

On November 21-22, 2005 the International Center for Human Development organized the conference PROMOTION OF THE OSCE VALUES, PRINCIPLES AND COMMITMENTS AS A BASIS FOR SECURITY AND COOPERATION IN THE OSCE AREA to reiterate the principles of democracy and celebrate the 30th Anniversary of the Helsinki Final Act, a founding document of the OSCE. The conference was supported by the OSCE and Council of Europe offices in Yerevan.

The conference was attended by more than 50 participants, representing domestic government agencies and non-governmental organizations, as well as a number of foreign missions in Armenia and leading international institutions.

This publication was made possible due to the financial support of the OSCE office in Yerevan. It includes the speeches made and papers presented at the conference. The reader gets an opportunity to learn of a diversity of perspectives regarding the role of the OSCE in Europe, Russia and the South Caucasus.



PROMOTION OF OSCE VALUES, PRINCIPLES
AND COMMITMENTS AS A BASIS FOR
SECURITY AND CO-OPERATION IN THE OSCE AREA:
CONCRETE STEPS TOWARDS
ARMENIA'S EUROPEAN INTEGRATION.



A Collection of
Seminar Speeches





**Promotion of OSCE Values, Principles
and Commitments as a Basis for
Security and Co-operation in the OSCE Area:
Concrete Steps Towards
Armenia's European Integration.**

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Democracy is not merely a declarative statement. Above all it means rule of law, protection of human rights and a number of other priorities which should ensure a prosperous and dignified co-existence of people. These are also the guiding principles underlying the activities of the Organization for Security and Cooperation in Europe. To reiterate these principles and to celebrate the 30th Anniversary of the Helsinki Final Act, a founding document of the OSCE, on November 21-22, 2005 the International Center for Human Development with the support of the OSCE and Council of Europe offices in Yerevan organized the conference PROMOTION OF THE OSCE VALUES, PRINCIPLES AND COMMITMENTS AS A BASIS FOR SECURITY AND COOPERATION IN THE OSCE AREA.

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*Ambassador, Head of the OSCE office in Yerevan
Doctor of Political Sciences*

**Improvement of Democratic Institutes
as a Very Important Prerequisite for
Armenia's European Integration**

Ladies and Gentlemen,

It's a great pleasure for me to welcome you on behalf of the OSCE Office in Yerevan.

The OSCE perception of Eurointegration is not limited strictly by the mere geographic borders. For us the process of Eurointegration is first of all the junction with those democratic values which initially originated from the European Continent, but later spread outside the European borders.

We find that formation and improvement of democratic institutes and Eurointegration are inseparable.

This is an explicit explanation of the requirement of accepting specific commitments to protect basic human rights, as well as fundamental freedoms by new member states for the accession to the organizations unifying European countries and the newly independent states emerged on the territory of the former Soviet Union.

This requirement completely refers to Armenia as well. The document serving as a basis for Armenia's joining the OSCE was the letter by the Minister of Foreign Affairs, assuming the obligation of adhering to fundamental international political documents on human rights and democratic freedoms.

By signing the Helsinki Final Act on July 8, 1992 the Republic of Armenia confirmed this obligation by the whole scope of Decalogue of principles to be followed by the OSCE participating states in their mutual relationships. These commitments are the incarnation of the centuries-old experience of European nations, acquired as a result of hardships and sometimes irreplaceable losses. Armenia also had an input in the formation of this historical process. Already in the 12th century a prominent Armenian political fig-

ure and philosopher Catholicos of All Armenians Nerses Shnorhali laid down principles of international relations between nations. These principles expressed by him in an address to the Byzantine emperor are highly in accord with the Helsinki Decalogue. According to Nerses Shnorhali, the principles by which the sovereign states should be guided while forming integrative alliances should include first of all the preservation of the cultural, national and linguistic diversity, the acknowledgment of the acceptable characteristics of integration partners, smoothing out possible disagreements between them through compromise and peaceful actions.

Similar responsibilities were also assumed by the representatives of the Republic of Armenia, including all the parliamentary factions, during the accession to the Council of Europe. There are, of course, some differences between the requirements of the OSCE and Council of Europe, such as the Council's criteria. The Council of Europe commitments are of legally binding nature, whereas, requirements of the OSCE to a greater extent impose political obligations on the state. Nevertheless, they are of the same essence. In both cases the matter concerns to the performance of fundamental commitments in the area of improving democratic institutes of the civil society.

I would like to emphasize that in the OSCE's perception democracy is not a hypothetical notion or set of scholastic norms. Democracy is first of all an inherent condition for good governance, rule of law and, finally, well-being of peoples, economic and cultural prosperity of the public, and a pledge to its development without social shock and civil violence. As stated by Dr. Dimitrij Rupel, the OSCE Chairman-in-Office and Minister of Foreign Affairs of the Republic of Slovenia, democracy is a process and a community of shared values. And a stable democracy offers the possibility for alteration in power without endangering the fundamental freedoms, rights, and well-being of citizensⁱ.

Rule of law and corresponding legal infrastructures are the main prerequisite for forming democratic institutes and establishing the OSCE basic values. That is the reason that the process of Constitutional Reforms is the focus of attention of our organization along with our colleagues from other international organizations and first of all, from the Council of Europe. Let me take this opportunity to express my confidence that the upcoming national Constitutional Referendum to modify the Constitution of the Republic of Armenia will be a new evidence of increased political maturity of the Armenian society.

i Speech by OSCE Chairman-in-Office Dr. Dimitrij Rupel at Chatham House (London), 14 June 2005

I hope that during the talks and definitely productive discussions to come, you will assess the way to Europe Armenia has passed during the 14-year period of its existence as an independent sovereign country. I am sure that having the vast variety of viewpoints and ideas on the issue we may state at the end of our deliberations that the Republic of Armenia can overcome the big complexity of problems it faces in the present time by joining the procedure of European integration and finding the way to the world free economy.

Concluding, I would like to wish all the respected participants of the conference productive discussions and intensive creative outcomes.

Thank you for attention!

Welcome Note

Ladies and gentlemen,

It is with great pleasure that I am here today together with my OSCE colleague, for this conference which will focus on concrete steps towards Armenia's European integration.

Armenia is approaching the fifth anniversary of its accession to the Council of Europe. I would like to take this opportunity to recall what membership in this Organization signifies.

The role of the Council of Europe – as defined by the Statute which created the Organization – is to defend and promote democracy, human rights and the rule of law in its member States. Over the past 56 years, membership has grown from ten to 46 countries. During this time, the challenges facing our member States have changed considerably. With proper support from our governments, the Council of Europe can help its members meet those challenges, and fortify their immunity against threats to their stability.

The Council of Europe is not only particularly well placed to provide blueprints and engineering advice when it comes to building democratic political institutions, creating an independent judiciary and an efficient public administration. It also has a wider impact. The conclusions of monitoring by the Council of Europe are being gradually accepted as a reference point for democratic practice and human rights conduct, with implications for the relations of our member States with other European and international bodies. By way of example, the European Commission regularly refers to Council of Europe commitments in the progress reports of candidates for EU membership and with regard to Council of Europe member States which are covered by the European Union's Neighborhood Policy. The same applies to NATO and other bodies.

I would like to stress that the relationship between the Council of Europe and the OSCE, as well as the European Union and other international part-

ners, is one of cooperation and partnership. Secretary General Terry Davis is doing his best to prevent duplication of work and has repeatedly insisted that any one job should be done by those who can provide the best value. The present conference is another opportunity to enhance synergy and complementarity based on our respective competency and expertise. This will make our work mutually reinforcing and help us to reach our common and strategic goal of a Europe without dividing lines, a Europe in which Armenia can thrive.

*Head of the OSCE Division
Ministry of Foreign Affairs, RA*

Welcome Note

Honorable Chairman,
Ladies and gentlemen,

On behalf of the Ministry of Foreign Affairs of the Republic of Armenia I would like to welcome all the participants of this conference. I do hope that within the coming two days you will engage in comprehensive, sincere and effective discussions. We would like to thank the organizers of this conference for such an interesting initiative. The OSCE values, principles and commitments are indeed closely related to euro-integration and European values, and we hope that these discussions will reveal and clarify the existence of such ties and their importance for Armenia and other countries in the region.

Nowadays euro-integration is a political priority and at the same time, a very serious incentive for internal reforms both in Armenia and the other South Caucasus countries. Euro-integration is a multi-level and continuous process, which is carried out both directly – within the framework of the dialog and partnership between the South Caucasus and European Union, and indirectly – within the framework of cooperation and dialog with OSCE, Council of Europe, NATO and other organizations. All these organizations have their characteristics and priorities and we think that the complementary cooperation among them has a positive impact on the euro-integration processes in the countries of the South Caucasus. Each of the South Caucasus countries having priorities in their external policies still continues to closely cooperate with these organizations, and this cooperation draws on the characteristics of each organization.

I would like to mention that Armenia highly values the role of the OSCE in our region. Being a European and Euro-Atlantic comprehensive security institution, it has played a great role in establishing and strengthening democratic values of human rights, freedom of media and other democratic institutes in the former Soviet countries. After the collapse of the Soviet Union the OSCE was actually the major institution within the framework of

which the post-Soviet countries took political commitments to democracy and human rights. This undoubtedly had a positive impact on the future processes. The OSCE values, principles and commitments are the axis that brings together the 55 states of the OSCE. In such a unique organization the geography of which extends from Vancouver to Vladivostok the common values have brought together countries at different stages of development, in different world regions and with different national and historic characteristics. We think that the Organization for Security and Cooperation in Europe has made a serious contribution to the euro-integration process of Armenia, particularly to the formation of democratic institutions and to the process of development of the civil society.

In 2005 the OSCE community celebrates the 30th anniversary of the Helsinki Final Act, the founding document of the organization. This document which defines the most significant OSCE political principles and commitments continues to be relevant even today, after 30 years from signing it. In September 2005 the RA Ministry of Foreign Affairs, in cooperation with the OSCE office in Yerevan, initiated the first Armenian publication of the Helsinki Final Act. This publication aimed at disseminating and consolidating the OSCE founding values within wider circles of the society.

Nowadays the OSCE values and principles are perceived as a constituent of the Armenian reality and society, and their promotion is in everybody's interests since they are an important foundation on which Armenia builds her policy of euro-integration.

Once again let me welcome the participants of the conference and wish you all fruitful discussions.

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**OSCE and the European Union:
Consent and Efficiency In
Search of Complementarity**

Since the end of the Cold War there has been a push for keeping or re-affirming the relevance of many international organizations. If the period of bipolarity in international relations used to provide credibility and legitimacy of international organizations as effective multilateral arenas for accommodating relations, containment and détente, this was changed dramatically in the 1990s. Therefore, international organizations needed to re-state their relevance and efficiency in playing a vigorous role in preventing and resolving post-communist conflicts in transition societies.

Thirty years after the adoption of the OSCE Charter, the organization is among those whose relevance and efficiency have been questioned most in the last decade. Some of the arguments to support this come from drawing the bottom-line of the OSCE activities after 1990.

The aim of this paper is to outline some prospects for improving the efficiency through increasing the synergy between the OSCE and the European Union. One of the OSCE basic realms – the European periphery - consisting of the post-Soviet space near the Black Sea and the Caucasus, overlaps with the realm of the European Union neighborhood. The significance of this overlap is self-evident, and it should well be considered as an opportunity for joining efforts in increasing the synergy of the operation of both organizations – the EU and the OSCE.

The European periphery turned to be the test case for international organizations and their abilities to meet tough challenges of conflict resolution, political, economic and social reforms. The European periphery as described above is extremely vulnerable in three crucial domains: security, democratization and institutional development. In this regard, international actors

such as the OSCE and the EU can work both as facilitating frameworks, and as external factors, exerting leverage on domestic agents.

Attempts for collaboration between the OSCE and the EU have already been initiated underscoring the commitment of the Union for achieving the OSCE goals, as well as the support that the OSCE is capable to provide to the EU activities. Indeed, due to the important role the EU already plays in many of the OSCE member-states, through association agreements, stabilization and association agreements, agreements for partnership and cooperation, as well as through support programs like PHARE, TACIS, CARDS, and MEDIA, the OSCE has recognized the considerable “added value” of the EU for achieving political stability and building institutions in all OSCE states.

A new impetus towards enhanced cooperation appeared after the EU Council adopted the Conclusions about Cooperation of the EU with the OSCE in conflict-prevention, crisis management and post-conflict rehabilitation on 17 November, 2003. Several guiding principles underlie this cooperation. Though the EU and OSCE differ in terms of structure and goals, they share common principles and values, and assume crucial responsibility in conflict-prevention, crisis management, post-conflict rehabilitation, promotion of democracy, human rights and institution building.

The Council recognizes the role of the OSCE as a valuable instrument for promoting peace and security in the area from Vancouver to Vladivostok. The Council is aware of the importance of pan-European and transatlantic partnership, and the consensus-built modus operandi of the OSCE for promotion of peace and stability in the region. OSCE has some unique advantages, based on the value acquis, including the field missions assisting member-states in fulfilling their commitments, and the existing institutions of the organization.

These specific characteristics make the OSCE an important partner of the European Union. In congruence with the EU Program for preventing armed conflicts (2001) and in the spirit of the OSCE Platform for cooperative security, the Council reaffirms its determination to continue strengthening cooperation with the OSCE. This cooperation, however, reflects the different nature of both organizations and has to avoid duplication and identify the comparative advantages and added value, so that through cooperation both organizations will complement their activities and not double their functions. Coordination needs to be developed as a process within the context of changing requirements of the Common Foreign and Security Policy, as well as within changes occurring in the OSCE.

The established modalities of regular contacts and meetings between respective bodies of the EU and OSCE lay the foundations of dynamic cooperation and facilitate management, consistency and cohesion of activities of both organizations. Levels of cooperation may include: political; on-site; and contacts between officials of various bodies and institutions of both organizations.

The political dialogue with the partners from the OSCE provides opportunities for conveying EU policies and programs, especially on issues, embodied in agreements between the EU and partners from the OSCE, and all these opportunities should be effectively utilized. Besides, in formulating some of its norms and conditions the EU takes into account the specific OSCE acquis in the domain of democracy and human rights.

An important benchmark of the increased interest of the EU for cooperation with the OSCE has been set by the assessment report of the EU role in regard to the OSCE, prepared by the Council of Permanent Representatives of the EU (COREPER) and approved by the Council on General Issues on December 10, 2004. This report stresses the significance of EU commitment in achieving the OSCE goals and implementing the OSCE acquis for providing security and stability in the OSCE area. This in essence demonstrates the interest of the EU in strengthening the broad cooperation with the OSCE and the EU willingness to contribute to the security and stability of the Euro-Atlantic zone by the means and resources of the OSCE. The EU would like to see the increased efficiency of the OSCE and the Council of Europe, as literally stated in the EU Security Strategy. The EU acknowledges that its strategic goal is building security in the Union's neighborhood regions. This makes the OSCE a relevant resource/ instrumental organization for conducting the Common Foreign and Security Policy of the EU.

The EU and the OSCE should join efforts within the frameworks of other international organizations in order to provide adequate response to contemporary challenges. Cooperation of the OSCE with other international organizations has been envisaged in the Platform for Cooperative Security, adopted by the OSCE Summit in Istanbul in November 1999. Its aim is strengthening cooperation among those organizations and institutions that are interested in promoting security in the OSCE zone. It is important to create a flexible framework for accelerating cooperation, through which different organizations could increase the efficiency of their operations. In this regard, effectiveness is feasible only through cooperation and coordination between organizations sharing common values. Thus, the EU and the OSCE

are natural partners with joint responsibility for promotion and defense of these values.

The EU seeks an enhanced cooperation with the OSCE and a strengthened EU standing within the OSCE. The long-term goal of the EU is promoting and defending the implementation of the OSCE values and standards in the Euro-Atlantic zone. Strengthening relations between the two organizations is viewed through the prism of security strategies of both organizations, which set the general agenda for contributing to security and stability in and around Europe. The EU seeks to maximize the benefits from the three OSCE dimensions in a way relevant to the announced CFSP goals. The Union is committed to strengthening security and stability in the OSCE area based on the principles of democracy, good governance, rule of law and respect for human rights.

The EU is aware that “speaking in one voice” on coordinated positions is crucial for its credibility, influence and efficiency within the OSCE. The Union has established coordinating mechanisms also in regard to the OSCE institutions and field missions, being very supportive to a wide range of their activities. In a bid for “speaking in one voice” the EU makes joint declarations to the OSCE Permanent Council. These common demarches on behalf of the Union largely contribute to the harmonization of positions within the OSCE and influence final decisions adopted by the organization.

The European Union is conscious about the necessity of the OSCE existence and effective functioning. Therefore, it pursues a coordinated policy towards the Organization, especially in view of the explicit misgivings of Russia and other CIS states about the role of the OSCE. CIS states accuse the OSCE of misbalancing the three dimensions, applying ‘double standards’, etc. The EU maintains that acknowledging the legitimate interest of the OSCE member-states towards their own internal matters is one of the key acquisitions of the Organization, and it still constitutes the core of the OSCE acquis.

Having in mind some current trends in regard to democracy, rule of law and human rights, there is a certain risk of creating a ‘value gap’, close to the EU borders. The Union is cautious that if this happens, it will seriously undermine the OSCE legitimacy, credibility and efficiency. The EU recognizes that challenges to security and stability of the OSCE area result from developments beyond the military-political, economic, environmental and human dimensions, and not so much resulting from armed conflicts. In this context, the EU is supportive to the further balanced development of the OSCE in the three dimensions.

Several operational priorities in the EU-OSCE relations are worth being highlighted:

- Early warning, conflict prevention and post-conflict rehabilitation;
- Extending OSCE scope of activities in the political and military dimension, so that it includes 'soft' security issues;
- Applying the OSCE values and standards in the Euro-Atlantic zone;
- Popularizing the EU welfare model through the economic and environmental dimension;
- Supporting the process of the OSCE accommodation to the new realities; in this respect the EU has a firm position about necessary reforms in the OSCE, aimed at improving the political and administrative leadership of the Organization.

The EU shows increasing interest in cooperation with the OSCE for conflict prevention in the context of its Enlargement and moving external borders of the Union closer to regions with unsettled and 'frozen' conflicts. In this sense, cooperation with the OSCE will have positive impact on the application of some of the EU policies.

In the end, cooperation between the EU and OSCE calls for delicate sophistication and fine-tuning of approaches and actions. Being aware that it is a process in development, rather than an accomplishment, it has to be given priority of support on behalf of both organizations. It is yet uncertain whether such cooperation would suit all, especially all OSCE members. As we already mentioned, there are some challenges coming from within the OSCE.

According to many observers, mainly because of the consensus-based mode of operation of the OSCE, it was "hung" by the uncompromising position of one of its key members – Russia. Another challenge would be the 'value gap' between the EU and the European periphery, which was mentioned above. Hence, responsibility for maintaining the value unity rests upon the successful partnership between the EU and the OSCE. Otherwise, if this partnership mode fails, the rate of skepticism about the future of the OSCE would increase dramatically and many of the OSCE critics will prove right.

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**The Relations between the USA,
the European Union and the OSCE:
Contributions to International Security**

1. Foreword

The end of the Cold War and the major transformations in the international system occurring after 1989-1991 have changed the entire area of the theoretical agenda in the field of international relations.

The realist theory could not explain and predict the cooperation between rival states, the collapse and expansion of alliances, the unification of divergent powers, a relative stability within the international system. As a reaction to this “bankruptcy” of the international relations theory, there was an ascent of the **institutionalist** theories claiming that the unique sources of stability and security within the system are the international institutions. In the conception of John J. Mearsheimer, institutions are “a set of rules according to which states cooperate and compete with each other”; however, they do not present guarantees of insuring international security and stability after the Cold War. Both peacekeeping activities, as well as the concert of powers technique function according to another logic than that of collective security. Robert O. Keohane and Lisa L. Martin answer to Mearsheimer by reaching a compromise: institutions are a creation of states and, as a consequence, they are still worthy for their international behavior.

These are but a few preliminary theoretical considerations from which a discussion could start concerning the role of international institutions and organizations. Before assessing the relations between NATO, the EU and the OSCE in the field of security, we must also make a preliminary but essential observation: all these three organizations have their origins in the era of the bipolar system specific to the Cold War, but they try to search their relevance in a multi-polar system, with several anarchic tendencies.

2. Features of International Relations after 1990

The most important geopolitical shift after the collapse of the communist system was the displacement of the American strategic interest pivot from Europe to the Middle East and the Caucasus, as a result of its transfer of the world conflict center to this area. The Black Sea becomes more important, after it acquires the valence of a Euro-Atlantic sea, and South-East Europe geostrategically reaches the Caucasus and the Caspian Sea area. Additionally, South-East Europe enters into the logic of stabilizing the extended Middle East, a concept including the Western Balkans and the Black Sea.

From a *political-military* point of view, the post-Cold War era determines the prevalence of asymmetric threats (terrorism, arms, drugs and human beings trafficking) over classical threats. Through the disappearance of the central balance between the two superpowers, one can speak about the return of supremacy of conventional weapons over nuclear ones (with direct consequences for increasing the military and political statute of countries like Germany and Japan) and, on the other hand, about the independence of local and regional conflicts and balances, increasingly dominated by local actors / regional powers. The September 11 events and those that followed in the same logic have raised very important problems regarding the types of conflicts and weapons, thus also changing the objectives of international institutions.

3. The Difference between the European Policy of Good Neighborhood and the American Security Strategy regarding the Area of South-East Europe and the extended Middle East

a) The European Policy

The European Policy of Good Neighborhood refers to the relations of the European Union with countries in Eastern Europe (Russia, Ukraine, Belarus and the Republic of Moldova), in the Mediterranean region (Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia and the Palestinian Authority) and from the Southern Caucasus (Armenia, Azerbaijan and Georgia), countries that are not considered eligible to become EU members, even if they belong to the European cultural family or have intimate and traditional relations with it (for example, Turkey is at this point not included in the Policy of Good Neighboring, but into the Accession Policy, while the Republic of Moldova and Ukraine are included in the former).

The main instruments of this policy are cooperation and economic integration, development aid, assistance in the democratization and strengthening of the state of law, dialogue, consultation and political concerting, as well as partnership in general or particular fields. The main purpose is to avoid exclusion of these countries from the European economic area and the creation of new borderlines in the “Greater Europe” It also aims to achieve a harmonization of political systems and an economic and social interoperability between the EU and the states in its Eastern and Southern neighborhood, assumed to integrate into the larger concept of European cultural space.

In these countries the EU encourages political, economic and social reforms, resolution of bilateral conflicts by negotiations and the respect of international law (especially the UN Charter), trans-border cooperation (including the creation of Euro-Regions) and the application of European standards concerning democratic institutions, the state of law and Human Rights (with a special emphasis on minority rights).

Two fundamental concepts promoted, in this context, by the EU are that of “democratic security” (according to which development of democracy – at national and international level – excludes interstate wars, especially between democratic states) and that of the “security through development” (according to which the stability and security of a state increases in direct proportion with the increase of their level of economic development). Both concepts subscribe to the doctrine giving priority to “soft security”, are based on the effort of identifying “solidarities of interests” and are fostered through the “strategy of common projects”. To this one may add the principle according to which consolidation of security must be exclusively operated in the conditions of respect for Human Rights and not by limiting civil liberties. In order to evaluate progresses, the EU monitors the countries included in the Neighborhood Policy.

The European Security Strategy, adopted by the European Council in December 2003, identifies the area of the **Southern Caucasus** as one of the regions in which the EU should manifest an increased interest. The development of an Action Plan is envisaged in order to support democracy in this area. In this context the possibility of launching a Stability Pact for the Southern Caucasus is analyzed. The EU insists on the withdrawal of Russian military forces from the Southern Caucasus (as from Transnistria) and, also, for granting the status of autonomy to separatist regions in the area, within the states they belong to at present.

b) *The American Security Strategy*

Regarding the security strategy of the United States, adopted in December 2002, the priority is to fight terrorist networks at global level. All the other targets are subordinated to this objective. For the USA solidarity matters only as long as it translates into a policy of support for their security strategy. This strategy is based on the concepts of unipolarism and unilateralism – in its two versions, which are “alone, if it’s possible, together if it’s necessary” (the Bush option) or “together, if it’s possible, alone, if it’s necessary” (the Clinton option) – and on concepts of the not only **preventive attack** (which tends to neutralize an imminent aggression or threat) but also of **anticipative attack** (which tends to exclude any aggression possibilities, even if danger is improbable and, thus, it is not a certain threat). As a consequence, “hard security” is preferred (based on the right of force and not on the right of law), and it is accepted that the price of security may be limiting civil rights and liberties. Refusing any excuse for terrorism, the USA also refuses any explanations for this phenomenon. As a consequence, their action prioritizes, if not exclusively, the symptoms and not the causes of terrorism. Although the USA appreciates the importance of adopting its own model of organization and its own values by the allied states, they are based more on military, political and institutional interoperability with them rather than on economic and social harmonization. As the main threat to security for which there can be no distinction between the internal and the international aspects, terrorism is defined as a three-dimensional reality reuniting literal terrorism, corruption and organized crime.

Recently, American policies regarding bilateral relations with states from the **Mediterranean region and the Middle East** were supplemented by the strategy of the global approach of the so-called “**Greater Middle East**”. The fundamental idea of this initiative is that of cooperation between the countries of the area on the whole with the US, on two parallel levels: a) developing internal democracy; b) fighting against international terrorism, including a fight against Islamic fundamentalism, as well as against the states suspected of weapons of mass-destruction proliferation or supporting terrorist organizations (Iran and Syria). Some analysts consider that the strategy of the “Greater Middle East” would in fact aim at imposing a *pax americana* in the region, as well as creating conditions for extending *sine die* the American military presence in the Middle East.

In the relation with **Russia**, the United States support the integration of the economy of the Russian Federation into the global economy, especially through the World Trade Organization. Also, a strategic partnership rela-

tion is desired for combating Islamic terrorism. Collaboration with Russia is envisaged in Transnistria, as well as in Abkhazia, Southern Osetia and Nagorno-Karabakh, in order to combat corruption and organized crime. The USA has expressed repeated critiques in regards to the deficit and the setbacks of the democratic process in Russia, but they are ready to overstep these obstacles in order to facilitate collaboration in the antiterrorist fight. They know Russia cannot win and is not even interested in a direct confrontation with America, but they understand that without sympathy or at least neutrality of Kremlin, the American involvement in Central Asia and the Persian Gulf area (Afghanistan, Iraq, etc.) threatens to become an endless war.

Regarding the countries in **Central Asia and the Caucasus**, the USA prioritizes the development of cooperation in order to utilize the energy reserves from the Caspian Sea region. In this case, energetic security seems to be the main stake in the game. It is envisaged that an achievement will be recorded through diversification and security of the Caspian hydrocarbons transport routes. As the respective regions are part of the former Soviet empire and are regarded by Moscow as a part of its necessary and legitimate sphere of influence, the issue also has geopolitical connotations. The cooperation the USA proposes to the respective countries is, thus, perceived in Moscow as an attempt to reduce Russian influence and install American control at the Russian border.

From the above-mentioned one can notice that in the American thought efficiency is the criteria of legitimacy and fairness of international actions, and the democratic changes are the recovery therapy after the shock of force intervention, but not the solution that leads to the pursued objective of global security. Additionally, global security (often described as liberation or democratization) is regarded as a mission of which the USA are directly responsible and which implies both their unilateral initiative and the establishment of an American order that will guarantee its success.

Synthesizing the dissonances between the two approaches we identify the differences between the European and American security visions. The American conception is determined by its universalistic dimension, being mainly geopolitical (“security through intervention” – eventually in partnership). The European definition of security is strongly influenced by the statute of regional power of the European Union and by its strong social character. As a result, the European concepts of security are broader, including even social problems (“security through integration”). The second great difference between the American security vision and the European one refers to the rhythm of security progress in an area: while the Anglo-American strategy

is dynamic, offensive, often with revolutionary content, based on the succession formula “intervention + military security + democratization + partnership”, the European conception is gradualist, prudent, synthesized in the succession formula “partnership + democratization + integration + civil security”.

Table: Comparison between the EU and the US positions concerning Eastern Europe, the East, the Caucasus and the Balkans

Regions / Countries Concerned	EU Position	US Position
Russia	<ul style="list-style-type: none"> - Respect for human dignity, liberty, democracy, equality, rule of law and Human Rights and consolidation of pluralism, tolerance, justice, solidarity and non-discrimination - Closer economic cooperation - Perspectives for a political partnership involving consultations and concert in what regards regional and global strategies <ul style="list-style-type: none"> - Strategic partnership for fighting against Islamic terrorism 	<ul style="list-style-type: none"> - Strategic partnership for fighting against Islamic terrorism - Withdrawal of Russian troops from Transnistria and the Caucasus - Liberalization of the Russian market
Belarus	<ul style="list-style-type: none"> - Gradual strategy of creating conditions for free and correct elections in order to reestablish democracy - Support for the civil society 	<ul style="list-style-type: none"> - Isolation of Belarus at international level - Support for the opposition parties
Ukraine	<ul style="list-style-type: none"> - Respect for human dignity, liberty, democracy, equality, rule of law and Human Rights and consolidation of pluralism, tolerance, justice, solidarity and non-discrimination - Closer economic cooperation - Remote perspectives of EU integration 	<ul style="list-style-type: none"> - National emancipation vis-à-vis Russia - Integration into the Euro-Atlantic security system - Encouraging democracy and strengthening the state of law - Strategic partnership
Republic of Moldova	<ul style="list-style-type: none"> - Respect for human dignity, liberty, democracy, equality, rule of law and Human Rights and consolidation of pluralism, tolerance, justice, solidarity and non-discrimination - Closer economic cooperation - Remote perspectives of EU integration 	<ul style="list-style-type: none"> - Support for stabilization, security and democratization - Resolution of the Transnistria dispute through federalization of the Republic of Moldova - Withdrawal of the Russian troops from Transnistria
Southern Caucasul	<ul style="list-style-type: none"> - Support for democracy - Closer economic cooperation - Regional integration - Resolution of “frozen conflicts” by federalization - Integration of the area into the Good Neighborhood Policy 	<ul style="list-style-type: none"> - Developing cooperation to utilize the energy reserves from the Caspian Sea area - Withdrawal of Russian troops - Resolution of “frozen conflicts” by federalization - Integration of the Euro-Atlantic security system

Middle East	<ul style="list-style-type: none"> - Political and economic partnership - Free trade agreements - Resolution of the Israeli-Palestinian conflict through the recognition of the right of self-determination of the Palestinian people according to the principle "peace for territories" 	<ul style="list-style-type: none"> - Resolution of the Israeli-Palestinian conflict through the creation of an independent Palestinian state with the previous condition of democratization of the Palestinian society and Authority, as well as ceasing fight action with terrorist character - Achieving a partnership with the "Greater Middle East" for democratization and fight against terrorism (including the states that proliferate weapons of mass destruction or support terrorist organizations) - Free trade agreements
Western Balkans	<ul style="list-style-type: none"> - Signing bilateral agreements of stability and development - Support in the multilateral context of the Stability Pact for SE Europe, of regional cooperation and integration - Strengthening security by consolidation of democracy, economic development, cooperation and integration - Offering the perspective of EU integration, in principle - Granting security by the respect for the principle of borders' inviolability associated with the respect for the right of identity of national minorities reaching to their internal self-determination 	<ul style="list-style-type: none"> - Maintaining international protectorates in the region until insuring a sufficient development of self-government structures and democracy - International self-determination of Kosovo and, eventually, of Montenegro - Insuring a larger autonomy for Albanian communities - Insuring stability and security at regional level by striking a balance between Albanian and Slavic communities, as well as between Muslim, Orthodox and Catholic communities, under international surveillance - American military dismissal and passing some extended military tasks to the EU

4. Institutions in Search of an Identity: UN, OSCE, the Council of Europe

The discussions concerning the role of the OSCE are a part of the general framework of attempts to reform other international institutions: UN and the Council of Europe. Actually, negotiations for their reformation are linked with the broader process of redistributing power and legitimacy at regional and global level after the end of the Cold War.

The recent UN summit (14-16 September 2005) resulted in a failure because the states have different perceptions of the concept "reform": some powers wish to maintain their international prestige through maintaining a narrow structure of the Security, in which to have the right to veto, and others do not wish the creation of a multilateral international system. Other emerging powers consider the "UN democratization" through their inclusion into the Security Council as necessary. Because the UN is an institution that emerged after a world conflict, as the League of Nations, inspired by a pacifist-universalistic vision on the world, the real UN reform could not be achieved, but at the moment of a re-balance of the real relations of power at global level.

The UN reform can begin at the moment when the US reaches the conclusion that the role of “world policeman” becomes too expensive, thus accepting a division of influence and responsibilities at the global level.

The Council of Europe, an organization founded before the European Communities, which transformed into the European Union, has passed, after the end of the Cold War, through a crisis of identity. By the extension of the Council of Europe to the area of Central and East Europe, and afterwards to the Caucasus, the Strasbourg institution has played an important role in the democratization of this space. The Council of Europe was used as an avant-garde for the democratization of the states that were to enter the European Union and NATO. NATO and EU enlargements to the East have raised the problem of their relation with the Council of Europe. At the summit of the heads of states and governments of the Council of Europe, which took place in Warsaw on 16-17 May 2005, the issue of the relation between the EU and the Council of Europe was raised. Thus, in the perspective of achieving a political “Greater Europe” the role of the Council of Europe is also seriously questioned.

OSCE has emerged in the context of détente of East-West relations, as a method of closing the unsolved disputes at the end of the Second World War. The role of OSCE seemed to be important at the beginning of the 90s, as long as the pan-European institution had the potential of turning into an organization endowed with instruments, apart from the strictly diplomatic ones, to maintain peace and security in Europe. The enlargement of its dimensions as well as its functioning following the principle of unanimity (meaning that the Russian Federation has a right to veto) has reduced its international influence.

Turning the OSCE into a long term viable institution is hindered by several factors:

- In the field of Human Rights it is in competition with the Council of Europe, which is an institution with more tradition in this respect. The fact that the same states are members of the Council of Europe and the OSCE could raise the problem of the legitimacy of two existing institutions with mostly similar missions. The OSCE is advantaged compared to the Council of Europe by the statute of member of the US, which are interested in managing the “Greater Middle East” also through this institution;
- The use of preventive diplomacy means has determined, until now, a conservation of frozen conflicts rather than their resolution. The OSCE lacks the instruments of a defense institution. The presence of OSCE missions

in the area of frozen conflicts has determined the decrease of confidence in the capacity of this institution of insuring an effective security policy. The main cause of the OSCE weakness is the fact that it is an institution based on unanimity of decisions. No peacekeeping force was formed under OSCE mandate.

- The OSCE internal organization still presents some ambiguities and weaknesses. Passing from the statute of “participants” to “member states” could increase the international relevance of the OSCE.

5. Instead of Conclusions: Potential Evolutions

The analysis of the main international organizations and institutions indicates the fact that we can speak of inflation, some of them existing by virtue of inertia and of the desire of the diplomatic bureaucracy to perpetuate itself. The OSCE is in search of political relevance, in a space from Vancouver to Vladivostok. This space is too diverse, with multiple sources of conflict, in order to be managed by a single international organization.

The OSCE has followed a process similar to other organizations trying to democratize by founding a Parliamentary Assembly. Searching the role of OSCE in the European security architecture is hindered by the advancement of some more powerful organizations and institutions to the East, which not only have a security dimension, but a defense component as well:

- EU enlargement has determined the inclusion of some states that used the OSCE as a method of approaching the West, but which no longer need such a vehicle. The EU Neighborhood Policy, through its bilateral relations with the states in Eastern Europe and the Black Sea basin, is an alternative-means to the OSCE. Therefore, the simple affiliation of a state to the OSCE cannot be a vestibule of the EU, as the Union tries to implement its own policies and mechanisms, in a bilateral and not multilateral framework;
- NATO has extended very much during the last decade and many analysts regard its further enlargement as a means of dissolution. That’s why it is desired that the Partnership for Peace be used in relation to the Caucasus states. Delocalization of some American bases in Romania and Bulgaria is considered at this point, which is the result of an agreement between the USA and the Russian Federation in order to slow down NATO enlargement to the Southern Caucasus. Also, upon the insistence of the USA, within the new NATO security concept of 1999 the possibility of intervention outside borders of members states was included. Thus, managing potential conflicts in the space between Vancouver and Vladivostok can be realized through

the so-called “coalitions of will”, from within NATO states (for example, Afghanistan and Iraq).

The OSCE is important for the Russian Federation, because it is an institution in which it has the right to veto. The essential question is if the existences of institutions in which the great powers have the right to veto create the premises of reorganization on multipolar bases of the international system. In my opinion, this will not happen if the real power relations do not change.

I believe that we must moderate our expectations from international institutions which base their activity only on the method of preventive diplomacy. The OSCE will not be able to become a really relevant institution of western states as long as no conflict was solved through its actions. It remains to be seen if the role of the OSCE as an institution preserving the status quo, through multilateral negotiation formats in the case of frozen conflicts, is sufficient to keep it functional.

I think the OSCE must be maintained for monitoring electoral activities and those in the field of Human Rights, and especially of minorities. The problem of passing from the level of electoral democracy to functional democracy and the state of law is another action area of the OSCE. Also, strengthening political dialogue, rapid conflict prevention, arms control and reconstruction of democratic institutions are other few fields in which the OSCE finds viability. But the best way of maintaining peace is the perspective of losing a war. And, unfortunately, the OSCE has not enough legitimacy in order to block conflicts unleashed, maybe just to stalemate them. The cases of the frozen conflicts from Abhazia, Southern Osetia, Nagorno-Karabakh and Transnistria are examples of the OSCE failure in solving some local tensions.

References:

Alger, Chadwick F. (editor), *The future of the United Nations system: potential for the twenty-first century*, Tokyo, New York, Paris, United Nations University Press, 1998

Blank, J. Stephen, “*Russia and the U.S. War on Terrorism*”, *Strategic Studies Institute*, in <http://carlisle-www.army.mil/us/assi>

Clark, Ian, *The Post-Cold War Order: the Spoils of Peace*, Oxford University Press, 2001

Common Purpose. Towards a More Effective OSCE. Final Report and Recommendations of the Panel of Eminent Persons On Strengthening the Effectiveness of the OSCE, 27 June 2005, <http://www.osce.org/item/15432.html>

Duroselle, Jean-Baptiste, *Histoire des relations internationales*, Paris, Armand Colin, 2001

Holsti, K.Ole, *International Politics. A Framework for Analysis*, New Jersey, 1995

Katzman, Kenneth, *Terrorism: Near Eastern Groups and State Sponsors, 2002*, Congressional Research Service Report for Congress, 13 February 2002

Mearsheimer, John J., *The Tragedy of Great Power Politics*, University of Chicago, W. W. Norton & Company, New York and London, 2001

Report Colloquium on "The Future of the OSCE", A Joint Project of the OSCE Parliamentary Assembly and the Swiss Institute for World Affairs
Washington, 5-6 June, 2005, <http://www.osce.org/item/15378.html>

Wohlforth, William C., "Reality Check-Revising Theories of International Politics in Response to the End of the Cold War", in *World Politics*, vol. 50, no.4, 1998

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**OSCE Main Principles and Security
Issues in the Southern Caucasus**

From the very first days of Armenia's independence the Organization for Security and Cooperation in Europe entered into our political consciousness, international relations and democratization processes. The significance of this event is conditioned by yet another extremely important and relevant factor, which originated back in 1992 within the OSCE framework, when the idea of initiating a conference in Minsk was suggested and where the most efficient solution of Karabakh conflict was supposed to be adopted. Within years this institution was renamed into Minsk Group which is the name recognized today internationally and which currently is co-chaired by the representatives of the presidents of three powerful states in the world – the USA, Russian Federation and France.

Indeed, the OSCE priority is ensuring the peaceful existence and regional security of its 55 member states. Geographically OSCE extends from Vancouver to Vladivostok and the organization is the most important international institution on this huge territory, which aims at preventing and warning about possible conflicts, regulating the crises that have already broken and supporting the post-conflict rehabilitation processes. The OSCE has taken different approaches to these rather difficult challenges and they are based only on the principles of mutual understanding and cooperation. These include security issues, such as monitoring of armaments, preventive diplomacy, activities aimed at establishment of trust and security, protection of human rights, observation of elections, environmental security, etc. These principles and goals characterize OSCE as a unique international organization, unlike any other in Europe.

However, the strong chain from Vancouver to Vladivostok which was a token of pride for its forefathers and founders is breaking today on the border of Armenia and an OSCE member state Turkey, which is not operating for more than 12 years. It was unilaterally closed by Turkey and its political incentives and the causes are already irrelevant if not meaningless, harmful, and totally contradicting to the OSCE principles.

Almost any document adopted within the framework of the OSCE – be it a commitment or a resolution, is legally formulated, and the interpretations of the content draw on the methodology of international legal principles and norms of international contract law. Even in this situation, when the OSCE principles are not legally binding, they are still relevant and effective. Thus, the documents signed at high level meetings are indeed as valuable as any other international legal act.

Finally, there is yet another factor which emphasizes the role and significance of this organization in the most vital issues of security. OSCE is the only organization in Europe which is considered to be a fundamental factor and means for regional consensus, in accordance with a provision in Chapter 8 of the UN Charter. Consequently, the OSCE becomes the only means and instrument for the regulation of crises, post-conflict rehabilitation, conflict preventions and initial warning about possible dangers on its territory.

It is not a secret that at the beginning of the Helsinki process the participants outlined the impact of irreconcilable military-political and ideological conflicts while assessing the role and significance of the organization, and this often turned into a confrontation “battlefield” of public diplomacy. The emergence of the Helsinki Process was the prerequisite for the formation of a new world order in Europe. The 70s of the last century, when the Vietnam War had just ended and no one was anticipating the USSR to invade Afghanistan, were considered a period of relative peace and balance. In fact, in the 30 years of its existence and development, the OSCE responded to the drastic and unprecedented change in the world and on the European continent with due sensitivity. Thus, the Process itself transformed both quantitatively and qualitatively, which was reflected in the further processes.

The Paris Summit in November, 1990 introduced new ideas and directions to the OSCE activities. The Charter of Paris on a new Europe highlighted several urgent issues for the organization, namely, active contribution to the historic changes occurring in Europe and response to the new developments and attitudes that emerged after the end of the Cold War; formation of permanently operating institutions and organizations, which would be responsible for ensuring immediate support to those processes. Lastly, within the framework of Paris Summit another very important international document was signed, which was dedicated to the supervision of security and armaments – Treaty on Conventional Armed Forces in Europe.

Today a number of countries in the South Caucasus and Central Asia, each with their urgent issues of security and stability, are also members of this European organization.

The Southern Caucasus region is a crucial link between Central Asia and Europe; therefore its political stability, security and economic development are important to the European Community. Today certain historically contentious problems of the region must be addressed in order to ensure stability. Over the next several decades this region with its oil and gas resources, ethnic and religious diversity, and an increasingly embittered population, requires great deal of attention from the world policymakers and international organizations.

In recent years, three major priorities – a) democracy with market principles, b) stability and security, c) oil with gas - have driven the world's global policy towards this region. Growing awareness of the rich hydro-carbon resources and the rising profile of regional conflicts gradually dragged super powers and EU into a more proactive role in the Southern Caucasus. At the same time the 3 countries have limited resources to devote to the increased domestic and border security and law enforcement measures that should be taken. Moreover, the region will need additional assistance in military training to prevent unexpected terrorist attacks and to create functioning, professional armies.

However, nowadays there are no countries in the region that are affiliated with one political-military block. Thus, Turkey is a member of NATO for more than 50 years; Azerbaijan and Georgia refused to continue security partnership within the framework of CIS; in its turn Armenia is a member of the Collective Security Treaty Organization (CSTO); Iran is not involved in any organization of this kind. However, by no means had this situation influenced the development of bilateral and trilateral cooperation within the region in areas such as trade, economy and even military. Moreover, three countries of the region – Turkey, Azerbaijan and Georgia – announced about their strategic partnership, which gave the two latter a wide opportunity to breathe in the military air of NATO. So, the recently established political “Arch” between Turkey, Georgia and Azerbaijan has a kind of long-term economic and strategic prospects even though Americans affectedly tend not to attach importance to the active cooperation and developments between these countries in military and military-technical spheres. On the other hand, in the situation with Baku-Georgia-Ceyhan, the major export pipeline, or as it is called the “Iron Pipe”, they stand as the “godfather” of the project allocating

additional means for setting up a special security battalions to protect the pipeline.

We do hope that the already existing and developing strategic “Arch” of the three in the volatile region will serve up (by military means) only to its main objective – protecting the oil pipelines all along its length.

At present the issue of preliminary safeguarding the oil and natural gas routes which are under construction - is of very high importance for all current players in the region due to engagement of preeminent advisers and high ranking politicians that resulted in an intensifying lobbying and public relations campaign in Washington. However, while both the former and present administrations and the multinational oil companies concentrate on potential oil receipts, they also risk pursuing an ultimately self-defeating policy. So if this actors are not careful and neglect to pursue a more balanced policy vis-à-vis of all three Southern Caucasus states, they will endanger the situation, undermining the fragile stability that they should have in order to ensure access of the oil resources to world markets. Suffice it to say that major missteps could produce a political and economic chaos heretofore unwitnessed in the highly charged Southern Caucasus.

(In mid 90’s the unrelenting demands of Azerbaijan to bypass Armenia were put forward despite the knowledge that a trans-Armenia route was the most reliable, direct and cost-effective one, and certainly one of the substantial actions in support of regional integration and future cooperation. It has been estimated that a pipeline from Baku to Ceyhan that traverses Armenia would have saved approximately \$600 million over the current proposed route (shortening the length).

So, achieving a relatively equal or at least some share of Caspian oil development and revenues for all geopolitical actors in the region—Azerbaijan, Georgia, Turkey and also Armenia - should be an essential goal of the U.S. foreign policy and activities of the multinational energy companies. Just as the U.S. policy has maintained stability by providing sustainable support to Israel and Egypt, and mediating between Turkey and Greece, it can and should strive to do the same in the South Caucasus. If the so-called “Great Game” for oil and gas resources in the Caspian basin is to be played wisely, there should not be any losers here, since the de-facto “agents” of the U.S. foreign policy in the area – multinationals, sooner or later will play the leading and significant role.

The process of involving NATO in the South Caucasus is gradually gaining support albeit for different reasons. On one hand, after the Prague Summit in 2002 it was obvious that joining NATO is a high priority issue for Georgia and Azerbaijan. It seems that the Baltic States may serve as a precedent, although NATO leaders frequently reiterate that none of the countries of the region would be invited at this point for membership, as the block is not ready yet as a whole. On the other hand, the Western and particularly the US attitude regarding its military involvement and presence in the region – ‘Stratfor’ Center’s information on 3 Airbases (May 2005) and U.S. 2 Radars in Azerbaijan – recently has changed a lot.

Lately, keen competition between the political leadership of Georgia and Azerbaijan with the purpose of pleasing NATO leaders, particularly the US administration, and persuading them to gain membership in a short and unlikely terms, amusingly resembles a similar struggle between Aliyev and Shevardnadze for flattering Moscow’s Kremlin during the Soviet regime. It seems that the history of the past decades repeats, though with some changes. However, in this competition Georgia prevails over its opponent. She seems to be the most likely candidate for early membership from the region.

With this regard another role was assigned to Azerbaijan. Belligerent statements on resumption of war sounding both from the opposition and authorities had seriously worried Western strategists who obviously had no intention to get involved in Azeri-Karabakh conflict in any way. Therefore, Azerbaijan was allowed to satisfy her desire for interaction with NATO to some extent, through active military mediation of Turkey though with some limitations, which were also stipulated by Turkey’s membership in NATO. Turkey’s military assistance to Azerbaijan for recent years is estimated over 170 ml USD.

In this background, the Armenian society regularly and silently gets shocked when Baku, especially official authorities and the president Ilham Aliyev himself make belligerent and warlike statements. Definitely, it is hard to explain to each common member of our society that such statements are often made with a particular political purpose. Analysts and experts clearly realize that such statements pursue the purpose of internal deviation, as well as certain external purposes, as follows:

a) (internal) Distract own society’s attention from real and complicated social problems and from unrestricted corruptibility of the whole Azeri “estab-

ishment” and focus their attention towards the patriotic issue of getting back Karabakh;

b) (external) To some extent, intimidate and blackmail the international community, especially the European institutions and super powers (USA and RF) to extort more concessions during the negotiation process.

Nevertheless, today the most urgent issue in the complicated NK settlement process remains the issue of restoring mutual confidence among the conflicting parties, which unfortunately escalates day by day. Even in the first 1-2 years after the end of war it was not as evident as it is nowadays. It seems as if some political figures “have actively worked” on this matter.

In order to better understand the current context of ethnic clashes in the Southern Caucasus, one must take a step backward in history. For the early Bolshevik leaders, the decision-making process regarding the national and administrative (territorial) 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 1920’s 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 ‘divide et impera’ (divide and reign). This is to say, by displacing entire populations and creating inter-ethnic tensions, the communist rulers wanted to avoid the build-up of a unified, strong opposition. Later the Soviet regime pursued the same inflammable policy throughout the course of its history, which spanned over seventy years.

It was not by accident, that even before the collapse of the Soviet empire this hidden phenomenon began to emerge and transformed into real wars right after the total breakdown of the USSR. Countless number of victims, human lives and families were destroyed, “which produced more than a million refugees and internally displaced persons (IDPs). Approximately 100,000 Azerbaijanis remain in refugee camps today, where they face desperate living conditions. Turkey closed its land border with Armenia during the conflict to show solidarity with Azerbaijan and has not reopened it”ⁱ.

ⁱ The U.S. Department of State issued the following fact sheet February 7, 2005, which updates a January 25, 2005, fact sheet: Fact Sheet, Bureau of European and Eurasian Affairs, Washington, DC

The current Southern Caucasus region faces serious and imminent threats of sudden violation of the regional security. This is mostly stipulated by possible drastic changes in the internal political lives of the three countries, for instance, as a result of elections, particularly accession to power by revanchist groups, so-called parties of “war”, or radical religious, mostly Islamic, parties, etc. Naturally, such shift of power takes place not within a day – it is a long process, which in the period of its development, i.e. maturity, cannot be covert, and it is rather observable, but often uncontrollable. These extreme forces are able to skillfully take advantage during the radical changes in the internal political situation of the country, caused by such acts as political assassinations, terrorist acts, even changes in tax and fiscal policy, not to mention serious social massive outbreaks. Special preventive and early awareness measures taken by alliances and international organizations and even superpowers are of highest importance during the escalation of such processes. Probably it will be considered as interference, but more dangerous, so called “further headaches” will thus be prevented, which in perspective, as a rule, are irreversible and are not subject to complete regulation. As known, there are numerous such cases in the world.

Reviewing the risky and unpredictable situation in the three Southern Caucasus States following the elections held during last years was an unfortunate setback for the overall democratic development and commitments, despite the considerable pre-electoral assistance from the Council of Europe and OSCE, which provided an adequate framework for holding democratic elections.

The continuation of unresolved conflicts in the region were unfavorable to the completion of the democratic transition, genuine regional cooperation, and further European integration.

One should be at least a dreamer to view such geopolitical turning points and processes from an observer’s standpoint and watch their final outcome. By now each of these factors and challenges have had special influence and reaction in Armenia. Due to the nature of developments mentioned above, these factors push the Armenian political leadership to address issues of advancing the country’s security. Moreover, each day the existing delicate situation in the region brings tough and unexpected turns.

Right after the collapse of Soviet Union the political-military picture drastically changed when the war (over Nagorno-Karabakh) and independence simultaneously entered into our hearts and minds. The new political and

military leadership of Armenia faced original problems of a different character and scope. The issue of national security of many generations ahead depended upon the settlement of these problems. Obviously, the role and significance of armed forces in ensuring stability of the nation were considerably dominant given this background. Couple of years later, the battle-hardened armed forces of the RA got an opportunity to be raised and become professionally trained. This was the result of extensive work of well-experienced and dedicated military leadership.

In sum, the emerging security environment in the Southern Caucasus is becoming a destabilizing one. An increasingly rich and diplomatically stiffened Azerbaijan will likely use its treasure to challenge blockaded Armenia. Today, as in the past, Baku continues to make no secret of its plans to use oil revenues and growing military-technical cooperation with Turkey to rebuild its military forces and increase budget expenses. Belligerent statements from government officials on resuming the armed conflict, which has been in a cease-fire status since 1994, continue.

In this light, Armenian leaders view with alarm the formation of such developments.

Nevertheless, improvement of modern strategic and political measures that are capable of withstanding the challenges and forces that threaten the stability of Armenia in the region is a rational requirement for our survival. It actually promotes the preservation of the essential balance in our vulnerable region and this is an indisputable fact that is being taken into consideration by many analysts and experts. Armenia does not have the right to surrender, it does not have any room for "retreat".

It is to be hoped in today's energy-poor world that oil and natural gas are to be used as lubricants of cooperation and harmony among nations instead of confrontation and bloodshed. So, the European Community and the U.S. with its multinational energy companies currently stand to play a large and determining role in furthering foreign policy objectives of stability and intra-regional cooperation in the Southern Caucasus region which today enjoys sovereignty, yet at the same time suffers transition issues, and is in dire need of security and lasting peace. These vital ingredients are essential for the development of much-needed democratic principles and self-governance capacities for the volatile societies of the Southern Caucasus.

Joseph E. Stiglitz, Nobel Prize winner in economics, writes in his foreword to the report *Caspian Oil Windfalls: Who Will Benefit?* "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 well".ⁱ

i 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.

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Challenges in the Relations between Authorities and Public in Ukraine

It is an honour for me to participate in a conference, on the agenda of which is the discussion of practical aspects of euro-integration in the context of the values, principles and standards of the OSCE and Council of Europe. Today these are urgent topics in Ukraine as well, since in November Ukraine celebrates the 10th anniversary of its membership to the Council of Europe, an international organization that remains the only political mechanism for the development of euro-integration. A similar role is prescribed to the Organization for Security and Cooperation in Europe. Its democratic standards in the sphere of elections are the benchmarks and criteria based on which the level of democratic transformations and the perspectives of euro-integration in Ukraine will be assessed.

After a year of active and explicit statements about her determination to access the European Union, currently Ukraine is passing through the phase of **euro-romanticism** to the phase of **euro-realism**. At present all the actions of the authorities, politicians and civil society towards euro-integration can result in two denominators: either **euro-optimism** (undertaking clear steps and developing strategies towards achieving and establishing European standards and EU membership) or **euro-pessimism** (total disappointment of the society and absence of clear integration strategies of the authorities). Today we should focus our attention and efforts on the effective use of political, institutional, expert and diplomatic resources of the OSCE and CoE for achieving short- and long- term tasks of the European integration of Ukraine.

One of the conventional indicators against which the level of democratization of any state is measured is the level and extent of the cooperation between the public authorities and civil society. More attention is paid to the problem of mutual mistrust between authorities and civil society, low level of transparency of the authorities, the passivity of the society towards the political processes and the process of formation and realization of a state (public) policy.

Attracting public organizations to the issues of democratization began with election monitoring projects. Their attention during elections was focused on the issue of legitimacy of the parties coming to power. The methods and practices developed by the OSCE observation missions were a huge contribution to this process. They became exemplary also for Ukrainian monitoring NGOs, which adjusted these methods to local needs and successfully have been using them since 1994.

Even a year ago the authorities responded to such monitoring activities of NGOs with big mistrust and even with animosity. During the presidential elections in 2004 it became a common practice to use taxation structures for the pressure and prohibition of the activities of the public organizations. The Parliament of Ukraine even created a “Temporary Committee of Inquiry for identifying facts of foreign intervention in financing election campaigns in Ukraine through non-governmental organizations which function on grant money provided by foreign states”. The report of this committee comprised the list of NGOs and their projects, indicating the financial resources, which these NGOs get from foreign donor organizations. Meanwhile, not a single connection was revealed between the grant money and financing of election campaigns. Either the title of the committee was not a good one, or the Administration of the President and some parliamentary fractions were pursuing a different goal – to discredit public organizations and their efforts in the democratisation of the society and the election process.

Today at the threshold of the parliamentary election campaign, after the events of the Orange Revolution, and after the democratic parties came to power and the President of Ukraine Viktor Yushchenko made public promises, there is still some hope that there won't be such instances of massive exploitation of administrative resources and large-scale frauds. Moreover, the further development of the dialog between Ukraine and the CoE significantly depends on how democratic the election campaign will be, whether it will correspond to the OSCE standards. This is defined in a fundamental document on the development of the policy of neighbourhood, the Action Plan “Ukraine- CoE”, as well as on the recommendations of the Monitoring Committee of the Parliamentary Assembly of the CoE, ratified on the PACE meeting of October 5th.

In the context of upcoming elections the cooperation between the Parliament of Ukraine and NGOs has grown. Upon the urgent request of public organizations, some changes have been made to the election laws of Ukraine, which are based on the recommendations of the OSCE observers. From now

on the local monitoring NGOs, along with political parties, have a right to send observers to election districts.

In the Parliament attached to the Speaker there is an expert-political council which is comprised of NGO representatives. It is planned to found such public councils during the election campaign at the National Council on Issues of Television and Radio and at the Central Election Commission. These important steps and actions are directed towards the transparency of authorities and involvement of the society in the expertise and monitoring of the election process.

The situation with the involvement of the public in the process of developing a public policy and acceptance of adequate state decisions is less optimistic. The experience of establishing public councils at the Parliament Committees (on freedom of speech, lawful policy, issues on state construction and local self-governance) were only a little push towards the development of interaction between the authorities and the public. The Orange Revolution was far more effective for the public to become more active, since people felt the significance of public impact on the authorities. However, there is still a danger that the public activity will be directed more towards street protests, pickets than towards efficient participation in decision making and monitoring of the activities of the authorities.

Therefore, the attempts to refocus the attention of public organizations from the monitoring of the election processes to the active discussion of the most important issues on the agenda of the public development and the most significant reforms seems quite attractive. This should be done in the context of upcoming parliamentary elections and the elections should be viewed as a process of legitimizing certain strategies of the state policy.

Some new approaches are observed also on the side of the new authorities, I mean the President of Ukraine. In my opinion, the attempt to organise the first Presidential hearings the objective of which is to consult the representatives of public organizations on crucial issues in the state policy and formation of the foundations for the strategies of the development of the society, may appear quite interesting.

The perspective of developing constructive relations between the authorities and the society may be determined by the further process of reforms, and this refers to administrative reforms in particular. The destiny of these reforms, as well as other changes important to the society, will depend on

the activity, independence and professionalism of NGOs, analytical centers, monitoring organizations and other unions of special themes.

Today neither the civic society, nor the authorities are ready for cooperation. The impediment is the misinterpretation of the real functions of the essential public and governmental institutes, the absence of transparency in the activities of the authorities and absence of professionalism and financial independence in regard to NGOs. However, the public process and legislation are developing in a direction which definitely will lead towards the qualitative change in these relations, towards the routine standards and procedures of the European Union, which ensure effective political processes and public development.

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**The Role of the OSCE: What Can
Be Learned from the Balkans?**

Why are the Balkans an appropriate case study for assessing the performance of the OSCE? First, the Balkans presented the international community as a whole, and the OSCE in particular with a tough challenge of conflict resolution, and later on – with highly demanding post-conflict rehabilitation efforts. As a result, these practical challenges helped the OSCE evolve and achieve its current level of experience and expertise. The real-life efforts brought about changes in the OSCE in its aspiration to remain relevant to the security environment.

Second, there is the normative aspect of international relations, whereby the Balkans put to a test two underlying principles of the OSCE since its inception: the inviolability of borders vs. self-determination. Along these lines, the debate on the primacy of one of these principles went beyond the academic realm and adopted very practical dimensions.

When speaking about the relevance of the OSCE, the first question that comes to an outside observer - is it a relic from the Cold War era? There are two perspectives of assessing the work the OSCE has been doing:

- One is looking at what the organization has not achieved in one of its basic functions – conflict resolution – and we can see an obvious failure. At the stage of conflict management – that is prior of finding the solution, the organization – to put it bluntly – for an outside observer has been dragging its feet for more a decade on the Transdnistria, Abkhasia, South Ossethia and Nagorno-Karabakh issue with the current formats of negotiations not leading anywhere.
- Another outlook is to see where (and when - in terms of conflict cycle) - the organization has been successful. And the examples are plenty – from the confidence-building function to the post-conflict rehabilitation.

The intersection of these observations might bring us to “lessons learnt” of how to better streamline the work of the various organizations, responsible for Europe’s security, and especially the OSCE, which is the focus of this conference.

In my presentation I intend to focus on several real-life cases, where the OSCE has been involved – BiH, Macedonia and Kosovo, to see the added value of the organization.

Bosnia and Herzegovina

The mission is the third biggest (after Kosovo and Georgia). The Role of the OSCE has been defined in the Dayton agreement, which despite its flaws, functions as a Constitution of the country to this day, as follows:

- *Regional Stabilization*
- *Elections and Provisional Election Commission*
- *Human Rights*

In essence the mandate can be lumped up in three dimensions:

- 1) Organize elections and – “lay the foundation for a representative government and ensure the progressive achievement of democratic goals”
- 2) Monitor (with other organizations) human rights and report on violations;
- 3) Encourage confidence and security building measures, as well as disarmament. This includes responsibilities for sub-regional arms control and defence reform (shared in some aspects with NATO).

The activities within the different priorities include:

In the area of democratization – civil society building with six Democracy Centers as civil society hubs; political parties program –with political parties service centers; governance program (municipal infrastructure finance, etc.); rule of law; public administration

Elections – organizing and monitoring, out of country voting, provisional election commission, international election observers, draft election law – since 1998 is giving up responsibilities either by hiring local staff to lead

positions or devolving authority to local institutions (local elections commissions)

Human rights monitoring, including the establishment of Office of the Ombudsperson.

Regional stabilization (CSBMs confidence and security building measures) – the problems posed by huge amount of weapons and reconciling several armed groupings after a very bloody conflict. There has been an agreement on three levels - between the central government and the two entities – Bosnia and Herzegovina, Republika Srpska, the Federation of Bosnia and Herzegovina, providing for Joint Consultative Commission, Military Liaison Missions between the chiefs of the armed forces – joint seminars and training, military forces reductions, control of production facilities.

The framework is set by the OSCE's Code of Conduct on Politico-Military Aspects of Security, under which the entities commit to democratic control of the armed forces, the intelligence services and the police. This means that the OSCE (in partnership with other organizations) is working towards establishing: a state-level intelligence agency, modern armed forces – the establishment of a unified state-level force of 12,000 persons; the problem of small arms and light weapons; confidence building – seminars on democratic control, civil-military cooperation, visits and aerial observation, etc.; defence reform – under the PfP benchmarks;

Macedonia

The OSCE is active in the republic since 1992 (the longest mission in action), when it established a Spillover Monitor Mission in Skopje, to monitor the developments along the Yugoslav-Macedonian border. The OSCE has also taken part in election monitoring in the presidential elections in 1999 and local elections in 2000 by its Office of Democratic Elections and Human Rights (ODIHR). After the Ohrid Framework Agreement (2001), which ended the major armed activities, the OSCE mission got the mandate for action in key sectors:

- Confidence building and monitoring,
- Police redeployment and consultations, including the training of 200 minority staff (border police, specialized police training; police reform programs)
- Local self-government
- Rule of Law

- Media development
- Improvement of interethnic relations

Kosovo

In Kosovo, the OSCE has faced its biggest challenge with the ill-fated Kosovo Verification Mission in 1999. The OSCE had to observe the compliance of Resolutions 1160 and 1199 of the UN Security Council in terms of cease-fire, movement of forces, human rights and democracy building.

Later on, after an agreement was reached, Resolution 1244 for Kosovo stipulated that the OSCE would be involved in critical areas of the post-conflict rehabilitation. The UNMIK mission has been organized around four pillars;

- 1) Police and Rule of Law
- 2) Civil administration (1 and 2 under UN direct management)
- 3) Democratization and institution building – this where the OSCE comes
- 4) Reconstruction and economic development – managed by the EU.

The OSCE mission is currently far the biggest of all the organizations operations with somewhat more that 300 international and about 1000 local staff. The mission itself is structured around four departments:

- Democratization (with Central and Local Governance, Civil Society and Media);
- Human Rights and Rule of Law;
- Elections;
- Police Education (runs the police training school with 6,000 police officers trained so far)

In terms of elections (which is the narrow topic of this panel), the OSCE's performance has been exemplary. Since 1999, four election cycles took place – two at municipal level (2000 and 2002) and two at central level (2001 and 2004), with the results qualified as free and fair. Starting this year, the OSCE has begun the devolution of authority to the local Central Election Commission Secretariat – a multi-ethnic body of Kosovo citizens (but chaired by the OSCE's head of mission), tasked with organizing the elections. However, the OSCE will still be charged with the objective of monitoring the elections and performance of the Central Committee, managing the Voter Registry, run-

ning the Political Part Registration Office (including financial oversight) and drafting of Legislation.

The importance attached to this OSCE mission is paramount, as the main formula for Kosovo's future is "standards for status" – in other words, the international community would like to see not only democratic institutions on place, but what is more important – working and efficient ones.

Conclusions:

Lessons from the Balkans

- The OSCE was not able to resolve intense conflicts in the former Yugoslavia. However, neither could do so the European Union, despite its considerable weight and resources. It took the combined efforts of the Euro-Atlantic community (with the consent of Russia) and NATO intervention – militarily or diplomatically (in Macedonia) – to bring about conflict mitigation.
- The OSCE proves much more useful in the post-conflict phase of re-construction and resolution. That is where its niche is in the contemporary security architecture of Europe. That is where the OSCE has gathered considerable experience and expertise, and this is its relative advantage vis-à-vis the other European institutions, i.e. elections, institution building, training of police and administration, etc.
- The future role of the OSCE – in terms of its usefulness that I've described above - cannot be predicted easily, as it will be competing against fledging ambitions of the EU, for example. Currently, the Union has two mechanisms that provide for these trends, that go into the territory, usually reserved for the OSCE:
 - first, the Neighbourhood Policy, with its approach, loosely based on the experience of the last accession process;
 - second – the instruments within its Defence and Security Policy, where besides military assets, such as the Battle Groups, the Union has provided for a purely civilian side of its operations – judges and lawyers, police, gendarmerie, bureaucracy, engineers and service providers - the necessary components of a successful post-conflict rehabilitation.
- However, I am a bit sceptical about whether the Union can so easily challenge the current role of the OSCE – in its traditional aspects.¹

i A case in point may be the political decision of the EU to dispatch border-monitors to Gaza, while it refused to do so for Georgia less than a year ago. With that said, the EU can decide to intervene in the Middle East conflict, but at the time being does not want to tease Russia too much by intervention of this type in Russia's "near abroad".

General conclusions

- The OSCE can act more flexibly in many cases or in case where other organizations cannot or do not want to get involved – which proves very beneficial, given the current dynamics of international affairs. For example, it took the EU years to arrive at its neighbourhood policy, a space where the OSCE is acting for a second decade.
- The inhomogeneous character of the OSCE is one of its biggest deficits; yet, its broad membership can be its advantage as provides for finding commonly accepted solutions and providing additional legitimacy to its decisions.
- Another comparative advantage of the OSCE is its focus on conflict prevention and the comprehensive understanding of security – from traditional political-military down to the human dimension, which is obviously a leading concept of today’s international policy making.
- Extensive network of field offices.
- In that regard, the OSCE remains another forum, another field of reaching compromises between on one hand, the West as a whole, and on the other hand, Russia, as the OSCE is becoming more and more pre-occupied with the post-Soviet space.

Questions for the future that may be discussed:

- 1) the intersection of interests between the EU/NATO block and Russia – and the role of the new members of NATO and the EU that are not necessarily in line with that of the big ones.
- 2) The dilemma that has pre-occupied the OSCE since its establishment – the balance between the “human dimension” and “the sovereignty” with the inviolability of borders. At some point it seemed that the “humanitarian intervention” has become the norm. However, very practical reasons caution against wide application of this practice, as this weakens the national states.

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Human Security at the Black Sea: A Perspective from a Romanian

“Keep in mind that Romania’s approaches are not strictly in the interest of Romania. We have commitments to our European partners, our NATO partners. As a frontier-country of the two structures – European Union and NATO – we have to promote the interests of these structures, not only our interests...: the Black Sea will become secure when it becomes internationalized, when the solutions that were adopted at the Mediterranean Sea are adopted here. To become an area of peace it must be taken out from the unique influence of the Russian Federation and I am convinced that president Putin will accept a process, more or less rapid, for the internalization of the Black Sea, given the strategic importance that the extended area of the Black Sea has already achieved.”

President of Romania, Traian Basescu, Bucharest, July 2005

The analysis provided in this paper attempts to explain the complexity of security aspects in what is called “the wider Black Sea region”. The main ideas behind this text are:

1. Although the interest for the region has massively increased lately, this far there exist only the *premises* for the outline and implementation of a strategy in this area.
2. The most crucial aspects of security in the Black Sea region are related to non-military dimensions; in other words – the human security dimension. The *human* security is the most important security dimension in the region.
3. Security is related to *democracy*; or the best solution in order to secure a region is to democratize it – this is the reason why the OSCE and even NATO are in charge to implement democracy in the region as a precondition for security. The OSCE is about democracy; and NATO is about military, but

not only: it's about democracy as well (the political dimension of NATO is crucial).

4. The Euro-Atlantic should be involved in the area, especially in what is usually called “the wider Black Sea Region”.

The arguments will be exposed on several levels. The first one regards the geopolitical interpretation of the space in question, which would permit the understanding of evolutions and dynamics that mark this space. I will then proceed to the evaluation of the region from the perspective of *security* dimensions, especially “human security”, having in mind the complex signification that the concept has acquired after 1990. At this point, I will also present the concept on security of two crucial institutions, involved in the region to a larger or smaller extent: the OSCE and NATO.

In the second part of the paper I shall present the most vivid debate going one in the region – and also in Brussels, Washington, Istanbul or Moscow, namely, the argument between those who promote a *local* perspective on the Black Sea human security and those who promote an *international* perspective on the Black Sea human security. I will underline the arguments, without any irrefutable conclusion – the debate is still going one, and the dossier is open.

A. Security, Human Security, and the Black Sea

Geopolitical context: Black Sea – the space of Euro-Atlantic frontier

All the significant (geo) political events – evolutions and stagnations – that took place around the Black Sea have, to a greater or smaller degree, the mark of a global geopolitical progress. More precisely, they are determined by the *advance of the Euro-Atlantic frontier to Central Asia*, by the indecision of these institutions to establish the border ample enough to include nations that wish to be part of this space.

Here we are talking about the Euro-Atlantic space, suggesting, between lines, an *institutionalized* definition of Europe. In fact, it is the definition that explicitly and implicitly explains the affiliation to Western institutions, especially EU and NATO. Here the stress falls not on the cultural or geographical Europe, but rather on the institutional Europe. Parenthetically, the oratory of American officials on the subject of “coming back to Europe” has methodically marked these elements after 1990. The idea of America to create an “integral and free Europe” practically meant the expansion of the

Western institutional framework illustrated by NATO and EU towards the East. In April 1997, for example, the Secretary of State, Madeline Albright considered that the central reason of NATO expansion “is the correction of the mistakes of the past. If we don’t expand NATO, it would mean that we validate the Stalin vector imposed in 1945 and which was fought against by two generations of Europeans and Americans” (Browning 2002:6). Also, President Bush, in his address to the students from Warsaw, on June 15th, 2001, outlined the idea that the new democracies of Europe must have the chance to join the European institutions. In addition, regarding NATO he stated that “we must be interested in how much we advance on the way of freedom.” The idea is clear: the will to eliminate the interior borders of Europe was becoming synonymous to the expansion of NATO (Bush 2001).

Getting back to the “technical aspects” of the approach, it must be said that *frontier* would mean, in the theoretic mainframe used here, the dynamic aspect of a geopolitical evolution, respectively the totality of processes through which a historical expansion, a nation, a civilization or an empire etc. manifests itself. The frontier, as a dynamic aspect, causes and maintains a wide variety of spiritual and institutional processes, which we call *frontier processes*. *The border* is the static, stable (established) aspect of the advance of a frontier. The advance of a frontier is set somewhere, on a border. But this does not automatically mean that, once the border is set, the dynamics of the frontier advance process disappears or is suspended. On the contrary, when we deal with an artificial (political, geo-strategic) setting of a border we as well assist in the perpetuation of frontier manifestations, and the area where such evolutions take place is called frontier areaⁱ. These frontier spaces, respectively those zones that forward – justified or not – claims or affiliation to a certain area and inclusion in the interior of a border to which they do not have, as yet, access, are frequently, geopolitically speaking, areas of *crisis*, of *geopolitical turbulence*, which cannot be decrypted or understood right without taking these aspects into consideration.

This kind of frontier area is the region of the Black Sea today. This is the geopolitical framework of my argument. Today the Black Sea is, geopolitically speaking, a Euro-Atlantic frontier region.

i Only in case if the setting of the border of advance to a frontier process is natural, thus organic, the frontier area stops its existence. The typical case here is, for example, the advance of protestant frontier in Europe. This advance stopped, organically, at the border of the orthodox area, so the setting of the protestant border happened by itself (it is not adequate to mention here why the things are namely this way).

Two geopolitical axes: East-West and North-South

Sometimes too much is said about “axes” in relation to the area of the Black Sea, and not only. Nevertheless, the abundance of the discourse had only one effect: left the problems unsolved, and the reader confused or convinced that everything was only a political speech, lacking substance and field relevanceⁱ. But the term “axis” has an importance and a signification, and two explanations should be offered at the time of its launching. On one hand, its significance is mostly *geopolitical*, and *political* comes second, and on the other hand, the meaning of the “axis” is not the *West* – as it was abundantly and mistakenly speculated, but the *East*. The geopolitical signification of the axis results from what is described in the previous section, respectively the advance of the Euro-Atlantic frontier to the East. This advance has structured the geopolitical space into two major geopolitical (strategic, economic etc.) axes, namely the **North – South** Axis (Russia – Iran) and the **East – West** Axis, which includes, via Caucasus and the Black Sea, the essential energy resources from the Caspian Sea intended for the Western countries.

The mentioned axes only delimit the region of fundamental security also on the agenda of great common rooms with interests and influence in the regionⁱⁱ. It is not the case to describe here the so-called “extended area of the Black Sea”, because a description was made elsewhere. This area should include all the three Caucasian states – Georgia, Armenia and Azerbaijan, the Euro-Asiatic energetic corridor, which links the Euro-Atlantic system to the energetic reserves from the area of the Caspian Sea and to the Central Asian states. In addition, it is about a stable system of the Black Sea North of Transnistria, Odessa and Sokhumi, because a stable system supposes the solution of “frozen conflicts” along the North-East curve and the access to big commercial rivers that flow into the Black Sea: the Danube, the Dniester and the Dnieper. Then, the concept of extended area of the Black Sea will be so broad and varied as the area of the North Plain of Germany or the area of the Baltic Sea/North (see: Ron Asmus and others: 2004). These political axes have become visible especially after 2000, when President Putin came to power in Moscow.

Finally, the geopolitical context and area has to be marked more frequently by orange landmarks or stakes with flower scent. The result of this geopoliti-

i The way in which those assigned to explain the significance of the presidential declaration had acted only contributed to increasing the climate of confusion and diminishing the prestige of the subject.

ii For a general presentation in terms of security context, see Herzig 2000; for a presentation of foreign policies and conflicts in the region, see Bertsch and others...2000; for a geopolitical analysis of the area, see Thual 2004.

cal confrontation is what we see today around the Black Sea. Now let us set the mainframe in which the security problems of the area must be perceived and assessed.

Analytical mainframe of the regional security

What does “human security” means?

Walker Connor, one of the most important American historians, commented somewhere on the main drawback of the domain which is called “international relations”: these specialists tautologically tells us that the states make war because of “state reasons”, but do not bother to explain what does this *raison d'état* mean, who and how legitimates it. And he was right, at least regarding the approach of international relations or the security that prevailed until not long ago. For understanding the significant evolutions in this field, until the matter of identity becomes, for Copenhagen for example, a crucial item on the security agenda, we have to rewind, even if concisely, the movie of the evolution of the domain we are concerned by in this work.ⁱ

After the World War II, the doctrine of *neo-realism* – with a stress upon the bipolarity of the system – was dominant. One of the characteristics of this doctrine from the perspective of our immediate interest is the distinction between “*high politics*” and “*low politics*”. The issue of security is related to the first aspect – “security” regarded mainly the “politico-military” problem. The issue of environment, economy, social and “internal” problems belonged to the second field. “*Low politics*” was becoming interesting only at the moment of a direct impact on the diplomatic or military field.

This dichotomy, as well as the definition of “security” was to enter a crisis after 1990. The collapse of the USSR led not only to a crisis of the world political system, but also to a crisis of the theory that supported it. As Edward Kolodziej shows, the security of the Soviet Union was totally compromised not by the lack of military capacities – enormous at that time - but by socio-economic reasons. The observation has decisive consequences, and mainly for the distinction of “*high*” and “*low politics*”, which progressively diminish their relevance. The failure of the “traditional” definition of security opens the perspective of a new debate which is unexpected and which, in fact, undertakes some of the trends detectable already before 1990.

i Here we will use McSweeney 1996, 1999, Terriff...1999; Bird and Croft 2001. See Dungaciu 2004 as well. For an excellent analysis of the evolution of the security problems in the 20th century, see Hough 2004.

Barry Buzan is a fundamental author here. His work from 1983, *People, States, and Fear* marks the most pregnant reconsideration of the security problems. The idea that the security must be reduced to the “study of threats, use and control of military forces” (Stephen Walt) – the classical definition, irremediably enters into crisis. The target of Buzan’s work – the 1991 edition of which will have a greater impact than that of 1983 – is the redefinition of the concept of “threat” and the achievement of a useful connection between “threats” and “vulnerabilities”. The following now become crucial questions: “*Namely what must be secured?*”, respectively, the *object* of security, and “*Against what threats should the reference object be secured?*”. To a great degree these questions are the ones around which the security debates are centered from now on. For Buzan, the “security of human communities is affected by various factors in five major sectors: military, political, economic, societal and environmental. *The military security* regards the game in two levels of offensive and defensive capabilities of the states and the perception of states regarding the perceptions of each one. The political security regards the organizational stability of states, systems of government and ideologies that confer them legitimacy. The economic security regards the access to resources, markets and capital, necessary for supporting acceptable levels of welfare and power of the state. The *societal security* regards sustainability, acceptable conditions of evolution and traditional language, cultural and religious patterns, as well as patterns of national customs and identity. The *environment security* regards the maintenance of the local and global biosphere as an essential support on which depend all the other human activities.

These five sectors do not operate separately. Each one defines a focal aspect of the mainframe of the security problem and a method for ordering priorities, but all of them are linked together by a strong linking network” (Buzan 1991: 19-20). After this Buzan delimits the “international system”, the “states” and the “individuals” as “objects of reference” and the military, political, economical, societal and environmental spectrums as potential sources of threat for the respective “objects of reference”. However, for Buzan, at least in this work, the main object of reference of any security analysis must remain the *state*.ⁱ

Notwithstanding the criticism and disputes the book raised, or perhaps exactly because of that, it has become one of the major references in the study of international relations. A commenter, Ken Booth, wrote in 1991 about the volume: “...it remains the most complete and complex theoretical analysis of the concept of security in the literature of international relations until now

ⁱ Critiques were present, of course – why not the “individual”? -, and this option of Buzan was attributed to his “neo-realist” past.

and, since its publication, we, the rest, still write its footnotes” (Apud Bird and Coft 2001). The 90s mark the appearance of a true reflection school, in which other researchers wish to develop and elaborate the model suggested by Buzan. The group would later be called the “Copenhagen School”. The culmination of these efforts is the work dated 1998, *Security: A new Framework for Analysis*, in which the authors continue the analysis of security in military, societal, economic, environmental and political terms. These dimensions operate at different levels: states, groups of individuals (nations), regions or global contexts. The model is willowy and sufficiently subtle to include issues ignored for too long: poverty, migration, human traffic, environmental risks, and economic or political threats.

The conceptualization of security has gone further within the school. Ole Waever, for example, opens in 1995 the problem of security to its approach as the “state’s” “discourse”, and from here emerges the ambiguous relation between the two. Waever talks about the “existential” threats addressed to the states and individuals, hence the appearance of the concept of “securing” with reference to the *object* and *strategies* of security, crucial in the analyses of this polymorphic school, which comprises researchers coming from neo-realism, as Buzan, or post-structuralists, as Waever. The importance of the school, despite the criticism over years, is enormous, and not only on theoretical level (see McSweeney 1999). A fundamental fact for our goal is that it was felt in the strongest military alliances of all times.

In 1991, at the *summit* in Rome, NATO decreed – in a language that conspicuously reminds that of the Copenhagen School - that the security now has five dimensions: *military, societal, political, economical, and environmental*. It is the most durable and concrete performance of this perspective: it puts its mark on the highest level of global politics. One more reason for being assumed at its real magnitude.¹

i Romania, in its turn, today is a NATO member state, obliged to conform its security apparatus to the requests resulting from this adherence. We refer to the elaboration of national security doctrine and, accordingly, to the definition and elaboration, depending on this doctrine, of all the logistic apparatuses – military forces, special services, legislation, intellectual and academic centres, research institutes, conferences, publications, encyclopedias etc. – for putting it into practice, with all its components. In addition, all the complexity of the security problem is one of the elements which make the Black Sea, including the Republic of Moldova, a target of maximum interest for Romania.

OSCE and security – the *human dimension*ⁱ

With 55 participating States the OSCE can claim to be *the largest existing regional security organization*. Its area includes continental Europe, the Caucasus, Central Asia and North America, and it cooperates with Mediterranean and Asian partners. The OSCE thus brings together the Euro-Atlantic and the Euro-Asian communities, “from Vancouver to Vladivostok”ⁱⁱ.

Since the beginning of the Helsinki process in 1973, the CSCE and now the OSCE, has taken a broad and comprehensive view of security. The protection and promotion of human rights and fundamental freedoms, along with economic and environmental co-operation, are considered to be just as important for the maintenance of peace and stability as politico-military issues, and as such are an integral component of the OSCE activities.

Security-building measures (like the Vienna Document) confirm that mutual relations focusing on security should be based on a cooperative approach and that no State should strengthen its security at the expense of other participating States. Co-operative security presupposes non-hegemonic behaviour on the part of participating States; it requires a true partnership based on mutual accountability, transparency and confidence at both the domestic and the foreign policy level. This principle of co-operative security is reflected in the fact that all States participating in the OSCE activities have an equal status and that decisions are made on the basis of consensus.

The comprehensive nature of security in the OSCE context is closely related to the Organization’s co-operative approach to solving problems. Starting from the premise that security is indivisible, participating States have a common stake in the security of Europe and should therefore co-operate to prevent crises from happening and/or to reduce the risk of already existing crises getting worse. The underlying assumption is that co-operation can bring benefits to all participating States, while insecurity in one State or region can affect the well-being of all. The key is to work together, achieving security together with others, not against them.

i This section is based on OSCE Handbook, 2002 (www.osce.org).

ii On 22 July 1999, the Permanent Council decided to establish an OSCE Office in Yerevan, Armenia, welcoming the willingness of the Government of the Republic of Armenia to intensify OSCE activities in the country. Following the ratification of the Memorandum of Understanding between Armenia and the OSCE, the Office began operations on 16 February 2000. According to its mandate, the Office will work to promote the implementation of OSCE principles and commitments and establish and maintain contact with local authorities, universities, research institutions and non-governmental organizations. It is led by a Head of Office, assisted by a team of five experts seconded by OSCE participating States.

“We are determined to learn from the tragedies of the pas

The Vienna Mechanism adopted by the Vienna Follow-Up Meeting in 1989 provides for the exchange of information on questions relating to the *human dimension*. The mechanism obliges participating States to respond to requests for information made by other participating States, and to hold bilateral meetings (should these be requested by other participating States), and allows participating States to bring situations and cases in the human dimension to the attention of other participating States.

The term “human dimension” refers to the commitments made by the OSCE participating States to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote the principles of democracy and, in this regard, to build, strengthen and protect democratic institutions, as well as to promote tolerance throughout the OSCE area. *OSCE participating States have pledged to respect a number of commitments, which are politically binding.* Since 1990 the OSCE has developed institutions and mechanisms to promote respect for these commitments, such as the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, the Representative on Freedom of the Media and the Missions and other field presences.

OSCE commitments in the human dimension are unique since *they extend far beyond the standard protection of human rights and fundamental freedoms, to include the promotion of the rule of law and democratic institution building.* OSCE standards apply to all participating States; the fact that all decisions are made on the basis of consensus means that no participating State can claim that certain commitments do not apply to it. The OSCE approach to human dimension issues is also unique in that the co-operative approach to security aims at assisting rather than isolating States that fail to live up to their commitments. Like other OSCE commitments, those in the human dimension have their roots in the Helsinki Final Act. First conceived as a general political framework to guide the relations of States vis-à-vis their citizens, the human dimension evolved to include specific commitments and mechanisms designed to ensure their implementation.

B. The Security Dilemma in the Black Sea

In the second part I shall present what the most vivid debate is that goes on in the region and in Brussels, Washington, Istanbul or Moscow, namely, the argument between those who promote a local perspective on the Black Sea human security and those who promote an international perspective on the

Black Sea human security. I shall underline the arguments, without any irrefutable conclusion – the debate is still going on, and the dossier is open.

1. An International Perspective on the Black Sea Human Security

The main argument here is that *NATO should be involved in the Black Sea* (internationalization of the Black Sea) – for some reasons:

The first argument: failure of the EU constitution and its effects on the East area

One of the effects of the blockade apparently reached by the EU is *the spiritual state of the population* from the “grey area” of the adherence, namely those states that have made revolutions (or evolutions) (also) for contiguity, then for integration in the EU. Faced by a refusal, we can expect that, gradually, they would go back, i.e. to where the “colourful revolutions” got them out from for a big period of time... Signs of satisfaction in this sense were already recorded in the capital of the Russian Federation. According to RIA Novosti, on June 7th, 2005 Alexei Makarin from the Centre of Political Technologies in Moscow declared the following, a reaction to the failure of the EU referendum: “in this situation, Russia has an opportunity window. Unlike the EU and the antagonisms between the states from which it consists, Russia exercises only one political will. Russia offers its neighbours concrete and lucrative economic projects, not only hope of integration in a far future. At the same time, Russia asks for much less in return from its neighbours. On the contrary, every step towards the European integration, even the most primary, is accompanied by numerous economic and political conditions. This is why, after the wave of colourful revolutions, the pendulum can go in the contrary direction. The labour parties from Georgia, the Progressive Socialists from Ukraine and the Rodina Movement from Moldova, which support the integration with Russia, could benefit from a big chance.”

This opinion was not the only one. According to *Russia Up to Date Agency*, Alexander Dughin, geo-politician, the leader of the Euro-Asiatic International Movement, created on the basis of the pro-presidential movement, “Euro-Asia”ⁱ, publishes a significant article titled “The Failure of the European Constitution – a Chance for Russia”, in *Rossiiskaia Gazeta* at the beginning of June. The voice of Dughin is not the only one in this matter, but he is prob-

ⁱ Alexander Dughin was one of the founders of the National-Bolshevik Party (the holder of the party member card no.2, and no.1 was reserved for the leader of national-Bolsheviks, Eduard Limonov). The “Euro-Asiatic” ideology of Alexander Dughin is based on the priority of the state’s interests, counteract of the world globalization and “fighting Americanism”.

ably the most articulate. We give his text much credit for indicating a clearer style of thought and approach.

In Dughin's opinion, "the European integration represents a geopolitical process, a result of two rather different vectors. The increasing confrontation of these two vectors was the factor that generated the present European crisis. The problem resides in the fact that, in the first stage – 60s-70s, the process of European integration was prepared exclusively in the mainframe of Atlantism strategy – under the control of the USA and in the interests of NATO." We are talking about the consolidation of the Western world before the "Soviet threat". This was a stage of a strategic plan in the spirit of dual logic of the "Cold War" – "*capitalist Atlantism*" versus "*Socialist Euro-Asiatism*". The stagnation of this NATO version of Europeanism still exists today. This phenomenon can be named "Euro-Atlantism". In this process, "a primary role comes, as always, to the United States and their close ally on the Old Continent, Great Britain, as well as to the newly entered states (not without pressures from the USA) from the East Europe and Baltic region. The Euro-Atlantism anticipates NATO's subsequent expansion to the East and follows the traditional line of the "Cold War" geopolitics, even if one without ideological significance."

The *Euro-Atlantism* insists on accepting former soviet republics, now "orange" – Ukraine, Georgia, Moldova, to NATO and the EU. It stands for the admission of Turkey, makes pressures on Moscow in regard to "human rights" and Chechnya, attentively and tolerantly observes the separatist tendencies from the North Caucasus and Povoljie. The Euro-Atlantists count on liberal ideology, called on to make the European economy and socio-political system closer to the ones in the USA.

Rejected by the French and Dutch, the project of European Constitution was elaborated by Euro-Atlantists and reflected their major priorities – equality in rights for all the countries, orientation towards the acceleration of including the CIS countries and Turkey in the EU. After the collapse of the USSR, another vector was observed in the European Integration, embodied in two giants of Europe – France and Germany, two countries with the most evolved economies and industries, with profound social (anti-liberal) tendencies. During the European integration, around the Paris – Berlin axis a second alternative gradually began to form – the identity, nucleus of "another Europe". This phenomenon can be called Euro-continentalism. The essence of *Euro-continentalism* resides in the fact that the unified Europe is not thought of as a satellite of the USA and not as part of the Western world in the middle of vertiginous globalization, with a unique system of values, but as a geopo-

litically and historically independent subject with its own agenda, interests and with its own cultural, social and economic specifics. The Euro-continentalism refuses the logic of “Cold War” and anti-Euro-Asiatism, especially because the ideological motives are history. In the opinion of Euro-continentalists the “community of values” between Europe and the USA means less today, and the difference in interests of the Middle East and Eurasia is, in its turn, more and more evident.

As a conclusion, Dughin states: “Totally unexpectedly, after its colossal failures in geopolitics in the post-soviet area, Moscow has got a chance. The strike made by the French to Euro-Atlantism is especially advantageous for Russia. From now on, the chance of fast integration in the EU of the “orange” opponents from CIS has fallen out, the Euro-Atlantism has weakened and, in consequence, the positions of Russia consolidated. Now for Moscow it remains only to correctly and efficiently use the failure of its opponents.” The Republic of Moldova must correctly evaluate the current situation and decide firmly the direction it will follow in the far or near future.

Security reasons

President Traian Basescu has recently acknowledged publicly that the Romanian-American partnership is based on two elements: legal and active military presence of the American forces at the Black Sea “by establishing new bases in the Black Sea area” and the *internationalization issues of this area*, which is one of the mechanisms that guarantees peace in the area. Here we can mention about the comparison with the Mediterranean Sea, the former area of conflicts, until its internationalization and the final establishment of the VI American Fleet and other forces in the area. This would be the solution for the Black Sea, too. Today, the Black Sea is under the control of the Russian Federation (with its 6 bases), but the latter does not assure the type of internationalization of the Black Sea that would generate stability and democracy in the area. (Dungaciu 2005).

There is something more to add to this topic. It regards extremely interesting news. On June 12th, 2005 Lenta agency announced that the Italian vice admiral Ferdinando Sanfelice di Monteforte, commander of the united military marine forces of NATO in Eastern Europe, warned that in 2006 the “Active Endeavour”, antiterrorist mission that is carried out for several years in the Mediterranean Sea, will expand to the Black Sea, too. Here the position of the Russian commentator after hearing the news is also interesting. This is what the cited agency writes: “The way of carrying out the *Atlantization* of the Black Sea will be seen by the way in which the *Active Endeavour* opera-

tion evolves in the Mediterranean. On the background of this operation for the first time article 5 of the status of NATO was applied on September 12th, 2001, on the day after the attack on WTC. Formally, *Active Endeavour* has begun on October 26th, 2001, at the same time with the issue of the formal order, in the Southern perimeter of the Mediterranean. On that day NATO ships proceeded to the actual course of the operation, supporting the international campaign against terrorism. Officially, Russia cannot forward any requests to the Organization. With the exception of Russia, Georgia, Turkey, Bulgaria, Romania and Ukraine have an exit to the Black Sea. Even if they are not members yet, Georgia and Ukraine strongly support NATO. As to Romania, Bulgaria and Turkey, they are already members of the Alliance. Russia is practically alone. There is only one thing left for it: following the British saying – *If you can't beat them, join them*, to sign the mission. This way, Moscow will be able, to a certain degree, to protect its interests in the region.

And let's not forget that there is the problem of Crimea, of Sevastopol Ukrainian harbour – the main base of Russia's fleet from the Black Sea. According to the same comment, Kiev is so eager to join NATO as Tbilisi is, and they will undoubtedly try to use *Active Endeavour* in their own favour. "It is more than sure that the presence of the Russian fleet in Sevastopol will stop after 2017. If until that date Ukraine and Russia will keep the same political direction, in 2018 Sevastopol will become a NATO base." The "internationalization" of the Black Sea is a process from which the Republic of Moldova won't stay away. The access to this process crucial for the area can be made only by the firm and total opening to the process of joining the North-Atlantic Treaty Organization.

Political reasons (internal reasons)

Integration in the EU and NATO cannot be seen as two different processes, at least at first. The idea of NATO as a *political project* is essential. This is the reason why, for example, the declarations of some Ukrainian officials according to which "if we would take care of Ukraine's military aspect it would have the possibility to join NATO in 2-3 years" must be read with seriousness. Ukraine does not have clear chances for joining NATO this soon, and the elections starting from 2006 may be decisive. The reason? NATO is not only a *military project* (Iceland, NATO member country, has no army, and North Korea, even if one of the most advanced armies in the world, with this regime, will never join NATO), but a *political* one, as well. The democratic values, in the first place, must be defended and *politically* exported. So, at least for the first instance, we can talk of *complementarity* between joining the EU and NATO. Therefore, we refer to the "*non-military*" functions that

NATO carries out and which, although left aside by some authors, are crucial for any regional evolution. These functions are of extraordinary importance, especially in the area that belonged to the USSR and where societies have not yet found the balance necessary for functioning adequate to their objectives. These societies lack the *mainframe* in which they would function adequately. Now we come to the crucial function that NATO could fulfil: that of *rationalising* a society. The obvious *systematic* crisis suffered by the states in the area – crisis of functioning of the institutions, democratic deficit, elite selection etc. can be passed over only by changing the *rationality regime* of the system in its integrity. These major modifications – as in the case of Romania and Bulgaria, for example – are not taking place (only) in the interior – they happen much faster and more efficiently when the *mainframe (form)* of the evolution of processes is established from the exterior. NATO could function as such a mainframe, the most plausible by now and one that could generate the necessary change of the system of functioning (social, political, economic etc.) of the states from the area of the Black Sea that have not yet integrated, including the Republic of Moldova. More than that, the Republic of Moldova and the other states from the region do not need to direct their projects of Euro-Atlantic integration only towards the EU. They have to try alternative solutions as well, and the most accessible today is NATO. In addition, it is more realistic as well, in conditions in which the EU seems to be more aggressively going to the *closing* of the doors and not their *opening*.

2. A Regional Perspective on the Black Sea Human Security

A regional perspective argues against NATO presence in the Black Sea. The main argument is the Montreaux Convention.

The Montreaux Convention was signed on 20 July 1936 by Turkey, Great Britain, France, Bulgaria, Rumania, Greece, Yugoslavia, Australia and Japan to resolve the issue of warship passage of the Bosphorus and Dardanelles (the Straits) by warships. The conference had been called by Turkey in order to clarify the 1923 Lausanne Treaty. Turkey cannot prevent the international use of the straits because navigation through both the Bosphorus and Dardanelles is unrestricted under the 1936 Montreaux convention which provides safe passage for commercial traffic at all times except during the war. In practice the Convention did not hinder Soviet naval forces from traversing the Bosphorus/Dardanelles into the Mediterranean, nor did it prevent NATO naval contingents from entering the Black Sea. US Navy ships regularly steamed into the Black Sea, to demonstrate freedom of navigation and exercise the provisions of the Montreaux Convention which govern passage through the Dardanelles and Bosphorus Straits. On 13 March 1986,

two American warships, the guided missile cruiser USS Yorktown and the destroyer USS Caron cruised through Soviet Crimean territorial waters, provoking a formal protest from the USSR five days later (Daly 1997).

3. Pro and against Montreaux Convention

The Montreaux Convention is the *motif*, not the reason, to block NATO in the Black Sea. According to the experts, there are several strong arguments against the Montreaux Convention (Daly 1997):

1. One aspect of the treaty that gives Turkey great bargaining power in the changed political climate is the “clause that allows the Treaty to remain in force for twenty-four months after a signatory repudiates it. While Turkey and the original signatories have this right, the new Black Sea nation-states do not, as they did not sign the document. In place of the USSR, four new riparian states now bordered the Black Sea; Moldova, Ukraine, Russia, and Georgia, none of whom had signed the Montreaux Convention”.

2. The United States and other non-riparian states can argue from a “number of legal viewpoints that they should be allowed naval freedom of action as regards the Straits”. One basis for discussion could be the notes given to Turkey following the Potsdam Conference, in which the U.S. recognized the need for revision of the Montreaux Convention.

3. The treaty could no longer respond, in technical terms, to the evolution of the weaponry, as well as the regime of the straits (Turkey itself in its reply to a Soviet note in 1946 suggested this as a basis for convening a conference (which was to include the United States) for discussion).

4. Supporting the technological argument for the need to revise the Convention would be the *rebus sic stantibus* principle of international law, which postulates that all treaties are tacitly concluded under the condition that the treaty remains in force only as long as the circumstances under which it was concluded and to which it applies remain substantially the same. It was this argument that Russia herself used in 1870 unilaterally to abrogate the 1856 Treaty of Paris clauses restricting her naval development on the Black Sea. The same legal principle could be used by Russia in regards with the 1946 Soviet-Iranian Caspian agreement.

5. A further factor affecting Montreaux Convention considerations is technology. The growth in size and destructiveness of warships in the last sixty years, combined with the new political realities of new nation-states and

vastly increased trade throughout the region would all seem to underscore the use of this argument (ibid.).

6. The very definition of war and peace is different now than 70 years ago. In the condition of the war against terrorism, blocking NATO outside the Black Sea is no longer an option! For Romania the solution will be that all NATO countries could participate at the security on the Black Sea and the operation *Active Endeavour* to be extended on the Black Sea.

C. Conclusions

The consequences of non-involvement of the Euro-Atlantic institutions in the Wider Black Sea Area are extremely negative, and it is upon them that the regional actors, including Bucharest, must concentrate, because *the failure of the policy of expansion of the EU and NATO to the Black Sea* risks to generate a period of instability at the EU frontier from several reasons:

1. The public pressure of generations from limitrophe countries oriented to the West and which do not have the nostalgia of "welfare of the former USSR" any more, generations that grew, and were educated in the "European idea" (to which they attribute even more significations), which cannot be turned back any more, since the aspirations had been unleashed. In addition, these generations do not longer speak Russian well, because the significance attributed to the Russian language is not the same.

2. Even in case of a massive tilting over to the East of these states abandoned by the Euro-Atlantic area, the inter-state collaboration with the Russian Federation will not be possible: the failed state status of these countries impedes them to collaborate efficiently and normally with Moscow - the elites with (economic) connections to the capital of the Russian Federation will totally and immediately control these states, because the economic/political separation in these weak and non-functional states does not function at least as it does in normal states. As soon as they are abandoned they will become Russian colonies, not states.

3. Capable of economic or political collaboration with the Russian Federation - a thing that would be normal and desirable for any state.

4. The appearance of "torn countries" in the area - discrepancies between generations and flaws within populations as a consequence of blocking the access of these states to the Western area - and the perpetuation of the state of insecurity in the region.

5. Because of this there will appear waves of emigrants and a constant pressure at the doors of the EU, doors which countries like Romania will be called to block. It will be a true "mission impossible".

6. The securitization of energetic routes is crucial; the EU cannot be based on an area providing energy in case the routes of combustible are not politically secured. In case of political-economic abandonment of the area, securitization is an illusion.

References

Asmus, Ronald D. and Nurick, Robert C. (1996) „*NATO Enlargement and the Baltic States*”, *Survival* 382, no. 2, Summer: 121-142.

Asmus, Ronald D., Konstantin Dimitrov, Joerg Forbrig (eds.) (2004), *O nouă strategie euro-atlantică pentru regiunea Mării Negre*, Institutul Român de Studii Internaționale „Nicolae Titulescu”, București.

Aydin, Mustafa (2004), *Europe's next shore: the Black Sea region after EU enlargement*, ISS, Occasional papers, No 53, June.

Bertsch, Gary K., Cassady Craft, Scott A. Jones, and Michael Beck (eds.) (2000), *Crossroads and Conflict. Security and Foreign Policy in the Caucasus and Central Asia*, Routledge, New York, London.

Bildt, Carl (1994), „*The Baltic Litmus Test*”, *Foreign Affairs* 73, no. 5, September-October: 72-85.

Bird, Tim and Croft, Stuart (2001), *The Copenhagen School and European Security*, working paper, University of Birmingham.

Booth, Ken (1991), „*Security and Emancipation*”, in *Review of International Studies*, vol 17, No. 4.

Browning, Christopher S. (2001), „*A Multi-Dimensional Approach to Regional Cooperation: The United States and the Northern European Initiatives*”, *European Security*, Vol. 10, No. 4, pp. 89-91.

- (2002), *Competing or Complementary Policies? Understanding the Relationship between the NEI and NDI*, paper presented at the ISA panel, *Europe's North: A Platform for Innovative Policies*, New Orleans.

Bush, George W. (2001), Remarks by the President in Address to Faculty and Students of Warsaw University, Poland, 15 June.

Buzan, Barry (1991), *People, States and Fear*, London: Harvester Wheatsheaf.

Buzan, Barry, Waever, Ole, De Wilde, Japp (1998), *Security: A new Framework for Analysis*, Boulder: Lynne Rienner.

Dahly, John (1997), *Oil, Guns and Empire*, www.fas.org.

Dungaciu, Dan (2004a), *Națiunea și provocările (post)modernității*, Tritonic, București.

- (2004b), „OSCE și R. Moldova – cronică unei întâlniri (aproape) imposibile”, Studii de Securitate, aprilie, www.studiidesecuritate.ro.

- (2005), „La 10 iunie, Parlamentul din R. Moldova a votat... poziția președintelui Băsescu la Summitul G8 la Chișinău!”, Flux, Nr. 23, 17 iunie.

Emerson, Michael (2001), *The Elephant and the Bear: The European Union, Russia and their Near Abroads*, Brussels, CEPS, 2001.

- (2004), „European Neighbourhood Policy – Strategy of Placebo”, CEPS Working Paper, No. 215, November.

- (2005), „The Black Sea as Epicentre of the Aftershocks of the EU's Earthquake”, CEPS Policy Brief, No. 79, July.

Herzig, Edmund (2000), *The New Caucasus. Armenia, Azerbaijan and Georgia*, The Royal Institute of International Affairs, London.

Hough, Peter (2004), *Understanding Global security*, Routledge, Taylor and New York.

McSweeney, Bill (1996), „Identity and security: Buzan and the Copenhagen school”, in Review of International Studies, vol. 22, No 1, January.

- (1999), *Security, Identity and Interests. A Sociology of International Relations*, Cambridge: Cambridge University Press.

OSCE Handbook (2002), Published by the Secretariat of the Organization for Security and Co-operation in Europe; Editorial team: Walter Kemp, Michal Olejarnik, Victor-Yves Ghebali, Andrei Androsov, Keith Jinks. Graphic design by Nathalie Mayer, Third Edition, First issued: March 1999, Second impression: June 2000 (updated text, maps and statistics) Second impression reprinted July 2002.

Terriff, Terry, Croft, Stuart, James, Lucy, and Morgan, Patrik M. (1999), *Security Studies Today*, Cambridge: Polity.

Thual, François (2004), *Géopolitique des Caucases*, Ellipses, Paris.

Zbigniew, Brzezinski and Larrabee, F. Stephen (1999), *U.S. Policy Toward Northeastern Europe*, New York: The Council on Foreign Relations.

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Human Values and Color Revolutions

The process of the USSR collapsing and the processes having emerged in the post-Soviet area were called “democratization”. This was a new phenomenon for political studies though at first it seemed that it was a courtesy to Russia that this process was not labeled “de-colonization”. However, now in the era of color revolutions we understand that actually what is happening here is qualitatively different from the developments in Africa in the 1960s.

As one of my Uzbek colleagues used to say, “A specter is haunting CIS - the specter of democracy”. What are the reasons for the emergence of this phantom? And what are the reasons it is haunting this region? To answer these questions we should remember an answer to a more fundamental question – why does this or that nation form a state, or what is the essence of the nations’ right to self-determination?

The answer here is indeed well-known: people united within nations form their states in order to fully realize their freedoms, and to ensure their own security and welfare. Incidentally, when each nation has its own state, this proves to be most effective. In this case the other nations do not hamper the full realization of the rights and freedoms of the representatives of the given nation.

The implication, following this logic is that independence in itself is not a value, but an instrument to realize a higher value – human rights. After the collapse of the Soviet Union we had independence, but no freedom. In our opinion, these new revolutionary changes aim at affirming freedoms and warrants of protecting human rights, i.e. a goal that was to be achieved through independence and for which the USSR fell down.

Not incidentally, these revolutions were welcome by the OSCE and other organizations advocating democratic principles, as well as the USA and other

western countries, for which human rights are the axis of organizing and operating their states. In contrast, the countries blaming Shevardnadze and Akayev for not acting tougher and initiating an adequate armed reaction, are states for which the human is merely an object of the state.

Color revolutions have been declared as a means to fill the form of independence with its essential content – freedom. Regardless of what will happen to the new revolutionary leaders, the success of the revolutions is conditioned by the wrath of people who have been deprived of dignity and respect. Revolutions allow these people to return their feeling of participation in state building and eventually feel as a citizen.

But why revolutions, why this process of democratization was not carried out through the classical mechanism of elections? I think the factors are both objective and subjective. Certain analyses show that the acting institutions, constitutions and election legislations are created in accordance to the will of the acting authorities and for the reason of self-reproduction, whereas any attempt in the formation of a government based on the will of the citizens is possible only through revolution. The second reason is the illegitimate governments that have formed while such pertinent institutional issues exist. The public has had very little input in the formation of these authorities and naturally, the latter pays little attention to factors regarding people, in the result of which such regimes are permeated with corruption and voluntarism.

The next factor is the communist experience of the current leaders and the lack of democratic one, which results in communist extremism smoothly transforming into populist nationalism. A buffoonery is staged with a democratic form and a criminal content, and the only way out is the public protest.

Let's go back to the beginning of the talk – why democratization acquired a right to existence in the post-Soviet area, while in other post-colonial regions it did not succeed? Among many factors we should note the modern situation of interconnectedness of all the events in the world, which otherwise is called “globalization”. The civilized world will not tolerate the emergence and establishment of another authoritarian regime. In addition, one should consider the present era of information, when it is practically impossible to hide a needle in a haystack. The second factor is actually the area where all these revolutions occurred – the neighborhood of Russia. This is a rather sensitive region in order to leave it to its own, which was the case with the majority of Asian and African countries. Of course, one should not neglect the feeling

of significance inherited from the Soviet times, particularly the high level of education.

Will these revolutions succeed? I think this depends largely on the ability to overcome the factors that have incited these revolutions. First, there is a need for institutional reforms, which will create mechanisms to balance authorities, and which won't allow incidental people to outweigh the system. It is necessary to return to the human dimension as well. When protection of freedoms becomes a political priority for the new authorities and outweighs various ideologies and intrigues, then it will become the guarantee of enduring democracy.

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OCSE in the South Caucasus: the Human Dimension

The significance of the OSCE activities in the post-Soviet area in general and in the South Caucasus in particular, can be evaluated based on numerous parameters. Undoubtedly, these activities influence the internal and foreign policies of the states in this region, the governmental and non-governmental organizations, the process and regulation of the regional conflicts and the very future of the region. Understanding the importance of all this, I would like to draw special attention to another dimension of the OSCE activities in the South Caucasus as well – to the assessment of its significance to an individual, to a “common” person, who often becomes involved in politics against his/her will (sometimes even forcedly).

Within the past years, after August 1, 1975, when the representatives of 35 states signed the Final Act of the Conference on Security and Co-operation in Europe, the world has undergone drastic changes, which touched upon the foundations of life in the OSCE countries, the destinies of their people and certainly, of each individual. Nowadays many things, which 30 years ago seemed too brave, innovative and progressive, have turned into a routine for millions of people in the post-Soviet countries, including Russia. Based in their own experiences many citizens of the former USSR were convinced in the reality of materializing the provisions of the international-legal documents, which do not only define their rights, but have a clearly defined political significance. Among these is the right to leave any country, including one’s own and return there, the right to freely search for, get and disseminate information and ideas through any means and regardless of state borders, etc.

Life has shown that human rights do not comprise a closed, absolutely perfect and complete system, devoid of internal controversies and limited by no one and nothing. This can obviously be inferred from a single fact that all these rights are not granted for instance to juveniles, infants, criminals,

mentally disabled and many other categories of citizens. For example, in many countries the law introduces an electoral requirement limiting the rights of militants, temporary residents, the illiterate, etc. Eventually the possibility of the realization of human rights is defined by politics and social-economic practice, which change in accordance with the progressive concepts of rationality and legal personality. Of still more importance is the fact that unfortunately today the somewhat complete implementation of human rights is typical only to the minority, who essentially are the privileged citizens of the world. The majority, on the other hand, is still devoid of many basic rights, including the right of nations to life, minimum cost of living and simple demographic reproduction. Hence, the expanding support for the recommendations, according to which the contemporary international organizations, including OSCE, should take the responsibility for the protection of rights and welfare of individuals, minorities, public unions and in a sense, the whole human household.

Though the political significance of the realization of human rights does not raise any doubts, till now the concrete activities towards this end remain a sphere of serious political resistance, and these very human rights appear to be one of the knots of contradictions from the perspective of both national and world politics. The outcome of this resistance and resolution of the existing controversies will largely define whether the human dimension of the OSCE policy is humanitarian, whether it becomes a measurement for freedom, justice, peace-building and cooperation within the framework of bilateral relations of the nations.

Today the integrity of the realization of citizen rights in the countries of South Caucasus is one of the most important indicators of their progress towards accessing the family of European nations. Meanwhile, this movement is hampered by new impediments and threats which did not exist 30 years ago. These obstacles appear as a result of "ill-formed states" as well as the formation of "grey" zones and regions which are not under the control of legitimate national governments. In some of these states quasi-state formations emerged, the others are simply ruled by criminal groups. Enclaves disobeying legitimate authorities often appear in the zones of local and regional conflicts, where the terrorist groups are especially active, extremist sentiments are accumulating fast and radical movements are forming.

Nowadays due to the Helsinki Process and the activities of the OSCE and the Council of Europe, the modern standards of the democratic society are consolidated more and more firmly. European Union continued the process verifying the Copenhagen Criteria in 1993. The latter unambiguously shift-

ed the issue of European membership from the dimension of debates among geographers, historians and ethnographers to the dimension of realpolitik, turned it from a past issue into a future one and filled with a constructive content. Orthodoxy and Islam, absence of Renaissance, non-Roman or non-Germanic origins of a language, “peculiar Slavonic identity” and socialist past are already not a relevant foundation for granting a country or refusing it the status of Europeanⁱ.

For instance, in terms of geography, Cyprus, which was accepted into the European Union in 2004, is not a European state. The start of the negotiations between the European Union and Turkey, the 90% of the territories of which are in Asia, makes any discussion about the eastern border of Europe and the question of how European Ukraine, Belarus, Moldova, Russia as well as the Christian Georgia and Armenia are meaningless, especially since all of them, as well as Azerbaijan, are in the Council of Europe.

However, access to Europe implies not only democratic reformations, but also establishment of economic relations capable of ensuring adequate livelihood. It is well known that according to the UN data defining the level of development with the help of Human Development Index (HDI) which measures the well-being of an average statistical individual, our countries appear in the group of medium HDI. This group comprises 78 countries with an HDI ranging from 0,799 to 0,5. The mean HDI for these countries is 0,684. Russian Federation is number 55 in this group with an HDI of 0,775. All the rest of former Soviet republics are in this group as well – Belarus (0,782; 53rd), Armenia (0,745; 72nd), Ukraine (0,742; 74th), Kazakhstan (0,742; 75th), Georgia (0,742; 76th), Azerbaijan (0,738; 79th), Turkmenistan (0,730; 83rd), Kyrgyzstan (0,707; 92nd), Moldova (0,699; 98th), Uzbekistan (0,698; 99th) and Tajikistan (0,660; 103rd). The majority of EU countries are characterized with higher HDI indices. For instance, the indices for our former neighbors in the “socialist camp” are as follows: Slovenia (0,874), Czech Republic (0,844), Slovakia (0,831), Poland (0,822), Estonia (0,812), Croatia (0,803), Lithuania (0,803), and the indices for such European countries as Norway, Switzerland and Belgium 0,939, 0,936 and 0,935 respectively. Some other interesting figures: Australia (0,936) and Canada (0,936).

As we can see, there is a significant difference, which cannot go unnoticed in the EU countries while developing a realistic political strategy based on real economic opportunities. As early as in 2002 the President of the European Commission Roman Prodi observed, “We cannot become an active agent in

ⁱ For details see O. Boutorina. *New Europeans in the new Europe. Kosmopolis. Winter, 2004/2005, No 4 (10)*

the world arena if we concentrate all our energy on newer and newer enlargements.”ⁱ and in 2004 he openly declared that “the policy of enlargement is drawing to a close, at least for the time being.”ⁱⁱ

Today these observations find more and more advocates in the countries of “old Europe”. The difficult social-economic situation in many of these countries as measured against their standards; the constitutional crisis in the European Union; the events in France in the autumn of 2005 come to prove that the issue of ensuring social human rights is valid not only for post-Soviet countries, but in the seemingly prosperous Europe.

The won and averted color revolutions in the post-Soviet area revealed the urgency of combining the aspiration for a better realization of civil rights and freedoms with the struggle for social human rights and most importantly, for the right to adequate life and work in the activities of the OSCE. The difference between the “high” and “low” 10% of the population in our countries reaches the ration 18:1 according to expert assessments. Thus, it is not surprising that the socially discontented layers of the society turn into a threat to the stability and consequently, to security, both national and international. Nowadays corruption, organized crime, terrorism, uncontrollable migration and ecological disasters are also potential sources of such threats. All this is connected to the social background where the evolution of the modern society is happening and accordingly, it implies integration and coordination of efforts and protection of stability and security based on cooperation, i.e. enlargement and increase of the role of such organizations as OSCE.

Today, when almost every other housewife who in and between soap operas watches news programs on TV and knows about the scenario and consequences of a typical color revolution, the attitude towards such revolutions and the support granted by foreign organizations differs vastly.

Without underestimating the effectiveness of such averting (or more precisely - delaying) measures as the preventive arrests of the opposition leaders, restriction of the freedom of speech and meetings, controlling the relations of the citizens with international organizations, etc. one should nonetheless accept that the major reason for the revolutionary statements of the citizens is rather the deterioration of social problems and not the existence of financial support from abroad.

ⁱ Prodi R. 2003. *Reform and Proximity* // Stern S., Seligmann E. (eds.) *Desperately Seeking Europe*. L.: Archetype Publications.

ⁱⁱ Prodi R. 2004. *The Future of the Union of 25*. *Seminares Sociales de France*. Lille, 23.09. SPEECH/04/417.

Foreign assistance to the leaders of “revolutions”, even if it is directed against corruption, embezzlement of menses, election frauds, political elites, which always prefer their personal interests over national, is a double-edged weapon. It may result not only in an increased influence, but also in the disqualification of both “revolution leaders” and foreign sponsors.

Examples of such assistance by for instance Wilhelm II, Comintern, Stalin or individual non-governmental funds financing the “champions of freedom” prove that the foreign sponsors act in their own interests and not in the interests of the population of the patronized country while paying for the changes in the social-political structure of these countries. For this very reason, it is more reliable to protect citizen rights, strengthen the political stability and national security by eliminating poverty, increasing life standards and refining functional democracy through one’s own efforts. Today in Russia the national programs declaring about drastic improvement of the life standards and quality of life can turn into a successful attempt of approximation to European standards in terms of human and not political-propagandistic dimension.

Another example of responsible politics in the interest of an individual may be the cooperation of such Caucasus countries and OSCE members as, for instance, Armenia and Russia. I do not share the opinion that “Armenia’s strategic orientation towards Russia threatens Armenia with marginalization in geopolitics.”ⁱ Similar political orientations correspond not so much to the verbal and at the same time quite disputable geopolitical structures, but rather to the root interests of Armenian residents and of the Armenian Diaspora in Russia, which comprises almost the same number as the population of Armenia. No matter how important the geo-strategic and military-political considerations are, which actually change with time, the routine life of Armenians for a century both in Armenia and Russia proves the vital importance of non-discriminating, equal relations between our two nations and their significance for the everyday routine of citizens in both countries.

Notwithstanding the numerous differences among the conflicts in Europe which became more intense or emerged in the post-bipolar period, they all share a similarity, namely, they are rooted in the violations of both citizen and social human rights. These very problems and the groups that have suffered the most are the very source for extremism, ethnic and religious conflicts and terrorism.

i G. Moskalin. 2005. Revolution of Roses in Georgia and its influence on the directions of the internal policies in the South Caucasus. Integration into International Organizations as a Guarantee for the Peaceful Resolution of Conflicts in the Caucasus. Yerevan, p. 75

As the “only pan-European organization of security” OSCE should play a key role in securing peace and stability on the European continent, where in different regions there are already certain foundations for the formation of a homogeneous social structureⁱ. This role gains even more significance given the Common and Comprehensive Security Model for Europe for the Twenty-First Century, developed by OSCE. In any region the OSCE activities can be considered effective to the extent that it contributes to the realization of basic civil and social human rights and securing a person’s individual security.

ⁱ *Founding Act on Mutual Relations, Cooperation and Security Between NATO and the Russian Federation, Brussels, 1997*

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**A Few Observations about Armenia-
Europe Relations and the Non-
Existent Public Opinion on the
Issue** (*Closing remarks summarizing
the first day of the Conference*)

I think first, one needs to clarify whether in the Armenian public there are any concrete perceptions regarding euro-integration, the advantages or disadvantages it offers and the priorities. We can state that today in the Republic of Armenia there are a number of misperceptions regarding these issues on the level of public awareness. It may sound sarcastic, but in reality discussions regarding euro-integration and other related issues do not extend beyond circles comprising certain government agencies, a few groups of experts and intellectuals, i.e. there is not public dialog and discussion about an extremely urgent strategic and vital issue for the republic or Armenia, as I see it. In this regard, the implementation of a clearly worked-out and constant campaign aimed at increasing the public awareness in Armenia gains huge significance.

It should be mentioned that at the end of the last century the people of Artsakh and Armenia had at least several causes to feel disappointed of the instable attitude of Europe. Since 1988 the so-called *euro-expectations* have quickly shifted to *euro-illusion*. This particularly refers to the resolution of the European Parliament regarding the issue of Nagorno-Karabakh adopted in summer of 1988, in which it called the Soviet authorities to respect the legitimate demands of the Armenian population of Nagorno-Karabakh. Unfortunately, nowadays the positions and attitudes of the European institutions regarding the issue of Nagorno-Karabakh differ from the previous ones. After the devastating earthquake of 1988 another myth appeared from Europe, taking the form of a project on constructing a modern town in Armenia, called Europolis. The debate having started in the Armenian society and the growing expectations from this project soon were put out again.

Armenia is not returning to the grip of the European civilization. Being a state, a culture that has been standing in the roots of this civilization, we

just reestablish our position among the European countries. Still, there are new challenges in regard with this. The well-known Soviet stereotypes of equalization and regarding the South Caucasus as one region and within one cultural-political framework currently are being exercised by the European institutions. There is no need to surrender to illusions and try to clarify which South Caucasian republic is more democratic and which is the most progressive in terms of affluence level of its population. The way to democracy will be rather long for Armenia, Georgia and especially for Azerbaijan. Within the 15 years of post-Soviet existence the societies in these three countries have developed totally different political mentalities and political values. These societies are characterized with their own perceptions of democratic principles and levels of democratization or use of violence. Demonstrating a loose attitude towards these differences, or totally ignoring them is a result of direct bias if not misunderstandings regarding local developments.

Another observation. One of the presenters suggested interesting ideas regarding Russia-Turkey relations within the framework of the Organization of the Black Sea Economic Cooperation, noting that it is not clear where the cooperation and competition between these two countries start and end. In this regard, one may simply consider the position of Turkey, a member of the above-mentioned organization, towards another one – Armenia. It is already 15 years that Turkey refuses to establish diplomatic relations with the Republic of Armenia by closing its border with this country. Another Turkish initiative, this time in the form of the Kars-Akhalkalaki-Tbilisi railway construction project, makes Ankara's political strategies of totally isolating Armenia in the region and creating new havens of insurgencies rather obvious.

It is high time for European institutions and the OSCE in particular to take a concrete and principled position towards this kind of aggressive policy. Otherwise, we will have to put up with the process of legitimizing a new challenge – implementation of a policy from the position of power.

*Expert
Agency for Legislative Initiatives, Ukraine*

**Constitutional Reform in Ukraine in
the Context of European Standards**

The presentation is based on the 2005 Council of Europe report on Ukraine and the relevant opinions of the European Commission for Democracy through Law (the Venice Commission).

Under EU - Ukraine Action plan one of the main priorities for Ukraine is to ensure democratic conduct of 2006 parliamentary elections, in accordance with the OSCE standards and OSCE/ODIHR recommendations. This fact confirms one of the main priorities and dimensions of the OSCE activity in the present and in the future and that is to secure sustainable, peaceful and democratic development of transition in post-Soviet countries. In this regard the activity of the OSCE is closely linked with the activity area of another Europe-based organization – the Council of Europe.

I would like to speak on the key document that is designed to secure preservation and proper application of democratic standards within the national frameworks, as the fundamental acts of the OSCE and the Council of Europe do at the international level. The document is called constitution.

In the view of the upcoming constitutional referendum in Armenia I would like to share with you the experience of our country and tell about some hidden hazards of the process through which we have passed. I would also like to summarize the main opinions expressed by the Council of Europe/Venice Commission concerning the whole constitutional process in Ukraine and stress out some points that the CoE was most critical about.

The Constitution currently in force in Ukraine, adopted on 28 June 1996, established a presidential-parliamentary type of institutional regime. Leonid Kuchma first sought changes to the country's political system by organising a seriously misnamed "referendum at the people's initiative" soon after being re-elected President in 1999. Due to its grave deficiencies and alleged vote manipulations, the 2000 referendum was not accepted by the international community, including the Council of Europe. The motives behind this

referendum and the whole four-year long history of pushing through the so-called "political reform" were to suit the interests of President Kuchma and his entourage - at first, to establish a pliant and controllable Verkhovna Rada (Parliament of Ukraine) and a subservient judicial branch; later, when the risk of losing the 2004 presidential elections became tangible, to weaken the office of the President.

In the aftermath of the second round of the presidential elections in November 2004, when the popular upheaval climaxed, the election contestants Mr. Yushchenko and Mr. Yanukovych upon mediation of European politicians and Mr. Kuchma reached a political compromise, which included the adoption of the constitutional amendments. The laws, included in the package compromise deal, had been signed by President Kuchma immediately after their passage in the parliament's session hall. In its statement of 15 December 2004, the PACE Monitoring Committee stressed that those provisions of the amended Constitution, which did not conform with European standards, should be brought into line with Ukraine's obligations and commitments to the Council of Europe. **The Committee was also concerned that the new constitutional changes were adopted without consulting the Constitutional Court.**

In its opinion on the Law amending the Constitution of Ukraine adopted on 10-11 June 2005 the Venice Commission criticized the following provisions adopted by the Verkhovna Rada.

National Deputies' mandate

The CoE regretted that according to the revised Article 81 § 2 (6), a deputy's mandate would be terminated on his or her leaving or not joining the parliamentary faction to which he or she belonged at the time of the election (such measures were introduced in order to hinder faction transfers of deputies). The relevant decision would be taken by the highest steering body of the respective political party, or election bloc of political party (Article 81 § 6). Keeping the proposed procedure in the Constitution gives the parties the power to annul electoral results. It might also have the effect of weakening the Verkhovna Rada itself by interfering with the free and independent mandate of the deputies, who would no longer necessarily be in a position to follow their convictions and at the same time remain a member of the Parliament. Apart of that, linking a mandate of a national deputy to membership of a parliamentary faction or bloc is also inconsistent with the other constitutional provisions bearing in mind that Members of Parliament are supposed to represent the *people* and not their parties.

The Venice Commission thus strongly recommended that the mentioned provisions be removed from the Constitution. Instead, the free and independent mandate of the deputies was to be explicitly guaranteed.

Amendments with respect to the relationship between the President, the Verkhovna Rada and the Government

As regards the relationship between the main constitutional bodies in Ukraine, the Law on amendments has brought some positive changes, increasing the parliamentary features of the political system. The text nevertheless contains some provisions that raise concern as they give certain powers to the President that might undermine the independence and effectiveness of the Government.

Coalition of parliamentary factions

Pursuant to Article 83 § 6, “a coalition of deputies’ factions and groups of deputies” representing a parliamentary majority should be formed in the Verkhovna Rada of Ukraine. Such a coalition is to be formed following “the results of elections and on the basis of a common ground achieved between various political positions”. The formation of the coalition should take place within a month after the opening session of a newly elected Verkhovna Rada or the termination of the activities of a previous coalition. Such a coalition will nominate the candidate for the Prime Minister and propose candidates for the membership of the Cabinet (Article 83 § 8).

The Venice Commission found it questionable whether such a formalised procedure for forming a parliamentary majority would contribute to enhancing political stability in Ukraine. Furthermore, it could hardly be seen as compatible with the freedom of the choice and decision guaranteed to political parties by the Constitution, in conformity with European standards in this field. Generally speaking, alliances between political parties depend on the free choice of the parties concerned, and will last as long as the governing bodies of the parties find it convenient to stick to the negotiated agreements. In addition, a coalition government may give disproportionate power to small parties and therefore be unrepresentative.

The Venice Commission assumed that following the example of the German Constitution, Article 87 of the Constitution of Ukraine, relating to the issue of the responsibility of the Cabinet of Ministers, could be amended to provide that the Verkhovna Rada may express its lack of confidence in the Cabinet only by electing a successor to the Prime Minister by the vote of a majority

of its Members. Such an amendment would allow a new majority coalition of political factions to be created within the Parliament at the moment of the introduction of the motion of no confidence.

The amendment of Article 87, again following the German example, would also implicitly require the removal of Article 90 § 2 (1), which gives the right to the President to dissolve the Verkhovna Rada in case of a failure to form, within one month, a coalition of parliamentary factions. **In Ukraine some experts regard these provisions as a tool for the President to initiate dissolution of the Verkhovna Rada exclusively by political motives especially with regard to the existing non-realistic impeachment procedures.**

Appointment of the Prime Minister

With respect to appointment of the Prime Minister and formation of the Cabinet, the changes brought about by the Law on amendments still provide for a coalition of parliamentary factions that remains empowered to nominate the candidate for the Prime Minister and to propose candidates for membership of the Cabinet (Article 83 § 8). The inability of the parliament to form a coalition and form a government will result in the dissolution of the Verkhovna Rada and extraordinary elections (Article 90 § 1 (2)). Paragraph 4 of the same article introduces a one-year ban on another early termination of the Parliament. Yet, the Constitution does not give any solution to any potential crises caused by the newly elected Parliament's inability to form a stable majority and agree on formation of the Cabinet.

Formation of the Cabinet

Regarding most Cabinet ministers, the Verkhovna Rada approves the composition of the Government nominated by the Prime Minister (Article 85 § 1 (12)). The Law on amendments has maintained a distinction between the procedure in relation to the appointment of Ministers for Defence and Foreign Affairs and the remainder of the Cabinet; the Ministers for Defence and Foreign Affairs would be appointed by the Verkhovna Rada on the *President's* nomination. The Verkhovna Rada would have the power to terminate the authority of these persons (Article 85 § 1 (12)). **Generally, such a Cabinet formation procedure can be used by the President as a tool for dissolution of the Verkhovna Rada by non-nomination of his ministerial quota in the Cabinet.**

The nomination procedure and the differences in status for such an important political organ as the Cabinet of Ministers raise concerns with regard to the necessary cohesion of the Cabinet and the exercise of its policy, especially given the specific context of the Ukrainian political system where the relations between the President and the Prime Minister may have become at times highly competitive.

Furthermore, pursuant to Article 106 § 1 and § 3, “the President ensures state independence, national security [...]” and “administers the foreign political activity of the State”. On the other hand, the government’s tasks include “ensuring the state sovereignty and economic independence of Ukraine, the implementation of domestic and foreign policy of the State [...]” and “taking measures to ensure the defence capability and national security [...]” (Article 116 § 1, §7). These overlapping competencies may be the source of future conflicts between the president and the government(s).

The prominent position of the President is further manifested by Article 113 § 2, according to which the Cabinet of Ministers is responsible not only to the Verkhovna Rada but also to the President.

Moreover, the Law on amendments has retained Article 106 § 3, according to which “the President, on the basis and for the execution of the Constitution and laws of Ukraine, issues decrees and directives that are mandatory for execution on the territory of Ukraine”. The precise meaning of this provision is ambiguous and should be clarified.

The Law on amendments has also maintained the power of the President to initiate the procedure of no confidence in the Cabinet (Article 87 § 1), as well as his or her right of legislative initiative.

The Venice Commission stated that such provisions did not seem coherent with the said aim of the constitutional reform, that is to say, diminishing the powers of the president and strengthening the parliamentary traits of governance in Ukraine.

Amendments with respect to Procuracy and judicial system

Prokuratura (Prosecutor’s Office)

Transforming the role and functions of the public prosecutor’s office to bring it into line with European democratic standards is one of the commitments

undertaken by Ukraine when it became a member of the Council of Europe.

However, the Law on amendments has introduced the previously criticised amendment to Article 121 § 5, giving institution the significant additional role of “supervision of the observance of human and citizens’ rights and freedoms and the fulfilment of laws by bodies of executive power and by bodies of local self-government”. In respect of this provision, the Venice Commission came to the following conclusions:

- the draft law continues to centralise too much power in the hands of the procuracy and the Prosecutor-General, and in particular has failed to divest the procuracy of functions intended to be only transitional;
- the draft law continues to infringe the principle of the separation of powers. The Prosecutor’s powers remain entwined with those of the legislative, executive and judicial branches;
- the draft law appears to confer powers on the procuracy which would be more appropriately exercised by the judicial branch;
- the relationship between the Public Prosecutor and the executive remains entangled and is not transparent;
- the provisions of Article 7 represent a potential threat to press freedom;
- the powers to represent the public and assert rights on their behalf are too widely drawn;
- the draft law continues to confer powers and responsibilities on the Public Prosecutor which go beyond the function of prosecuting criminal offences and defending the public interest through the criminal justice system. Such powers and responsibilities are inappropriate for conferral on the Public Prosecutor;
- the position of the Prosecutor is not in conformity with Recommendation Rec (2000)19;
- there is no independent check on the operation and management of the Prosecutor’s Office.

In this respect, the Venice Commission stated that such an extension of the power of the Procuracy went against European standards in this field as well as against the Ukrainian commitments made when acceding to the Council of Europe.

In a state like Ukraine where the purported aim is to enhance an effective political democracy, it is of paramount importance that the institution that supervises compliance with the rule of law is a non-political one.

The Venice Commission therefore strongly recommended that this new competence of the Prosecutor overlapping with the power of the Authorised Human Rights Representative of Ukraine to “exercise parliamentary control over the observance of constitutional human and citizen’s rights and freedoms” (Article 101 of the existing Constitution) be removed from the text, and the office of the Authorised Human Rights Representative strengthened.

It is also to stress that many Ukrainian experts consider the supervisory function of the Public Prosecutor to be a legal nonsense, as the relevant provision of the Constitution does not envisage the procedure of carrying out supervision and observance of human and citizens’ rights and freedoms and the fulfilment of laws by the Public Prosecutor’s him/herself.

Conclusions

President Yushchenko, while addressing the PACE in January 2005, pledged to establish initiatives to amend the constitution, "because the parliament understood that changes had to be made as a result of commitments made to Europe." However, according to the Constitution, once amended the same provisions cannot be revised again during the same convocation of the Verkhovna Rada. Hence, the adopted amendments can be revised only after parliamentary elections in 2006 (in practice, not earlier than May 2006). By that time, **a clear political commitment should be made and a draft proposal be prepared to amend the controversial provisions in order to bring them in line with Ukraine's commitments to the Council of Europe and the opinion of the Venice Commission.**

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Key Aspects of the Constitutional Evolution of the Republic of Armenia

The constitutional evolution of the Republic of Armenia may be seen as having commenced when the Constitution of July 1995 replaced the Constitution of 1978. The new Constitution contained many, though not all, of the elements which nowadays have general acceptance as being necessary in a modern democratic State, such as the emphasis on the supremacy of the Constitution over laws or other juridical acts which contradict it (Article 6), a Constitutional Court to oversee this, and the inclusion of the list of fundamental human and civil rights and freedoms contained in Chapter 2.

However, there remained room for the amplification of those rights, and the amendments which are proposed in the forthcoming Referendum contain many significant improvements, such as the abolition of the death penalty (A15); the delimitation in clear language (which closely follows Article 5 of the European Convention on Human Rights) of the circumstances in which the law may provide for the deprivation of liberty (A16); the express guaranteeing of the right of the individual to apply *inter alia* to the European Court of Human Rights for the protection of his or her fundamental rights and freedoms (A18); and the incorporation of other provisions of the Convention in the amending text.

The situation in the Republic of Armenia following enactment of the Constitution in 1995 was similar to that of other newly independent States: the admirable aspirations and guarantees set out in the new Constitution were dependent upon new laws being enacted, and administrative structures and procedures fundamentally changed (or even created, as in the cases of the Constitutional Court and the Judicial Council) in order to give concrete effect to those aspirations and guarantees.

This was a complex and challenging task. After the enactment of the Constitution there was a mixture of three sets of laws: old Soviet laws, laws passed

before 1995 and laws passed after 1995. Some of these laws contradicted each other; others were not in conformity with the new Constitution, and although the transitional provisions of the Constitution said that (existing) laws and other legal acts should have the force of law (only) to the extent that they didn't contravene the Constitution, the identification of those laws which did contravene it remained a lengthy process.

The structural possibilities for enforcing the Constitution have an important limitation: a citizen who has suffered, in person or in property, as a result of a law which fails to respect a human or civil right conferred by the Constitution, and who complains of this in a case in the ordinary courts, is not included among those who have the right to submit an appeal to the Constitutional Court seeking to have the law declared not in conformity with the Constitution (A101). Nor have the ordinary courts that right. Both of these lacunae are filled by one of the proposed amendments to the Constitution, which also create the position of Ombudsman (A83.1).

In addition to problems arising from the necessity for the State to enact new laws and create new structures to give full effect to the Constitution, there remained another problem arising from what one might call judicial tradition. The judges who held office prior to 1995 did not have experience of the legal issues which they were now required to deal with. (Neither, of course, did lawyers, law students or law professors.) Under the old system, with its absence of private ownership and primacy of state-owned property, economic disputes between citizens had been dealt with by state-operated arbitration. Now for the first time judges had the function of resolving commercial disputes arising from the new market economy. In the criminal area too, the main role of the courts had been to perform punitive functions; the question of criminal liability was essentially dealt with in the preliminary investigation.

Many citizens continued to believe that if they needed assistance they should go to the executive authority rather than to the courts. I understand that research conducted by the Constitutional Court has shown that 60% of the applications by citizens were misdirected to executive authorities which had no power to deal with them. Clearly therefore it was necessary to strengthen the authority of the courts, and to educate the public as to the role of the judiciary as protectors of their rights.

An aspect of the Constitution which has attracted particular criticism, both within Armenia and from outside, is the lack of balance between the three organs of State power - executive, legislative and judicial. Clearly those who

drafted the Constitution believed that what was required for Armenia was a strong presidency. This they have achieved.

Following the request to the Council of Europe from the Armenian authorities for an opinion, the Venice Commission drew attention to the fact that the extensive powers of the President, which are not balanced by a strong role for the National Assembly, are dangerous for the democratic life of the State and are not in conformity with Council of Europe standards.

The Constitution gives to the President of the Republic an absolute right to appoint and dismiss the Prime Minister (A55.4), to preside over meetings of the Government (A86) and to appoint the President and members of the Constitutional Court (A55.10). His right to dissolve the National Assembly is expressed in broad terms (A55.3), his right to decide on the use of the armed forces is not subject to any restrictions (A55.13), and his role in regard to foreign policy is very extensive (A55.7).

When the question of amending the Constitution came to be considered in Armenia, the Venice Commission was invited to offer its opinion on the amendments that were then proposed. This it has willingly done during the last five years, drawing on the experience it has gained since its foundation in 1990 in providing advice on the Constitutions of the newly independent States of Central and Eastern Europe. Unfortunately the amendments which were submitted to Referendum in May, 2003 contained a number of provisions which had been criticised by the Venice Commission. That Referendum rejected the amendments. However, in the case of the text which will be voted on next Sunday, the great majority of the views offered by the Venice Commission have been incorporated; and the draft, in our opinion, satisfies the basic criteria of a modern democratic State.

Here I must emphasise the position of the Council of Europe and the Venice Commission: while we have given our opinion on the proposed amendments (because we were asked to), and while that opinion is a positive one, the question of whether the amendments are or are not accepted at the forthcoming Referendum is solely a matter for the people of Armenia. If they accept the proposed text it should be because they themselves believe it will be a better Constitution.

Some of the amendments are obviously the result of necessary political compromise, since politics, as Bismarck said, is the art of the possible. Examples are the provision regarding regional governors, who are to be appointed and dismissed by the Government - but only with the approval of the Presi-

dent (A88.1); and the provision regarding the Constitutional Court, five of whose members will now be appointed by the National Assembly and four by the President (A83.1) and 55.10). I do not know whether the ambiguities (in the English translation of Articles 55, 83 and 95) regarding the balance of power between the President, the Chairman of the National Assembly and the Judicial Council in appointments and dismissals is also an attempt at compromise? If there is any ambiguity in the Armenian text (which of course is the text that matters), then it is unwise; important legal provisions should be clear.

The provisions regarding the Constitutional Court are of enormous importance, because the future constitutional evolution of Armenia will depend in great measure upon the wisdom and integrity of these nine men and women as they interpret and apply the Constitution and put flesh on its bones. In addition to their role in protecting the rights of the people against improper decisions of the Executive or the Legislature, the changes in the constitutional structures of the Republic under the amendments, if they are accepted in the Referendum, will be a challenge to the adaptability of the existing members of the Court, who will continue to serve (A117.13) and whose judicial experience up to now has been under the different constitutional order of the present Constitution. They will have to adapt their way of thinking to the new arrangements just as much as the politicians will have to. This, of course, is part of the normal process of constitutional evolution everywhere.

In my own country, Ireland, when we gave ourselves our present Constitution in 1937, under which the Supreme Court has the right to declare laws and proposed laws to be in breach of the Constitution, and therefore invalid, the existing judges - who continued to serve - had been trained in the old tradition of the supremacy of Parliament. They were at first hesitant in adapting to their new role, and at the time I was a law student they had exercised this function in only a handful of cases. Soon, however, they entirely lost their inhibitions. Likewise, in the USA the Supreme Court was in the beginning conservative in its interpretation of the Constitution but now has developed it extensively, adding life and practical meaning to the words, sometimes interpreting the text in ways that would surprise the men who drafted it (such as in relation to slavery, and the prohibiting in the last few years of the application of the death penalty to mentally ill persons and juveniles).

In Great Britain, where it has never been thought appropriate to adhere too strictly to a continental-style balance of power (the Lord Chancellor, for example, has legislative, executive and judicial functions), Parliament has tra-

ditionally been regarded as the supreme organ of power in the State. Now this ancient doctrine has suffered a severe blow with the recent enactment into domestic law by Parliament of the European Convention on Human Rights, under which the judiciary are entitled, for the first time, to review the decisions of Parliament in the field of human rights. (Curiously, the people who are expressing the most public indignation at this change are the politicians who made the change!)

So, since judges tend to be the same everywhere, I am optimistic about the continuing constitutional evolution of this great country.

Armenian Obligations to the CoE and the Process of Fulfillment

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The Process of Meeting the Commitments to the Council of Europe

After independence Armenia has adopted euro-integration as a priority in her foreign policy. It is the way which will lead to the final inclusion of Armenia into the large family of European countries as a full member. However, it should be noted that euro-integration is not merely a statement about the intention of a political orientation. It is a process of serious internal reforms directed towards the establishment of a democratic and legal state. It will be rather difficult to imagine the European future of our country without accepting and harmonizing European values.

The first significant step on the way to euro-integration was the membership to the Council of Europe. In the early and mid 90s the democratic reforms were quite actively underway, which the international community assessed as a rather positive indicator. The internal political situation in our country differed significantly from those of our neighbors in the South Caucasus. It was due to these achievements that on January 26, 1996 Armenia, the first country in the South Caucasus, got a status of a special invitee and already in March, 1996 officially applied for the CoE membership. Already in 1994 in the PACE Recommendation 1247 on the enlargement of the Council of Europe it is mentioned that considering the cultural times between Europe and Armenia, Azerbaijan and Georgia, the latter should get a chance to apply for membership on a condition that they clearly demonstrate their willingness to be considered as part of Europe. Both authorities and people of Armenia unanimously accepted this condition given the centuries-long culture and history of our people.

Our membership to this important organization could have been gained in 1999, when Georgia joined the CoE. However, for obvious political reasons it was postponed and became possible only in 2001, when Armenia joined CoE together with Azerbaijan. Then both the RA authorities and almost all the political parties were unanimous in expressing their agreement to meet all

the commitments to the Council of Europe necessary for granting a membership. The list of these commitments is rather big and comprises several parts.

Conventions

- Signature of the European Convention on Human Rights as well as its Protocols 1, 2, 4, 6, 7 and 11
- Within a year after accession ratify the European Convention on Human Rights and its Protocols 1, 4, 6, and 7. Issues regarding ratification of Protocol 6 are still fresh in our memories. There was even a moment when it jeopardized Armenia's membership to the CoE.
- Within a year from accession sign and ratify the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and its Protocols;
- Within a year from accession sign and ratify the European Charter for Regional or Minority Languages;
- Within a year from accession sign and ratify the European Charter of Local Self-Government;
- Within two years from accession sign and ratify European Social Charter; European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities; European Convention on Extradition; and European Convention on Mutual Assistance in Criminal Matters; Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime.

Domestic Legislation

Within a year adopt the second part of the Criminal Law, and thus ratify de iure the abolition of death penalty and decriminalize homosexual relations based on compliance between adults;

- Within six months adopt a law on ombudsperson;
- Within a year adopt a law on mass media;
- Within a year adopt a law on political parties;
- Within a year adopt a law on non-governmental parties;
- Within six months adopt a law in accordance to which the confinement institutions will be transferred from the Ministry of Internal Affairs or the Ministry of National Security to the Ministry of Justice;
- Within a year adopt a law on civil service.

Human Rights

Fully implement reforms in judicial-legal system, which will guarantee

- total independence of courts;
- immediate availability of a lawyer/defense attorney during trials of criminal cases. If necessary, the expenses associated with this should be covered by the state;
- excluding discrimination against any church and religious community, in particular against those which are considered as “non-conventional”;
- within three years adopting a law on alternative army service in compliance with the European standards;
- within two years granting a right to apply to the Constitutional court to the government, prosecutor, courts of all instances and in special cases, individuals as well;
- within three years reforming the Council of Justice in order to increase the level of its independence.

The process of meeting the commitments within the framework of membership is monitored by two institutions: the Monitoring Committee of the Parliamentary Assembly of the CoE in the person of its speakers, and the AGO group GT-SUIVI.AGO, a special body created within the framework of the Committee of Ministers to monitor the process of meeting the commitments by Armenia and Azerbaijan. They regularly pay visits and prepare corresponding reports on the developments in the process as they have observed for the PACE and Committee of Ministers.

The process of meeting the commitments should have ended in 2004. However, considering the issues regarding Constitutional Amendments, the CoE has put off the deadline till the end of 2005. Therefore, the Constitutional Amendments have not only a domestic significance, but external as well, since the positive outcome of the referendum will allow us to complete the process of meeting the CoE commitments, walk out of the CoE supervision/monitoring phase and launch a new, equally significant, one – post-monitoring phase, where the focus will be on the implementation of the already adopted legislation.

Within the CoE framework the process of developing a pan-European legal documentation still goes on, and this year Armenia has already signed a number of new conventions, among which the Convention on Action against Trafficking of Human Beings, Framework Convention on the Value of Cultural Heritage for Society, and two other conventions – Convention of Pre-

vention of Terrorism and Convention of Laundering, Search, Seizure and Confiscation of the Proceeds from crime and on the Financing of Terrorism, which the RA Ministry of Foreign Affairs signed during the meeting of CoE Committee of Ministers on November 17.

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**The Role of NGOs during the
process of proposed Constitutional
Amendments in Armenia**

“The true indicator of democracy in any country is not the fact whether the government is presidential or parliamentary, but whether this system is established in the result of free elections”, stated the first President of Armenia Levon Ter-Petrosyan in his election campaign in 1994. Even earlier, in 1993, he had mentioned about the necessity of adopting the first Constitution of the Republic of Armenia through a referendum, emphasizing the active participation of the citizens in this process. Moreover, a clause was introduced that accepting a Constitution and making any changes is possible only based on the positive vote of 1/3 of the voting population. However, in 1995 the Constitution was adopted in the result of election frauds observed throughout the referendum. Large-scale frauds were registered during the NA elections as well. Not incidentally, according to the majority of experts 1995 is mentioned as the year when Armenia turned away from the straight way of establishing democratic values. Very soon it became obvious that the Constitution strengthened the position of the President by granting him super rights and the dependence of judicial power on the legislative one does not allow ensuring the natural development of the country. As early as in 1998 in his election program the future president Robert Kocharyan mentioned about the necessity of constitutional reforms. Besides, the acting Constitution was an obstacle to meet some of the commitments to CoE in 2000. In 2003 the Constitution Referendum was conducted together with the elections to the National Assembly, on the background of disputable results of presidential elections and in a situation where none of the political parties took the responsibility for the proposed changes – they had more important issues to attend. As a result, the draft was rejected.

It seemed that the period between 2003 and 2005 was sufficient time for drafting quality changes, given the fact that the CoE Venice Commission had already made more than 100 proposals regarding the RA Constitution, all the parliamentary parties and the President had recognized the necessity of changing the Constitution and finally, public organizations had

supported the idea of change. In 2004 the coalition of the governing parties started the circulation of another package of constitutional reforms, which had actually been largely criticized by both local and international experts. Not only did it lack major provisions on differentiation between the powers, it also left the impression of a hectically prepared and inadvertent document from a legal perspective. Adopting it in May, 2005, after the first reading, was more than disappointing, particularly because the previous experience had proved that the authorities were absolutely not ready to start a dialog neither with the society, nor with the National Assembly. Notwithstanding this fact, some NGOs continued activities aimed at reforms. For instance, the Public Initiative of Constitutional Reforms, a member of which is the Civil Society Institute, presented a list of 46 fundamental proposals with appropriate argumentation to the National Assembly. The main goal of this initiative was to establish a functional mechanism for the public to present its proposals to the National Assembly and to engage in open discussions (see Letter addressed to Tigran Torosyan dated 17 June, 2005.) However, the authorities totally neglected these proposals and focused all their attention on the negotiations with the Venice Commission.

It makes sense to discuss the role of Venice Commission here in some more detail. Though based on various meetings with the Commission members, I can conclude that they tend to believe or present themselves as merely a group of experts, for a long time the new CoE members consider the Venice Commission as a political body. The positive conclusion of the Venice Commission is a sound argument for the authorities to stop the discussion of any project, whereas it should be noted that the observations of the members of the Venice Commission generally touch upon fundamental concepts. However, often these experts are not aware of the local legislation or the characteristics of the local practice. It also happens that some of the observations are based on inaccurate translations. Our permanent suggestion is to submit any document to the Venice Commission for an expert assessment *only after publicizing it in Armenia*. In this case we will avoid such occurrences when after meetings with NGO representatives the experts find out facts which change their perspectives and assessments regarding the documents that have already stood the test of expert opinion.

Thus, the RA authorities neglecting the suggestions of public organizations, go on negotiating with the Venice Commission in order to clarify which concepts of the draft will satisfy the Commission, which in its turn implies that it satisfies the CoE, consequently the EU and the whole west. These negotiations resulted in the CDL (2005) 052 document, signed on June 24, 2005, which summarized all the concepts where RA authorities and Venice Com-

mission had agreed. Based on this agreement the changed draft was sent to Strasbourg where it got the approval of the Venice Commission. In the result, the draft included a number of very important democratic principles. However, notwithstanding the considerable improvement of the draft, this agreement between the RA authorities and Venice Commission was labeled a “bargain” by the NGOs and a part of the citizens – a bargain which resulted in leaving out the civil society of Armenia from the discussions on the most important document for the country. The efforts of the public organizations as well as those of OSCE and CoE offices in Yerevan to open up the floor of discussions for the public, at least during the last phase of the process, were absolutely revoked by the RA authorities, which were supported by international organizations and foreign embassies. The justification was simple: we finally have a document which has been approved by the Venice Commission and there is no need, or rather it is even dangerous to start any discussions. The parliamentary minority could have had a crucial role here, but it did not choose to return to the Parliament.

Thus, in September we had a draft where there were some solutions to the questions posed for quite a long time, but there were also questions which were addressed fully or were not addressed at all; a draft where the definitions are not clear (for the English readers I would like to note that this is a reference to the Armenian text). There are also innovations, or I would rather call them challenges, an example of which is the clause on permitting dual citizenship. In terms of suggested solutions these are underdeveloped provisions and are totally new to our society (see the Letter by the Constitutional Reforms Public Initiative to the Venice Commission dated 19 July, 2005). It is natural that the major part of the public organizations felt alienated (actually, not felt, but was in fact alienated) from all those processes. In this situation the NGOs could be classified in four groups:

1. NGOs adhering to political parties, and joining the Yes-No meaningless campaign;
2. NGOs that tried to initiate meaningful public discussions;
3. NGOs that intentionally stayed away from any discussions and tried to be a neutral observer;
4. NGOs which were totally indifferent, especially since the financial assistance of international organizations was rather limited.

In my opinion, one of the most important indicators of social development is the degree of work distribution within the society. In a developed civil society this distribution is rather dynamic, when the citizen or public organization decides when and to what extent they should take a responsibility and what issues they should address if need be. The current society in Armenia is in a development phase, which is characterized with a transition from the model “all are responsible and have legal rights to every issue” (the Soviet model: All to harvest potatoes, or All against alcoholism) to the civil society. Today the public organizations have specialized to some extent, however, the major part of the NGOs feel as if they are responsible for expressing an opinion not only in their field (being certain that there will be opinions regarding other aspects), but in our case an opinion about the whole package of proposed changes. I think this is another factor affecting their cautious remarks about the draft. I am certain that had we some more months after the publication of this document, the NGOs would have been able to present to the public their analyses of each provision, and the comparison of these analyses would allow the public to approach this choice equipped with more awareness and not hesitate facing the unfruitful dilemma of Yes or No. Unfortunately, we do not have this time.

Notwithstanding all these, a number of NGOs try to present the proposed Constitutional Amendments and their role through public discussions, debates and meetings, since we are certain that regardless of the results of the referendum, these discussions are of exceptional importance and they are useful not only for the citizens, but for the public organizations themselves.

To conclude, I would like to thank the International Center for Human Development for the organization of this conference, our partners from CoE and OSCE, as well as the experts of the Venice Commission, who supported the process of the Constitutional Amendments in Armenia.

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**Is Revolution the only Way for
Revolutionary Reforms?**

Nowadays revolution and its relation to the prospects of democratization, reformation, Europeanization (or “westernization”) and development are topics of heated discussions in the post-Soviet countries. One of the factors siring “color” revolutions is the dissatisfaction of the more progressive segments of the society - dissatisfaction with the implementation pace of the democratic reforms and commitments that will allow our countries to integrate with Europe.

Unlike other insurgent parties, the intellectual elite that has supported revolutions in Georgia and Ukraine, was fighting not so much against sluggishness or entry into power, but rather against the slowness, imitation of reforms, and stagnation that appeared under Shevardnadze and Kuchma.

If the presence of the traditionally displeased electorate as a permanent factor of internal instability and tension in our countries is perhaps inevitable, considering the numerous social issues and the challenges of the transition period, the unification of the progressive professionals oriented towards European values with the rebellious masses is not compulsory.

In general, they do not tend to resolve issues in the streets, through public activities. It is the absence of other possible means that provokes them to turn revolutionary. On the post-Soviet territory, in the context of large-scale public and political processes, this small category of people can actually be ignored. However, taking into account the fact that today it is this very category that comprises the ground for the civil society and to some extent carries out the mission of the absent or otherwise very frail middle class (i.e., the source of the stability and harmony of the contemporary social structures) its role should not be undermined.

Many western experts classify Armenia within the group of “slowly reforming countries”. In this respect, the prospects of Armenia are assessed much lower than those of other representatives of the former Soviet family, which

are rapidly overcoming (or have already overcome) the transition period (Baltic states) as well as those, the objective indicators of which are not any better or are not much better, but which in one way or another have demonstrated a strong political will and determination to drastically increase the speed of the reformation process (this refers to Georgia and Ukraine which have gone through revolutions, as well as Moldova, which, conditioned by geopolitical imperatives, made a breakthrough after the recent parliamentary elections).

What do we gain from the status of a “slowly reforming country” and the tactics of “progress with small steps” in terms of the implementation of international commitments and the construction of our future? Some experts describe the present process of reformation in Armenia and other similar countries as a transition from informal institutions comprising the existing semi-authoritarian, semi-clannish-oligarchic, and semi-criminal system to the formal institutions of European type. Here institutions refer not only to the structures and agencies, but to the legislation, procedures and relations as well...

The old system (and it should be noted that the governing bodies are mainly part of it), pretends that it accepts the reforms. However, in reality it strives to tailor the introduced formal institutes to its own interests and, for its stability, maintains the informal ones, which are based on the authoritarian methods of governance, on concentration of the political power and property in the same hands, corruption, fraudulent democratic procedures, etc. As a result, we end up not with reforms, but their imitations, the aim of which, on one hand, is not to change anything, on another - to avoid the disastrous international isolation of Armenia and get foreign aid.

One of the most vivid examples of such imitation is the situation with the Armenian broadcast media. On one hand, with the active participation of the Council of Europe and within the commitments of Armenia to CoE, several formal institutions have been launched. Specifically, the Law “On Television and Radio” prohibits the ownership of more than one TV or radio channel in the same market; bodies are formed to provide independent regulation of public and private broadcasting to ensure freedom of expression and pluralism. But these institutes were successfully accommodated to the demands of the authorities. Thus, there are facts of media monopolization, obvious for everyone, and the “independent” regulatory bodies not only do nothing to impede this process, they even assist it along with strengthening hidden censorship. Considering the significance of media, and particularly its most powerful brigade, television, for the advancement of democratic reforms, this

example allows speaking not of “progress with small steps”, but of a retreat.

How does the international community, to which Armenia has voluntarily assumed certain commitments and signed them, respond to this? Here there are enough grounds to talk about certain difference of approaches, if not of controversy. The most important international “agents of change” (OSCE, Council of Europe, organizations to the activities of which this conference is dedicated, UNDP, World Bank, USAID, European Commission) implement all or almost all of their activities through the government. In other words, they are directly involved in the introduction of those formal institutes. They have implemented numerous projects, have invested significant resources, and assess the outcomes against the huge work done. According to them, serious institutional reforms are accomplished and the progress is obvious.

However, their assessments do not correspond with the rankings of the leading international non-governmental, in particular, of human rights organizations, which focus on specific external manifestations. For instance, according to “Freedom House”, Armenia has retreated to the very bottom of the list of “partly free countries”, and since 2002 Armenian media have moved from “partly free” to “not free”.

The tough competition for resources continues in the world, and among these resources is the aid of rich countries to poor ones. The pace of reforms is an important factor in this contest. For instance, among the significant resources that Armenia has to fight for in the near future are the funds to be allotted by the European Commission within the European Neighborhood Policy and the US Government within the framework of Millennium Challenge Account (MCA). At this stage, due to much effort, we have been involved in both programs. However, the volume of this assistance and its continuity depend on the future “behavior” of the country and the assessment of the international community. The opinions of the international organizations can be decisive in this respect.

In the last annual report of the Freedom House, particularly in the section on international assistance, Armenia thrice has been mentioned in a negative context, which implied the organization’s disagreement with the US Government’s decision to include Armenia in the Millennium Challenge Account. This time we somehow slipped out, but Washington will refer back to this issue every year, and since the formal eligibility criteria of the Millennium Challenge Corporation are largely based on the rankings of international NGOs, our future is rather vague. This is only one example of how the

attitude of “major agents of change” may alter, influenced by international human rights organizations.

From the above-mentioned one must clearly and realistically understand the price of “slow reforms” and “progress with small steps” which actually turn into imitation. This understanding is of special importance to Armenia, since the issue for us is not only securing international assistance, but also solving the crucial problems in the relations with our neighbors. I believe everyone knows what I mean, so I shall not go into details, for it will take us off the topic and in a different direction.

It is these very factors that define the indifference of a part of civil society in Armenia towards the constitutional reform. Reformation of the most important institutes through amendments carries the imprint of “sluggishness” or, more precisely, of incompleteness. In this process the dialog between the group representing Armenian authorities and Venice Commission of the Council of Europe went on in a way, typical of the whole implementation of Armenia’s commitments to CoE. The first conceded only in cases when it could clearly see how the successive proposal of reforms could fit into the current system. The latter, as it was obvious for an outsider, at the final phase would make only such proposals that were acceptable for the Armenian authorities. Not incidentally, in Armenia rather strong terms like “bargain” and “trade” were used to describe this dialog.

Negotiations between Yerevan and Strasbourg regarding the Constitution would have been more effective in terms of real reforms, if both parties were more attentive to the civil society in Armenia. Proceeding from the experience of democratization processes in their countries, the latter could have assessed, and with quite high probability rate, what in reality would come out of certain, seemingly progressive provisions of the changing Main Law. Thus, some solutions would have been found which would eliminate the possibility of reform imitation. However, neither Yerevan, nor Strasbourg duly used the potential of the civil society. This outcome involves the peril of a quick disappointment with the results of the constitutional reform and negative assessments regarding Armenia’s completion of her international commitments with all ensuing consequences.

The above-mentioned arguments allow concluding that in the countries lagging behind the progressive world community in their development for both subjective and objective reasons, “slow reforms” cannot be effective. Only consistent and deliberate radical steps, aimed at breaking the outdated system, are the best alternative to both imitations and revolutionary insur-

gencies. The countries themselves should initiate these reforms, supported by the international assistance, domestic intellectual elite and civil society institutions. Whereas in countries where the authorities try to extinguish the signals of reformation coming either from abroad or inside the country, instead of generating them, additional havens of dissatisfaction and instability are formed, to say nothing of the risk of serious losses in the fight for the resources above.

Thus, “color” revolutions are not mandatory or desirable for “slowly reforming countries”. The positive outcome of changing governments through revolutions is that for a short time it allows cleansing the arena of regressive informal institutions and the outdated system, and it creates an opportunity for innovating the country rapidly. The negative aspect is the unpredictability of any revolution: never is there a guarantee that in the clean field new and better seeds will be planted in time. However, this does not insure anyone from other possible unrests and does not discard from the agenda the necessity of resolute reforms, allowing to /break/free from the ties of outdated systems and to integrate with the civilized world.

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**The Role of IPAP for Georgia and
its Impact on Other Programs**

Membership of NATO and full integration to the European Union (EU) structures represent the strategic objectives of Georgia's foreign and security policy. Georgian Parliament has already adopted a National Security Concept, which reflects these objectives. Georgia is determined to develop good-neighbourly and constructive relations with all its neighbours. We wish to promote regional co-operation in the South Caucasus and in the Black sea region. Individual Partnership Action Plan (IPAP) agreed between Georgia and NATO provides a list of actions determined to meet specific criteria established by NATO. The document (IPAP is also used as a tool for necessary reforms in different fields: starting from security and defence matters to economic reform and fight against corruption. In addition, IPAP covers legal issues both at national and international level.

Objectives of IPAP can not be considered as a separate question

Georgia's rapprochement with NATO and attempt to meet the objectives laid down in IPAP can not be considered as a separate question, because these activities are linked also with the commitments and obligations taken by our country before other international organization, such as CoE, EU, OSCE, UN etc. We often witness that many requirements and standards are similar or are indirectly linked with each other.

When we talk about Georgia's intention to become a full member of EU we mean the proper implementation of the PCA and the Action Plan (as soon as agreed) within the framework of ENP at the present moment. The main task for Georgia is to harmonize its legislation with the EU aquis. Those recommendations as well as many provisions of the PCA are designed to foster economic reforms and establish properly functioning market economy.

Georgia honouring the CoE standards means the ratification of CoE contentions and respect of recommendation from the Monitoring Committee. Some CoE conventions, particularly those referring to human rights in general and minority rights in particular are incorporated into IPAP actions and represent the same part of NATO requirements. Conventions of the CoE “European Charter on Regional or Minority Languages”, “European Social Charter”, “Framework Convention on National Minorities” can be used as a vivid example in this regard. This fact underlines that all those recommendations and requirements are directed toward establishment of democratic standards, combating corruption and facilitating security and stability in Georgia.

In regard to the OSCE mission in Georgia, we can say that the main objective of the OSCE in Georgia is to promote respect for human rights and fundamental freedoms and assist in the development of legal and democratic institutions and processes, the implementation of a legislation on citizenship and the establishment of an independent judiciary, as well as monitoring elections. All these values are integral parts of the requirements and commitments of CoE, EU, NATO and UN. Georgia takes part in the international fight against terrorism by offering, among other things, its air space and airfields to support the international coalition during the campaign in Afghanistan. Georgia’s military capabilities to fight terrorist groups have been significantly enhanced. Georgia will continue to carry out enhanced border control and policing measures. All these measures are highlighted in IPAP. In addition, the OSCE provides member states with appropriate legal basis for strengthening their capacity fighting terrorism. As you are aware the OSCE's Bucharest Plan of Action for Combating Terrorism called upon all member states to ratify the 12 Universal Anti-terrorism Conventions and protocols. I mean the conventions of the UN Office of Drugs and Crime. Georgia still has to ratify 3 of those conventions, namely "Convention on the Physical Protection of Nuclear Material", signed on 3 March 1980, "Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation" signed on March 10, 1988, "Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf" signed on March 10, 1988.

The Centre for European Integration Studies, as well as our partner think tanks in Georgia, will do our best to persuade Georgian authorities to fulfil all these obligations as soon as possible.

Talking about the Conventions I referred to interests and requirements of at least three different international organisations. In spite of the fact that the

Action Plan for Georgia under ENP is still not agreed with the EU (hopefully it will happen soon), I would like to compare the 5 priorities advanced by Georgian authorities: (1) Strengthening the Rule of Law; (2) Strengthening Security and Stability; (3) Enhancement of the Four Freedoms; (4) Rehabilitation of infrastructure; (5) Education and Science. If we follow the structure of IPAP for Georgia we can see that all these priorities are directly or indirectly reflected in the text.

We can conclude that the success in co-operation with one international organization serves as a good pre-condition for the success in co-operation with other organizations. Of course, we have to realize that all the international organizations mentioned above have their particular emphasis and particular goal when it comes to details. But one common point I have to mention is the common values, which are to be established and enhanced in transitional countries like Georgia or Armenia. This demonstrates that close and intense co-operation with all leading international organizations (particularly those covering European and Euro-Atlantic geographic area) are very important and crucial for Georgia.

Under IPAP the Georgian Government is committed to solving these problems by peaceful means

According to IPAP for Georgia, frozen conflicts in Abkhazia and the Tskhinvali Region (South-Ossetia) hinder the stable development of our country. They also pose a threat to the regional and international security, as they create fertile grounds for terrorism, organized crime, and drug and arms trafficking. Under IPAP the Georgian Government is committed to solving these problems by peaceful means, in co-operation with relevant international organizations and in accordance with appropriate international standards. As a result, Georgia thrice came up with concrete peace initiatives in relation to the conflict in Tskhinvali region. Peaceful resolution of conflicts in Georgia is linked with other international organizations active in the region.

Georgian side has put forth three interlinked proposals over South Ossetia.

In a period of the past year, the Georgian side has put forth three interlinked proposals over South Ossetia. The first one was the so-called 'three-stage' conflict resolution plan, which was voiced by President Saakashvili last September at the UN General Assembly. This plan is more general and proposes a demilitarization of the conflict zone at the first stage, confidence-building and social-economic rehabilitation measures at the second stage and a comprehensive political settlement of the conflict at the third stage.

In January, 2005, President Saakashvili voiced at the Parliamentary Assembly of the Council of Europe (PACE) a more detailed Peace Plan, which deals with the future political status of South Ossetia. Finally, on October 27 in the OSCE Permanent Council in Vienna, Prime Minister Zurab Nougaideli presented a so-called Action Plan, which describes the objectives and steps the Georgian authorities intend to undertake in the coming months and in 2006 in order to achieve a final solution of the conflict. The aim of the action plan is to achieve a change in the current negotiating formula – the quadripartite Joint Control Commission (Georgian, South Ossetian, Russian and Russia's North Ossetian sides) - by the end of this year, by involving representatives of the United States and the OSCE as full fledged members of the commission. The U.S., as well as the EU, have already welcome this action plan. It is very important that the United States has for the first time expressed readiness to directly participate in the conflict resolution process in Georgia, which is of extreme importance for Georgia.

On November 15 the quadripartite Joint Control Commission, which oversees the ceasefire in the South Ossetian conflict zone, launched a two-day session in the Slovenian capital Ljubljana. The negotiations were held in Ljubljana at the invitation of the OSCE Chairman-in-Office, Slovenian Foreign Minister Dimitrij Rupel. The session mainly focused on creating an affective negotiating arrangement. The Georgian side, as I already mentioned, wants to change the current Russian-dominated format and involve the U.S. and EU as participants of the peace process. Mr. Dimitrij Rupel, opened the session, by urging the participants to pave the way for an early dialogue at the highest level. He said "that those agreements have largely failed to be implemented. Declarations of intent might be necessary but they are not sufficient. More has to be done in practice". Mr. Rupel said that demilitarization of the conflict zone is "the most immediate task" and called sides to agree on "a solid action plan which should be fully and rapidly implemented".

Georgia is also interested in enhancing and developing the North-South transport connection

According to IPAP Georgia is determined to co-operate fully with the UN and the OSCE on issues related to the resolution of conflicts and other relevant security issues on its territory. It is determined to enhance its co-operation with the European Union and implement the standards of the Council of Europe. In addition, IPAP underlines that Georgia is determined to make practical steps to promote regional cooperation in the Caucasus. Enhancement of co-operation with our neighbours is top priority for Georgia's foreign policy. After the collapse of the USSR, South Caucasus has emerged as an im-

portant geo-strategic region within which the interest of bigger players - US, EU, Russia, Iran and Turkey - cross. South Caucasus has become a central part of the transit corridor (frequently associated with the new 'Silk Road') that is to be considered as a connection among Europe-Southern Caucasus-Central Asia-China. Parallel to the development of East-West Transit corridor, Georgia is interested in enhancing and developing the North-South (Russia-Georgia-Armenia-Middle East countries) transport and energy connection. Unfortunately, unresolved conflicts in Abkhazia and Tskhinvali Region hinder the full implementation of these projects.

The current deadlock in the peace process in Abkhazia and South Ossetia represents the main obstacle both for deepening cooperation with USA, Russia and EU and developing economic projects designed for the South Caucasus. It also hinders the resumption of dialogue and development of genuine regional cooperation among South Caucasian countries. It should be mentioned that Russia's military presence in Georgia still creates serious tensions and instability in the areas of frozen conflicts. In some cases Russian peacekeepers are openly trying to prevent the reconciliation process which becomes more and more visible and realistic, in particular in South Ossetia. The population of South Ossetian region, both ethnic Georgians and Ossetians, have demonstrated their strong desire to live together in peace, prosperity and stability several times.

Unfortunately, we are facing the same situation in Gali district. The death of an ethnic Georgian, Daniel Tsurtsunia, a resident of Gagida village, who was forcibly conscripted by the Abkhaz army after a raid of group of Abkhaz militiamen on the village on November 2 represents a clear manifestation of failure of the peacekeeping mission of Russia in this region. Tsurtsunia was severely beaten after refusing to take an oath and consequently died on November 4.

Unfortunately, we are still witnessing Russia's attempt to prevent the reconciliation process

Unfortunately, we are still witnessing Russia's attempt to prevent the reconciliation process in Abkhazia and to create tensions. The Russian Federation continues to maintain illegally its military base in Gudauta, which operates without Georgia's consent and against international commitments undertaken by Russia. What are some concrete actions committed by Russian peacekeepers making peaceful resolution of frozen conflicts almost impossible?

- Positions in the separatist governments are filled with people sent directly from the public jobs in the Russian Federation, from as far as Siberia;
- Legal entities of the Russian Federation acquire property and land in the secessionist regions;
- Military personnel of separatists are trained in the Russian military schools, without shying away from openly providing them quotas;
- Russian citizenship is granted to the 80% of current population of those regions, as claimed by their leaders, who also vow to accomplish 100% of such “passportisation” of the residents in just few months;

Our policy of pro-active engagement has long-term goals to get Abkhaz society out of isolation, to expose them to democratic values and beliefs recognizing the fundamental human rights of internally displaced persons and refugees, and first of all, the right to return to their homes regardless of their ethnicity, to establish an environment of trust and mutual respect. This is the only way for the conflict resolution - cooperative efforts of the Government and the civil society to create a favourable environment through promotion of the rule of law, human rights, legitimacy through participation, creation of environment of peace and security.

South Caucasian countries have to use IPAP instruments to reach peace and stability

South Caucasian countries owing to their geographical position, history, culture and traditions, constitute a strategically important region for the USA and EU in terms of their common foreign and security policy, as well as a genuine gateway to Central Asia. Stabilizing the situation in the region, enhancing regional co-operation and establishing more intense relations with the enlarging EU and NATO represents the main task of our countries for a short-term period, and I hope that Georgian, Armenian and Azerbaijani authorities will find ways directed toward the establishment of prosperous and stable area in the South Caucasus. Peaceful solution of existing conflicts will benefit development interests of our countries, as well as major international organizations that have strategic interest in our region. In this regard, using tools provided by IPAP, as well as other action plans and regional projects designed by OSCE, EU, UN etc. represent a top priority for us and we can not afford missing this opportunity.

I sincerely hope that the future developments of the South Caucasus will allow us to build prosperous, stable and democratic societies.

Thank you for attention!

*President
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Euro-integration: Directions and Challenges of the Process in Armenia

European integration is already considered to be a state policy in Armenia. Moreover, it is a priority in the foreign policy of the country. However, we think there are questions the answers to which are essential for understanding the overall rationale behind this process. Perhaps it is necessary to reflect on the constituents of the process in some more detail:

1. External political factor

The current geopolitical developments show that the EU policy in the South Caucasus in a sense proportionates and refines the competition between the Russian Federation and the US in our region. Taking into account that an external policy directed only towards the North cannot be realistic (for a number of known reasons, which won't be discussed here), it can be inferred that in case of Armenia euro-integration is viewed as a state policy without many alternatives. It should not be doubted that the policy makers are absolutely aware of this. It's a different question though, how ready the decision makers are to implement internal reforms stemming from the logic of euro-integration. Using the word "implement" we do not mean visual, cosmetic reforms, but real non-imitation reforms which should reach to the adequate point of use and have the characteristics of an irrevocable process. Therefore, the internal political factor plays a significant role here.

2. Internal political factor

A lot has been done in terms of reforms after the independence of Armenia. But has the political elite realized yet that the existing pace is not satisfying, that it is time to implement real and irrevocable reforms? It's hard to say. It is also hard to claim that there is a political will and clear means and instruments for the sustainable and full resolution of these issues. Therefore, we have a situation when on one hand, there exists a directive of the external

policy, founded on national and state interests, including security, and on another there is inertia, founded on personal and group interests, as well as on the issues connected with the possession of present leverages. In a result, this partially ambivalent situation is projected on the society, willy-nilly depicting a skewed image of euro-integration. For instance, on one hand, we hear the same high rank state officials speak of Europe and/or euro-integration (the phrase has become quite popular among us recently) everywhere, on the other hand, through various means Europe or European values are introduced to the society covered with a dangerous and pervert veil (e.g. euro-integration has come to be identified exclusively with the freedoms for religious and sexual minorities).

Very little is said about the economic constituent. We'll just mention that we think it's of utmost importance. We won't discuss this factor in this presentation, since it has been discussed in more details in previous ones. In such a situation the public perception of the issue gains special significance. It is formed not only and not so much based on the above-mentioned factors, but in the result of one's personal approaches (in some cases objective, in some others - quite subjective).

It is worth to discuss the other major constituent of the concept of euro-integration and public perception of this process, namely the psychological factor.

3. Psychological factor (or constituent)

The psychological factor in a sense does not have a general and identical impact on all the layers and classes of the society. The form and scale of general influence is defined in the result of a partial impact of a number of constituents. Let's list some of the constituents leaving a negative impact and the target groups they influence:

- The stereotype rooted in the Soviet times, mostly regarding NATO – This mainly affects the age group above 40 and the less literate groups;
- The negative stereotype of identifying Europe with the west. This stereotype affects people when the USA is identified with Europe, and an impulse of self-defense appears to protect the national traditions. This affects large parts of the society;
- The stereotype stemming from the identification of euro-integration with NATO. This has a negative impact, since NATO is associated only with Turkey. It affects the society in large, mostly because there are numerous unresolved issues with Turkey.

- The negative stereotype resulting from either imaginary or real conflict between euro-integration and Russia. This affects large parts of the society, especially those above 40 and the groups connected with Russia in one way or another;
- The feeling of geographical (and not only) remoteness of Europe (in certain cases it has turned into a stereotype). The feeling is not explained by and/or is not based on the value system. Instead, it draws on the historical memory – past issues connected with the absence or procrastination of the expected or anticipated assistance. This influences the public in large;
- Identifying Europe with the word and/or concept “commitment” – a stereotype affecting negatively the age group above 40, the groups with secondary or lower levels of education and people leaving outside the capital city and having lower level of awareness;
- Identification of Europe with a “mechanism” fighting for the freedoms and rights of sexual, religious and other minorities, having no other wish and goals except the introduction and promotion of the mentioned “values”. This is a stereotype leaving a negative impact on quite large parts of the society, mostly non-urban.
- The hard social conditions typical to young democracies and the nihilistic electorate in the result. This constituent leaves a negative impact when the public views euro-integration as a process implemented by authorities. This affects the parts of the society that have a denying attitude towards any process associated with the authorities, mainly the socially disadvantaged population and socially vulnerable groups;
- The feeling that Europe applies ambiguous standards. This is particularly acute after different kinds of elections. In the result of this feeling, the society tends to believe that Europe mostly draws on political interests, rather than values. The contrast between the value system and interests creates a negative background which affects the public in large.

This list can grow. But even the mentioned points are enough to imagine where the roots of the challenges in euro-integration should be sought and what is more important - how these challenges should be overcome. In addition, the fact that the public awareness on the processes of euro-integration is on a very low level, and in some cases the perception is skewed, the list of the challenges can be considered complete.

Conclusion

We think that ENP can actually boost the process of euro-integration. However, it is necessary that the expected Action Plan be realistic, free of corruption risks and include a clearly defined constituent comprising public

awareness, active monitoring and objective assessment of interim and final outcomes. The AP should exclude any possibility of imitation either in form or content and should create real opportunities and pre-conditions for qualitatively activating euro-integration and its irrevocable establishment. Mess media and public organizations are essential players in this game. The active cooperation among them will contribute largely to the effective implementation of the process. The youth, including secondary school students, should also play an important role here. For several objective and subjective reasons they will be the ones who will implement the process once and for all. The youth can take on this responsibility only in case they are constantly and purposefully engaged in the process starting from today. The society should be informed accurately and objectively, in the result of which it will achieve the total perception and logical choice of euro-integration. Only then this process can be real, fundamental and effective. The mission of mess media cannot be undermined in this regard, particularly the role of television (considering that in Armenia within mess media television has the largest audience). Our task today is to present euro-integration to the public in every possible detail and direction. It is extremely important to make the process possibly apolitical. We are certain that regardless of the challenges of the process, it is a must to be honest with the society.

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The Importance of Literate PR on the Way to Euro-integration

For Armenia the European integration is indeed a direction that leaves no alternatives. As to the role and activities of European institutions, we all know and certainly accept the importance of having them represented in our country, understanding that without them Armenia would have a totally different present and future.

But here I would like to speak about a factor which is extremely important for Armenia's Euro-integration, namely, the actual awareness of the public and its involvement in the current reformation process in the country and firstly, in the process of euro-integration. Not only should Armenian citizens be able to perceive what is meant by "euro-integration" on a conscious level, they should be able to perceive this on the level of their everyday, routine life.

Is this currently the case? Definitely no. Unfortunately, euro-integration has not yet turned into such a unifying national idea, as, for instance, in the neighboring Georgia and Turkey. Moreover, there are still quite active negative factors, which impede the general aspiration of the large segments of the society towards real "euro-reforms" and integration.

I will try to briefly present several of these factors and will start with the simplest: terminology. The terminology, which is so easy to understand for the participants of such respectful conferences, transfers very little information to a common citizen. The words and phrases that we hear every day through mass media, such as euro-integration, European community, European value system, etc, not only do not become familiar to people, unfortunately, they turn into meaningless words, which do not involve an emotional tinge.

For comparison: the Soviet terminology, which often perhaps was more unintelligible, sooner or later was perceived by people, since the common person

had to use this terminology in his/her routine and the terms were very material concepts for them, which were used in the whole country. Eventually, the USSR with all its ideology was present in all homes, organizations, educational institutions, and there was no need to explain to people every other day that everything is as it should be. In short, the terminology and its material foundation comprised a complete chain. When the logic of this chain breaks, the concepts start to simply alienate from the society, and it appears that, for instance, the phrase “European value system” is simply a combination of words, since for the last 10-15 years, only a very small percentage of Armenians in Armenia have managed to understand the meaning of this value system. This is not the case, for instance, in the former Soviet Lithuania, where this value system is a routine and no questions are posed.

Moreover, it is even dubious whether we have questions at all. It is quite probable that the majority of people are simply not interested in what euro-integration means, since they do not deal with it routinely.

The next factor is the feeling of foreignness towards new concepts, which is conditioned with the limited participation in the process. It is sad, but the citizens do not yet feel any attachment towards these new concepts that surround them. To compare, I can mention that in the 90s the words and phrases like National Assembly, deputy, Prime Minister, the new state system with the introduction of the institute of the President and some other drastic changes did not originate the feeling of foreignness among the citizens of a newly independent state. The reason is that these changes reflected active public participation, and the members of the society felt attached to the introduced new institutes.

The third factor, which is extremely important, is the fact that in Armenia as well as in a number of other post-Soviet countries, the pro-Russian attitudes are still very strong, and probably on a subconscious level many perceive euro-integration within the context of anti-Russian orientation. A very simple example: we constantly face public discontent when dealing with the issue of strengthening relations with NATO and for this very reason the steps undertaken in Armenia are more cautious than for instance, in Georgia. These attitudes can be observed in any large public events, including the current campaign for the Constitutional Referendum.

Unfortunately, European institutions are perceived as an indisputable authority for a limited group of people and recently, a number of political powers tend to contrast the so-called “pro-Armenian” and “pro-European” perspectives, instead of combining them. All this results in a process, which

has a huge significance for the state. However, this process does not actually and positively reflect the public opinion and attitudes. This means that any reform which is labeled “imported from abroad” crashes into the wall of “foreignness” and the society, even if it does not fight against them, feels such deep indifference, that the reforms are once again implemented without active public participation.

In terms of public participation and perception euro-integration cannot root in Armenia spontaneously. Spontaneously it can be pushed aback. In contrast to Baltic states, Armenia has not been waiting for the reunion with Europe and after the collapse of the Soviet Union our society is extremely slow in its orientation towards the directions of future developments.

Participation of European Institutions

Many think that the very fact of existence of the European institutions guarantees the positive outcome of any project. Perhaps there is some truth in this assumption in terms of project implementation. However, for the investment of any institution the scope of civic participation plays a far more important role, which in its turn means an implementation of large-scale PR technologies before the implementation of any project.

For example, a large package of commitments to CoE has been implemented quite smoothly, and there was indeed a need to do so. However, the significance of this achievement remained unrecognized by a large part of the society, with the exception of perhaps the issues of elimination of death penalty and law on alternative army service. In addition, on various occasions quite harmful statements were used. We all have heard e.g. the statement “Europeans should not dictate us what to do”. This slogan fossilizes rather quickly among the representatives of the socially disadvantaged class and hampers the perception of any “euro-project”.

Unfortunately, back when the process was just to start the European institutions did not emphasize the demand for large-scale PR. Instead, they focused on the first legislative attempts. Perhaps at that time this choice was justified. However, it has resulted in a practice when the society does not perceive the most important legislative reforms with due consideration.

Why are the PR activities implemented today ineffective? Let’s list some of the most obvious reasons:

1. It can be claimed that the information about euro-reforms is spread in closed environments – legislative and executive bodies, media, small number of experts and analysts, who raise questions during discussions which are closed for the public. They agree and disagree among each other, come to a certain conclusion and these conclusions and perspectives remain within the same narrow environments.

2. The officials discussing euro-projects often have such a negative public image that even the most positive thing mentioned by them, many accept with open animosity.

3. The language of presenting euro-reforms is so complex and unintelligible that the common citizen cannot perceive their essence even if there is a strongest wish to do so. Unfortunately, mess media is not able to adjust the complicated official language to one that is understandable to the audience of watchers, listeners and readers.

4. Often the mess media does not even bother to look into the essence of the discussed projects on the level of its own reporters.

5. The state PR policy does not foresee a component on informing the public about euro-projects.

6. And of course, the non-stop circulation of the statement “Europeans should not dictate us what to do” is still valid, especially at the threshold of constitutional changes.

In any way, it is never late to start literate PR, especially since in our country and region the EU projects are only expanding and require higher levels of public awareness.

Who should initiate and implement PR for the public in large?

The Role of Mess Media

Today all Armenian mess media cover euro-projects in a possibly conservative, one can even say, bureaucratic spirit. Any project that includes euro-integration elements is presented to the public permeated with an exceptional terminology, which often betrays the reporter – it reveals the fact that s/he does not master the topic. Let’s summarize in several points why today the most widely spread electronic media are losing in the PR process covering euro-integration:

Poverty of genre – There is extreme shortage of talk-shows and other programs that are easier to understand. We all know that actually except H1 the other TV channels are limited to the genre of live interviews. In entertainment programs the mentioned topic is absolutely absent, but in the rare cases when it is touched upon, it is totally skewed: for instance, the discussion may evolve only around homosexuality or religious sects.

Lack of professional reporters – I think each of us who is used to watching news and reading newspapers can list name by name the very few reporters who do not make mistakes and serious errors in their discourse on European institutions and projects.

Very bureaucratic interpretations – The language is bureaucratic and complicated; interesting solutions are absent. Unfortunately, our mess media express their respect to the process of euro-integration through exceptional conservatism. They are often afraid to change the word order or the rhetoric, thus trying to avoid misinterpreting any idea. However, with this they only confuse their audiences more.

Endless circle of the same faces discussing important issues, which also means the absence of new perspectives. We don't need to go too far for an example: during the campaign on constitutional changes with all due respect to these individuals, we all managed to learn by heart all the ideas of Mr. Tigran Torosyan and Armen Rustamyan. I understand that there is also the issue topic mastery. However, it could have been possible to find new faces with new personal perspectives, whose message in media would have brought freshness and interest to the process of the campaign.

Extremely “eventful” approach – Mess media only goes on illustrating briefs, seminars and other “table” events. There is a huge lack of original ideas. This certainly reflects the overall professionalism of the mess media. However, especially within the PR context such an approach to important issues has an extremely negative impact.

The Role of Representatives of European Institutions

It can be a long discussion who is responsible for the PR of any European project – our state institutions or the institution originating the particular project. In any case, it is undisputable that before launching any big initiative it is necessary to prepare the public and approach the process with due seriousness. It is necessary to consider the major negative public attitudes, namely that

- European institutions are usually associated with demands and commitments, which is rather painful for people;
- European and international institutions are always viewed as powers giving loans to our country for some “hidden agenda”. Recently during a radio program on this very topic, the host asked me, “If within the framework of ENP financial assistance in anticipated as well, does it mean that THEY will require SOMETHING back from us?” This SOMETHING constantly involves some elements of threat, and this once again creates a feeling of “foreignness”.
- In the projects implemented by pan-European institutions the number of projects with clear social goals is small. People feel challenged to perceive the importance of such projects as e.g. fighting against corruption, etc., whereas social projects always find a positive feedback even among the most indifferent classes.

Of course, there are positive aspects of this representation as well, which should be considered, particularly, the OSCE activities in conflict prevention, the presence of election observation missions of the European institutions, certain clear components within the protection of human rights, e.g. the factor of the European Court of Human Rights.

After Armenia’s access to CoE the European Court was actually the very first institute to be perceived by people and nowadays, everybody whose rights are violated immediately states that they will apply to the European Court. This is a unique case, when the concept has entered into people’s everyday life.

The Role of NGOs

The constitutional campaign showed what the current Armenian NGOs can do and what their potential is. During this campaign our organization has been coordinating the activities of more than 100 NGOs which are involved in the awareness campaign. The impressions of these NGOs are very interesting and allow stating that at times for the PR of any concept NGOs can have a more serious role than mass media.

Specifically, they have a more positive public image. In addition, they are perceived as more authoritative institutions. NGOs should be considered as a serious potential for PR activities and before implementing any large project it is necessary to create an adequate environment, where NGOs can coordinate their work and gain real results. Certainly, there are obstacles as

well, among which are simple human ambitions, jealousy and other similar characteristics.

Notwithstanding all this, today NGOs consolidate large resources of able and active people and can take the necessary ideas to the public by serving those correctly.

*Armenian Director
AEPLAC*

Way to Europe

During the recent times, Armenia has approached the capacities of the new phase of trade and economic relationship with the EU countries. It concerns the general process of integration to the EU, as well as the general process of institution formation in Armenia.

The National Programme for Implementation of the Partnership and Cooperation Agreement between Armenia and the EU (NP PCA) aims to be a locomotive of full-scale countrywide legislative and institutional reforms in Armenia based on the accession experience of the EU new member states without the political goal of the accession itself. The Programme is currently pending to be adopted by the Government of Armenia and can also support the possible beginning of a negotiation process around a new agreement with the EU – the free trade agreement.

Taking into account that from the point of view of import taxation, Armenia is one of the most liberal countries in the world, and that in the light of the level of foreign trade liberalization, Armenia has secured the fourth place in the world, it is natural that the signing of this type of an agreement will result in the increase of export. It means that this will unequivocally be beneficial for Armenia. In this case, we will be able to enter the European market with much cheaper products.

From the perspective of the European Union, the creation of a circle of friends around its geographical territory, with whom special relationships are established, is considered substantiated and logical. The aim of the programme and its result is the involvement of these countries in the circle of interest of EU member-states as well as in the sphere of the rules of this game – although without a membership. Nevertheless, from the economic point of view, these countries will probably receive all the rights of the EU member-states except for the common governance and political belongingness to the European family. Possibly, with every single neighbor/state in trade relationships, certain “individual” regimes will be established with particular requirements. So far, there have mainly existed free trade agreements with

Mediterranean countries, including agreements of associated memberships, and the Partnership and Cooperation Agreements are in force with the CIS states (Ukraine, Belarus, Moldova, and three South Caucasian countries). Supposedly by 2008, if not a unified, then at least close to the unified format of agreements will have been worked out, which will be transformed to a new quality.

Armenia has little time for reaching a certain level of institutional development, as well as for preparing a legislative field allowing for the maximal use of the opportunities of the “New Neighborhood” program.

However, the work conducted during the last several months shows the genuine desire of the Armenian Government to make serious efforts towards the realization of the programme. An active work is currently being done towards the adoption and implementation of the PCA. Twenty-four working groups have been formed together with their leadership. AEPLAC, the Armenian-European Policy and Legal Advice Centre (EU funded project) is actively participating in this process and, according to the Government’s decision, implements all the technical support and the coordination of the programme. A Coordinating Council has been formed and is chaired by the Prime Minister of Armenia. For the first time in Armenia, special software was created - ADAMS, which is a virtual research office where more than hundred specialists simultaneously can work on legislation without leaving their work places or being out of Armenia. ADAMS is a very serious and modern tool for creating similar programs, which does not have any analogue in the CIS.

Armenia is in a real need of a single-minded reform implementation strategy. Except Russia, nowhere in the CIS countries existed the financial and human resources necessary to form their own institutions after the collapse of the USSR. Therefore, the process of institution import began to develop. However, this process was organized extremely badly. There was not a unified strategy and direction, and different institutions were copied from different places based on the knowledge of language and financial sponsorship. As a result, Armenia got a chaotic and dangerous mixture with many spheres where there are no formal institutions at all and where non-formal institutions have actively begun to fill their niche.

To compare, let’s consider what happened in the Eastern European countries, which, according to their current economic rates and, most importantly, by the stability of their long-term economic development, have considerably gone ahead. There was an external factor, that is, the European

Union, and there was the political idea of EU membership. To correspond adequately to this idea, the reformation of formal institutions began, and the rules of the game were established. As a result, today for example, the Baltic states, according to the level of their institutional development, actually are in no way inferior to the European countries. At the same time, of course, they have their own peculiarities. Presently Bulgaria and Romania are going through the same process. This is a very interesting process. A special group consisting of the members of our team, representatives of different state organizations and the apparatus of the government went to Bulgaria, Estonia and Slovenia to explore the process of institute formation. The cases of Bulgaria and Romania are interesting, because by their development level they are not too far ahead of Armenia.

Special attention shall be paid to the existence and activities of non-formal institutions. They differ from country to country. The results received in Bulgaria and Romania who passed the road of overcoming the pressure of informal institutions, and their comparative analysis speak in favor of the fact that we need a new strategy. Thus, it is possible that the National Programme, which is being prepared by the Government with AEPLAC assistance, become a “road map” for the import of institutions. It does not matter at all whether in exchange for import of institutions, we will be granted a new status or we will ever speak about EU membership. The important thing is that Armenia needs all this for a sustainable development towards the creation of a normal, civilized and dignified state.

The important thing is that in case of Armenia there should be a sequence of integration and import of institutions. There should be a precise awareness of where to go and what to do, and the obstacles and differences must be clearly realized. As a result, the Government must create a certain structure, which would deal with the implementation of this programme and which would take over the function of selection in the process of formation of its own institutions. This means that the process must be launched and then a certain mechanism and tools for going ahead should be obtained. It is not a coincidence that presently several scores of people are involved in this activity. From the organizational viewpoint at the current stage, Armenia has gone ahead of other CIS states with a “neighbor’s” status. If Armenia succeeds in adopting such a comprehensive National Programme for the implementation of the Agreement, this will be a unique case. Actually, this is an integration program with no political inferences.

But when considering all this, one needs to always keep in mind the possibility of a conflict between formal and non-formal institutions in the society.

This is one of the most important questions raised in the past year or two. Research has been conducted on the subject of how formal institutes enter into opposition with non-formal institutions, presenting as examples the CIS states. Non-formal institutes have substituted the eliminated formal institutes of the past. During this period, the former have strengthened enough. Now they must be substituted with formal institutions. This process will face a very harsh reaction. While working on the National Programme, it is necessary to find answers to the questions on how to make the formal institutes work and the non-formal institutes exist, which does not take place in the countries from where the institutes are imported. This is a very serious question.

The formation of formal institutions may last for four or five years if not more, but it is clear that just then the negotiations on signing of the new agreement will begin. The Partnership and Cooperation Agreement was signed for a ten-year period, and in 2009 Armenia will have to begin new negotiations. What will happen then is still under the influence of external and internal factors, including Turkey's possible admission to the EU, Russia's position and, finally, the internal political and economic developments of Armenia. Nevertheless, it is necessary for us to move in this precise direction regardless of the possible side factors. We are the first beneficiaries of this process, and it is hoped that the Armenian Government will proceed with the policy aimed at the implementation of this important issue.

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**The EU, NATO and Moldova:
Partnership for Stability**

In June 2005, Moldova signed a document about the development of an Individual Partnership and Action Plan (IPAP) with NATO. President Vladimir Voronin filed an intention letter to Brussels, where the idea of establishing a special partnership with Moldova had already been endorsed by the Allies. The partnership followed the Moldova-EU Action Plan, signed earlier in the year.

Why Europe? Why NATO?

A partnership of Moldova with either NATO or the EU would have sounded surreal several years ago. After the demise of the USSR, Moldova chose an ambiguous path for the future. For the decade following the gain of independence, Moldova has been shocking the international community with its parallel integration into the mutually-exclusive Europe and the Community of Independent States. Unlike the Baltics and the Central Europe, which, shortly after the start of their transition to democracy, defined the accomplishment of membership in the western security and integration structures as a primary goal of their foreign policies, Moldova has not moved much. Facing the trade-off between joining the west and meeting a severe economic strand as result of dissociating from its traditional ex-Soviet economic partners, Moldova has sought an introverted solution. The solution was found in between the two camps.

Ruled by the desire to keep both Russia and the West away, including their military, Moldova declared itself a neutral state. Nevertheless, the concept of neutrality failed to protect Moldova from foreign influence. Moldova's uninterested attitude towards Europe and NATO made the West look for partners somewhere else. That has left Moldova to the full discretion of its former metropolis. Russia quickly filled the security vacuum of "neutral" Moldova, integrating it into the periphery of its rogue post-Empire. After a Russia-spon-

sored war between the newly-elected Moldovan government and a handful of Russophile revisionists, Transnistria, an artificial separatist statelet was installed. Fostered by a strong group of politicians from the Russian Duma, Transnistria has become a haven for the murky businesses of “interested” Russians, such as arm trade, smuggling and trafficking in human beings. The risks emanated by the enclave have hampered the development of the whole country.

To keep Moldova on a short lash, Russia holds a humongous stockpile of ammunition, the guarding of which is used to justify the maintenance of the Russian military in Moldova. Russia also leads negotiations for the settlement of the Transnistrian conflict. As a result, and not without the help of various Russian interest groups, the talks have been stalled for over thirteen years and prospects of moving further in the current negotiation format are slim.

The decade-long happenings have proven that neutrality has not yielded results. Moldova had to take sides. After the adoption of a pro-European Foreign Policy concept in 2001, the signing of the two Action Plans, one with the EU and the other with NATO are the first solid engagements of Moldova.

Why Moldova?

The IPAP came timely, as big geopolitical changes have been happening around Moldova for quite a while. NATO and the EU forged a new region: the Black Sea, comprising, in its slim version, countries like Bulgaria, Romania, Moldova, Ukraine, Georgia and Turkey; also including Armenia and Azerbaijan in its wider definition. However, it should be noted that Bulgaria, Romania and Turkey are fully-fledged NATO members. Romania and Bulgaria are also future EU members, as their accession in 2007 is almost indubitable. Turkey is a notable accession candidate. Ukraine and Georgia have been running IPAPs for the last years, while NATO is straightforward in granting Membership Action Plans for the two countries in the near future. The geopolitical conditions for Moldova getting out of Russia’s captivity are now favorable as never before.

The geopolitical architecture of the Black Sea region augmented Moldova’s relevance for regional security. So did its prospects for European integration as well. Both NATO and the EU have become unprecedentedly worried with the proliferating instability on the Moldovan segment of their borders. Their future enlargement plans require the stabilization of Moldova. The documents signed this year in Brussels give good hope for that.

Nonetheless, just signing plans is not enough. Serious action and reforms are to be undertaken. None of the documents should be regarded as sign of affection from the West. Both documents are lists of standards and benchmarks Moldova has to reach before being talked to in a different manner. Both documents are calls to the identity of Moldova. Being a Euro-Atlantic country means looking like one. The IPAP and the Moldova-EU Action Plan are good chances to accomplish that. They are both grants and commitments. However, neither of the documents is a one-way ticket to Europe, nor to NATO. In the meantime, none of them is a “no” placebo for future accession. The invitation is, however, contingent upon specific realizations in reforming the country.

The Requirements and Interests of the EU and NATO

According to both plans, Moldova is bound to conduct sound reforms in its democratic institutions, strengthen the rule of law, and ensure an efficient protection of fundamental human rights and freedoms. Besides, the Moldova-EU Action Plan invokes specific changes in the economic legislation, in the business environment, standardization, protection of intellectual property rights etc. Moldova is also encouraged to work more industriously in other fields where there is still much to be desired, namely in the field of civil laws, corruption, central administration and justice reforms, etc.

Besides democratic benchmarks, the IPAP requires that Moldova aligns to the NATO standards and advances in the security sector reform, increases inter-operability with the Alliance and reshapes its defense and foreign policies. A special emphasis has been put on Moldova’s readiness to cooperate effectively in disaster relief efforts. In other words, both NATO and the EU want a stable and democratic Moldova.

The Interests and Needs of Moldova

But what does Moldova want? What does it need from these two, effort-intensive action plans?

The IPAP could create a solid ground for a more successful pursuit of the country’s key foreign policy objective: accession to the European Union. IPAP will be implemented simultaneously with the Moldova-EU Action Plan. The Moldova-NATO plan could be a powerful instrument for the European integration. The assistance provided by NATO could be a valuable contribution to the institutional, structural and economic development also required by the European integration process. By complementing the financial assist-

ance of the EU, IPAP could shorten the integration and, possibly, the EU accession period.

The fact that the authorities in Chisinau finally understood that EU accession implies, besides serious institutional commitments, a strong set of security warranties and that NATO is the sole relevant security provider is a gigantic leap in the Moldovan foreign policy. The pattern has been irrefutably valid for all EU accession candidate countries. Considering the security challenges facing the country in the present, Moldova cannot and should not be an exception. Therefore, EU integration for Moldova became closely tied to NATO.

Skeptics argue that the both the EU-Moldova and the NATO-Moldova plans are highly overrated, mostly because of their limited goal, meaning the non-accession clauses in both cases. Indeed, IPAP does not necessarily imply accession to NATO, even in the foreseeable perspective. Nor does the status of European neighbor. Moreover, a status of an IPAP-type NATO partner allows keeping the neutrality, which is convenient for the authorities, but loudly repudiated by the community of political thinkers in Chisinau. The Individual Partnership Action Plan focuses primarily on the Alliance's priorities in the region: the war on terror, military reform and maximizing security by providing political and economic benefits. IPAP benefits are significantly higher than the ones channeled through PfP. However, IPAP does not imply the security guarantees given to a NATO member and not even the ones provided to the holder of an acceding member.

The skeptics should consider learning the Georgian lesson of gradual accession. Georgia has benefited from a similar plan since 2004. IPAP brought Georgia immense support in reforming its army, secret services, border troops and senior military personnel. Moreover, Irakli Okruashvili, the country's Defense Minister, vociferated Georgia's intent to request a Membership Accession Plan (MAP) to NATO the next autumn. Georgia's progress during IPAP convinced the United States to start a Stabilization Operations Program in continuation of Equipment and Training Program Georgia benefited from 1999. Moldova has to follow the path, as the issues facing the two countries are strikingly similar.

As for the other core of the foreign policy of Moldova, namely the settlement of the Transnistrian conflict, projections are much more difficult. It is expected, though, that after Transnistria has become a major security concern for NATO, the solution will be urged, and not only by Moldova. At this point NATO cannot, as an organization, get directly involved in the settlement of

the Transnistrian conflict. The strategic partnership between Russia and NATO, and Russia and Germany could, however, feed skepticism. As for the EU, it still hasn't made up a position towards Russia and defined its interests in the area where the European Neighborhood Policy interferes with the Russian Near Abroad Doctrine. Both sides face difficult trade-offs when trying to reconcile their mutually exclusive security doctrines. Moldova should approach very delicately the Transnistrian issue when drafting the IPAP Presentation Document, so as not to scare NATO away. There should, also, be no conditionality, at least from the Moldovan side, between the conflict settlement and NATO membership, so as not to hamper membership chances.

Moldova should focus on the possibilities that IPAP could bring in terms of infrastructure development and strengthening democracy. A more attractive and democratic Moldova could impinge democratic processes in Transnistria, thus approaching the solution. Objectives of development and democracy are also more tangible for Moldova, than big and uncertain projects, such as the settlement of the Transnistrian conflict. It is advisable that Moldova takes on smaller, but more feasible projects, especially at the start of the individual partnership with NATO, when initial results are crucially important for the evolution of the close relationship.

What Do Moldovans Want?

It is also very important that the terms of IPAP do not discourage Moldova from asking for membership.

Of course, membership is not guaranteed, but, in the meantime, it is not excluded. The question here is: whether membership is wanted at all? The attitudes of the population in favor of European and Euro-Atlantic integration are affected, at the individual level, by their own values and characteristics, and at the aggregate level, by the perceptions of past national experiences and the domestic political context. The pro-European, but especially pro-NATO perception should also be examined in antagonism to the pro-Russian sentiments. Political affiliation, foreign policy orientations, pro-integration and pro-market attitudes are also found to be influential determinants of the EU and NATO approval.

EU membership is wanted by the Moldovan public. It is the core political objective of the country. According to the last Gallup poll, 77% of the population supports European integration, while only 9% opposes it. The picture gets even clearer when looking at the political affiliation figures as they relate to public support and to pro-EU sentiment.

Paradoxically, the current Communist rule of Moldova is the most pro-European establishment since the inception of the new Moldovan state. Facing the threat of an “orange revolution” in March 2005 and trying to find new supporters in the settlement process of the Transnistrian conflict, the Communists adopted a pro-European platform. They won 46 percent of the votes and retained the majority in the Parliament. After the presidential elections a month later, most of the parties in the Parliament signed an agreement to collaborate for the realization of the pro-European reform. The only party that did not join the “political partnership” was another pro-European party: the Democratic Alliance “Our Moldova”. The monitoring of the voting process showed that the “opposant” is de facto cooperating with the ruling coalition, and pro-European reform is not impeded in the Parliament.

In fact, the political support of European integration stems from the European vogue in Moldova, as the compelling majority of the parties in Moldova have pro-European programmes and slogans. The anti-European parties account for less than 8% of the country’s electorate.

As for the NATO support, it accounts for 46 percent of support. It is important to mention that, according to the same poll, 40% approve integration in the CIS. The picture gets clearer when looking at the disapproval figures: 28% are against joining NATO, while 43% repudiate CIS.

Those figures should not be disappointing for the supporters of NATO. In fact, as similar surveys show, popular support for NATO accession was always low at the start of the accession campaign. Slovenia had just 37% of the population supporting NATO accession in February 2003. The rest of the nations were not far from itⁱ. However, the intense public campaigns have done their job and public support rose till 94% in Poland, 78% in Hungary and 74% in Bulgariaⁱⁱ. Also important are the awareness factors. In 1997, almost 40% of the public in the Baltics could not formulate an opinion of whether to join or not the Alliance.

The data let us conclude that NATO integration, with its unpopular military participation and exorbitant defense expenses is an elite-driven process. As for Moldova, the pro-NATO awareness speaks for itself. With its 26% of unaware citizens, few Moldovans are able to differentiate between NATO and the EU. Judging by the frequency of broadcast messages on EU and NATO in media, NATO, or NATO integration, is almost never mentioned alone, without

ⁱ <http://www.stanford.fu-berlin.de/Slovenia/nato.html>

ⁱⁱ Tatiana Kostadinova, University of Minnesota Duluth, “East European Public Support for NATO Membership: Fears, Aspirations, and Change”, page 18

the EU and EU integration. The political discourse in Moldova made NATO and the EU appear as parts of the same Western aid package.

If, similar to the Central European countries, Euro-Atlantic integration in Moldova is an elite-driven process, then the dedication of the political establishment is crucial for the feasibility of the pro-NATO and pro-European projects. How come the Moldovan Communists are pro-NATO and pro-European? What is their motivation of being pro-EU and pro-NATO?

First, it is the factor of “color revolution”. First came Georgia; Ukraine followed up. Pro-Western forces were gaining strength in the period right before the elections to the Parliament of Moldova. The Moldovan Communists saw pro-Western slogans as protection against popular opposition during the elections period.

Second, and the most important, is the lack of internal resources for solving the domestic and security issues of the country. The Moldovan power establishment cannot solve the Transnistrian conflict unless supported by a power comparable to Russia. Moldova is facing the possibility of a protracted economic crisis, as a result of economic pressures applied for more than two months now by Russia, especially as it pertains to the fuel process and barring of imports of Moldovan wines and vegetal products. Therefore, European integration became a security, economic, social and political imperative for Moldova. Inaction of the Government, even of the communist one, could topple the Communist rule.

The facts above allow us to conclude that the Communist Party is rather pragmatic, that European and the pro-European platform is rather a survival trick than an exercise of self determination. Unlike the Georgian and Ukrainian leaders who came to power because they were pro-Western, the Moldovan establishment transformed in order to be perceived as pro-Western. Is the pro-Western face of the Moldovan communists a new image or a mask?

The attitude of the Communist establishment towards the implementation of the Moldova-EU Action Plan can answer the question. The inefficiency of the Moldovan government could endanger the European prospects of the country.

On September 14, 2005, Vice-Minister of Foreign Affairs and European Integration, Valeri Ostalep went before the European Commission with the

first of the long series of trimestrial reportsⁱ on the implementation of the EU-Moldova Action Plan. According to the same press release, generated by the Ministry of Foreign Affairs and European Integration (MFAEI), the report received positive appreciation from the European government. However, except the official auto-appreciation, the Vice-Minister was not able to mention a single specific achievement of the Action Plan, nor bring any numerical evidence on the accomplishments of his agency. Even compared to the EU-Ukraine AP, the Moldovan report is a list of shortcomings.

The first among them is the confusing structure and lack of details. The dual: narrative and chart structure of the report is mentioned in the introduction. Nevertheless, there is barely any chart, nor addendum to be found. In fact, there are hardly any numbers and figures in the report to substantiate the general statements in the report.

Second, the report lacks description on the used methodology. The low quality of the report shows the Moldovan Government has neither a proper institution, nor a functional procedure to approach the evaluation and audit of countrywide developments relating to the implementation of the Moldova-EU Action Plan. It is not a surprise though. The responsible reporting agency is the MFAEI, an institution created to work solely on bilateral affairs with various states and organizations abroad. The MFAEI cannot, as it has so brilliantly proven, lead the planning of domestic policy.

The fact that the report was elaborated based on the reports of individual ministries and central administrative bodies, rather than on the reports of an independent agency, is another lacuna in the structural and methodological design of the report. The MFAEI thus loses control on the initial reporting process, allowing the ministries to distort the facts in whatever manner they wish.

The frequent incidence of inaccuracies proves a poorly-worked integration of the ministerial reports in a single piece. Once in a while, one can find abstracts of texts that are not related to the Action Plan whatsoever. For example, page 4: “The local public elections in 11 locations in Moldova were appreciated by the observers as corresponding to the standards of the OSCE and Council of Europe”. So what? There is not a single reference to the local public elections in the Moldova-EU Action Plan. The Plan refers only to parliamentary elections. Apparently, the authors have severely and inac-

ⁱ Press release by the Ministry of Foreign Affairs and European Integration: <http://www.mfa.md/Ro/Communicate/2005-09-21VOstalepConfPresa.htm>

curately abused “copy&paste”. As a result, the report raises more questions than answers.

The bulk of the questions arise from the difficulty of tracing specific realizations in the implementation of the Action Plan. The report is plain facts. It is difficult to differentiate between the actions taken by the executive authorities in the framework of the MAEP and their routine responsibilities. Apparently, the individual ministries have been interested in this confusion, so as not to reveal their inactions. This proves that the signing and the beginning of the implementation of the Moldova-EU Action Plan did not impact the way the ministries work.

Nevertheless, there is a reason for the Government to sell its routine activity as implementation of the Moldova-EU Action Plan, and the reason is that the government in Chisinau hasn't allocated a penny for the implementation of the Plan within both the 2005 and the 2006 budgets. It looks like the Moldovan authorities have deemed the Moldova-EU Action Plan to be an instrument of solving the social and economic problems at the expense of the EU.

This severe and premeditated misdoing could come at very high cost to the Moldovan officials. Moldova could be relentlessly punished by the European institutions including limitation of the funding Moldova is supposed to receive in the framework of the European Neighborhood Policy.

The Report states: “The reform of the public administration started with the coming of a new government on April 19, 2005. The new central administration comprised 15 ministries and 13 bureaus and agencies, as opposed to 16 ministries and 17 departments in the old government”. The reform resulted in considerable staff cuts, mostly affecting the lower ministerial personnel. The fact that the laid-off people were soon rehired somehow eluded Moldova's report for the EU. The Government showed again its predilection towards reforms that lead to no changes.

Another paradox of the report is the omnipresent praise of the civil society for its realizations in the areas adjacent to the implementation of the Moldova-EU Action Plan. In fact, it turns out the civil society is the one implementing EU –Moldova Action Plan, as the compelling majority of the positive outcomes mentioned in the report were accomplished by NGOs. It is a true paradox, because the Government has steadily ignored and derided the role of the associative sector in the EU integration process. Besides, the Government failed to efficiently include the civil society in the implementation proc-

ess. Nowadays, only one representative of the civil society is a member of the National Commission for European Integration. Thus, the references to the civil society in the report are at least cynical.

The good thing about the report is that it is the proof of the political will of Chisinau to continue the judicial and political reforms, to comply the Moldovan legislation with the European one. By the means of this report, Moldova has also declared its interest in integration on various grounds, such as: economics, trade, energy transportation, environmental policy and transport infrastructure. However, it has become obvious that in the current arrangements it is impossible to generate progress in implementing reforms for European integration.

It is very important that the IPAP does not follow the pattern of the EU-Moldova AP. First of all, money should be allocated in the state budget. Judging by the present political conjuncture, European and Euro-Atlantic integration remains the only possible scenario for Moldova's future. The feasibility of the Moldovan state is, therefore closely linked with the feasibility of the two strategic programs: the Moldova-NATO IPAP and the EU-Moldova Action Plan; and the only obstacle on the way of their implementation is the irresponsibility caused by the lack of accountability and transparency.

The civil society should become more actively involved in monitoring the strategic programs of Moldova. That could not be done, however, if the EU and NATO do not force the pro-European leaders of Moldova to increase transparency at all levels.

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**Closing remarks summarizing the
second day of the Conference**

Today we have heard many speeches and discussions, and I now would like to briefly highlight ideas and thoughts expressed and exchanged today.

Mr. Aslanyan opened the First Session by presenting the process of Constitutional reform in Ukraine. The main course of this reform, as described by the presenter, is transferring some of the President's power to the Judiciary and the Parliament. However, despite the fact that the Parliamentary Assembly of the Council of Europe (PACE) and the Venice Commission have been actively supporting the process, there are still a number of challenges ahead.

Here we can find many similarities to the process of Constitutional changes in Armenia and we can say that FSU countries which have established a semi-presidential system suffer similar problems.

Next, Dr. Mathew Russell presented some highlights from the drafted [upcoming] changes in the Armenian Constitution. He especially mentioned about currently rather strong Presidential rights, which are not balanced by the power of the National Assembly and which contradicts to the CoE values and is not considered as democratic. We have also learned that there are certain amendments which are a result of a political compromise without which the process could not have gone forward.

Afterwards, Mr. Ara Markaryan presented the process of Armenia's accession to the CoE and what commitments the country has made along the way. There have been many commitments, such as abolishing death penalty, introduction of alternative service to the army, etc. which were actually accomplished. However, the fact that there are still other commitments which are impossible to meet under the current Constitution push us towards amendments.

Mr. Artak Kirakosyan then highlighted the same process from another angle. He mentioned that the need for change is natural, regardless the commitments to the CoE. Current problems do not lie in the content, but rather in the process which can be described as non-transparent and failing in certain instances. There is yet another problem, since in the Armenian society the Venice Commission is perceived as a political body. In addition, though the major changes are welcome, there are still many minor changes and nuances which are doubtful and worth attention. There are also new articles which are challenging and require public discussion prior to introducing changes, such as dual citizenship.

Thus, we can conclude that the minor changes are a result of the political process and in a way, certain compromises without which the major changes would be impossible.

Mr. Boris Navasardyan shifted the path of our day towards more conceptual rather than concrete issues. Discussing the ongoing process within the framework of formal-non-formal realities, he highlighted the fact that reform is replacing non-formal institutions with formal ones in compliance with the EU values. And as a result of slow reforms there is a certain price to be paid. Media, for example, is now ranked in Armenia as non-free, while before it was ranked as partially free. Such prices can go as high as a revolution if we don't accelerate the pace of reforms: letting them happen naturally or evolutionary as many politicians like to present them can mean slow reforms which bring about higher "prices".

Here I would like to link this topic to Dr. Tigran Jrbashyan's view on the ongoing processes, which outline a more conceptual view on the EU integration processes and ask the rhetorical question "Why EU?" As Dr. Jrbashyan has mentioned in the beginning the transitional process started with a loss of institutional capacity which led to the vacuum of institutions. So, there were two ways to fill this vacuum: it had to be filled with institutions of the authoritative system usually entangled with non-formal institutions, or with formal/EU institutions. Currently there is no other alternative to formal institutions based on EU values. However, many countries are incapable of creating such institutions with the sole use of internal resources. This is why there is a need for our countries to get EU support in filling the vacuum of institutions.

Next, Dr. Karen Bekaryan took us from the conceptual notes to the grass-roots reality. The EU integration level is perceived very differently by ordinary people. Sometimes, especially in Armenia, EU integration is stereotyped and

often identified with westernization in general, and/or is misperceived as a process against the Russian interests. Integration processes show lack of cooperation between the Government, NGOs, donor community, international organizations, and other players in this field. The conclusion is that the civil society is still fragile and the real source and basis for the development lies within youth, and the efforts should be redirected to the youth.

Ms. Lilit Bleyan enriched our awareness with the stories of real ongoing processes from which we learned that EU integration is not that popular in Armenia as it is, for instance, in Ukraine and Georgia. The main problem stems from PR activities which are very limited and do not reach the public.

Finally, in the closing speech by Mr. Timur Onica the later presented us with the similarities between Armenia and Moldova in regard with the EU integration processes. However, it should be mentioned that there are also certain differences, since geographically Moldova is in a more favorable location. We learned about the different views of the elites and ordinary people and about their perceptions of the EU. Despite the fact that both say yes to the EU integration processes, the motivations vary. The public is keen on these processes and even have mobilized themselves for implementing reforms. At the same time, the elite is saying “yes” to these processes solely for staying in power. This brings about difficulties in the reforms implementation stage, since there is no one to be responsible for it, and there is a lack of institutional approach. Still there is no way back and there is a big hope that larger steps will be taken in this direction in the nearest future.

Since this is the end of the discussions today, I would like draw the main conclusion. We have found out that the four pillars of the EU integration process are Values/Ideas, Processes, Players and the Rules of the Game. All these elements are equally important and worth paying attention. We also discussed the different views of the public and elites despite the fact that they both declare the same course of the policy. It seems that there are positive stereotypes in the public prior to the EU accession, but these aspirations go down afterwards. However, doing nothing is the worst option and leads to the loss of time for development.

Thank you!

Photos from the Conference





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