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Nuclear Security in the
Caucasus and in the World

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Editor's Note

The current issue of the *Caucasus International* (CI) journal entitled “*Nuclear Security in the Caucasus and in the World*” is dedicated to the nuclear threats to the South Caucasus region, the evolving nuclear strategies of the World’s nuclear powers that have to certain extent an influence over the security of the South Caucasus region. While analyzing the nuclear aspects of the regional security, the authors also reflected their views on the impact of nuclear issues over the bilateral relations of these countries with other international/regional actors.

The issue starts with the article of **Ravan Mehdiyeva** titled “Nuclear Security of the South Caucasus” which analyzed the risk factors driving the region’s concerns about Metsamor, and examined the possible effects of an accident through comparison with Chernobyl. The issue continues with eleven more articles. **Licinia Simão’s** “Nuclear Security in the EU’s vicinity: Challenges of the Metsamor Nuclear Power Plant” analyzed the ways in which the EU’s previous experience using conditionality on nuclear issues with the Central and Eastern European countries can provide valuable insights on the lack of EU leverage over Armenia in this regard. **Nina Miholjic’s** “Russia-Armenia Nuclear Energy Cooperation and the Metsamor Power Plant” examined how Russian-Armenian nuclear cooperation influences regional security in the South Caucasus and entrenches Russian dominance in the region. **Elena Andreea Bordea’s** “EU public diplomacy and the Iran nuclear problem post-JCPOA” assessed the use of public diplomacy tools between the European Union and Iran after signing JCPOA. **Hamed Kazemzadeh’s** “Nuclear Deal and Iran-Azerbaijan Economic Ties” provided an overview of economic relation between Iran and Azerbaijan following the Nuclear Deal and discusses the prospects for high-level cooperation.

Azad Garibov's "The US's Post-9/11 Nuclear Strategy and its Security Implication for Russia" outlined the changes that were introduced in the US nuclear strategy by the Bush Administration after 9/11, explaining why and how they were perceived as security threats by Russia. **Heinz Gärtner's** "The Ban on Nuclear Weapons, Negative Security Assurances, and NATO States" analyzed the alternative proposals by the nuclear-armed states which could satisfy the non-nuclear weapon states, at least for the time being. **Hassan Beheshtipour's** "Relations between Iran and the EU in the Post-JCPOA Era" assessed the positive outcomes of the JCPOA on economic cooperation, along with the potential challenges in Iran-EU relations at the aftermath of the US's withdrawal [from the agreement] in the post-JCPOA era.

The journal also contains three commentaries regarding the recent political developments in Azerbaijan, Armenia and Georgia. **Farhad Mammadov's** "Azerbaijan's President Ilham Aliyev Addresses New Messages Through His New Cabinet" delivers the post-election changes in Azerbaijan with implications for the future prospects of the country. **Amanda Paul's** "Armenia's "Velvet Revolution" The Next Chapter" tried to respond to the question of what is next for Armenia after the so-called "Velvet Revolution". **Aleksandre Kvakhadze's** "Georgia Before the Presidential Elections: The General Overview" narrated the latest intra-government changes in the Georgia's domestic politics. In addition, **Ayaz Rzayev's** "The EU's Ambiguous Stance on Separatism Lessons from Catalonia, Kosovo, and Nagorno-Karabakh" assesses whether the EU's stance on these issues has been consistent so far and whether the EU has, perhaps unintentionally, enabled separatist movements.

The current issue also includes a comprehensive review

of Alexandros Petersen’s “Eurasia’s Shifting Geopolitical Tectonic Plates: Global Perspective, Local Theaters” reviewed by **Polad Muradli**. The book reads about the geopolitical rivalries in the Eurasia continent. Last, but not least, the CI journal presents readers with reviews of recently published books on the South Caucasus countries, Soft Power and Security issues in the region, role of religion in the Central Asia and Caucasus, the EU’s policy on the Eastern neighborhood, Azerbaijan-Iran cooperation, role of identity in the foreign policy.

Finally, on behalf of the CI team, we hope this issue provides food for thought and contributes to and enriches the discussion.

Sincerely,

Javid Valiyev, Editor-in-Chief

Ilgar Gurbanov, Deputy Editor-in-Chief

Nuclear Security of the South Caucasus

Ravan Mehdiyeva Nadir*

Nuclear security is a concern that no country can handle alone. This is what motivated the South Caucasian states to join the International Atomic Energy Agency (IAEA), to ratify relevant international conventions, and to join various IAEA documents on nuclear security. While all three South Caucasus states have had nuclear interests since the Soviet Union, today only Armenia has nuclear facilities – the Metsamor Nuclear Power Plant (NPP) – and since the Metamor NPP is technically outdated and located in a seismic zone, the focus has for some time been on nuclear security. The concern is well founded; Metsamor NPP is located in an area only 12 km from the Azerbaijani-Georgian border, 60 km from the Iranian border and 16 km from Turkey. All of these countries are at risk of radioactive contamination in the event of an accident in any category in the Metsamor NPP. This article analyzes the risk factors driving the region's concerns about Metsamor, examines the possible effects of an accident through comparison with Chernobyl (which had the same type of reactor as Metsamor), and finally evaluates the measures taken to ensure the nuclear security of the South Caucasus.

Key words: South Caucasus, Armenia, Azerbaijan, Nuclear security, Nuclear wastes



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Introduction

The South Caucasian states are members of the International Atomic Energy Agency (IAEA) and have ratified various international conventions on nuclear security.¹ Their security agendas are concerned with the nuclear threat as they are surrounded by countries possessing nuclear power plants and nuclear weapons, and are involved in producing uranium and conducting maritime and land nuclear testing. Within the region, Armenia owns and operates the Metsamor NPP despite the danger it poses to both Armenia and neighboring regional countries. Georgia has a Research Nuclear Reactor and Isotope Institute and had nuclear activities until 1990, albeit the fact that the reactor has been discontinued. Azerbaijan does not have any nuclear power plants; construction of an NPP in Nevai was started in the 1980s but was suspended after the terrible Chernobyl accident in 1986.

Chernobyl saw large amount of radionuclides thrown into the atmosphere, polluting the environment in bordering states and neighboring regions. Large volumes of radioactive gases, condensed aerosols and fuel leaked for 10 days from the 4th Block of the Chernobyl NPP. The total volume of radioactive substances was 14 EBk (14×10^{18} Bk) in the waste. 200,000 km² of Europe was polluted with radioactive elements. Contamination spread through heavy rain and wind. Pu and Sr polluted the 100 km area around the reactor, as they were in the form of large particles. The radionuclides have gradually broken down into the atmosphere, water and soil. Radioactive sediment on the surface of the Black Sea was identified on 1-3 May 1986.² The concentration of Cs¹³⁷ in the surface waters of the Black Sea was 15-500 Bk/m³ in June-July 1986; this fell in 1989 to 41-78 Bk/m³ and 20-35 Bk/m³ in 2000.³ This contamination did not go unnoticed in the region; the

1 See: Information Circulars of International Atomic Energy Agency, https://www.iaea.org/publications/documents/infcircs?field_infcirc_number_value=INFCIRC&field_infcirc_date_value%5Bvalue%5

2 Doklad ekspertnoy gruppy «Ekologiya» Chernobyl'skogo foruma: (2008), *Ekologicheskiye posledstviya avarii na Chernobyl'skoy AES i ikh preodoleniye: dvadtsatiletniy opyt*, Vienna, IAEA, STI/PUB 1239, p.2-5

3 Vakulovcky S.M., et al., (1994). "Cs-137 and Sr-90 contamination of water bodies in the areas affected by releases from Chernobyl nuclear power plant accident: An overview", *J. Environ. Radiact.* 23 p.103-122. / Ereemeev V.N., Ivanov L.M., Kirwan A.D., Margolina T.M. (1995), "Amount of Cs¹³⁷ and Cs¹³⁴ radionuclides in the Black Sea produced by the Chernobyl accident", *J. Environ. Radiact.* 27 p.49-63; International Atomic Energy Agency, (2003), *Marine Environment Assessment of the Black Sea/Final Report*, Technical Cooperation Project RER/2/003, Vienna, IAEA.

effects of the accident which happened on 26 April 1986 were already being felt in Turkey on May 1. While Russia, Belarus and Ukraine were the most affected, the whole of Northern Europe, Black Sea Region, Caucasus, and even the Middle East were hugely affected by nuclear pollution. However, the damage and threat was not confined to nuclear pollution. Uncontrolled areas and black zones make it more difficult to secure nuclear materials and nuclear facilities, to prevent illegal trafficking of nuclear materials, and to combat nuclear terrorism in the region. The weak control over nuclear materials and nuclear facilities on the eve of the USSR's collapse fueled the rise of nuclear terrorism and the illegal circulation of nuclear materials. Furthermore, the Soviet army units abandoned old, decommissioned and contaminated weapons and ammunition in the South Caucasus following the collapse of the USSR, leaving the newly independent republics to address these nuclear security deficits alone.

The weak control over nuclear materials and nuclear facilities on the eve of the USSR's collapse fueled the rise of nuclear terrorism and the illegal circulation of nuclear materials.

Given the devastating consequences of Chernobyl disaster and the subsequent nuclear threats, what should regional countries expect from the Metsamor Nuclear Power Plant, a Soviet-built plant with outdated technology? What should they expect in terms of nuclear energy throughout the region more generally? In order to answer these questions, this article analyzes the risk matrix of the Metsamor Nuclear Power Plant, examines the possible effects of an accident in the plant via comparison with Chernobyl, and finally evaluates the measures taken to protect the nuclear security of the South Caucasus.

Georgia's Abolition of Soviet Nuclear Program

The foundations of the Nuclear Research Reactor in the Republic of Georgia were laid in 1957, and a large, six-hectare complex was built during 1960-1980 in Mchkheth. This was home to major scientific research initiatives, and Georgia became a nuclear state. The reactor that was built included cryogenic plants, which produce fluid nitrogen and helium, radiochemical laboratories with hot tubes. This complex employed more than 300 people, and became a key scientific hub for important discoveries in nuclear physics, chemistry, and biology. The Institute of Physics of the Academy of Sciences of Georgia was declared the leading

institute for radiation physics and low temperature material science, according to the USSR Council of Ministers in 1962, as, unlike other reactors, it could host research at low temperatures (-196 ÷ -293).⁴

Yet, following the beginning of the national democratization movement in Georgia in 1988, the Georgian Academy of Sciences discontinued the reactor and closed it on March 30 1990. This step was very important, as nuclear research is a highly sensitive field; not only was the reactor's condition unstable, its renovation would have been extremely expensive. The reactor had to be concreted, as dismantling it was too costly, and also, there was the need for complex constructional underground burial wells for environmentally safe isolation of highly radioactive waste that would be accumulated after the dismantling. Georgia simply could not meet these costs, and keeping the reactor open entailed a major risk, not only for the country but also for the entire region. As a result, the reactor ceased all operations under the watch of the IAEA. In accordance with international law, Georgia returned the highly-enriched uranium used in the reactor and in the Tbilisi Isotopes Institute to Russia, which produces it based on the decisions of The Hague International Nuclear Summit in 2015. Thus, there are not any highly-enriched uranium reserves in Georgia, and Tbilisi has taken an important step towards nuclear security.⁵

Azerbaijan Faces Nuclear Threats without Owning Nuclear Facilities

Azerbaijan has no nuclear energy reactors, and due to its rich oil and gas reserves, it does not need one. Nonetheless, the country has nuclear concerns and faces nuclear risks, and has taken appropriate countermeasures. There are two main factors (internal and external) that affect nuclear security (water basins, atmospheric air and soil) which raise concern about the dangers of radiation.

The country faces vast radiation pollution due to the technogenic

4 BBC NEWS, (2018) *West Condemns Russia Over Georgia*, 26 August, Available at: <http://news.bbc.co.uk/2/hi/europe/7583164.stm>; Youtube (2018) *Yadernyy reaktor v Gruzii - tayna goroda Mtskheta*, 7 February, Available at: <https://www.youtube.com/watch?v=YKJ9wZxhk8M> (Accessed May 30 2018).

5 RIA Novosti, (2015) *Gruzziya Otravila V Rossiyu Partiyu Ysokoobogashchennogo Urana*, 24 December, Available at: <https://ria.ru/atomtec/20151224/1348476048.html> (Accessed May 30 2018).

radionuclides in oil, oil processing, oil and gas production, mining fields, mud volcanoes, mineral and thermal water sources; radionuclides and ionizing radiation sources used in the fields of science, medicine and technology; and ionizing beams in the military field during the former Soviet Union. In addition, Azerbaijan faces increased risk of nuclear disasters as a consequence of the NPPs operating in the European part of Russia (Kaluga, Tula and Orel), the Chernobyl accident, Kazakhstan's nuclear reactors, uranium production, nuclear tests, Armenia's Metsamor NPP, and Iran's Buser NPP.

The oil and gas production processes release natural radionuclides into the environment in the form of solids, liquids and gas. These waste materials are primarily transported into the earth via oil and gas, layer water, water and reagents used in drilling technology. Oil and gas have formed in contact with various rocks underground and have changed into today's content. There are three natural ^{238}U , ^{235}U and ^{232}Th radioactive decomposition products of varying quantities in these rocks. Natural radionuclides are naturally distributed in Azerbaijan as a result of historical formations and technogenic activities like exposing to displacement. The oil and gas, mining and construction sectors are the main vectors of transportation and further distribution of natural radionuclides to the Earth's surface. Most radioactive elements are absorbed by rocks. They dissolve or are suspended in the oil or layer water. Radioactive elements released on the ground together with layer water exist in two sustainable forms. The suspended form is separated from the sediment in the initial oil refining processes and exists as solid waste, while the water-soluble radionuclides exist in liquid form in layer water and at their collection points in water basins. Solid waste can be released into the environment in absorbed and dissolved forms in reagents, gutters and other materials during drilling and maintenance processes. The decomposition product which has the highest displacement ability among the three natural radioactive elements is radon gases, which are products of the decomposition of Ra isotope. Radioactive radon gases are formed as a result of the decomposition of Ra isotopes, which are included in the content of natural gas, as well as solid and liquid waste in oil and gas production areas.⁶

6 Garibov, A.A. (2014) "Radioecological condition and problems of Azerbaijan" (*in Aze. language*), *Newsletters of the Azerbaijan National Academy of Sciences*, C. 1, N1, pp.87-91.

The biggest nuclear threat for Azerbaijan is the Metsamor Nuclear Reactor in Armenia. Historical experience shows us that earthquakes are the main cause of accidents in nuclear reactors.

The biggest nuclear threat for Azerbaijan is the Metsamor Nuclear Reactor in Armenia. Historical experience shows us that earthquakes are the main cause of accidents in nuclear reactors. This problem is especially acute for nuclear power reactors located in seismically active regions. As such, it was repeatedly raised by the Azerbaijani government from 2001, when Azerbaijan joined the International Atomic Energy Agency (IAEA). The issue was raised by the former President of the Republic of Azerbaijan, Heydar Aliyev, during the 2002 visit by the former head of the IAEA, Mohamed ElBaradei, to Azerbaijan. Aliyev flagged the risk posed by the Armenian NPP's continued operation in a seismic zone. Unfortunately, IAEA agreed to extend the lifetime of the Armenian NPP by an additional ten years until 2026, as it did for other WWR-type reactors, with reference to institutional expertise. Ceasing the operation of the reactors that whose IAEA certification expired after the Fukushima accident is a key issue on the agenda of the Nuclear Security Summits.

Japan's Fukushima 1 Atomic Power Station was closed in 2011 after the energy accident that was caused by a major earthquake and subsequent tsunami. The status of other nuclear reactors vulnerable to the impact of natural disasters was discussed at various international forums. The IAEA is implementing a regional project (C1-RER/1/007 9007 01) to convene an annual meeting of the European Advisory Council on the Safety of Research Reactors in Austria, Turkey, Romania, Bulgaria, Ukraine, Hungary, Kazakhstan and others. The meetings bring together the heads of the Research Reactors to assess whether or not these different reactors meet the relevant safety standards. Most European countries shut down their old reactors after the accident; 80 out of 96 reactors were suspended during 1996-2016 based on the natural disaster impact factor. It is planned that by 2030, 140 former generation reactors will be suspended, and 224 new generation reactors will be built.⁷

In line with this, the current President of Azerbaijan, Ilham Aliyev, has spoken on nuclear security at several nuclear summits, raising specific problems faced by the region, and calling upon

⁷ See the search result from the google.com: [www.google.az/search?q=he+Nuclear+Fuel+Report&rlz=1C1VASI_enAZ512AZ512&oq=he+Nuclear+Fuel+ Report&aq](http://www.google.az/search?q=he+Nuclear+Fuel+Report&rlz=1C1VASI_enAZ512AZ512&oq=he+Nuclear+Fuel+Report&aq)

the international community to put pressure on Armenia to close down Metsamor (built in 1976) as it poses a direct threat to the wellbeing and security of the people in the region.⁸ He supports the US' work to strengthen nuclear security worldwide and attaches great importance to the prevention of possible use of Azerbaijan as a transit country for illegal trafficking of nuclear materials. In that regard he has initiated the creation of a robust national export control system.

Armenia's Irresponsible Nuclear Activities

The Metsamor NPP was constructed in the 1970s, and rendered operational in 1979. The Council of Ministers of the Armenian SSR closed the plant in 1989 after the 6.8 magnitude Spitak earthquake. The decree stated that "taking into consideration the general seismic situation related to the earthquake in the territory of the Armenian SSR, the activities of the first block of the Armenian NPP will be suspended on February 25 1989, and the second block on 18.03.1989." Both blocks were suspended in February/March 1989. Nevertheless, the second block was put back into operation on November 5 1995. So, it means that there was no conviction of seismic resistivity of the reactors that were produced during the Soviet Union at that time. For this reason, the second block was put into operation after six years of reconstruction, while the first block was permanently suspended. As the NPP's local staff left Armenia after the earthquake, the staff of the other reactors that operated in SSR was transferred to the Armenian NPP when the second block was put into operation. Management of NPP was transferred to ROSATOM in 2003. In 2006, the Armenian government announced that the NPP would cease operating in 2016. In 2011, the OSART commission under the auspices of the International Atomic Energy Agency (IAEA), comprised of experts from eight countries including US, UK, France, Hungary, and Finland, conducted inspections at Metsamor NPP, and the final opinion was that the continued operation of the NPP entailed a major risk.⁹

8 Embassy of Azerbaijan to the Netherlands, (2014) *Azerbaijan: President Aliyev participates in nuclear security summit*, Hague.mfa.gov.az, Available at: http://hague.mfa.gov.az/files/file/AZERBAIJAN_PRESIDENT_ALIYEV_PARTICIPATES_IN_NUCLEAR_SECURITY_SUMMIT.pdf (Accessed May 30 2018).

9 See the Database on Power Reactor Information System, International Atomic Energy Agency, <https://www.iaea.org/pris/>

The energy accident at the Fukushima-1 NPP had devastating consequences for Japan, even with its scientific and technical expertise and robust economy. The disaster followed a decision to extend the life of the first block by a period of 10 years. The levels of radioactive waste that poisoned the environment have inflicted major economic losses, Euros and large areas were rendered uninhabitable. However, despite this cautionary experience, the expiration date of the second block of Metsamor NPP was extended to 2026 on December 20 2014, according to an agreement signed between the Ministry of Energy of Armenia and the Russian Rosatom Company.

The energy accident at the Fukushima-1 NPP had devastating consequences for Japan, even with its scientific and technical expertise and robust economy.

Despite the fact that in 1995, Europe and the United States spent \$1 million on improving the safety standards of the Metsamor NPP, the European Union deemed the plant old and unreliable. Metsamor NPP's failure to meet modern international safety requirements, the European Union insisted on its closure in 2004. The EU are ready to give 200 million Euros for the disassembling of the existing NPP.

Metsamor NPP's failure to meet modern international safety requirements, the European Union insisted on its closure in 2004.

The 2014 agreement between Armenia and Russia extended the operation of the second block of Metsamor NPP, and Russia agreed to provide a \$270 million loan and a \$30 million grant to Armenia in 2016 to upgrade the NPP in line with international standards. As a result, the operating license of the second block of the Metsamor NPP was extended until 2026.

The international reputation of nuclear power has been tainted by three large-scale accidents. The first of these accidents took place on March 28 1979 at the Three Mile Island NPP near Pennsylvania, USA; the second on April 26 1986 in Ukraine's Chernobyl NPP; and the third on March 11 2011 in Japan's Fukushima-1 NPP. As a result of these two previous accidents, the reactor's active zone collapsed. The spread of radioactive substances was prevented by protective cover during the accident at Three Mile Island NPP, and so staff and the nearby population were not exposed to irradiation. By contrast, the accident at the Chernobyl NPP had a much wider impact; hundreds of thousands of people suffered from radiation and psychological stress. The explosion of the fourth block of the Chernobyl NPP leaked 7.4 tons of radioactive material into

the environment. The accident at Chernobyl NPP has been the biggest and most devastating disaster in the history of the use of nuclear energy for peaceful purposes. The reactor's active zone was completely destroyed, while the building of the energy block was partly destroyed, and large quantities of radioactive material poisoned the environment.

Technologies on seismic resistance have been established in Japan and appropriate technologies are used in most countries. Japan, for instance, has modern reactors with the best earthquake-proof technologies; but even those were unable to withstand the earthquake or tsunami. After the accident at the Chernobyl NPP, which is considered to be the greatest disaster of the twentieth century, most nuclear countries have carried out security assessments.

Metsamor's Implications for the Region

The peaceful use of nuclear energy is the sovereign right of any state. But according to international law, the development of one country or region cannot be achieved at the expense of the overall wellbeing of other states. Each state must create and uphold a rigorous national system for the prevention of dangerous environmental situations. Armenia is failing to uphold this duty to prevent and pre-empt any adverse consequences of its nuclear power plant.

Accordingly, 42 tons of nuclear fuel is used at Metsamor NPP each year. All the waste flows directly into the Kura-Aras Rivers, and then onwards into the Caspian Sea. This pollutes large areas of the environment, including drinking water.¹⁰ The protection and fair use of freshwater resources has become a key element of Azerbaijan's environmental safety policy. Large volumes (70%) Azerbaijan's freshwater resources - from the Kura, Aras, and Samur Rivers – flow in from the neighboring countries. The Kura River is the main source of drinking water for Azerbaijan's population. Discharge of untreated wastewater into the Kura and Aras rivers entails contamination by chemical, radioactive and other harmful substances. This damages Azerbaijan's

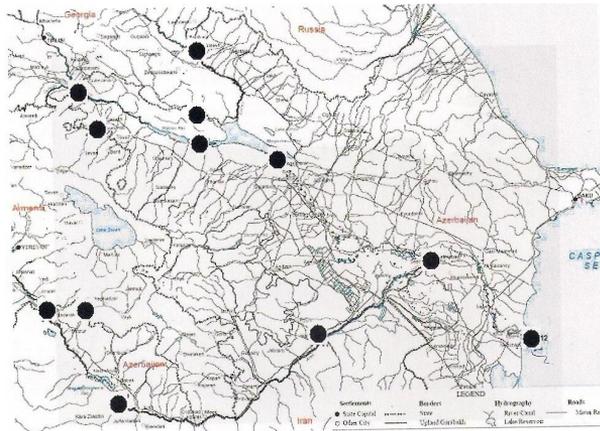
Accordingly, 42 tons of nuclear fuel is used at Metsamor NPP each year. All the waste flows directly into the Kura-Aras Rivers, and then onwards into the Caspian Sea. This pollutes large areas of the environment, including drinking water.

¹⁰ "National Security Concept of the Republic of Azerbaijan", Available at: http://www.mdi.gov.az/files/uploader/Milli_tahlukasizlik_konsepsiyasi.doc (Accessed May 30 2018).

hydro-chemical regime and water quality, creating serious and dangerous problems in regard to drinking water.¹¹

In order to assess the impact of this pollution and to identify solutions in regard to detecting radioactive sources and isolating useful isotopes, vast scientific research is being conducted, by the Institute of Radiation Problems of the Azerbaijan National Academy of Sciences as well as the international community. There is specific focus on examining production areas, water resources, the radioecological state of the atmosphere, environmental impact on model systems, and the elimination of these impact factors. For instance, between 2002 and 2008, the Institute of Radiation Problems conducted a joint project with NATO’s Science for Peace Fund (with contributions from the University of New Mexico in the US, Antwerp University in Belgium, and Trondheim University in Norway), entitled *SfP 977991 South Caucasus River Monitoring*. As part of the project, samples of water and sediments from the Kura-Aras Rivers and their branches were taken and examined. The project assessed the levels of radioactive isotopes such as ²³⁸U, ²³⁴U, ²³⁵U, ²³⁹⁺²⁴⁰Pu, ²³⁸Pu, ⁹⁰Sr, ²⁴¹Am, ¹³⁷Cs in transboundary rivers, their associated water basins, and in the sediments.

Figure 1. Kura-Aras and areas where the samples taken from their branches ¹²



11 See the official website of the Ministry of Ecology and Natural Resources of the Republic of Azerbaijan, <http://eco.gov.az/az>

12 “Radiological Survey of the Araks and Kura rives Azerbaijan”, IAEA/AL/161, IAEA Technical Cooperation project AZB/9/004/ Seibersdorf, Austria, December, 2005, p.38

The research suggested that the level of ^{137}Cs in the sediment of Kura-Aras Rivers varies, in the range of $3.8 \div 18.8$ Bk/kg. The results further showed that the activity of ^{238}U and ^{234}U isotopes on the border of the occupied Karabakh region of the Aras River and in the Kura River delta is higher than other isotopes.

There is clear negative environmental impact through the excessive contamination of water and rivers entering the Caspian Sea. The deterioration of the ecological situation in the Caspian Sea causes destruction of marine bio resources, disruption of the sea's natural and anthropogenic ecosystems, damage to the health and overall lifestyle of the population living in the area, and excessive pollution of the sea.¹³ The situation echoes the 1992 finding that the basins of the Volga and Terek Rivers, flowing through Russian territory, were an "environmental disaster zone" by the relevant state agencies of the Russia. In order to prevent further pollution of the Caspian, a program to clean up the area was developed.¹⁴ This was because the river basins were affected by the products of the nuclear, oil, and gas industries, including the nuclear materials of Russia and Kazakhstan. The initial results on artificial radionuclide content in the Caspian Sea were printed in 1998. Detailed studies on Caspian Sea water pollution with Cs^{137} , Sr^{239} , Pu^{240} , and tritium were conducted during IAEA training and research cruises in 1995-1996.¹⁵ ¹⁶ Other expeditions to analyze the concentration of radioactive elements in the water and sediments of the Azerbaijani sector of the Caspian Sea were also conducted.

The deterioration of the ecological situation in the Caspian Sea causes destruction of marine bio resources, disruption of the sea's natural and anthropogenic ecosystems, damage to the health and overall lifestyle of the population living in the area, and excessive pollution of the sea.

Figure 2 shows the route of the expedition in the maritime area of the Iranian border from the south and the Russian border from the north, carried out by a specially equipped ship. The below expedition was conducted in 2006 on the basis of IAEA's national AZB/9/004 project, and the points show where the samples were taken.

13 Goldstein S.J., Rodrigues J.M., and Luliam N. (1997) "Measurement and Application of Uranium Isotopes for Human and Environmental Monitoring", *Health Phys.*72(1), 1997, 10-18

14 Gosudarstvennyy doklad "O sostoyanii okruzhayushchey sredy Rossiyskoy Federatsii", 1992

15 Vakulovsky, S.M. and Chumichev, V.B. (1998) "Radioactive contamination of the Caspian Sea, J.Radiation Protection", *Dozimetry*, Vol.75, Nos1-4, pp.61-64,

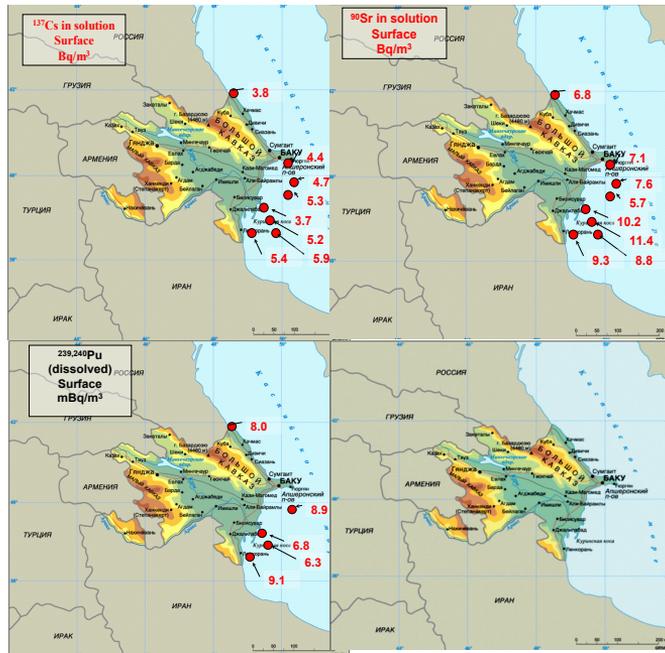
16 Froehlich, K., Rozanski, K., Povinec, P., Oregioni, B., Gastaund, J., (1999) "Isotope studies in the Caspian Sea", *The Science of Total Environment*, 237/238, 419-427

Figure 2.¹⁷



The activity of ⁹⁰Sr isotope in the surface waters of the Caspian Sea occurs due to the flow of neighboring countries with nuclear facilities, as shown in Figure 3.

Figure 3¹⁸



17 "Investigation of Marine Radio-activity in the Azeri region of the Caspian Sea", (2006). Report IAEA Technical Cooperation project, AZB/9/004, Monaco, France.

18 Ibid.

The tables below present the results of the expeditions, including the radionuclide content of Azerbaijani waters and the distribution of nuclear pollution in the Kura-Aras Rivers and the Caspian Sea. The results demonstrate that although Azerbaijan is not a nuclear country, it suffers from nuclear contamination.¹⁹

Table 1. Distribution of ^{238}U , ^{234}U , $^{239+240}\text{Pu}$, ^{238}Pu , ^{90}Sr and ^{241}Am isotopes in sediments of Kura-Aras Rivers.²⁰

Area, where the sample was taken	Type of samples	^{234}U	^{238}U	^{238}Pu	$^{239+240}\text{Pu}$	^{241}Am	^{90}Sr
		Bk×kg ⁻¹ dry weight					
Aras River sediments near Horadiz	1 st layer (0-5 cm)	13,4±0,4	13,4±0,4	0,007±0,004	0,17±0,2	< 0,004	< 3,0
Aras River sediments near Horadiz	2 nd layer (5-10 cm)	13,4±0,5	13,5±0,5	< 0,005	0,27±0,02	0,16±0,02	< 3,0
Aras River sediments near Horadiz	3 rd layer (10-18 cm)	13,2±0,6	13,6±0,6	< 0,008	0,21±0,02	0,09±0,03	< 3,0
the delta of the Kura near Neftchala	Sediment sample	13,1±0,4	13,2±0,4	< 0,005	0,08±0,02	< 0,004	< 3,0

Table 2. Results of artificial radionuclide analysis of seawater samples taken from the Azerbaijani part of the Caspian Sea in July 2006²¹

The date of the analysis	Station code	The points that the samples were taken	^{137}Cs , Bg/m ³	^{90}Sr , Bg/m ³	$^{239, 240}\text{Pu}$, mBg/m ³	^3H , kBg/m ³
09.07.06	I-0	Surface	(d) 3,8±0,4	(d) 6,8±1,4	(d) 8,0±2,4	(d) 1,3±0,1
06.07.06	II-1	Surface	(d) 4,4±0,4	(d) 7,1±1,4	-	-
05.07.06	II-2	Surface	(d) 4,7±0,5	(d) 7,6±1,5	(p) 6,2±1,4 (d) 8,9±2,5	(d) 1,1±0,1
	II-2	60 m	(d) 5,0±0,5	(d) 7,3±1,5	(p) 15,4±2,5 (d) 9,5±2,0	(d) 1,0±0,1
	II-2	points near the bottom (180 m)	(p) < 0,04 (d) 4,9±0,5	(d) 5,1±1,0	(p) 21,7±2,9 (d) 17,5±3,4	-

19 "Radiation situation on territory of Russia and neighbouring states in 2005", (2006) *Annual book-Roshydromet*, SIRPA Typhoon, Moscow, Roshydromet Meteoagency.

20 "Radiological Survey of the Araks and Kura rives Azerbaijan", (2005) IAEA/AL/161. IAEA Technical Cooperation project AZB/9/004/ Seibersdorf, Austria, December, p.40.

21 "Investigation of Marine Radio-activity in the Azeri region of the Caspian Sea", (2006) *Report IAEA Technical Cooperation project AZB/9/004*, Monaco, France.

05.07.06	II-3	Surface	(d) 5,3±0,5	(d) 5,7±1,2	-	-
03.07.06	III-1	Surface	(d) 3,7±0,4	(d) 10,2±2,0	(d) 6,8±3,7	-
01.07.06	III-2	Surface	(p) <0,07 (d) 5,2±0,5	(p) 0,06±0,03 (d) 11,4±2,0	(p) 6,3±1,5	(d) 1,3±0,1
	III-2	50 m	(d) 4,6±0,4	(d) 9,1±1,8	(d) 8,2±2,3	-
	III-2	Points near the bottom (180 m)	(d) 5,5±0,5	(d) 5,8±1,3	(d) 15,1±3,1	-
01.07.06	III-3	Surface	(d) 5,9±0,5	(d) 8,8±1,9	-	-
01.07.06	III-4	Surface	(p) <0,1 (d) 5,4±0,5	(p) 0,07±0,03 (d) 9,3±1,9	(d) 9,1±2,5	(d) 1,4±0,1

Note: (p) - Volume activity of suspensions obtained from taken samples (fraction of particles); (d) - the volume activities of radionuclides in sea water filtration.

Water contamination is not the only problem caused by Armenia’s use of nuclear power. Disposal of radioactive waste presents another major problem for the region. According to Armenia’s Gosatomnadzor (2002), polygons contain solid and liquid waste with varying activity: 4939 m³ (low activity), 1659 m³ (medium- activity), 27 m³ (high-activity) solid radioactive waste, 2097 m³ (medium activity), 350 m³ (high-activity) liquid radioactive waste have been disposed via landfill.²² The huge volume of waste and the overflow of the NPP landfills in Armenia prompted the construction of the second nuclear waste landfill unit.

Water contamination is not the only problem caused by Armenia’s use of nuclear power. Disposal of radioactive waste presents another major problem for the region.

However, given that there are serious problems with the disposal of this waste, the European Commission requested the closure of the plant. Furthermore, in recent years it has emerged that Armenia’s nuclear facilities use Georgian border territories as sites for the storage of radioactive waste, burial of radioactive materials, and tools and clothes used in Nagorno-Karabakh.

In addition to the problems associated with the storage and utilization of nuclear waste, the other concern is that this waste may also be used for military purposes. It was in accordance with this concern that Article III of the Agreement between Russia and the Armenia (2000) on peaceful use of atomic energy prohibits Armenia from creating radioactive explosive devices and using them for military purposes. Nevertheless, since 2016 Armenia’s officials have expressed their intention to create and use dirty

²² Unece.org (2002) “Natsional’nyy doklad» O sostoyanii okruzhayushchey sredy Armenii”, Available at: http://www.Unece.org:8080/fileadmin/DAM/env/Europe/monitoring/Armenia/ru/Part5201/20_7pdf (Accessed May 30, 2018).

nuclear bombs. Ex-Prime Minister of Armenia, Grant Bagratyan stated “Armenia has this weapon since the 70s of the last century”. This is a serious concern in neighboring countries. Given that Armenia has territorial claims to almost all neighboring countries (Turkey, Georgia, and Azerbaijan), these intentions appear to be aggressive and in contravention of international conventions and agreements.

The safety problems at Metsamor NPP are worrisome to a number of international agencies, official representations, and scientists. They have expressed their concerns on various platforms. In 2004, the European Parliament declared the Metsamor NPP one of the most dangerous NPPs in the world.²³ However, the EU is not pushing Armenia hard enough. By contrast, when Lithuania joined the European Union (2009), two blocks of Ignalin NPP (which is one of the strongest reactors among WWR-type reactors with a total capacity of 1,500 MW per block) were suspended. Lithuania became an energy importing country rather than an energy exporting country. The European Union closes nuclear reactors that comply with international standards due to lack of confidence in Soviet technology, but only when the facilities are within their borders.

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Concluding Remarks

Given this evaluation of Metsamor NPP, what remains troubling for the states in the region is that Metsamor NPP represents a range of serious risk factors, including its location in an earthquake-prone zone and use of old technology, not to mention the likelihood of smuggling, terrorism, and contamination. There are already vocal calls to close down the NPP, and various international experts have weighed in. For instance, Steve Thomas, Professor of Energy Policy and Director of Research at the University of Greenwich, has stated, “This plant was basically of the first design generation of the WWR reactor, the Russian equivalent of the Pressurised Water Reactor. All of the other reactors of this design have now been closed (Russia, Bulgaria, Slovak Rep) in most cases because the perceived safety shortcomings of the design, for example, the containment. It was

23 Kommersant.ru, (2018) *Bryussel' stavit blok Armyanskoy AES*, 31 January, Available at: <https://www.kommersant.ru/doc/3534646> (Accessed May 30, 2018).

closed for about 5 years after the earthquake in Armenia and during some of that time, some upgrades were undertaken, but how far these meet the safety concerns and how far they improve the resistance of the plant to earthquakes, I cannot judge. Its reliability since 1995 has been relatively poor as judged by the load factor. How far this is due to grid problems and how far to the problems with the plant is impossible for me to know. I think life-extension should only take place after a comprehensive review of the design of the plant and whether it is sufficiently close to current design standards to warrant a significantly longer operating life than originally expected”.²⁴ Similarly, experts from the British Transatlantic and Caucasian Studies Institute, Ziba Norman and William Arturs have described the Metsamor NPP as an “historical anomaly” in the earthquake zone, and an expert from Turkish Sabanci University, Cengiz Aktap, has called Metsamor the most dangerous zone, despite the fact that Armenia wanted to build the most modern reactor there.

International organizations, including the International European Atomic Energy Agency’s European Nuclear Safety Regulatory Group (ENSREG) and others, cooperate with regional states, mainly Azerbaijan. This cooperation should be expanded to include the monitoring of rivers following from the territory of Armenia into Azerbaijan. In Armenia, radionuclides that are allegedly no longer active are placed in ordinary municipal landfills, and may contaminate rivers.

As the principal defender of the cause, the Azerbaijani government has proposed a systematic closure of this facility. The issue is regularly raised by the Azerbaijani delegation at the annual IAEA conference, and the President has repeatedly flagged the need to close the Metsamor NPP at the Nuclear Security Summit. Azerbaijan has also joined international conventions on the registration, use, maintenance, and circulation of nuclear and radioactive substances. The registration, storage and use of nuclear and radioactive materials in Azerbaijan are carried out in accordance with IAEA norms, rules and standards. A special agency under the Ministry of Emergency Situations has been established to regulate nuclear and radiological activity. The agency operates as a relevant infrastructure which meets international requirements. In order to prevent nuclear terrorism

²⁴ Ayvaci, F.I. (2014) “Dancing around the atomic bomb”, *J.Hazar World*, November, issue 24, p.29

and smuggling, border crossing points are equipped with modern monitoring equipment, and border and customs officials participate in regular training courses.

However, Azerbaijan cannot ensure a nuclear free and secure zone within the South Caucasus on its own. The absence of international engagement and commitment remains a barrier to closing down the world's most dangerous NPP – it would seem that the lessons from Chernobyl have been too easily forgotten.

Nuclear Security in the EU's vicinity: Challenges of the Metsamor Nuclear Power Plant

Licínia Simão*

Armenia's aging Metsamor Nuclear Power Plant continues to pose a serious challenge to regional security. The decommissioning of Metsamor was included in both the 2006 European Neighborhood Policy (ENP) Action Plan and the 2017 Comprehensive and Enhanced Partnership Agreement (CEPA). Despite this, the European Union has thus far been unable to produce either the requisite material incentives or political pressure points to compel Yerevan to take action. This paper analyzes the ways in which the EU's previous experience using conditionality on nuclear issues with the Central and Eastern European countries can provide valuable insights on the lack of EU leverage over Armenia in this regard. One of the key findings is that more substantial "carrots" are needed for a policy change in this field. These incentives include deeper integration perspectives or commitment to major investments in Armenia's nuclear sector. The research also underlines the importance of changing the regional constraints on Armenia's energy options.

Key words: EU, Nuclear Policy, Metsamor, Armenia, Nuclear Security



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Introduction

Nuclear energy has been a core element of European integration, perfectly illustrated by the signing of a specific treaty on nuclear energy – the EURATOM – in 1957, which, along with the Rome Treaty, established the European Economic Community. Contemporary dilemmas included the need to address energy shortages through the peaceful use of nuclear power and further integration in a safe and transparent way. The challenges posed by nuclear energy have changed considerably. In the 21st century, nuclear energy is an integral part of the climate change agenda and of discussions on economic competitiveness and energy security more broadly. The views on nuclear energy and nuclear safety vary considerably across regions and economic contexts, hampering the development of a strong consensus on these issues.¹

Nuclear security is addressed by the EU both as an intra-EU issue and a foreign policy matter. At the intra-EU level, nuclear issues remain largely under national competence, though framed in the context of EURATOM, whose functions include regulating the European civil nuclear industry and contributing to safeguarding nuclear materials and technology, facilitating investment, research and development, as well as ensuring equal

EU engagement has been visible in high profile diplomatic mediations, including the Iranian nuclear deal and the sanctioning of the North Korean nuclear program.

access to nuclear supplies and correct disposal of nuclear waste and safety of operations.² The European Commission has a central role in this process, together with national regulatory and supervisory bodies. At the external level, the EU cooperates with third countries and international organizations on nuclear security. EU engagement has been visible in high profile diplomatic mediations, including the Iranian nuclear deal and the

sanctioning of the North Korean nuclear program. Moreover, the EU has also sought to increase its technical capacity, through collaboration with international organizations. According to the EU, ‘In 2013, the European Commission signed a Memorandum of Understanding with the International Atomic Energy Agency (IAEA) to further cooperation, including on expert peer reviews and strengthening emergency preparedness and response’.³

1 Toth, F. L. (2008) ‘Prospects for nuclear power in the 21st century: a world tour’, *International Journal of Global Energy Issues*, 30(1-4), 3-27

2 European Parliament (2017) *Briefing: European Atomic Energy Community (Euratom) – Structures and tools*, Brussels: September.

3 European Commission, information available at <https://ec.europa.eu/energy/en/topics/nuclear-energy/nuclear-safety> (Accessed: 28 April 2018)

The accumulation of political capital and technical knowledge on nuclear issues should serve as an important source of leverage in the EU's relations with Armenia over the issue of the Metsamor Nuclear Power Plant (NPP). One would expect this leverage to be significantly higher in the context of the EU's Eastern Partnership (EaP), since substantial financial and political capital has been invested in relations with the EaP countries. This article addresses the question of why the EU has been unable to assist Armenia in decommissioning this NPP, despite the fact that this issue has featured on the bilateral agenda for more than 10 years.

Building on previous research on conditionality and nuclear security, which highlights the limits of EU conditionality in changing the nuclear policies of the Central and Eastern European countries⁴, this article advances the argument that a change in Armenia's regional setting is key to facilitating the country's decision to decommission the Metsamor NPP. The exclusion of Armenia from the energy development of the Caspian region and its weak and fragile economy, - still under a Turkish and Azerbaijani blockade - has created a strong domestic opposition to losing this important source of energy production. The limited prospects for integration with the EU further reinforce dependence on Russia, which has been actively committed to supporting the renovation of facilities rather than decommissioning the existing unsafe ones.

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EU-Armenia Relations and the Relative Marginality of the Metsamor NPP Issue

The decommissioning of the Metsamor NPP has been included in all bilateral agreements between the EU and Armenia under the European Neighborhood Policy (ENP). The ENP Action Plan, which entered into force in 2006, states clearly as priority area number six the 'Development of an energy strategy, including an early decommissioning of the Medzamor'. The objectives under this priority area included efforts aimed at integrating Armenia into the EU's energy networks and

4 Oudenaren, J. V. (2001) 'The Limits of Conditionality: Nuclear Reactor Safety in Central and Eastern Europe, 1991-2001' *International Politics*, 38(4), 467-498

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increasing energy efficiency and diversification, as well as supporting the country in addressing the costs of decommissioning the NPP.⁵ The Armenian government initially agreed to decommission the facilities by 2016, but reversed its decision in 2014, announcing that the NPP would keep running until 2026. This decision is primarily a reflection of Yerevan's inability to secure foreign investment, namely from European and US sources, to build more modern nuclear facilities.

The more recent Comprehensive and Enhanced Partnership Agreement (CEPA) signed between the EU and Armenia in 2017, maintains as one of its objectives 'the closure and safe decommissioning of Medzamor nuclear power plant and the early adoption of a road map or action plan to that effect, taking into consideration the need for its replacement with new capacity to ensure the energy security of the Republic of Armenia and conditions for sustainable development'⁶. This wording suggests that the EU is aware of the pressures on the Armenian government to maintain the NPP. In fact, President Sargysan stated that 'In the agreement with the European Union this provision [on Metsamor] is formulated taking into account the objective time of operation of the Metsamor NPP. The Armenian government adopted a decision in March 2014 on extending the term of the Armenian NPP's operation. The financing of the project on extending the operation term will be carried out at the expense of 270 million USD Russian state export loan and 30 million USD grant'. He added, 'We think that the Nuclear Power Plant will always be in Armenia for our own security and first of all for energy security purposes'.⁷ In this light, the EU's ability to influence Armenian nuclear policy is rather limited, and the issue has taken a back seat amidst the growing tensions in EU-Russia relations.

Nevertheless, there has been a heated debate in Armenia around the provisions of the EU-Armenia agreement regarding

5 European Union-Government of Armenia (2006) *EU-Armenia ENP Action Plan*.

6 European Union-Government of Armenia (2017). *Comprehensive and Enhanced Partnership Agreement*, p.46.

7 'Discussions on closure of Metsamor NPP have nothing to do with reality, says Armenian President', *Armenpress*, 1 November, 2017. Available at: <https://armenpress.am/eng/news/910901/> (Accessed: 28 May 2018).

Metsamor. Prior to the presentation of the final text, the main fear within some circles in Armenian society was that the EU would impose some form of conditionality, demanding the closure of the NPP within a specific timeline. Disinformation has been spread by the media, including by Russian outlets, regarding the final provisions. However, as the above quote indicates, the decommissioning of the NPP is designed as a process with which the EU will assist, including contributions to the country's nuclear security as well as the implementation of concrete mechanisms for energy reform. This is indeed a long way from the initial notion of the ENP AP, that the decommissioning of the NPP could be used as a precondition by the EU in its relations with Armenia.⁸ It is evident that the EU and its nuclear powers have been reluctant and unable to finance Armenia's nuclear needs, including the construction of a new NPP. Consequently, Metsamor remains operational despite the fact that EU officials believe that 'it is impossible to improve its operation to an extent that fully meets international standards and safety requirements'⁹.

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The lack of EU leverage on this issue needs to be understood from two perspectives. On the one hand, EU-Armenia relations have been affected by Yerevan's decision not to sign an Association Agreement with the EU and instead join the Eurasian Economic Union, precluding a Deep and Comprehensive Free Trade Agreement with the EU. This has reduced the EU's political and financial leverage over Armenia, with negative implications for the nuclear energy issue. The second aspect is linked to the fact that international practices regarding nuclear security in Soviet-era reactors have often prioritized the security upgrade option, avoiding the divisive issue of investing in new nuclear facilities.¹⁰ Both issues are addressed in more detail in the following section.

8 Bedevian, A. (2006) 'Nuclear Plant Closure "Precondition" For Closer Ties with EU', Azatutyun. 31 October. Available at: <https://www.azatutyun.am/a/1584864.html> (Accessed: 28 May 2018).

9 Dirk Lorenz, the Deputy Head of Division for the Eastern Partnership Countries in the European Union's External Action Service, quoted in 'European diplomat calls for soonest closure of Armenian nuclear power plant', *ARKA news agency*, 30 January 2018. Available at: http://arka.am/en/news/technology/european_diplomat_calls_for_soonest_closure_of_armenian_nuclear_power_plant/ (Accessed: 28 May 2018).

10 Oudenaren, J. V. (2001) 'The Limits of Conditionality: Nuclear Reactor Safety in Central and Eastern Europe, 1991-2001', p. 469.

Western Conditionality on Nuclear Security

The issue of nuclear security was put on the Western agenda following the Chernobyl nuclear accident in 1986, but it was only after the dissolution of the Soviet Union that international agencies gained access to many of the nuclear facilities across the post-Soviet space, and managed to develop an accurate assessment of the challenges in this field.

The issue of nuclear security was put on the Western agenda following the *Chernobyl* nuclear accident in 1986, but it was only after the dissolution of the Soviet Union that international agencies gained access to many of the nuclear facilities across the post-Soviet space, and managed to develop an accurate assessment of the challenges in this field. The picture that emerged was much bleaker than initially thought, and a consensus was formed among western states and the newly independent republics that major investments were needed, in addition to updated standards and procedures.¹¹ It is notable that most of these issues were addressed via multilateral frameworks, including through the creation of the G-24 Nuclear Safety Assistance Coordination, coordinating bilateral and multilateral assistance. Several of the institutional mechanisms created by western institutions were marshaled to frame this assistance and to support it, including financially. These included the European Bank of Reconstruction and Development, the European Bank of Investment, and even EURATOM, which, for the first time in 1993, created a credit line of 1.1 billion ECU to fund nuclear activities outside EU territory.¹²

The European Communities were, from the outset, invested in the issue of nuclear security in the post-Soviet countries and this was reinforced when several of the Eastern European countries applied for EU membership. From these countries' perspective, nuclear energy remained a fundamental aspect of their energy security and they were largely amenable to upgrading their facilities. For many in the EU, the US and in international organizations, decommissioning offered the least expensive and generally preferable option, complemented by the commitment to finding alternatives to assure the energy needs of these countries. The reconciliation of these divergent views would have to be framed in the context of asymmetrical relations, namely these countries' bids for EU membership. Whereas prior to EU membership negotiations, many of these countries managed to evade serious commitment to decommissioning old nuclear facilities, while

¹¹ *Ibid*, p. 468.

¹² *Ibid*, pp. 470-1.

securing assistance for upgrades, once membership was on the table the European Commission managed to exert nuclear-related leverage more clearly.

According to Checkel, conditionality is affected by three sets of issues, which are visible in the analysis of EU conditionality over candidate countries as well as in its relations with ENP countries, like Armenia. The first issue is politicization, which means that conditionality is not applied evenly by donors, but is rather instrumentalized for political purposes. The second issue has to do with domestic ownership, which means that often those who bear the costs, and those who reap the benefits of specific actions are not the one and the same. Their agendas may conflict, creating domestic cleavages and undermining national consensus. Finally, a fragmented policy environment means that policy issues may become framed by new intervening variables that change the different actors' calculations.¹³ All three dimensions are clearly present on the EU's nuclear energy agenda with Armenia.

In the case of Armenia, where EU membership is not on the table, and considering the limited political integration available through CEPA, leverage to force the Armenian government to close the NPP will most likely remain weak.

In the case of Armenia, where EU membership is not on the table, and considering the limited political integration available through CEPA, leverage to force the Armenian government to close the NPP will most likely remain weak. The issue of politicization of the EU's conditionality is clearly visible, especially since the Eastern Partnership has become such a sensitive issue in EU relations with Russia, and since Armenia has faced great pressure from Moscow not to join western-led institutions and programs. In this scenario, EU demands for Metsamor's closure would be perceived as unwanted and unjustified pressure on an issue that raises concerns among Armenians. Energy diversification is a major part of the country's energy security strategy, and nuclear energy is a central part of that strategy.¹⁴ Thus, negative conditionality on the nuclear energy issue by the EU would likely damage regional perceptions of the EU and undermine its strategic interests. On that basis it has been avoided, demonstrating a political reading of EU interests.

Domestic ownership of the nuclear security issue in Armenia

13 Checkel, J. T. (2000) 'Compliance and Conditionality', *ARENA Working Paper* WP 00/18.

14 Alieva, L. and Shapovalova, N. (eds) (2015) *Energy security in the South Caucasus: views from the region*, *Cascade working paper*, November.

is also complex. On the one hand there is strong cross-cutting opposition to depriving Armenia of nuclear energy. On the other hand, the ways in which this option has been maintained, namely by deepening reliance on Armenia's overpowering ally – Russia – has created unease. Conditionality by the EU on this issue would have to overcome domestic opposition, namely by clearly articulating the alternatives available and upgrading the financial commitment to this option (i.e. building a new NPP). This would also help Armenia reduce its energy and economic dependence on Russia. Finally, the issue of the fragmented policy environment on nuclear safety is a particularly strong feature. Assessments on the reliability of existing infrastructure and their capacity to withstand shocks have varied considerably. Technological advances have proved very efficient in upgrading the life span of old reactors well beyond their expected life cycle and in secure conditions. As such, EU leverage is reduced as new appraisals are made available, undermining the credibility of western donors. Considering these aspects, Armenia's future energy options are also linked to the ability to change its regional standing.

Nuclear Security and the Regional Context

Divisions over the fate of Armenia's NPP must be understood in the framework of its regional context. For most developing countries, nuclear energy is mainly a tool of sustainable economic development and a means of assuring self-sufficiency. This is also the view articulated by the Armenian government in the Armenia Development Strategy for 2014-2025, where the main directions for the energy sector are listed as:

- '1) maximum use of own sources, specially renewable sources of energy; 2) further development of nuclear energy, in particular construction of new energy block and enhance in security of Armenian nuclear power station's 2nd energy block and extension of its utilization period; 3) replacement of physically and morally depreciated power plants with those furnished with new technologies; 4) diversification of energy supplies and regional integration; 5) promotion of energy efficiency in all sectors using energy resources; 6) Increase of the level of safety and

reliability of the electroenergetic system.’¹⁵

Nuclear energy is clearly an important element in Armenia’s calculations, especially since integration with its most dynamic energy partners, such as Georgia, Azerbaijan or Turkey, will remain highly unlikely as long as the Nagorno Karabakh conflict remains unresolved. Armenia’s regional context limits the prospects of integration into regional energy projects, while relations with Russia remain the single most significant point of leverage vis-à-vis relations with Azerbaijan and Turkey. Successive governments since independence have largely failed to consolidate the country’s integration into western institutions or to build the necessary domestic consensus and political will to make concessions on the Karabakh conflict with Azerbaijan, which would significantly diminish its regional isolation and dependence on Russia.

The integration of the South Caucasus into world energy distribution lines, ongoing since the mid-1990s, has not benefited Armenia. The development of two important energy corridors from Baku to Turkey and then onwards to European and global markets has instead benefited Georgia as the privileged transit country. This has translated into economic and political benefits for both Azerbaijan and Georgia, while the marginalization of Armenia has amplified its peripheral status on regional development as well as its dependence on Russian investments and energy. Armenia’s attempts to integrate with Iran have resulted in the opening of a gas pipeline, but Russia remains the country’s most significant energy exporter.

Russia’s role in the process of maintaining Metsamor has proved dubious. Russia has been the most significant investor in the Armenian nuclear energy, stepping up where others have failed to act, including in financing the upgrade of security controls in Metsamor. However, its approach has served as a strong disincentive to the decommissioning option. Moreover, this investment should be perceived as part of a deliberate strategy to control the energy sector in Armenia, thereby accumulating political leverage over Yerevan and simultaneously absorbing the profits of these

Russia’s role in the process of maintaining Metsamor has proved dubious. Russia has been the most significant investor in the Armenian nuclear energy, stepping up where others have failed to act, including in financing the upgrade of security controls in Metsamor.

15 Armenian Government (2014) ‘Armenia Development Strategy for 2014-2025, RA Government Decree # 442 - N’., 27 March.

operations.¹⁶ Over the last few years, Russia has been actively engaged in building nuclear reactors in several countries, including Turkey, which suggests that this is an important and lucrative business, valuable for its struggling economy.¹⁷ Moreover, the nuclear sector remains a highly strategic area for Russian foreign policy, contributing to presenting the Russian Federation as a leading actor in a politically relevant sector.¹⁸

In this scenario, Armenia remains unlikely to consider a non-nuclear option. As the Caspian energy boom fails to translate into increased energy security for Armenia, the short-term benefits of keeping Metsamor open with Russian assistance remain very attractive to Armenia's decision-makers. Proper monitoring the implementation of these agreed measures for upgrading is crucial, especially in a country riddled with corruption. The velvet revolution that led to the resignation of Prime-minister Serzh Sargsyan, in April 2018, may open new important changes in domestic governance. But it remains rather unclear to what extent a new government with increased popular support will be able to change existing views on strategic issues like nuclear energy, relations with Russia or the Nagorno Karabakh conflict.

Conclusion

Metsamor NPP continues to pose a serious challenge to regional security, due to its aging features. Armenia's neighbors Azerbaijan and Turkey have voiced their concerns over the regional risks entailed by Armenia's decision to postpone the decommissioning of the NPP. Although the EU included this issue in both the ENP Action plan of 2006 and in the CEPA of 2017, it has failed to provide Yerevan with either the requisite material incentives or the political pressure points. This paper has analyzed the ways in which the EU's previous experience using conditionality on nuclear issues with the Central and Eastern European countries can provide valuable insights on the lack of EU leverage over

16 Ustohalova, V. and Englert, M. (2017) 'Nuclear safety in crisis regions', *Darmstadt: Institute for Applied Ecology*. Available at: <https://www.oeko.de/fileadmin/oekodoc/Nuclear-safety-in-crisis-regions.pdf> (Accessed: 28 May 2018), p. 24.

17 Information available at the World Nuclear Association. <http://world-nuclear.org/information-library/country-profiles/countries-a-f/armenia.aspx> (Accessed: 28 April 2018).

18 Grigoriadis T.N. (2012) 'Nuclear Power Contracts and International Cooperation: Analyzing Innovation and Social Distribution in Russian Foreign Policy', in Aggarwal V., Govella K. (eds) *Responding to a Resurgent Russia*. Springer, New York, NY, pp. 69-83.

Armenia in this regard. One of the key findings was that more substantial “carrots” are needed for a policy change in this field. These incentives include deeper integration perspectives or commitment to major investments in Armenia’s nuclear sector.

In the absence of such incentives, Armenia’s regional context further reinforces the domestic consensus around energy diversification and the energy independence provided by the NPP. Armenia has withstood, with remarkable confidence, Azerbaijan’s strategy of isolation, imposed as a result of the ongoing Nagorno Karabakh conflict and Armenia’s continued occupation of Azerbaijani territories. This strategy has come at great cost to Armenians, individually, socially, economically, and politically. It has also reinforced the trend of regional division and fragmentation, to which the permanence of the Karabakh conflict contributes. The only way out of this dilemma is for both Azerbaijan and Armenia to engage in meaningful peace talks that can lead to a mutually acceptable agreement.

This could improve the prospects for Armenia’s inclusion in regional energy projects and improve its potential as a profitable energy market, namely contributing to the energy security of the northern parts of Iran through exports. This strategy needs to be explored not as the least feasible option, as it has over the last decades, but rather as the only viable one, if the region’s future is to be one of peace and development. This could also mean that nuclear energy could finally be taken out of the equation by Armenia, or that it could be produced in secure, modern facilities. In either scenario, the EU must take a stronger role in facilitating the peace process, as well supporting investment in Armenia’s energy security.

Russia-Armenia Nuclear Energy Cooperation and the Metsamor Power Plant

Nina Miholjic*

Metsamor, a Soviet-made nuclear reactor still operating in Armenia, causes serious security concerns not only within the region, but also at the international level. Unfortunately, the nuclear threat in the Caucasus is pressing, as Metsamor lacks the requisite safety containment structures, and is located in a seismically active zone. Azerbaijan and Georgia, as well as the wider neighborhood, Turkey and Iran, have expressed serious concerns regarding the recent Russia-Armenia nuclear agreement to prolong Metsamor's operational life. Due to Armenia's inability to implement a more secure energy production policy, and Russia's continued interference and influence, Metsamor remains operational in the face of international warnings and the clear nuclear threat. The West is also concerned about Russia-Armenia nuclear cooperation. The EU and the US, accordingly, advocate for the decommissioning of the plant, as this would prevent future environmental catastrophe as well as helping to limit Russian dominance in the region. This paper examines how Russian-Armenian nuclear cooperation influences regional security in the South Caucasus and entrenches Russian dominance in the region. The paper also discusses the developments that could avert potential nuclear crisis and force Armenia to decommission this outdated nuclear plant such as the normalization of political relations within the South Caucasus, the development of Armenia's renewable energy sector, and the clear foreign policy visions of the surrounding powers towards the region.

Keywords: Metsamor, nuclear energy, Armenia, Russia, Azerbaijan, South Caucasus.



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Introduction

Metsamor, the only nuclear plant in the South Caucasus, is located in an earthquake-prone area and lacks the requisite safety measures. It represents a real security threat; Metsamor could lead to potential nuclear catastrophe and put the wider region at risk in the event of an - earthquake, other natural disaster or even human error. There is also an even greater political risk, namely the strengthened nuclear cooperation between Armenia and Russia, which raises serious security concerns among Georgia and Azerbaijan, as well as neighboring Turkey and Iran, and even the West. The region has been under significant pressure to maintain its hard-won independence, or more precisely, Russian-free domestic politics. Fear of Russian interference looms larger

In addition, Russia has remained militarily present in Armenia since 1995. The 102nd base and aircraft stationed in Gyumri and the Erebuni airfields are Russian military contingents located on Armenian territory. This military presence has served as an effective instrument of interference in Armenian policy, and also represents one of Russia's strategic tools for countering NATO interests in the Black Sea region.

in Azerbaijan and Georgia, which share their northern borders with Russia, than in Armenia, as Yerevan has traditionally enjoyed strong support from the Kremlin.

However, such support is often criticized and perceived as comprehensive Russian control over Armenian domestic and foreign affairs. Russia has acted as Armenia's protector in international relations ever since the Armenian-Azerbaijani conflict.¹ In addition, Russia has remained militarily present in Armenia since 1995. The 102nd base and aircraft stationed in Gyumri and the Erebuni airfields are Russian military contingents located on Armenian territory. This military presence has served as an effective instrument of interference in Armenian policy, and also represents one of Russia's strategic tools for countering NATO interests in the Black Sea region.² According to 2010 agreement, the Russian bases will remain until 2044.³ Moreover, Russian investment in Armenian nuclear sector has entrenched Russian dominance in Armenia. With considerable Russian financial and technical support, the Metsamor plant will continue operating until 2026.

1 Ipek, P. (2009) 'Azerbaijan's Foreign Policy and Challenges for Energy Security', *Middle East Journal*, 63 (2), pp. 227-239.

2 Abrahamyan, E. (2015) *The Evolving Role of Russia's Military Presence in Armenia*, Available at: <https://pfarmeria.wordpress.com/2015/09/12/the-evolving-role-of-russias-military-presence-in-armenia/> (Accessed: 14 March 2018)

3 Osborn, A. (2010) *Russia to beef up military presence in former Soviet space*, Available at: <https://www.telegraph.co.uk/news/worldnews/europe/russia/7952433/Russia-to-beef-up-military-presence-in-former-Soviet-space.html> (Accessed: 14 March 2018)

Metsamor, therefore, is another Russian-led project in Armenia that causes serious security concerns even among international actors. This is because stronger nuclear cooperation between Russia and Armenia involves not only controversial energy agreements but also greater Russian political and financial control over Armenia. This cooperation could entrench Russia's presence in the region, and even undermine Georgian and Azerbaijani independence. By accepting Russian nuclear investment, Armenia has made clear its eastward-looking policy and estrangement from the West. By contrast, Georgia and Azerbaijan want Russian-free domestic politics and are willing to seek other regional partners such as the EU and Turkey in order to prevent overwhelming Russian influence in the region. This complex web of interests and divergent foreign policies among the three countries could cause deeper conflicts and alienation, making the region more vulnerable and susceptible to foreign influence. From this perspective, the West is similarly anxious about Russia-Armenia nuclear cooperation. The EU and the US have clearly stated that an aging nuclear plant must be decommissioned as soon as possible due to security concerns.

Soviet Nuclear Reactor

The Armenian Nuclear Power Plant (ANPP), often referred to as the Metsamor Nuclear Power Plant (MNPP) was built during the Soviet period in 1976. It was shut down in 1989 after the devastating Spitak earthquake, which claimed 25,000 victims, and then reopened in 1995 due to the severe economic crisis and energy scarcity in newly independent Armenia. As one of the five remaining Soviet nuclear reactors, Metsamor raises numerous security concerns in the region and beyond. Initially, ANPP consisted of two model V-230 reactors, each of 407.5 MWe gross, which supplied power from 1976 and 1980, respectively.⁴ Both reactors were shut down after the earthquake. However, only one of two units - Armenia 2 - was rendered operational again in 1995, due to the devastating economic crisis that hit Armenia after the Nagorno-Karabakh conflict. Armenia 2 already fulfilled its designed lifespan of thirty years in 2016, but the Armenian

As one of the five remaining Soviet nuclear reactors, Metsamor raises numerous security concerns in the region and beyond.

4 Semenov, B.A. (1983) 'Nuclear power in the Soviet Union', *IAEA Bulletin*, 25(2), pp. 47-59.

Today, Metsamor is the only nuclear power plant in the South Caucasus that consistently raises concerns not only among Armenia's neighbors, but also at the international level. The EU and the United States have been actively involved in assessing the gravity of the situation by offering financial assistance and expertise.

government agreed to extend its life for ten more years until after the new reactor is commissioned. This decision was supported by the Russian government, which decided to provide considerable financial assistance to extend the plant's life to 2026.⁵ In 2015 Armenia accepted a \$30 million grant from Russia and approved a \$270 million loan for 15 years at 3% to support the upgrade.⁶ Intensive talks regarding the construction of a new reactor yielded positive results in 2014 when the Armenian government announced that construction of the new unit would start in 2018.

Today, Metsamor is the only nuclear power plant in the South Caucasus that consistently raises concerns not only among Armenia's neighbors, but also at the international level. The EU and the United States have been actively involved in assessing the gravity of the situation by offering financial assistance and expertise. To combat future security risks, the US government offered technical assistance in nuclear energy safety analysis and capacity building. In addition, the US government also suggested policy shift towards regional energy integration, renewable and alternative energy.⁷ The West is interested in the development of alternative, cleaner and safer energy in Armenia because the current state of Armenian nuclear production poses serious security risks. The best solution would be to shut down the reactor.

In order to persuade Armenia to close down the outdated reactor, the EU was ready to provide a considerable financial loan of €200 million (\$289 million) to finance Metsamor's shutdown but Armenia rejected the proposal.⁸ Consequently, the EU, in revolt, froze €100m in aid.⁹ In spite of international warnings, the Metsamor nuclear plant continues to supply Armenian population with approximately 40 percent of the total country's

5 World Nuclear News (2017) *Russia to start upgrading Armenian plant in 2018*. Available at: <http://www.world-nuclear-news.org/C-Russia-to-start-upgrading-Armenian-plant-in-2018-15061701.html> (Accessed: 3 February 2018)

6 World Nuclear Association (2017) *Nuclear Power in Armenia*. Available at: <http://www.world-nuclear.org/information-library/country-profiles/countries-a-f/armenia.aspx> (Accessed: 4 February 2018)

7 USAID (2013) *Armenia: Country Development Cooperation Strategy FY 2013-2017*. Available at: <https://www.usaid.gov/sites/default/files/documents/1863/Armenia-CDCS.pdf> (Accessed: 8 February 2018)

8 Rabajova, S. (2013) *EU seeks shutdown of Armenia nuclear power plant*. Available at: <https://www.azernews.az/region/49878.html> (Accessed: 8 February 2018)

9 Brown, P. (2004) *EU halts aid to Armenia over quake-zone nuclear plant*. Available at: <https://www.theguardian.com/environment/2004/jun/02/energy.europeanunion> (Accessed: 10 February 2018)

energy needs.¹⁰ The biggest concern is that unlike the other four Soviet outdated nuclear plants, MNPP is located in a quake-prone area and lacks the necessary safety requirements.¹¹ The Fukushima disaster has forced Yerevan to reassess Metsamor due to the absence of containment structures, a security obligation for all modern nuclear reactors, and its location in a highly seismic active zone. In this context, the plant has earned the epithet of “the most dangerous nuclear plant in the world”.¹² Regardless, the Armenian government accepted Russian help to prolong the plant’s life and Metsamor’s operational period has been extended to 2026. Due to the potential nuclear threat, there is great concern that the Chernobyl or Fukushima scenarios could occur in Armenia, gravely endangering the regional security environment.

Reasons for Reopening the Metsamor Plant

Armenia is a landlocked country in the South Caucasus region. This former Soviet republic has struggled to establish peaceful and prosperous foreign relations ever since it became independent in 1991. It has endured the devastating consequences of a bloody conflict with its eastern neighbor over the disputed Nagorno-Karabakh territories. Due to unresolved issues with Azerbaijan and its weak economy, Armenia is in very vulnerable position, especially in terms of energy security. During Metsamor’s period of inactivity from 1989 to 1995, the domestic population suffered significantly as a result of energy shortages. The Armenian government was forced to reduce power consumption to only one hour a day for several years.¹³ This traumatized Armenia to the extent that the population was ready to reopen a highly dangerous nuclear reactor.

Although many countries urge Armenia to focus on developing a renewable energy sector (primarily thermal or solar), past

10 Ogutcu, O. (2016) *Nuclear Threat in the South Caucasus; Metsamor to Continue Operating*. Available at: <http://avim.org.tr/en/Analiz/nuclear-threat-in-the-south-caucasus-metsamor-to-continue-operating> (Accessed: 13 February 2018)

11 Garthwaite, J. and Lavelle, M. (2011) *Is Armenia’s Nuclear Plant the World’s Most Dangerous?* Available at: <https://news.nationalgeographic.com/news/energy/2011/04/110412-most-dangerous-nuclear-plant-armenia/> (Accessed: 8 February 2018)

12 Ibid.

13 Sahakyan, A. (2016) *Armenia Continues to Gamble on Aging Nuclear Plant in a Quake-Prone Area*. Available at: https://www.huffingtonpost.com/armine-sahakyan/armenia-continues-to-gamb_b_9788186.html (Accessed: 8 February 2018)

experience has taught Armenians that the extraction of alternative energy resources comes at a high price. Throughout Metsamor's period of inactivity, Armenians were forced for wood to provide heat during the harsh winters, leading to serious deforestation. Furthermore, Lake Sevan, one of the largest lakes in Armenia, suffered a great deal due to sharp rises in water flow in order to produce more hydroelectricity.¹⁴ It comes as no surprise that Armenia is very concerned about Metsamor's closure, since the reactor represents a vital pillar of national energy production. The West is outspoken about the development of renewables in Armenia and is ready to support alternative energy projects. However, given the experience of the early 1990s, Armenia will not be easily convinced to pursue such expensive projects, even though they could provide more secure and cheaper energy in the long run. The nation still recalls the suffering that followed Metsamor's temporary, leaving many without enough power even for basics.

Armenia's occupation of Azerbaijan's sovereign territories led Azerbaijan and Turkey to close borders with the country, isolating Armenia and forcing the Armenian government to find less secure ways to meet domestic energy demands. Before the

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Nagorno-Karabakh war, Armenia received gas and oil from Russia and Turkmenistan via Azerbaijan. But since the beginning of the conflict, Azerbaijan has refused to supply Armenia in the absence of a peace agreement that includes the return of the disputed Nagorno-Karabakh territories.¹⁵ Moreover, via the Baku-Tbilisi-Ceyhan (BTC) project that transfers Azeri oil from the Caspian Sea through Georgia and Turkey all the way to the Mediterranean Sea, Azerbaijan has managed to bypass its western neighbor. This has deepened Armenia's political and economic isolation.¹⁶ Other Azeri-led energy projects,

the Baku-Supsa oil pipeline and Baku-Tbilisi-Erzurum Pipeline (BTE) gas pipeline, also bypass Armenian territory.

Turkey has expressed great concern over Armenia's decision to prolong Metsamor's life. Turkish officials oppose any further advancements of the plant and advocate for its closure because

14 Garthwaite, J. and Lavelle, M. (2011) *Is Armenia's Nuclear Plant the World's Most Dangerous?*

15 Sahakyan, A. (2016) Armenia Continues to Gamble on Aging Nuclear Plant in a Quake-Prone Area.

16 Cornell, S. E. and Ismailzade, F. (2005) 'The Baku-Tbilisi-Ceyhan Pipeline: Implications for Azerbaijan', *Central Asia-Caucasus Institute & Silk Road Studies*, pp. 61-85.

of security risks.¹⁷ In order to protect human life and the environment, the regional countries, Azerbaijan, Georgia and Turkey have all spoken out against the plant. In the event of a nuclear accident, the wider region will also face serious nuclear fall-out. In contrast to its troubled historical and political relations with Azerbaijan, Armenia has developed strong ties with its southern neighbor – Iran. Armenia and Iran have maintained strong strategic and energy relations. Because of the Azerbaijani and Turkish border closures which prevent Armenian energy imports, and the unreliability of Russian energy deliveries (such as during hostile episodes between Russia and Georgia), Iran remains Yerevan's only trustworthy energy partner in the region.¹⁸ However, Iranian gas supplies are not nearly enough to meet Armenian demand, particularly after Russia intervened and reduced the diameter of the Iran-Armenia gas pipeline from 1,420 to 700 millimeters.¹⁹ Russia continues to block every serious attempt by either Armenia or Iran to deepen their energy cooperation. Interestingly, Iranian-Armenian energy relations are based on a swapping arrangement. According to the twenty-year agreement signed between Tehran and Yerevan in 2014, for one cubic meter of Iranian gas, Armenia sends 3.2 kilowatt-hours of electricity to Iran.²⁰ But despite traditionally good Teheran-Yerevan energy ties, Armenia remains unable to escape the regional isolation.

Turkey has expressed great concern over Armenia's decision to prolong Metsamor's life. Turkish officials oppose any further advancements of the plant and advocate for its closure because of security risks.

Why Does Russia Continue to Support the Armenian Nuclear Program?

Russia has shown great interest in developing a strong national nuclear program. The Kremlin recognizes nuclear energy as a powerful tool in maintaining its status as a great power.²¹ Moreover, Russia has continued to scrutinize every opportunity

17 Turkiye Newspaper (2016) 'Armenian nuclear plant should be shut down', says Turkish minister. Available at: <http://www.turkiyenewspaper.com/business/9573.aspx> (Accessed: 14 February 2018)

18 Zarifian, J. (2008) 'Christian Armenia, Islamic Iran: Two (Not so) Strange Companions Geopolitical Stakes and Significance of a Special Relationship', *Iran & the Caucasus*, 12(1), pp. 123-151.

19 Giragosian, R. (2015) *Armenia as a bridge to Iran? Russia won't like it*. Available at: <https://www.aljazeera.com/indepth/opinion/2015/08/armenia-bridge-iran-russia-won-150830063735998.html> (Accessed: 13 February 2018)

20 Aravot Daily (2017) *Iran to increase gas supplies to Armenia: Armenian delegation talks in Tehran*. Available at: <http://www.aravot-en.am/2017/12/18/204953/> (Accessed: 8 February 2018)

21 Josephson, P. (2010) 'Technological utopianism in the twenty-first century: Russia's nuclear future', *History and Technology*, 19(3), pp. 277-292, DOI: 10.1080/0734151032000123990

to invest in nuclear programs abroad, ensuring that its nuclear leadership remains entrenched within the region. The fact that Russia currently has 35 operating reactors totaling 26,983 MWe and over 20 nuclear power reactors confirmed or planned for export construction clearly demonstrates Moscow's determination to maintain its position as a nuclear energy leader.²² Apart from the astonishing results in the domestic nuclear energy field, Russia's policy of interference helps strengthen its nuclear monopoly across the wider neighborhood.

Since the reopening of Metsamor's atomic station, Moscow has been heavily involved in every step from technical to financial areas in the plant's upgrade. In order to reactivate the plant, Armenia imported more than 500 tons of equipment, mostly from Russia, to improve the outdated unit.²³ However, Russian help has

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come at a high price. Armenia's foreign debt has risen to about \$40 million due to the volumes of imported Russian fuel. Moreover, the nuclear station has been operated by a subsidiary of RAO UES and Rosenergoatom since 2003, as part of an agreement to help pay off those debts to TVEL.²⁴ Russia demands significant ownership and operational authority, just as with its other energy projects abroad. Armenian energy sovereignty is severely curtailed as a result of its dealings with Russian energy companies. Almost every significant energy-related infrastructure in the country is owned by Russian companies.²⁵ Armenia has to make huge compromises when it comes to Russian energy investments.

Even more concerning for Azerbaijan and Georgia, along with Turkey and Iran, is the fact that Russia closely monitors Armenia's energy relations with other countries, and if necessary, blocks them effective interference in Iranian - Armenian gas project has shown that Russia still exerts an essential influence over regional energy relations. During the negotiations over the Iran-Armenia natural gas pipeline project, Gazprom managed to reduce the pipeline's diameter from the initially planned 1,420 to 700

22 World Nuclear Association (2018) *Nuclear Power in Russia*. Available at: <http://www.world-nuclear.org/information-library/country-profiles/countries-o-s/russia-nuclear-power.aspx> (Accessed: 8 February 2018)

23 Garthwaite, J. and Lavelle, M. (2011) *Is Armenia's Nuclear Plant the World's Most Dangerous?*

24 World Nuclear Association (2017) *Nuclear Power in Armenia*.

25 Yengibaryan, D. (2017) *Energy security in Armenia: accomplishments, dangers and risks*. Available at: <https://jam-news.net/?p=69454> (Accessed: 14 February 2018)

millimeters, preventing Iran from reaching European markets.²⁶ Russia will not permit Tehran to increase Iranian influence in the South Caucasus, or to become a competitive supplier in Europe. This intervention entrenched Armenian gas dependence on Russian supplies, and considerably limited Iranian energy influence. Moscow will continue to oppose every project that could threaten Russian energy leadership in the Caucasus, and to support those which allow Russian influence to thrive.

Armenia's desperate energy situation can be easily manipulated and used for the increase of foreign influence. The Western proposal regarding the developments of renewables in Armenia was declined because it did not offer a feasible alternative. If the plant had not been reopened, Armenia would have faced another power shortage. Decommissioning the plant would deprive millions of people of electricity and significantly undermine national security of the country. Russia could not let this opportunity slip away and offered something more tangible. The attractiveness of the Russian proposal lies in the fact that it brings immediate results, and ensures Armenia's power supply even if such help continues to jeopardize regional security. With Russian financial help, the nuclear plant will continue to operate at least for ten more years. Upgrading Metsamor's reactor will postpone the closure, but also prevent an energy shortage, the most frightening prospect for an already traumatized population.

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The Russian–Armenian nuclear relationship is deeply troubling not only to the West, but also to other countries in the wider region. First of all, if this cooperation continues, Russian influence could become greater in the South Caucasus region. That might be perceived as another vector of an already aggressive Russian foreign policy to entrench its presence in the South Caucasus, and increase anxiety among the post-Soviet republics about their hard-earned independence. This cooperation seems to be a part of the larger Russian nuclear strategy. Alongside the considerable investment in its national nuclear program, Russia has prioritized nuclear exports in promoting itself as a worldwide

26 Socor, V. (2007) *Iran-Armenia Gas Pipeline: Far More Than Meets The Eye*. Available at: <https://jamestown.org/program/iran-armenia-gas-pipeline-far-more-than-meets-the-eye/> (Accessed: 13 February 2018)

specialist in nuclear technology and engineering.²⁷ However, the idea that Russia has been heavily involved in the South Caucasus' energy relations remains a serious concern for other countries in the neighborhood. Turkey and Iran consider the Caucasus as an important area of influence that could strengthen their respective positions in the ongoing battle for the regional dominance. On the other hand, Russia is perceived as a strong opponent, given its historical ties to the region. Recent developments in Russia-Armenia nuclear cooperation have left many sides wondering what this friendship could mean for the already complicated regional relations.

Azerbaijan and Georgia have considerable concerns about increased Russia-Armenia nuclear cooperation, as such relations imply not merely energy agreements but also political and financial control over Armenian domestic affairs. Ever since the collapse of Soviet Union, the South Caucasus has struggled to maintain its independence and protect itself from the Kremlin's control. Azerbaijan has to be very careful in dealing with Russia because there is a constant fear that Moscow might use the unresolved political issues in the South Caucasus to regain

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control over Azerbaijan. The stronger Russian presence in Armenia signals that Russia could impose tighter controls over the other two South Caucasus countries. Currently, Azerbaijan is in a very difficult position. Because of domestic economic difficulties, notably the depreciation of the local currency caused by the fall in oil and gas prices, as well as growing distance in its relations with the West and Turkey, Azerbaijan has no choice but to continue cooperating very carefully with its perilous neighbors, Russia and Iran.²⁸ Georgia has suffered considerably as a result of Russia's aggressive

foreign policy. Russian interference in Georgia's internal conflicts over Abkhazia and South Ossetia and the full-scale Russia-Georgia war in 2008 have made Georgia determined to pursue EU membership and turn more to the West.²⁹ Fears around a

27 Fisher, E. (2011) *Rise of a giant: Russia's nuclear future*. Available at: <http://www.power-technology.com/features/feature-rise-of-a-giant-russias-nuclear-future/> (Accessed: 15 February 2018)

28 Kogan, E. (2017) *Azerbaijan's Relations with Russia: Beware the Bear*. Available at: <http://georgiatoday.ge/news/6155/Azerbaijan%E2%80%99s-Relations-with-Russia%3A-Beware-the-Bear> (Accessed: 13 April 2018)

29 Melikyan, J. (2014) *Georgia looks west, Armenia east*. Available at: <https://www.opendemocracy.net/od-russia/johnny-melikyan/georgia-looks-west-armenia-east-EU-CU-NATO> (Accessed: 14 April 2018)

greater Russian presence are justified; these small former Soviet republics are aware of Russia's ambitions to re-establish regional hegemony and turn them into puppet states.

Concluding Remarks

Dialogue on the modernization of the existing unit and plans for building a new, more secured reactor could be a good starting point for calming the growing anxieties. However, much more can and should be done to tackle the nuclear issue in Armenia. The Armenian government should focus more on developing alternative energy resources and improve its foreign policy by becoming more open for cooperation with Azerbaijan, especially in regard to resolving the Nagorno-Karabakh conflict. Russian aid will only postpone the same problem regarding the safety of Metsamor's operations. The highly hazardous nature of the location is not a variable that can be changed, regardless of upgrades to the existing unit or even a new, improved reactor.

Due to the current geopolitical issues in the region and Moscow's continued interference, Armenia remains unable to find a less hazardous option for energy production. Instead, the only nuclear plant in the South Caucasus is forced to continue producing despite its risky location. Located in a quake-prone zone, ANPP poses a threat not only to the local population but also to the neighboring countries. Moreover, the plant is not fortified with required safety structures despite recent upgrading. Current negotiations over the construction of a new, more secure nuclear plant at the same location have sparked contradictory opinions. The dilemma of whether or not to maintain a nuclear plant in a seismically active area, even with improved safety arrangements, remains in place. Armenia's complex energy situation and economic vulnerability make the development of alternative energy sources more difficult. The US and the EU are interested in helping Armenia to strengthen domestic capacity in alternative energy production, but their proposal requires major investment - and above all the closure of the essential source of Armenian power – Metsamor.

On the other hand, the Russian offer is much more palatable, because it does not force Armenia to cut off a vital link to its current source of energy security. Instead, with Russian financial support and expertise, Armenia has extended the plant's life and

postponed the domestic energy crisis. Regardless of the ever-present natural seismic threat and potential nuclear catastrophe, Armenia is ready to jeopardize regional security rather than to face electricity shortages. However, Russian aid never comes without strings attached. Russia has been eager to entrench its presence in the region ever since the collapse of the Soviet Union, and its expansionist foreign policy has remained highly opportunistic. Energy investments abroad are a key dimension of Russia's strategy to maintain regional hegemony. Therefore, the Kremlin will continue to oppose any project that could threaten Russian energy leadership in the Caucasus, and support those that allow Russian influence to flourish.

Thus Armenia's dependency on Metsamor, together with Russian control over nuclear power in Armenia, have clear implications for regional stability and security, as well as for the EU and the US. The energy security of the South Caucasus requires the normalization of political relations within the three post-Soviet republics, as well as clear foreign policies of the surrounding powers towards the region. The principle of non-interference, either militarily or financially, is crucial for the regional countries, and at this juncture, Russian expansionism is causing significant damage to the region.

First of all, Russian interference and aggression undermines the hard-earned independence of the three countries. Armenian dependence on the Metsamor nuclear production deepens divisions within the region. Secondly, Armenia's eastward-oriented politics and submission to the Kremlin forces Georgia and Azerbaijan to build alliances with other regional and international actors in order to maintain independence. Within this scope, increased Russian-Armenian cooperation will only add to already tense relations within the region. With every new energy agreement, Russia is looking for an opportunity to either boost its presence or to undermine other countries' energy influence in the region. This leaves the South Caucasus weak and divided, and susceptible to Russian influence. The development of renewable energy in Armenia and reconciliation within the South Caucasus remain a key focus for the West. This is because it is evident that the Armenia-Azerbaijan conflict over Nagorno-Karabakh will continue to threaten the security situation in the region. In the same vein, energy security in the Caucasus will continue to suffer as a result of unsettled political questions.

The EU public diplomacy and the Iran nuclear problem post-JCPOA

Elena Andreea Bordea*

The following paper assesses the use of public diplomacy tools between the European Union and Iran after signing JCPOA. Drawing on official statements, it tries to extract insights about the advantages or disadvantages of the agreement, the contributions and the interests of the parties, developments and implementation, hopes for a peaceful nuclear future, and messages designed to shape public opinion and influence attitudes towards the outcome of 12 years of work. It presents how the EU has projected its own institutional image, beyond member state governments, by presenting its own actions and by contextualizing them, concluding that EU as the factor which ensured the balance of negotiations and success of the agreement. Consequently, the Iranian people are focused on JCPOA because, over time, people's lives have been affected by the nuclear issue. Accordingly, I argue that the attempt of High Representatives of the EU to send messages of encouragement to people who are aware of isolation, human rights restrictions, and radical interpretation given to religion marks a step forward in establishing cordial relations with the Islamic Republic of Iran.

Keywords: diplomacy, agreement, nuclear, public opinion, cooperation, EU-Iran



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“The E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom and the United States, with the High Representative of the EU for Foreign Affairs and Security Policy) and the Islamic Republic of Iran welcome this historic Joint Comprehensive Plan of Action (JCPOA), which will ensure that Iran’s nuclear programme will be exclusively peaceful, and mark a fundamental shift in their approach to this issue.”¹ – Preface of *Joint Comprehensive Plan of Action*, Vienna, 14 July 2015

Introduction

The Iranian nuclear agreement represents a major achievement in the history of diplomacy, as it solved one of the most important concerns in international relations through ongoing negotiations and perseverance in engagement for peaceful purposes.

The Iranian nuclear agreement represents a major achievement in the history of diplomacy, as it solved one of the most important concerns in international relations through ongoing negotiations and perseverance in engagement for peaceful purposes.

The Islamic Republic has been concerned, for thirteen years, about nuclear power, which was considered an ‘inalienable’ right². After ten years of intense negotiations, Iran and the P5 + 1 group concluded an interim agreement in Geneva on 24 November 2013, agreeing that JCPOA will ‘involve a mutually defined enrichment programme with practical limits and transparency measures to ensure the peaceful nature of the programme’³. The dialogue, aimed at reaching a comprehensive agreement, ran from February 2014 until 14 July 2015, the day of *Finalization*. The timeline includes a series of milestones:

- *Adoption*, established by Security Council Resolution 2231, which approves the agreement (18 October 2015);
- *Implementation*, when the IAEA checks whether Iran has achieved its obligations and when the US, the UN and the EU cease to apply specific sanctions after the

1 UN Security Council, (2015) *Security Council resolution 2231 (2015) [on Joint Comprehensive Plan of Action (JCPOA) on the Islamic Republic of Iran’s nuclear programme]*, Available at: <https://www.refworld.org/docid/55b9e2084.html> (Accessed: 25 February 2018).

2 Blackstock, J., Phys, P., and Milkoreit, M. (2007) ‘Understanding the Iranian Nuclear Equation’, *Journal of Princeton International Affairs*, pp. 7-28.

3 U.S. Department of Treasury (2013) *Joint Plan of Action*, Preamble, Available at: <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/jpoa.pdf> (Accessed: 25 February 2018).

positive feedback of IAEA as far as the filling in of steps concerned (16 January 2016);

- *Transition*, eight years from the day of Adoption, or when the IAEA concludes that ‘the nuclear material remains for peaceful activities’; and
- *Termination*, ten years from the day of Adoption when the provisions and measures imposed by Resolution 2231 will end and the Security Council will no longer be involved in the nuclear issue⁴.

These deadlines demonstrate the necessity of a comprehensive and lengthy process of compliance and implementation of agreed-upon principles.

But how did the EU perceive the agreement? How have relations between Iran and the EU evolved in the post-JCPOA era? I choose to analyze the path of public diplomacy for this discussion, in order to explore not only the political and the security dimensions of the agreement, but also the human dimension, the European perceptions that transcend governments and send a message to the people.

Public Diplomacy - Conceptualization and Practice

The term ‘public diplomacy’ has gained a special significance within the theoretical framework since the middle of the last century. Edmund Gullion offered the following meaning: influencing the public attitudes on the formation and implementation of external policies⁵. The 21st century presents new challenges, because information has a different role in the context of rapid development of media and globalization. Today, it is very important to influence points of view, and so internal and the international communication with different public audiences have become an important task for Foreign Ministries.

The theory is sustained by practice in the field of public diplomacy, whether we are looking at historical examples or

⁴ Chronology available on: European Council (2017) *Joint Comprehensive Plan of Action and restrictive measures*, Available at: <https://www.consilium.europa.eu/en/policies/sanctions/iran/jcpoa-restrictive-measures/> (Accessed: 25 February 2018).

⁵ Wolf, Ch., Rosen, B. (2004) *Public Diplomacy: How to Think About and Improve it*, Santa Monica: Rand Corporation, p. 3.

current developments. For instance, in Europe, after the Second World War, the states began to experiment with various versions of public diplomacy:

- Germany - *Politische Öffentlichkeitsarbeit*, an instrument adjacent to the foreign policy meant to increase the degree of state acceptance among Western democracies;
- France - *politique d'influence*, a practice aimed at rebuilding the image of the state after the war;
- The Netherlands - *publieksdiplomatie*, used to calm the public opinion as far as the ethical issues concern (euthanasia laws) or liberal policies (abortion and drugs laws).

Public diplomacy must also be analyzed in the light of the American experiences; the post-11 September 2001 period witnessed a focus on promoting the US image and persuading the world's population that it "pursues the same goals of freedom, security, and prosperity"⁶, all in response to the bombing of Afghanistan. This illustrates "the need for public diplomacy to resolve ideological conflicts that could have affected national interests."⁷

At the EU level, the practice of public diplomacy is fulfilled by the Brussels structures, which deal mainly with internal communications, via delegations, the primary agents of foreign communications. Thus, the EU is trying to present various events in a specific way in order to influence perceptions among different audiences. This is achieved through press statements, speeches, websites and/or various events organized by the Commission or by Delegations in third countries. Moreover, other tools are used to improve understanding and knowledge of the EU and its values: student exchange programs, the EU Visitors Program,⁸ and the Erasmus Mundus program. The EU also seeks to build its relationship with civil society by supporting and funding NGOs or projects that can direct the impact of its speeches in the desired sense⁹. The practice of public diplomacy is aimed at shaping the EU as a model of international governance, as a promoter of

6 Ham, P. (2003) *Improving America's Image After 9/11: The Role of Public Diplomacy*, Madrid: Real Instituto Elcano, p.1.

7 Fitzpatrick, K. (2010) *The Future of U.S. Public Diplomacy. An Uncertain Fate*, Boston: Brill, p. 1.

8 Rasmussen, S. (2009) *Discourse Analysis of EU Public Diplomacy Messages and Practices*, Clingendael: Netherlands Institute of International Relations Clingendael, p. 19.

9 *Ibid.*, p. 28.

democracy, human rights, and multilateralism, as a key to stability, playing an important role on the continent in economic, financial and commercial terms.

Public diplomacy has become a well-worn term within the EU since the adoption of the Lisbon Treaty, which strengthened the role of the High Representative for Foreign Affairs and Security Policy¹⁰ and increased the EU's external visibility by setting up the European External Action Service, an authority that 'will support the High Representative [...] in fulfilling his/her mandate to conduct the Common Foreign and Security Policy of the Union and to ensure the consistency of the Union's external action [...]'¹¹. The figures confirm the efficiency of these structures; in 2011, there were 593 statements focused on enhancing the role and the image of the EU as a global power and addressing the following themes: conflict resolution, development aid, natural disasters, pandemics and energy security.

Public diplomacy has become a well-worn term within the EU since the adoption of the Lisbon Treaty

The Role of the High Representative in Negotiations: Aspects of Public Diplomacy

Between 2003 and 2015, there have been three High Representatives of the EU: Javier Solana, Catherine Ashton, and Federica Mogherini. Along with other global powers, these officials played a key role in negotiating a solution to Iran's concerns about the proliferation of weapons of mass destruction, demonstrating the EU's ability to resolve significant global threat. The challenges did not come to an end after the agreement was signed, due to the US president's reluctance, and diplomatic messages were intensified in order to preserve the deal.

Public diplomacy was actively manifested during the negotiations,

¹⁰ The function of High Representative for Foreign Affairs and Security Policy was established by Treaty of Amsterdam (High Representative for the Common Foreign and Security Policy) and consolidated by Treaty of Lisbon. He was tasked to give the European Union greater visibility in international relations, greater stability in terms of external representation and greater consistency in the field of foreign policy. Specifically, the High Representative should lead the Common Foreign and Security Policy, chair the Foreign Affairs Council and be one of the Vice-Presidents of the Commission. (European Union (2007) *Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*, pag. 21, Available at: <https://www.refworld.org/docid/476258d32.html> (Accessed: 25 February 2018).

¹¹ Council of the European Union (2010) *Council Decision of 26 July 2010 establishing the organization and functioning of the European External Action Service*, art. 2, Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32010D0427> (Accessed: 26 February 2018).

Public diplomacy was actively manifested during the negotiations, the officials practicing it in key moments.

the officials practicing it in key moments. For example, 2006 brought intense diplomatic activity in the context of the resumption of talks on uranium enrichment concerns. The High Representative met with the Iranian nuclear negotiator Ali Larijani, providing a package of concessions from the P5 + 1 group, which, according to Solana, would allow a commitment in negotiations based on ‘trust and respect’¹². The statements of the two officials after the four massive rounds of talks demonstrated a common commitment to progress; the length of the talks (18-20 hours) also sent a public diplomacy message about the dedication of both parties.

Solana was replaced by Catherine Ashton in 2009. Ashton approached the key players, gained their trust and became indispensable. The High Representative tried to build an atmosphere conducive to further talks, addressing messages to Iran through multiple interlocutors in order to demonstrate the EU’s seriousness, or participating in informal talks before the official dialogues for drafting the reports. Ashton was praised for her ability to build working relationships, bringing difficult interlocutors into a comfortable, compromise-friendly framework¹³. The adoption of the Joint Plan of Action (24 November 2013) marked the beginning of an intense period of bilateral, trilateral or plenary meetings, all led by Catherine Ashton, who maintained the continuity of the talks and was considered a mediator ‘able to act more impartially than other Western officials’¹⁴.

The EU’s Post-JCPOA Public Diplomacy: Speech Analysis

JCPOA highlights the final position of the EU and the P5+1 group over the Iranian nuclear program, namely acceptance and normalization. The agreement was also perceived as a victory by the Iranian government, because Iran did not have to give up its whole program. At the declarative level, the optimism is clear.

12 Radio Free Europe (2006) *Iran: Solana Delivers EU Offer On Nuclear Program*, Available at: <https://www.rferl.org/a/1068944.html> (Accessed: 15 April 2018).

13 Al-Monitor (2012) *Can Western Women Tame Iran’s Nuclear Negotiators*, Available at: <https://www.al-monitor.com/pulse/originals/2012/al-monitor/can-western-women-tamebr-irans-n.html> (Accessed: 15 March 2018).

14 Jessen, E. (2017) ‘European Diplomacy in the Iran Nuclear Negotiations: What Impact Did It Have?’, *Bruges Political Research Papers*, 61, p. 33;

Foreign Minister Zarif stated, on 21 July 2015, the importance of the agreement for ‘Iran’s dignity, the sovereignty of rights, the technological advancement and independence and the gain of legitimacy through the international recognition associated with the agreement’¹⁵. Former President Ali Akbar Hashemi Rafsandjani considered that JCPOA was “more important than the war between Iran and Iraq and the liberation of Khorramshahr”¹⁶.

The agreement was also perceived as a victory by the Iranian government, because Iran did not have to give up its whole program.

Since November 2014, Federica Mogherini has held the position of High Representative, responsibility for managing EU foreign policy. Stating on many occasions the desire to develop a new strategy, a document billed as *A Global Strategy for the EU’s Foreign and Security Policy* was adopted in June 2016. The Strategy emphasized the need for coherence and unity in the action of the EU. But what was the role of Federica Mogherini in the negotiations concerning the Iranian nuclear file? How did she influence the evolution of the talks? What are the characteristics of her speech and what did she want to convey to the general public? Within this article, I will try to answer some of these questions based on different statements and the context in which they were delivered.

Mogherini followed Catherine Ashton as the EU’s chief diplomat, but named her predecessor Special Advisory on nuclear talks to ensure continuity in the negotiations. Even though Ashton did not participate in the dialogue, she facilitated negotiations with Iran during times of peak tension with the West (2009 to 2014). Many say that Mogherini has made efforts to combat the criticism by diplomats who considered her too inexperienced to work on nuclear proliferation. She subsequently became valued for her communication skills. Thus, various people have come to emphasize that ‘she does not have the charisma that Solana possessed but has a good political sense, much more visibility than Ashton, and she is never ideological’¹⁷.

The subject of discussion the comprehensive action plan (14 July 2015), which provides the signatories and the entire international

15 Bowen, W., Moran, M., Esfandiary, D. (eds.) (2016), *Living on the Edge. Iran and the Practice of Nuclear Hedging*, London: Palgrave Macmillan, pag. 136.

16 *Ibid.*

17 Politico (2017) *The women behind the Iran nuclear deal*, Available at: <https://www.politico.eu/article/the-women-behind-the-nuclear-deal/> (Accessed: 1 March 2018).

community with the security of peaceful nuclear development: ‘Iran reaffirms that under no circumstances will Iran ever seek, develop or acquire any nuclear weapons’¹⁸ Public responses underlined the importance of this historic day as the result of collective efforts. Mogherini and the Iranian Foreign Minister Javad Zarif told the international community that ‘hope and determination, constructive engagement and dedication resolved a dispute that lasted more than 10 years’¹⁹. They emphasized the IAEA’s ‘critical contribution’ as well as ‘the support and hospitality’ of the Austrian government on a background of historical decision that no one considered easy. ‘Intensive work’ has resulted in the adoption of the JCPOA, an agreement that represents a ‘good deal for the broader international community’²⁰.

On 16 January 2016, the day of implementation of the Agreement, these officials released another statement, noting the results of a ‘heavy task’, ‘mutual commitment’ and ‘collective benevolence’²¹ (the adjectives used are addressed to the Iranian side given the difficulty of previous cooperation). On this occasion, the EU confirmed that the only remaining international legal framework on Iran’s nuclear activities was Resolution 2231, which approved the JCPOA and the Non-Proliferation Treaty. The obvious message of public diplomacy can be identified at the end of the statement, where, in addition to the gratitude shown towards the Austrian government and all those who have supported the negotiation process, the authors note that multilateral diplomacy can solve the most difficult issues and contribute to international and regional peace. Some regional actors were worried about the consequences of Iran’s nuclear weapons, namely Saudi Arabia, Egypt, Israel, and Turkey.

On 16 April 2016, Federica Mogherini headed a delegation of the European Commission’s representatives in Tehran to mark a new start in bilateral relations, both sides agreeing to sustain their cooperation in the economic, energy, education, migration, environment and transportation sectors. The message was the EU’s willingness to provide support to Iran, including ‘to become

18 Security Council resolution 2231 (2015) [...], pag. 2.

19 European Union External Action (2015) *Joint statement by EU High Representative Federica Mogherini and Iranian Foreign Minister Javad Zarif*, Available at: <https://collections.internetmemory.org/haeu/content/20160313172652/> (Accessed: 1 March 2018)

20 Passages taken from the Statement. *Ibid.*

21 European Union External Action (2016), *Joint statement by EU High Representative Federica Mogherini and Iranian Foreign Minister Javad Zarif*, Brussels, Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/2991_en (Accessed: 1 March 2018).

a member of the World Trade Organization, participation in the EU Horizon 2020 Research and Innovation Program, cooperation in the field of higher education, the attention being centered on regional problems such as terrorism, extremism and violence in the desire to strengthen the principle of non-intervention and territorial integrity of states, as well as the primacy of international law, including human rights²². The High Representative of the EU openly stated that her message was addressed to the Iranian people regarding the dignity of diplomacy and the desire of the Europeans to develop a comprehensive, cooperative, critical and constructive dialogue (the dialogue of the four Cs).

The significance of JCPOA has always been flagged by official statements, which have highlighted the role of political desire, perseverance and multilateral diplomacy in solving the most difficult issues. One year after the agreement, Federica Mogherini underlined that the EU has accomplished its obligations concerning sanctions; sending a clear message to both the European and Iranian public about the benefits the agreement brings (it invoked the Informative Note of 16 January 2016, which describes in detail the EU sanctions that were lifting)²³. Mogherini also underlined the benefits of the agreement for the region, through ‘[creating] the opportunity to improve regional cooperation’²⁴, which will reduce the tensions. To support this affirmation, we can point to the EU’s outreach to its Mediterranean and Middle Eastern neighbors since its establishment in the 1950s. Today, the partnership is dominated by two components: the Euro-Mediterranean Partnership and the European Neighborhood Policy, as well the EU’s relations with the Gulf countries and the Middle East²⁵.

The significance of JCPOA has always been flagged by official statements, which have highlighted the role of political desire, perseverance and multilateral diplomacy in solving the most difficult issues.

The Council of the EU also adopted a series of conclusions on

22 European Commission (2016), *Joint statement by the High Representative/Vice-President of the European Union, Federica Mogherini and the Minister of Foreign Affairs of the Islamic Republic of Iran, Javad Zarif*, Available at: https://europa.eu/rapid/press-release_STATEMENT-16-1441_en.htm (Accessed: 2 March 2018).

23 European Union External Action (2016), *Information Note on EU sanctions to be lifted under the Joint Comprehensive Plan of Action (JCPOA)*, Available at: https://eeas.europa.eu/archives/docs/top_stories/pdf/iran_implementation/information_note_eu_sanctions_jcpoa_en.pdf (Accessed: 2 March 2018).

24 Federica Mogherini (2016) *Declaration by Federica Mogherini on behalf of the EU on the one year anniversary of the JCPOA*, Available at: <https://www.federicamogherini.net/declaration-by-federica-mogherini-behalf-of-the-eu-the-one-year-anniversary-of-the-jcpoa/?lang=en> (Accessed: 2 March 2018).

25 EU Politics (2012) *Europe and Middle East*, Available at: <https://testpolitics.pbworks.com/w/page/24737344/Relations%20Between%20Europe%20and%20Middle%20East> (Accessed: 3 March 2018).

the 14 November 2016 in order to express its position on the progress of the implementation and to shape Iranian, European and even international public opinion. It highlights the role of ‘the EU High Representative as coordinator of the Joint Commission established by the Agreement, which gives the Union as an institution an increased role in the JCPOA process’ (paragraph 2), ‘the condition for compliance by all sides as absolutely necessary for rebuilding trust’ (paragraph 5), ‘the opening of an EU Delegation in Iran as a key step in spreading the agenda for cooperation’ (paragraph 6) or ‘the necessity of improving the human rights situation’²⁶ (paragraph 8). The latter is addressed to the Iranian Government, which has been repeatedly sanctioned by the UN General Assembly because in regard to rights violations, urging it to comply with its obligations as part of the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights²⁷, but also to the Iranian people, aimed at empowering them through an understanding that their domestic issues are in the international spotlight.

One year after the JCPOA implementation, Federica Mogherini addressed an encouraging message to the international community and the Iranian government and people. Thus, the seriousness and rigor of the implementation by all parties as a way to build trust ‘sends a reassuring signal to the international community of Iran’s adherence to a civilian nuclear programme exclusively for peaceful purposes’.²⁸ The High Representative also acknowledges the merits of the multilateral commitment, and stresses that although the agreement was the result of E3 / EU + 3 efforts, it ‘belongs to the entire international community’. Unity of effort and vision remains the central theme of the speech.

This period was marked by an intense diplomatic activity by Federica Mogherini in the context of the statements made by the new US President, Donald Trump, on the nuclear agreement. He has repeatedly stated that ‘it is one of the worst accords he has ever seen’, and is keen to see it dismantled. As a result,

26 Council of the European Union (2016), *Council Conclusions on Iran*, Available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/11/14-conclusions-iran/> (Accessed: 3 March 2018).

27 UNGA (2011), *Situation of human rights in the Islamic Republic of Iran*, Available at: https://news.bahai.org/sites/news.bahai.org/files/documentlibrary/867_Iran_human_rights_situation.pdf (Accessed: 3 March 2018).

28 European Union External Action (2017) *Statement by Federica Mogherini on the first Anniversary of the Implementation of the JCPOA*, Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/18609/statement-federica-mogherini-first-anniversary-implementation-jcpoa_hr (Accessed: 3 March 2018).

Mogherini visited Washington, where her conversations with the White House officials suggested that that Trump's statements may have been hot air: "I was assured of the intention of full and strict implementation of the agreement."²⁹ Unlike his successor, President Obama considered that 'the US must remember that the agreement is the result of years of work between the great powers of the world, not just between the US and Iran. Moreover, it must be measured against the alternatives - a diplomatic solution that prevents the acquisition of a nuclear weapon is preferable to an Iranian nuclear program without constraints or to another war in the Middle East.'³⁰ The message of public diplomacy is built on the unique benefits brought by the compromise. Practically, the agreement prevents the expansion of Iran's nuclear concerns through strict limitations and inspections.

On 13 October 2017, Donald Trump gave a speech harking back to the difficult past between Iran and US, and confirmed his opinion of JCPOA. The speech voiced concerns about the numerous negative consequences of the deal, such as financial (the money which the Iranian government received could be invested in subversive activities, i.e. terrorism) or relating to nuclear threats (removing some restrictions will slow but not terminate Iran's path towards a nuclear weapon). Moreover, the President made a statement that is not borne out by IAEA reports, claiming that Iran has not respected the agreement and 'has exceeded the limit of 130 metric tons of heavy water'³¹. This affirmation is not based on the official report which underlines that 'Iran has less than the JCPOA-mandated cap of 130 metric tons of heavy water (111 metric tons in August)'³². Trump announced that the lifting of sanctions is not 'appropriate and proportionate' (the standard required by the Iran Nuclear Agreement Review Act), and asked for a new strategy which will apply new sanctions. Trump's message reflects the idea that the agreement could

On 13 October 2017, Donald Trump gave a speech harking back to the difficult past between Iran and US, and confirmed his opinion of JCPOA.

29 CNN (2017) *EU leader: US 'committed' to Iran nuclear deal*, Available at: <https://edition.cnn.com/2017/02/10/politics/iran-nuclear-deal-trump-federica-mogherini/> (Accessed: 4 March 2018).

30 Business Insider Malaysia (2017), *Obama is marking the first anniversary of the Iran nuclear deal with a warning to Trump*, Available at: <https://www.businessinsider.my/ap-obama-issues-warning-on-1st-anniversary-of-iran-nuclear-deal-2017-1/#k6EYUuRPQSTTXLUO.97> (Accessed: 5 March 2018).

31 NPR (2017) *Transcript: Trump's Remarks On Iran Nuclear Deal*, Available at: <https://www.npr.org/2017/10/13/557622096/transcript-trump-s-remarks-on-iran-nuclear-deal> (Accessed: 5 March 2018).

32 Albright, D., Stricker, A. (2017), *Analysis of the IAEA's Eighth Iran Nuclear Deal Report: The JCPOA two years after Adoption Day*, Washington, DC: Institute for Science and International Security, p.4.

threaten regional, international, and especially US security. Three days after Trump's statement, Federica Mogherini declared that the agreement's provisions on sanctions are advantageous for cooperation with Iran, considering that "Trump's decision not to certify Iran's compliance with JCPOA [is] in the context of an internal US process"³³. Hassan Rouhani, Iran's president, did not hesitate to underline that the agreement could not be unilaterally decertified because 'it is an international, multilateral deal that has been ratified by the UN Security Council'.³⁴

On 12 January 2018, Trump reiterated his concerns about the flaws of the Iran nuclear deal, emphasizing that he would not certify it. He demanded that the European countries follow the same path as the US, threatening to withdraw from the agreement if he is not supported in his effort to revise it³⁵. However, the EU remains committed to the nuclear agreement, even if it does not cover other issues that the American president has repeatedly mentioned in his statements such as 'development of ballistic missiles and increasing tensions in the region'³⁶, and 'support for terrorism and violation of citizens' rights'³⁷. Europe is making its voice heard not only through the High Representative's statements but also through national decision-makers who have expressed their faith in the agreement's viability and are pleading for its preservation. For instance, the German Foreign Minister, Sigmar Gabriel, stated that 'it is absolutely necessary to have this agreement to prevent the development of nuclear weapons at a time when other parts of the world are discussing how to get them'³⁸.

Donald Trump's desire to withdraw from agreement was enforced on 8th May 2018 when he stated that 'it is clear to me that we cannot prevent an Iranian nuclear bomb under the decaying and rotten structure of the current agreement'. Moreover, in

33 European Union External Action (2017), *Remarks by Federica Mogherini on the implementation of the Joint Comprehensive Plan of Action (Iran nuclear deal)*, Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/33997/remarks-federica-mogherini-implementation-joint-comprehensive-plan-action-iran-nuclear-deal_en (Accessed: 6 March 2018).

34 CNN (2017), *Trump says Iran violating nuclear agreement threatens to pull out of deal*, Available at: <https://edition.cnn.com/2017/10/13/politics/iran-deal-decertify/index.html> (Accessed: 6 March 2018).

35 White House (2018) *Statement by the President on the Iran Nuclear Deal*, Available at: www.whitehouse.gov/briefings-statements/statement-president-iran-nuclear-deal/ (Accessed: 6 March 2018).

36 Arms Control Association (2018) *International Support for the Iran Nuclear Deal*, Available at: <https://www.armscontrol.org/blog/2018-01-16/international-support-iran-nuclear-deal> (Accessed: 10 March 2018).

37 *Statement by the President on the Iran Nuclear Deal [...]*

38 *International Support for the Iran Nuclear Deal [...]*

announcing his long-telegraphed decision, Trump said he would initiate new sanctions on the regime, any country that helps Iran obtain nuclear weapons being ‘strongly sanctioned.’³⁹ His decision has generated immediate critical reactions at international level. The UK, France and Germany have issued a joint statement mentioning the regret and the concern towards Trump’s decision and emphasizing the continuing commitment to the JCPOA which ‘remains important for their shared security’⁴⁰.

Also Federica Mogherini reiterates its worries towards the announcement of new sanctions and the commitment to the full implementation of the nuclear deal. In terms of public diplomacy, she sends a message, specifically, to the Iranian citizens and leaders, encouraging them to preserve the nuclear deal and not to let anyone to dismantle it. Mogherini underlines that the agreement ‘is the demonstration that win-win solutions are possible, through dialogue, engagement and perseverance’⁴¹. In efforts to rescue the deal and to protect EU’s the security interests and its economic investments, she has begun a series of meetings on 13th May: with Chinese counterparts, with Russian Foreign Minister, with the Iranian Foreign Minister Javad Zarif and the Foreign Ministers of France, Germany and the United Kingdom⁴².

Donald Trump’s desire to withdraw from agreement was enforced on 8th May 2018 when he stated that ‘it is clear to me that we cannot prevent an Iranian nuclear bomb under the decaying and rotten structure of the current agreement’.

Conclusion

Since its founding, the EU has been evoked as a peace project, a promoter of democratic principles and a defender of human rights. The task of presenting it as a unique model, of combating and of explaining its objectives, policies and activities can now be accomplished by the apparatus of public diplomacy. It has

39 CNN (2018) *Trump withdraws from Iran nuclear deal, isolating him further from world*, Available at: <https://edition.cnn.com/2018/05/08/politics/donald-trump-iran-deal-announcement-decision/index.html> (Accessed: 17 May 2018).

40 Independent (2018) *UK, France and Germany issue a joint statement attacking Trump’s withdrawal from Iran nuclear deal*, Available at: <https://www.independent.co.uk/news/world/iran-nuclear-deal-latest-trump-macron-us-theresa-may-merkel-europe-response-a8342126.html> (Accessed: 17 May 2018).

41 European Union External Action (2018) *Remarks by HR/VP Mogherini on the statement by US President Trump regarding the Iran nuclear deal (JCPOA)*, Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/44238/remarks-high-representativevice-president-federica-mogherini-statement-us-president-trump_en, (Accessed: 17 May 2018).

42 Arms Control Association (2018), *The P4+1 and Iran Nuclear Deal Alert, May 16, 2018*, Available at: <https://www.armscontrol.org/print/9551> (Accessed: 17 March 2018).

gradually developed through the process of European integration and institutional development, and it is becoming more and more important. The creation of the European Commission in 1958, the General Directorate for Communication and the European External Action Service provided the formal framework for the practice of public diplomacy. The High Representative, together with the Special Representatives, plays an important role in promoting EU policies and interests in different regions and countries.

In my opinion, the EU proved to be one of the most important actors for keeping Iran engaged in dialogue and for launching diplomatic initiatives between 2003 and 2015. Starting with Javier Solana, the High Representative gave the negotiating format greater coherence, facilitating relations between the parties and bringing them back to the negotiating table even at times of inflexibility and sanctions.

In accordance with the chosen period, I focused on the role played by Federica Mogherini, the third High Representative, both during the talks and after the agreement was signed. This paper has evaluated the modalities and tone of her outreach to domestic and foreign (mainly Iranian) public audiences regarding the basic principles of the EU: belief in the possibility of a compromise based on respect, mutual gains, continued and constant commitment, concern for Iran's opportunities for development and bilateral co-operation, in order to maintain and promote global peace.

Moreover, through statements and speeches delivered by the High Representative, public diplomacy has helped us to see how the EU perceives Iran after the nuclear deal. Having participated actively in the negotiation process since 2003, the EU considered the agreement a major success in terms of the diplomatic principles outlined in the Treaty of Lisbon. JCPOA means the re-establishment of hope and trust between EU and Iran, the proof of peaceful intent and good faith engagement, and the beginning of enhanced cooperation in areas of mutual interest.

Nuclear Deal and Iran-Azerbaijan Economic Ties

Hamed Kazemzadeh*

Since 1991, there has been great potential for economic cooperation between the Republic of Azerbaijan and the Islamic Republic of Iran, and following the nuclear deal and the lifting of international sanctions, this has become even more apparent. The collapse of the Soviet Union had a significant effect on the geopolitics of Iran, especially on its northern borders with the Caucasus. However, international sanctions against Iran had been a barrier to expanded economic and political cooperation between Iran and the Caucasus, specifically Azerbaijan. Therefore, it seems likely that the post-sanctions era will see economic and trade cooperation between Iran and Azerbaijan develop rapidly. This article provides an overview of economic relation between these two neighboring states following the Nuclear Deal and discusses the prospects for high-level cooperation.

Keywords: Iran-Azerbaijan, Economic relations, Regional cooperation.



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Introduction

Azerbaijan plays a central and decisive role in Iran's regional policies in the Caucasus, and relations are shaped by a range of different factors including geographical and geopolitical proximity, ethnic and religious commonalities, economic ties, Azeri-speaking communities in Iran, energy resources, and competition between the two countries over energy transit routes¹. Iran perceives Azerbaijan as a mostly Shia Muslim neighboring country with shared heritage. Azerbaijan, on the other hand,

The common linguistic, religious, and historical and cultural heritage offer significant scope for close bilateral relations.

In addition, there have also been opportunities for economic cooperation.

Since Azerbaijan's independence, economic relations have acquired particular importance in bilateral ties.

has always considered Iran as the main issue in regard to its regional policies for political-security, economic, ethnic, cultural, and identity-historical reasons. Iran has sought to influence and play a role in Azerbaijan's post-independence economic, social, and political development. The common linguistic, religious, and historical and cultural heritage offer significant scope for close bilateral relations. In addition, there have also been opportunities for economic cooperation. Since Azerbaijan's independence, economic relations have acquired particular importance in bilateral ties. Several agreements and Memoranda of Understanding have been signed to facilitate bilateral trade, including commercial agreements, investment commitments, for avoiding double taxation, on maritime shipping, customs, land trade, air transport, and consular treaty².

However, the sanctions regime affected Azerbaijan-Iran relations, particularly in regard to trade and banking, due to limits on financial transactions between private traders and state companies on both sides. The nuclear deal reached on 14 July 2015 between Iran and the P5+1 lifted the economic sanctions against Iran from January 2016, providing a major opportunity for long-term large-scale bilateral cooperation and regional developments. As a consequence, bilateral relations entered a new phase. President Rouhani has more meetings held with President Aliyev than any

1 Ismailzade, F. (2016) *A breakthrough in Iran-Azerbaijan relations*. CACI Analyst. Available at: <https://www.cacianalyst.org/publications/analytical-articles/item/13330-a-breakthrough-in-iran-azerbaijan-relations?.html> (Accessed: 19 Feb 2016).

2 Souleimanov, E. and Ditych, O. (2007) 'Iran and Azerbaijan: A Contested Neighborhood', *MIDDLE EAST POLICY COUNCIL*, Volume 14, summer 2007, Number 2. Available at: <http://www.mepec.org/journal/iran-and-azerbaijan-contested-neighborhood> (Accessed: 2007).

other leaders, with frequent visits between the two countries,³ marking the “warmest stage of bilateral relations” since the 1990’s. Accordingly, a dozen agreements and memoranda have since been signed, indicating an increase in economic ties and advanced cooperation. This paper analyzes further prospects for economic relations.

Modern History of Economic Ties between Iran and Azerbaijan

The major barrier to the expansion of economic relations lies in the political relationship between the two countries.⁴ Economic relations between Iran and Azerbaijan span the fields of oil, gas, electricity, customs, commerce, communication, transportation, and construction. Iran-Azerbaijan relations in the field of gas have focused primarily on the Khoy-Nakhchivan gas pipeline, which became operational in December 2005 with a capacity of a million cubic meters.⁵ In November 2006, Iran and Azerbaijan reached an agreement on the construction of two hydroelectric power plants on the Aras River so that the two countries can equally use the Aras river water for hydropower purposes.

It is very important to note that regarding the trade relations, Iran has lost its leading position among Azerbaijan’s trading partners over the past two decades. In November 1995, within nine months Iran became the major trading partner of Azerbaijan by exchanging more than \$180 million worth of goods. During the same period, Russia and Turkey were the second and third largest trading partners of Azerbaijan, respectively. However, this trend was reversed in the later years. In the first four months of 2016, Iran exported \$178 million worth of goods to Azerbaijan, compared to \$232 million worth of exports during the twelve months of 2015. Imports from Azerbaijan have also increased; Iran imported \$15 million worth of goods during the twelve months of 2015. This volume was matched within the first three months of 2016 (exclusively non-energy trade).⁶ Iran, however,

³ Last meeting in Baku on 28th March 2018, you can see more information: <https://en.trend.az/azerbaijan/politics/2878425.html>

⁴ Mehdiyeva, N. (2003) ‘Azerbaijan and its Foreign Policy Dilemma’, *Asian Affairs*, vol. XXXIV, no. III, p. 271.

⁵ Aleksander’s Gas and Oil Connections (2006) *Baku Seeking to Transfer Oil to Persian Gulf*. Available at: http://www.gasandoil.com/news/central_asia/59373a6a9ff8c85092fdce157b1db4a (Accessed: 05 Oct 2006).

⁶ Geoffrey, G. (2006) ‘Coddling the Caucasus: Iran’s Strategic Relationship with Azerbaijan and

no longer ranks among Azerbaijan's top ten economic partners. But given the nuclear deal and the cooperation documents signed during presidential visits in 2016, however, it is likely that Iran will become one of five major economic partners of Azerbaijan by 2020.

The construction of Qazvin-Rasht-Astara railway will connect northern Europe to the Persian Gulf, running from the Finnish border through St. Petersburg and Moscow to Iranian territory, representing one of biggest transit projects between South Asia (India, Pakistan) and Eastern Europe. Iran has supported Azerbaijan's involvement in the North-South corridor, while Azerbaijan endorsed Iran's membership in the Transport Corridor Europe-Caucasus-Asia (TRACECA) initiative⁷.

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Generally speaking, the normalization of Iranian-Azerbaijani political ties would have a significant impact on economic, business and social relations, as well as bringing broader benefits for regional geopolitics. This new chapter in bilateral relations could also bring new business opportunities for the two countries, both of which have suffered from low oil prices.⁸

Prospects for Economic Cooperation in the Post-Nuclear Deal Era

Opportunities for commercial and economic cooperation play a positive and constructive role in burgeoning bilateral ties. Statistical analysis of the current economic relationship demonstrates the improvement in the economic relationship between the two countries.⁹ Economic relations between the two countries have been most prosperous across three areas: transport,

Armenia', *Caucasian Review of International Affairs*, Vol. 1 (1). Available at: http://www.cria-online.org/modules.php?name=1_1 (Accessed: 2006).

7 TRACECA (acronym: Transport Corridor Europe-Caucasus-Asia) is an international transport programme involving the European Union and 14 member States of the Eastern European, Caucasian and Central Asian region. It has a permanent Secretariat, originally financed by the European Commission, in Baku, Azerbaijan, and a regional office in Odessa, Ukraine. Since 2009 the organization has been entirely financed by member countries. you can see more information: <http://www.traceca-org.org/en/home/>

8 Ismailzade, F. (2016) 'A breakthrough in Iran-Azerbaijan relations', *CACI Analyst*. Available at: <https://www.cacianalyst.org/publications/analytical-articles/item/13330-a-breakthrough-in-iran-azerbaijan-relations?.html> (Accessed: 19 Feb 2016).

9 Based on irica.gov.ir

trade and energy. In the transportation sector, 40,000 trucks per year cross Azerbaijan's Nakhchivan and vice versa Iran. In addition, some Azerbaijani trucks traverse Iranian territory to reach Europe and Persian Gulf ports. Air, maritime, and land transport links are active between the two countries. Although the rail link is currently inactive due to the Nagorno-Karabakh conflict, Iran is developing Amirabad port to connect railway networks through wagon transport ships in the Caspian Sea based on the North-South corridor schedule, and is connecting its national railway line to the Azerbaijani city of Astara.

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In the commercial sector, a lot of consumer items have been shipped through both countries' soil. Until this year, Iran has always been among Azerbaijan's top ten trading partners. The volume of Iran's imports from Azerbaijan exceeds Iran's exports to Azerbaijan by a factor of five. Azerbaijan's exports to Iran have been an important source of budget revenue. Iranian goods are both inexpensive and in close geographical proximity for people in the southern regions of Azerbaijan, who rely heavily on these cheaper commodities from over the border. According to the State Statistics Committee of Azerbaijan, electricity exports to Nakhchivan constitute one-fifth of Iran's total exports to Azerbaijan. The Joint Commission on Economic Cooperation between the two countries has operational since 1993. Key economic projects have been scoped, including the transfer of Iranian gas to Nakhchivan, the construction of the Nakhchivan cement factory and KhodaAfarin Dam, and the development of transport networks and pharmaceutical firms. Some of these have been implemented, while others require international investment.

During the years that followed independence, exports of petroleum products comprised 60% of Azerbaijan's revenue. Of this total volume, 75% was sent to Iran, 55% of which Iran directly purchased and the other 20% of which was shipped to Turkey via Iran. However, this percentage has fallen significantly over the years, especially after the opening of the Baku-Tbilisi-Ceyhan pipeline.

Iran's unilateral abolition of visas for citizens of Azerbaijan in

February 2010 and an MOU on Azerbaijan-Iran gas exports¹⁰ are among the new developments which have deepened the relationship during the past year. Iran's economic policy in Azerbaijan, whether under the conservative government of Ahmadinejad or the moderate government of Rouhani, has been responding to mutual national interests.

A review of trade turnover figures over the past 17 years (2000-2017) in four border regions including Astara, Bile Savar, Julfa, and Sanam Balaqi Poldasht shows that the trade balance is in Iran's favor. This is due to the higher volume and value of Iran's exports to Azerbaijan during the first 6 months of 2016 and the fact that the trading volume has increased by 66 percent following the elimination of sanctions. At present, the official figure of non-oil exchanges is \$500 million. However, the trade exchange between Turkey and Azerbaijan, Turkey and Iran, Russia and Azerbaijan, Russia and Iran is much more than Iran and Azerbaijan. However, among the Commonwealth of Independent States (CIS), Azerbaijan has always been the largest importer of current commodities from Iran; while the balance of trade exchanges are mostly positive and it's a win-win game for both countries. This indicates the particular importance of the Azerbaijani market for Iran's wider relations with regional economies.

The establishment of a joint auto-manufacturing plant in Neftchala industrial region in 2016 is a successful example of mutual investments. The plant was agreed upon after a trip to Baku by Mohammad Reza Nematzadeh, the Minister of Industry, Mines and Trade. Shahin Mustafayev, the Minister of the Economy and the Azerbaijani Chairman of the Joint Commission on Economic Cooperation between Azerbaijan and Iran was present at the ceremony of signing the agreements. It was announced during the ceremony that the factory – the result of a \$15 million joint investment by Iran Khodro and Aziorokar - will produce 10,000 cars per year and create 300 new jobs. The agreement, signed in April 2018, states that 25% of the total investment will be provided by Iran's auto-manufacturing factory.¹¹

10 Azernews (2018) 'Azerbaijan to sign MoUs in energy sector'. Available at: https://www.azernews.az/oil_and_gas/126391.html (Accessed: 31 Jan 2018). Azernews (2018) 'Iran voices interest in increasing gas export to Azerbaijan'. Available at: https://www.azernews.az/oil_and_gas/125687.html (Accessed: 18 Jan 2018).

11 Azertag (2016) 'Foundation stone laid for Azerbaijani-Iranian car plant in Neftchala'. Available

The former Iranian Ambassador to Azerbaijan, Mohsen Pakaeen, gave an interview in late 2015 about the perspectives of economic ties after the nuclear deal. He said that he regarded Iran's transit routes as the safest, closest and the most economical transit corridors for Azerbaijan, noting that Tehran-Baku relations are developing and will provide great opportunities for cooperation in trade, transit, tourism and oil and gas during the post-sanction era. He noted that the final stages of the Agreement Act between Iran and Azerbaijan on the construction and operation of Marazad and Ordubad power plants were progressing. He also commented that the two countries enjoy cooperation in the fields of trade, transit, energy and tourism, and that the volume of official non-oil trade reaches about \$500 million. In addition, Iran brings in approximately \$250 million from Azerbaijani's gas swaps to Nakhchivan and \$250 million from investments on Shah-Deniz in the Caspian Sea. The total volume of bilateral economic exchanges is more than a billion dollars.¹²

The lifting of sanctions has clearly affected the development of commercial relations, and particularly in the border regions. Iranian officials have repeatedly called on Azerbaijani businessmen to make investments in various sectors of Iranian economy over the past three years. The money transferring has become free in the process and all parties are benefiting from the nuclear deal. The prospects for economic cooperation are much clearer based on those economic agreements. Azerbaijan, moreover, enjoys improved security along its southern border, which has long been a potential source for global instability¹³.

The lifting of sanctions has clearly affected the development of commercial relations, and particularly in the border regions. Iranian officials have repeatedly called on Azerbaijani businessmen to make investments in various sectors of Iranian economy over the past three years.

This paper suggests that in the wake of the nuclear deal, economic cooperation and developments in bilateral relations have occurred primarily in transport, energy, and trade. Sectoral cooperation will now be elaborated upon in detail.

at: https://azertag.az/en/xeber/Foundation_stone_laid_for_Azerbaijani_Iranian_car_plant_in_Nefch-ala-980347 (Accessed: 06 August 2016).

12 Isna (2015) 'برنامه‌های ایران و آذربایجان برای همکاری‌های اقتصادی و تجاری چیست'. Available at: <https://www.isna.ir/news/94072918774/همکاری-های-اقتصادی-و-تجاری-آذربایجان-برای-همکاری-های-اقتصادی-و-تجاری> (Accessed: 20 Oct 2015).

13 Alili, A. (2015) 'Azerbaijan and Iran after the Sanctions: The Pathways of Advanced Engagement and Confrontation', *Center for Economic and Social Development*, Azerbaijan. Available at: <http://www.cesd.az/new/wp-content/uploads/2016/01/Azerbaijan-and-Iran-after-the-Sanctions.pdf>

Transportation Corridors

Iran has always sought to capitalize upon its geopolitical position in the region and leverage its influence in its neighbors' strategic policy. Accordingly, it has tried to take advantage of Azerbaijan as one of the axes of the north-south corridor.

Iran has always sought to capitalize upon its geopolitical position in the region and leverage its influence in its neighbors' strategic policy. Accordingly, it has tried to take advantage of Azerbaijan as one of the axes of the north-south corridor. Completing the south-north international transportation corridor was a critical factor in the deepening of relations of both countries. It should be noted that the last trilateral summit of Iran, Azerbaijan and Russia took place in November 2017 in Tehran where all presidents emphasized the completion of this corridor.¹⁴

This 7200-kilometer corridor links Iran to Russia through Azerbaijan; to Georgian ports¹⁵ and Eastern European countries¹⁶ through Ganja; it connects India with Persian Gulf countries and Azerbaijan through Bandar Abbas, running all the way to Russia, and Northern and Eastern Europe.¹⁷

The important point is that the Iran-Azerbaijan route is a shortcut for transporting cargo. This corridor, known as the “South-West Route”, will be a very important transit route which connects all countries along the route economically and commercially. It is considered a key factor in the development and consolidation of political relations among neighboring countries, specifically Iran, Azerbaijan, Georgia, Ukraine, and Poland¹⁸.

One component of the North-South corridor connects Iranian Astara with Azerbaijani Astara, via a short bridge. This was officially opened on March 29, 2018 in the presence of both presidents¹⁹. The Qazvin, Rasht and Astara railway is also under construction, funded by Azerbaijani investment²⁰.

14 Trend (2017) ‘Trilateral summit of Azerbaijan, Iran and Russia held in Tehran’. Available at: <https://en.trend.az/azerbaijan/politics/2815748.html> (Accessed: 01 Nov 2017).

15 Shahbazov, F. (2018) ‘Baku Pushes New Azerbaijan-Iran-Turkey-Georgia Grouping to Enhance Intra-Regional Cooperation’, *Eurasia Daily Monitor*, Volume: 15 Issue: 46. Available at: <https://jamestown.org/program/baku-pushes-new-azerbaijan-iran-turkey-georgia-grouping-enhance-intra-regional-cooperation/> (Accessed: 27 March 2017).

16 Trend (2017) ‘Azerbaijan, Ukraine, Iran, Georgia, Poland to continue co-op on South-West route’. Available at: <https://en.trend.az/business/economy/2794097.html> (Accessed: 07 Sep 2017).

17 Interview with Iranian Ambassador in Baku – Mohsen Pakaeen, Tehran 2017

18 Azernews (2017) ‘Protocol signed on development of South-West Route’. Available at: <https://www.azernews.az/business/118702.html> (Accessed: 08 Sep 2017).

19 Financial Tribune (2018) ‘Iran-Azerbaijan Railroads Officially Linked on March 29’. Available at: <https://financialtribune.com/articles/economy-business-and-markets/83937/iran-azerbaijan-railroads-officially-linked-on-march-29> (Accessed: 03 April 2018).

20 Azernews (2018) ‘Iran agrees to borrow from Azerbaijan for Rasht-Astara railway’. Available at: <https://www.azernews.az/business/125585.html> (Accessed: 16 Jan 2018).

Energy Sector

One of the major stress factors in bilateral relations is the energy transit route from the Caspian Sea to Europe. Under the sanctions, Iran believed that Azerbaijan and Georgia had disregarded Iranian energy policies.²¹ Azerbaijan's energy interests and policies (both foreign and domestic) have implications for Iran's national security, and therefore in recent years, Azerbaijan has been central to Iranian policy in the Caucasus. Development and cooperation can facilitate the interconnection and integration of the two national economies, minimizing tensions and confrontation.²²

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In 1995, Azerbaijan officially invited Iran to participate in the Shah-Deniz field development. The same year, Iran agreed, and subsequently, Azerbaijan's purchase of electricity from Iran to supply Nakhchivan provided the foundation for the development of bilateral trade relations. One of the most noticeable energy cooperation were the construction of KhodaAfarin Dam on the Aras River and the start of electricity export from Iran to Azerbaijan through Astara border in 2006.

Azerbaijan is in dispute with Iran over the ownership of some oil fields, including Alborz oil field (known as Alov in Azerbaijan). The issue of Caspian oil and gas transit corridors has always been a key issue between the two countries. In 1990s, a few solutions were presented to transfer Azerbaijan's oil, and formal negotiations were held in the following five cases.

1. Northern pipeline: Baku-Novorossiysk,
2. Western pipelines: Baku-Supsa,
3. South pipeline: Baku-Iran,
4. East pipeline: the line crossing Afghanistan and Pakistan,
5. Southwest pipelines: Baku-Ceyhan.

The Azerbaijan-Iran and Azerbaijan-Pakistan pipelines received widespread attention at the outset. Azerbaijan's oil could be

21 Ebel, R.E. and Menon R. (2000) *Energy and conflict in Central Asia and the Caucasus*. Rowman & Littlefield. p. 181.

22 Kazemzadeh, H. (2017) 'Iran and Energy Cooperation in the South Caucasus: Prospects for the Post-Sanctions Era', *Caucasus Analytical Digest*, No. 92. pp. 3-6. Available at: <https://www.research-collection.ethz.ch/handle/20.500.11850/170362> (Accessed: 25 Feb 2017).

exported through this pipeline and via the Iran-Persian Gulf route to global markets. However, the US opposed this route. Finally, following negotiations between Azerbaijan International Operating Company (AIOC) and the Azerbaijani government on the transfer of Azerbaijan's oil, the proposed routes were reduced to Baku-Novorossiysk, Baku-Supsa, and Baku-Ceyhan. Thus by the end of 2017, Iran supplied approximately 280 million cubic meters of gas to Azerbaijan for use in the Nakhchivan Autonomous Republic. In January-July 2017, the Azerbaijani state-owned SOCAR imported 970 million cubic meters of gas from Iran.²³

Iran's Ambassador in Baku has stated in this regard that cooperation on gas transfer is significant for Iran as the the second supplier of gas resources. There have been joint discussions regarding participation in several projects, including TANAP. Accordingly, during the March 2018 visit by Hasan Rouhani to Baku, the two Presidents held serious talks on joint energy cooperation in the Caspian Sea and the South Caucasus. The Azerbaijani Energy Ministry and the Iranian Oil Ministry signed a Memorandum of Understanding on the Joint Development of Energy Blocks in the Caspian Sea. In April 2018 Amir Hossein Zamaninia, the Islamic Republic's Deputy Oil Minister for International and Commercial Affairs, announced that Iran seeks to form a joint oil company with Azerbaijan, based on the MoUs of recent years²⁴.

Trade Partnership

Azerbaijan imports commodities such as construction materials, textile, home appliances, cars and related parts, and even a high volume of food from abroad. The price and quality of Iranian goods such as agricultural products and construction materials, along with transit of passengers, cargo, and gas valves from the mainland to the Autonomous Republic of Nakhchivan, has provided good conditions for exports of Iranian consumer goods. Iran has also been able to meet some of its import needs via

23 Azernews (2018) '*Iran voices interest in increasing gas export to Azerbaijan*'. Available at: https://www.azernews.az/oil_and_gas/125687.html (Accessed: 18 Jan 2018).

24 AzerNews (2018) '*Iran seeks to form joint oil firm with Azerbaijan*'. Available at: <https://www.azernews.az/business/131272.html> (Accessed: 30 April 2018).

Azerbaijani exports.²⁵

A review of the trade turnover figures with Azerbaijan shows that Iran's exports to Azerbaijan have experienced steady and sustainable growth over the past 15 years. In 2012, for the first time in the last decade, Iran's exports reached over five hundred million dollars; this fell in subsequent years due to the international sanctions.

A review of the trade turnover figures with Azerbaijan shows that Iran's exports to Azerbaijan have experienced steady and sustainable growth over the past 15 years.

According to Iran's Customs Administration, a variety of cement, clinker and potatoes are the country's main export commodities, followed by Bhutan, Petroleum bitumen, and iron or steel bars, respectively. Major exports to Azerbaijan include building skeleton (steel frame) and structural components, granite, tub, shower and plastic basin among plastic material, fresh or dried Mazafati dates, glass sheet, other plastic products, and kitchen appliances.

In addition to Iran's non-oil exports to Azerbaijan, suitcase trade²⁶ is also performed between border of two countries by frontiersman which has a very small share in the total value of our exports to Azerbaijan. According to the available statistics for 2014-2015, Astara Customs is in the first place with 25.3 million USD of exports, followed by Bile Savar Customs with 12.3 million USD, and Jolfa Customs in third place with about 6 million USD.

In 2014-2015 period, Iran's major exports to Azerbaijan include hard wheat, sawn wood, waste and scrap iron or tin-coated steel, food industry and other solid residues, cast iron and steel, bran, steel waste and bread waste, cotton with un-carded or uncombed long string, beet pulp, and bagasse.²⁷

Prospects for increased bilateral trade are strong; President Rouhani during his recent visit to Baku urged free trade with Azerbaijan. This can be realized with preferential tariffs for some items as a first step.²⁸

25 Irna (2016) 'روابط جمهوری آذربایجان و ایران در سال 2016 میلادی'. Available at: <http://www.irna.ir/fa/News/82351930> (Accessed: 25 Dec 2016).

26 Suitcase trades which are allowed for customs-free and tax free import are purchased in one country and brought across the border into another country in small packages such as luggage or bags.

27 Irna (2016) 'ایران و جمهوری آذربایجان؛ چشم انداز روشن گسترش روابط'. Available at: <http://www.irna.ir/fa/News/82361299> (Accessed: 26 Dec 2016).

28 Irna (2018) 'Iran's Rouhani urges free trade with Azerbaijan'. Available at: <http://www.irna.ir/en/News/82873645> (Accessed: 29 March 2018).

Conclusion

Given the overview provided in this paper, it can be predicted that relations between Iran and Azerbaijan will grow and deepen in the post-Nuclear Deal era. The visit by President Rouhani to Baku in March 2018 demonstrates the strength of political relations at the highest level. However, the majority of obstacles and challenges persist, and require both countries to reconsider their political behavior.

Realism in foreign policy can increase cooperation and trust-building measures between the two countries. Regular consultation between officials will avoid misunderstanding and enable more realistic and comprehensive analyses.

The Iran-Azerbaijan economic relationship requires greater mutual trust at all levels. Clearly defining their respective foreign policy positions will help to prevent the negative effects on their relations with third-party countries. Iran and Azerbaijan have the capacity to broaden their relationship in all aspects, and to establish a strategic friendship as both presidents have emphasized in official meetings.

A few days after the nuclear agreement, Shahin Mustafayev, the Minister of Economic Development of Azerbaijan, visited Iran, carrying a letter from President Ilham Aliyev. In fact, Azerbaijan was the first regional country to send its economic delegation to Iran. There have been many high-level talks between the two countries, including: visits by both presidents, the visit by the Head of the Supreme Assembly of the Nakhchivan to Tabriz, twenty ministerial trips, about two dozen trips of other officials, the visit by the governors of East Azerbaijan and Gilan provinces to Azerbaijan, the visit by the governor of West Azerbaijan to Nakhchivan, the eleventh Joint Economic Commission meeting in Tehran, the ninth Conference of Border Guard Commanders, the joint meeting of Border Guard Commanders of Iran, Russia, and Azerbaijan in Baku, and the signing of more than twenty cooperation pacts. After the lifting of the sanctions, the President Ilham Aliyev visited Iran in February 2016, and President Hassan Rouhani visited Baku in August 2016; overall 18 cooperation pacts were signed, providing a strong foundation for relations. Many experts believe that these visits are indicative of a substantial increase in trust and political will in regard to the development of Tehran-Baku ties.

In the energy sector, the close collaboration between the State Oil Company of Azerbaijan (SOCAR) and the National Iranian Oil Company, including meetings between their CEOs, is also noteworthy. During these trips, many documents (including a Memorandum of Understanding for adopting Nanotechnology in the Oil Industry) were signed, and Azerbaijan and Iran created a Special Working Group of Deputy Ministers regarding investment. In 2015, the third meeting of the Gas Exporting Countries was held in Tehran, and Azerbaijan, supported by Iran, was accepted as the monitoring member of this organization. Other achievements in the energy sector during 2016-2018 include: Iran and Russia's power grid interconnection through Azerbaijan, signing a Memorandum of Understanding for electricity transmission via Azerbaijan, and initiation of hydroelectric power plants and renewable energy projects.

The development of bilateral relations in 2016-18 has served the interests of both parties in many fields, an example of win-win diplomacy. This has strengthened the political will to further expand relations and support one another's interests. Ongoing progress in this direction will stabilize the ties between the two countries, to the benefit of the stability and development of the region as a whole.

At the end, it should be noted that since President Trump announced that he would re-impose sanctions on Iran which had been lifted as part of the Nuclear Deal, we have to wait for new impacts on Iran's trade exchanges with other countries, including Azerbaijan. The effects are not yet clear, since the European Union still requires itself to support the trade relations of the European countries with Iran. Europe is unlikely to impose its own sanctions on Iran now, given that it believes the deal is working. If the US weren't too strict about its secondary sanctions, Iran's most important trading relationships would remain intact so long as Tehran adhered to the deal's nuclear limits — giving it more incentive to adhere by them. I think at least a few months should be left out of the current situation, then we can have a more detailed analysis toward the impact of the US's withdrawal from the nuclear deal on the economic ties between Iran and Azerbaijan.

The US's Post-9/11 Nuclear Strategy and its Security Implication for Russia

Azad Garibov*

The 9/11 terrorist attacks revealed the vulnerabilities of the US vis-à-vis terrorists and so-called “rogue states”, and built strong consensus among policy makers about the country’s new security environment. Therefore, shortly after 9/11, in order to meet the challenges of a new security environment, new strategies, including a New Nuclear Strategy, were adopted. The New Nuclear Strategy was markedly different from the Cold War strategy. Although key components of the strategy (for example, New Triad and Ballistic Missile Defense) had an inherent defensive nature, they had dangerous implications for Russia, intended or unintended. The Strategy rendered Moscow insecure vis-à-vis the US because of Washington’s increased defense and offence capabilities. Despite being declaratively directed against rogue states and terrorist organizations, the new capabilities were actually highly suitable for achieving nuclear superiority over the US’ main contender in the field, Russia, and threatened to push Moscow into a costly arms-race that it could ill afford. This article aims to outline the changes that were introduced in the US nuclear strategy by the Bush Administration after 9/11, explaining why and how they were perceived as security threats by Russia.

Key words: the US, Russia, Nuclear Strategy, Nuclear Security, Nuclear Powers



* Azad Garibov, Independent Researcher.

Introduction

The September 11, 2001 terrorist attacks brought about many crucial changes in US foreign and security policy by generating a new understanding of the national security environment and the US' key adversaries. The New Nuclear Strategy (NNS) of the Bush Administration, revealed with the Nuclear Posture Review (NPR), was among the key policies that were overhauled to meet the challenges of the new environment. Based on the view that “terrorists or rogue states armed with weapons of mass destruction will likely test America’s security and commitments to its allies and friends”¹, the defense strategists of the Republican government believed that a “broader array of capability is needed to dissuade states from undertaking political, military, or technical courses of action that would threaten US and allied security.”² Based on these considerations, the Bush Administration initiated a new nuclear strategy that was essentially different from the Cold War approach to nuclear security. What kinds of changes did the Bush Administration introduce after 9/11, and what were the implications for Russia’s security perceptions? This article retroactively analyses the post-9/11 changes in US nuclear strategy, and attempts to explain why and how they engendered insecurity and antagonism on the part of Moscow. This rupture in strategic arms reduction cooperation between the US and Russia has not been repaired so far, despite efforts to rebuild cooperation as part of Barack Obama’s “reset” policy with Moscow.

According to the idea of “new enemies” in the post-9/11 security environment, the new NNS was strikingly different from that of the Cold War.

According to the idea of “new enemies” in the post-9/11 security environment, the new NNS was strikingly different from that of the Cold War. Although key components of the strategy such as New Triad and Ballistic Missile Defense were inherently defensive, this NNS was a potentially dangerous initiative. Intentionally or not, it had dangerous implications for Russia, since it rendered Moscow insecure vis-à-vis the US due to the increased defense and offence capabilities.

The article is divided into the four parts. The first describes the new security environment which led to the adoption of

1 Global Security (2002) *Nuclear Posture Review (excerpts)*. available at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm> (accessed: 14 March 2018)

2 Ibid

the NNS. The next three sections critically examine the major changes introduced by the NNS and their implications for Russian security. The key changes are identified as: change in the main target of the nuclear strategy, initiation of unilateralist “counterproliferation”, and emphasis on Ballistic Missile Defense (BMD).

New Security Environment and New Nuclear Strategy

During the 45 years of the Cold War, the main threats to US security were considered to be the USSR and the Warsaw Pact. Accordingly, the US nuclear strategy was based on the idea of deterrence through mutually assured destruction (MAD), designed “to meet the challenges posed by the Soviet Union, a superpower adversary that deployed an enormous nuclear arsenal and was viewed as a threat to vital US interests.”³ However, the threats of the post-Cold War period were essentially different from those of the Cold War. The 9/11 terrorist attacks changed the Cold War-era threat perceptions in the US by revealing the dangerous capabilities of terrorist organizations. The new NNS, which was adopted in 2002, named terrorists and “rogue states” such as Iraq, Iran, and North Korea, as new rivals and the most dangerous threats to national security.

The new NSS illustrated the need for a new approach, stating that rogue states are sponsoring terrorism and rejecting core American values; it argued that their leaders “are more willing to take risks, especially with respect to the use of WMDs, than the “status quo, “risk-averse” adversary that the United States faced in the Cold War”⁴. The traditional deterrence modality was seen as less reliable.

The new NSS illustrated the need for a new approach, stating that rogue states are sponsoring terrorism and rejecting core American values; it argued that their leaders “are more willing to take risks, especially with respect to the use of WMDs, than the “status quo, “risk-averse” adversary that the United States faced in the Cold War”

Even before the 9/11 attacks, George W. Bush frequently criticized the Clinton Administration’s nuclear strategy, saying that although a decade had passed since the end of the Cold War, the US remained locked in a Cold War mentality. After 9/11,

3 Glaser, C. and Fetter, S. (2005). Counterforce Revisited: Assessing the Nuclear Posture Review’s New Missions, *International Security*, Vol. 30, No. 2

4 Global Security (2002) *The National Security Strategy of the United States of America*. available at: <http://www.globalsecurity.org/military/library/policy/national/nss-020920.pdf> (accessed 25 March 2018)

President Bush directed the Department of Defense to review US nuclear strategy from the bottom up. Several documents were adopted which outlined the NNS. The foundational document of the NNS was the Nuclear Posture Review (NPR). First submitted to the Congress on 31 December 2001, it was then leaked to the media. The National Strategy to Combat Weapons of Mass Destruction (National Security Presidential Directive (NSDP) 17) and National Policy on Missile Defense (NSDP 23) were signed by President Bush at the end of 2002. These documents completed the definition of the main directions of the US' post-9/11 nuclear strategy.

The NNS brought about three main changes. Firstly, it defined new enemies, and therefore a new structure for US nuclear forces to meet the entailed threats. Secondly, it was based on the idea of “active counterproliferation” rather than non-proliferation; this counterproliferation was unilateral rather than multilateral. Lastly, the NNS emphasized the development of National Missile Defense, previously prohibited under the multilateral regime.

New Target and New Triad

The first notable innovation of NNS was the shift from deterring other nuclear powers to defending against rogue states, failed states, and non-state groups with nuclear weapons.⁵ The NPR listed the conditions under which resort to nuclear weapons was allowed, and explicitly outlined the logic of threats from rogue states and terrorists.

“North Korea, Iraq, Iran, Syria, and Libya are among the countries that could be involved in immediate, potential, or unexpected contingencies. All have longstanding hostility toward the United States and its security partners; North Korea and Iraq in particular have been chronic military concerns. All sponsor or harbour terrorists and all have active WMD and missile programs.”⁶

The NPR stated that resort to nuclear weapons would be

⁵ Global Security (2002) *Nuclear Posture Review (excerpts)*. available at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm> (accessed: 14 March 2018)

⁶ Ibid

permissible in the event of a biological or chemical attack; against targets able to withstand non-nuclear attack; in retaliation for attack with nuclear weapons; or in the event of surprising military developments.⁷

As mentioned above, terrorist organizations along with rogue states were considered as the main threats to the US. President Bush argued that unbalanced dictators with weapons of mass destruction could deliver those weapons via missiles to the US, or secretly provide them to terrorist allies.⁸ The belief that these new adversaries were more likely to attack and less susceptible to deterrence, the NNS asserted defense capability against rogue states and terrorists groups and enabled pre-emptive strikes with accurate weapons. For this purpose, the NPR adopted a new triad of nuclear forces, placing strong emphasis on defense potential and highly accurate and bunker-destroying weapons (for pre-emptively destroying remote caves of terrorists and rogue states' hardened nuclear facilities).

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Thus, the New Triad was markedly different from the Cold War Triad of nuclear forces (composed of Intercontinental Ballistic Missiles (ICBMs), Submarine Launched Ballistic Missiles (SLBMs), and long-range nuclear-armed bombers) and consisted of the following three elements:

- Offensive strike systems (both nuclear and conventional - more accurate and earth-penetrating);
- Defenses (both active - such as ballistic missile - and passive defenses)
- A revitalized defense infrastructure providing new capabilities in a timely fashion to meet emerging threats.⁹

Plans for new developments in the US nuclear arms strategy had negative implications for Russia's security, whether intentional or not. Firstly, in the NPR, Russia was mentioned among the

7 Richter, P. (2002). U.S. Works Up Plan for Using Nuclear Arms. *The Los Angeles Times*, available at: <http://www.articles.latimes.com/2002/mar/09/.../mn-31965> (accessed 25 March 2018)

8 Cirincione, J. (2008). Strategic Collapse: The Failure of the Bush Nuclear Doctrine. *Arms Control Association*. available at: http://www.armscontrol.org/act/2008_11/cirincione (accessed 21 March 2018)

9 Global Security (2002) *Nuclear Posture Review (excerpts)*. available at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm> (accessed: 14 March 2018)

states of concern, meaning that it remains among the potential nuclear strike targets:

“Russia’s nuclear forces and programs, nevertheless, remain a concern. Russia faces many strategic problems around its periphery and its future course cannot be charted with certainty. US planning must take this into account. In the event that US relations with Russia significantly worsen in the future, the US may need to revise its nuclear force levels and posture.”¹⁰

Russia’s reaction to the NPR was one of strong concern. Vladimir Putin, President of the Russian Federation said, “I must, however, say frankly that these statements [concerning the NPR] do worry us.”¹¹ Sergei Ivanov, then Defense Minister, went further by stating that, “it can only give rise to regret and concern, not only from Russia but from the entire world community. Such a plan can destabilize the situation and make it much tenser...”¹² This reaction was the result of changes to the NNS, which negatively affected Russia’s security perceptions.

While the Russian strategic arsenal has been eroded, the United States envisioned continuing modernization of its weapons. US strategic forces have shrunk in number since the end of the Cold War, but they have become more lethal.

Secondly, the NPR indicated that the US was aiming to achieve primacy over Russia. Chuba and Crouch depict the “new triad” of the Bush Administration’s NPR as a tool of nuclear primacy.¹³ New Triad and other developments introduced by the NPR undermined the nuclear balance between the two states threatened to render Russia’s nuclear deterrence ineffective. Even though the NPR intended to reduce the number of US warheads (down to 1700-2200 operationally deployed warheads¹⁴), it increased the nuclear power of the country by adding new advanced strike and defense capabilities. While the Russian strategic arsenal has been eroded, the United States envisioned continuing modernization of its weapons. US

¹⁰ Ibid

¹¹ *International Reaction to the Leaked Nuclear Posture Review*. (2009). Nuclear and WMD, available at: http://www.basicint.org/nuclear/US_Policy/NPRreactions-0402.htm (accessed 26 March 2018)

¹² Reuters/Russia Journal, quoted in *International Reaction to the Leaked Nuclear Posture Review*. (2009). Nuclear and WMD, available at: http://www.basicint.org/nuclear/US_Policy/NPRreactions-0402.htm (accessed 26 March 2018)

¹³ Chyba C. and Crouch D. (2009). Understanding the U.S. Nuclear Weapons Policy Debate, *The Washington Quarterly*, 32:3, p. 24

¹⁴ Global Security (2002) *Nuclear Posture Review (excerpts)*. available at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm> (accessed: 14 March 2018)

strategic forces have shrunk in number since the end of the Cold War, but they have become more lethal.¹⁵ Thus while the new strategy ostensibly targeted rogue states and terrorist groups' facilities, the new capabilities were entailed nuclear superiority over rivals, including Russia. For example, it was argued that new ground burst nuclear weapons were designed for a variety of missions, such as destroying North Korean WMD bunkers or remote cave complexes housing terrorist leaders. But Lieber and Press emphasize that the US already possessed a "number of highly accurate, similar-yield warheads that would be ideal for these purposes."¹⁶ Therefore, the decision to upgrade the fuse of many SLBM warheads (the W76s) to permit ground bursts makes sense only if the mission is destroying hundreds of Russian hardened missile silos. Similarly, US efforts to advance current SLBMs to increase their accuracy from 90 metres to 12 metres was consistent with the destruction of very difficult targets such as Russian missile silos. Against other targets such as terrorist caves or relatively shallow bunkers in Iran and North Korea, "it makes no difference whether the 100-kiloton warhead detonates 30 or 90 meters away"¹⁷. Furthermore, new small but accurate nuclear weapons were perfectly capable of destroying Russian Topol mobile missile launchers, which were considered the backbone of the country's nuclear forces. Earth penetrating nuclear weapons would have the capacity to destroy Russia's most important underground nuclear command facilities like Yamanatau and Kosvinsky.¹⁸

In sum, to meet the challenges posed by new adversaries, the main target of the new nuclear strategy was defense against rogue/failed states and terrorists with WMDs. According to this new target, the New Triad of nuclear forces was adopted: adding new advanced strike and defense capabilities to the US' nuclear power. But deliberately or not, these new capabilities negatively impacted Russian security by enabling the nuclear primacy of the US.

15 Lieber, K. and Press, D. (2006). 'The End of MAD? The Nuclear Dimension of U.S. Primacy', *International Security*, Vol. 30, No. 4

16 *ibid*

17 Global Security (2002) *Nuclear Posture Review (excerpts)*. available at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm> (accessed: 14 March 2018)

18 Minuteman Elite and Earth Penetrating Warheads. (2007). *Science and Global Security*, available at: <http://sciencesecurity.livejournal.com/46554.html> (accessed 16 March 2018)

Proactive Counter-proliferation

Prior to the NNS, the US had been employing a large array of means for nonproliferation including multilateral control regimes (nonproliferation treaty), bilateral influence over domestic regimes (e.g. Egypt), expanding the nuclear umbrella (e.g. case of Sweden), sanctions on trade of fissile materials and sanctions on WMD pursuing countries etc.¹⁹ But the new strategy, which according to President Bush was not “nonproliferation” but rather “counterproliferation”²⁰; and focused on “who” rather than “what”. It also involved more coercive actions (sanctions and pressure) than diplomacy and negotiation, and was more unilateral than multilateral. The primary threat was considered to come from a small number of rogue states that had no regard for international norms and were determined to acquire nuclear, biological, and chemical weapons. The new strategy posited that punitive and coercive “counterproliferation” was more likely to dissuade those actors from acquiring nuclear weapons.²¹

The United States became more inclined to direct coercive actions such as pre-emptive attack or unilateral sanctions than diplomacy, on the basis that traditional concepts of deterrence would not work against a terrorist enemy. The argument was that the “US must be prepared to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends.”²² The National Strategy to Combat Weapons of Mass Destruction was adopted in 2002 to strengthen counterproliferation efforts. It stated that “because deterrence may not succeed”, the US must be capable of pre-emptive measures, which “requires capabilities to detect and destroy an adversary’s WMD assets before these weapons are used.”²³

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19 Levite, A. (2002/2003). Never Say Never Again: Nuclear Reversal Revisited, *International Security*, Vol. 27, No. 3

20 Bolton, J. (2004). Washington DC: The Bush Administration’s Forward Strategy for Nonproliferation. *Address to the American Enterprise Institute*, available at: http://www.nti.org/e_research/official_docs/dos/dos101904.pdf

21 Cirincione, J. (2008). Strategic Collapse: The Failure of the Bush Nuclear Doctrine. *Arms Control Association*. available at: http://www.armscontrol.org/act/2008_11/cirincione (accessed 21 March 2018)

22 Global Security (2002) *The National Security Strategy of the United States of America*. available at: <http://www.globalsecurity.org/military/library/policy/national/nss-020920.pdf> (accessed 25 March 2018)

23 White House (2002) *National Strategy to Combat Weapons of Mass Destruction*, available at: <http://www.state.gov/documents/organization/16092.pdf> (accessed 22 March 2018)

The Bush Administration started to withdraw from multilateral regimes and ignore international conferences in order to free the US from multilateral restrictions, with the aim of developing a unilateralist counterproliferation policy. This was seen as a better fit with US interests in regard to preventing rogue states and terrorists from acquiring WMDs. The first step toward unilateralism was the boycott of the United Nations' conference, convened to encourage international support for the Comprehensive Test Ban Treaty. The boycott "fits a pattern of unilateralist non-engagement that is becoming the hallmark of the Bush Administration's arms control policy", said Daryl Kimball from the Arms Control Association.²⁴ Then President Bush declared on November 13 2001 that the United States would reduce "operationally deployed nuclear warheads" from approximately 5,300 to between 1,700 and 2,200 over the next decade.²⁵ This unilateral step was different to previous reduction initiatives, which had been implemented mutually pursuant to negotiations with USSR and later Russia. President Bush also announced on December 13 2001 that the United States was withdrawing from the Anti-Ballistic Missile Treaty of 1972.²⁶ Administration officials also ignored the 2005 nuclear Nonproliferation Treaty (NPT) Review Conference, sending only low-ranking officials and rebuffing efforts to gain a compromise agreement, without apparent consequences.²⁷

The unilateralism of the new US nuclear strategy was problematic for Russia's security because the unilateralist arms control policy and withdrawal from international treaties prevented Russia from restricting America's nuclear armament plans. Russia's unhappiness with the United States' new unilateral approach became clear from statements by President Putin describing US' unilateral withdrawal from treaties as "wrong", and declaring that "a legal vacuum in the realm of strategic stability must not be allowed to

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24 Kimball, D. (2001) CTBT Rogue State?. *Arms Control Today*, *Arms Control Association*. available at: http://www.armscontrol.org/act/2001_12/ctbtanalysisdec01 (accessed 23 March 2018)

25 McNamara, R. (2005) Apocalypse Soon. *Foreign Policy*, No. 148, pp. 29-35

26 BBC (13 December 2001) America withdraws from ABM treaty, available at: <http://news.bbc.co.uk/1/hi/world/americas/1707812.stm> (accessed 18 March 2018)

27 Cirincione, J. (2008). Strategic Collapse: The Failure of the Bush Nuclear Doctrine. *Arms Control Association*. available at: http://www.armscontrol.org/act/2008_11/cirincione (accessed 21 March 2018)

occur.”²⁸ Previously, the two states had cooperated in the field of arms reduction and control by negotiating and signing treaties. This allowed Russia to preserve nuclear parity despite lacking the resources to engage in an arms race. But US unilateralism prevented Russia from exerting any kind of influence over the US in regard to nuclear parity, and therefore threatened to fuel a new nuclear arming race.

The first signs of this tendency were revealed when the NPR made it clear that warheads reduced unilaterally by the US would not be completely de-commissioned, but rather maintained as “responsive forces”.²⁹ This clearly imposed a burden on Russia to either accept the US’ primacy or engage in an arms race that it could not afford. On November 13 2001, Bush declared that

With Russian nuclear forces aging, and the lack of funds to keep parity by deploying new warheads, this development placed a heavy burden on Russia to engage in preserving balance with the US.

nuclear weapons would be reduced to between 1,700 and 2,200 over the next decade. He stated that “this scaling back would approach the 1,500 to 2,200 range that Putin had proposed for Russia.”³⁰ However, the new NPR presented quite a different story. While Russia suggested mutual warhead reductions to 1500, or even 1000, the United States insisted on reducing the number of deployed warheads to 2200, with additional warheads kept in storage.³¹ NPR (2002) assumed that strategic offensive nuclear weapons in much larger numbers than 1,700 to 2,200 would be part of US military forces for the next several decades. Although the number of deployed warheads was expected to be reduced to 3,800 in 2007 and further to 1,700-2,200 by 2012, the warheads and many of the launch vehicles taken off deployment were set to be maintained in a “responsive” reserve from which they could be easily returned to the operationally deployed force.³² With Russian nuclear forces aging, and the lack of funds to keep parity by deploying new warheads, this development placed a heavy burden on Russia to engage in preserving balance with the US. Thus Russia also had to stop dismantling

28 Savel'yev, A. (2009). Russia and the U.S.: A Strategic Relationship, *International Affairs*, No. 1, page(s): 13-22

29 Global Security (2002) *Nuclear Posture Review (excerpts)*. available at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm> (accessed: 14 March 2018)

30 McNamara, R. (2005) *Apocalypse Soon. Foreign Policy*, No. 148, pp. 29-35

31 Gottenmoeller, R. (2004). Russia's Defense Policy, *Carnegie Endowment*. available at: <http://www.carnegieendowment.org/events/?fa=eventDetail&id=687&prog=zgp> (accessed 23 March 2018)

32 Woolf, A. (2002). The Nuclear Posture Review: Overview and Emerging Issues, *CRS Report for Congress*. available at: <http://www.iwar.org.uk/news-archive/crs/8039.pdf> (accessed 24 March 2018)

its Multiple Independently-targetable Re-entry Vehicle (MIRV) forces of SS-18 and SS-20 Intercontinental Ballistic Missiles (ICBM), which remain the core of its strategic forces. Moreover, Russia continued the deployment of a new ICBM (SS-27), and also continued to develop new fifth generation submarines and new Submarine-launched Ballistic Missiles (SLBM).³³

In sum, the NNS represented a more coercive and unilateral counterproliferation policy, which put undesirable pressure on Russia by preventing Moscow from controlling parity through bilateral and multilateral treaties.

Ballistic Missile Defense

The Bush Administration decided that the US offensive nuclear forces alone could not deter threats to the United States, its allies, and its friends, “because terrorists have few assets to hold at risk, are too difficult to find or communicate with, or because they would view retaliation as furthering their cause.”³⁴ They believed that a combination of offensive strike forces and defensive capabilities was needed to defend against the diverse set of potential adversaries and unexpected threats the United States would likely face during the upcoming decades. Therefore, the Administration attached great importance to the development and deployment of missile defense systems. Missile defense was designed as insurance against the failure of traditional deterrence.³⁵

To build strong anti-missile defense including land-based, sea-based and space-based capabilities, the United States withdrew from the ABM Treaty, removing legal obstacles for developing and deploying of missile shield. “I have concluded the ABM treaty hinders our government’s ability to develop ways to protect our people from future terrorist or rogue-state missile attacks,” Bush announced following a meeting with his National Security

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33 McDonough, D. (2006) *Nuclear superiority : the 'new triad' and the evolution of nuclear strategy*. London: Routledge for the International Institute for Strategic Studies, p. 80-82

34 Chyba C. and Crouch D. (2009). Understanding the U.S. Nuclear Weapons Policy Debate, *The Washington Quarterly*, 32:3

35 Peoples C. (2010). *Justifying Ballistic Missile Defense*. Cambridge University Press. P. 186

Council in 2001.³⁶ The ABM Treaty between the US and USSR was signed back on May 26 1972, when the Cold War was at its height, and aimed to restrict each country's ability to build national anti-missile systems. On December 13 2001, President Bush officially announced his country's withdrawal from the treaty. He justified this move based on the threat from terrorists and rogue states: "We know that the terrorists and some of those who support them seek the ability to deliver death and destruction to our doorstep via missile. And we must have the freedom and the flexibility to develop effective defenses against those attacks."³⁷ Deputy Secretary of Defense Paul Wolfowitz supported the idea, asserting that "nukes will give freedom of action to international bullies like Iraq, like Iran, like North Korea to threaten us. It makes no sense, in the era when technology allows us to take away the ability to attack us, to leave us vulnerable to that threat."³⁸

In December 2002, NSDP 23 – the National Policy on Ballistic Missile Defense - was signed by President Bush. The document outlined a plan to deploy ballistic missile defense systems abroad by 2004. The first contingent of NMD interceptors was deployed in 2004, and this was only the starting point for a large, multilayered missile defense system. To this end, the United States has doubled its investment in missile defense, accelerating research and development on a range of land, air, sea, and space-based missile defense systems.³⁹ According to the Administration, the proposed missile shield in Europe would help defend US forces stationed in Europe, US friends and allies in the region, as well as to defend the country against long-range ballistic missile threats, namely from Iran.⁴⁰

Hitherto, despite the US's striking conventional superiority, Russia did not feel critically insecure vis-à-vis the US because of the security guarantees entailed by MAD. Therefore Russia

36 BBC (13 December 2001) America withdraws from ABM treaty, available at: <http://news.bbc.co.uk/1/hi/world/americas/1707812.stm> (accessed 18 March 2018)

37 Withdrawal from ABM Treaty. (2001). *The Washington Post* Transcript of the Speech President Bush's Speech

38 Peoples C. (2010). *Justifying Ballistic Missile Defense*. Cambridge University Press. P. 191

39 Lieber, K. and Press, D. (2006). The End of MAD? The Nuclear Dimension of U.S. Primacy, *International Security*, Vol. 30, No. 4, p. 7–44

40 Hildreth, S. and Ek, C. (2008) Long-Range Ballistic Missile Defense in Europe, *Congressional Research Service Report for Congress*. available at: <http://italy.usembassy.gov/pdf/other/RL34051.pdf> (accessed 15 March 2018)

was heavily reliant on nuclear deterrence to compensate for conventional weaknesses during the post-Cold War period. As Klein argued, as soon as both sides in an adversarial relationship acquire nuclear capabilities, classical strategic notions of winning and losing, of defeating an enemy, were rendered obsolete.⁴¹ He further posits that the road to stability and order thus “resides in the virtues of vulnerability. In other words, “no defense.”⁴² But the new BMD of US was conceived as very dangerous for Russia on the grounds that:

“it might pose the illusion invulnerability or worse yet, pose the real threat of invincibility to a country. If the country could indeed hide behind an effective defensive shield, what would assure its rivals that they would not be ultimately subject to attack? Thus no country would feel safe from it.”⁴³

BMD posed a threat to Russia because it could give the US first strike advantage, by enabling the US to defend against Russian second strikes. This seriously damaged Russia’s nuclear security perceptions. However, many critiques argue that BMD was not be able to fully eliminate MAD, because even a few hundred incoming warheads would overwhelm any plausible defense, and Russia possessed 3.500 warheads that could reach US territory.⁴⁴ Although this criticism is reasonable, Lieber and Press argue that even a limited missile shield could be a powerful complement to the offensive capabilities of US nuclear forces:

“If the United States struck before Russian forces were alerted, Russia would be lucky if half-dozen warheads survived. Facing a small number of incoming warheads US interceptors could simply target them all.”⁴⁵

The logic here is that until this strategy was initiated, the idea of mutually assured destruction made war between US and Russia almost unthinkable. But the US’ new missile defense capacity

Hitherto, despite the US’s striking conventional superiority, Russia did not feel critically insecure vis-à-vis the US because of the security guarantees entailed by MAD. Therefore Russia was heavily reliant on nuclear deterrence to compensate for conventional weaknesses during the post-Cold War period.

41 Klein, B. (1994). *Strategic studies and world order*. Cambridge; New York. Cambridge University Press, p. 60

42 Ibid, p. 62

43 Ibid, p. 61

44 Lieber, K. and Press, D. (2006). The End of MAD? The Nuclear Dimension of U.S. Primacy, *International Security*, Vol. 30, No. 4, p. 7–44

45 ibid

eliminated MAD while rendering Russia insecure vis-à-vis the US. Thus, despite being nominally directed against rogue states and terrorist organizations, the new ballistic defense threatened to deprive Russia of its nuclear deterrent.

Whereas Russia's official reaction to the US withdrawal from the ABM Treaty was fairly moderate, the US intention to deploy elements of a missile defense system in Central Europe aroused strong protest on the Russian side. President Putin highlighted that "a system of US nuclear weapons" and a system of the US "strategic nuclear complex" had appeared in Europe; he compared the deployment of a US missile shield in [central] Europe with the deployment of Pershing missiles and the entire situation that evolved with "the one that brought about the Caribbean Crisis."⁴⁶ When tensions were at their height because of missile shield deployment, Russia's then-military chief of staff, Yuri Baluyevsky, said, "Moscow is ready to use force, including pre-emptively and with nuclear weapons, to defend itself against the emerging situation."⁴⁷ The result

Whereas Russia's official reaction to the US withdrawal from the ABM Treaty was fairly moderate, the US intention to deploy elements of a missile defense system in Central Europe aroused strong protest on the Russian side.

was that Russia declared it would no longer be bound by the START II nuclear arms reduction agreement.⁴⁸ In addition, US plans to deploy missile defense systems in Europe provoked an immediate response from Russia, which deployed its own missiles in Kaliningrad, leading to rising tensions at the European Union level.⁴⁹

In sum, US actions within the NNS have undermined Russia's security by giving the US first strike advantage.

In Lieu of Conclusion

The September 11 terrorist attacks revealed the capabilities of terrorists to strike the US, and its vulnerabilities vis-à-vis rogue states and terrorists. This built strong consensus among Americans

46 Savel'yev, A. (2009). Russia and the U.S.: A Strategic Relationship, *International Affairs*, No. 1

47 *Russia Warns of Nuclear Defence*. (2008). BBC. available at: <http://news.bbc.co.uk/1/hi/world/europe/7198181.stm> (accessed 25 March 2018)

48 Boese, W. (2002). Russia Declares Itself No Longer Bound by START II. *Arms Control Association*, available at: <http://www.armscontrol.org/print/1094> (accessed 18 March 2018)

49 Komen, J. (2009). *EU-Russia relations - Where are we now?*. Euro-Power. available at: http://www.euro-power.fr/pdf/EP0043_KOM0001_03.2009.pdf (accessed 22 March 2018)

about the new security environment pursuant to new enemies of the US. Therefore, shortly after the 9/11 attacks, the decision was made to adopt new strategies, including a new Nuclear Strategy, in order to meet new challenges of a new security environment. These new strategies marked a significant shift from those of the Cold War.

This NNS changed the main target from deterrence through MAD, to defense from rogue states and terrorists. It entailed the launch of an active proliferation policy which was more unilateral and more coercive, and announced the deployment of BMD to defend the country, its allies, and troops on foreign soils from potential nuclear strikes by rogue states and terrorist groups. The structure of nuclear forces changed accordingly, producing new capabilities in defense and offence. These innovations increased the threat of US nuclear primacy via innovations perfectly suited to destroying Russian nuclear facilities. To remove the legal obstacles to developing new nuclear and anti-nuclear weapons, the US started to withdraw from international treaties. This strategy of unilateralism worsened the situation for Russia, because it prevented Moscow from restricting the development of US nuclear forces through multilateral treaties, while at the same time lacking the capacity to engage in an arms race. Finally, the deployment of BMD deprived Russia of deterrence via MAD, which had compensated for conventional weakness during the post-Cold War period, and thus threatened to render Russia insecure because of the US new first strike advantage.

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So, what is the legacy of the Bush Administration's post-9/11 nuclear strategy, and how has it evolved since? In early April 2010, then-US President Barack Obama unveiled his Administration's Nuclear Posture Review (NPR). The document marked a break with the Bush Administration's more hawkish policy, and constituted the core of what became known as the Obama nuclear doctrine. It included significant limitations on the circumstances under which Washington would use nuclear weapons, and stated US support for bolstering the Nuclear Non-Proliferation Treaty (NPT) and other efforts to halt and reverse

the spread of nuclear arms.⁵⁰ The new strategy forbade the use of nuclear weapons against signatories in good standing of the NPT, provided that they were in compliance with their nuclear non-proliferation obligations and did not pose a “critical threat” to the United States, forswore the testing of nuclear weapons and development of new nuclear warheads, and committed the Administration to seek Senate ratification and the entry into force of the Comprehensive Test Ban Treaty (CTBT).⁵¹ In another departure from his predecessor, Obama declared that the US would refrain from developing new atomic arms, having faced initial resistance from the Department of Defense (DoD) and the Pentagon.⁵²

Most importantly, Obama and Russian President Dmitri Medvedev signed a treaty to reduce each country’s nuclear arsenal to 1550 weapons apiece.⁵³ Thus, as a part of the general “reset” policy with Russia, the Obama Administration worked on improving relations with Moscow in the field of WMD along with other strategic weapons. The current Trump Administration also announced that it would continue much of the Obama Administration’s nuclear weapons policy, but take a more aggressive stance toward Russia, North Korea, and China.⁵⁴ The Trump Administration has not called for any new expansion of nuclear arsenal and has endorsed adherence to existing arms control agreements, including the New Strategic Arms Reduction Treaty signed between Russia and the US. Trump has concluded that the US should, in the main, follow Obama’s blueprint for modernizing the nuclear arsenal, including new bomber aircraft, submarines, and land-based missiles.

50 Eli Clifton (April 2010) Mixed Reviews for Obama’s Nuclear Strategy, *IPS*, retrieved April 19, 2012, available at: <http://ipsnews.net/news.asp?idnews=50936> (accessed: 21 March 2018)

51 Ibid

52 Mark Tarn (April 2010) Barack Obama to limit use of US nuclear weapons, *The Guardian*, available at: <http://www.guardian.co.uk/world/2010/apr/06/obama-us-nuclear-weapons-strategy> (accessed: 18 March 2018)

53 William Bradley (April 2010) Obama’s Nuclear Strategy and the Russian Resurgence, *Huffingtonpost*, available at: http://www.huffingtonpost.com/william-bradley/obamas-nuclear-strategy-a_b_534027.html (accessed: 19 March 2018)

54 The Guardian (2018) *Warnings as Trump administration hardens nuclear policy against Russia*, available at: <https://www.theguardian.com/us-news/2018/feb/03/trump-administration-hardens-nuclear-policy-against-russia> (accessed: 20 March 2018)

The Ban on Nuclear Weapons, Negative Security Assurances, and NATO States

Heinz Gärtner*

At a United Nations Conference on 7 July, 2017, 122 state parties voted in favor of a treaty that would prohibit nuclear weapons. None of the nuclear-armed states, or their allies, participated in the vote (with the exception of the Netherlands, which voted against the treaty). The treaty expresses concern about the catastrophic humanitarian consequences of the use of nuclear weapons, and calls for their complete elimination. The Treaty calls for the full implementation of the Non-Proliferation Treaty (NPT), including the disarmament obligations of the nuclear-armed states. The treaty should close the gap between nuclear and non-nuclear-armed states. It is very unlikely that the nuclear states will give up their nuclear weapons anytime soon. This paper looks for alternative proposals by the nuclear-armed states which could satisfy the non-nuclear weapon states, at least for the time being. If nuclear-armed states are unwilling or unable to sign the ban treaty, they could offer non-nuclear-armed states Negative Security Assurances (NSAs). This is a commitment not to attack or threaten to attack those states with nuclear weapons. These NSAs must be based on international law, however. This means that they have to sign and ratify the existing and future NWFZs. A nuclear weapon free belt could be created from Mongolia to Africa (for the time being, excluding Israel). NSAs would have to be extended to states that are in a military alliance with another, nuclear-armed state. Extended deterrence should be amended via extended NSAs.

Keywords: nuclear weapons, negative security assurances (NSAs), deterrence, NATO, nuclear weapon free zones, non-proliferation, NPT, disarmament.



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The Ban and NATO's Nuclear Posture

At a United Nations Conference on July 7, 2017, 122 state parties voted in favor of a treaty that prohibits nuclear weapons. None of the nuclear-armed states, or their allies, participated in the vote (with the exception of the Netherlands, which voted against the treaty). The treaty expresses concern about the catastrophic humanitarian consequences of the use of nuclear weapons, and

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calls for their complete elimination. The Treaty calls for the full implementation of the Non-Proliferation Treaty (NPT)¹, including the disarmament obligations of the nuclear-armed states.

Ultimately, the positions of states who want to keep nuclear weapons and those who want to abolish them are not compatible. Even though the catastrophic consequences of the use of nuclear weapons are widely recognized, nuclear-armed states remain convinced by the concept of nuclear deterrence, which they believe protects them from a nuclear or massive conventional attack. The US National Security Strategy of 2017 re-emphasizes the importance of deterrence, which 'is significantly more complex to achieve than during the Cold War'.²

NATO allies rely on nuclear deterrence. NATO's Deterrence and Defence Posture Review of 20 May 2012³ states: 'As long as nuclear weapons exist, NATO will remain a nuclear alliance.' This is reiterated in the NATO Secretary General's 2017 Annual Report.⁴ It adds the commitment to 'seek conditions' for a world without nuclear weapons, although without mentioning disarmament: 'As long as nuclear weapons exist, NATO will remain a nuclear alliance. At the same time, the Alliance is committed to seeking the conditions necessary for a world without nuclear weapons, in accordance with the Nuclear Non-

1 *The treaty on the non-proliferation of nuclear weapons (NPT) (1968). International Atomic Energy Agency, 12 June. Available at: <https://www.iaea.org/sites/default/files/publications/documents/infcires/1970/infciirc140.pdf> (Accessed: 12 April 2018)*

2 The White House (2017) *National Security Strategy of the United States of America, December, p.27. Available at: <https://www.whitehouse.gov/wp-content/uploads/2017/12/NSS-Final-12-18-2017-0905.pdf> (Accessed: 20 March 2018)*

3 NATO (2012) *Deterrence and Defence Posture Review, 20 May, Available at: https://www.nato.int/cps/en/natohq/official_texts_87597.htm (Accessed: 12 April 2018)*

4 NATO (2017), *The Secretary General's Annual Report. Available at: https://www.nato.int/cps/en/natohq/opinions_152797.htm (Accessed: 12 April 2018)*

Proliferation Treaty and in a step-by-step and verifiable manner.’ This sentence also implies that all NATO-members remain committed to the long-term goal to a world free of nuclear weapons, as US-president Obama proclaimed in his April 2009 speech in Prague. On the other hand, Obama also stated that the United States would maintain nuclear deterrence during the disarmament process.

Therefore, nuclear weapon states and all NATO-states oppose the ban treaty. Their main arguments are that global elimination of nuclear weapons is not realistic (North Korea is cited as an example), and that the knowledge of nuclear fission and fusion would not disappear – meaning that any country could at any given moment reintroduce nuclear weapons.⁵ While NATO’s founding Washington Treaty contains a mutual defense commitment (Article V), there is no reference to nuclear deterrence.

So how, then, does the prohibition of nuclear weapons relate to deterrence? How can a state abolish nuclear weapons, yet retain and modernize them at the same time? Opponents of the treaty to prohibit nuclear weapons⁶ argue that it is impossible for complete disarmament and deterrence to co-exist. Political decisions cannot change this.

The paper first looks at the concept of nuclear deterrence and its deficiencies. Then it examines the arguments of the proponents of the ban treaty. While nuclear-armed states believe that the ban treaty polarizes the international security community, proponents of the treaty argue that security is indivisible when it comes to nuclear weapons. If nuclear-armed states are not willing to accept the terms of the ban treaty, they must offer alternatives for the non-nuclear weapon states. The paper then suggests that legally binding Negative Security Assurances (NSAs) could be an option. Finally, the paper addresses the immediate consequences of this, namely that nuclear weapon states sign and ratify the protocols of the nuclear weapon free zones, and that NSAs must also be applied to non-nuclear weapon states.

5 Kamp K-H. (2017) ‚Atomwaffenverbot schadet mehr, als es nützt‘, *Frankfurter Allgemeine Zeitung*, July.

6 United Nations conference, *UN Treaty on the Prohibition of Nuclear Weapons (2017)*, New York, March and 15 June-7 July Available at: <http://www.icanw.org/treaty-on-the-prohibition-of-nuclear-weapons/> (Accessed: 12 April 2018)

Nuclear Deterrence

Nuclear deterrence is the capacity to inflict maximum damage on an adversary. It entails the capability to retaliate if attacked or threatened with attack by a nuclear power. Deterrence requires specific targeting. Push and pull factors determine nuclear planning. Targeting in this type of nuclear planning is a driving force for modernization of nuclear weapons. Deterrence only works with rational actors; it requires adversaries to rely on one another to respect deterrence and adhere to its principles. Furthermore, they must communicate and understand one another's signals. Deterrence would promote hostility and mistrust, with adversaries in a permanent state of mutual threat. Reliance on mutual deterrence gives rise to nuclear proliferation and arms races.

Nuclear weapons have to be smaller in order to be credible. This enhances both the efficacy of deterrence but also the war-fighting capability. The deterrence part aspect is confirmed by Trump's Nuclear Posture Review (NPR): 'Expanding flexible US nuclear options now, to include low-yield options, is important for the preservation of credible deterrence against regional aggression.' The war-fighting part is denied, however: 'To be clear, this is not intended to enable, nor does it enable, 'nuclear war-fighting'.'⁷

Indeed, mutual deterrence and complete disarmament are opposing concepts. Nuclear-armed states agree that nuclear war should be prevented, but they do not rule out that nuclear weapons should be used to in self-defense 'only in the most extreme circumstances.'⁸ They argue that with the ban treaty in place, not only will the effectiveness of deterrence be lost, step-by-step approach toward international disarmament efforts would render it largely meaningless.⁹

Non-nuclear-armed members of NATO are essentially protected under the umbrella of the extended deterrence of their nuclear-armed allies. NATO-members strongly believe that nuclear deterrence does work, because there was no nuclear war between the United States and the Soviet Union. In contrast, proponents

7 Office of the Secretary of Defense (2018) *Nuclear Posture Review, February*, 35. Available at: <https://media.defense.gov/2018/Feb/02/2001872886/-1/-1/1/2018-NUCLEAR-POSTURE-REVIEW-FINAL-REPORT.PDF> (Accessed: 12 April 2018)

8 *Ibid.*, II.

9 Kamp K-H. (2017) 'Atomwaffenverbot schadet mehr, als es nützt', July.

of the ban treaty argue that we do not know if this is true since one cannot prove a counter-factual. The avoidance of nuclear war between the two Cold War superpowers likely resulted from a combination of political and military factors, including détente, arms control negotiations confidence-building measures, and cooperation via the Conference on Security and Co-operation in Europe (CSCE) along with other regimes and institutions.

Technically, NATO nuclear states can join the ban treaty. Within a negotiated timeframe, these states would be required to irreversibly eliminate their nuclear weapon program, and have that elimination objectively verified. There seems to be a contradiction to Article 1 in the ban treaty, which states that ‘each State Party undertakes never under any circumstances [...] to [...] possess ... nuclear weapons or other nuclear explosive devices’. However, the phrase ‘notwithstanding’ in Article 4, which describes the pathway by which states can join the treaty before they have actually eliminated their nuclear weapons, makes it clear that the treaty acknowledges this possibility. The option to join a treaty before complete elimination can be found in various other disarmament treaties, such as the Chemical Convention. There are not yet any specific verification provisions for disarmament in the ban treaty. This is because the states concerned did not take part in the negotiations. The treaty provides space to include concrete verification measures once nuclear-armed states join the treaty.

This treaty has flaws. On the other hand, there is no perfect arms control treaty. The Treaty on Strategic Offensive Forces Reduction (SORT) contains almost no inspection provisions; the Vienna nuclear agreement with Iran (Joint Comprehensive Plan of Action - JCPOA) has very intrusive verification mechanism and the US Administration and Israeli Prime Minister Netanyahu have expressed serious complaints; the Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) implements a far-reaching verification regime; the Chemical Weapon Convention has an elaborate inspection system; and yet chemical weapons can be hidden and produced relatively easily. It is possible that by focusing on its alleged shortcomings, some critics are seeking to divert attention from the broader goals of the ban treaty.

The ban treaty expresses concern about the catastrophic humanitarian consequences of the use of nuclear weapons and calls for their complete elimination. Advocates of the treaty think that nuclear deterrence is only credible if the nuclear armed adversaries permanently demonstrate that they are serious about using nuclear weapons. This relies on the principle of mutually assured destruction which consequently is a threat with self-destruction because the attacked state would have to retaliate with nuclear weapons. This was evident during the Cold War, and remains true for regional conflicts, such as India-Pakistan. Deterrence is also North Korea's rationale for possessing nuclear weapons. Supporters of the ban treaty list other deficiencies of the deterrence concept: it can create instability and dangerous situations through miscalculations, miscommunication and technical accidents. Mutual deterrence is expensive because it requires continuous modernization and development and production of new weapons to close real and assumed loopholes in the system. Supporters of the ban treaty argue that the consequences of the use of nuclear weapons are effectively unlimited. Treaty advocates¹⁰ stress that the failure of deterrence entails global disaster. They do not believe that the fallout can be mitigated by human restraint or technology. While supporters of deterrence believe that nuclear weapons are manageable, proponents of the ban treaty fundamentally reject this notion.

In addition, the International Court of Justice ruled 1996 that 'the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law'.¹¹ The announced intention to annihilate large parts of humanity would be both unlawful and immoral.

Security is Indivisible

Is there a way forward? One approach would be to use the ban treaty as an instrument to stigmatize the possessor states and their allies by their population and by non-allied non-nuclear weapon states, i.e. discrediting them because they hold on to nuclear

¹⁰ Meyer P. and Sauer T. (2018) 'The Nuclear Ban Treaty: A Sign of Global Impatience', *Survival* 60(2), April, pp.61-72.

¹¹ International Court of Justice, Reports of Judgments, Advisory Opinions and Orders, Legality of The Threat or Use of Nuclear Weapons, Advisory Opinion of 8 July 1996 (Accessed: <https://web.archive.org/web/20120227095818/http://www.icj-cij.org/docket/files/95/7495.pdf>)

weapons.¹² Opponents of this argument counter that this would put democratic NATO states at disadvantage vis-à-vis Russia, because stigmatization would have a greater impact in democratic societies than in authoritarian regimes. It is unlikely that NATO-states will accept this argument.¹³ One could argue, however, that enabling a democratic debate on nuclear weapons is beneficial rather than damaging, as seen with other issues like the environment or human rights.

Opponents of the ban treaty¹⁴ complain that it would polarize the international community. This is not the intention of the non-nuclear weapon states. Essentially, there are two opposing views on security. The nuclear and non-nuclear NATO-members feel better protected with nuclear weapons, while the non-nuclear states believe they are more secure without. The root cause of polarization pre-dates the adoption of the ban treaty. Non-nuclear weapon states felt betrayed that the nuclear-armed states did not meet their disarmament obligations under Article VI of the NPT,¹⁵ which states that ‘each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control’. Non-nuclear states feel that their sacrifice – the renunciation of nuclear weapons – was in the end for naught. This caused a rift between nuclear-weapon states and non-nuclear weapon states; the intention of the ban treaty is to close this gap.

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However, the US Administration’s 2018 NPR identifies a contradiction between disarmament and non-proliferation. The ban treaty effort ‘seeks to inject disarmament issues into non-proliferation fora, potentially damaging the non-proliferation regime’.¹⁶

12 Sauer T. (2017) ‘How will NATO’s non-nuclear members handle the UN’s ban on nuclear weapons?’ *The Bulletin of the Atomic Scientists*. March.

13 Meyer P./Sauer T. (2018) ‘The Nuclear Ban Treaty’. April.

14 See Highsmith N. and Stewart M. (2018) ‘The Nuclear Ban Treaty: A Legal Analysis’, *Survival* 60(1), February-March, pp.129-152.

15 *The treaty on the non-proliferation of nuclear weapons*. International Atomic Energy Agency; <https://www.iaea.org/sites/default/files/publications/documents/infcircs/1970/infcir140.pdf> (Accessed: 20 March 2018)

16 Office of the secretary of defense (2018), *Nuclear Posture Review*, February, 72. Available at: <https://www.defense.gov/News/SpecialReports/2018NuclearPostureReview.aspx> (Accessed: 20 March, 2018)

Advocates of the ban treaty argue that the populations of the NATO-allies would be in even greater danger, because they are the primary targets in a nuclear exchange between nuclear-weapon states.

It is not only signatories of the ban treaty, but also non-nuclear NATO-states which have expressed concerns about the humanitarian consequences of the use of nuclear weapons. Advocates of the ban treaty argue that the populations of the NATO-allies would be in even greater danger, because they are the primary targets in a nuclear exchange between nuclear-weapon states. Thus the intention of the ban treaty was not to deepen divisions, but rather create an environment where security is indivisible. Non-nuclear weapon states say that the advantage of not being a primary target of a nuclear-weapon state should be distributed to all non-nuclear weapon states, whether they are NATO members or not. This was the primary reason for joining the NPT in the first place. The risk that nuclear weapons may be used, and their existence in the first place, pose threats to the security of any given population.¹⁷

Negative Security Assurances

It appears that nuclear-armed states will not join the treaty any time soon, nor give up their nuclear weapons. Is there room for compromise?¹⁸ What could they offer to non-nuclear weapon states instead?

Nuclear states could promise not to use nuclear weapons against non-nuclear states. Negative Security Assurances (NSAs)¹⁹ are guarantees by nuclear weapon states to those that have renounced them. These NSAs are enshrined in the documents of the NPT-review conferences and in the Nuclear Posture Review of former US President Obama.

The Nuclear Posture Review²⁰ of the Trump administration reaffirms the NSAs of earlier administrations: 'The United States will not use or threaten to use nuclear weapons against

17 General Assembly, Geneva (2016) Nuclear weapons and security: A humanitarian perspective, submitted by Austria: Open-ended Working Group taking forward multilateral nuclear disarmament negotiations, 22 February, *A/AC.286/WP.4*. Available at: <http://www.reachingcriticalwill.org/disarmament-fora/owwg/2016/august/documents> (Accessed: 20 March 2018)

18 Heinz Gärtner H. (2017) 'A neutral state's perspective on the ban—and a compromise', *The Bulletin of the Atomic Scientists*. 15 August.

19 Roscini M. (2011) 'Negative Security Assurances in the Protocols Additional to the Treaties Establishing Nuclear Weapon-Free Zones', in Gärtner H. (ed.), *Obama and the Bomb: The Vision of a World Free of Nuclear Weapons*, *Internationale Sicherheit*. New York, Peter Lang, pp.129-147.

20 Office of the Secretary of Defense (2018), *Nuclear Posture Review*, 21. February.

non-nuclear weapons states that are party to the NPT and in compliance with their nuclear non-proliferation obligations.’

This is not asking for too much. NSAs are less of a commitment than non-first use pledges. An unconditional NSA commitment by nuclear weapon states would remove all non-nuclear weapon states from the target list. In contrast, a true non-first use doctrine would have to remove conventional, chemical and biological weapons from the target list, and would apply to non-nuclear and nuclear states alike.

These NSAs must be legally binding in order to be meaningful. Nuclear weapon states would have to sign and ratify the legally binding protocols of the treaties on Nuclear Weapon Free Zones (NWFZs), which contain NSAs. These NSAs are the only commitments of nuclear weapon states to these treaties.

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The initiative to create a NWFZ in the Middle East failed to gain much traction, however, despite hopes that the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons would give the idea new momentum.

Legally binding NSAs raise some interesting additional possibilities. Iran could demonstrate its willingness to commit to peace and stability by joining the NWFZ-Treaty in Central Asia. In return, the US Administration could offer Iran to ratify the protocol of the treaty which contains NSAs. Geographically, historically, and culturally Iran is closer to the countries of the Central Asian Treaty of Semipalatinsk (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) than to the other Middle Eastern states. Iran would gain assurance that it would not be a target of a nuclear attack. If the current US Administration is not satisfied with the JCPOA of 2015, this would provide an additional security layer to this agreement, and allay concerns about Iran’s nuclear program in the future.²¹

Saudi Arabia announced in March 2018 that it would seek develop its own nuclear weapons in response to Iran’s nuclear program. To avoid this risk of proliferation, the US could convince its Arab

21 Gärtner H. (2015) ‘A belt of nuclear weapons free zones from Mongolia to Africa!’, *British American Security Information Council (BASIS)*. 12 June.

allies²² to join the NWFZ in Africa (Pelindaba), and at the same time, ratify this treaty. This scenario would also increase Israel's security tremendously, and the rationale for Israel to possess nuclear weapons would change over time.

Mongolia, as a non-nuclear state, could be linked with the NWFZ in Central Asia; the small Russian-Chinese border stretch in between could probably - with the consent of Moscow and Beijing - be included as well. This belt could be extended to the almost nuclear weapon free Middle East (with Israel as the only exception), and then further to the NWFZ in Africa.

Extended Deterrence and NSAs

What about the allies of nuclear-armed states? They come under the umbrella of extended deterrence. The Nuclear Posture Review (NPR) 2018 of the Trump Administration²³ confirms the US's commitment to nuclear deterrence as a means of extended deterrence: 'Effective deterrence is the foundation

for effective assurance. Allies under the U.S. nuclear umbrella, and potential adversaries, should not doubt our extended deterrence commitments or our ability and willingness to fulfill them.'

This concept of extended deterrence is in some ways the opposite of a negative security assurance. It is the commitment by nuclear-armed states to use nuclear weapons to defend allies who do not possess nuclear arms themselves.

This concept of extended deterrence is in some ways the opposite of a negative security assurance. It is the commitment by nuclear-armed states to use nuclear weapons to defend allies who do not possess nuclear arms themselves. In contrast, an NSA is a pledge *not to use nuclear weapons against any country without nuclear arms; this would include NATO's non-nuclear states,*

*Japan and South Korea.*²⁴ The NPR claims that 'the terms of the Nuclear Weapons Ban Treaty also could undermine ongoing and prospective military cooperation between the United States and signatory states, cooperation that is critical to the maintenance of credible extended nuclear deterrence.'²⁵

Ultimately, what really undermines extended deterrence is not

22 Cultural differences might be a subjective obstacle.

23 Office of the secretary of defense (2018), *Nuclear Posture Review, February, XII.*

24 Gärtner H. (2017) 'A neutral state's perspective on the ban—and a compromise'. August.

25 Office of the secretary of defense (2018), *Nuclear Posture Review, February, 72.*

the ban treaty - which is not one-sided but universal - it is the logic of deterrence itself. If the provider of security becomes vulnerable, the receiver of security will provide for its own security, probably with nuclear weapons. For instance, if North Korea can reach the US with strategic nuclear missiles, the US might hesitate to intervene in East Asia. Would the US sacrifice Los Angeles for Seoul? This is precisely why France decided to become a nuclear weapon power itself in the late fifties.

Could NATO allies still enjoy the benefits of NSAs? Under current conceptions of NSAs, nuclear weapon states would not be obliged to join the ban treaty. Nuclear-weapon states have unilaterally attached exceptions and conditions to NSA.²⁶ These exceptions include states that attack in alliance with a nuclear-armed state, states that are deemed to be in breach of their non-proliferation obligations, states that use chemical weapons, and states that allow the transit or the deployment of nuclear weapons in any form.

Nuclear-armed states have always made it clear that they would indeed use a nuclear weapon against a non-nuclear weapon state that is in alliance with a nuclear-weapon state.

The Budapest Agreement of 1994²⁷, for example, which required from all the signatories to guarantee ‘the territorial integrity or political independence of Ukraine’, contains NSAs. By intervening militarily in Ukraine after 2014, Russia violated the agreement. This agreement, which is not based on international law, explicitly exempted ‘states in association or alliance with a nuclear weapon state’. This means that were it to join NATO, Ukraine would lose the NSAs and violate the agreement.

Thus far, none of NATO’s non-nuclear weapon states would qualify for NSAs if these conditions were applied. They are allied with the US, a nuclear state, and some of them deploy US tactical non-strategic nuclear weapons (Belgium, the Netherlands, Germany, Turkey, and Italy). More specifically, Russia would have to respect the non-

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²⁶ Ingram P. (2017) ‘Renewing Interest in Negative Security Assurances’, *BASIC (Briefing Paper)*.
Roscini M. (2011) ‘Negative Security Assurances in the Protocols Additional to the Treaties Establishing Nuclear Weapon-Free Zones’. June.

²⁷ *Budapest Memorandum on Security Assurances, December 1994*. Available at: https://www.larouchepub.com/eiv/public/2014/eiv41n08-20140221/34-35_4108.pdf (Accessed: 20 March 2018).

nuclear status of the non-nuclear allies of the United States in Europe and Asia.²⁸ What would Russia get in return? The likely precondition would be that in order to become beneficiaries of Russian NSAs, states that still host US weapons would have to remove them in accordance with a legally binding timeframe.

NATO's non-nuclear allies could still become beneficiaries of NSAs if nuclear states were to renounce their refusal not to use nuclear weapons against states that are in a military alliance with a nuclear-armed state. Ideally, NSAs should replace extended deterrence, but as the second-best solution, extended deterrence could be amended by extended NSAs.

Concluding Summary

The Treaty on the Prohibition of Nuclear Weapons is considered a success by its supporters. However, nuclear weapon states will not join this treaty any time soon. In this case, nuclear weapon states could offer NSAs to non-nuclear weapon states. This entails the commitment not to attack or threaten to attack non-nuclear weapon states with nuclear weapons, without giving up their nuclear arsenal. These NSAs must be based on international law. Subsequently this requires that they sign and ratify the existing and future NWFZs. A nuclear weapon free belt could be created from Mongolia to Africa (excluding Israel for now).

NSAs would have to be extended to states that are in military alliances with other, nuclear-armed states. The concept of deterrence would remain in place, but these states would have to be removed from the target list. Extended deterrence should be amended by extended NSAs. NATO members would not have to leave the alliance, which includes security commitments. If a ban on nuclear weapons is not acceptable for NATO's non-nuclear states nuclear states could provide NSAs to them as a low-cost compromise. NSAs would not entail a rejection of the treaty, but rather a realistic step closer to what it seeks to achieve.

²⁸ Gärtner H. (2017) 'A neutral state's perspective on the ban—and a compromise'. August.

Relations between Iran and the EU in the Post-JCPOA Era

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Joint Comprehensive Plan of Action (JCPOA) was reached in Vienna on July 14 2015, between Iran, the P5+1, and the European Union (EU), and was formally put into action on January 16 2016. This accord is considered to be one of the most important international agreements since World War II. JCPOA has a key role in shaping the future prospects of Iran-EU relations. As such, this article will examine the foundation for collaboration between the two parties in the post-JCPOA era. In this context, the paper assesses the positive outcomes of the accord on economic cooperation, along with the potential challenges in Iran-EU relations at the aftermath of the US's withdrawal [from the agreement] in the post-JCPOA era.** The main hypothesis of this paper is that it is in the best interests of both Iran and the EU to directly and fully implement JCPOA. Equally important, both parties will benefit from limiting the influence of external parties, in particular the United States. Under these conditions, we can expect that both parties will seek to expand economic, political, and cultural relations during the coming years.

Key words: Iran, EU, Nuclear Agreement, the USA, JCPOA



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** Council of the EU, "Factsheet: The European Union and Iran," doc. 5555/2/12 REV2, 23 March 2012.

Introduction

This paper reviews the existing resolutions by Iran and the EU prospects for improvements in relations between Brussels and Tehran. If Europe is able to maintain its independence in the face of US pressure to nullify JCPOA, after Trump's decree to withdrawal from the agreement, and continue to preserve the agreement, this will serve as a model for successful future relations with Iran, as well multilateral relations between Europe and numerous other countries. Assuming this is the case, Iran and

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the EU can establish a constructive and comprehensive dialogue on other areas of dispute, including divergent positions on human rights and terrorism, and what the West refers to as “instability in the region.”

Despite the pressure that the Trump administration has applied, almost all the European leaders have expressed their willingness to uphold JCPOA. With this in mind, progress in interaction, dialogue, and cooperation between Iran and the EU can be expected. Iran has demonstrated its commitment to maintaining and improving comprehensive relations with the EU, as long as the EU avoids undue political influence from the US.

Iran is also committed to ensuring this relationship continues on the basis of mutual benefit in all fields.

It seems that both Iran and the EU are genuinely committed to expanding mutual economic relationships following JCPOA. Both parties' needs and expectations are clearly met through cooperation. The main challenge facing major European companies is that, as a result of close ties with, and dependence on, their vast relations with the US, they are unable to comply with the EU's Joint Commission and continue their activities in Iran.. Equally important, JCPOA also provides an excellent model for resolving existing disputes. Given that JCPOA has been enshrined in United Nations Security Council Resolution 2231, and therefore adopted as an international document, by withdrawing from the JCPOA, Trump has, in effect, violated an international accord. the Trump administration cannot easily ignore its decisiveness.

On this basis, this paper aims to answer the following three questions: What are the capabilities of, and grounds for, Iran and

the EU to expand their cooperation in political, economic, and cultural arenas? Despite its existing problems, can JCPOA offer a positive direction for the future of Iran-EU relations for both sides? Finally, can US withdrawal disrupt or harm the Iran-EU cooperation process in the post- JCPOA era?

Initiation to Discussion

The transitional nature of the Iranian political system following the victory of the Islamic Revolution directly informs national foreign policy. Islamic ideology, and the ways in which it interacts with the secular ideologies and liberalism of the West, lies at the heart of the country's foreign policy.

Accordingly, policies that entail confrontation of any kind of domination and hegemony of the US, as well as support for the world's oppressed against the world oppressor, has given rise to a significant identity and conceptual gap between Iran and Europe. Due to their very different positions on the spectrums of values, culture, and civilization, there is not an obvious basis for a strategic relationship between Iran and the EU. That said, the EU's position in the international order and Iran's role and strategic regional status following the victory of the revolution necessitate the establishment of a proper relationship now more than ever, despite their disagreements.

An earlier period of détente between the two parties occurred following September 11 2001. Critical, inclusive, and constructive dialogue between both parties represented the most important focus (on eliminating the roots of terrorism and preventing its growth in other countries of the world) of that time. However, the start of the nuclear frame-up against Iran, which began in August 2002, drastically altered the tone of the dialogue between Tehran, Brussels, and Paris. As such, the following years saw a series of failed agreements. Almost eleven years later, by 2013, relations between Iran and the EU reached their lowest point.¹

However, the start of the nuclear frame-up against Iran, which began in August 2002, drastically altered the tone of the dialogue between Tehran, Brussels, and Paris. As such, the following years saw a series of failed agreements.

In July 2015, nearly thirteen years of dialogue and challenging negotiations, including almost ten years of US involvement,

¹ Ec.europa.eu, *Countries and regions - Iran*, Available at: ec.europa.eu/trade/policy/countries-and-regions/countries/iran/ (Accessed: 10 May 2018)

culminated in the JCPOA agreement. This achievement was largely due to the united effort of Iranian authorities; Germany, Britain, and France; and the guidance of three successive, high-ranking EU representatives for foreign affairs and security policy: Javier Solana, Catherine Ashton, and Federica Mogherini.²

This historical agreement paved the way for cooperation between Iran and the EU. However, Trump's election to the US presidency, and his strongly articulated opposition to JCPOA from the moment he took office on January 20, 2017, has created a dilemma for the European Union. On the one hand, relations between the EU and United States are so extensive that the EU cannot fulfill its JCPOA commitments without US cooperation. On the other hand, the significance of JCPOA – most importantly in regard to peace and security in the region – is such that European leaders have been working tirelessly to find a solution that will satisfy all sides. However, finding a workable formula for this Gordian knot is a very difficult task.

Since the JCPOA formally entered into effect on January 16 2016, Iran and the EU have intensified their efforts to compensate for past failures. A number of auspicious events have ensued, including: Iranian President Hassan Rouhani's January 2016 visit to France and Italy, which resulted in the signing of several contracts worth an estimated 50 billion Euros³; the dispatch of high-level EU political, parliamentary, and economic trade delegations to Tehran; and visits to Tehran by the presidents of Austria and Finland in 2016.

The ratification of a resolution to normalize relations between the EU and Iran by the European Parliament on October 25 2016 provided a framework for the realization of this trend, specifically because the resolution explicitly requires the EU to resume relations with Iran through comprehensive, constructive, collaborative, and definitive means⁴. Areas of focus, such as

2 En.mfa.ir, *Annexes – Joint Comprehensive Plan of Action*, Available at: en.mfa.ir/index.aspx?fk eyid=&siteid=3&fk eyid=&siteid=3&pageid=1997&newsview=349299 (Accessed: 10 May 2018)

3 Irish, J. & Balmer, C. (2016) "Sanctions Lifted, Iran's Rouhani Heads To Europe To Drum Up Business", *Reuters*, 24 January, Available at: <https://www.reuters.com/article/us-iran-europe-rouhani/sanctions-lifted-irans-rouhani-heads-to-europe-to-drum-up-business-idUSKCN0V200N> (Accessed: 10 May 2018); En.rfi.fr, (2016) "Iran to buy 100+ Airbuses as sanctions end", *Radio France Internationale*, 24 January, Available at: en.rfi.fr/economy/20160124-iran-buy-100-airbuses-sanctions-end (Accessed: 10 May 2018)

4 Eeuroparl.europa.eu, (2016) "2015/2274(INI) - 25/10/2016 Text adopted by Parliament, single reading", European Parliament, 25 October, Available at: www.europarl.europa.eu/ocil/popups/summary.do?id=1461069&t=e&l=en (Accessed: 10 May 2018).

environmental sustainability, the fight against drug trafficking, tourism, and related issues, are very useful in shaping a positive trajectory for cooperation, and in helping to cement mutual trust and confidence.

Due to concerns over Iran's strengthening regional and international position, as well as the normalization of its relations with the US and EU as a result of JCPOA, Israel, Saudi Arabia, the United Arab Emirates and other Arab nations have fought hard to prevent JCPOA's implementation. Under the Obama administration, such efforts were to no avail. The inauguration of President Trump in January 2017, however, dramatically altered the dynamic⁵. Israel has been able to get closer to Saudi Arabia and the United Arab Emirates, while simultaneously increasing Trump's motivation to oppose JCPOA through the signing of new agreements. This approach, however, has not worked with EU nations. Many European leaders remain seriously critical of Netanyahu's policies and Israel's continued expansion in the Occupied Territories. Those leaders are also unwilling to go along with the adventurist policies of the Saudi Crown prince, Mohamed Bin Salman, as they pertain to Lebanon, Yemen, Syria, and Iraq⁶. However, France, Britain, and, to some extent, Germany, are reluctant to take a strong position on this due to the valuable arms export market represented by Saudi Arabia and Israel.

On one hand, it appears that the EU is trying to consolidate and stabilize its commercial interests in Iran through the re-evaluation of the last decade of diplomatic relations. On the other hand, there is also interest in finding a new approach to the expansion of commercial relations with other regional countries, based on the opportunities that JCPOA offers. The geopolitical proximity of the Middle East, Iran's strategic position as well as its security and stability are of great interest to Europe. Concurrently, in order to satisfy the United States, Israel, and Saudi Arabia, the EU is trying to sustain

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5 Cordesmann, A. (2018) "U.S. Strategy, The JCPOA Iranian Nuclear Arms Agreement, And The Gulf: Playing The Long Game", Center for Strategic and International Studies, 28 March, Available at: <https://www.csis.org/analysis/us-strategy-jepoa-iranian-nuclear-arms-agreement-and-gulf-playing-long-game> (Accessed: 10 May 2018).

6 Kamel, D. (2015) "Saudi Arabia, An ISIS That Has Made It", *New York Times*, 20 November, Available at: <https://www.nytimes.com/2015/11/21/opinion/saudi-arabia-an-isis-that-has-made-it.html> (Accessed: 10 May 2018).

announcing their intentions to pull out of Iran.

However, American pressure to limit this significant economic cooperation with Iran has caused European companies to exercise caution when investing in Iran. This caution stems from the uncertainty around the fate of their investments should the US withdraw from JCPOA. As a result, European countries are using small and medium sized companies in their efforts to establish a relationship with Iran, in the hope of avoiding major losses in the event of US sanctions.

Due to unilateral sanctions enacted against Iran by the EU in July 2012, and peaking in 2014, Iran-EU commercial relations fell from 11.3 billion Euros in 2006 to 5.4 billion Euros in 2013⁹. This drastic reduction was primarily related to oil, banking, and insurance. A decline of this magnitude had not taken place for several decades. Concurrently, political and diplomatic relations between the two parties were at their lowest point during those years¹⁰. These sanctions cost Iran an estimated \$60 billion in oil export revenues and \$100 billion in blockage of Iranian assets annually.¹¹

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After JCPOA entered into effect, however, numerous European companies including Total and Eni spearheaded investments in Iran's oil and gas sectors. These companies are still trying to figure out how to avoid losses in the event of American sanctions. However, following the US's withdrawal from the agreement, a number of major European companies' involvement in Iran, including Total and the Italian company Eni, will likely be replaced by that of Chinese, Indian, and probably Russian companies. As such, European governments are awaiting the development of an approach which allows them to uphold the agreement without being subject to penalization by the United States.¹²

In addition to oil and gas, Iran has launched cooperation with

9 Blockmans, S., Ehteshami, A., & Bahgat, G., (2016) "EU-Iran Relations after the Nuclear Deal", *Center for European Policy Studies*, 30 May, p.44, Available at: <https://www.ceps.eu/publications/eu-iran-relations-after-nuclear-deal> (Accessed: 10 May 2018).

10 Ec.europa.eu, *Countries and regions – Iran*, op.cit.

11 Smtnews.Ir, (2017), Available at: <https://www.smtnews.ir/international/27462> (Accessed: 10 May 2018).

12 Iranreview.org, (2018) *France Vows Pushback Against U.S. Sanctions On Iran*, 12 May, Available at: <http://www.iranreview.org/content/Documents/France-vows-pushback-against-U-S-sanctions-on-Iran.htm> (Accessed: 10 May 2018).

Norway and Britain in the field of clean energy production. On October 17 2017, Iran and Norway signed a solar energy production contract. Norway's Saga Energy has committed to invest 2.5 billion euros in Iran for the production and installation of solar photovoltaics in desert areas of the country over a five-year period (2018 to 2023). This photovoltaics will have the ability to generate 2GW of electricity. A consortium consisting of European public and private investors will cover the financial requirements of this venture. The Iranian government has already warranted this project.¹³ In London, another contract was signed for the building of what will be the largest solar power plant in Iran, with a production capacity of 600 megawatts of electricity. Under this agreement, the British company Quercus has committed to increase its solar power production capacity in Iran to 5GW by 2020. If the agreement is fulfilled, Iran will own the world's largest solar power plant.¹⁴

Combating Extremism and Terrorism

Despite their divergent positions on concepts such as human rights and terrorism, Iran and the EU have, to some extent, been able to find common ground through negotiations. The catalyst

Despite their divergent positions on concepts such as human rights and terrorism, Iran and the EU have, to some extent, been able to find common ground through negotiations. The catalyst for this was the rise of ISIS, seen as a major threat by the United States, Europe, and Iran, and thereby enabling a shared understanding on the issue of terrorism in Iraq and Syria.

for this was the rise of ISIS, seen as a major threat by the United States, Europe, and Iran, and thereby enabling a shared understanding on the issue of terrorism in Iraq and Syria. This, in turn, lent support to the expert notion of utilizing joint approaches to confront extremism and terrorism globally. After all, groups known as *Takfiri*, ISIS, and similar fundamentalist organizations carry out terrorist acts under the guise of religion via a broader network of clusters across Europe, the United States, Asia, and North Africa. Given Iran's strong track record in confronting terrorist groups, it is possible that Iran and the EU will collaborate on counter-terrorism initiatives within the framework of a security agreement, especially given Iran's in-depth knowledge on the nature of the

13 NRK.no, (2017) *Norsk Solenergisekskap Med Milliardkontrakt I Iran*. Available at: https://www.nrk.no/urix/afp_-norsk-solenergisekskap-med-milliardkontrakt-i-iran-1.13738005 (Accessed: 10 May 2018).

14 Tabnak.ir, (2017). Available at: <http://www.tabnak.ir/fa/news/731989> (Accessed: 10 May 2018). Since Britain has not yet completed its departure from the European Union, a process that could take anywhere from two to seven years, in this article Britain is still considered a member of the EU.

Takfiri terrorists in the Middle East.

It is important to note that Iran's predominantly Shiite identity represents both tolerance and tolerance of dissent, because Shiites generally promote and practice moderate Islam in the face of extremist Sunni beliefs. Of course, not all or even a majority of Sunnis are extremists. However, there has been an observable trend of armed Sunni groups carrying out religious extremism through terrorist acts; such groups reject any belief other than their own as blasphemy (*Takfir*), and believe death to be a permissible and appropriate response to this. Careful consideration of these differences in the interpretations of Islam can provide a basis for an accurate analysis of the realities facing the Islamic world.

Thoughtful consideration of what Iran is seeking in terms of its relationships with European nations would provide the necessary basis for cooperation across all areas. Unfortunately, on one hand, EU leaders are susceptible to anti-Iranian and Islamophobic trends in various respects, influenced primarily by Israel's anti-Iran policies and media. On the other hand, the Iranian authorities fuel this destructive cycle by adopting a harsh stance against Israel and the US. As long as this cycle of mutual recrimination continues, finding ways to cooperate in the fight against extremist and terrorist groups seems out of reach.

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Joint Investment and Commerce

As described above, despite existing opportunities in bilateral trade, the reality of Iran-EU relations is severely limited due to the effects of sanctions. Although commercial relations between Iran and the EU have seen relative progress since JCPOA, economic relations have still not reached their expected level¹⁵.

The attempted expansion of mutual trade and investment continues to face various challenges. These problems are not unilateral. After JCPOA was finally concluded, Europeans reverted back to old charges against Iran, including alleged

¹⁵ Trade.ec.europa.eu, *European Union, Trade in goods with Iran*, Available at: trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113392.pdf (Accessed: 10 May 2018).

“human rights abuses” by Iran¹⁶; claims that “Iran supports terrorism”; what has recently been termed “instability created by Iran”; and “Iran’s missile threat.”¹⁷ In turn, Iran accuses the US and Europe of planning to violate and nullify JCPOA. Iran also believes that the US, Britain, and France promote billions of dollars in arms sales to countries in the Persian Gulf by fueling anti-Iranian sentiment,¹⁸ while simultaneously using this fear to legitimize their military presence in the Middle East.

There is, however, strong reasoning in favor of improving relations between the parties, mainly related to banking, finance, and credit.

There is, however, strong reasoning in favor of improving relations between the parties, mainly related to banking, finance, and credit.¹⁹ Major European countries are still concerned about the US’s withdrawal of JCPOA, and they have not been able to adopt a single strategy to deal with the possible implementation of secondary US sanctions against Iran. According to Clyde & Co.’s research, the prevailing concern among foreign investors is that interaction with Iran will result in being penalized by the US. This concern continues to pose a significant obstacle to cooperation with Iran. According to this research, 58% managers of international British companies are unsure how to protect their capital and avoid penalization by regulators. Some of this uncertainty is rooted in the risk of exposure to potential nuclear-related sanctions in the event of a breach in the agreement, an event that would “most likely” lead to financial losses. The research also indicates that there are challenges that Iran still needs to overcome in order to fully benefit from JCPOA.²⁰

Even so, after a year of studying and reviewing the plan for trade with Iran, Nicolas Dufourcq, President of Bpifrance, the French public investment bank, declared in February 2018 that the plan should be to allocate a 1.5 billion Euro line of credit to Iranian

16 Eeas.europa.eu, (2018) *EU priorities for the 37th session of the Human Rights Council*, 23 February, Available at: https://eeas.europa.eu/delegations/iran/40333/eu-priorities-37th-session-human-rights-council_en (Accessed: 10 May 2018).

17 Europarl.europa.eu, (2016) *An EU Strategy for relations with Iran after the nuclear deal*, Available at: [http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/578005/EXP_O_IDA\(2016\)578005_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/578005/EXP_O_IDA(2016)578005_EN.pdf) (Accessed: 10 January 2018).

18 Sipri.org, (2018) “International Arms Transfers”, Available at: <https://www.sipri.org/research/armament-and-disarmament/arms-transfers-and-military-spending/international-arms-transfers> (Accessed: 10 May 2018).

19 Blockmans, Ehteshami, & Bahgat, *op.cit.*, pp.43-46.

20 Whittaker, J. & Bromfield, A. (2016) “Access To Finance, Insurance And Due Diligence Concerns Are Dissuading Businesses From Entering Iran”, *Clydeco&Co*, 18 May, Available at: <https://www.clydeco.com/blog/sanctions/article/access-to-finance-insurance-and-due-diligence-concerns-are-dissuading-busin> (Accessed: 10 May 2018).

buyers to alleviate the difficulty of using the US banking system. Referencing Bpifrance's program, he stated that "the dollar will have no role in this plan" and "no individual with an American passport would be affiliated with the plan."²¹ In the context of existing capacity in Iranian and European markets, 1.5 billion Euros is closer to the minimum requirement for sustained, mutually beneficial commercial cooperation.

It is also worth noting that under the sanctions, Iranian banks did not have regulations in place to protect against money laundering, sales of drugs, or terrorism. In order for Iranian banks to resume relations with European banks in the post-JCPOA era, they are required to implement regulations as defined by the Financial Action Task Force (FATF). The time-consuming nature of this process has slowed down the process of cooperation. Nonetheless, the last two years have seen notable progress in this regard, and the FATF Implementation Council moved Iran from its red list to the yellow list in March 2018.²² Iran's credit rating was upgraded. The committee responsible for country rankings at the Organization for Economic Cooperation and Development (OECD) moved Iran up one place, from 6th to 5th, reflecting the reduced risk faced by European nations when investing in Iran.²³

The opening of the EU trade office in Tehran in November 2017 marked a significant step towards institutionalizing commercial relations between Iran and the EU. This accomplishment was achieved through cooperation and a trade agreement, a sort of third generation agreement that encompasses all areas of commercial interaction, and even political grounds. This provides a strong platform for the systematization for Iran-EU cooperation across politics, human rights, and counter terrorism in the post-JCPOA era. It is possible that the terms of these agreements may never come to fruition, now that the United States has abandoned the accord.

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The EU and Ms. Mogherini have important roles in resolving the disputes that arose between Iran and the US during the

21 Bbb.com, (2018), Available at: <http://www.bbc.com/persian/iran-42913122> (Accessed: 10 May 2018).

22 Oecd.org, (2018) *Country Risk Classification – OECD*, Available at: <http://www.oecd.org/tad/xcred/crc.htm> (Accessed: 10 May 2018).

23 *Ibid.*

implementation of JCPOA. Iran does not presently have major trade relations with the US; its main trade relationships are with China, the EU, Japan, South Korea, and India.²⁴ The US withdrawal from JCPOA will make Washington seriously to lose out since the remaining countries continue to support the agreement.²⁵ If the US does resume secondary sanctions against Iran, this could also create problems for countries that have trade relations with Iran, even subjecting them to fines in some cases. Having said this, legal experts have emphasized that the ratification of JCPOA and UN Security Council Resolution 2231 have nullified the legality of the sanctions regime against Iran. Thus, the US cannot simply apply secondary sanctions against countries that trade with Iran.

Investment in Iran across all sectors - including oil and gas, automotive and passenger aircraft manufacturing industries - remains challenging. In addition to US opposition, the governments of Israel, Saudi Arabia, and the United Arab Emirates have undermined progress. Nonetheless, Iran and the EU can rebuild and improve their relations based on mutual respect and interests.

Based on the realities governing international relations, as well as the pivotal importance of national and private sector interests, there is competition not just between European countries, but between Europe and the US for a share in Iran's market of approximately 80 million people, specifically in the arenas of non-governmental and business enterprises. Commercial interests are the most important issue in this regard. Negotiations between Iran's Ministry of Petroleum and large oil and gas companies have already begun. In addition, Iran's Ministry of Industry is in dialogue with global automobile manufacturing and passenger aircraft companies such as Airbus, Boeing, and others. Of course, these companies and industries are eager to sign contracts with Iran in a range of related fields, and some of those agreements have already been reached.²⁶

24 Eng.tpo.ir, (2018) *Iran Trade Promotion Organization - Why Iran*, Available at: <http://eng.tpo.ir/index.aspx?siteid=5&pageid=2146> (Accessed: 10 May 2018).

25 Ec.europa.eu, *Countries and regions – Iran*, *op.cit.*

26 Thomas, E., & Clark, N. (2016) "U.S. Allows Boeing And Airbus To Sell Planes To Iran", *New York Times*, 21 September, Available at: https://www.nytimes.com/2016/09/22/world/middleeast/iran-airbus-boeing-aircraft.html?_r=0 (Accessed: 10 May 2018).

In conclusion, there are grounds for optimism about the future of commercial relations between Iran and the EU's member countries, despite the emerging obstacles, and opposition from various quarters. Nonetheless, political will from both sides, along with the importance of this agreement for all involved, provides a strong basis for moving forward.

Existing Barriers to Iran-EU Economic Relations

Big European banks are still worried about establishing bank exchanges with Iran. However, if authorities in Brussels have autonomy of will, these concerns are no longer justified.

The EU can change these conditions by providing certain competences to these institutions, or at least by providing a more operational context.

Big European banks are still worried about establishing bank exchanges with Iran. However, if authorities in Brussels have autonomy of will, these concerns are no longer justified.

i. The implementation of JCPOA's economic section is subject to the complete elimination of banking transactions (such as purchasing 118 Airbus aircraft, which requires financial guarantees from reputable European banks). Many other agreements are not actually possible without the removal of sanctions on bank exchanges. The US has previously applied heavy fines against large European banks. The fear that these fines will be repeated has given rise to unease and reluctance among European banks in regard to banking transactions with Iran. At this stage, Iran wants the EU and the European Parliament to intervene and resolve these problems.

ii. Europe has only provided a tiny fraction of the credit promised by various bilateral plans between over the past two years. For instance, despite the western claims, the SWIFT problem of has not entirely been resolved, two years after the JCPOA was signed. Only a few small and medium (western) banks have established SWIFT relations with Iranian banks.

iii. Israel, Saudi Arabia, and some other Middle Eastern states are upset by the normalization of Iran's relations with the West, and particularly with the EU. They believe their interests are in danger and are seeking to sabotage their economic plans. The EU has not taken any serious action to thwart these efforts.

iv. The large Iranian market, home to a population of approximately 80 million people, is very attractive to European

investors. However, this interest has not, to any significant extent, translated into practical action in this sphere.

v. Iran values and demands the transfer of advanced and up-to-date global technology in various projects. Consequently, Tehran is seeking more than the mere purchase of goods and products, while Europeans think about how to increase their exports to Iran (without transferring technology).

vi. JCPOA should bring about concrete, positive results for both sides. The Iranians must see the benefits of JCPOA and its impact on their lives. However, the EU and the European Parliament are failing to address the unreasonable concerns about the impact of JCPOA on European traders in line with Tehran's expectations. If this continues, Iranian public opinion will turn against the EU, which would be a great loss.

vii. Iran places great import on cooperation in the field of combating drugs. Iran has made extensive efforts to prevent drug trafficking to European countries via Iranian territory, and is calling for more active and serious cooperation by Europe, including logistical assistance and advanced equipment.²⁷

Human Rights and Democracy

EU engagement puts forth human rights, the promotion of democracy and rule of law as critical issues. The preservation of human rights and democracy therefore has a central role in all economic and commercial cooperation agreements with other

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countries, to such an extent that these two concepts can have either a stabilizing or subversive effect on those bilateral interactions.

However, Iran sees human rights and democracy as concepts that should be defined according to a country's cultural and legal norms. In essence, Tehran rejects the globalization of culture and human rights. Iran also points to the EU's double standards. For instance, despite the obvious human rights abuses in Saudi Arabia's attack on Yemen, the EU maintains extensive economic relations with the former. Iran also calls into question the EU's integrity by

27 Saeed, K. (2016) "Iran and the EU in post-JCPOA era", Islamic Republic of Iran Broadcasting world service's implied researches, pp 45-47.

pointing to the EU's inaction on the killing of Palestinian people by Israel, which has been limited only to verbal condemnation of the Israeli government's crimes.²⁸

Iran and the EU have divergent views on respect for human rights and provision for political participation. Iran promotes itself as a religious democracy, and, despite commonalities with Western democracies, operates in a fundamentally different way in regard to the separation church and state.²⁹

According to European secularism, liberalism and social and cultural freedom are as important as democracy and public participation in elections. Democracy is therefore impossible without liberalism. However, if the EU did not instrumentalize human rights as a political tool in its relations with other countries, Iran would share a common vision with the EU through implementation of reforms, given that it has reached an agreement with six world powers on its nuclear activities within the JCPOA framework.

In December 2002, the EU and the Islamic Republic of Iran decided to start negotiations on human rights issues. Within this framework, there were four rounds of human rights dialogues held in Brussels and Tehran from 2002 to 2004. These talks included civil society, academia, and experts from both Iran and the EU, and resulted in knowledge exchange and overall increased mutual understanding. However, they ended in 2004 and have never been resumed. Pointing out that from an Iranian perspective, human rights and dignity are gifts from God and not the charity of the UN, US or Europe, Secretary of the High Council for Human Rights Mohammad Javad Larijani states:

In this conceptualization of human rights, all nations have the sovereign freedom to choose their own direction, not necessarily Western secular-liberalism, without being penalized for choosing an independent path. Moreover, everybody is respected regardless of their race and religion, and crimes against humanity cannot be ignored. All of us should rise in a global campaign for free human rights and not let the banner of human rights be at the

28 Mizanonline.com, (2018), 15 March, Available at: <http://www.mizanonline.com/fa/news/405847> (Accessed: 10 May 2018).

29 Mizanonline.com, (2018), 14 March, Available at: <http://www.mizanonline.com/fa/news/405742> (Accessed: 10 May 2018).

hands of those who themselves commit the biggest crimes and violations.³⁰

However, the EU emphasizes the protection of human rights in Iran on the basis of internationally recognized standards and not merely national ones. As such, following the JCPOA, in 2016, Iran and the EU once again resumed their negotiations on human rights. Since President Rouhani is required to comply with the policies of the judiciary in Iran, negotiations are continuing under the supervision of the High Council for Human Rights - which holds a different view to the Rouhani administration. Iran's

Despite all the existing differences of opinions and barriers to greater cooperation between Iran and the EU in the field of human rights, it seems that these problems could be resolved if the EU can provide better conditions for the full implementation of JCPOA.

judiciary emphasizes that it is ready to enter negotiations on human rights with the EU on equal grounds and as peers

Despite all the existing differences of opinions and barriers to greater cooperation between Iran and the EU in the field of human rights, it seems that these problems could be resolved if the EU can provide better conditions for the full implementation of JCPOA. The successful experience of JCPOA can foster greater understanding between both sides regarding controversial issues such as human rights, counter-terrorism, and cooperation in

solving regional crises in the Middle East. Of course, the Iranian side must also be convinced that it can better achieve security and sustainable peace through cooperation with Europe. Building trust requires clear mutual commitment.

Conclusion

Two years after the JCPOA was signed, Iran and EU relations still face numerous challenges, the most important being Trump's opposition to JCPOA. Trump's decision seems to create three possible scenarios for Iran and the EU.

(1) The death of the JCPOA following the US's withdrawal: In this scenario, we will probably witness the complete dissolution of this historic agreement. As a result, relations between Iran and the EU will also enter a new era of tension. This is, in fact, the worst-case scenario—in it, all parties would lose.

³⁰ Mizanonline.com, (2018), 12 March, Available at: <http://www.mizanonline.com/fa/news/405007> (Accessed: 10 May 2018).

In fact, the final product would fuel more instability and insecurity in the regional countries and eventually destroy all of the efforts to reach the JCPOA as a historic agreement in the area of non-proliferation of nuclear weapons.

(2) In this scenario the EU, with the help of Russia and China, as well as Iran's cooperation, will carry out a series of actions which will relatively preserve Iran's interests. In such an outcome, despite US efforts to bar cooperation between major corporations and Iran, the EU can persuade small to medium sized companies to continue relations with Iran, following a similar approach as that which they enacted in their relations with Cuba—a building block policy— following US sanctions against that nation. The EU can potentially do all of this while continuing to confront Iran's missile capabilities and what the EU calls Iran's destabilizing effect on the Middle East. The EU would probably continue the JCPOA with Iran but enact new sanctions against Iran's missile activities and presence in Syria and Yemen. Since there is no international agreement or document to limit any given country's missile ability, the EU and the US cannot impose such a restriction on Iran through the UN Security Council without the cooperation of China and Russia. On this basis, it seems possible sanctions would have little effect and would be very limited.

(3) Should Iran and the US agree to continue dialogue with one another? The most likely scenario is one in which Iran and the US agree to continue dialogue with one another about other contentious subject areas. On the part of the Europeans, considering the fact that Trump has formed a war team by removing Rex Tillerson and replacing him with CIA Director Mike Pompeo as the new Secretary of State, appointing Gina Haspel as the new CIA Director, and John Bolton as National Security Advisor, it is hard to believe that the US still seeks dialogue with Iran. However, there have been times when even the most fervent American hardliners had a role in secret deals, such as Robert McFarlane's negotiations in Tehran during Ronald Reagan's presidency that was disclosed on May 25, 1986.³¹

Therefore, there is a possibility that the US and EU might cooperate in secret negotiations with Iran. However, due to Iran's

31 Nsarchive2.Gwu.Edu, (2018) *The Iran-Contra Affair 20 Years On*, Available at: <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB210/> (Accessed: 10 May 2018).

frustration in the JCPOA, it is unlikely that Iran would enter into such negotiations without the elimination of existing JCPOA obstacles. There is a middle path, contingent on a number of adjustments: the full implementation of JCPOA; US involvement to resolve the problems it has created for this process; Iran's exercising of flexibility to assure the other side of the defensive nature of its missile activities; and Iran's activities in the region complying with the frameworks of bilateral or multilateral agreements.

Since any future cooperation would be impossible if the JCPOA is lost, the EU has a double-sided plan for motivating the US to remain in the agreement. On the one hand, the EU would do this by increasing its own sanctions against Iran under the pretext of missile activities and human rights and, on the other hand, convincing Iran to reconsider its current position of not negotiating about its defense abilities and destabilizing actions in the region.

The EU knows that falling into the trap of Trump – who unilaterally ignores all of the US's commitments to the Paris Agreement, the World Trade Organization, and so forth – is a dangerous game with an uncertain outcome. Perhaps the EU, through cooperation with Russia, China, India, and other countries that have economic exchanges with Iran, can convince the US to acquiesce to international agreements, including JCPOA.

Nevertheless, despite the US and other parties' influences on the process, to solve JCPOA problems, Iran and the EU should build mutual trust, mutual understanding, mutual interests, mutual leniency, and mutual security. These are the five principles we argued to be adopted by both parties. To build trust, both sides should try to prevent any provocative action. It is not possible for a country to ignore all its previous agreements and expect the other side to cooperate in future negotiations. Equally relevantly, as part of mutual understanding, in order for JCPOA to approach fulfillment, it is necessary for both sides to completely understand each other's considerations and work together to relieve them. Building mutual interest is important because the period in which western countries negotiated with third world countries from a higher pedestal has ended. They must accept that mutual respect is a better approach to achieve mutual interests. Today, countries

can advance their policies while recognizing the legitimate interests of the other side. Similarly, the negotiating countries may only reach a final agreement when they let go of some of their demands. If countries were to insist on gaining everything they hoped for, they would never reach an agreement. By the same token, in order for JCPOA to continue, both sides need to forego some of their requirements. Finally, as the fight against ISIS in Syria and Iraq revealed, 'mutual security' cannot be ignored. To assume terrorism is going to be limited between the boundaries of one single country is a strategic mistake. The terrorist group ISIS has expanded its activities to European countries and even East Asia, North Africa and America. Collective security can only be achieved through mutual cooperation.

Commentary: Azerbaijan's President Ilham Aliyev Addresses New Messages Through His New Cabinet

Farhad Mammadov*

The March 11th, 2018 presidential elections in Azerbaijan confirmed the political weight and the overwhelming popular support for President Ilham Aliyev. Nevertheless, the elections' strategic aftermath has yielded remarkable changes with implications for the future prospects of the country – the appointment of a new cabinet being the most notable of these changes. The restructuring of the cabinet of ministers hails new prospects for multiple economic reforms and structural-institutional changes, with the overall aim of promoting a more attractive domestic business environment and ensuring the sustainable development of the country in the years ahead.



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Introduction

In less than two weeks following the election, President Aliyev appointed a new Prime Minister, Novruz Mammadov – the President’s former aide for foreign relations, with more than two decades of experience in day-to-day foreign policy decision making. President Aliyev thanked former Prime Minister, Artur Rasizade, who had held this position since 1996, for his long service.

Novruz Mammadov, although the head of the new cabinet, was not the only new face there. While the tenures of those responsible for the realms of defense, law enforcement, security, and economic development were extended due to their overall accomplishments, many other ministers were replaced. The ministries of agriculture, labor and social protection, education, and taxes, as well as the state committees for diaspora, architecture and city building, along with several others, are now headed by young professionals with successful records in their various previous areas of engagement. Three deputies of the prime minister, as well as the chairman of the State Committee for Refugees and IDPs, were also changed.¹

Implications

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The two most straightforward implications of the appointment of the new cabinet are, first of all, that Azerbaijan’s leader demonstrated his capacity to work with different generations of diverse competences and backgrounds; and, secondly, the new appointments, while welcomed by the society, also attested to President Aliyev’s determination in deepening the economic reforms.²

In fact, in recent years, the country has been facing a number of challenges, some linked to global trends and flows, while others are of a systemic character; and

1 Apa.az (2018), *New Composition of Cabinet of Ministers Approved - LIST*, Available at: http://apa.az/daxili_siyaset/nazirler-kabinetinin-yeni-terkibi-tesdiqlenib-2504.html (Accessed 17 June, 2018).

2 Ismailzade, F. (2018), “Azerbaijan’s New Cabinet Composition Indicates Pro-Reform Agenda,” *Central Asia and Caucasus Institute*, 11 May, available at: <http://cacianalyst.org/publications/analytical-articles/item/13514-azerbaijans-new-cabinet-composition-indicates-pro-reform-agenda.html> (accessed 17 June, 2018).

the government has long intensified its efforts towards urgent reforms. Yet, despite the government's considerable success in stabilization of the national currency and "first aid" to the local financial sector – after the gradual drop of the oil prices rocked the country's financial sector – President Aliyev, as is apparent from his pre-election statements, had not been satisfied with the reforms' speed.³

Nonetheless, the changes were not driven only by failures, as the government had demonstrated impressive results in, for example, the establishment of ASAN Service; the implementation of the one-window service system in customs; easing the tax system for entrepreneurs; or rapid growth of the tourism sector, with Azerbaijan becoming one of the favorite travel destinations for tourists from many countries.

Such successes are, however, also proof of President Aliyev's firm position on reforms. Since 2003, when President Aliyev started his first tenure as the head of state, the country's economic development, elimination of poverty, and pace of reforms have always been the objectives he focused upon and used as the measure of success. In certain respects, Azerbaijan's impressive GDP performance, along with reduction of poverty from 49 to 5 percent and unemployment to 5 percent, owe much to the determination of President Aliyev, despite negative global trends such as fluctuating oil prices. Moreover, over the past 15 years, Azerbaijan's economy and gross domestic product have grown more than threefold. More than \$230 billion have been invested in the country's economy over the past 15 years. Meanwhile, the Davos Economic Forum ranked Azerbaijan's economic competitiveness in 35th place. The head of state managed to translate "black gold" (oil) into "human capital." Furthermore, the country, for the purpose of intensification of economic diversification, has gradually increased the share of non-oil sectors in its export turnover;⁴ for instance, it has taken steps for the construction of industrial parks

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³ President.az (2018), *Speech by Ilham Aliyev at the meeting of the Cabinet of Ministers dedicated to the results of the first quarter and the upcoming tasks - Official Website of the President of Azerbaijan - Speeches*, available at: <https://president.az/articles/27821> (accessed 17 June, 2018).

⁴ Azertag.az (2018), *President Ilham Aliyev: 10 Percent Increase in Non-Oil Sector In Q1 Of 2018 Is Result Of Industrialization Policy*, available at: https://azertag.az/en/xeber/President_Ilham_Aliyev_10_percent_increase_in_non_oil_sector_in_Q1_of_2018_is_result_of_industrialization_policy-1151417 (accessed 17 June, 2018).

in several cities, including Neftchala, Mingechevir, Hajigabul, Masalli, and Sabirabad.⁵

State of the Process

Amidst the celebrations of the 100th anniversary of the establishment of first Azerbaijan Democratic Republic (1918–1920), President Aliyev indicated his expectations. These included the multiplication of new job places across the industrial, agricultural, and economic sectors. Moreover, the relevant government structures were assigned to boost the country’s agricultural sector and food security index, which was ranked in 57th place by Davos Economic Forum. Special attention continues to be paid to the reduction of import dependence for agricultural products, instead increasing the emphasis on export-oriented products, as well as boosting the non-oil sectors’ performance.⁶

That is to say, the newly appointed cabinet is tasked with meeting the new expectations of both President Aliyev and of the society concerning boosting the non-oil sector, agricultural and light industrial production (subsequently increasing their export volumes); improving the transport infrastructure,⁷ including the full performance of the Baku–Tbilisi–Kars railway;⁸ and achieving the smooth implementation of the Southern Gas Corridor.⁹ Yet, the scope and character of some of these strategic regional infrastructure projects bring new demands to a number of sectors – from education to communications, and from agriculture to alternative energy. One important role in particular is attached to the exploitation of synergies stemming from the country’s strategic location. Not only trends in global oil prices, but the vision of Azerbaijan as a modern, dynamic, successful, and

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5 Azernews.az (2018), *President Ilham Aliyev: 2018 Will Be Successful Year For Industrial And Agricultural Development In Azerbaijan*, available at: <https://www.azernews.az/nation/125304.htm> (accessed 17 June, 2018).

6 See “Speech by Ilham Aliyev at the meeting of the Cabinet of Ministers...”, *op.cit.*

7 See “Speech by Ilham Aliyev at the meeting of the Cabinet of Ministers...”, *op.cit.*

8 President.az (2018), *Speech by Ilham Aliyev at the opening ceremony of the Baku-Tbilisi-Kars railway, Official Website of the President of Azerbaijan - Speeches*, available at: <https://president.az/articles/25701> (accessed 17 June, 2018).

9 President.az (2018), *Speech by Ilham Aliyev at the official opening ceremony of the Southern Gas Corridor, Official Website of the President of Azerbaijan - Speeches*, available at: <https://president.az/articles/29085> (accessed 17 June, 2018).

transparent country, performing the role of a bridge between Europe and Central Asia, necessitate this change. Maximization of benefits from projects like the Baku–Tbilisi–Kars railway or construction of the new Baku International Sea Trade Port in Alat (to the South from Baku) cannot be achieved other than with successful human resource management at a national level.

By appointing the new ministers, some already with observable positive records, President Aliyev is also responding to the expectations of the vast majority of the electorate. And there are signs that President Aliyev’s message has been accepted not only inside Azerbaijan, but by the audience outside the country.

The newly-constructed Baku International Sea Trade Port is a good example. When construction of this strategic infrastructure project was initiated, synergies with the interests of current and potential partners in Central Asia and further to the east were taken into consideration, including those of China. The results, however, surpassed expectations. Immediately after the presidential elections in Azerbaijan, a delegation of the Chinese Export and Credit Insurance Corporation visited Baku and expressed interest in investing in the establishment of a joint Azerbaijani–Chinese free economic zone in the proximity of the new port. Moreover, Russian President Vladimir Putin, in a letter to President Aliyev, underlined that Azerbaijan has made great strides in the economic, social, scientific, technical, humanitarian, and other spheres, and enjoys great influence in the international arena. Furthermore, two consecutive letters from U.S. President Donald Trump, the first immediately after Ilham Aliyev’s victory in presidential elections, and the second in May for the country’s 100th anniversary, indicated Azerbaijan’s importance for the United States in defeating terrorism and improving Europe’s energy security.

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Notwithstanding some ups and downs, the country’s development during Ilham Aliyev’s presidency has been consistent, and the complex efforts to construct a national brand of a modern and dynamic nation with aspirations for regional economic and industrial leadership have been successful so far. On the other hand, as mentioned above, new horizons bring new demands. History is full of examples where lack of political will and

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strategic vision by leaders led nations to failure. In this context, Azerbaijan's development history is blessed by both the leadership and political proficiency of President Aliyev, who has hereto ensured that all legal and structural frameworks have achieved operational efficiency and has navigated the smooth running of broader processes for Azerbaijan's earlier-contemplated successes. President Aliyev's policy competences have also streamlined Azerbaijan's adaptation to the ever-changing global economic circumstances and the country's international economic recognition. Such constructive change to the system is associated with President Aliyev's readiness to use his full potential today in order to facilitate transformation of Azerbaijan's development biography to a new level of excellence in the targeted areas for the sake of future Azerbaijani generations.

Conclusion

To sum up, having been overseen by a visionary leader, the main mission for the new cabinet looking ahead remains addressing the key economic and administrative challenges and contributing to President Aliyev's mission and vision that aims to transform the country's key sectors and dependencies. It will therefore be necessary to implement more innovative policies in order to reach these goals – with developing an economic profile autonomous from the fluctuation of oil prices and applying advanced global practices for economic modernization being the most challenging policy tasks.

Commentary: Armenia’s “Velvet Revolution”: The Next Chapter

Amanda Paul*

Armenia’s “Velvet revolution” has opened a new page in the country’s history. Fed up with corrupt governance and dire socio-economic conditions, Armenians took to the streets. Their steely determination led to the resignation of veteran leader Serzh Sargsyan. Nikol Pashinyan was elected Prime Minister. The biggest challenge that Pashinyan faces is meeting the huge expectations of society. His ability to deliver remains constrained by a need to secure a popular mandate through the ballot box, and by Armenia’s complicated military and strategic relationship with its neighbours. While Pashinyan has opted to maintain continuity on foreign and security related issues, his domestic agenda is very ambitious. However, with the Republican Party of Armenia (RPA) continuing to have strong influence over the key branches of power, bringing real change will not be easy. Furthermore, the network of Armenia’s corrupt elites and oligarchs that have plundered the state since independence will not give up without a fight. Hence to what extent Pashinyan will be able to succeed, remains to be seen.

Key words: Armenia, Revolution, Velvet Revolution, Government change, Nikol Pashinyan



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Introduction

In less than two weeks, peaceful street protests in Armenia resulted in the resignation of veteran leader Serzh Sargsyan. The success of the protests, dubbed the “Velvet Revolution,” took the world, along with the protestors themselves, by surprise. Beginning rather modestly, the protests were primarily focused on thwarting Sargsyan’s efforts to become Armenia’s new Prime Minister with wide ranging executive powers. They grew into something much bigger. Sargsyan and the Republic Party of Armenia (RPA) underestimated the ability and determination of the political opposition and broader society to unite around a single cause. On 8 May Nikol Pashinyan was elected Prime Minister. As Wojciech Górecki writes, “Armenian society has effectively rejected the country’s informal political and economic system” (the actual monopolization of politics and the economy by the RPA and the oligarchic system dominated by persons from Nagorno-Karabakh’s Armenian community).¹

Nevertheless, forcing Sargsyan’s resignation and creating a new government was the easy part. With the RPA having strong influence over the key branches of power, including the judiciary, bringing real change will not be easy. The network of Armenia’s

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corrupt elites and oligarchs that have plundered the state since independence will not give up without a fight. Furthermore, Pashinyan’s ability to deliver is also limited by a need to secure a popular mandate through the ballot box, and by Armenia’s complex military and strategic relationship with its neighbors.² With so many vested interests in the status quo, snap elections are unlikely to take place as quickly as Pashinyan would wish. A “stabilized crisis” could be on the cards.

This paper will argue that, despite the changing dynamic in the country, bringing about real change will be extremely challenging due to deeply entrenched vested interests, along with Armenia’s geostrategic circumstances and security needs.

1 Górecki, W. (2018), “The Success of the Revolution in Armenia. Pashinyan Elected Prime Minister”, *The Centre for Eastern Studies (OSW)*, 28 May 2018, accessed June 7, 2018, <https://www.osw.waw.pl/en/publikacje/analyses/2018-05-09/success-revolution-armenia-pashinyan-elected-prime-minister>.

2 Paul, A. & Sammut, D. (2018), “Armenia’s ‘Velvet Revolution’: Time is Pashinyan’s Worst Enemy”, *European Policy Center*, 30 May 2018, accessed June 7, 2018. http://www.epc.eu/pub_details.php?cat_id=4&pub_id=8568.

Countering a Power Grab

April's protests were the culmination of years of simmering anti-government tensions. While Armenians have increasingly taken to the street to express dissatisfaction with their leadership, the recent protests were on a much bigger scale. The "velvet revolution" attracted large and diverse groups of protesters in their tens to hundreds of thousands. It was networked locally and globally, connecting towns across the country and extending its reach all the way to diaspora communities around the globe.

The protests focused on domestic issues and not foreign and security policy. This set them apart from the "color revolutions" in Ukraine, Georgia, and Kyrgyzstan. There is broad dissatisfaction with the country's political system, with over a decade of entrenched political dominance by one ruling party, dire socio-economic conditions, huge disparities of wealth and income, rampant corruption, along with the enormous influence wielded by the country's oligarchs. In 2017 Armenia scored 35 (the best score being 100) on Transparency International's Corruption Perceptions Index and was positioned 107th out of 180.3 Poverty also remains a huge problem. A report from the National Statistical Service noted that the poverty rate in 2016 was 29.4%.⁴

The nomination of Sargsyan in a revamped parliamentary system that had replaced Armenia's semi-presidential one in a disputed 2015 referendum triggered the protests. The new system was set to come into force in April 2018, to coincide with the end of Sargsyan's second term as president. The president cannot serve more than two terms.

Initially, Sargsyan had indicated that he did not want the prime ministerial post. The fact that he took it suggests that either he had been play-acting or the ruling elite forced him to do so as a consequence of their failing to agree on an alternative candidate. The move was broadly viewed as a power grab. It badly backfired.⁵

3 Transparency.Am (2018), "Transparency International Anti-Corruption Center", accessed June 7 2018, <https://transparency.am/en/cpi>.

4 Armstat.Am (2018), "Socio-Economic Situation of Armenia, January-September 2004" (In Armenian, In Russian), Statistical Committee of the Republic of Armenia, accessed June 7, 2018, <http://www.armstat.am/en/?nid=82&id=198>.

5 Broers, L. (2018), "In Armenia, A Constitutional Power Grab Backfires", *Chatham House*, 24 April 2018, accessed June 7, 2018. <https://www.chathamhouse.org/expert/comment/armenia-constitutional-power-grab-backfires>.

The success of the protests not only demonstrates that the RPA underestimated public discontent, it also shows the impressive ability of civil society and an increasingly mobilized youth movement, which was the driving force behind the protests. Pashinyan skillfully used the protests to transform himself from a marginal opposition figure to a political phenomenon unlike anything Armenia has ever seen.⁶

What to Expect from Pashinyan

Pashinyan was elected Prime Minister on 8 May. He was the only candidate and received support not only from his own party, the Yelk bloc (Way Out), but also from the remaining opposition parties and several members of parliament from the RPA. While the RPA almost certainly did not want to appoint him, the fear of more street protests forced them to yield to Pashinyan's demands. Despite being a former ally of Armenia's first president, Levon Ter-Petrosyan, Pashinyan is not linked to any of Armenia's political elites, which is something novel for Armenia. With his unexpected success, Pashinyan did not have time to design real policies, so he has hit the ground running. Many of those in the new government are young, from a civil society background, and pro-western. However, how a number of key dossiers have been given to experienced politicians, including the foreign and defense ministries. However, the old guard continues to have significant influence over the government system, particularly the judiciary, including the Prosecutor General, legislature, and local self-government.

After two or three months there is a real risk that support in the streets will begin to erode if expectations are not met and expectations are unrealistically high. This was evident from the protests held a few days after Pashinyan's appointment that demanded the resignation of the Prosecutor General.

Pashinyan's priority is his domestic agenda, with continuity on foreign and security policy. He will want to quickly deliver on the promises he made during the protests as the euphoria of victory will soon wear off. After two or three months there is a real risk that support in the streets will begin to erode if expectations are not met and expectations are unrealistically high. This was evident from the protests held a few days after Pashinyan's appointment that demanded the resignation

6 Atanesian, G. (2018), "Protests In Armenia: Nikol Pashinyan's Unlikely Rise", *Eurasianet.Org*, May 3, 2018, accessed June 7, 2018, <https://eurasianet.org/s/protests-in-armenia-nikol-pashinyans-unlikely-rise>.

of the Prosecutor General.⁷ Aware of this, Pashinyan has already taken some steps that should help maintain public support. These include the National Security Services exposing several legal irregularities in companies belonging to the oligarch, Samvel Aleksanyan.

Furthermore, as Pashinyan has no political backing in the parliament and is heading a minority government, building a new and strong political force made up of the broadest coalition will be crucial. The government's work programme is very ambitious. Key priorities include electoral code reform, anticorruption measures, rooting out the deeply entrenched oligarchic system and the monopolies they hold over the economy, transitional justice, and "finding the stolen money." For the best chance of success, snap elections need to take place as quickly as possible to allow the new government to capitalize on its current support as well as create a legitimate parliament that represents the people. However, it seems unlikely that elections will take place before October/November. First, Parliament decides on the timing of the elections and the RPA opposes snap elections. While the RPA has stated they will be constructive, they could block all initiatives undertaken by Pashinyan. Second, Pashinyan will not want elections without electoral reform. Armenia is yet to hold free and fair elections, and the current electoral system is full of loopholes that open the process up to election fraud. Furthermore, Armenia's new constitution stipulates that 54 percent of the vote is necessary for a "stable parliamentary majority." If no party crosses that threshold, coalitions can be formed, but with no more than two parties or blocs. Since Pashinyan's election the RPA has started to collapse, with several RPA members leaving the party, including a number of influential businessmen. RPA no longer has a majority in parliament. This demonstrates that the RPA was not a party of like-minded people, but a party united only by power. However, this does not necessarily mean that those leaving will join Pashinyan's faction. Their first aim is to protect their vested interests and parliamentary immunity. The approach of Armenian Revolutionary Federation and Prosperous Armenia (both part of the governing coalition) going forward are also not clear. This opens the way to a very challenging situation

7 Ghazaryan, D. "Demonstrators Demand Resignation Of Prosecutor General; Block Entrance To Building", *Hetq News*, May 21, 2018, accessed June 7, 2018, <http://hetq.am/eng/news/89125/demonstrators-demand-resignation-of-prosecutor-general-block-entrance-to-building.html>.

and there is a risk of “kidnapping the revolution.” Pashinyan may have to call people to the streets in the event of this happening. However, these scenarios risk Armenia finding itself caught up in a repeating cycle of revolutions, which would bring severe instability and, hence, is not in the interest of any party. With such a challenging domestic agenda there are unlikely to be any drastic changes in terms of foreign policy.

Continuity in Foreign Policy

Since independence, Armenia’s leaders have defined the country’s foreign policy as one of complementarity. Close ties with Russia—but, at the same time, good relations with the West, including the EU. However, in reality, foreign policy has been stacked in Russia’s favor. In the early 1990s, as a result of the Nagorno-Karabakh conflict with Azerbaijan and the economic blockade imposed on Armenia by Azerbaijan and Turkey, Armenia believed it had no other choice but to anchor itself closely to Russia politically, economically, and militarily.⁸ Armenia is a member of the Eurasian Economic Union, hosts two Russian military bases, and is the only member of the Collective Security Treaty Organization (CSTO) in the region.

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In this respect, the “Russia versus the West” dilemma is not applicable to Armenia, because Armenia cannot afford to make a geopolitical choice between Russia and the West.⁹ Russia is a critical player in every facet of Armenia’s life. Despite the fact that the Kremlin does not like bottom-up power shifts in the former Soviet space, which Russia broadly views as its sphere of influence, Russia acquiesced to the change of guard in Yerevan, even if the Kremlin was not enthusiastic about it. Russia took a cautious position on the crisis, avoiding open involvement. Both the Kremlin and the Russian Ministry of Foreign Affairs underlined that the protests were an internal Armenian issue. Moscow may have learnt from its experience in Ukraine. To

8 Poghosyan, B. (2018), “Tailor-made cooperation? - Armenia’s new partnership agreement with the EU”, *European Policy Centre*, 15 February 2018, accessed June 7, 2018, http://www.epc.eu/documents/uploads/pub_8275_tailor-made-cooperation.pdf?doc_id=1950.

9 Vargas, L. (2018), “Why Armenia Is A Laboratory For Post-Soviet Democracy”, *Talk Media News*, May 29, 2018, accessed June 7, 2018, <http://www.talkmedianews.com/wake/2018/05/29/why-armenia-is-a-laboratory-for-post-soviet-democracy/>.

avoid igniting mass anti-Russian sentiment, the Kremlin seems less keen to back unpopular leaders. No doubt the massive anti-Russian reaction following the 2016 Four Day War between Azerbaijan and Armenia, which the Kremlin did not expect, has also not been forgotten.

While the Kremlin almost certainly views Pashinyan as unpredictable, Russia's position is secure due to its control over the economy and its huge stake in Armenia's security. The lack of alternative scenarios gives little wriggle room for whoever is in power. The fact that Pashinyan chose Russia as his first foreign trip underlines that he understands this, including Russia's potential to create instability via the Nagorno-Karabakh conflict. During his meeting with President Putin on 14 May, he stressed that his new government "does not envisage changes in foreign policy vector."¹⁰ Even though as late as 2017 Pashinyan's parliamentary bloc submitted legislation to withdraw from the Eurasian Economic Union, Pashinyan's words on Russia are those of a man who recognizes the geopolitical reality of his country,¹¹ which should reassure Moscow.

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However, the situation could change further down the line in the event that the new government begins to implement serious economic reform, as this could begin to impact Russian investments in the country. In this situation pressure could be brought to bear on Armenia economically, through the withholding of military aid, or by Russia moving toward closer ties with Azerbaijan. Such a development could occur if Armenia begins seriously to implement its new agreement with the EU.

Strengthening ties with the EU will be a priority for the new government. Pashinyan is due to visit Brussels before the summer. In November 2017 the EU and Armenia signed a new Comprehensive and Enhanced Partnership Agreement (CEPA) and the agreement has become even more important following the political changes in Armenia. CEPA has strong support in the country. It contains instruments that the new government can use.

¹⁰ Ghazanchyan, S. (2018), "Armenian PM Addresses EAEU Summit", *Public Radio of Armenia*, 14 May 2018, accessed June 7, 2018, <http://www.armradio.am/en/2018/05/14/armenian-pm-addresses-eaeu-summit/>.

¹¹ Waal, T. (2018), "Armenia's Revolution and the Legacy of 1988", *Carnegie Moscow Center*, 7 May 2018, accessed June 7, 2018, <https://carnegie.ru/commentary/76269>.

As recently suggested by this author, the EU's European External Action Service should establish a task force under the leadership of the EU Special Representative for the South Caucasus to identify the aspects of CEPA that can be fast-tracked. It should also provide technical assistance and training in critical areas and sectors.¹² EU financial assistance, which Armenia badly needs, will be conditioned on reform, not least anti-corruption measures in key areas including the judiciary.

CEPA has now been ratified by the Armenian Parliament and is being provisionally applied. EU Member State parliaments, along with the European Parliament, should speedily move ahead with ratification, which would send a strong signal of support to Armenian society. As of today, only some three to four

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Member State governments have ratified it. While this would also be an opportune moment for the EU to press ahead with steps to start talks for visa liberalization, this is unlikely to happen, as a number of EU member states are currently opposed to this step for both internal and external reasons. The EU, along with other international actors, would also like to see an early meeting between Pashinyan and Azerbaijani President Ilham Aliyev over the Nagorno-Karabakh peace process. The change of guard in Yerevan will also impact the Nagorno-Karabakh conflict. Pashinyan is the first Armenian leader in two decades who does not hail from Karabakh's Armenian community. This makes him something of an anomaly. Immediately after becoming Prime Minister he visited Karabakh. The trip was a deliberate signal that Karabakh holds great importance for Pashinyan and his team.¹³

Azerbaijan was also not expecting the change of guard in Yerevan. For the first time in over a decade the Azerbaijani president, Ilham Aliyev, will have a new counterpart. Baku hoped Yerevan's new leadership might bring a fresh approach to negotiations over the Nagorno-Karabakh enclave.¹⁴ Indeed, Sargsyan's resignation was hailed by the Azerbaijani Ministry

12 Paul & Sammut, "Armenia's Velvet Revolution", *op. cit.*

13 Abrahamyan, E. (2018), "Pashinyan Stiffens Armenia's Posture Toward Karabakh", *The Jamestown Foundation, Eurasia Daily Monitor*, Volume: 15 Issue: 72, 10 May 2018, <https://jamestown.org/program/pashinyan-stiffens-armenias-posture-toward-karabakh/>.

14 Shiryev, Z. (2018), "For Azerbaijan, Armenia's Political Upheaval is a Double-Edged Sword", *Crisis Group*, 25 May 2018, accessed June 7, 2018, <https://www.crisisgroup.org/europe-central-asia/caucasus/azerbaijan/azerbaijan-armenias-political-upheaval-double-edged-sword>.

of Foreign Affairs, who announced on 24 April that they were looking forward to negotiating with “sensible political forces.” Sargsyan favored a “territories for status” agreement, insisting that the seven occupied territories surrounding Nagorno-Karabakh could only be returned to Azerbaijan after Nagorno-Karabakh’s status was resolved. This is unacceptable for Azerbaijan, which favors a step-by-step formula. However, a number of statements from Pashinyan on Karabakh since coming to power would seem to signal that his approach may not be any different from that of Sargsyan; in fact, it could even be tougher. During his visit to Karabakh Pashinyan made a number of strong statements, including emphasizing that only the “leadership” of Karabakh can speak on behalf of Karabakh; and that mutual concessions can only be negotiated if Azerbaijan gives a clear message that Baku is ready to recognize the right of the people of Karabakh to self-determination. In this sense, according to Zaur Shiryev for Azerbaijan, Armenia’s political upheaval is a double-edged sword—being both hopeful and worrying.¹⁵

Pashinyan may also not want a rapid return to the peace talks. Given that the talks are a secretive process with only a handful of people privy to all the details, he, and his new team, will want to fully acquaint themselves with all the specifics.

However, the Line of Contact is very volatile. Skirmishes across the ‘line of contact’ can quickly spiral out of control. So while, as stressed by a statement by the OSCE Minsk Group, the situation on the Line of Contact has been relatively stable, this is unlikely to last,¹⁶ and a return to the peace talks should take place sooner rather than later. Furthermore, at this crucial juncture the international community should keep a close eye on the situation.

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Conclusion

The “Velvet Revolution” has opened a new chapter in Armenia’s history. Armenians feel empowered, and believe that anything is possible. Furthermore, success in Armenia—a victory of

¹⁵ Shiryev, *op. cit.*

¹⁶ Osce.Org (2018), “Press Statement by the Co-Chairs of the OSCE Minsk Group”, 15 May 2018, accessed June 7, 2018, <https://www.osce.org/minsk-group/381283>.

democracy—can also be seen as a defeat of the pressure and coercion preferred by Russia.

Consequently, Pashinyan will face pressure from both the bottom (the people) and from the top (Russia). Despite Russia's pragmatic approach, there can be no doubt that Moscow will scrutinize Pashinyan's every move. Keeping Moscow onside, while at the same time pushing for change, will be challenging. Efforts to strengthen democracy and the rule of law, and build a more prosperous state will face resistance at every turn. Winning elections and taking control of the parliament will be the first step in the journey.

Time is definitely not on Pashinyan's side. The biggest challenge that the new government faces is meeting the huge expectations of Armenian society. After two or three months support in the streets risks being eroded if expectations are not met. Expectations will need to be tempered and society will need to be patient. As other countries have discovered, including Georgia and Ukraine, uprooting the corrupt networks of vested interests that have kidnapped the country for decades is a long-term process. This challenging situation is further exacerbated by Armenia's complicated geopolitical and security situation. Hence, change is likely to be slow and not linear, and the extent to which Pashinyan will be able to succeed remains to be seen.

Commentary: Georgia Before the Presidential Elections: The General Overview

Aleksandre Kvakhadze*

The present paper aims to provide an overview of the pre-election political landscape in Georgia and illustrate recent developments and their interconnection with each other. The paper will describe and analyze three main trends observed in Georgia in recent months, including factors such as Mikheil Saakashvili, the return of Bidzina Ivanishvili to politics, and the protest rallies in Tbilisi. The paper will also evaluate the chances of various candidates in the upcoming presidential elections in the context of the current economic situation and the recent public opinion surveys. The article concludes that victory in the presidential elections is crucial for the ruling party, but the opposition also has the opportunity to consolidate.

Keywords: Georgia, Saakashvili, Ivanishvili, Demonstrations, Elections



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Introduction

The presidential elections in Georgia will be held in Autumn 2018 as the presidency of current president Giorgi Margvelashvili expires this year. According to the new edition of the Georgian constitution, the president of Georgia now has a symbolic role and he can no longer make any tangible decision on the government level. At the same time, after several relatively comfortable years, the ruling Georgian Dream (GD) party has faced difficulties such as internal clashes and protest rallies. The opposition, however, despite its activities, still faces numerous obstacles. The economic performance of Georgia continues to be not very impressive. According to the National Statistics Office of Georgia, the annual real GDP growth in country is 5%.¹ The devaluation of the Georgian national currency, the Lari, has also tightened the economic situation in the country. With all these in mind, three main trends can be identified taking place in Georgia during the last several months that can be expected to affect the result of the upcoming elections. Namely, the activation of ex-president of the country Mikheil Saakashvili in the Georgian direction; the return of Bidzina Ivanishvili to active politics; and protest demonstrations in Tbilisi.

Mikheil Saakashvili and the Opposition

The current opposition spectrum of Georgia is represented by several sizable political parties. Since the general elections in 2012, the former ruling party the United National Movement (UNM) has been the largest opposition party and, according to the latest public opinion survey conducted by the International Republican Institute (IRI), 17% of respondents were UNM supporters.² Next to the UNM comes European Georgia, a relatively new party which split from the UNM after the last general election in 2016 and took with it approximately one quarter of the UNM voters. Among the other opposition parties should be mentioned the Labor Party, led by the charismatic

The current opposition spectrum of Georgia is represented by several sizable political parties. Since the general elections in 2012, the former ruling party the United National Movement (UNM) has been the largest opposition party.

1 National Statistics Office of Georgia (2018). *Gross Domestic Product (GDP)*. Available at: http://www.geostat.ge/index.php?action=page&p_id=119&lang=eng (accessed: 25 June 2018).

2 The International Republican Institute (IRI) (2018). *Public Opinion Survey: Residents of Georgia*, p.73. Available at: http://www.iri.org/sites/default/files/2018-5-29_georgia_poll_presentation.pdf (accessed 25 June 2018).

and eccentric Shalva Natelashvili, and the pro-Russian Alliance of Patriots. Along with these parties, the opposition media also plays an important role in Georgia's domestic policy. The most notable actor is TV channel Rustavi 2, which remains one of the most popular media resources in Georgia. The minor TV channels, such as Pirveli and Kavkasia, have also tended to be critical towards the current government over several years. Among opposition newspapers, the most influential is Kronika Plus, focused on the investigation of corruption cases inside Georgian government elites.

One remarkable event related to Georgian opposition is the activation of the ex-president, Mikheil Saakashvili. On 3rd April 2018 he declared his intention to return to Georgia in the near future. Saakashvili's deportation from Ukraine to Poland significantly constrained his political capacity in Kiev, but also induced his concentration towards the homeland. Saakashvili hopes that an opposition victory in the presidential elections will lead to the collapse of the ruling elite and, consequently, a change of government.³ It is noteworthy that the-ex-president has added new attributes to his political rhetoric and message box. For instance, in order to attract thousands of Georgian citizens suffering from the inability to pay back bank credits, he began to openly criticize Georgia's largest commercial banks, which are—according to him—“sucking the blood from almost all Georgian families and whole country's economy.”⁴ Furthermore, during his latest appearances on television, Saakashvili has often emphasized his role in building hundreds of temples all over the country and reinforcing the Georgian Orthodox Church.⁵ This political message is presumably designed for religious Georgian citizens, whose numbers are high in the country.

Another important idea declared by Saakashvili is an initiative for the unification of the opposition against Bidzina Ivanishvili. Under his concept, unification means standing as the common opposition candidate for the presidential elections. The political history of Georgia shows that the approach

3 Ekho Kavkaza (2018). *Saakashvili Speshit na Pomosh Gruzii*. Available at: <https://www.ek-hokavkaza.com/a/29142743.html> (accessed 25 June 2018).

4 Tabula (2018). *Saakashvili: Bankebi Antikartul da Antierovnul Politikas Atareben*. Available at: <http://www.tabula.ge/ge/verbatim/131686-saakashvili-bankebi-antiqartul-antierovnul-politikas-atareben> (accessed 25 June 2018).

5 Tabula (2018). *Saakashvili: Sad aris aba Dangreuli Eklesia?* Available at: <http://www.tabula.ge/ge/story/73850-mixeil-saakashvili-sad-aris-aba-dangreuli-eklesia> (accessed 25 June 2018).

‘everybody minus one’ worked efficiently against the president Zviad Gamsakhurdia in 1992, Eduard Shevardnadze in 2003, and Mikheil Saakashvili’s administration in 2012. Therefore, Saakashvili hopes to implement it against the current government. Nevertheless, Saakashvili’s former political allies from the EG declined his offer regarding the common candidate. Only several minor parties agreed to form a coalition with Saakashvili and his UNM party.

Aside from the parties, another factor should be mentioned, that of the current president of Georgia, Giorgi Margvelashvili, who spoiled his relations with his former companions in the Georgian Dream. Margvelashvili did not exclude the possibility of his candidacy in the presidential elections as the common opposition candidate.⁶ In the case of his candidacy, Margvelashvili has a realistic chance to attract not only “traditional” oppositional votes, but also neutral voters. The existing administrative resources in the president’s administration could also be helpful during the election campaign.

The consolidation of all pro-Western parties for the upcoming elections is highly unlikely. Although, according to IRI surveys, Georgian Dream with 27% remains at the top of the political

The consolidation of all pro-Western parties for the upcoming elections is highly unlikely.

chart, the three largest parties combined have slightly more than GD, at 29%. The survey indicates that the likelihood of a second round in the presidential elections is very high.⁷ Assuming that Margvelashvili stands as a candidate, the chances for the opposition could be higher.

Nevertheless, the Georgian opposition has several limitations. Firstly, although the UNM remains the main opposition party, and has even managed to increase its political activities all over Georgia, the resentment of the former governing party is still high in Georgian society, and is even an issue among the remaining opposition parties. Although the rating of the GD party has declined dramatically, the opposition has not managed to intercept so-called “frustrated voters.” Secondly, the financial declarations of the political parties suggest that UNM has

6 Sputnik (2018). *Saprezidento Archevnebi: Tamashi Romelshits Kvela Mogebulia Khalkhis Garda*. Available at: <https://sputnik-georgia.com/reviews/20180216/239326985/saprezidento-archevnebi.html> (accessed 25 June 2018).

7 The International Republican Institute (IRI) (2018). *Public Opinion Survey: Residents of Georgia*, p.73. Available at: http://www.iri.org/sites/default/files/2018-5-29_georgia_poll_presentation.pdf (accessed 25 June 2018).

suffered from the financial crises due to the failure to organize an efficient fundraising campaign.⁸ Furthermore, Saakashvili's bargaining across the Georgian border, as was done in Ukraine, is highly complicated. Unlike Ukraine, there are ongoing trials of Saakashvili and in case of his return, he will be arrested according to the verdict reached in absentia. Also, the absence of Georgian citizenship could also be a bureaucratic barrier for the ex-president.

Return of Bidzina Ivanishvili and the Confrontation Inside GD

Another remarkable event in Georgia is the official return of Bidzina Ivanishvili to Georgian politics. In May he attended the congress of the GD party and was nominated as the chairman of its political board.⁹ Since the general elections of 2016 Ivanishvili had rarely appeared in public. The question is, what caused Ivanishvili's return to active politics? Ivanishvili himself enumerated three main causes of his return. These were the harsh social and economic conditions, the destructive actions of the political opponents, and the confrontations inside the ruling party.¹⁰ Among the explanations of Ivanishvili's return could be the growing criticism from international organizations regarding the problem of an informal governance, which is considered by Freedom House as one of the "key impediments to Georgia's democratic functioning."¹¹ Although Ivanishvili did not hold any official position, for several years he exerted his influence on the decision-making process inside the government, which consists mostly of his associates. The second reason could be clashes inside the GD party, which have become public. It is believed that conflict emerged between the "old" and "new" members of the GD party.¹² The confrontation became more obvious during

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8 Transparency (2018). *Donations to Georgian Political Parties*. Available at: <http://www.transparency.ge/politicaldonations/en> (accessed 25 June 2018).

9 Pirveli (2018). *Otsnebis Politsabcho Tkhutmet Katsamde Shemtsirdeba*. Available at: <http://pirveliradio.ge/?newsid=103763> (accessed 25 June 2018).

10 Pirveli Arkhi (2018). *Bidzina Ivanishvilis Gamosvla "Kartuli Otsnebis" Krilobaze. Sruli Teksti*. Available at: <https://1tv.ge/news/bidzina-ivanishvilis-gamosvla-kartuli-ocneba-demokratiuli-saqartvelos-yrilobaze-srulis-teqsti/> (accessed 25 June 2018).

11 Freedom House (2018). *Georgia: Country Profile*. Available at: <https://freedomhouse.org/report/nations-transit/2018/georgia> (accessed 25 June 2018).

12 Rustavi 2 (2018). *Dapirispireba Kartul Otsnebashi*. Available at: <http://rustavi2.ge/ka/news/101853> (accessed 25 June 2018).

the resignation of the Prime Minister, Giorgi Kvirikashvili. For instance, the journalist Gocha Mirtskhulava, who claims that he has listened to a recording of the GD congress, says that there was the toughest of conversations between Bidzina Ivanishvili and Giorgi Kvirikashvili.¹³ The investigative journalist Eliso Kiladze, however, notes the increasing role of the State Security Service (SUS) in the intra-government clashes.¹⁴ In such a case, only a strongman such as Ivanishvili is capable of solving the internal disputes by his appearance in politics. The third reason might be the government's failure to solve the harsh economic conditions in the country, which has led to growing dissatisfaction among a large section of the population. For instance, according to IRI public opinion surveys, unemployment and the economy are the main problems that Georgia currently faces. Consequently, the support rate of GD has dropped to 27%, which might be an alarming signal for the ruling elite.¹⁵ Additionally, Mikheil Saakashvili believes that Ivanishvili is preparing for the presidential candidacy. However, it must be taken into account that Ivanishvili is a citizen of both Georgia and France, and Georgian legislation does not allow the president to possess dual citizenship.

Despite the decreased public support for the GD party, Bidzina Ivanishvili remains the most influential political figure in Georgia. The recent developments show that the GD party is not a monolithic structure. The party consists of individuals with different political platforms and backgrounds. The two key factors that can consolidate the party are loyalty to Bidzina Ivanishvili and resentment towards Mikheil Saakashvili and his team. For example, Giorgi Kvirikashvili resigned and was replaced by Mamuka Bakhtadze, the former Minister of Finance and the general director of Georgian Railways. It is likely this will strengthen the position of the Minister of Interior Affairs, Giorgi Gakharia, in the governmental elite. Also, the name of the presidential

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13 Iberia (2018). *Ivanishvili Eubneba Kvirikashvils, Shen Khom Githkra Gakhariam rom Ar unda Gakhvide Aktiazeeo*. Available at: <http://www.iberiatv.ge/ka/gadacemebi/politikuri-algoritmii/article/14472--ivanishvili-eubneba-kvirikashvils-shen-khom-githkra-gakhariam-rom-ar-unda-gakhvide-aqciazeo-gocha-mirskhulava> (accessed 25 June 2018).

14 News.ge (2018). *Gogashvili Dakavebulia Otsnebis Maghalchinosnebe Kompromatebis Shegrovebit*. Available at: <https://news.ge/gogashvili-dakavebulia-ocnebis-magalchinosnebe-kompromatebis-gavrcelebit/> (accessed 25 June 2018).

15 The International Republican Institute (IRI) (2018). *Public Opinion Survey: Residents of Georgia*, p.73. Available at: http://www.iri.org/sites/default/files/2018-5-29_georgia_poll_presentation.pdf (accessed 25 June 2018).

candidate from GD is unclear. Georgian media claims, that the candidate will be Maia Tskitishvili, the Minister of Regional Development.¹⁶ GD will most likely nominate a candidate who has not been discredited.

The Protest Demonstrations in Tbilisi

In May 2018 two anti-government rallies took place in the capital, Tbilisi. Remarkably, the ruling party was faced with such protest demonstrations for the first time since its victory in the general election of 2012. The first mass demonstration was caused by the brutal anti-drug raids in several Tbilisi nightclubs on May 12. Thousands of protestors demanded the resignation of the Minister of Interior Affairs, Giorgi Gakharia. Eventually, the government managed to calm the protest by the establishment a dialogue with the organizers of a protest and Giorgi Gakharia's apology over the nightclub raids in front of the crowd.¹⁷ The second wave of the demonstration had a more radical character. A court verdict on the murder of two schoolboys led to mass demonstrations in Tbilisi. Among the demands of the protestors were the resignation of the government and a new investigation of the murder.¹⁸ Prime Minister Kvirikashvili, who attempted to address the demonstrators at the meeting location, received bottles and other objects thrown by the protestors. The demonstrations paused after several days.

Although the two demonstrations resulted from different events, both of them share commonalities. Firstly, both meetings were self-organized and spontaneous. The role of social media in the mobilization of demonstrators was extremely high. Secondly, neither of the demonstrations was organized by oppositional parties. Conversely, the leaders of both protests were trying to distance themselves from any political entity, especially the UNM party.

Although the Georgian government has managed to withstand the protests, they have significantly damaged government's reputation. Additionally, the recent protests in neighboring

16 Rustavi 2 (2018). *Saprezidento Archevnebi*. Available at: <http://rustavi2.ge/ka/news/106849> (accessed 25 June 2018).

17 OC-Media (2018). Interior Minister Apologises over Tbilisi Nightclub Raids as Far-Right Groups Plan Daily Protests. Available at: <http://oc-media.org/interior-minister-apologises-over-tbilisi-nightclub-raids-as-far-right-groups-plan-daily-protests/> (accessed 25 June 2018).

18 Radio Liberty (2018). Georgian Protest Leader Says 'System Must be Destroyed' as Demonstrations Continue <https://www.rferl.org/a/georgia-tbilisi-protests-continue-leader-calls-on-political-parties/29267739.html> (accessed 25 June 2018).

Armenia could have provided an alarming signal to the Georgian authorities.

Final Remarks

All three above-mentioned events are interconnected and each will have its influence on the presidential elections. Despite the limited functions of the president, the upcoming elections are expected to be accompanied by vibrant and turbulent processes.

Additionally, the recent protests in neighboring Armenia could have provided an alarming signal to the Georgian authorities.

Despite the severe decline of public support for the GD party, there is still no alternative. However, the latest public opinion surveys indicate that the upcoming election will present more difficulties for the ruling party compared to last local elections. Potentially, the unification of pro-Western opposition parties combined with the candidacy of President Giorgi Margvelashvili makes a second round highly realistic. Political life in Georgia, it is apparent, will be activated the in autumn, after the relatively passive summer season. Victory in the presidential elections is crucial for the GD party, as it will allow the ruling party to maintain its comfort zone until the general elections in 2020. The role of Bidzina Ivanishvili will most likely be increased. Interference from external actors is expected to be minimal. Indeed, the upcoming presidential elections in Georgia will be an important event that could create a sizable shift in the country's political landscape.

The EU's Ambiguous Stance on Separatism: Lessons from Catalonia, Kosovo, and Nagorno-Karabakh

Ayaz Rzayev*

In October 2017, the Catalanian government held a referendum on Catalan independence which was subsequently declared illegal by Spain on the grounds that it violated the Spanish Constitution. The vote triggered the invocation of Article 155 of the Spanish Constitution, which allowed the central government in Madrid to suspend Catalonia's self-rule. The situation has forced Catalonia into the international spotlight as a potential precursor of other breakaway regions in the EU. Since these separatist movements pose a threat to global and regional stability, their potential spread throughout Europe brings to the fore a pressing challenge that the EU urgently needs to address. The events in Catalonia are the result not only of the complexity of internal Spanish politics, but also reflect a more fundamental issue of how European institutions decide to handle matters of territorial integrity and self-determination in general while continuing to test the adequacy of the EU's response to these issues in the changing context of international politics. Therefore, this new political context represents a good opportunity to assess whether the EU's stance on these issues has been consistent so far and whether the EU has, perhaps unintentionally, enabled separatist movements.

Keywords: EU, separatism, self-determination, Kosovo, Catalonia, Nagorno-Karabakh



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Introduction

Over the past few years, we have tended to think of the growing European fragmentation in terms of Brexit, a deep economic divide, and nativist populism. However, the Catalan crisis has shown that there is another force of fragmentation in Europe to watch out for, and that is the rising challenge to the nation-state from below. While it is true that devolving more power to regional authorities in line with the EU's subsidiarity principle has had undeniable benefits and helped to address the widespread frustration many voters feel towards the national governments, it also inflamed separatist movements throughout Europe by strengthening the illusion that local populists could deliver better results than central governments. Contemporary separatist movements can epitomize the dangerous logic of national purity and ethnic cleansing that denies any possibility for a more inclusive and tolerant notion of the nation to exist. As such, modern-day separatism can represent some of the ills of ethnic nationalism that post-war Europe wished to contain and thus go diametrically against the very ethos of the European project, which is based on the ideals of inclusive solidarity and social integration.¹

In this context, the EU itself bears substantial responsibility for the rising tide of separatism in Europe since its ambiguous position on territorial integrity and self-determination has convinced secessionist groups that the EU's stance on the issue largely depends on how the latter has been framed.

In this context, the EU itself bears substantial responsibility for the rising tide of separatism in Europe since its ambiguous position on territorial integrity and self-determination has convinced secessionist groups that the EU's stance on the issue largely depends on how the latter has been framed. That is why separatists believe that they can successfully lobby the Union for the support, regardless of whether the EU officials have warned otherwise. Against this background, this paper examines how the EU's position on these issues affects secessionist movements throughout Europe. It aims to address two issues. Firstly, it will compare and contrast the EU's response to separatism in Catalonia, Kosovo, and Nagorno-Karabakh. Secondly, it will analyze the effect that the EU's reaction in each of those cases has had on separatist politics in Europe as a whole.

The paper proceeds as follows: After a brief introduction to the

¹ For further discussion of this issue, see, for example, Weiler, J. (2017), 'Secessionism and Its Discontents', in Closa, C. (ed.), *Secession from a Member State and Withdrawal from the European Union: Troubled Membership*. Cambridge: Cambridge University Press, pp. 12-31.

argument, in the first part the paper analyzes the EU's reaction to the Catalan crisis. The second part focuses on the radical divergence between the EU's response to Catalonia, on the one hand, and Kosovo, on the other. It also analyzes how the EU's reaction to the Kosovo case affected separatist movements throughout Europe. The third part examines the EU's stance on the Nagorno-Karabakh conflict and how it affects the peace process. The fourth and final part reflects on the similarities and differences of the EU's response in each of these cases and some challenges ahead for the EU considering the inconsistent nature of the EU's policy on this front.

Catalonian Separatism in the Wider European Context

In October 2017, the Catalanian government held a referendum on Catalan independence which has been declared illegal by Spain on the grounds that it violated the Spanish Constitution. The vote triggered the invocation of Article 155 of the Spanish Constitution, which allowed the central government in Madrid to suspend Catalonia's self-rule.

Under EU law, the legality of secession depends on whether it is contested by the parent state. For instance, unlike the Catalan case, the key factor in the Scottish case was that its 2014 independence referendum took place with the explicit consent of the UK Government, which is somewhat unproblematic. EU law requires the Union to “respect ... essential [Member] State functions, including ensuring the territorial integrity of the State.”² At the same time, there is “no counter-balancing reference to self-determination at the sub-national level, and indeed regional government is described as an aspect of existing Member States' national identities.”³ That is why Madrid's opposition to Catalanian separatism has a solid legal rationale. Catalonia might have substantial grievances over how the central government chose to treat the region in the past or even a legitimate dispute with Madrid over the degree of autonomy,

2 European Union (2010), *Consolidated Version of the Treaty on European Union*. Available at: https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF (Accessed: 29 November 2017).

3 Peers, S. (2015), ‘Homage to Catalonia? EU Law and Independence Movements’, *EU Law Analysis*, 29 September. Available at: <http://eulawanalysis.blogspot.com/2015/09/homage-to-catalonia-eu-law-and.html> (Accessed: 23 January 2018).

especially with regard to control of its finances, but, in the end, Catalonia's grievances, however serious, come nowhere close to the threshold of justifying separatism.

Moreover, Spain's opposition to the Catalan independence referendum has a sound democratic rationale as well. The referendum on Catalan independence was not just illegal; it was

Moreover, Spain's opposition to the Catalan independence referendum has a sound democratic rationale as well. The referendum on Catalan independence was not just illegal; it was also fundamentally undemocratic.

also fundamentally undemocratic.⁴ Only 43 percent of eligible Catalans turned out at the polls for the referendum, which compelled even Barcelona's mayor, Ada Colau, an independence supporter, to raise doubts about whether such a poorly organized referendum could serve as a basis for a unilateral declaration of independence.⁵ Over the years, opinion polls have invariably demonstrated that, although a vast majority of the Catalan population would like to have a say on the region's political future, there is no clear majority that wants unilaterally to secede.⁶ The lack of a well-defined pro-secessionist majority indicates

that Catalonia is deeply divided over the issue of independence and that there might be a "silent majority" that does not want Catalonia to separate from Spain.⁷

However, even if a clear pro-independence majority of Catalans had voted for secession, that would not make any difference at all. In practice, such a referendum is nothing more than an opinion poll. Under international law, a unilateral declaration of independence based on a referendum is no more legitimate than a unilateral secession without a popular vote. As James Crawford argues, "there is no recognition of a unilateral right to secede based merely on a majority vote of the population of a given subdivision or territory. In principle, self-determination for peoples or groups within the state is to be achieved by participation in its

4 Varadarajan, T. (2017), 'Catalonia's "kangaroo referendum" leaves Spain in poisonous gridlock', *Politico*. Available at: <https://www.politico.eu/article/carles-puigdemont-catalonia-referendum-spain-kangaroo-referendum-leaves-spain-in-poisonous-gridlock/> (Accessed: 12 January 2018).

5 Ben-Ami, S. (2017), 'Why Catalonia's Independence Bid is Failing', *Project Syndicate*. Available at: <https://www.project-syndicate.org/commentary/catalonia-puigdemont-speech-independence-failure-by-shlomo-ben-ami-2017-10> (Accessed: 12 January 2018).

6 Mari-Close, P. and Molina, I. (2017), 'Catalans don't want to secede, they want to be heard', *Politico*. Available at: <https://www.politico.eu/article/catalonia-referendum-independence-want-to-vote-not-secede/> (Accessed: 29 January 2018).

7 Tisdall, S. (2017), 'Catalan leader faces dilemma as silent majority finds its voice', *The Guardian*. Available at: <https://www.theguardian.com/world/2017/oct/08/catalan-leader-faces-dilemma-as-silent-majority-finds-its-voice> (Accessed: 29 January 2018).

constitutional system, and on the basis of respect for its territorial integrity.”⁸ In essence, it is a free speech issue. Just because someone can say that they are independent does not make it a legally-binding reality. According to Crawford, “In many cases referenda conducted in territories wishing to secede have returned very substantial majorities in favour (in the range of 65-99%). But even in cases where there is a strong and continued call for independence, it is a matter for the government of the State concerned to consider how to respond.”⁹

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Another issue with such a referendum, as Joseph S. Nye puts it, “is how one weighs the interests of those left behind.”¹⁰ Catalonia’s departure would cause massive economic damage to Spain and it stands to reason that the whole population of Spain, not just the Catalans, should have their voice heard on Catalonia’s independence. Just like the Catalans, all citizens of Spain have a right of self-determination, as well, which incorporates, among other things, the right to vote on the future of their country and not to have their country torn apart.

Separatists both within and around Europe always aim at gathering the sympathy of other European states for their cause by attempting to present a moral argument for separatism. The demand for secession is often framed in moral terms, portrayed as a democratic claim, and linked to European values in one way or another. For instance, after the invocation of Article 155, Carles Puigdemont, the sacked Catalan president, ran to Brussels to muster support for his cause by “put[ting] the Catalan problem at the heart of the European Union.” Puigdemont’s strategy to compel the European community to intervene in Spain by trying to convince them that, just like in Kosovo, there is no other viable solution except to secede in the face of the “authoritarian nature” of the Spanish central government has largely failed.¹¹

8 Crawford, J. (1997), ‘State Practice and International Law in Relation to Unilateral Secession’, *Report to Government of Canada Concerning Unilateral Secession by Quebec*, para. 67 (a).

9 Crawford, J. (2006), *The Creation of States in International Law*. Oxford: Oxford University Press, p.417.

10 Nye, J. (2017), ‘The Who, Where, and When of Secession’, *Project Syndicate*. Available at: <https://www.project-syndicate.org/commentary/self-determination-problems-catalonia-kurdistan-by-joseph-s--nye-2017-09> (Accessed: 29 January 2018).

11 Encarnacion, O. (2017), ‘Catalonia’s Martyrdom Strategy Doesn’t Have a Prayer’, *Foreign Policy*. Available at: <http://foreignpolicy.com/2017/11/01/catalonias-martyrdom-strategy-doesnt-have-a-prayer/> (Accessed: 29 January 2018).

A crucial determinant in quelling Catalonia's secession bid has been effective management of the separatist drive by the Spanish government. To prevent the so-called Kosovo path for Catalonia,

A crucial determinant in quelling Catalonia's secession bid has been effective management of the separatist drive by the Spanish government. To prevent the so-called Kosovo path for Catalonia, Spain managed to muster international support against separatist forces before the vote.

Spain managed to muster international support against separatist forces before the vote. Prior to the referendum, the Prime Minister of Spain visited Berlin and Washington, where he received an affirmation that neither the U.S. nor Germany would recognize Catalonia's independence. He was also reassured by Brussels that in case of separation Catalonia would automatically find itself outside the EU.¹²

From the start, the EU maintained an unwavering position on Catalan separatism. It condemned any attempt by Catalonia to secede in the strongest possible terms and repeatedly insisted that the referendum was an internal Spanish matter and that the constitutional order of Spain should be respected.¹³ As early as January 2016, Martin

Schulz, at the time the President of the European Parliament, stated that the Catalan question "must be dealt with within the framework of the Constitution, not in a debate in the European Parliament or in Brussels."¹⁴ In March 2017, Antonio Tajani, Schulz's successor, issued an even harsher statement against Catalan separatism, declaring that "those who act against the Spanish Constitution are also acting against the European order."¹⁵ In October 2017, the Commission doubled down on the so-called "Barroso Doctrine" by warning that a region or territory that opts to secede from a member state, even if a referendum were to be state-sanctioned, would automatically find itself outside the EU.¹⁶

On a continent with more than 250 regions,¹⁷ there is a

12 For a further discussion of Spain's strategy of counter-secession, see, for example Encarnacion, O. (2017), 'The Catalan Independence Movement's Shifting Fortunes: How Rajoy Outmaneuvered a Fragile Coalition', *Foreign Affairs*. Available at: <https://www.foreignaffairs.com/articles/europe/2017-10-16/catalan-independence-movements-shifting-fortunes> (Accessed: 12 March 2018).

13 European Commission (2017), *Statement on the events in Catalonia*. Available at: http://europa.eu/rapid/press-release_STATEMENT-17-3626_en.htm (Accessed: 29 March 2018).

14 Catalonia Votes (2016), 'Juncker urges Spain to form "stable government" amid Catalan independence crisis'. Available at: <http://www.cataloniavotes.eu/en/juncker-urges-spain-to-form-stable-government-amid-catalan-independence-crisis/> (Accessed: 4 March 2018).

15 Palau, S. and Roozenbeek, J. (2017) 'Catalonia and Scotland at core of Europe's geopolitical conundrum', *Euobserver*. Available at: <https://euobserver.com/opinion/137334> (Accessed: 4 December 2018).

16 European Commission, *Statement on the events in Catalonia*.

17 The figure of 250 regions comes from the official website for the Assembly of European Regions. Available at: <https://aer.eu/10-recommendations-for-the-regions-to-overcome-the-crisis/> (Accessed: 12 March 2018).

pragmatic argument for a tougher stance on separatism. The decision-making structure of the European Union is already overwhelmed by twenty-eight Member States. Accepting new members born out of regressive separatist and nationalist sentiment, which is based, for the most part, on some form of atavistic xenophobia, would render the decision-making process in the EU virtually paralyzed. Commenting on the Catalan independence bid, the head of the European Commission, Jean-Claude Juncker, noted: “I wouldn’t like a European Union in 15 years that consists of some 98 states. It’s already relatively difficult with 28 and with 27 not easier, but with 98 it would simply be impossible.”¹⁸

EU member states also, for the most part, have kept a uniform stance on the Catalan matter, unequivocally condemning any talk of secession. Following the referendum, major European powers such as France, the UK, and Germany reiterated their opposition to the Catalan separatism by turning down Catalonia’s plea for international mediation and declaring that they would not recognize an independent Catalonia.¹⁹ The vocal rejection of support for Catalan secession by EU member states has been based on self-preservation, and understandably so. All major EU powers are facing the challenge of separatism—and none of them wants to trigger a domino effect across the continent by supporting the Catalan separatist drive.

However, all the statements against unilateral secessionism from the EU have not discouraged separatists from framing their cause as extremely feasible within the EU framework. Separatists are convinced that they can secede from their parent state and still stay inside the EU, regardless of whether senior EU officials warn otherwise. According to Angela Bourne, the European Union constitutes “a complex web of opportunities and constraints for pro- and anti-independence

Following the referendum, major European powers such as France, the UK, and Germany reiterated their opposition to the Catalan separatism by turning down Catalonia’s plea for international mediation and declaring that they would not recognize an independent Catalonia.

18 Reuters (2017), ‘Juncker says Catalan split would lead to splintering EU’. Available at: <https://www.reuters.com/article/us-spain-politics-catalonia-juncker/juncker-says-catalan-split-would-lead-to-splintering-eu-idUSKBN1CIHSO> (Accessed: 12 February 2018).

19 Kester, J. (2017), ‘France won’t recognize an independent Catalonia’, *Foreign Policy*. Available at: <http://foreignpolicy.com/2017/10/09/france-wont-recognize-an-independent-catalonia/> (Accessed: 12 February 2018); Reuters (2017), ‘Germany refuses to recognize Catalonia independence move’. Available at: <https://www.reuters.com/article/us-spain-politics-catalonia-germany/germany-refuses-to-recognize-catalonia-independence-move-idUSKBN1CW196> (Accessed: 12 February 2018); BBC (2017), ‘UK ‘won’t recognise’ Catalan independence’. Available at: <http://www.bbc.com/news/uk-politics-41783238> (Accessed: 12 February 2018).

movements.”²⁰ The EU’s position on separatism and territorial integrity has largely been based on how the issue has been framed. So it is not surprising that secessionist groups within and around the EU are convinced that they can successfully lobby the European institutions for support. Separatist forces have already immensely benefited from the EU by establishing through it transnational networks such as the European Free Alliance (EFA)—a political party in the European Parliament whose aim is to “promote the right of self-determination of peoples.”²¹ The fact that separatist forces continue building a narrative around the EU indicates that the Union has not been unsuccessful in downloading its position on unilateral secession to the sub-state level. The reason why the EU has not been successful is because it has demonstrated ambiguous attitudes towards separatism over the years.

From Kosovo to Catalonia: Different Standards

Following the Catalan referendum, Serbian President Aleksandar Vucic accused the EU of hypocrisy, arguing that the EU was applying double standards in recognizing Kosovo’s independence while declaring the Catalan referendum illegal.²²

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Echoing Vucic, Serbian Prime Minister Ana Brnabic wondered if there are different legal standards in place for EU members and non-EU countries after European commission spokesperson Margaritis Schinas noted that Serbia and Spain cannot be compared because “Spain is a member state.”²³ Despite the polemical attitude of the Serbian government, they are not entirely wrong. In the Kosovo case, European powers, along with the U.S., have pushed towards extending an exemption to an already established norm of international law when it suited their political interests.

20 Bourne, A. (2014), ‘Europeanization and Secession: The Cases of Scotland and Catalonia’, *Journal on Ethnopolitics and Minority Issues in Europe*, 13(3), p. 115.

21 EFA, ‘What’s EFA’. Available at: <http://www.e-f-a.org/about-us/whats-efa-and-history/> (Accessed: 12 February 2018).

22 Filipovic, G. and Savic, M. (2017), ‘Serbia Criticizes EU for ‘Hypocrisy’ After Catalan Vote’, *Bloomberg Politics*.

Available at: <https://www.bloombergquint.com/politics/2017/10/02/serbia-criticizes-eu-for-hypocrisy-on-catalan-kosovo-votes#gs.149a6BE> (Accessed: 25 February 2018).

23 Ibid.

Territorial integrity of states against secession is guaranteed under international law and for good reason. If every separatist group, often driven by dangerous forms of nationalism, pursued external self-determination, it would completely destabilize the current nation-state system. Upholding the principle of territorial integrity makes good sense, given that there are already too many failed states in the world that undermine the stability of their surrounding regions and increase the possibility of wars and human suffering. While international law incorporates the concept of self-determination, it does not entail a right to secession.²⁴ It is generally accepted that the right of self-determination may not be used to disaggregate the territory of a sovereign state outside the decolonization paradigm.²⁵ Except in those cases of decolonization, international law is in favor of realizing the right to self-determination through internal means, which entails a right to self-rule without complete political separation.²⁶ At the same time, while there is some support for the right to “remedial secession” under specific circumstances, when, for example, realization of internal self-determination is rendered impossible, this concept still remains without sound legal foundation.²⁷

Some states have been more successful in preventing separatism than others. This is partly because of the size and the substantial diplomatic resources of the parent state. But for the most part the success in preventing secession depends on the attitude of the international community towards separatism, which can vary strongly from one case to another. Such a discrepancy in attitude towards self-determination claims is not based on international law, but rather reflects the political interests of states.

That is why what frequently determines the outcome of separatist movements is the response of third countries, especially the support of major powers. Therefore, recognition and secession

Some states have been more successful in preventing separatism than others. This is partly because of the size and the substantial diplomatic resources of the parent state.

24 Tancredi, A. (2014), ‘Secession and Use of Force’, in Walter, C. *et al.* (eds), *Self-Determination and Secession in International Law*. Oxford: Oxford University Press, pp. 68-94.

25 Cassese, A. (1995), *Self-Determination of Peoples: A Legal Reappraisal*. Cambridge: Cambridge University Press.

26 Sterio, M. (2010), ‘On the Right to Self-Determination: “Selfistans”, Secession and the Great Powers’ Rule’, *Minnesota Journal of International Law*, 19(1), pp.137–176.

27 For a critique of the concept of remedial secession, see Del Mar, K. (2013) ‘The myth of remedial secession’, in French, D. (ed.), *Statehood and Self-Determination*. Cambridge: Cambridge University Press, pp. 79–108.

are deeply intertwined. The former has “provided the imprimatur of statehood to seceding entities for over two hundred years.”²⁸ Although states, in general, tend to take into consideration norms and principles of international law when deciding to recognize a territory as a state, it is ultimately within their sole discretion. In the end, it is not moral or legal considerations but the self-interest of other states that seals the fate of a separatist entity.

The case that especially stands out in this context is Kosovo. Kosovo has brought to the fore just how indispensable the sponsorship and support of a great power is for separatists to succeed. The fact that Kosovo today is recognized by more than half of the UN members is a direct result of the support Kosovo received from the U.S. and the major European powers, including France, Germany, and the UK. But it goes further than this.

Following Kosovo’s independence bid in 2008, Belgrade made a strategic mistake by asking the International Court of Justice to rule on the legality of Kosovo’s unilateral declaration of independence, rather than asking the ICJ to rule on the legality of Kosovo seceding from Serbia.²⁹ If the ICJ decided that the act of secession had violated international law, major European powers would have found themselves in an extremely awkward position of having to defend an act that had been unequivocally declared illegal under international law. Alternatively, had the ICJ ruled that Kosovo’s secession had not violated international law, it would have opened the floodgates for numerous other acts of secession. In the end, Serbia’s massive error allowed the Court to avoid addressing the key issue of secession—whether regions have a right to secede—and instead take the narrowest approach possible by stating that, in general, there is no prohibition in international law against declaration of independence as a mere statement, unless it is explicitly banned by the Security Council.³⁰

Although the ICJ did not make any comments on the *sui generis* nature of the Kosovo case, major Western powers that supported

28 Dugard, J. and Raič, D. (2006), ‘The role of recognition in the law and practice of secession’, in Kohen, M. (ed.), *Secession: Internal law perspectives*. Cambridge: Cambridge University Press, pp. 94-137, p. 94.

29 Ker-Lindsay, J. (2012), *The Foreign Policy of Counter Secession: Preventing the Recognition of Contested States*. Oxford: Oxford University Press.

30 International Court of Justice (2010), *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*. Available at: <http://www.icj-cij.org/files/case-related/141/141-20100722-ADV-01-00-EN.pdf> (Accessed: 23 February 2018).

Kosovo's independence bid have invariably insisted that Kosovo was a special case under international law that cannot be used as a precedent for other situations. Claiming that Kosovo was *sui generis*,³¹ a unique case in international politics that does not hold any precedential value, in order to limit the detrimental consequences of their decision to recognize Kosovo, has been proven to be a fundamentally ineffective containment strategy in retrospect. By recognizing Kosovo, Western powers inadvertently created a situation that provided other states with the opportunity to do the same and redefine the concept of self-determination whenever it seems opportune for them. Already in 2007, Raju Thomas warned that "to allow Kosovo's independence would demonstrate that violent secessionism works."³² Echoing the same sentiment, Timothy Garton Ash argued at the time that "Kosovo is unique, and there will be more Kosovos."³³ That is why, from the start, Spain has consistently been against recognizing Kosovo's unilateral declaration of independence and even insisted that Kosovo can become a part of the EU only as a region of Serbia.³⁴

By recognizing Kosovo, Western powers inadvertently created a situation that provided other states with the opportunity to do the same and redefine the concept of self-determination whenever it seems opportune for them.

Therefore, the "unique case" argument with regard to Kosovo has always been unsustainable.³⁵ International laws are forged and altered if there is an agreement between States about them. That is why when a group of states attempted to unilaterally exempt Kosovo from international law by designating it as *sui generis*, it did not have any binding force for those states that refused to see Kosovo as an exemption to international law. As Alexander Orakhelashvili noted, "[i]n political terms, action always provokes reaction and 'sui generis' entities could be

31 See, for example, European Commission (2008), *European Institutions' reactions on Kosovo independence*. Available at: http://europa.eu/rapid/press-release_SPEECH-08-91_en.htm (Accessed: 23 February 2018).

32 Thomas, R. (2007), 'The Case against Kosovo Independence', *Project Syndicate*. Available at: <https://www.project-syndicate.org/commentary/the-case-against-kosovo-independence> (Accessed: 14 June 2017).

33 Garton Ash, T. (2008), 'This dependent independence is the least worst solution for Kosovo', *The Guardian*. Available at: <https://www.theguardian.com/world/2008/feb/21/kosovo> (Accessed: 14 December 2017).

34 B92 (2018), 'Spain says Kosovo can only join EU as region of Serbia'. Available at: https://www.b92.net/eng/news/politics.php?yyyy=2018&mm=02&dd=01&nav_id=103395 (Accessed: 14 March 2018).

35 For a critique of a "sui generis" argument, see, for example, Ker-Lindsay, J. (2011), 'Not such a "sui generis" case after all: assessing the ICJ opinion on Kosovo', *Nationalities Papers*, 39(1), pp. 1–11.

multiplied,”³⁶ which was first demonstrated in South Ossetia and Abkhazia in 2008, and then in Crimea in 2014.

Before holding the illegal referendum to join Russia, the parliament of Crimea declared its independence based on “the charter of the United Nations ... and taking into consideration the confirmation of the status of Kosovo by the United Nations International Court of Justice on July, 22, 2010, which says that unilateral declaration of independence by a part of the country doesn’t violate any international norms.”³⁷

After the Crimean referendum Putin argued in an address to the public that people in Crimea had exercised their right to self-determination and the Kosovo case constituted the appropriate precedent: “the Crimean authorities referred to the well-known Kosovo precedent – a precedent our western colleagues created with their own hands in a very similar situation, when they agreed that the unilateral separation of Kosovo from Serbia, exactly what Crimea is doing now, was legitimate and did not require any permission from the country’s central authorities.”³⁸

Despite the fact that Putin’s claims do not hold up under close scrutiny in legal terms,³⁹ there is an element of truth to them. The Crimea case has shed light on just how detrimental introducing exemptions to already established norms of international law can be. As Marxsen put it, “Norms of international law are strongest and have the utmost prospect of compliance when they are clear and do not leave much leeway for interpretation. A generous attitude towards exemptions to a norm makes it much easier for all parties to argue that a new constellation falls under such an exemption, even if that strains the scope of existing doctrine and practice.”⁴⁰ Therefore, major European powers are partly to blame for the fact that Moscow today is able to further an argument for the Crimean separatism—at least in political terms—even if,

36 Orakhelashvili, A. (2009), ‘The Kosovo UDI between Agreed Law and Subjective Perception: A Response to Hiphold’, *Chinese Journal of International Law*, 8 (2), pp. 285–290, p. 288.

37 RT (2014), ‘Crimea parliament declares independence from Ukraine ahead of referendum’. Available at: <https://www.rt.com/news/crimea-parliament-independence-ukraine-086/> (Accessed: 14 March 2018).

38 Putin, V. (2014), *Address by President of the Russian Federation*. Available at: <http://en.kremlin.ru/events/president/news/20603> (Accessed: 14 January 2018).

39 Marxsen, C. (2014), ‘The Crimea Crisis – An International Law Perspective’, *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht (Heidelberg Journal of International Law)*, 74(2), pp. 367–391.

40 *Ibid.*, pp. 387–388.

legally, those arguments do not hold water.

Although there are no legal similarities, the Kosovo case was also warmly welcomed by the separatist entity in Nagorno-Karabakh, which saw Kosovo's success as a precedent they hoped to emulate. Eduard Sharmazanov, at the time a spokesman for the ruling Republican Party of Armenia, argued that "this is an unprecedented decision that can positively impact international recognition of Karabakh ... Because for the first [time] ever an international court ruled that when it comes to independence, the people's right to self-determination is more important [than the] territorial integrity of states."⁴¹ Although at the time the U.S. State Department reiterated that "Kosovo is not a precedent and should not be seen as a precedent for any other place out there in the world. It certainly isn't a precedent for Nagorno-Karabakh."⁴²

The EU's Position on the Nagorno-Karabakh Conflict

Although the EU has never been at the center of the resolution process in the Nagorno-Karabakh conflict, it nevertheless has had indirect influence over the issue, considering the fact that both Armenia and Azerbaijan are part of the EU's European Neighbourhood Policy (ENP). The EU's official stance towards the conflict has been that it supports the OSCE Minsk Group Co-chairs' efforts to find a peaceful resolution to the conflict.⁴³ In the past, the European Parliament reaffirmed its position that the settlement of the Nagorno-Karabakh conflict should comply with relevant UN Security Council resolutions,⁴⁴ acknowledged that the unresolved Nagorno-Karabakh conflict was hampering the stability of the South

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41 RFERL (2010), 'Armenia Hails Court Ruling On Kosovo Independence'. Available at: https://www.rferl.org/a/Armenia_Hails_Court_Ruling_On_Kosovo_Independence/2109757.html (Accessed: 11 January 2018).

42 Reuters (2008), 'U.S. says Kosovo no precedent for Nagorno-Karabakh'. Available at: <https://www.reuters.com/article/us-armenia-azerbaijan-usa/u-s-says-kosovo-no-precedent-for-nagorno-karabakh-idUSN0561037320080305> (Accessed: 11 January 2018).

43 European Union (2017), *Statement by the European Union at the 1163rd Meeting of the OSCE Permanent Council*. Available at: <https://www.osce.org/permanent-council/356551?download=true> (Accessed: 11 March 2018).

44 European Parliament (2013), *European Parliament resolution of 23 October 2013 on the European Neighbourhood Policy: towards a strengthening of the partnership. Position of the European Parliament on the 2012 reports*. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2013-0446+0+DOC+XML+V0//EN> (Accessed: 21 January 2018).

Caucasus,⁴⁵ reiterated its respect for the principle of territorial integrity,⁴⁶ and called for the withdrawal of Armenian troops from occupied Azerbaijani territories surrounding Nagorno-Karabakh.⁴⁷ At the same time, the EU has been somewhat unwilling to use decisive rhetoric, both regarding Armenian troop withdrawal and the occupation of Nagorno-Karabakh.

In 2006, both Azerbaijan and Armenia signed ENP Action Plans. While Azerbaijan's Action Plan included "the respect of and support for the territorial integrity,"⁴⁸ Armenia's Action Plan incorporated the competing principle of the "self-determination of people"⁴⁹ with regard to the conflict. Self-determination is not just a rhetorical instrument in politics, it has an actual legal meaning. And, accepting the claims to self-determination predominantly advanced by the ethnic Armenian community of Nagorno-Karabakh, which cannot alone represent the Nagorno-Karabakh population as a whole, risks legitimizing the ethnic cleansing of the Azerbaijani population of Nagorno-Karabakh.⁵⁰ For many Azerbaijanis, resentment at what they see as the legitimization of a separatist entity created from ethnic cleansing and systematic violence runs deep. That is why such use of legal rhetoric out of place does not help to resolve the conflict but only prolongs it.

Moreover, the EU's response has been far less consistent in case of Nagorno-Karabakh than in case of Moscow's actions in Georgia and more recently in Ukraine. While the EU adopted a comparatively firm stance against Russia on the issue of Ukraine's right to its territorial integrity, it avoided doing the

45 European Parliament (2012), *European Parliament resolution of 18 April 2012 containing the European Parliament's recommendations to the Council, the Commission and the European External Action Service on the negotiations of the EU-Azerbaijan Association Agreement*. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0127+0+DOC+XML+V0//EN&language=EN> (Accessed: 21 January 2018).

46 Ibid.

47 European Parliament (2012), *European Parliament resolution of 18 April 2012 containing the European Parliament's recommendations to the Council, the Commission and the European External Action Service on the negotiations of the EU-Armenia Association Agreement*. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P7-TA-2012-128> (Accessed: 21 January 2018).

48 European External Action Service (2006), *EU-Azerbaijan Action Plan*. Available at: http://eeas.europa.eu/enp/pdf/pdf/action_plans/azerbaijan_enp_ap_final_en.pdf (Accessed: 19 January 2018).

49 European External Action Service (2006), *EU-Armenia Action Plan*. Available at: http://eeas.europa.eu/enp/pdf/pdf/action_plans/armenia_enp_ap_final_en.pdf (Accessed: 19 January 2018).

50 Popjanevski, J. (2017), 'International Law and the Nagorno-Karabakh Conflict' in Cornell, S. (ed.) *The International Politics of the Armenian-Azerbaijani Conflict*, pp. 23–47.

same with regard to Armenia—and that is despite the fact that Nagorno-Karabakh’s secession was backed up by Armenian and Russian troops in Nagorno-Karabakh and took place against the backdrop of illegal use of force and occupation,⁵¹ which has been unequivocally reaffirmed by the conclusion of the European Court of Human Rights (ECHR) reached in the case of *Chiragov and Others vs. Armenia*.⁵² The Court stated, *inter alia*, that Armenia’s military and political support to the separatist authorities amounted to “effective control” of the region,⁵³ despite Armenia claiming otherwise. The Court noted that “it is hardly conceivable that Nagorno-Karabakh – an entity with a population of less than 150,000 ethnic Armenians – was able, without the substantial military support of Armenia, to set up a defence force in early 1992 that, against the country of Azerbaijan with approximately seven million people, not only established control of the former NKAO but also, before the end of 1993, conquered the whole or major parts of seven surrounding Azerbaijani districts.”⁵⁴ The Court’s ultimate conclusion was thus that “the Republic of Armenia, from the early days of the Nagorno-Karabakh conflict, has had a significant and decisive influence over the ‘NKR’, that the two entities are highly integrated in virtually all important matters and that this situation persists to this day. In other words, the ‘NKR’ and its administration survives by virtue of the military, political, financial and other support given to it by Armenia which, consequently, exercises effective control over Nagorno-Karabakh and the surrounding territories, including the district of Lachin.”⁵⁵

While the EU adopted a comparatively firm stance against Russia on the issue of Ukraine’s right to its territorial integrity, it avoided doing the same with regard to Armenia—and that is despite the fact that Nagorno-Karabakh’s secession was backed up by Armenian and Russian troops in Nagorno-Karabakh and took place against the backdrop of illegal use of force and occupation.

Under international humanitarian law, the notion of effective control lies at the root of the understanding of occupation.⁵⁶ Despite this, over the years, the EU has not only refused to adopt a tougher stance towards Armenia, but its position on the Nagorno-

51 Ibid.

52 European Court of Human Rights (2015, *Case of Chiragov and Others vs. Armenia*. App. no. 13216/05. Available at: <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=001-155353&filename=001-155353.pdf>, (Accessed: 19 January 2018).

53 Ibid.

54 Ibid., para. 174.

55 Ibid., para. 186.

56 Ferraro, T. (2012), ‘Determining the beginning and end of an occupation under international humanitarian law’, *International Review of the Red Cross*, 94 (885), pp. 133–163.

Despite this, over the years, the EU has not only refused to adopt a tougher stance towards Armenia, but its position on the Nagorno-Karabakh conflict has been watered down even further.

Karabakh conflict has been watered down even further. In fact, the ambiguity in the EU's approach to the territorial integrity of the post-Soviet countries—when the same standard with regard to territorial integrity is applied to Georgia, Ukraine, and Moldova, but not to Azerbaijan—was one of the primary reasons why Baku refused to sign the Association Agreement, the main element of the ENP partnership, back in 2013.⁵⁷ Moreover, in the run-up to the 2017 Eastern Partnership summit in Brussels, the European Parliament passed two controversial resolutions with different wording being applied to the conflicts in Ukraine, Georgia, and Moldova, on one hand, and in Azerbaijan, on the other.⁵⁸ That is why one of the main objectives of the Azerbaijani side going to the summit in Brussels was to secure an unambiguous stance from the EU on the settlement of the Nagorno-Karabakh conflict based on the four UNSC resolutions.⁵⁹ In the end, a compromised version of the Brussels Summit final declaration reaffirmed the EU's commitment to support the territorial integrity and sovereignty of its partners and called for the peaceful resolution of conflicts based on the principles and norms of international law, without identifying any conflict in the Eastern Neighbourhood specifically.⁶⁰

When it comes to the Nagorno-Karabakh conflict, what Azerbaijan expects from the EU is “a single, standard approach to all the conflicts in the post-Soviet area,”⁶¹ with the principle of territorial integrity being applied, without exception, to all the conflicts. However, despite Azerbaijan's expectations that this policy will be uniformly applied by the European Union,⁶² that is not the case. In this context, the unequivocal support for Ukraine's

57 Aliyev, I. (2017), 'Ilham Aliyev Attended Panel Discussion at Munich Security Conference'. Available at: <https://en.president.az/articles/22827> (Accessed: 14 March 2018).

58 European Parliament (2017), *European Parliament recommendation of 15 November 2017 to the Council, the Commission and the EEAS on the Eastern Partnership, in the run-up to the November 2017 Summit*. Available at: [http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2017-0440+0+DOC+XML+V0//EN&language=EN2017/2130\(INI\)](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2017-0440+0+DOC+XML+V0//EN&language=EN2017/2130(INI)) (Accessed: 19 January 2018).

59 Trend (2017), 'EU hopes for compromise in adoption of Eastern Partnership Summit's Brussels Declaration'. Available at: <https://en.trend.az/azerbaijan/2813236.html> (Accessed: 12 February 2018).

60 Council of the European Union (2017), *Joint Declaration of the Eastern Partnership Summit*. Available at: <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf> (Accessed: 19 March 2018).

61 Aliyev, *Ilham Aliyev Attended Panel Discussion at Munich Security Conference*.

62 APA (2017), 'Azerbaijan hopes for unified approach to conflicts in Eastern Partnership countries'. Available at: <http://en.apa.az/azerbaijan-politics/foreign-news/azerbaijan-hopes-for-unanimous-approach-to-conflicts-in-eastern-partnership-countries.html> (Accessed: 18 March 2018).

territorial integrity and condemnation of Russia's actions by the EU,⁶³ along with a regime of economic sanctions and restrictive measures against Russia and separatists,⁶⁴ stands in stark contrast to Western rhetoric in relation to the conflict over Nagorno-Karabakh. And that is despite the fact that, at the time, the self-proclaimed Nagorno-Karabakh Republic issued a statement welcoming the results of the Crimean referendum and interpreting it "as yet another manifestation of realization of the right of people to self-determination."⁶⁵ Moreover, during the UN voting in March 2014, Armenia voted down the UN General Assembly resolution supporting Ukraine's territorial integrity and declaring the annexation of Crimea illegal.⁶⁶ At the time, Garen Nazarian, Armenia's ambassador to the UN, framed Armenia's decision to vote against the resolution as promoting "decolonization and self-determination."⁶⁷ Subsequently, in 2015 Armenia refused to sign the Eastern Partnership Riga Declaration over its condemnation of Russia's annexation of Crimea.⁶⁸

Unlike Crimea, no restrictive measures in the form of asset freezes or travel restrictions over actions undermining the territorial integrity and sovereignty of Azerbaijan have ever been applied to Armenia or separatists in Nagorno-Karabakh. While so-called "representatives" of separatist entities in Crimea, Donetsk, Lugansk, Abkhazia, and South Ossetia are explicitly banned from entering the EU, the same restrictions have not been applied to the "officials" from the so-called "Nagorno-Karabakh Republic." Such visits of "officials" from the self-proclaimed NKR have long drawn the ire of the Azerbaijani government,

When it comes to the Nagorno-Karabakh conflict, what Azerbaijan expects from the EU is "a single, standard approach to all the conflicts in the post-Soviet area," with the principle of territorial integrity being applied, without exception, to all the conflicts.

63 Council of the European Union (2018), *Declaration by the High Representative Federica Mogherini on behalf of the EU on the Autonomous Republic of Crimea and the city of Sevastopol*. Available at: <https://www.consilium.europa.eu/en/press/press-releases/2018/03/16/declaration-by-the-high-representative-federica-mogherini-on-behalf-of-the-eu-on-the-autonomous-republic-of-crimea-and-the-city-of-sevastopol/> (Accessed: 19 March 2018).

64 Council of the European Union (2018), *Timeline - EU restrictive measures in response to the crisis in Ukraine*. Available at: <http://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis/history-ukraine-crisis/>, (Accessed: 17 May 2018).

65 Massispost (2014), 'Karabakh: Crimean Referendum Manifestation of People's Right to Self-Determination'. Available at: <https://massispost.com/2014/03/karabakh-crimean-referendum-manifestation-of-peoples-right-to-self-determination/> (Accessed: 28 December 2017).

66 UNGA (2014), *General Assembly Adopts Resolution Calling upon States Not to Recognize Changes in Status of Crimea Region*. Available at: <https://www.un.org/press/en/2014/ga11493.doc.htm> (Accessed: 28 December 2017).

67 Ibid.

68 Azatutyun (2015), 'Armenia to Avoid Anti-Russian Statements at EU Summit'. Available at: <https://www.azatutyun.am/a/27029474.html> (Accessed: 28 December 2017).

which has repeatedly pointed out that the continued practice of engaging representatives of the separatist entities hampers the peace process. This is because recognition is not a binary issue—i.e., a separatist entity is recognized or it is not—but constitutes a broad continuum. The real threat for most states with secessionist regions is not formal recognition but step-by-step acknowledgment by the international community.⁶⁹ Separatist regimes usually know that formal recognition is out of the question so they want to maximize their legitimization in the international system, which allows them to strengthen their position vis-à-vis the parent state. Therefore, engaging separatists outside the peace process validates their actions and prolongs the conflict even further. A lack of consistency in EU external policy with regard to the conflicts in the post-Soviet space, particularly when it comes to the Nagorno-Karabakh conflict and the issue of territorial integrity of Azerbaijan, is not only detrimental to the EU's capacity to present a coherent message, but also undermines the security situation in the region. The separatists see an ambiguity in the EU's position towards the conflict as a precursor to eventual international legitimacy. So, they become convinced that the continuation of the status quo only strengthens their position, which emboldens them to refuse to engage in any serious negotiations or make any meaningful concessions. In the end, such an attitude only aggravates the conflict even further. The EU can help in finding a peaceful and lasting solution to the Nagorno-Karabakh conflict. However, this depends on the willingness of the EU to take a more unwavering position towards separatism and make sure that there is no room for ambiguity.

Conclusion

The EU's divergent stance on territorial integrity and external self-determination emboldens separatist movements both within and around Europe. While the EU has taken a firm stance against Catalan separatism, it has supported Kosovo's independence bid. While supporting the territorial integrity of Ukraine, the EU has taken a much more ambiguous position on the territorial integrity of Azerbaijan and the occupation of Nagorno-Karabakh. This

⁶⁹ Ker-Lindsay, J. (2012), *The Foreign Policy of Counter Secession: Preventing the Recognition of Contested States*. Oxford: Oxford University Press, p. 175.

ambiguity in the EU's position is the reason why the statements by EU officials dismissing the possibility of staying inside the Union after unilateral secession do not discourage European separatist movements from building a narrative around the EU. They are convinced that the EU's stance on secession largely depends on how the issue has been framed in the first place. So, they believe that they can succeed in lobbying their case before the EU institutions. Moreover, the EU's ambiguous stance on the territorial integrity of sovereign states has a negative impact on the resolution of the separatist conflicts as well. Because of the EU's contradictory stance, separatist entities believe that they can ultimately win the support of the EU in getting legitimized and acknowledged, which is vital for their long-term survival. In the end, such a prospect makes them even less willing to compromise with the parent state.

Catalonia serves to reinforce just how dangerous it is to support secession. For separatists, the European Union is a safe haven, and chipping away at this notion of a safe haven would considerably reduce secessionist aspirations. Therefore, the EU should avoid creating the perception that it may have been willing to prop up a secessionist state. Instead, efforts should be made to explain to separatists more widely why their unilateral actions cannot and will not be accepted. The EU should learn to act responsibly and be more aware of the unintended consequences of its actions. Coordination efforts between EU institutions and Member States have to be more streamlined and oriented towards developing a common, unified approach on the issue of separatism. When it comes to the understanding of the right to self-determination, the concept is undoubtedly manifold. Nevertheless, one point needs to be made clear: double standards must be rejected. Consistency is a virtue. Adopting a clear stance on the territorial integrity and separatism would protect the EU from accusations of hypocrisy and prevent would-be separatists from setting up unreasonable expectations. To paraphrase Joseph S. Nye, before taking any actions, regardless whether those actions are internal or external, but especially when they can be perceived as an act of disrespect towards other states' sovereignty and territorial integrity, the EU might want to consider the political version of the ancient motto of medical ethics: *Primum non nocere* (first, do no harm).

BOOK REVIEW: “Eurasia’s Shifting Geopolitical Tectonic Plates: Global Perspective, Local Theaters”

Alexandros Petersen*



This anthology features articles, short studies, and interviews written by Alexandros Petersen (1984–2014) over the span of ten years starting in 2004, and insightfully addresses the implications of the West withdrawing from its engagement with the Caucasus and Central Asia, the expansion of Chinese influence, and Russia’s strategic interests.

Dr. Alexandros Petersen was a scholar of energy geopolitics with a decade’s experience of research across Europe and Eurasia. Until his untimely death in a Kabul restaurant bombing in 2014, Petersen served as Advisor to the European Energy Security Initiative at the Woodrow Wilson International Center for Scholars. He was also a Senior Fellow for Eurasia and Fellow for Transatlantic Energy Security at the Atlantic Council, a Visiting Fellow with the Russia and Eurasia Program at the Center for Strategic and International Studies, and provided research for the National Petroleum Council’s Geopolitics and Policy Task Group. Dr. Petersen regularly provided analysis to publications such as the Economist, New York Times, Wall Street Journal, Foreign Affairs, Foreign Policy, National Interest, and the Atlantic—the most significant of which are included in this collection and constitute a broad and prescient examination of Eurasian geopolitics.

Inspired by the pioneering English geographer Sir Alfred Mackinder’s heartland theory proposed more than a century ago, the main idea promoted in this volume is that, despite all the technological and institutional changes over the decades, the area of the “Eurasian heartland”—comprising Eastern Europe, the Caucasus and Central Asia—still retains its key importance in the geopolitical developments of the world. Through an original and comprehensive analysis, this book seeks to identify major political and economic forces affecting the dynamics of Eurasia in a post-Soviet world and makes a powerful case for the US and its NATO allies to pursue a vigorous strategy to further and protect essential Western values in the region. The author argues for the development of trade and energy links, coupled with the promotion of good governance and the facilitation of policy independence, integration, and Western-orientation among the Eurasian nations. The collection is organized along four main topics: (1) Eurasia and a changing transatlantic world: the world politics of shifting frontiers in the post-Soviet world; (2) energy geopolitics in the Caspian and beyond, with its crucial implications for European

energy security; (3) the Black Sea world, covering the dynamics of Russia, Turkey, and the South Caucasus, including the role of NATO and frozen conflicts in the region; (4) the New Silk Roads: China's inroads in Central Asia, which are often overlooked in the West but will be critical for the geopolitical balance of power.

The first part of the volume begins by mentioning the significance of the so-called “regions in between”: geographical, political, cultural or economic areas that have alternately served as barriers or corridors, or vital buffers between empires, states and spheres, thus becoming the natural battlegrounds for geopolitical maneuvering. In Eurasia, this “in between” area consists of the Baltic states, the Greater Black Sea region, the Caucasus and Central Asia—all regions traditionally positioned along the East–West border. Since the enlargement of NATO and the European Union, the Baltic states and Eastern Europe have gradually changed their status from “in between” to becoming more “inside” regions of the West, shifting the East–West frontier even more towards the Caucasus and Central Asia. This shift of frontiers means increased potential for the West to establish links further afield and these transcontinental bonds of Eurasia can only be realized through increased understanding of and involvement in the regions in between. In order to achieve this objective, the West—i.e., the US and the EU—should abandon its tired Russia-centric approach towards the region, and engage with Eurasian countries themselves, rather than using them as bargaining chips with Russia or other powers.

In his article “Reimagining Eurasia,” co-written with Samuel Sharap and comprising the third chapter of the volume, the author urges US policy in the region to emphasize transparency, while simultaneously rejecting Russian notions of “spheres of influence” and antiquated zero-sum arguments from Eurasian governments. According to Petersen, Washington should be unapologetic about its involvement while also being open to cooperation with Russia on issues of mutual interest, such as the mitigation of transnational threats and Caspian maritime security: “Substantive but pointedly non-confrontational engagement will increase U.S. influence in Eurasian affairs and give Moscow an opportunity to extract itself from the zero-sum trap, while at the same time raising the costs of playing the role of spoiler in the region.” Petersen also mentions Russia's geographic and historical proximity to the region, implying the idea that a head-to-head competition for influence

in the area will inevitably be resulted by Washington's loss. Thus, "the only way for Washington to 'win' is not to play the game."

Instead, the United States should build substantive relationships with the countries of the greater Black Sea region and Central Asia, providing tangible security, diplomatic, and economic benefits for the United States and Eurasian countries, while allowing for more effective support of representative government. The people of Eurasia would also benefit because local elites could stop thinking about their countries as "geopolitical pawns" and instead focus on economic development, institution building, and regional cooperation. The author likewise lays out a warning that a failure to develop new frameworks for U.S. policy in Eurasia will not only preclude substantive engagement with the countries of the region, but also inevitably renew strategic competition with Moscow, once again forcing the United States to focus its policies on countering the Kremlin, "which would likely spell the end of the Obama administration's reset of U.S.-Russian relations."

In this regard, the author also praises the EU's Eastern Partnership initiative and suggests the EU take a step further and steward a formal process of mediation for the frozen conflicts in Eastern Partnership countries, while also engaging with Central Asian states on issues such as containing extremism etc. According to Petersen, the EU can play a unique role in offering a distinctly new model of engagement in the region that will sidestep historical concerns over NATO's military implications and keeps these states within the Western sphere of influence. In order to ensure that the EU's agenda stays focused, the author emphasizes the importance of establishing new energy links and infrastructure investment projects, such as trans-Caspian oil and gas pipelines, to connect resources from Central Asia with the current alternative pipelines from Azerbaijan to the Mediterranean.

Indeed, Part 2 of this volume, titled "Energy Geopolitics: The Caspian and Beyond," is dedicated to the exploration of integration in the energy and transport sectors between the EU and the abovementioned "in between" countries. The role of the South Caucasus is particularly emphasized, which has established itself as a critical corridor for transporting energy from Azerbaijan to Georgia, Turkey, and on to Europe. The new infrastructure projects implemented in this region have created an east-west "Eurasian bridge," in which transnational extra-regional actors

and international financial institutions have played a critical role. The author specifically praises the role of the EU in their assistance in the establishment of the East–West Transport Corridor (EWTC) through mechanisms, such as Interstate Oil and Gas Transport to Europe (INOGATE) and Transport Corridor Europe–Caucasus–Asia (TRACECA), aimed at promoting regional integration and improved governance. Petersen refers to the EWTC as “the primary alternative route available, bereft of Russian influence and along with its attendant aspects, a force for securing the flow of energy supplies.”

Other chapters in Part 2 also draw attention to the roles of countries participating in the EWTC project: Azerbaijan is considered as both a significant oil and gas supplier, and a gateway to vast reserves on the Caspian’s eastern shore and further into Central Asia; Georgia presents not only the sole route through which Azerbaijan can forge ties with the broader West, but also “the needle’s eye through which the countries of the Caspian region and Central Asia can form similar strategically vital links between East and West”; Turkmenistan—the most probable future supplier of this network—holds enormous potential and is expected to be a growing player in the region and globally in terms of natural gas; finally, Turkey, with its multi-vector energy policies and potential, is a major thoroughfare to implement Western-oriented projects such as the Southern Gas Corridor and to connect EU consumers with the suppliers of the Caspian Sea, allowing for supply diversification and less dependence on problematic Russian reserves. All in all, energy and transport infrastructure, referring to the author, will compel the development of Western-oriented policies in the region, “leading to a more secure region in the long term.”

Part 3 of this volume deals with the security dynamics of the Black Sea countries. Drawing attention to the frozen conflicts of the region, Petersen claims that ethnic tensions between the inhabitants of the region were a necessary, but not sufficient, cause for the conflict, and “it was Moscow’s chaotic involvement during a time of unstable transition that caused the outbreak of conflicts in early 1990s.” Specifically concentrating on the Georgia–Abkhazia war, the author asserts that Russia’s one-sided role in ending hostilities in the 1990s meant that the conflict’s causal issues were left frozen, only to be violently thawed fifteen years later. Petersen

then goes on, in the following chapters, to assess the importance of Georgia as a strategic link between Azerbaijan and Turkey and the West, stating that “isolation of Georgia would mean isolation of Azerbaijan,” as most of Azerbaijan’s energy and transportation projects pass through its western neighbor. In other words, it is in Baku’s strategic interest to counter any attempt by foreign powers to isolate Tbilisi, ensuring a friendly, politically stable and economically viable Georgia as its neighbor. In this regard, the author praises Azerbaijan’s measures taken to fulfil Georgia’s energy demands after the war in 2008. Petersen considers the regional grouping between Azerbaijan, Georgia, and Turkey as the basis for the EWTC, which is a small but key piece of an energy and transport network that stretches from Shanghai to London.

In order to protect Western energy interests in the Caspian basin, Petersen recommends, in his article “Black Sea Security: the NATO Imperative,” that NATO develop a real Operational Capabilities Concept to address the crises-related security concerns of the area covering states such as Ukraine, Azerbaijan and Georgia that, together, form a region considered to be a future target for the continued expansion of European and trans-Atlantic institutions and a possible stronghold from which to engage with the Greater Middle East and substantial portions of surrounding regions. This will allow for the expansion of the Partnership for Peace Program to a substantial area of the troubled regions surrounding the Caspian Sea, including the Central Asian countries and Iran. Thus, the author urges establishing a comprehensive program that seriously addresses Black Sea security issues and incorporates the region into the NATO security framework.

Finally, Part 4 focuses on Central Asia, with all its contributions wholly devoted to one particular ongoing trend in the region: China’s rapidly rising influence. In his article, “China’s Inadvertent Empire,” co-written with Raffaello Pantucci, Petersen challenges former president Obama’s 2011 “pivot to Asia” policy of realigning America’s geopolitical posture away from Europe and the Middle East to Asia and the Pacific Rim. While this particular measure is known to be aimed at toughening the geopolitical rivalry with China over East Asian seas, it misses the significance of the vast landmass of Central Asia, where China is consolidating its position into what appears to be an “inadvertent empire.” According to Petersen, for most of its unified history, China has been an economically

focused land power. In geopolitical terms today, China's rise is manifest particularly on land in Eurasia, far from the might of the U.S. Pacific Fleet and Washington's Rimland allies—and far also from the influence of other Asian powers, such as India. Therefore, while the West is focused on constraining China's actions in the Asia-Pacific, Beijing is capitalizing on the vast space for influence to its west, in Central Asia. The resulting shift in the region's energy geopolitics reflects China's rise. "Thus, Western policy makers should be dusting off the old works of Sir Halford Mackinder, who argued that Central Asia is the most pivotal geographic zone on the planet, rather than those of Alfred Thayer Mahan, the great U.S. strategist of sea power. Greater attention needs to be paid to China's growing presence in Central Asia if the United States is to understand properly China's geopolitical and strategic rise."

China, according to the author, poses a threat not only to U.S. strategic interests, but also to Russia's legacy in the region. While price negotiations with Moscow slogged on over the years, the China National Petroleum Corp. (CNPC) cobbled together and upgraded largely existing transportation infrastructure to create the China–Central Asia gas pipeline. With its significant investments in various exploration and development projects, and construction of large-scale pipeline projects for the transport of Central Asian oil and gas eastwards, China is expanding its energy infrastructure westwards, while Russia continues to lose influence in the region, as it will have to compete for Central Asian resources that it once took for granted. Thus, according to Petersen, Russia is far more concerned by growing Chinese influence in its backyard than anything the West is throwing its way. The Shanghai Cooperation Organization, in turn, has steadily developed into an increasingly important actor that has become a vehicle for China's push to develop Central Asia. In wake of these developments, Petersen even goes on to argue that the establishment of the Eurasian Union is aimed at stemming the tide of increasing Chinese omnipotence in Russia's backyard.

From the perspective of the Central Asian countries, China's growing involvement has many benefits. It provides much-needed investment capital and it helps these countries to break their dependency on Russia. With the recent memory of Soviet Russia monopolizing the exploitation of their resources, both Kazakhstan and Turkmenistan have adopted a multi-vector approach in their

energy strategies. In its most basic sense, this means that the vast oil fields of Kazakhstan and gas fields of Turkmenistan are open to competition. In many markets such an approach would promote efficiency and diversity. However, if Chinese influence becomes dominant, the benefits of such competition would be lost, particularly given China's preference for government-to-government deals and its apparent lack of interest in good governance. Although China's approach to Central Asia is very different from Russia's post-Soviet quest for continued influence, there are signs that China could become the region's new hegemon. Consequently, Petersen recommends the EU to become the balancing actor in the region and to play a more significant part in the energy geopolitics of Central Asia. The EU should continue its efforts to establish a southern corridor that will make it possible to ship Caspian and Central Asian gas directly into the EU. In particular, according to Petersen, the EU could help to resolve the trans-Caspian issue by backing the Commission's mandate to help broker a deal on the Serdar/Kyapaz dispute and on a trans-Caspian link between Turkmenistan and Azerbaijan.

All in all, Petersen's book re-establishes fundamental Western strategy objectives, analyzing the state of and potential for Western engagement with major geopolitical players of Eurasia and setting out what is at stake for the West in the Eurasian theater. Although some ideas of the author are fairly outdated for objective reasons, Petersen's major arguments throughout the volume are even more relevant today in their prescient analysis. Petersen understood the good things that could result when Western institutions are constructively engaged in the world, especially in seemingly distant lands with geopolitical significance. He brought passion and keen insight to issues that demand far more attention from Western policymakers, and this volume is a fitting tribute to him, his scholarship, and his ideas.

Reviewed by **Polad MURADLI**

CAUCASUS UNDER REVIEW

RECENTLY PUBLISHED BOOKS

While the Caucasus is a region of enormous diversity and potential, it is also a region about which relatively little is known. However, during the last decade, numerous publications on the region have expanded both regional and international understanding of this diversity and potential. This overview of recent publications provides an up-to-date reading list for anyone interested in the region. This issue presents recently published books which delve into a range of issues, from the Cold War to new geopolitics; Russian geopolitics to the Sasanian Empire; the Cultural Revolution to new media; from Azerbaijan's foreign policy and the EU's role in the Nagorno-Karabakh conflict to East-West transportation corridor.



CAUCASUS UNDER REVIEW RECENTLY PUBLISHED BOOKS

The book *Gender in Georgia: Feminist perspectives on culture, nation and history in South Caucasus* is edited by **Maia Barkaia**, an international PhD in gender studies from Tbilisi State University, and **Alisse Waterston**, Presidential Scholar and Professor of Anthropology at John Jay College, City University of New York. At its core, the volume provides the first ever woman-centered collection of research and analysis on Georgia. It brings together a group of Georgian and international feminist scholars and activists to explore the political, economic, social, and cultural conditions that have shaped gender dynamics in Georgia from the late nineteenth century to the present. Offering a feminist critique of power in its many manifestations, this book assesses women's political agency in Georgia and reclaims a history that is in the process of being written. The project enables the volume's contributors to deconstruct and challenge the grand narratives on gender in Georgia that have been—or continue to be—nurtured by proponents of deeply entrenched, sometimes unyielding, ideologies. Altogether, this collaborative endeavor is a project of knowledge production and dissemination that affirms the value of gender studies as a significant area of engaged scholarship. It also provides information on and insight into the instrumentality and complexity of gender roles in a nation that, historically, has been embedded in “East–West,” “metropole–periphery” and “Soviet–post-Soviet” tensions.

The book *Tug of War: Negotiating Security in Eurasia* is issued by the Centre for International Governance Innovation (CIGI), and jointly edited by Mikhail Troitskiy (dean of the School of Government and International Affairs at Moscow State Institute of International Affairs) and Fen Osler Hampson (director of CIGI's Global Security & Politics Program). The volume brings together conflict and security experts from Russia, Eurasia, and the West to tackle the overarching question: How useful has the process of negotiation been in resolving or mitigating different conflicts and coordination problems in Eurasia, compared to attempts at exploiting or achieving a decisive advantage over one's opponents? Eurasia, in the book, is understood as the vast geographic space stretching from the western borders of the former Soviet Union to

East Asia and encompassing the sub-regions of Eastern Europe, South Caucasus, as well as Central, South, and North-East Asia. Rather than focusing on one conflict in isolation, *Tug of War* zooms out to look to the entire political web of the whole region in a way that no other book covering this topic has done before. The 238-page volume also includes a chapter on “Negotiating Conflicts in the South Caucasus” by Jason Bruder and Shannon Burke Bruder that addresses the “intractable conflict over contested territories in Nagorno Karabakh.”

The book *Religion and Soft Power in the South Caucasus* is edited by **Ansgar Jödicke**, senior lecturer in the Department of Social Sciences, University of Fribourg, Switzerland. By exploring the role of religion in transnational relations between Georgia, Armenia, Azerbaijan, and their surrounding neighbors Russia, Turkey, Iran, and the EU, this volume describes and helps explain how transnational religious relationships intermingle with transnational political relationships in the South Caucasus. The concept of soft power is the heuristic starting point of this important investigation to define the importance of religion in the region. Drawing on a three-year project supported by the Swiss National Science Foundation, the book brings together academics from the South Caucasus and across Europe to offer original empirical research and contributions from experienced researchers from political science, history, and oriental studies. This volume helps us understand the vastly different political trajectories taken by the three South Caucasian states since independence. Written with theoretical sophistication, it adds important insights into how soft power is conceived and used by the South Caucasian governments, by their regional neighbors, and by the religious organizations themselves.

While talking about the role of religion in the South Caucasus, **Bayram Balci’s** book *Islam in Central Asia and the Caucasus since the Fall of the Soviet Union* also deserves special attention. With the end of the Soviet Union in 1991, a major turning point for all former Soviet republics, Central Asian and Caucasian countries began to reflect on their histories and identities. As a consequence of their opening up to the global exchange of ideas, various strains of Islam and trends in Islamic thought have nourished the Islamic revival that had already started in the

context of *glasnost* and *perestroika*. These influences originate from Turkey, Iran, the Arabian Peninsula, and the Indian subcontinent—the four regions with strong ties to Central Asian and Caucasian Islam in the years before Soviet occupation. Bayram Balci seeks to analyze how these new Islamic influences have reached local societies and how they have interacted with pre-existing religious belief and practice. Combining exceptional erudition with rare first-hand research, Balci's book provides a sophisticated account of both the internal dynamics and external influences in the evolution of Islam in the region.

Mehran Kamrava's book, *The Great Game in West Asia*, examines the strategic competition between Turkey and Iran for power and influence in the South Caucasus. Contemporary West Asia is typically portrayed as a region of fragility, plagued by lingering interstate conflict, ridden with the fallout from unresolved territorial disputes, and unsettled by the persistence of ethnic and religious identities that do not easily align with the creation of strong nation-states. As middle powers with regional aspirations, Iran and Turkey see the South Caucasus region as an ideal arena for expanding their reach and influence. As post-sanctions Iran finds greater space for diplomacy and trade, the ensuing competition between the two neighboring countries is likely to intensify in the coming years. Kamrava has put together an outstanding group of scholars to explain the key drivers shaping this strategically sensitive region. The 11 short articles in this volume explore topics such as: the competing interests between Azerbaijan, Iran, Turkey, and other actors in the South Caucasus region; the exercising of soft power by Turkey and Russia in the area; and the state-building struggles of Armenia, Georgia, and Azerbaijan following the collapse of the Soviet Union. Overall, the book can be considered as a highly insightful account of important trends that are impacting West Asia.

Licinia Simão, assistant professor in International Relations at the University of Coimbra and senior researcher at the Centre for Social Studies in Portugal, argues, in her book *The EU's Neighborhood Policy Towards the South Caucasus*, that the nature of the political and security community the EU wants to develop in its eastern neighborhood has profound internal contradictions, with identity issues resting at their core. Using

a constructivist-inspired take, this book first considers how the EU has expanded its security community and then updates it to the European Neighbourhood Policy (ENP) institutional context, where integration is either not offered or not desired. Empirically rich and conceptually refreshing, it sheds light on the differing geostrategic aspirations of Armenia, Azerbaijan, and Georgia, and corresponding conflict dynamics in a highly volatile region. By addressing the interaction and power of competing regional ordering mechanisms, and by systematically identifying contradictions in the ENP's conceptualization of regional security, it demonstrates lucidly the difficulties the EU faces in its ambition to expand notions of a European security community beyond its borders. The book will appeal to both scholars and practitioners interested in European security, European Union external action, and the post-Soviet space.

In his new book *The Experiment: Georgia's Forgotten Revolution, 1918-1921*, the journalist and historian Eric Lee does two things. First, he tells the little-known and complicated story of the Georgian Revolution and the short-lived first independent Georgian Republic that it created. Second, Lee uses the Georgian experience of those years to argue for the superiority of its Menshevik Social Democratic government over the Bolshevik or, later, Communist government of Soviet Russia. Lee argues that the Georgian Menshevik government was more democratic and therefore more genuinely socialist than the Communist government of Russia. Along the way, Lee introduces us to a remarkable set of ideas and policies, among them a vision of socialism that featured universal suffrage, a people's militia in place of a standing army, and a civil society grounded in trade unions and cooperatives. Though the Georgian Democratic Republic lasted for just three years before it was brutally crushed on the orders of Stalin, in that short time it was able to offer a glimpse of a more humane alternative to the Communist nightmare that was to come. *The Experiment* is the first authoritative English-language history of this forgotten episode of yesterday and it will appeal to those interested in Soviet history as well as those seeking inspiration for a democratic socialist alternative today.

The book *Azerbaijan–Iran Cooperation: Main Directions and*

Opportunities published by the Center for Strategic Studies under the President of the Republic of Azerbaijan (SAM) and edited by **Javid Veliyev** and **Mesiagha Mehemmedi** covers the articles authored by SAM's research fellows on the main directions and potential of Azerbaijan–Iran cooperation. This highly effective book on bilateral relations provides cutting-edge knowledge on the current status of and prospects for mutual political relations and Azerbaijan–Iran cooperation in the contexts of regional security and trilateral (multidimensional) formats. The newly-published book also examines the current state of relations and perspectives in the fields of economy/trade, transport, transit, energy, culture, and tourism, as well as partnership directions in the Caspian Sea.

The product of a joint research project conducted by the Institute for International Political Studies (ISPI) and the Center for Strategic Studies under the President of the Republic of Azerbaijan (SAM), the volume *Cooperation in Eurasia: Linking Identity, Security, and Development* edited by **Carlo Frappi** and **Gulshan Pashayeva** aims to shed light on the drivers for and rationale behind regional cooperation in Eurasia. In particular, it investigates and ponders the significance of identity issues, security perceptions, and economic development needs for interstate cooperation in the Eurasian context, in the process taking into account both supra-national frameworks and regional scenarios. Accordingly, the book is divided into two parts, focusing, respectively, on “Cooperation and Competition at Multilateral Level” and on “Regional Case Studies.”

Gender in Georgia: Feminist Perspectives on Culture, Nation and History in South Caucasus

Edited by Maia Barkaia and Alisse Waterston

There are few scholarly works published in gender studies from post-Soviet countries, particularly those in Central Asia and the South Caucasus. This volume helps fill that gap, offering voices from feminist academics and activists, the majority of whom are Georgian scholars specializing in gender studies who helped establish the discipline at Tbilisi State University. Their chapters are complemented by contributions from international feminist scholars who have worked in Georgia.

As a post-Soviet state, Georgia's struggles are in some ways emblematic of those of other post-Soviet states and knowing how gender fits into the country's turbulent history and how gender is performed, reinforced, and interpreted has broad implications for understanding larger regional processes and dynamics. The country, according to the book, is at a critical juncture, still in the process of reinventing itself as a nation-state in what is a long post-Soviet "transition," and the ongoing transformation is "gendered." This volume treats gender as social construct, personal and social experience, political focal point, and analytic category in relation to the social forces of class, religion, and local and global political economy. "Gender," broadly speaking, is the lightning rod issue in Georgia around which controversy swirls and contradictions are revealed, and contemporary debates on women's rights, gender relations, and sexuality must be understood in terms of contingent history—a past that is worth recounting because it informs the present.

The book consists of three major parts. While part I on "Power and Politics" provides an important historical perspective and theoretical grounding essential for the issues raised throughout the volume by tracing developments relevant to women's rights and gender relations in Georgia between the second half of the nineteenth century and the present, the second part on "Violence" concentrates on the social problem of domestic violence and the violence of displacement, dispossession, and war. The five chapters of Part III, on "Identities, Representations and Resistance," in turn, attempt to question "tradition" from a number of vantage points. Taken as a whole, this work

demonstrates the value of foregrounding gender in this way in order to gain a deeper understanding of the dynamics of Georgian culture, nation, and history.

Tug of War: Negotiating Security in Eurasia

Edited by Mikhail Troitskiy and Fen Osler Hampson

Conflicts in Eurasia have been receiving significant attention in the last few years from political scientists and international relations scholars. The geographic area of Eurasia lies at the intersection of global and regional conflicts and coordination games. On the one hand, regional controversies in Eurasia often affect relations among the great powers on a global scale. On the other hand, global rivalries can either exacerbate tensions or facilitate negotiated solutions across Eurasia, mostly as a result of competitive behavior among major powers in conflict mediation. Few scholars have focused on the negotiation process or brought together the whole variety of seemingly disparate yet comparable cases. This volume, edited by two global security experts—one from Canada and one from Russia—examines negotiations that continue after the “hot phase” of a conflict has ended and the focus becomes the search for a lasting security solution.

“Negotiating security” is conceptually broader than the meaning of negotiations aimed at resolving a “hot” conflict where (as illustrated in the second part of the book through examples spanning from Moldova, to Ukraine, to the South Caucasus) violence is widespread and there is major loss of life. Indeed, the first part of the volume also examines interstate negotiations in less antagonistic settings where longer-term issues of political and economic engagement, as opposed to negotiating ceasefires or redrawing state boundaries, are discussed. The last part of the contributions, meanwhile, deals with another class of negotiations that can be characterized as preventive diplomacy or conflict management. This is where a conflict that is not “hot” nonetheless features simmering controversies over borders (none of the Central Asian countries have fully demarcated their borders), arms races, territorial expansion, or even trade disputes that reverberate throughout the region. Overall, *Tug of War* offers a timely, coherent set of dispassionate, well-informed essays that

together shed valuable light on the complex circumstances, track record, and prospects of negotiated solutions—and the many deep pitfalls in their paths.

Religion and Soft Power in the South Caucasus

Edited by Ansgar Jödicke

Representing the end result of a three-year research project financed by the Swiss National Foundation, this collection proposes a fresh perspective, using the South Caucasus as a rich deposit of case studies, on the very popular issue of soft power from the unusual angle of religion. It comprises original empirical research by younger scholars as well as contributions from experienced researchers from political science, history, and oriental studies. The researchers come from the Caucasus region as well as from Estonia.

There is growing international interest in the Caucasus region as an area where powerful neighboring states (Iran, Turkey, Russia) negotiate their future policies and spheres of influence, and this book continues and modifies the ongoing theoretical discussion on “soft power and religion” by scrutinizing the use of religion as a soft power instrument of states. The volume also outlines how, despite close geographical interlacement, common historical memories, and similar inherited structures, the three countries of the South Caucasus have gone through different trajectories of development and how, from the comparative perspective, factors such as religion, historical traditions, national consciousness, and political culture have interacted throughout this process.

While enough has been written on Iranian soft power in Iraq and elsewhere, not much has been written on Tehran’s soft power in the South Caucasus states, and this book makes a significant contribution by filling this academic gap. Special attention is drawn to the question of religious transnationalism, which is analyzed from two perspectives: religious transnationalism as, first, a direct geopolitical factor and, second, as a politically ambivalent element of religious ideology. The first of these, religiously based geopolitics, is considered as a state policy with the intention to influence a neighboring state’s population. The second form of transnationalism, as an element of religious

ideology, is a typical element in many religious traditions, and this transnational reference does not necessarily compete with national integration. While the first form of transnationalism entails a national security problem, the second form demands an adequate domestic religious policy. Taken as a whole, this is an intelligent book written by scholars who understand the complexities of the South Caucasus and an important contribution to the field, helping to explain why religion remains such a vital part of modern political life.

Islam in Central Asia and the Caucasus since the Fall of the Soviet Union

By Bayram Balci

Subject to the gaze of Moscow and the close control of the religious sphere throughout the Soviet period, Central Asian and Caucasian societies have long lived in isolation from the rest of the Muslim world. The end of the USSR, in 1991, came to break this confinement. It coincided with the introduction of the new states of Central Asia and the Caucasus to the phenomenon of religious globalization. The long-term study of Central Asian and Caucasian Islam, as well as the influence of Turkey, Iran, India, and Saudi Arabia on religious phenomena in this region, is the ambition of this rich study that applies historical method in connection to the most pressing contemporary issues of our globalized world.

Such religious revivals are analyzed in terms of their main components and their local sources, but in the light of external influences and multiform interactions that link the two phenomena. The author touches upon a vast array of issues, ranging from increasing Salafi tendencies among Georgia's Kist population, to the Indian subcontinent's often overlooked contribution to the Islamic revival through the work of the Jamaat al Tabligh, the most transnational Islamic movement in the world, before ultimately providing crucial analytical conclusions. For instance, raising the issue of Turkish influence in the region, Balci asserts that Turkey's greatest influence among the Turkic populations of the post-Soviet world derives not from their common ethno-linguistic roots, but from the success of Turkey's religious outreach. The contributions of

other conventional external religious players such as Iran and Saudi Arabia to the religious evolution of local societies are also appropriately addressed in this volume.

These are topics tackled by Bayram Balci, a researcher at CERI Sciences Po, Paris, and a visiting scholar at the Carnegie Endowment for International Peace in Washington, DC, throughout this vast overview. At a time when Islam, more divided than ever, provokes controversy and misunderstanding, Bayram Balci invites us to reconsider the influence of this religion by studying its recent development in the confines of Central Asia and the Caucasus. This is a major publication at the crossroads of history, anthropology, and political science.

The Great Game in West Asia

Edited by Mehran Kamrava

Within the context of the competition between Russia and the West currently occurring in Ukraine, the three countries of the South Caucasus—Georgia, Azerbaijan and Armenia—suddenly matter a great deal to a variety of external actors, both in the neighborhood and farther afield. Bordering Turkey, south of Russia, and north of Iran, the South Caucasus has historically served as a locus of great power competition and, in the current climate of regional and international affairs, its geostrategic relevance has been reinvigorated. In addition, the region is receiving extensive external attention due to its access to energy resources, and particularly to its crucial role in existing and planned pipelines that provide gas to Europe and elsewhere. Thus, the regional rivalry between Iran and Turkey, reinvigorated since the mid-1990s, makes a useful lens through which to examine the diverse trajectories of Armenia, Azerbaijan, and Georgia. In this regard, Mehran Kamrava, a professor and Director of the Center for International and Regional Studies (CIRS) at Georgetown University's School of Foreign Service in Qatar, has edited a set of illuminating and highly innovative essays on a topic that has received scant academic attention.

Different chapters of the book elaborate on two major factors that created opportunities for Iran and Turkey to compete for influence in the South Caucasus. Firstly, absence of a unified

strategic vision for the region from great powers such as the USA, European Union, and, by the mid-1990s, Russia, created a somewhat permissive regional context—a space that enabled Iran and Turkey to actively court the emerging republics to align with them and to try to expand the different dimensions of their influence over the newly-independent states. Another factor was the predicament of the three young republics themselves. As brand new states, the South Caucasus republics had to constitute themselves from scratch. They had to create institutions of governance and instruments of power, forge national identities that sustained and reinforced their sovereignty and independence, establish economies that were networked internally and functioned without dependence on what were now other sovereign states, and they had to navigate their international relations in the ominous shadows of both a giant former overlord and smaller, but no less ambitious, middle powers nearby. This research initiative, launched by CIRS, delivers an outstanding compendium that provides further insight into those complex relationships and connections between the aforementioned states of West Asia in geographical, political, and socio-cultural terms.

The EU's Neighborhood Policy Towards the South Caucasus

By Licinia Simão

This book offers a comprehensive and insightful historical analysis of the EU's security policies towards the three countries of the South Caucasus—Armenia, Georgia, and Azerbaijan—and the breakaway territories of Nagorno-Karabakh, Abkhazia, and South Ossetia. Licinia Simão builds here upon the concept of an enlargement of the security community to explore why, how, and with what degree of success the EU has engaged and developed positive forms of integration with this region. The “security community expansion” concept does not appear in any of the EU's policy documents on the South Caucasus, but it does help give us a better understanding of its policies—in particular the European Neighbourhood Policy (ENP). Simão's research is inspired by the constructivist tradition, and she therefore looks at the roles of ideas, norms, and practices in shaping policies and identities.

Combining scholarly and practitioner insights with a host of interviews, conducted during her extensive stays in all three states of the South Caucasus and in Brussels, with the representatives of all the actors that have been involved in the formulation of the ENP, Simão captures with precision the unfolding contradictions between the European Union's vision of itself as a security community and its uncertain fit with South Caucasian security concerns. In order to understand these different security concerns, this book looks in more detail at the security challenges of the South Caucasus, separately analyzing each of the regional states and also covering the secessionist or irredentist conflicts they are involved in. Simão points out how, for all three countries, the policy instruments put in place by the EU are too weak to overcome manifestations of regional divisions such as open confrontation, closed borders, and the lack of infrastructural projects that bedevil all the countries in the region.

According to the author, rather than regarding neighboring societies and their “flawed” political and economic systems as a threat to Europe, the members of the European security community need to become more responsive to the security challenges these societies face, as these also affect the EU and its members. This could certainly go a long way towards portraying the European security community as genuinely interested in its partners in the post-Soviet space, as well as helping to make EU and other Pan-European institutions' policies more effective in assuring regional security and peace. All in all, Licinia Simão's book offers a welcome and timely contribution to our understanding of the European Neighbourhood Policy towards the South Caucasus.

The Experiment: Georgia's Forgotten Revolution, 1918-1921

By Eric Lee

For many, the Russian Revolution of 1917 was a symbol of hope and offered proof that another way of envisioning the world was indeed possible. But Soviet authoritarianism and the horrors of the gulags have since led to the revolution becoming synonymous with oppression, forever tainting socialism in the eyes of its critics. Meanwhile, the often overlooked experience of Georgia,

which declared its independence from Russia in 1918, tells a different story. In *The Experiment*, Eric Lee explores the little-known saga of the country's experiment in democratic socialism, detailing the epic, turbulent events of this forgotten chapter in revolutionary history. Though the Georgian Democratic Republic lasted for just three years before it was brutally crushed on the orders of Stalin, the author emphasizes that even in that short time it was able to offer a glimpse of a more humane alternative to the Communist nightmare that was to come.

Eric Lee is a London-based journalist and historian who has spent over thirty years researching independent Georgia, and has himself been active in trade union and political struggles in both the U.S. and UK. Thus, he does not shy away from painting a sympathetic portrait of Georgia's experiment with democratic socialism. Lee states that the Georgian Mensheviks led by Noe Zhordania were both Marxists and democrats. They created a multi-party, pluralist democracy with free elections—including women's suffrage—while at the same time carrying out radical land reform, strengthening the cooperative movement, and encouraging the growth of independent trade unions with the right to strike. The Georgian Republic, according to the author, had universal significance and, as the world marks the centenary of the Russian Revolution, this is a good time to bring this almost unknown story out of the shadows, giving it its proper place in the historiography of socialism. By placing the Georgian experiment in its historical and international context—on the eve of Georgia's celebration of the 100th anniversary of their declaration of independence—this book gives us important insights into the nature of nation building, socialism, Stalinism, and even contemporary Russia.

Azerbaijan–Iran Cooperation: Main Directions and Opportunities

Edited by Javid Veliyev and Mesiagha Mehemmedi

Azerbaijani–Iranian economic and trade relations have followed a growth trend over the past four years. Trade turnover has increased tremendously between the two neighboring countries, and the volume of reciprocal investments and the number of joint production facilities have apparently also increased. Meanwhile,

the expanded level of partnership in the transport and transit sectors has yielded positive outcomes, and further construction of the North–South transport corridor will raise not only mutual ties per se; the project will completely shift regional cooperation to a new level.

Over the years, a wide spectrum of favorable opportunities have been realized to enable the execution of joint activities in the disputed Caspian Sea, and significant progress has been made in transforming the Caspian Sea into a zone of peace, cooperation, and security. A great number of positive opportunities have also materialized for further expansion of cooperation in oil and gas, and the energy sector generally.

Besides the remarkable nuances, broadening cultural and humanitarian ties are also playing a vital role in the growth of Azerbaijan–Iran interstate relations, and this pattern of achievements is advancing every year. Moreover, progressive tourism relations are interpreted as a promising factor in Azerbaijan–Iran collaboration. The release of this book not only thoroughly covers these topics, but also provides suggestions and recommendations for further cooperation between the two countries.

Cooperation in Eurasia: Linking Identity, Security, and Development

Edited by Carlo Frappi and Gulshan Pashayeva

Since the end of the Cold War, the international system has gone through major changes, marked by increasing fragmentation into highly differentiated—yet interconnected—regional and sub-regional arenas. However, neither the protagonists of “the end of the history,” nor those insisting on the preservation of stark power dynamics during the post-Cold War period, have managed to provide a viable explanation for this path of development. This volume, in response, delves into investigating the drivers and the rationale behind regional cooperation in Eurasia. It aims in particular at analyzing the nexus between identity, security, and development in the post-bipolar Eurasian landmass, focusing on multilateral organizations and regional complexes. Accordingly, the book has been divided into two parts, focusing respectively

on “Cooperation and Competition at the Multilateral Level” and on “Regional Case Studies.”

While assessing the role of ideational factors such as identities and values in achieving either cooperation or competition in international politics, this work also focuses on more traditional economic and security issues, for example, trade, infrastructure, border protection, and ethno-territorial conflicts, and elaborates on their particular contribution towards the actors’ behavior and overall political culture. The six chapters presented in this volume offer a wide and in-depth look at the security and development dynamics in the wider Eurasian region through the lenses provided by identity and Regional Security Complexes. These distinctive dynamics, in turn, do not appear isolated and are better understood as part of a wider change in the international system, which seems to have shifted its direction from the globalized liberal order towards one emphasizing the relative importance of regional context(s) at the normative level. All in all, this volume aims to contribute to the debate concerning regionalization and area studies, while providing political and economic national decision makers with insights and inputs on the evolving dynamics shaping the Eurasian region.

Reviewed by **Polad MURADLI**

Notes for Contributors

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Articles should be original and in English, between 3,000–5,000 words and should include a 200-word abstract, as well as the full title and affiliation of the author. Please check with the editor should you wish to extend beyond the suggested length or would like to submit a shorter contribution. All notes should appear as footnotes and provide full citations. References should include the full name of the author, title of the work and publication date. Please send manuscripts to editor@cijournal.az. Manuscripts submitted to Caucasus International should be original and not under consideration by another publication at the time of submission.

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