

STRENGTHENING THE ENP THROUGH REGIONAL CIVIL SOCIETY COOPERATION

The Case for the Inclusion of a Regional Civil Society Component into the European Neighbourhood Policy in the South Caucasus

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Abstract¹

In this article, we argue that the European Neighbourhood Policy (ENP) has to be considered and evaluated as a structural foreign policy that seeks to influence political, legal, socio-economic, security and mental structures over the long-term, rather than being a conventional foreign policy, focussing on states, military crises and conflicts (Keukeleire and MacNaughtan, 2008). We stress that, if the ENP wants to be effective as a structural foreign policy in the South Caucasus, it needs to enhance its attention for regional civil society cooperation. We develop an innovative framework, illustrating the potential of regional civil society cooperation on three levels: the substate (i.e. the relations between the societies of the 'nation state' and their break-away regions), the transstate (i.e. the relations between the societies of the three South Caucasian states) and the international level (i.e. the relations between the region and international actors). Our main argument is that through an enhanced attention for civil society cooperation by financing and coordinating projects and activities on these three levels, the EU should empower civil society and instrumentalize it as one of the keys to turn the ENP into an effective structural foreign policy.

1. Introduction

In August 2008, the defrosting of the South Ossetian and Abkhazian conflicts was the latest episode in a number of rising

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and declining tensions in the South Caucasus since the independence of Armenia, Azerbaijan and Georgia in the early nineties. The European Union (EU) is a fairly recent new actor in the region. Hampered by its relatively limited room for external action compared to classical nation states, it has struggled to form a coherent and robust policy towards the South Caucasus.. The main EU policy covering the region, the European Neighbourhood Policy (ENP), is characterized by its technical and financial nature rather than an involvement in the Caucasian high politics. The rather explicit and unequivocal support of the United States (US) and Russia for certain regional actors is more manifest and leads to a much more obvious and direct perceived impact. At first sight, the EU appears then to be a second rank actor lacking strength and credibility.

In this article we argue that the EU should not try to emulate the regional policies of nation states such as Russia or the US. Instead, the EU could turn its liabilities into assets. The characteristics of the EU as a sui generis international organisation may hamper its abilities compared to traditional nation states, but it also opens up opportunities. The lack of vigour on the level of high politics enfeebles policies in other domains (such as economics, democratization and human rights) less than is the case with foreign policies of traditional nation states. If the EU proves successful in creating a novel sort of foreign policy based on its particularity it could stand a chance in the whirl of political events in the South Caucasus.

In the first sections of this article we will analyze the nature of the ENP, inspired by the distinction made by Keukeleire and MacNaughtan between conventional and structural foreign policy.² Is a *conventional* conception of *foreign policy*, focusing solely on 'states, crises and military conflicts' an adequate starting point for the analysis of the ENP? Or should we analyze the ENP from a *structural foreign policy* perspective, in the sense that it 'aims to influence long-term changes in political, legal, socio-economic, security and mental structures'.

² Stephan Keukeleire and Jennifer MacNaughtan, *The Foreign Policy of the European Union* (Basingstoke: Palgrave Macmillan, 2008), 25-8.

In the latter sections of this article we will take a closer look at the role civil society can play in the fulfilment of the ENP goals, in particular for the aspect of regional cooperation. We will do this by presenting three different levels (subnational, transstate and international) on which a transnational Caucasian civil society could emerge. Briefly touching upon examples for each level, we will illustrate the potential for civil society cooperation on these three levels to contribute to the political and socio-economic development of the region, as well as to the fulfilment of the structural foreign policy goals of the ENP.

2. The EU, the South Caucasus and the ENP

The first relations between the EU and the South Caucasian countries were developed within the TACIS-programme and specific regional programmes immediately after the declarations of independence of the latter. In 1999 the relations went further with the signing of the Partnership and Cooperation Agreements with Armenia, Azerbaijan and Georgia. These PCA's still serve as the legal basis for relations between the governments and the EU. The South Caucasus was initially not included when the ENP was launched in 2004. However, this changed in 2006 with the conclusion of the bilateral ENP Action Plans that set out an agenda for political and economic reforms. Taking in the South Caucasian countries was mainly driven by Georgia's Rose Revolution in 2003, where the call for democratization and a turn towards Europe were the mainstay of the promised new approach of President Saakashvili. The ENP offers possibilities for more far-reaching cooperation and therefore reflects in a way the changing relationship between the South Caucasus and the EU. Whereas in the early nineties this region was seen as conflict prone with failed states needing humanitarian aid, the EU now mainly sees this area as an important source for energy, a growing economic market, strategically located between Russia and the Middle East and a bridgehead for regional democratization³. The question is if the ENP will be sufficient to cope with these divergent objectives and if more material interests will not dispel norms and values from the ENP-agenda.

³ Sebastian Mayer, *Die Europäische Union im Südkaukasus. Interessen und Institutionen in der Auswärtigen Politikgestaltung* (Berlin: Nomos Verlag, 2005), 107.

The EU is keen to stress that the ENP is distinct from the process of enlargement. However, when the two policies are compared to each other, a number of recurring characteristics can be perceived. One could consider the ENP as a spin-off of the enlargement process and thus a case susceptible to path dependency.⁴ Despite the parallels between the enlargement process and the ENP there is one crucial difference between the two policies and that is their respective finality. Whereas accession talks had membership as a fixed set goal, the ultimate objective of the ENP is less clear. This reduces the leverage the EU has over the partner countries as it no longer is able, or willing, to offer the 'golden carrot of membership'. If the EU has nothing attractive to offer the ENP countries in the short run, the appeal to invest in a potential painful democratization and other reforms required in the Action Plans is very faint. This limits the capacity of the EU to conduct an effective structural foreign policy through its ENP.⁵

3. The ENP and democracy promotion

The EU has been an organization for and of democratic states from the outset, but it did not make political conditionality with regards to democracy a cornerstone of its external relations until the membership applications from Greece, Spain and Portugal in the seventies. The successful democratic consolidation of these countries seemed to confirm the pivotal role the EU can play in promoting democracy. The fall of communism would provide a rich opportunity to test this hypothesis. The EU responded with the establishment of tailor made institutions as the EBRD, TACIS and PHARE and the signing of Association Agreements between the post Soviet states and the EU; all of them contained elements of conditionality and democratization. The next step of offering actual membership went further with the explicit criterion of democracy enshrined in the Copenhagen criteria. At the end of the process, the new member states joined the EU and their political systems were classified as consolidated democracies.

4 Judith Kelly, "New Wine in Old Wineskins: Promoting Reforms Through the New ENP," *Journal of Common Market Studies* 44, no. 1 (2006): 29-55.

5 Keukeleire and MacNaughtan, *The Foreign Policy of the EU*, 270-2. See also Roland Dannreuther, "Developing the Alternative to Enlargement: the European Neighbourhood Policy," *European Foreign Affairs Review* 11 (2006): 183-201.

This apparent success story could be harder to achieve in the future for the EU.⁶

In May 2004 the European Commission launched the ENP through its ENP Strategy Paper. In this constitutive document, “commitment to specific actions which confirm or reinforce adherence to shared values”⁷ is stated as the first of two priority areas for the ENP. Further on in the text these values are listed as strengthening democracy, respect for human rights, support for the development of civil society, cooperation with the International Criminal Court and cooperation with regards to the EU’s external action.⁸ Democratization and the development of civil society thus had a prominent place from the onset, but in order to take effect this should trickle down to the Country Reports and Action Plans which serve as the basis for actual policy-making. The Country Reports emphasize legislative reform and liberalisation; judicial and economic sectors dominate the texts. However, the Reports also contain two fairly extensive sections on democracy and human rights which appear fairly direct and concrete. Although the Commission produced Reports served as a starting point for the Action Plans, the latter seem to miss the rigour and details in which value gaps were identified in the initial Reports.⁹ The Action Plan for Georgia, for example, mentions eight priority areas and only lists democratization as a complementary action. Civil society is only mentioned sideways, while a coherent strategy towards the development and inclusion of civil society is lacking.¹⁰ This shows how the stress put on democratization and civil society empowerment at the highest level of policy making is not being translated into concrete terms.¹¹

6 Paul J. Kubicek, *The European Union and Democratization* (London: Routledge, 2003), 10.

7 European Commission, Communication from the Commission “European Neighbourhood Policy” Strategy Paper, COM(2004) 373 final, (12 May 2004), 9.

8 European Commission, ENP Strategy Paper, 13.

9 Giselle Bosse, “Values in the EU’s Neighbourhood Policy” *European Political Economy Review* 7 (2007): 38-62.

10 European Commission, EU/Georgia Action Plan, November 2006, http://ec.europa.eu/world/enp/pdf/action_plans/georgia_enp_ap_final_en.pdf.

11 For a more comprehensive analysis of the shortcomings of EU aid to civil society, see Kristi Raik, “Promoting Democracy Through Civil Society: How to Step up the EU’s Policy towards the Eastern Neighbourhood,” CEPS Working Document, No. 237 (February 2006), 18-21.

In addition, the intergovernmental nature of the negotiations of the Action Plans also led to the absence of involvement from NGOs and civil society in general. This was not only a missed opportunity to create an opening for civil society in the countries concerned, but it also contradicts the stated aims of the ENP as mentioned above to support the development of civil society. After fierce protesting from civil society organisations, the EU has put effort into including civil society in the ENP in a more active way. Meetings between EU officials and NGO representatives are organised in ENP countries to strengthen ties and civil society representatives were invited to the European Commission ENP conference in September 2007.¹² Although these are first steps to improve dialogue, civil society remains a secondary actor in the mainly bilateral ENP process.

4. ENP as a structural foreign policy

When analyzing the EU's policy towards the South Caucasus, it is important to take into account the nature of its specific policy instrument: the ENP. We therefore point to the distinction Keukeleire and MacNaughtan¹³ make between a conventional and a structural foreign policy. The concept of *structural foreign policy* is defined as 'a foreign policy which, conducted over the long-term, seeks to influence or shape sustainable *political, legal, socio-economic, security* and *mental* structures. These structures characterize not only states and interstate relations, but also societies, the position of individuals, relations between states and societies, and the international system as a whole'¹⁴. This concept is juxtaposed to *conventional foreign policy*, which, according to the definition of Keukeleire and MacNaughtan, 'is orientated towards states, military crises and conflicts'. Structural foreign policy differs from conventional foreign policy in the sense that it is not focussing solely on what we call high politics. Instead it seeks to influence the target state in such a way that the aforementioned structures in this state become assimilated with those of the acting state. If these efforts are successful, as a consequence, the political, legal, socio-economic, security and

12 European Commission, Reflections from Civil Society representatives, European Commission ENP Conference, (3 September 2007), 7.

13 Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*, 25-8.

14 Ibid., 25-26.

mental system will gravitate towards cooperative relations with the acting state. Keukeleire and MacNaughtan stress that the two kinds of foreign policy differ on the main features of a structural foreign policy. First, as the name says, a structural foreign policy focuses on *structures* (such as democracy, capitalism, rule of law, etc.) and the way these are put into practice (e.g. existing differences in the elaboration of democracy between the US and Switzerland). Second, structural foreign policy needs to be *comprehensive*. This includes not just influencing the different structures (i.e. political, legal, socio-economic, security and mental), but influencing them on all levels on which they manifest themselves (i.e. individual, state, societal, state-society relations, interregional and global). Keukeleire and MacNaughtan put these levels and structures into a simple checklist (see figure 1) to evaluate the comprehensiveness of a structural foreign policy:

Figure 1: Structural foreign policy: structures and levels

		STRUCTURES				
		Political	Legal	Socio-economic	Security	Mental
L	Individual					
	State					
E	Societal*					
	Inter-state					
V	Inter-societal*					
	(Inter)-regional					
E	Global					

* Societies can be situated within one state or can be transnational.

Source: Keukeleire and MacNaughtan, *The Foreign Policy of the EU*, 28.

Third, structures have to be changed in such a way that they are *sustainable*, even after pressure or support has disappeared. This sustainability is very much dependent on the *mental structure*. If changes are seen as legitimate, chances for sustainability will rise. Although this is not particularly mentioned by Keukeleire and MacNaughtan, we argue these mental structures are one of the points where the importance of the inclusion and development of

civil society comes in.¹⁵ A well-rooted civil society has the potential of influencing the mental structures of society at large. The inclusion of civil society actors in the elaboration of a structural foreign policy thus can function as a first step towards larger mentality changes. Furthermore, on various topics concerning human rights, democratization and civil society development, civil society organisations share the same values and commitments the EU wants to build its ENP relations on. By including these local actors into a structural foreign policy, positive synergies can emerge. Taking into account the caveats concerning the relations of NGOs with international organisations and their embeddedness in the local society at large, the positive effects of including civil society into a structural foreign policy should not be overlooked.

When looking at EU policies towards the South Caucasus, it needs to be pointed out that Keukeleire and MacNaughtan clearly indicate that structural and conventional foreign policy are not mutually contradictory. On the contrary, both policy styles prove to be complementary and even mutually dependent. The EU in the South Caucasus can best be described as an actor that aims to be active in both conceptions of foreign policy. During the August 2008 war in Georgia, the French EU presidency set itself up as a mediator between Russia and Georgia, trying to broker a peace deal through intensive diplomacy efforts. In this way, the EU was engaging in the conflict through a conventional foreign policy style of peace settlement. However, we argue that with the ENP, the EU also aims to be active with a typical structural foreign policy tool, at least when considering the initial goals of the ENP. The goal of the ENP is to create a ring of stable and friendly nations, which gravitate towards an increasingly close relationship with the EU¹⁶, by building on the mutual commitment to common values¹⁷. De facto this means enhancing or transposing 'EU-values' into the ENP-countries by influencing political (such as

15 It has to be pointed out that mental structures are not the only structures in which civil society plays a decisive role. For a more extensive account of the role of civil society in the EU's Eastern Neighbourhood, see Kristi Raik, "Promoting Democracy Through Civil Society," 1-14. Raik goes back to the famous works of Alexis de Tocqueville, *Democracy in America* (Wordsworth), and Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ: Princeton University Press).

16 European Commission, ENP Strategy Paper, 5.

17 Ibid., 3.

good governance, democracy, human rights), legal (rule of law), socio-economic (market economy, sustainable development), security (good neighbourly relations) and mental structures in such a way that cooperation with EU structures becomes the most logical policy option. Following the definition of Keukeleire and MacNaughtan (supra), we can thus consider the general framework of the ENP as being a structural foreign policy in its goals. Whether the ENP is successful in fulfilling these goals in its relationships with the different countries, and could thus be considered a structural foreign policy in its effects, is yet another question.

In the remainder of this article we will focus on the transformation of mental structures towards cooperation in the South Caucasus region. Starting from the framework of structural foreign policy, we will see how civil society can contribute to changing these structures by cooperating across *de jure* and *de facto* borders, hereby enhancing more positive ideas about cooperation on the different levels.

5. A structural ENP and the need for regional cooperation

The enhancement of regional cooperation is consistent with the vision of the ENP as a structural foreign policy. The EU is in itself an entity based on highly developed cooperation in a wide array of fields. In the five structures that are said to be of relevance for a structural foreign policy, the EU system is internally characterized by a certain extent of cooperation. Extending EU structures beyond the EU external borders thus implies extending a willingness to cooperate. This benevolence cannot be solely oriented towards the EU, but also has to be oriented towards direct neighbouring states in the region that do not form part of the EU. We therefore argue that the transposition of ideas of regional cooperation into the political, legal, socio-economic, security and in particular mental structures is a prerequisite for the success of the ENP in the South Caucasus. This is confirmed in the ENP Action Plans that were concluded in 2006 with Armenia, Georgia and Azerbaijan. As is included in all three of these Action Plans, one of the policy priorities of the EU towards these countries is the promotion of regional cooperation.

Regional cooperation needs to be seen as mutually beneficial for both the EU and the different regional actors. On the one hand,

the EU wants to create a ring of stable and friendly nations. On the other hand, regional cooperation among the countries of the South Caucasus has the potential of seriously enhancing their socio-economic development and their political weight when negotiating with the EU. Whereas the South Caucasus as a region has potentially heavy levers in the geopolitical field of energy transport, the different countries are currently involved in mutually detrimental competition. For example, De Waal calls the political stand-off between Armenia and Azerbaijan 'a kind of slow suicide pact in which each country hurts the other, while suffering itself'¹⁸.

At this moment regional cooperation in the South Caucasus is very limited. The lack of willingness to cooperate in high level political fields, due to tensions over the so-called frozen conflicts and inter-state conflicts, cascades down to lower governmental levels.¹⁹ As societal identity in the region is largely based on the depiction of the other state, society and citizens as the 'common enemy', the lack of cooperation largely persists in civil society as well. An additional hindrance to cooperation is the fact that it is passively and actively undermined by state authorities, who have clearly indicated they are opposed to civil society cooperation²⁰ and in certain cases have even intimidated NGO-actors that try to cooperate nonetheless.²¹ However, from a sustainable peace building perspective, necessary for the success of the EU's structural foreign policy and the region's larger development, regional cooperation is indispensable as cooperation on *low political* issues could facilitate *high political* conflict resolution. In

18 Thomas de Waal, *Black Garden. Armenia and Azerbaijan through Peace and War* (New York: New York University Press, 2003), 3.

19 On the potential for and problems of regional cooperation in the South Caucasus, see S. Neil MacFarlane and Albrecht Schnabel, *Human Security and Regional (Non-)Cooperation in the Southern Caucasus*, Paper presented at The 46th Annual Convention of the International Studies Association, March 1-5, 2005, Honolulu, Hawaii, USA.

20 E.g. the Azerbaijani president Heydar Aliyev stated the following in 1999 about civil society cooperation on the Nagorno Karabakh issue: 'for as long as we have not signed a peace agreement with Armenia there is no need for cooperation between our NGOs and Armenians. When Kocharian and I resolve the issue, it will inevitably involve compromises with which many will disagree. Then let NGOs reconcile the people' as cited in Avaz Hasanov and Armine Ishkanian, "Bridging Divides: Civil Society Peacebuilding Initiatives" in *The Limits of Leadership. Elites and Societies in the Nagorny Karabach Peace Process. Accord*, 17 (2005), ed. Laurence Broers, *Conciliation Resources*, 46.

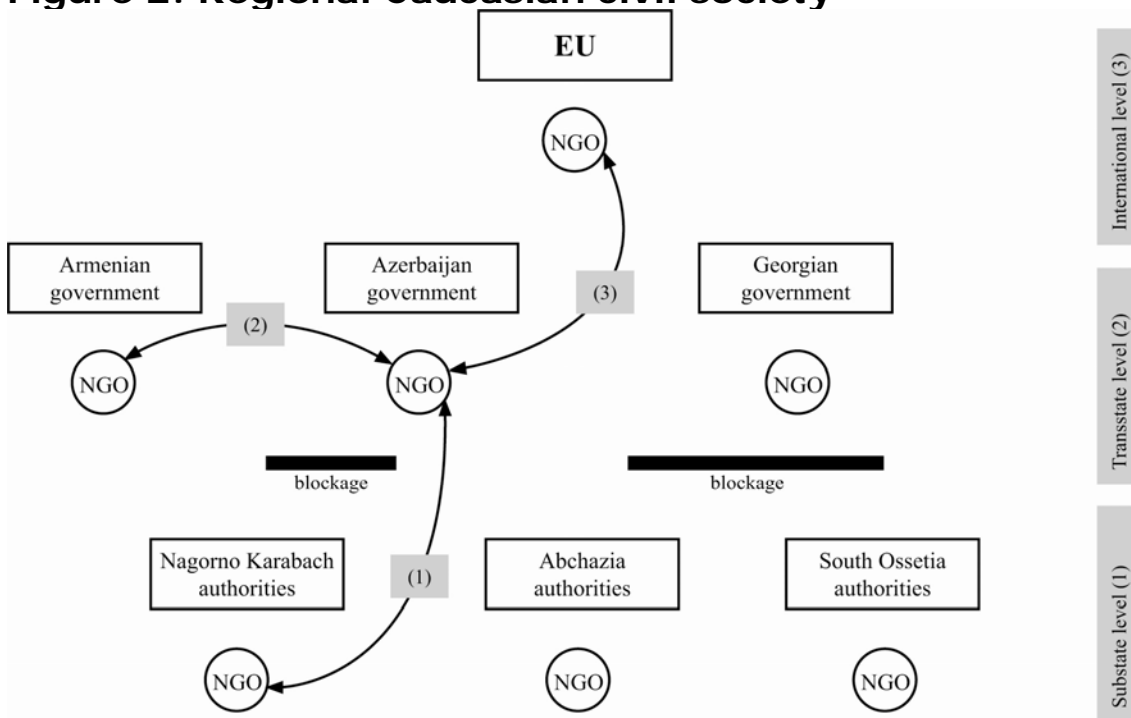
21 Avaz Hasanov and Armine Ishkanian, "Bridging divides," 44-7.

particular the creation of economic ties between countries and regions is often cited as a means to raise mutual trust and promote confidence-building, for example, by opening borders and establishing official trade relations.²² Other areas where cooperation could make a large contribution to long-term peace building are issues such as the environment and the return of and relief for refugees.

6. Changing mental structures, towards regional civil society cooperation

Various actors can play a role in addressing the apparent need for an enhanced regional cooperation in the heavily fragmented South Caucasian societies. Among these actors we find civil society organisations, that, through their initiatives, can play a stimulating role by changing mental structures about cooperation in the region. In the context of the South Caucasus, we distinguish three different levels on which we see a role for civil society actors to engage in regional cooperation (see figure 2).

Figure 2: Regional Caucasian civil society



22 Burcu Gültekin, "Necessary cross-border cooperation," Caucaz.com, January 8, 2007, http://www.caucaz.com/home_eng/breve_contenu.php?id=290.

Inspired by: Margaret Keck and Kathryn Sikkink, *Activists beyond borders* (London: Cornell University Press, 1998), 13.

The first level we distinguish is the *substate level* (1). This level is situated within the *de jure* borders of an internationally recognized state, but crosses *de facto* borders within this state and its break-away regions (i.e. the frozen conflicts). By cooperating on this level, civil society can be a front-runner in alleviating the tensions between these strictly separated societal and political entities. The second level is the *transstate level* (2). We situate this level across the borders of the internationally recognized states, involving all kinds of actors. Hereby we mean including different national NGOs, but in some instances also low level government officials. Due to the heavy political tensions over the frozen conflicts, this seems unachievable at the substate level. At the transstate level, this inclusion creates a new opportunity to change mental structures by upwards diffusion into high levels of government. The third level is the *international level* (3). We situate this level within the relations between civil society and international organisations. At this level civil society organisations from the South Caucasus can cooperate to pool their weight in order to have a stronger voice in the international playing field (e.g. during negotiations between the respective states and the EU). This cooperation can also include international NGOs that share the same ideas or values and thus form a sort of transnational advocacy network²³.

The distinctions between these three levels are chosen as they are considered apt to the political situation in the South Caucasus. Moreover, the levels illustrate the various mechanisms through which regional civil society cooperation can change mental structures²⁴ and how the ENP could include civil society in order to become a more effective structural foreign policy. Our operationalization is distinct from the levels distinguished by Keukeleire and MacNaughtan, as we consider this new distinction more apt for our prescriptive policy approach, as opposed to a pure theoretical assessment.

23 Margaret Keck and Kathryn Sikkink, *Activists beyond borders* (London: Cornell University Press, 1998), 1.

24 Ondrej Cisar. "Between the national and supranational? Transnational political activism, conflict, and cooperation in the integrated Europe" : *Contemporary European Studies*, no.1 (2007): 25.

7. Cooperation at the substate level

With cooperation at the substate level we mean cooperation within one country between civil society groups of the main societal entity and the country's break-away regions. We argue that this cooperation can lead to a better understanding between the societies of the different countries and their break-away regions. A question that arises is to how this cooperation should occur in practice. In our point of view, and as is demonstrated by some of the cooperation initiatives thus far, the best way in achieving this enhanced understanding is through concrete on-the-field action in clearly identified topics. By bringing together people from various societal backgrounds to tackle a specific problem of the participants' daily lives, these people learn to cooperate while working towards a clearly defined target of mutual interest. By creating this partnership relation, mutual trust can grow in a cooperative atmosphere. When this first step is taken, we come to a stage where a further opening-up of mindsets and ideas becomes possible. In this stage the participants can become more familiar with their partners' background, what provokes an improved understanding of the 'enemy' society at large. This creates the potential for participants in projects to adopt a *front-runner role* in promoting more nuanced ideas as opposed to the currently dominant 'enemy' stereotypes and thus changing mental structures at a(n) (inter)societal level. Because of the prevailing reluctance against this type of cooperation, which may be due to governmental pressure as well as attitudes among civil society actors themselves²⁵, an empowering role is to be taken up by international actors.

An example of such substate level cooperation is the 'Dialogue Through Film' project, which is a joint collaboration by the international NGO Conciliation Resources that launched and finances the project and three local NGOs: Internews Armenia, Internews Azerbaijan and the Stepanakert Press Club (Nagorno Karabakh). The initiative brings together 20 young people, coming from Azerbaijan and Nagorno Karabakh, to make short films reflecting the daily life and problems of people on both sides

²⁵ Avaz Hasanov and Armine Ishkanian, o.c.

affected by the conflict. By organising joint training sessions and creating the possibility of getting in contact with each others' daily life stories through the content of the films, the participants become familiar with their counterparts' problems and background. This way, the project aims to 'bridge the divide' between these substate societies. The potential of this type of cooperation is demonstrated by the reactions of the participants: "When we started the project we were five Azeris and five Karabakhis, now at the end we are ten journalists"; or, "Once we'd worked through all those emotions we were able to start talking to one another like normal people. (...) On a purely human level I can tell you that when you are able to talk normally to one person, then through that contact you start to think differently about his whole nation too".²⁶

The EU and its ENP could play a role in fostering these kind of projects by engaging in financing and coordination. As Kristi Raik points out, some of the main obstacles for the EU in involving civil society in the ENP are the insufficient human and organisational resources for allocating assistance.²⁷ It seems therefore advisable that the European Commission cooperate with existing organisations that possess these human and organisational resources, but often lack the financial resources to act on a larger scale.²⁸

8. Cooperation at the transstate level

A second level on which the South Caucasian civil society can or should cooperate is the transstate level. We consider cooperation at this level to be the cooperation between national NGOs working with their regional counterparts in other South Caucasian countries on specific issues of common concern. An interesting feature of this level is the possibility for inclusion of low level government officials. Whereas, due to the highly sensitive nature of the 'frozen conflicts', this type of government inclusion is currently unachievable at the substate level, it is indeed taking place at the transstate level. This is important as it complements

26 Conciliation Resources, "Breaking Down Barriers Through Film" (2007), http://www.c-r.org/our-work/caucasus/dialogue_through_film.php [accessed at October 28, 2008].

27 Kristi Raik, *Promoting Democracy Through Civil Society*, 19-20.

28 These ideas are largely based on the findings during field research by the authors in Georgia and Azerbaijan (November 2007) and Armenia (March-April 2008).

civil society's mediating role as a societal *front-runner* with a potential *upwards diffusion effect* within government structures. By including low level officials in transstate cooperative initiatives, more nuanced ideas about regional cooperation can emerge among them. In a next step, these ideas can be spread towards higher state levels.

We can illustrate this potential of cooperation at the transstate level with the cooperation regarding water resource management in the Kura-Araks basin. This basin covers most of the territories of the three countries and good joint management is therefore vital for the environmental safety (in terms of water quality and quantity) of the South Caucasus. The importance of the issue was demonstrated during the war over Nagorno Karabakh when both sides used drinking water contamination as a military technique. These experiences have contributed to the persistent lack of trust in the region.²⁹ Despite the countries' interdependence and therefore obvious need for cooperation, regional action is unlikely to take place without international involvement due to the enduring tensions in the region.³⁰ Therefore, international organisations have to take the lead in organizing and funding projects. The most important projects in place at the moment are the EU TACIS - UNDP *Joint River Management Projects*, the NATO – OSCE *South Caucasus River Monitoring Project* and USAID's *South Caucasus Water Management Project*. In these projects low level officials, researchers, international organisations and other independent actors (such as local NGOs) cooperate on a technical level to enhance sustainable water resource management.³¹ Vener and Campana have conducted research³² on this technical level cooperation and clearly demonstrate their conciliatory potential. They find that most of the participants of these projects

29 How these experiences still play a role in today's conflict resolution efforts was stressed once more at a lecture by Eduard Atanesian, vice-minister of foreign affairs of the authorities of Nagorno Karabakh Republic, Antwerp, Belgium (October 16, 2008).

30 Interview by the authors, Yerevan (April 4, 2008).

31 Berrin Basak Vener and Michael E. Campana. "Conflict, Cooperation, and the New 'Great Game' in the Kura-Araks Basin of the South Caucasus" (paper presented at the Annual Conference of the Universities Council on Water Resources/National Institutes for Water Resources (UCOWR/NIWR), Durham, NC), 2-5. Available at http://water.oregonstate.edu/projects/2008/Vener_Campana.pdf.

32 Vener and Campana base their findings on in-depth interviews with 30 water experts from NGOs, government agencies, international organisations, research institutes and the private sector from the South Caucasus, conducted in July 2005.

(both from civil society and government agencies) were very positive about their cooperation *as individuals* on the technical level. More than 85% of their respondents indicated that there are other prospective areas in which the South Caucasus countries could work together. Even on the most sensitive issue at the transstate level, the conflict over Nagorno Karabakh, individuals from all three countries indicated willingness to cooperate to find a solution. These findings demonstrate the integrative and conciliatory potential of cooperation on clearly identified technical issues. As Vener and Campana put it:

Water may provide the means to obtain peace in the region. Regional cooperation on the water resources of the Kura-Araks Basin may not only set the framework for comprehensive management of water resources in the South Caucasus but also may lead to a peaceful environment in the region.³³

In the context of this project, it is important to stress the openness of the respondents towards a structural role of the EU in the management of the basin. Most of the experts in all three countries (57%) indicated that the basin should be managed in the three countries within the same European Union standards, laid down in the European Union Water Framework Directive.³⁴ We see that in this case mental structures have not only changed towards regional cooperation, but also towards the role and the involvement of the EU. This indicates the opportunity such cooperative projects creates for the elaboration of an effective structural foreign policy of the EU. It also makes a convincing argument for the EU to promote regional cooperation initiatives within its ENP.

9. Cooperation at the international level

A third level on which interaction between civil society organisations could emerge in the South Caucasus is the international level. At this level we focus on the possible emergence of transnational advocacy networks. Keck and Sikkink

33 Ibid., 16.

34 Berrin Basak Vener, "The Kura-Araks Basin: Obstacles and Common Objectives for an Integrated Water Resources Management Model among Armenia, Azerbaijan, and Georgia" (MA Professional Project Report, University of New Mexico, 2006), 50-51. Available at http://water.oregonstate.edu/projects/Vener_2006.pdf.

define these as 'networks of activists that try to influence policy, distinguishable largely by the centrality of principled ideas or values in motivating their formation'.³⁵ International democracy promotion and assistance has been a core task of many international NGOs, think tanks and foundations. As these issues are also at the core of the ENP, there exists a common ground for interaction between them, local civil society and EU institutions. Local civil society organisations can be the 'eyes and ears' of these international civil society organisations providing them with invaluable information from within the countries concerned. These international civil society organisations can funnel the information and demands from local organisations on the international level, in this case EU institutions. This enables civil society from the South Caucasus to be heard at the EU level and provides them with an additional way of pressuring their own national governments. Many of the values and ideas that form these transnational advocacy networks are compatible with the 'common values and commitments' that form the basis of the ENP. As these networks have compatible goals, the EU has an interest in supporting the emergence of these kinds of networks. Moreover, empowering civil society is an ENP goal in itself.

When we look at the current state of affairs, we see that this sort of dynamic is indeed developing in practice in the South Caucasian republics. Both in Azerbaijan and in Georgia consortia emerged that bring together local and international civil society organisations to observe the implementation of the ENP. These consortia published a number of reports and recommendations during the different stages of drafting, signing and implementing the Action Plan.³⁶ In Georgia some 70 civil society organisations produced a list of recommendations for the Georgian government in 2005 with support from Open Society, Heinrich Böll Stiftung and the Eurasia Foundation. Although this list did not directly materialise into formal involvement of civil society in the ENP Action Plan policy drafting, it did raise the interest and responsibility in the subject. A similar initiative has been developed in Azerbaijan, where, under the auspices of Open

35 Keck and Sikkink, *Activists Beyond Borders*, 1.

36 Open Society Georgia Foundation/For Transparency of Public Finances, *Georgia and the European Neighbourhood Policy. Perspectives and Challenges*, Tbilisi, 2007. Available at http://osgf.ge/data/file_db/Biblioteka/ENP%20policy%20paper_Eng_5G5ejWrmHc.pdf.

Society, a National Committee for European Integration has been set up. The Committee brings together 54 organisations, scholars, business representatives and journalists and aims to raise awareness through campaigning, policy papers and civic participation.³⁷ In both examples, international organisations contribute through financing and sharing their knowledge and experience and bring into play their international linkages to their offices in Brussels and other ENP.

These kinds of initiatives should be strongly encouraged by the EU. On the long term, indeed, these advocacy networks could prove an invaluable actor in the move towards a larger inclusion of civil society into the ENP and within the bilateral relations between the EU and the national governments of the ENP-countries.

10. Limits

The limits of this approach need to be acknowledged; integrating civil society into the wider ENP framework will not cure the policy of all its weaknesses. In this article though, we stress the importance of enhancing the civil society component in the wider framework of the ENP as a structural foreign policy. The potential for civil society can only come to fruition when the strengthening of civil society is part of a larger process of democracy promotion or assistance. Next to strengthening the civil society, other vital aspects of a working democracy, such as a free and fair market and a working state apparatus, need to be ensured³⁸. However, these targets are already more prevalent on the ENP agenda; a stronger stress on civil society inclusion would lead to a more balanced overall framework.

The emphasis on the role of civil society in the region does not entail an overoptimistic view on the sector. In order to become effective, this approach needs to be based on a realistic assessment of civil society in the South Caucasus, which implies also taking into account its weaknesses. Civil society in the region

37 Azerbaijan National Committee for European Integration, "About Committee," http://www.aamik.az/ts_general/eng/about/komite_haqqinda.htm [accessed 13 July 2008].

38 Philippe C. Schmitter and Imco Brouwer, "Conceptualizing, researching and evaluating democracy promotion and protection". EUI Working Paper SPS no. 99/9. Florence: European University Institute.

is characterized by the typical weaknesses of post communist civil society, supplemented by a polity in which room for voices deviating from the patriotic official line seems to be limited³⁹. This does not mean that civil society organisations have no role to play in the ENP. The multi level approach suggested in this paper offers the possibility of tackling these weaknesses through the contacts on the international level. International NGOs can promote the best practices and forge links with local organisations.

A final caveat is the level of assertiveness the EU has to adopt towards civil society. The inclusion of civil society in the ENP may not lead to a usurpation of the sector by the EU. The credibility and effectiveness of civil society lies in its independence from both government and market. A too-strong entanglement of NGOs and political programmes or financiers has led to what Carothers calls the "backlash against democracy promotion"⁴⁰. Stimulating civil society cooperation then does not mean that the EU should become a patron or Maecenas of NGO's in the region, but an equal partner that values input from civil society in the framework of the ENP.

11. Conclusion

In this article we identified the ENP in the South Caucasus as a structural foreign policy in its goals. We substantiate this reasoning by pointing to the stated goals of the ENP, which aims to influence political, legal, socio-economic, security and mental structures in the countries of the South Caucasus, in order to create 'a ring of countries, sharing the EU's fundamental values and objectives, drawn into an increasingly close relationship'⁴¹. We consider this policy programme as complementary to, but distinct from the EU's conventional foreign policy towards the region, such as the diplomatic efforts by the French presidency during the August war in Georgia. In order to fulfil its structural foreign policy goals, the ENP will have to play a role in enhancing

39n Marc M. Howard,,: "The weakness of post communist civil society" *Journal of Democracy*, 13, No. 1 (2002): 157.

40 Thomas Carothers: "The backlash against democracy promotion", *Foreign Affairs*, vol. 85, No. 2 (2006):55.

41 European Commission, ENP. Strategy Paper, 5.

regional cooperation and mutual understanding. Bearing in mind the heavily fragmented nature of civil society and the prevailing enemy images about other societal entities, a first step towards improved regional relations is to change the existing mental structures. We argue that by stimulating civil society to cooperate across the existing divides, it can play a key role in influencing ideas about cooperation on different levels (individual, societal, state, intersocietal, interstate and regional) in the Caucasian societies.

In an effort to demonstrate the mechanisms of how civil society can take up this role, we distinguish three levels on which cooperation can be established. We argue the EU must encourage cooperation at all three levels by financing and coordinating (in cooperation with other international actors) specific projects. This would not only benefit the region's civil society (which is one of the ENP-goals in itself), but would also be a step towards increasing the effectiveness of the ENP as a structural foreign policy.

At the substate level (1), which we situate within the borders of an internationally recognized state, but across the de facto borders of this state and its break-away regions, civil society can play a front-runner role with small-scale cooperation initiatives that change mental structures about cooperation. At the transstate level (2), which we consider as the level where participants from the whole region come together, we point to the possibility of including low level government officials into the cooperation initiatives. This way, the front-runner role of civil society can potentially be complemented with an upwards diffusion effect into higher levels of government. At the international level (3), we point to the potential which is created by the emergence of transnational advocacy networks. By cooperating around issues involving the ENP, local, regional and international civil society organisations can pool their resources and use their increased weight to influence the relations between the EU and the respective state governments. This way they can play a role in pushing the EU towards a greater inclusion of civil society into the ENP, hereby also empowering some of the stated 'common values and commitments', such as democracy, good governance, human rights and the development of civil society.

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