992-4. However, in none of these cases has it been possible to conclude durable political settlements. Nor do such settlements appear imminent. Having followed these processes since their beginning, I think I can say that there is no obvious sign of progress in any of them. In the case of Nagorno-Karabakh, one hears increasing calls for a resumption of the conflict, given the failure of the Minsk process so far. Security sector reform requires a low sense of threat, since such processes can be profoundly disruptive. People who consider themselves vulnerable tend to avoid disruptive change that may increase their vulnerability. The protraction of negotiations on political settlement reveals a profound political and social distrust between the parties, a profound sense of insecurity. The implications are obvious: it is difficult to succeed in the construction of democratic law-governed polities when substantial parts of your country are outside your jurisdiction and are contesting your sovereignty. And it is difficult to proceed with substantial security sector reform when your state faces a seemingly permanent challenge to its territoriality. Full scale security sector reform may require the peace that, so far, has eluded us.

Second, there is the broader issue of democratic governance. The notion of democratic control over the security sector presumes a broader movement towards democracy. Looking at it from the outside, I confess that I do not see unambiguous movement in this direction. Some of you may be familiar with the annual Freedom House evaluations of political change in former communist states<sup>290</sup>. In about 1998, the title of their annual reports changed from nations in transition to nations in transit. The editor of the reports explained the change by noting that, whereas transition presumed progress (movement towards something better), transit conveyed the idea of movement without obvious direction. He felt that in many states there was evidence of certain stagnation in the movement towards the democratic ideal that Freedom House espoused. Although I have some problems with the general approach of Freedom House analyses, I think this is right with regard to the Southern Caucasus. There is no reason to recite the conclusions of various OSCE reports on elections in the Caucasus since 1992 to establish the point. It is clear in the process and the aftermath of the recent presidential election in Azerbaijan and parliamentary elections in Georgia.

I note, however, that in focusing on elections and on the politico-bureaucratic process within governments, one may be missing broader social trends. One issue here is whether a broad social movement for the democratization of politics, the gradual development of a real civil society, is evolving. To the extent that people are gradually growing impatient with, and unwilling to accept, the status quo, broad social pressure for political change may develop.

Such societal trends may be evident in the events in Tbilisi in November 2003. Gia Nodia, Director of the Institute for Peace, Development and Democracy, recently noted that the good news concerning Tbilisi was that the uprising was produced by a broad coalition of social forces and not just the two opposition political movements. “It was a genuine expression of democratic spirit and what is really important is that it showed that civil society has really matured and developed here over the

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<sup>290</sup> <http://www.freedomhouse.org/>

past ten years.”<sup>291</sup> He may be right. The other impressive development was, oddly, the failure of the security forces to respond to the people’s challenge to the government that had stolen their rights. It may suggest that the police and military see themselves as having primary responsibility to the people. If this is true, then the ground is moving underneath our feet, and in a good direction. We shall see.

The third contextual issue worthy of consideration is that of corruption and the rule of law. In the 2003 Transparency International Corruption Perceptions Index<sup>292</sup>, Georgia and Azerbaijan are tied with Angola, Cameroon, and Tajikistan at the ranking of 124 out of 131. Armenia comes in at 78, tied with Iran, Lebanon, Mali, and Palestine. This is not good news. Its implications pertain specifically to the security sector, but also more broadly to governance and development as a whole. Reform of the security sector is impeded when security officials find it necessary, or choose to engage in corrupt practices. Corruption in the security sector is a profound impediment to the establishment of the rule of law. It discourages people from trusting and respecting judicial and law enforcement institutions. Absent such trust, it is very difficult for those institutions to do their jobs well. More broadly, corruption impedes both domestic and foreign investment on which economic improvement is based. It also makes it very difficult for the region’s states to collect the revenues necessary for them to do their jobs. As we have seen in Georgia recently, the perception of systemic corruption may undermine popular support not only for the government of the day, but also the political system itself.

Fourth is the issue of public finance and the budget. As endless IMF reports observe, the governments lack the capacity to effectively extract resources from the population. Taxes are chronically uncollected or under-collected. The result of inefficient revenue collection is inadequate funding of public services and inadequate provision of public services. This has important implications for the popular legitimacy of government and for governance itself. After all, why should people

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<sup>291</sup> As cited in Thomas de Waal, “What Now for Georgia?” in IWPR, *Georgia Alert* no. 05 (28 November 2003).

<sup>292</sup> [www.transparency.org/surveys/index.html](http://www.transparency.org/surveys/index.html).

associate their purposes with those of the government when the government does nothing, or next to nothing, for them? This in turn contributes to the potential instability of the region as a whole. It also complicates the resolution of the region's frozen conflicts. How can the unrecognized territories be attracted back into the fold when the region's governments are so obviously incapable of providing real services.

Fifth is the neighbourhood. The Southern Caucasus lies between two major regional powers (Russia and Turkey). One could argue that they have a strong mutual interest in stability and growth in the region. However, their capacity to cooperate in promoting this outcome is limited by a lack of trust. They have a history of troubled relations and a legacy of mutual suspicion. They face the temptation to compete in the region in order to achieve unilateral gains or to deny them to the other.

The problem extends to the third major external player – the United States. The expansion of the United States into the region's energy sector, its promotion of east-west pipeline routes that undercut Russia's monopoly on energy transport from the region, and its growing security engagement in the context of the war on terror may not necessarily be reflections of a competitive and anti-Russian geopolitical vision, but they are seen to be so by many in Russia. And people and states generally act on their perceptions. In short, the external context of the region is one of serious potential for great power competition. This has had and may continue to have destabilizing consequences for the Southern Caucasian states themselves.

And one further note here: Iran has rather specific concerns. These have to do with its traditional rivalry with Turkey and consequent discomfort with Turkish influence in Baku. There is also the problem of Iran's own Azeri minority, concentrated in proximity to the border with Azerbaijan, and the unhelpful rhetoric of Azerbaijan's opposition regarding the desirability of reunifying the two Azeri populations. In short, the neighbourhood is rough. And this too complicates the process of security sector reform.

Turning to future visions, the first question to address, given the persistence of frozen conflicts in region, and the potential for new ones, is how many states are likely to be in the region in the long run. I think this is the easiest question to answer. There is no doubt in my mind that, whichever vision of the future turns out to be true, there will be three. The states may be strong, weak, or collapsed. The conflicts may or may not be resolved. The states may or may not be able to defend their territory. But there is no evidence of international willingness to accept and legitimize secession unless the parties agree. And there is no evidence that the parties are likely to agree. I won't comment on whether this is good or bad. It is just the way it is and it doesn't seem likely to change.

But what kind of states in what kind of region? I am reminded here of the debate a few years ago amongst energy investors over which model Azerbaijan was going to follow as the oil began to flow. The three models considered were Norway, Kuwait, and Nigeria: one nice, one a mess, and one somewhere in between. Similarly, for the sake of discussion, three models can be put forward to highlight the spectrum of possibilities for the Southern Caucasus. One is a region of three liberal states in which democratic governance is finally established, the conflicts of the region are resolved, insurgent regions reintegrated on the basis of constitutional arrangements that address their concerns over minority rights and protection. The states would be linked by flourishing structures of regional cooperation in both the economic and security spheres. External powers settle into cooperative rather than competitive patterns of behaviour, and seek to bolster the liberal peace.

The opposite and apocalyptic vision is one of failure of governance in the three states and a general decline into state collapse and civil war. In this instance, economic development will not occur and hopes for a return to prosperity will be quashed. Conflicts proliferate as hitherto quiet regions also challenge the states that have failed to address their needs. And the region will be vulnerable to external intervention by neighbouring powers who either seek to take advantage of instability or who seek to limit the spillovers of chaos. Life will be nasty, brutish, and

short, at least for those who remain. Many of the region's most talented people would be likely to leave.

The third is a continuation of the middle way. States do not collapse, but remain quasi-authoritarian, with weak rule of law, considerable denial of rights, abuse of democratic process, and systemic corruption. Growth proceeds, but slowly and unevenly, benefiting reasonably small elites. The conflicts remain frozen, and the territories outside state control continue to develop their separate political and economic identities. How sustainable this vision is in the longer term is questionable.

Each of these scenarios is possible. And it may be that there is no single regional model, but a mixed version, where some states proceed towards model one, others stick with model two, and still others move backwards. Some of my colleagues believe, for example, that Armenia has some prospect of further development towards liberal democracy and the rule of law, Azerbaijan shows little movement in this direction, but has a state and elite that has the power and resolve to retain its position indefinitely by authoritarian methods, whereas Georgia faces a significant prospect of state collapse. On the other hand, the vibrancy of civil society in Georgia and the perhaps grudging willingness of those in power to let it flower may indicate that Georgia will move most quickly towards Western conceptions of politics.

Where we land on the spectrum of contending visions depends on three major factors. The first is the willingness of political elites to move towards more representative, accountable and effective state and government structures, to share the wealth from growth and to actually provide services valued by their constituents.

The second is the willingness of publics to be patient as change proceeds. The first decade of transition or transit was painful for many, and the hopes for gradual improvement have, for many, been destroyed. Even if the region resumes its movement towards good governance, progress will continue to be slow and painful.

And the third, and least important in my view, concerns outside actors. To what extent will outsiders come to see their interests as mutually reinforcing in the region? To what extent will they be willing or able to abstain from manipulation of the political process there in pursuit of unilateral advantage? And to what extent are they able and willing to deploy resources effectively and strategically to promote liberal and democratic transition.

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## **VISIONS AND AIMS FOR SECURITY SECTOR GOVERNANCE IN SOUTHERN CAUCASUS**

### **Introduction**

The traditional understanding of security covers two basic fields – defense and foreign policy, while the modern understanding of security is more encompassing and includes also topics related to stability and sustainable development.

The exploitation and the transport of the Caspian oil and gas resources as well as the region's strategic location make regional security an issue of highest importance. When we discuss the regional stability problems in the Caucasus, the zones of frozen conflict, Abkhazia, South Ossetia and Nagorno-Karabakh, often quickly become a central issue, because they are a threat to the stability and the normal development of the countries concerned. However, one should not forget that others issues, such as the fight against corruption, the build-up of a stable economy, the democratic development and the promotion of the rule of law are no less important for the security of the South Caucasus region.

Georgia currently experiences mass protests and strikes against the governmental coalition's attempts to remain on power through falsifying the results of the recent parliamentary elections. The public's reaction shows that the existence of a viable democracy is becoming one of the most important aspects of security in the country. In other words, it is increasingly difficult to establish stability when the constitutional (political) rights of the people are ignored. Thus, democracy could be considered as one of the main factors for stabilizing the region.

This has been proved by the peaceful government change Georgia lived in November 2003, possible thanks to the existence of still weak, but already working civil structures, such as free media, specialized NGOs and a growing public awareness of a civil society. Furthermore, it can be

qualified as an important evolution that power structures remained loyal to their constitutional duties in this crisis situation, despite some attempts to involve them in the political conflict.

Summarizing we can state that democratic reforms and the existence of civil society structures might be the strongest guarantees for stability and sustainable development of the South Caucasus region and are a key precondition for integration into the Western military and political structures such as NATO and the EU.

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## **SECURITY SECTOR GOVERNANCE IN THE SOUTH CAUCASUS: VISION AND AIMS**

Security Sector Governance is a new challenge for the newly independent states of the former Soviet Union, including the Southern Caucasian states. After 70 years of strong control by a totalitarian regime with powerful security forces, the three countries – Armenia, Azerbaijan and Georgia – face some serious and unexpected problems.

More than ten years ago they proclaimed the building of a democratic state as a main objective, albeit having only vague ideas about democracy in general, and the specific model to be adopted for their own societies. At the same time, the rapid collapse of the Soviet Union unleashed a wave of intolerance, violent clashes and ethno-political conflicts.

Today, the realities in the Southern Caucasian states are as follows:

- low-level democracy or even the lack of it;
- serious economic problems, if not stagnation;
- multiple social problems; but
- a high level of politization of the societies.

I would like to add also to this list the problems with the three unrecognized secessionist republics, Abkhazia, South Ossetia and Nagorno-Karabakh. The situation is further complicated due to the controversial, even incompatible, interests of the major regional players USA, Russia, Turkey, and Iran.

The formation of the Southern Caucasus region is not yet resolved. We have to deal with three very different countries, showing important differences in history, culture, religion, mentality. The countries also differ in the assessment of their own potential and prospects, interim and

external threats, the regional security needs and security sector reform efforts.

In connection with the topic of this workshop, it is necessary to note that the important differences between the three South Caucasus countries, reflected in the security sector governance, cannot be ignored:

- First, the region might have two types of security systems: Armenia is a full member of the Collective Security Treaty of the CIS, while Georgia and Azerbaijan want to join NATO;
- Second, there are different types of democracy. Armenia has a strong executive branch with a weaker parliament, while in Georgia there is a strong legislative branch and a weaker executive authority, subject to destabilization during a political crisis. After the last presidential elections in October 2003, Azerbaijan can be considered as a hereditary autocracy with a very high level of corruption;
- Third, Armenia and Georgia can only gain stability and democracy with the perspective of a European integration. For Azerbaijan as a Muslim country maybe there is an alternative, such as integration in the Muslim world.

In addition to the above mentioned differences between these states, the current “neither peace, nor war” situation in the South Caucasus has its own specifics due to the increased role of the security sector since the early 1990’s. Accordingly, it is necessary to find a balance between the security needs of each player, to take into account the regional realities and to reform the needs to reform the security sector. Without this last criteria successfully accomplished, none of the Southern Caucasus states can be considered as meeting democratic standards. Such a balance can only be found and maintained on the basis of mutual trust between all sides of the conflicts (external influence) and between the security sector and the civil authorities (internal political options).

National security is the key goal for each state in the South Caucasus, implicating a strong and viable security system, based on stability and democracy. The latter two points have to be achieved if the South Caucasus states truly aspire to integration in the EU.

In case of the South Caucasus the main questions are:

- How to combine security sector governance with security issue;
- How to combine security with human rights protection?

In the governance sphere the main objective is guaranteeing sovereign rights of people and the principle of non-interference of the military into internal affairs. In case of unresolved conflicts security issues are related to the settlement of the conflict and the prevention of a new conflict. In the case of the South Caucasus, the primary goal is to minimize the risk of the resumption of old conflicts.

But even in more democratic countries there are some difficulties related to the control of the security sector. The struggle against terror demands an enlargement of the security sector's duties and power. The establishment of the US Department of Homeland Security, with its extra-power, is a point in case. These events profoundly shocked the American society and entailed a process of empowering the security sector; but there is also a decrease of transparency and the infringement of human rights.

In the case of the South Caucasus, the situation is more complicated. The region needs strong confidence-building measures among the main actors, based on international law. Unfortunately, there is a misbalance, caused by regional realities and domestic processes. But the main problems for the region are linked to the frozen conflicts, requiring conflict prevention, resolution and post-conflict reconstruction.

Some preconditions have to be met so that security sector governance in the South Caucasus will be effective:

- The negotiation process in Nagorno-Karabakh conflict has to restart,
- Azerbaijani authorities have to stop their propaganda calling for a new war over Nagorno-Karabakh;
- The situation in Georgia needs to be stabilized.

The fulfilment of these preconditions and the maintenance of the fragile regional status quo depend on the ability of the authorities of the three countries to control their security sector. This would mean to share control over the security sector with the parliament and other civil structures. But it is not sure that the authorities are ready to do so. On the other hand, the point is how to make the civil, parliamentary control over the security sector more effective and transparent. In the meantime, and in view of the unresolved conflicts in the region, the current stability is mainly based on a military balance. This might mean that in the near future stronger control and, supposedly, less democracy would be needed.

Security sector governance in the South Caucasus will not follow the same way as in the U.S., Germany, Switzerland, Austria or other democratic countries. We can speak about security sector reform in our region only as a long-term process. Otherwise the results might be very poor.

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## **SOUTHERN CAUCASUS: IN QUEST OF A NEW VISION FOR A COOPERATIVE SECURITY STRATEGY**

Twelve years after the collapse of the USSR, scholars and political scientists are still puzzled. The post-Soviet life of the three independent states of the South Caucasus remains critically complex. Armenia, Azerbaijan, and Georgia are still in transition and despite reform efforts, they are not more than weak nations with fragile statehood and a long way to go until peace, stability and viable democracies will be irreversibly established. For today, however, the question is whether the three countries have developed strategic visions and made available the necessary resources to attain this primary goal.

The Southern Caucasus region is fragmented; largely due to existing unresolved conflicts which prevent Armenia, Azerbaijan and Georgia from pooling their efforts in order to jointly address current challenges that the region as a whole faces. The lack of unity of the three countries and the absence of progress in breaking up the stalemates regarding the secessionist republics indicate the seriousness of the crisis in the Southern Caucasus and create new challenges and threats.

Another major obstacle standing in the way of reaching regional unity and stimulating cooperation are the different security perceptions among the three states. Although they aspire to regional security, they all have their own foreign policy strategies and priorities. Moreover, there are clear distinctions in their individual perception of threats and national security concerns. The Southern Caucasus needs a new vision of how it will respond to existing and future challenges in a rapidly changing world. The restoration of territorial integrity, the elimination of corruption and the consolidation of democracy are absolutely necessary to keep that vision strong. The Southern Caucasus needs a comprehensive strategy and major changes that would transform the

region from an area of confrontation into an open politico-economic system where, instead of conflicting interests, there would be a mutual accommodation, or even coincidence, of interests.

If the Southern Caucasus countries fail in their security sector reform and democratization efforts, they will lose much of the support they now enjoy from the international community. This in turn will result in a considerable reduction of the international commitment to solve the conflicts in Nagorno-Karabakh, Abkhazia and South Ossetia, but also in a decrease of the international financial and technical assistance and, eventually, in the loss of importance of the region.

The three countries should therefore devise a new agenda, which would allow them to transform themselves into stable democracies with guaranteed sovereignty and a strong market economy. Certainly, much of the homework is to be done by Armenians, Azerbaijanis and Georgians themselves. However, the international community, and the U.S., EU and Russia in particular, should come up with their part of the new agenda as the major contributors to future success of the region. The new agenda should be based on the recognition that there are time, financial and political resources to utilize. Also, the U.S. and the EU should better coordinate their policies to send a clear response to those inside and outside the region who do not wish to see the three countries develop free and transparent societies. These forces are easily identifiable, as are those who best serve the interests of their country and the region.

Obviously, one way for the region to help foster stability and secure economic viability is through an active interaction of constructive forces, which can work in concert to enhance cooperation between the states and with regional and international organizations. The post-Soviet countries will succeed if they all aim at formulating a comprehensive policy strategy based on sound changes, a new thinking and mutual understanding through dialogue.

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