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TO THE AUTHORS OF ARJPS

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Address: Yerevan, Toumanyanev 42, YSULS, Room 202
Tel: 530272-208
E-mail: t.tigran@yahoo.com
www.arjps.org

POST-SOVIET TRANSFORMATION**Development Paradigm for the Post-Communist Countries in
Higher Education and Political Science***

TIGRAN TOROSYAN

Brusov State University of Languages and Social Sciences, Armenia

ARAX VARDANYAN

*Center of Perspective Researches and Initiatives, Brusov State University of
Languages and Social Sciences, Armenia*

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The article explores the development of political science and higher education in Post-Communist countries. Comparative analysis of the conditions necessary for the creation of contemporary research universities, as well as the human and financial resources of these countries shows that in Post-Communist countries it is almost impossible to form such universities especially in the social sciences. However, the implementation of the paradigm, suggested in the article, will provide an opportunity to overcome the complicated situation, conditioned by scarce human and financial resources.

Keywords

Post-Communist Countries, democratisation, political science, higher education, paradigm.

After the collapse of the USSR, assessments regarding the development of post-Soviet countries during the early of 1990's of the former century were highly optimistic. They were viewed within the framework of the third wave of democratisation and it was assumed that democratic regimes would be established in all post-Communist countries¹. However, further developments demonstrated the existence of an

*This is the revised and expanded text of a paper given on 28 June 2014 at the international conference 'Education Without Discrimination: Bologna Context' in Stepanakert, Nagorno-Karabakh Republic.

¹ **Huntington S.** The Third Wave: Democratization in the Late Twentieth Century. Norman and London, University of Oklahoma Press. 1991.

unprecedented and an extremely complicated process resultant from all systems (political, economic, scientific, educational, social, etc.) being destroyed. Those countries appeared in a systemic crisis, and a system transformation of social relations was required.² The problem was further complicated by the circumstance that the values, knowledge and experience that were in the basis of the previous systems had become useless. Since the Communist ideology rejected pluralism, post-Communist societies did not have the knowledge and experience necessary for the formation of new systems and had to form systems quite unfamiliar to them. Therefore, the successful realisation of post-Communist transformation required efficient combination of two processes: formation of new systems and appropriation of new knowledge. Obviously, during the solution of such a complex task, the system of education and science receive a system-building mission. Not only does the quality of science and education but also the efficiency of processes taking place in other spheres depend on the outcome of the ongoing reforms in this system, because professionals – based on whose knowledge and skills reforms in other areas are developed and applied – are to be raised in the scientific-educational field. Therefore, the most challenging problem referred to the interrelated spheres of science and higher education. It had a two-fold essence. First, structural transformation of these spheres was required, making them compatible to Western institutions and processes because in the USSR, scientific and educational systems principally differed from the Western systems. This means that while the spheres of exact sciences were able to be confined to structural and procedural transformation, the sphere of social sciences also required content transformation because in Soviet years, for ideological reasons, representatives of those spheres did not have access to the Western systems, theories and studies. Therefore, the problems existing in the spheres of education and social sciences not only hinder the development of those spheres but also seriously complicate the solution to problems in other spheres. A closed vicious circle has emerged. The extreme shortage of professionals in the sphere of social sciences in post-Communist countries (along with a few other factors, which will be expressed below) does not afford an opportunity to ensure high-quality higher education in that sphere, which in its turn, does not give a chance of preparing highly qualified

² **Torosyan T.**, *Post-Soviet Transformation of Social System*, Yerevan, 'Tigran Mets' Publishing Hous, 2006. (in Armenian)

specialists of the required number to ensure the development of both social sciences (in particular, political science) and the country. At the same time, the flawed economic situation in those countries, and, consequent financial restraint, do not afford opportunity to involve highly qualified foreign professionals of the required number. When solving such complex issues, the cooperation and integration with the societies and institutions that have the necessary experience and knowledge gain exceptional importance.³ In this regard, the integration in the European Higher Education Area and the participation in the Bologna Process are of key importance for post-Communist countries.

Bologna Process as an External Dimension of Higher Education Systems Reforms in Post-Comunist Countries

Although, the Bologna Process was founded for increasing the efficiency of the European higher education area – which has proven its viability – and in order to face the challenges under the conditions of globalisation, the process also creates ample opportunities for countries that face challenges stemming from post-Communist transformation. It is no coincidence that, when adopting the Bologna Declaration, the founders stated that “the importance of education and educational cooperation in the development and strengthening of stable, peaceful and democratic societies is universally acknowledged as paramount, the more so in view of the situation in South East Europe”⁴. There is a group among those countries, where the aforementioned highly complex process was accompanied by conflicts, and often – by armed clashes, in which conditions the establishment and the development of limited opportunities were even more confined by almost insurmountable difficulties of international cooperation. Meanwhile, according to the Geneva Declaration of International Conference on Education (1994), “solidarity, civic responsibility, the formation of values and skills to resolve conflicts through non-violent means

³ **Torosyan T., Sukiasyan H.**, Three Stages, Three Groups and Tree Paradigms of Post-Soviet Transformation, *Armenian Journal of Political Science*, 1, 2014, pp. 51-62.

⁴ The Bologna Declaration of 19 June 1999, Joint declaration of the European Ministers of Education, Available at http://www.ehea.info/Uploads/Declarations/BOLOGNA_Declaration1.pdf , (14.04.2014)

should shape the content of education. Moreover, great attention should be paid to the maintenance of peace between peoples, the settlement of various conflicts, the abolition of their causes and consequences”.⁵ Therefore, the efficiency of post-Communist transformation in post-conflict countries not only conditions the statehood, but also plays an important role in process of conflict resolution. In the sphere of higher education in those countries, both institutional and substantive reforms should be carried out simultaneously. Modern approaches and principles of higher educational organisation and development – the implementation of which the Bologna Process aims for – should be included in the context of the institutional component. Institutional component of these reforms includes contemporary approaches and principles of the higher education organisation, implementation of which are a goal of the Bologna Process.

Bologna Process and the Peculiarities and Limitations to their Application in Post-Conflict Countries

At first glance, the institutional reforms in the framework of the Bologna Process are merely an attempt to face challenges resulting from globalisation, by means of ensuring compatibility and uniformity of European education systems and formation of a single European Higher Education Area⁶. The proposed mechanisms – the credit system, the compatibility of degrees, the mobility of students and lecturers, the European cooperation for ensuring quality, etc. – seem to be merely technical means, but the process is actually a civilisational programme. As recorded in the declaration, it is based on the “realisation of common values and belonging to a common social and cultural space”⁷. It is noteworthy that the formation of the European Higher Education Area particularly depends on the “full respect of the diversity of cultures, languages, national education systems and of University autonomy”⁸. The abovementioned mechanisms can be effective in achieving the scheduled targets if applied in environments dominated by European values. The conditions for the Bologna Process

⁵ Declaration of the 44th session of the International Conference on Education, Geneva, 1994, Para. 16

⁶ The Bologna ...

⁷ Ibid

⁸ Ibid

membership⁹, set at the Ministerial Conference in London, 2007, affirm it. One of them is having had joined the European Cultural Convention, another one – being true to the principles, values and goals of the Bologna process. In fact, the first condition implies that membership is possible only for the member states of the Council of Europe.

Those are not merely technical requirements. From these requirements, directly or indirectly, three factors are derived, which must be taken into consideration by the parties wishing to participate in the process, in this case – post-conflict states. Firstly, the Council of Europe is a European structure based on clearly defined values of democracy, human rights and the rule of law, and the participation to the Bologna Process will be effective as long as the participating countries stay true to those values. Secondly, the process, creates a wide range of opportunities for having good results given their effective use, rather than ensures results. Therefore, the results depend first of all on the efforts of universities, as well as the educational policy applied. The third factor, derived from the first condition of membership and especially important for post-conflict countries, is that it is the UN member countries that can become members of the Bologna Process. It may seem that this circumstance, related to membership, makes it impossible for unrecognised states to take advantage of the opportunities of the Bologna Process. But certain peculiarities of the process allow benefiting from those opportunities under the condition that appropriate work is being carried out. Firstly, although, Nagorno-Karabakh, Kosovo, Abkhazia and South Ossetia are not internationally recognised countries yet, geographically and according to cultural standards they are part of the European Higher Education Area, which is evident from the list of the Bologna Process member states. In that Area, there should be no “white spots” or people discriminated against. According to the Universal Declaration of Human Rights¹⁰ and the European Convention on Human Rights¹¹, the right to education is one of the fundamental human rights, and

⁹ London Communiqué: Towards the European Higher Education Area: responding to challenges in a globalised world, 18 May, 2007. Available at www.ond.vlaanderen.be/hogeronderwijs/bologna/documents/MDC/London_Communique18May2007.pdf, (14.04.2014)

¹⁰ The Universal Declaration of Human Rights, Available at <http://www.un.org/en/documents/udhr>, (12.04.2014)

¹¹ European Convention on Human Rights, Available at http://www.echr.coe.int/Documents/Convention_ENG.pdf, (12.04.2014)

its realisation is a practical way of achieving people's freedom and equality. It is noteworthy that the right to education is one of the norms of international law, not subject to any reservation. According to one of the fundamental documents of the international law, the International Covenant on Economic, Social and Cultural Rights (Article 13), "The states parties to the present Covenant recognise the right of everyone to education. Education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace"¹². Obviously, it is about "everyone" and "all", without any reservation, and there cannot be reservations towards the citizens of UN non-member states. Respecting this norm is the duty of each UN member state, including member countries of the Bologna Process. If to take into account that according to the Convention against Discrimination in Education, "the adoption of international standards of educational organisation is an important achievement for the realisation of human rights"¹³, it becomes clear that the citizens and educational institutions of unrecognised countries should not be left out of the Bologna process. Regarding the realisation of these rights, a lot of active, consistent and consolidated collaboration with a number of European organisations, that have education as their sphere of work, is required. Another peculiarity is the flexibility of the Bologna process concerning membership. Rejecting Kosovo's application for membership, already in 2007, the Bologna Secretariat mentioned that associated relations can be considered with a status of a "guest" or a "special observer"¹⁴. Indeed, one should not forget that, the Bologna Secretariat rejected the application of Northern Cyprus without making such proposal, and that when discussing political issues, the European Union considered Kosovo to be a special case¹⁵. However, there are two circumstances that allow post-conflict countries, not constituting a

¹²International Covenant on Economic, Social and Cultural Rights, Available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> , (15.04.2014)

¹³UN Convention against Discrimination in Education, Paris, 1960, Available at http://portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html , (15.04.2014)

¹⁴Application to join the Bologna process, BFUG11 7a. Available at <http://www.docstoc.com/docs/21667840/APPLICATIONS-FOR-ACCESSION-TO-THE-BOLOGNA-PROCESS> , (15.04.2014)

¹⁵ Ibid.

part of the European Cultural Convention but that are in the European area of higher education, to get a special status in the Bologna Process. The first one is that the separation of Northern Cyprus occurred not through peaceful means but by the use of force. Kosovo, Nagorno-Karabakh and the other aforementioned countries have taken a completely different path. Specifically in professional circles, free from political speculations, the Kosovo and the Nagorno-Karabakh conflicts are viewed as a conflict for self-determination¹⁶, as opposed to the Northern Cyprus case¹⁷. On the other hand, the Bologna Secretariat unlike political organisations cannot manifest such a politicised position regarding human rights and problems of education in particular. It should be added, however, that before requesting a special status in the relations with the Bologna process, the abovementioned countries should make serious efforts as an evidence for their commitment to the principles, values and goals of the process. In this sense, the Kosovo case can serve as a good example. Already in 1999, there was an inter-university cooperation between Kosovo and British universities, in particular with the University of Sheffield¹⁸. Moreover, it is noteworthy that it had begun in the field of political science. The second circumstance, indicating Kosovo's active stance, is the involvement of its several universities in TEMPUS programmes¹⁹. If such steps are combined with the application of principles, standards of mechanisms established by the Bologna process, post-conflict countries can make significant progress in integrating into the European Higher Education Area, which will be a serious argument for anticipating a special status. Thus, although there are significant peculiarities and challenges in post-conflict countries to fully join in the Bologna process, there are also serious opportunities to integrate into the European Higher Education Area, to use its results in favour of the establishment of statehood and as a contribution to the full resolution of conflicts. Nevertheless, it is clear, that for post-conflict as well as for other post-Soviet countries the external dimension, i.e. the inclusion in Bologna process, although is

¹⁶ **Babbitt E. F.**, Rights-Based Conflicts: Making Self-Determination Negotiable. – *International Negotiation*, 2006, 11, 2, pp. 185-208.

¹⁷ Accordance with International Law of the unilateral Declaration of Independence in Respect of Kosovo. ICJ Advisory Opinion, 22.07.2010

¹⁸ **Bache I., and Taylor A.**, The politics of policy resistance: reconstructing higher education in Kosovo, *Journal of Public Policy*, 23 (3), pp. 279-300.

¹⁹ Tempus projects in Kosovo, www.tempuskosovo.org, Available at (03.05.2014)

important, however it can be efficient only in case of fully fledged implementation of the abovementioned reforms, i.e. the internal dimension.

The implementation of the paradigm, suggested in the article, will provide an opportunity to overcome the complicated situation, conditioned by scarce human and financial resources.

Current Trends in Higher Education

Knowledge – which has recently been providing those who manage making use of it quickly and efficiently with basic competition privileges – is progressively becoming a pledge of a country's stable development.²⁰ The academic sphere – the science and education system, which is predominantly concentrated in universities – has gained such a comprehensive impact over economy and society that, during recent years, opinions have been actively expressed that humanity has entered a new development phase, called “academic capitalism”²¹. Moreover, research universities in particular excelled in efficiency, toward the perfection of which active steps have been taken over the recent decade not only in the Western Europe and North America²², but also in Asia and Latin America²³. Among them the Emerging Global Model (EGM) is most successful, the main characteristics of which include:

- EGM universities see their mission as transcending the boundaries of the nation-state, educating for global perspective and advancing the frontiers of knowledge worldwide,
- those institutions are increasingly more research intensive with the use of scientific methods,

²⁰ Building Knowledge Economies: Opportunities and Challenges for EU Accession Countries, N.Y. 2002.

²¹ **Slaughter Sh., and Rhoades G.**, Academic Capitalism and the New Economy. Markets, State, and Higher Education. Baltimore and London. 2004.

²² **Baker D.**, Mass Higher Education and the Super Research University: Symbiotic Trends and Future Scenarios, *Graduate Education 2020*, Washington, DC: Council of Graduate Schools, 2007; **Levin H.M., Jeong D. and Ou D.**, What is A World Class University? Presentation at the Comparative and International Education Society, Honolulu, 16 March. 2006.

²³ **Altbach P.G., and Balan J.**, (eds.) World Class Worldwide: Transforming Research Universities in Asia and Latin America, Baltimore, MD: Johns Hopkins University Press. 2007.

- faculty members, as producers of new knowledge, are assuming new roles, shifting from traditional independent patterns of inquiry to becoming members of team-oriented, cross disciplinary, and international partnerships, with research directed more often than before toward real-world problems,

- as the research enterprise is extremely costly, those universities are going beyond government support and student contributions to diversify their financial base with funding from corporations and private donors, competitive grants for technology innovation, and creation of for-profit businesses as spin-offs of research enterprises,

- new relationships are being created among universities, governments, and corporations to advance economic development and to produce knowledge for the social good,

- those universities are adopting worldwide recruitment strategies for students, faculty, and administrators,

- those institutions require greater internal complexity; they are directed toward the research of interdisciplinary issues, and integration of research elements in student training programmes,

- universities participate with international non-governmental organisations and multi-governmental organisations in support of collaborative research, student and faculty mobility, and validation of international stature.²⁴

Research of the development end perspectives of EGM universities demonstrated, that success comes to those universities, in which:

- A scientific (*vs* a more humanistic) approach to the study of all things, particularly as applied to fields that are seen as directly related to social and economic progress, dominate the prestige hierarchy.

- Academic departments that embrace scientific methods to some degree, even in social sciences and humanities, are winners within individual universities.

- Nations or individuals with strong English language skills who can interact with western scholars, read western journals, and present

²⁴ **Mohrman K., Ma W., and Baker D.**, The Research University in Transition: The Emerging Global Model, *Higher Education Policy*, 2008, 21, pp. 5-27.

their research in English language publications have a significant advantage over their peers who cannot use English.

- Graduate education, where human capital formation (instruction and teaching) and knowledge production (research) are seen as complimentary rather than competitive, is easier to fit into the EGM compared with programs that demand difficult choices between these two fundamental goals of higher education.

- Disciplines that are seen as immediately useful/practical by the general public, government officials, and other decision makers are privileged over other fields. Faculty in these disciplines are often able to garner financial resources from society, thus enabling them to carry out substantial scholarly agendas greater than what can be mounted only with governmental and institutional support.

- To join the international marketplace of ideas, especially in science, requires acceptance of the methods, norms, and values of the universities in Western Europe and North America that dominate the system. The themes and subject areas of interest to leading scientists may not be relevant to universities at the periphery, yet involvement in world science means adherence to established research paradigms.²⁵

The high quality of scientific research in EGM universities essentially increases the quality of instruction in training courses, which give upper-year undergraduates and masters opportunities for involvement in scientific research as professors' associates. The combination of scientific research and higher education in a single educational institution essentially increases quality and effectiveness of the study process, in addition to the financial means and personnel potentialities necessary for performing research.²⁶ However, the crisis in science and higher education is ongoing in the Post-Communist area²⁷, but also the sphere of social sciences in especially poor condition. Meanwhile, the strategic plans of the United States and other leading countries, as well as the reports of international

²⁵ **Altbach P.G., and Peterson P.M.**, (eds.) *Higher Education in the New Century: Global Challenges and Innovative Ideas*, Rotterdam: Sense Publishers. 2007.

²⁶ **Kochetkov G.B., and Supyan V.B.**, *American Research Universities: A View from Russia*, *USA*Canada*, 2009, 3, pp. 53-66. (in Russian)

²⁷ **Supyan V.B.**, *Science and Education in the USA: the main Priorities in the Development of a "Knowledge Economy"*, *USA*Canada*, 2008, 3, pp. 23-34. (in Russian)

organisations, directly related²⁸ to the sphere, have continuously emphasised the importance of social and humanitarian sciences. Indeed, the emergent situation in the Post-Communist area stems from both objective and subjective causes.

Problem Solution Complications

Due to the extreme ideological polarisation of political science, economics, law, and several other social sciences in the USSR, the skills and knowledge, accumulated during the Soviet period, were not implemented in the new independent states. Moreover, old specialists in the discipline that continue having an effect often create the greatest obstacles toward formation of a new generation of scientists in that sphere. The case of political science seemed to be simpler because in the USSR it was recognised as science in 1989 only.²⁹ Previously, “scientific communism” was considered to be the theoretical basis for the solution of social, political problems. However, the sphere quickly underwent the influence of the representatives of scientific disciplines that were no longer required (Scientific Communism, History of the Party Communist of Soviet Union, etc.). Several other serious reasons existed behind the crisis of social sciences in the Post-Soviet area. The first reason was conditioned by the fact that in the social science discipline, there exists an extreme shortage of

²⁸ USA Strategy Plan 2009-2012 on Humanities. 2009.

International Social Science Council (2010), World Social Science Report 2010, Knowledge Divides (UNESCO), Available at

www.unesco.org/images/0018/001883/188333.pdf, (05.05.2014)

Research Council for the Humanities, Arts and Social Sciences. Australia (2009). Strategic Plan 2009-2012.

Social Sciences and Humanities – An Overview (2008). Survey among Social Sciences and Humanities Researchers in Austria, Belgium, France, Germany, Israel, Netherlands, Poland, Sweden, United Kingdom and participant of EU FP 5 and 6, available at www.iccr-international.org/ssh-futures/literature.html

Social Sciences and Humanities Research Council (2006). Strategic Plan 2006-2011.

Canada, available at www.dsp-psd.pwgsc.gc.ca/Collection/CR22-42-2006E.pdf

The Future of the Social Sciences and Humanities (2009). Final International Conference, 22-23 October, 2009, Brussels, Belgium, Available at www.iccr-international.org/...futures/.../2009-10-22_23-Programme.pdf, (06.05.2014)

²⁹ Vorobyov D.M., Political Science in USSR: the Formation and Development of Scientific Community, *Polis*, 2004, 4, pp. 169-178. (in Russian)

professionals comparative to the demands of the times. This causes not only low science performance (monographs meeting international requirements, articles published in peer-reviewed journals, etc., are extremely scarce) even relating to problems of crucial importance to a country, but also a serious obstacle to the appropriate formation of university faculty members, and, therefore, an extremely limited opportunity to improve the situation through preparing new specialists. Second, while during the Soviet period, Western editions were only available to a select few professionals in the field³⁰, after the collapse of the USSR they were out of reach for many, because they understandably did not master the English language, in which the overwhelming majority of professional literature is published. Third, because of the sharp decline in living standards and the extremely low remuneration in the sphere of education and science, the discipline was no longer appealing to promising young people. Fourth, the renunciation of the Soviet education system and the transition to the Western system without thorough study of the latter brought forth the formation of the “Post-Soviet” education system as an inefficient hybrid of the abandoned old system and the non-mastered new one: in addition the formation of “endemic science”, not privy to real science (non peer-reviewed articles, plagiarised dissertations, non-professional council and verifications etc.). This is uncoincidental for the Soviet and later Russian higher education system existed and continues existing apart from the European one.³¹ Despite individual differences, this situation is typical of almost all countries in the Post-Soviet area. Moreover, unlike those countries, the positive influence of the reform of mechanisms regulating the sphere is obvious in Eastern and Central European countries that became EU members in 2004 (the Czech Republic, Poland, Hungary, Slovenia, Lithuania, Latvia, Estonia); however, content problems still remain.³² The situation is also the same regarding another mechanism formerly a panacea during the first stage of Post-Soviet transformation. This refers to liberalisation and private sector development. Two decades of experience testifies that even if liberalisation and the

³⁰ **Chiva C.**, Political science in post-communist Romania, *European Political Science*, 2007, 6, pp. 24-32.

³¹ **O'Connor T.E.**, Russian Higher Education: in comparison USA, *Pro et Contra*, 2010, 3, pp. 72-80.

³² **Galbraith K.**, Towards Quality Private Higher Education in Central and Eastern Europe *Higher Education in Europe*, 2003, XXVIII, 4, December, pp. 540-558.

creation of private universities were necessary and beneficial to the development of the scientific educational system,³³ the problem of ensuring high-quality higher education and research, which are of fundamental importance to countries of Post-Soviet transformation, remains unsolved.³⁴

Problem Solution Possibilities

For the purpose of modernising education and science, T. O'Connor, who is well aware of American and Russian higher education systems, suggests first of all establishing a firm organisational bond between education and science, creating real research universities and transitioning to unified international standards, ensuring academic freedom.³⁵ Regarding the existing situation in Post-Communist countries, it is especially noteworthy that, according to Altbach and Balan³⁶, academic freedom is particularly important for forming a culture of political and social scientific research. At the same time, more often than other scientists, research university professors are welcome as “public intellectuals”. Indeed, O'Connor's idea is quite logical: national research universities in the West are key driving factors of a country's and society's economic and social advancement³⁷, and the existence of such universities in Post-Communist countries will not only relieve the crisis in higher education and science offer sound solutions for overcoming other complicated problems. Still, the situation is not only the critical and in need of urgent settlement, but also the problem is multifactor and extremely complex. According to Chiva³⁸, the state of social sciences and, especially, political science in Post-Communist countries is conditioned by three factors:

- limited use of innovation methods in higher education and research programmes,
- insufficient state investments in education,
- insufficient funding for scientific research activity.

³³ **Karakhanyan, S., van Veen, K. and Bergen, T.**, Educational Policy Diffusion and Transfer: The Case of Armenia, *Higher Education Policy*, 2010, 24, pp. 53-83.

³⁴ **Galbraith K.**, ...

³⁵ **O'Connor T.E.**, ...

³⁶ **Altbach P.G., and Balan J.**, ...

³⁷ **O'Connor T.E.**, ...

³⁸ **Chiva C.**, ...

The first factor is conditioned by the extreme shortage of high-quality human resources in the field. Moreover, it is difficult to concentrate in the some university this small number of professionals that are well-aware of the educational and scientific programmes and procedures used in the best western universities. As for the second and third – financial factors – their elimination depends on even greater difficulties. In the Post-Soviet period, the financial support for science and education in all those countries was essentially eliminated. Later it grew, but research universities have always been expensive, and recent requirements of international rivalry create a new level of scientific research expenses which was unimaginable ten years ago. For example, according to D. Ward³⁹, the average annual budget of research universities is 1.5 billion US dollars. Still, even in the wealthiest countries the financing of high-quality programmes (in many disciplines) is a complicated issue.⁴⁰ It is even harder for post-Communist countries. This also refers to Russia, which stands out among those countries for its financial and economic means and potential. Only three research universities have been formed in that country: the Russian Economic School, the Independent University of Moscow, and the European University at St. Petersburg.⁴¹ Moreover, in 2007, the latter encountered serious difficulties for political reasons.⁴² It may seem that in Russia there is another possibility of problem solution, given the considerable private capital. Two similar attempts are known, when two Russian billionaires invested about 100 million dollars in two different universities but both projects failed.⁴³ Obviously the formation of research universities in the other countries possessing far more limited financial and economic means is practically impossible. International scholarship programmes (TEMPUS, ERASMUS MUNDUS, etc.) create greatly limited possibilities for that purpose also. That is why Mohrman suggests⁴⁴ that, in order to solve the difficult problem of ensuring international level education, poverty-stricken countries focus on one or more disciplines, developing strategic advantages and cooperation with other

³⁹ **Ward D.**, Universities as Global Institutions, Speech at the University of Manchester, 19 October, 2005.

⁴⁰ **Mohrman K., Ma W., and Baker D., ...**

⁴¹ **Guriev S.**, Research Universities in Russia, *Social Research*, 2009, 76, 2, Summer, pp. 771-728.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ **Mohrman K., Ma W., and Baker D., ...**

universities. At the same time, she suggests solutions to the shortage of human resources, i.e. appropriate professionals. For instance, she points out the London School of Economics, Hong Kong, as well as a number of other high-achieving universities, having more than 80 per cent foreign professors, as well as many other universities, where their percentage is higher than 50. This gives an opportunity to accomplish instant modernisation and to increase the prestige of those universities. However, almost all such universities have evidently been formed in wealthy countries, while that path is practically unavailable to Post-Soviet countries, which have greatly limited financial means. Still, the idea, proposed by O'Connor, can be realised in those countries with limited resources, i.e. through the transformation of the problem.

There are well-known hard and multi-factor problem solving methods⁴⁵, according to which a problem should be divided into individual sub-problems that preserve the features of the problem. If this approach is implemented, the above-mentioned problem (creation of a research university) should be divided into problems of separate scientific disciplines (creation of research departments), observing their solutions separately, according to the level of preparedness of each to solve such difficult problems. This will afford an opportunity to implement a gradualist approach: first to form scientific educational “oases” – experimental chair-centres – meeting the demands of research universities, and after they are realised in a sufficient number of spheres to form research universities. Such a chair-centre will be a complete scientific educational complex, based on the university chair and the scientific centre, formed in the same university. The education programme should include all the degrees of higher education (Bachelor’s, Master’s, postgraduate PhD programmes), and should be realised through the department; the scientific programme should be that of the scientific centre (henceforth: Center). Their content interconnection should be ensured by scientists that are department professors and perform scientific activity in the Center. The “chair-center” format will afford an opportunity to find solutions to two main problems, conditioned by the

⁴⁵ **Torosyan T.**, The Methodology of Diagnostic of the Memory, *Problems of Electronics*, 1989, 12, pp. 101-109. (in Russian)

shortage of financial and human resources, because in that case the resources required will be essentially reduced.

In order to solve the problem of human resources, it is necessary – through the concentration of a country's potential – to form a creative core (locomotive) and personnel of professional quality, conducive to realising development programmes. The mission of the locomotive is – being well aware of up-to-date procedures, innovation methods, scientific and higher educational programmes in leading universities – to plan comprehensive science and education programmes and to play a leading role in their organisation and realisation processes. Another prerequisite for the successful realisation of the project is the inclusion of the best Master's degree and PhD students in the programmes of the chair and the centre, continuously improving the professional qualities of the personnel. It is also extremely important that both education and science programmes be realised in active cooperation with the best Western universities. As in many Post-Communist countries peer-reviewed scientific journals are not usually published, the publication of such a journal, also involving professionals from Western universities as authors and members in editorial board, can greatly contribute to the successful realisation of scientific programmes.

If the suggested approach is implemented, the solution to the problem of financial resources will be essentially facilitated. According to assessments, in a small country like Armenia, the founding and successful functioning of such a chair-centre will require roughly 500000 US dollars funding, in addition to current levels of funding. Obviously this can be ensured even by the smallest and most financially-restricted Post-Soviet countries. In those countries importance will be attached to the creation of research chair-centres in several directions, exceptionally relevant to the development of the country.

It should be noted that although the implementation of the gradualist approach essentially facilitates the solution to financial issues, as well as the creation of institutions and mechanisms, necessary for the activity of the personnel, it cannot automatically ensure solution to the problem of human resources. The existence of the creative core – the locomotive – is the principal pledge of the successful implementation of the approach.

Conclusion

The study of the specificities of problems in the spheres of science and Higher education and the difficulties of their solution in Post-Communist countries demonstrates that the following paradigm can be productive:

1. Although, over two decades, legislative, structural and procedural reforms in those spheres have had a beneficial effect and have been necessary, they could not have been sufficient for the full development of the spheres;

2. It is impossible to solve these problems without forming higher education and science centres meeting current demands, i.e. research universities. In terms of social sciences, especially political science, the problem is especially challenging for those countries;

3. Consequent of difficulties connected with financial resources and the involvement of high-quality human resources, the formation of research universities in those countries in the traditional manner is practically impossible;

4. The external dimension of the necessary reforms for post-Communist countries, i.e. the inclusion in Bologna Process, although is important; however it can be efficient only in case of fully fledged implementation of the abovementioned reforms, i.e. the internal dimension.

5. In those countries, in order to find a solution to problems in the spheres of science and education, as well as productive solutions to systemic transformation, a progressive gradualist approach can be implemented, first forming “research chair-centres” in separate fields, subsequently, as a result of their development and spread, forming research universities. If such a strategy is executed, limited financial means will be required during the first stage, and within the financial-capabilities of resource-poor countries;

6. In terms also of providing human resources, the gradualist approach creates opportunities for a solution. Nevertheless, the creation of the creative core – the Locomotive, well aware of up-to-date procedures, innovation methods and science and education programmes in leading universities, with a mission to elaborate complete scientific and educational programmes and to play a leading role in their organisation and realisation processes – is a prerequisite;

7. The inclusion of the best Master's degree and PhD students in the programmes of the chair and the centre, as well as the realisation of education and science programmes in active cooperation with the best Western universities serve as a prerequisite for the successful realisation of the project. The publication of a peer-reviewed scientific journal, also including professionals from leading Western universities as authors and members of editorial board, can contribute to the successful realisation of scientific and educational programmes.

Frozen Conflicts or Frozen Governance? A Role for the Bologna Process in Conflict Regions*

ANNA OHANYAN
Stonehill College, USA

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The article examines connections between reforms of higher education in unrecognised states and their influence to resolution of conflicts. Training student population in critical thinking, analysis and research can be quite powerful factor in conflict environments and a strong tool for civil society development. One of the perspective opportunities for this goal is drawing of these countries in Bologna Process. By deepening higher education reforms in the countries and introducing them in unrecognised states, Bologna Process has the potential to transmit civic values and skills of civic engagement. The article examines case of South Caucasus countries, in particular, Nagorno-Karabakh (NK) conflict. The exclusion of NK from the Bologna Accords and other educational opportunities is a missed chance for conflict resolution processes in the region. The advancement of educational system and policies in NK requires a regional dimension, involving synchronisation with educational policies in South Caucasus in general.

Keywords

Bologna Process, higher education, frozen conflict resolution, Nagorno-Karabakh, South Caucasus

Introduction: Research Rationale

The analytical starting point for this paper: the exclusion of unrecognized territories into the Bologna Accords in conflict/post-conflict settings. Citing Prof. Torosyan¹, the practice of excluding unrecognised territories from structures of global governance creates a social injustice in

*This is the revised and expanded text of a paper given on 28 June 2014 at the international conference 'Education Without Discrimination: Bologna Context' in Stepanakert, Nagorno Karabakh Republic.

¹ **Torosyan T., Vardanyan A.**, Development Paradigm for Social Sciences and Higher Education in Post-Soviet States, *Armenian Journal of Political Science*, 2014, 1, pp. 5-22.

marginalising the populations living in these territories in economic, social as well as political terms. It creates these “black holes” in governance. The ethical dimension aside, such territories create significant governance gaps in various issues and areas, of which education is only one. The concept of “frozen” (usually used as “frozen conflicts”), gains a whole new undesirable meaning. The processes of global governance and international sources of policy making are completely frozen in such areas which only make conflict resolution in these areas more difficult. Declarations for peaceful resolution of the Nagorno-Karabakh (NK) conflict is often made by Presidents of Armenia and Azerbaijan, other senior statesmen, as well as by the international community. Everybody wants peace, but all disagree as to how to get there. Education is an important tool for fostering civic values and social dialogue. Bypassing NK by the Bologna process is a lose-lose outcome for all involved. Cutting of this population from modernisation processes in higher education is to make future resolution of conflicts significantly more difficult.

While I do advocate for the need to include unrecognised territories in Bologna Accords, I also would like to highlight that I do not necessarily equate the Bologna Accords with improved quality of higher education in the post-Communist world. Educational systems are organizationally rather complex, requiring not only changes in educational policies, governance, but also consistent and patient teacher training. Any modernisation in post-Communist world entails not only changes in curriculum and degree structures, but, most importantly, teaching methods. It is inside the classroom that the “magic” happens. The much criticised top-down Bologna Accords does not always translate into changes inside the classroom – in terms of teaching methods, student-faculty relationships, measuring learning outcomes, skills development, values transmission, etc. In short, I do consider the absence of Bologna Accords from NK as problematic, but I also advocate for conflict-sensitive and decentralised administration of international educational policy in unrecognised territories such as NK.

Looking at NK from Outside In

When it comes to the educational sector in NK, I have more to learn and take from this esteemed audience than to give. Therefore, in an effort to make my comments as constructive as possible, I will attempt to situate educational issues in NK into larger theoretical and policy context. Challenges and opportunities of developing educational policy and practice in NK are not isolated. Indeed, it is imperative to learn from international

experiences, while considering the local specificities. However, it is also important to identify the cases and contexts to which the NK experience is relevant and comparable. Justification and consideration of relevant cases will help in asking the right questions in shaping this research further.

In this respect, NK can be viewed in three major categories. First, the educational challenges and issues prevalent in NK are quite comparable to other post-Communist countries which are not involved in any major conflict. The challenge here is to modernise curriculum, governance of the institutions of higher education, as well as instructional technologies. In this category, NK is comparable to Armenia, Azerbaijan, Georgia and many other countries that are trying to unburden themselves from the Soviet legacy. For the purposes of this paper, I will refer to this first dimension as the *modernisation challenge*. Second, NK experience in higher education is also comparable to societies that are similarly caught up in active or frozen conflicts. Here the examination of the link between education and conflict is important. In this respect, NK is comparable to Timor Leste, Northern Ireland, Bosnia and Herzegovina and Sri Lanka, among others. For the purposes of this paper I will refer to this second dimension as *conflict-sensitive education challenge*. Third, NK's status (or lack thereof) as an unrecognized territory highlights other types of issues that stresses the education sector. For example, the lack of compatibility of degrees from the local Universities limits student mobility in the region. In this respect, by being excluded from the Bologna Accords, NK is comparable to Northern Republic of Cyprus, Abkhazia, South Ossetia and Kosovo. The frozen governance in the area of higher education on a regional level is a missed opportunity for the international community in supporting social dialogue and sowing the seeds for peaceful resolution of the conflict in NK. This *regional governance vacuum* has created lose-lose outcomes for all involved in this region, not only NK.

Modernisation challenge

The role of the Bologna Accords in modernising educational system and making them compatible with European Higher Education Area is obvious here. The signatory countries have been moving forward in implementing the Bologna Accords at various speeds. At its core, Bologna Accords is a classic case of a policy transfer and attempted policy diffusion from one region to another. It is an example of a policy transfer from

advanced industrialized democracies into mostly hybrid regimes (i.e. political systems characterised with authoritarian and democratic elements at the same time), with persistent use of highly centralised state apparatus in the process of public administration. According to Hargreaves², resource scarcity as well as persistent bureaucratic control over educational systems is an unfortunate feature that Armenia shares with other developing countries beyond the post-Communist orbit.

The initiatives of reforming higher education in the post-Communist world within the umbrella of the Bologna Accords have been limited to cosmetic changes and they have been top-down in nature.³ It is unclear whether there are sufficient capacities for deeper change.⁴ For deepening the educational reforms the studies call for a special emphasis on training of teachers, who are ultimately the key implementers of this reform in their classrooms. In depth studies on the implementation of Bologna Accords have been carried out in the context of Ukraine, Georgia and Armenia.

The study in Ukraine in particular has concluded that the disappointing outcomes of the Bologna Process in this country were not only a result of flawed implementation, but also were produced due to the “fundamental mismatch between the existing logic of university governance rooted in a Soviet model of higher education and the logic presumed in the European reforms”⁵. The first argument concerning the flawed implementation of the Bologna Accords highlights such factors as the absence of systematic instructional redesign; the shortage in sufficient training and support for faculty, and one that would be focused on substantive changes as opposed to the appearance of compliance; persistent underfunding. In particular, Kovtun and Stick⁶ maintain that there was no systematic and thoughtful consideration on the redesign of the curriculum and instructional processes. Instead, the new requirements were handed

² **Hargreaves A.**, *Changing teachers, changing times: Teachers' work and culture in the postmodern age*. New York, NY: Teachers College Press, 1994.

³ **Karakhanyan S., Van Veen K., and Bergen T.**, Teacher Perceptions of Bologna Reforms in Armenian Higher Education, *European Education*, 2012, 44, 2, pp. 65-89.

⁴ Ibid

⁵ **Shaw M. A.**, Flawed Implementation or Inconsistent Logics? *European Education*, 2013, 45, 1, pp. 7-24.

⁶ **Kovtun O., and Stick S.**, Ukraine and the Bologna Process: A Case Study of the Impact of the Bologna Process on Ukrainian State Institutions, *Higher Education in Europe*, 2009, 34, 1, pp. 91-103.

down from the central administration to academic staff in a top-down manner. The instructors simply worked to comply with external requirements, such as course modularisation, new grading systems, etc. However, in interviews they admitted that they do not understand the rationale of what they are asked to do⁷. Lack of training of the academics at various levels of implementation of the Bologna Accords led to many missteps and academic waste⁸.

In addition to the flawed implementation, the fundamental mismatch between the university governance in largely post-Soviet institutions and the expectations of governance as advanced by the European Union has also been recognised as a significant problem. The Bologna Accords assume a “two-way cooperation”⁹, and it was designed for the members of different universities to take part in adapting the common goals to their own contexts¹⁰. In short, the universities are expected to respond to the new priorities, but they lack the power within the current governance framework to make changes inside their organizations in order to do that. The new reform content coming from Europe is being filled into the largely Soviet governance structures in the universities. Organisational sovereignty of the universities, as expressed with greater autonomy and decentralisation in educational policy is a crucial precondition for effective modernisation of education in the post-Communist space.

The lessons learned from the implementation of the Bologna Accords in the post-Communist space, which the universities in NK can adopt rests with decentralising the university administration and giving them significant organisational sovereignty in order to implement the requirements from the Bologna Accords. Significantly more support for instructors is also a must. Acknowledging that the learning process is occurring inside the classroom and building the reform process around it, is a necessary first step when thinking about the prospects of Bologna Accords in NK.

⁷ **Shaw M., Chapman D., and Rumyantseva N.**, Organizational Culture in the Adoption of the Bologna Process: A Study of Academic Staff at a Ukrainian University, *Studies in Higher Education*, 2014, forthcoming.

⁸ Ibid

⁹ **Zgaga P.**, External Dimension of the Bologna Process. edited by First Report Working Group on the External Dimension of the Bologna Process, 2006.

¹⁰ **Shaw M. A., ...**

Conflict-Sensitive Education Challenge

The second dimension in thinking about the Bologna Accords in the context of NK has to do with the recognition of conflict environment in this entity. In this respect, looking at educational policies in other societies that are currently in conflict or are coming out of it, is necessary. The relationship between conflict and education is currently being advanced in the academic and policy-oriented literature. Indeed, according to the UK government White Paper on Globalisation, violent conflict is one of the biggest barriers to development in many of the world's poorest countries. The study also highlights that of the 40 poorest countries in the world, 24 are either in the midst of armed conflict or have only recently emerged from it.¹¹ The pervasiveness of conflict as a challenge of underdevelopment is also recognised in the academic scholarship.

Within this emerging field of study, education is recognised as potentially both part of the problem as well as the solution in conflict societies. It can be used as a political tool for ideological development and nation-building, developing liberal ideas, and indoctrination in extreme cases. It can also have economic benefits in providing the knowledge and skills needed for economic development, in addition to transmitting negative stereotypes and attitudes condoning violence and generating conflict¹². Understanding the "conflict-sensitive education" in politically divided areas can be conceptualised as educational policies and systems that "do no harm", but also seeking to contribute towards 'making things better'¹³. Advancing and implementing 'conflict-sensitive education' requires its careful calibration to the stage of the conflict and its type, in a given society or between societies. In particular, there are distinctive challenges in developing conflict-sensitive education, depending on "whether education is provided within relatively peaceful and stable environments; during times of violent conflict; as part of reconstruction following conflict or political transition; or as part of longer term peace and reconciliation processes"¹⁴. A UNESCO study differentiates between education for prevention, in cases of

¹¹ United Kingdom Government. *Eliminating World Poverty: Making Globalisation Work for the Poor*. London: HMSO, 2000.

¹² **Smith A.**, Education in the twenty-first century: Conflict, reconstruction and reconciliation, *Compare*, 2005, 35, 4, pp. 373-391.

¹³ *Ibid*

¹⁴ **Smith A.**, ..., p. 378.

non-conflict and relative peace; education in emergencies, in cases of internal trouble, social unrest and “pre”-conflict; and education for social and civic reconstruction, in cases of “post” conflict¹⁵.

The functions of educational systems during times of violent conflict (i.e. education in emergencies) are more limited than those in the aftermath of a conflict and in relative stability. International humanitarian law, the Geneva Conventions in particular, make specific provisions for protecting children’s rights during times of war. These includes protections for children under fifteen, orphaned or separated from their families, to have access to appropriate education; occupying powers facilitating the maintenance of education; education being provided to interned children and young people; and education being provided for children throughout non-international conflicts.¹⁶ However, one should note that the Geneva Conventions were developed after WWII, when the formal state of war being declared by countries was the norm. Since then, the nature of warfare has changed dramatically, and conflicts are currently fought by groups that are not state-entities and therefore are not subject to international accountability¹⁷.

Developing conflict-sensitive education in a post-conflict stage (i.e. education for social and civic reconstruction) can be an important tool in promoting peace processes. There are several precedents of cases of education in a post-conflict social and civic reconstruction, starting from WWII Europe to more contemporary examples, such as Lebanon (Taef Agreement, 1989)¹⁸, Guatemala (Peace Accords of 1996)¹⁹, Rwanda and its government of National Unity established following the 1994 genocide and, Mozambique (Peace Agreement in 1992)²⁰. However, in all of these cases there has been a lapse of time that has helped to advance curriculum policy dialogue, policy formulation and policy making. According to the UNESCO Report, in contrast to these examples, in Northern Ireland and Sri Lanka

¹⁵ UNESCO International Bureau of Education. Curriculum Change and Social Cohesion in Conflict-Affected Societies Geneva: UNESCO. 2003.

¹⁶ Smith A., ...

¹⁷ Tawil S., International Humanitarian Law and Basic Education, *International Review of the Red Cross*, 2000, 82, 839, pp. 581-600.

¹⁸ Lebanon: Taif Agreement (1989), <http://aceproject.org/ero-en/regions/mideast/LB/lebanon-taif-agreement-1989/view>

¹⁹ Peace Agreements: Guatemala, <http://www.usip.org/publications/peace-agreements-guatemala>.

²⁰ Peace Agreements: Mozambique, <http://www.usip.org/publications/peace-agreements-mozambique>

educational policy reforms were being undertaken in parallel with the peace processes, and were even integral part of peace processes.

There are arguments for and against embarking on educational policy in the immediate aftermath of a conflict. Shah cautions that many fragile states “unwisely prioritize radical curriculum reform in a context that is not ready for it. In the early recovery stages after conflict, such projects frequently occur in a context where conflicts remain submerged and are likely to resurface; and principles of inclusiveness and democracy may be more about ideological rhetoric rather than political reality”²¹. Moreover, conducting educational reform in the early stages of post-conflict reconstruction is also complicated due to the lack of capacities in a given entity. At the same time, delaying such reforms too long can crystallise and lock-in hostilities between the conflict sides, thereby making any subsequent educational reform more challenging.

Often the research on education-conflict relationship views education as a tool for reconciliation, which, I would argue, creates very high standards for policy development and implementation. Instead, any curriculum renewal in the aftermath of a conflict can have more realistic goals in focus on values of human rights and tolerance, but equally importantly, on the skills of critical thinking and independent inquiry. The latter two require intensive teacher training, in addition to curriculum renewal. It is unrealistic to expect that teachers in educational systems that are recovering from conflict will possess these kinds of skills and instructional technologies. As it is evident from the previous section on “modernization challenge”, this is also a problem in other post-Communist societies that are not involved in a conflict. Therefore, there is a clear and necessary path for the Bologna Accords in unrecognized territories and post-conflict societies: to create a professional network on educational reform, that can provide teacher trainings and can offer space for negotiations and dialogue over curriculum, involving conflict parties. Whether Armenian, Azerbaijani, Georgian, Abkhaz or South Ossetian, learning to teach in complex and increasingly globalised environments is necessary. As I argue later in the paper, such a network focused on a concrete need in the region can help to de-politicise the issue and subsequently will make political

²¹ **Shah R.**, Goodby Conflict, hello development? Curriculum reform in Timor-Leste, *International Journal of Educational Development*, 2012, 32, pp. 31-38.

negotiations much more manageable. As an anonymous respondent one expressed quite eloquently, “peacebuilding is not a sprint: it is a marathon”. Education is a key tool in sustaining this marathon.

Regional Governance Vacuum

The third challenge on educational reform in NK rests with the governance vacuum. Being cut off from the international governance structures, NK, like other unrecognised territories, becomes marginalised not only in political terms, but also in socio-economic ones. A more obvious implication of excluding NK from structures of global governance is the socio-economic marginalisation of this unrecognised entity, which can further perpetuate poverty among the population, subsequently locking the population into extreme positions in respect to the resolution of the conflict. Indeed, President of Azerbaijan, Ilham Aliyev, likes to tout quite frequently that Azerbaijan has succeeded in alienating and isolating Armenia and NK from regional projects, and this predicament is viewed by the President as a victory for Azerbaijan.

However, I would like to advance a more nuanced argument. Contrary to what President Aliyev likes to believe, the exclusion of NK from structures of global governance does not produce win-lose outcomes, with Azerbaijan gaining ground in the conflict dynamics. Instead, it produces lose-lose outcomes, by crystallising political cleavages through stagnant educational systems. Two specific points are needed in this context:

1) the exclusion of NK from the Bologna Accords and other educational opportunities is a missed opportunity for conflict resolution processes in the region;

2) the advancement of educational system and policies in NK requires a regional dimension, involving synchronisation with educational policies in South Caucasus in general.

In regards to the first point, there is significant research that links educational expansion with conflict prevention and durability of peace; echoing Putnam²², Ishiyama and Breuning note that increased educational

²² **Putnam R. D.**, *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton, NJ: Princeton University Press. 1993.

opportunity “helps build social capital and civil society – and civil society organizations are crucial in mediating conflict”²³.

Education is one of the most powerful influences on political behavior almost anywhere. Historically, education may have played an important role in strengthening the foundations for the civic community²⁴.

Concurrently, it should also be noted that education has also been known to be used as a tool to foster cleavage and perpetuate conflict. While Schell-Faucon (cited in Ishiyama and Breuning) has maintained²⁵ that more education contributes to more democratic attitudes, Bush and Saltarelli²⁶, Smith and Vaux²⁷, Tawil and Harley²⁸ (cited in Ishiyama and Breuning) have challenged this claim in the context of ethnic conflicts. Therefore, when linking education and peace prevention/peace durability, variety of factors need to be considered (such as curricular content, level of education, type of the conflict, the levels of job creation spurred by educational opportunities, etc). In very big brush strokes, the rapid reconstruction and expansion of the educational system can accelerate the economic recovery in post-war settings because expanded educational opportunities tend to lead to better paying jobs in an economy²⁹. Others highlight that increased educational opportunities when unmatched by job creation can fuel civil unrest, which many argue has been a key driver behind the Arab Spring.

The above cited study conducted by Ishiyama and Breuning³⁰ offers a more focused analysis on the linkage between education and peace durability. This study has differentiated between primary, secondary, tertiary and higher education. It concluded that while investing in primary and

²³ **Ishiyama J., and Breuning M.**, Educational Access and Peace Duration in Post-Conflict Countries, *International Interactions*, 2012, 38, pp. 58-78.

²⁴ **Putnam R. D.**, ..., p. 188.

²⁵ **Schell-Faucon, S.**, Conflict Transformation through Educational and Youth Programmes, *Berghof Handbook for Conflict Transformation*. Berlin: Berghof Research Centre for Constructive Conflict Management. 2001. Available at http://www.berghof-handbook.net/articles/schell_faucon_hb.pdf.

²⁶ **Bush K. D., and Saltarelli D.**, The Two Faces of Education in Ethnic Conflict: Towards a Peacebuilding Education for Children. Florence: UNICEF. 2000.

²⁷ **Smith A., and Vaux T.**, Education, Conflict and International Development. London: Department for International Development. 2003.

²⁸ **Tawil S., and Harley A.**, (eds.) *Education, Conflict, and Social Cohesion*. Geneva: UNESCO International Bureau of Education. 2004.

²⁹ **Murdoch J. C., and Sandler T.**, Civil Wars and Economic Growth: A Regional Comparison, *Defense and Peace Economics*, 2002, 13, 6, pp. 451-464.

³⁰ **Ishiyama J.**, ...

secondary education is important, the benefits in higher education investments for peace durability are tangible and significant. The authors³¹ of the study found the following:

Increased access to education generally, but early access to higher education in particular, acts to diminish the likelihood of civil war restart. Although certainly it may be the case that the content of education (or what is offered as part of the curriculum) is an important consideration in whether or not a civil war restarts.³²

The authors conclude their study with an explicit call for researchers and policymakers to pay greater attention to the unexplored area of the specific impact of higher education on civil war and its reoccurrence, but the relationship needs to be explored for all types of conflicts. A particular emphasis needs to be paid between higher education curriculum focused on practical skills versus liberal arts education.

For young nations in particular, education is widely used as a tool for nation-building. In conflict settings, such as in NK, peace education can be a hard-sell because it is often viewed as a contradiction to nation-building processes through curriculum, particularly when there is a shortage of trained teachers and civil servants in the sphere of education. Nation-building approach to education is more limited in terms of the values and skills it conveys, focusing on passive transfer of knowledge from one generation to the next. The states and political authorities always maintained the ultimate right to shape their educational system, in order to reflect their own values, preferences and perceptions of national interests. In contrast, when coupled with values of human rights and peace education, the process of teaching becomes more complex, active and student-centered.

The passive transmitting of knowledge between generations is increasingly an old-fashioned and unsustainable model of educational systems. Regardless whether in conflict societies or not, modernisation of educational systems first of all requires sharpening the emphasis on skills-based teaching. In the information age of 21st century, the role of the professor in the classroom is completely transformed. The information is popularised and accessible, which requires the professor to teach the students

³¹ **Krueger A. B., and Maleckova J.**, Education, Poverty and Terrorism: Is There a Causal Connection? *Journal of Economic Perspectives*, 2003, 17, 4, pp. 119–144;

Tawil S., ...

³² **Ishiyama J., ...**

as to how to transform that information into knowledge; how to make sense of that information in general. Critical thinking, challenging and questioning the material by the student is a core competency in teaching peace education, in addition to being an important professional skill in the 21st century workplace. In short, peace education is more amenable to such skills-based educational models because it also calls for critical thinking, skill-building in debate and deliberation. It is built around the agency of the student. As such, it is in contrast to top-down, hierarchic and narrowly defined models of teaching, which are focused on passive transfer of knowledge.

The Bologna process, by relinquishing any role in development of higher education in NK and other unrecognized territories or de facto states, ignores this important avenue of peacebuilding at its own peril. Education provides the best bridge to the population, thereby holds the prospect of diversifying stakeholders and actors of peace processes. The Bologna Process would have allowed the international community to access and activate this important dimension of a peace process.

Echoing the calls of the Ishiyama and Breuning³³ study for investigation of higher education as a conflict management strategy, I would argue that a truly regional approach to such a policy path is needed. Whether the emphasis is on building skills and competencies, or values and attitudes, higher education allows for economic development of a given territory, thereby raising the stakes of a violent conflict, according to liberal approaches to conflict management. However, the more targeted, conflict-sensitive curriculum changes can help to advance and emphasis norms as well as competencies on compromise, civic engagement and social dialogue. This latter component cannot be carried out only in NK alone. Unilateral adoption of curricular changes for peace education will not gain much political traction to begin with. The incentives for any nation, particularly one caught up in a conflict with a neighbour, to unilaterally implement peace education, are not very many. Such a strategy is associated with insecurities, some real and others perceived. Therefore, a more realistic recommendation in this case is a trilateral-regional approach, targeting Armenia, Azerbaijan, in addition to NK, with conflict-sensitive higher education reforms. A key stipulation is the trilateral approach to the NK conflict, targeting Armenia and Azerbaijan in addition to NK, with conflict-sensitive higher education reforms. Peace education in politically divided areas is a contentious topic.

³³ Ibid.

Developing a regional approach to peace education or liberal arts education in universities is an underexplored area, which policy-makers ignore at their peril.

Trough the development of conflict-sensitive *and* regional models of higher education in South Caucasus the Bologna Process can enable a mechanism for developing a regional network of higher education. As such, it can help to create regional structures of governance in the sphere of education, which can become a new, technocratic, apolitical forum bringing together educators and policy-makers from the region. The experience with regional governance in the conflict-ridden Balkans offers range of lessons for South Caucasus, which are worthy of further exploration.

Conclusion

The specific case of the Bologna Accords in unrecognised territories, and in South Caucasus in particular, is a study of frozen structures of global governance. By deepening higher education reforms in the countries and introducing them in unrecognised territories, Bologna process has the potential to transmit civic values and skills of civic engagement. Training the student population in critical thinking, analysis and research can be quite powerful in conflict environments and a strong tool for civil society development. UNESCO study recognises that curricula change can advance changes in “types of knowledge, value, competencies, attitude and behaviors that encourage respect for human dignity and diversity” and that such potential is mainly located within “normative areas of learning such as social studies, civics, religious studies, history, values education that touch upon the often sensitive issues of collective memory”³⁴.

As mentioned earlier, the Bologna Process has failed to deepen its reforms in the countries in South Caucasus. Extending the Bologna Process to unrecognised territories offers an opportunity for genuine region-building, in which all entities, state and non-state, introduce the basics of liberal arts education, with a focus on human rights, tolerance and peace education. Such a regional approach eliminates fears associated with unilateral application of peace education by a single entity: if one nation introduces

³⁴ UNESCO International Bureau of Education. 2003. Curriculum Change and Social Cohesion in Conflict-Affected Societies Geneva: UNESCO, p. 8.

elements of peace education into its curriculum, while the other continues to portray that nation as a de-humanized enemy, the first nation can find itself in a rather vulnerable situation. Against this backdrop, the multilateral nature of the Bologna process can help to ease such fears as it tailors educational policies for conflict settings, such as in the case of South Caucasus, and NK in particular.

Narrow and top-down educational models that do not allow for student engagement will not hold the test of time in the 21st century. Developing conflict-sensitive educational models in South Caucasus also allows to modernise educational systems at the same time. The Bologna Accords offer a unique opportunity to address both goals at the same time. Staying out of unrecognised territories is to freeze global governance and relinquish the great potential of social change in conflict-ridden settings. Whether statesman or international policy-makers, peaceful solutions to conflicts are highlighted as important. Yet, peaceful approaches need to be cultivated patiently, from the ground up: expecting “peaceful solutions” to come out from behind closed doors through narrow political negotiations is a mirage. It is high time to prepare and sew the seeds of coexistence in South Caucasus, and higher education is a solid tool to that end.

Higher Education Without Discrimination: The Bologna Process and European Values*

RAINER SCHULZE

University of Essex, United Kingdom

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This paper explores the European values underpinning the Bologna Process that all countries who participate in this Process are signing up to. Whilst acknowledging that the level of implementation of these values varies among the member states, the paper argues that it is not a question of choosing some of these values and disregarding others, but that they must not be separated as they are in fact the universal values set down in the Universal Declaration of Human Rights. It is paramount for an inclusive (higher) education that it provides equal access, equal opportunities, and equal representation in the curricula for all groups of society. Countries that are currently not part of the European Higher Education Area (EHEA) created by the Bologna Process, including the unrecognized or partially recognized countries, can and should nonetheless model their higher education systems on the Bologna Process by implementing these values in their educational reforms, which will create the foundations for them to benefit from the opportunities that the Bologna Process offers. However, at the moment decisions about higher educational reforms in unrecognized countries and the wider EU Eastern Partnership Region are inextricably linked to the fundamental decision about how the leaderships of these countries want to see their societies develop after the collapse of the Soviet order.

Keywords

Bologna Process, European Higher Education Area, unrecognised countries, European values, rule of law, democracy, human rights.

The right to education is one of the fundamental human rights that everyone is entitled to irrespective of where he or she lives: be it in a recognised or an unrecognised country. It was set down in Universal Declaration of Human Rights (UDHR)¹, and confirmed in Articles 13 and 14

* This is the revised and expanded text of a paper given on 28 June 2014 at the international conference 'Education Without Discrimination: Bologna Context' in Stepanakert, Nagorno Karabakh Republic.

¹ Universal Declaration of Human Rights, Available at:

of the International Covenant on Economic, Social and Cultural Rights (ICESCR) of 16 December 1966.²

Both UDHR (Article 26, Paragraph 2) and ICESCR (Article 13, Paragraph 1) link the right to education with underpinning values: ‘Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.’

Whilst there can be no argument that everyone has a right to education, this right does not *per se* mean that all countries are entitled to sign up to the Bologna Process and take advantage of the opportunities it offers. In Europe, the right to education is recognized in Article 2 of the first Protocol of 20 March 1952 to the European Convention on Human Rights and Fundamental Freedoms which affirms: ‘No person shall be denied the right to education’.³ There is no further reference in this Protocol to underpinning values, but the Convention refers in its Preamble explicitly to the UDHR, stating as its aim ‘securing the universal and effective recognition and observance of the Rights therein declared.’ The 1997 Lisbon Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention), one of the guiding documents for the Bologna Process, picks up the wording from the UDHR and ICESCR when it sets out in its Preamble ‘that higher education should play a vital role in promoting peace, mutual understanding and tolerance, and in creating mutual confidence among peoples and nations.’⁴

The Bologna Process was launched on 19 June 1999 with the signing of the Bologna Declaration by the Ministers of Education of 29 European countries. Whilst the main aim of the Declaration was the creation of a

<http://www.un.org/en/documents/udhr> (accessed 21 July 2014).

² International Covenant on Economic, Social and Cultural Rights, Available at: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ICESCR.aspx> (accessed 21 July 2014).

³ Council of Europe, Convention on Human Rights and Fundamental Freedoms, available at: <http://conventions.coe.int/treaty/en/Treaties/Html/005.htm> (accessed 21 July 2014).

⁴ Council of Europe, Convention on the Recognition of Qualifications concerning Higher Education in the European Region, available at: <http://conventions.coe.int/Treaty/en/Treaties/Html/165.htm> (accessed 21 July 2014).

European Higher Education Area (EHEA) through a number of objectives to enhance the competitiveness and attractiveness of European higher education and foster student mobility and employability, it also referred to 'shared values' and the sense of 'belonging to a common social and cultural space' as underpinning principles of the 'Europe of Knowledge'.⁵

The Bologna Process sits outside the institutions of the European Union and brings together EU and non-EU countries (it currently comprises 49 member states⁶), and it is often criticized for putting too much emphasis on increasing the international competitiveness and attractiveness of the European higher educational system, i.e. for pursuing a primarily economic agenda, focusing on technical aspects such as the credit system, the comparability of degrees, a system of quality assurance and staff and student mobility, and paying only lip service to 'European culture' and 'European values'.⁷ However, many of the official policy documents refer back, directly or indirectly, to the values set out in the founding documents of the European Communities and the European Union, such as freedom, democracy, equality, rule of law and respect for the universal human rights. The 2009 Ministerial Meeting of the Bologna Process explicitly introduced a social dimension to European higher education policies, calling for 'equal opportunities to quality education' and 'widening overall participation and increasing participation of underrepresented groups in higher education.'⁸

⁵ 'The Bologna Declaration of 19 June 1999: Joint Declaration of the European Ministers of Education', available at: http://www.bologna-berlin2003.de/pdf/bologna_declaration.pdf (accessed 21 July 2014).

⁶ For a list of member countries, see <http://www.ehea.info/members.aspx> (accessed 21 July 2014).

⁷ See, for example, Chris Lorenz, Will the universities survive the European Integration? Higher Education Policies in the EU and in the Netherlands before and after the Bologna Declaration, http://www.i.umich.edu/UMICH/ces/Home/Resources/Michigan_Paper_Series/Lorenz_Will_Universities_Survive.pdf (accessed 21 July 2014).

⁸ Communiqué of the Conference of European Ministers Responsible for Higher Education, Leuven and Louvain-la-Neuve, 28-29 April 2009: The Bologna Process 2020 – The European Higher Education Area in the New Decade, Article 9, available at: http://www.ehea.info/Uploads/Declarations/Leuven_Louvain-la-Neuve_Communique_April_2009.pdf (accessed 21 July 2014).

Tigran Torosyan rightly calls the Bologna Process ‘a civilisational programme’.⁹

Taking part in the Bologna Process is a voluntary decision made by each country. The Bologna Declaration does not have the legal quality of a treaty or convention, and there are, therefore, no legal obligations for the signatory states to comply with the aims and objectives. The level of implementation and the priorities vary from country to country. There is nothing that prevents countries from outside the European Higher Education Area to model their own higher education systems on the Bologna Process reforms. In fact, Australia is currently in the process of doing just that; following a joint declaration signed in 2007 by the EU Commissioner for Education, Training, Culture and Youth and the Australian Minister for Education, Science and Training to strengthen their higher education links,¹⁰ Macquarie University in New South Wales became the first Australian university to align its degree system with the Bologna Process as of January 2013.¹¹

This is the model that unrecognized countries can easily follow, and it does not even require any prior joint declaration. However, signing up to the Bologna Process does not just mean the introduction of a higher education system based on undergraduate, postgraduate and doctoral studies, the establishment of a transparent credit system, ensuring comparability and quality and promoting mobility of students and staff. It also means signing up to and endorsing the European values that underpin the Bologna Process. However vaguely they might be expressed in the various policy documents, the Bologna Process is based on common values and is more than just an extension of neo-liberal policies, a commodification of knowledge or a

⁹ **Torosyan T., Vardanyan A.**, Developments Paradigm for Social Sciences and Higher Education in Post-Soviet States, *Armenian Journal of Political Science*, 2014, 1, pp. 5-22.

¹⁰ Joint Declaration on Education, 18 April 2007, available at: http://eeas.europa.eu/delegations/australia/eu_australia/political_relations/agreements/joint_declaration_on_education/index_en.htm (accessed 21 July 2014).

¹¹ **Harrison D., and Rosenberg J.**, ‘No longer content to share the honours’, *The Sydney Morning Herald*, 22 November 2011, <http://www.smh.com.au/national/education/no-longer-content-to-share-the-honours-20111121-1nqor.html> (accessed 21 July 2014); see also Macquarie University, ‘Research Training: New Postgraduate Model’, http://mq.edu.au/about_us/faculties_and_departments/faculty_of_arts/mhpir/modern_history/masters_of_research-mres (accessed 21 July 2014).

marketization of higher education provision. Countries who want to benefit from the opportunities that the Bologna Process offers would be well advised not only to demonstrate a willingness to implement these underpinning values in their educational systems but also take first steps towards addressing deficits where they exist.

Kosovo might serve as an example of the complexities that are involved here, and the problems that such a process of reforms faces. Kosovo is not party to the European Cultural Convention of the Council of Europe and not a formal member of the Bologna Process. The reconstruction of Kosovo's higher education provision after the 1999 war was assisted by British universities, with funding provided by the UK Department for Education and Employment (DfEE) to help develop new curricula at the University of Pristina, the most important higher education institution in Kosovo.¹² For much of the 1990s, there was *de facto* educational segregation in Kosovo; all teaching at the University of Pristina was in Serbian, and ethnic Albanian staff and students were dismissed: they were instead forced to cobble together a parallel system, often holding classes in private homes. After the 1999 war, the United Nation Interim Administration Mission in Kosovo (UNMIK) tried to 'de-politicize and democratize the system', well aware that (higher) education would play 'the key role in peace building'.¹³ Bache and Taylor document the difficulties that the British assistance faced in Kosovo when trying to create a higher education system that would bring it in line with the rest of Europe and reflect UNMIK's vision of 'a multi-ethnic, pluralist, liberal university based on the Western model'.¹⁴ In particular the older generation of ethnic Albanians favoured a curriculum that reflected Albanian national views.

Today, on paper, everything looks fine: Article 47 of Kosovo's Constitution guarantees the right to education and requires public institutions to 'ensure equal opportunities to education for everyone in accordance with

¹² See, for example, **Bache I., and Taylor A.**, The Politics of Policy Resistance: Reconstructing Higher Education in Kosovo, *Journal of Public Policy*, 2003, vol. 23, pp. 279-300; see also **Kostovicova D.**, Kosovo: The Politics of Identity and Space, Abingdon, Oxon: Routledge, 2005; **Pichl E.**, The State of Higher Education in Kosovo. 1999, Available at <http://cicic.ca/docs/en/app6.pdf> (accessed 21 July 2014).

¹³ From the 2000 UNMIK Report 'Focus Kosovo – Social Affairs', cited in Bache and Taylor, p. 289.

¹⁴ **Bache and Taylor**, ..., p. 290.

their specific abilities and needs.¹⁵ The inclusion of minorities is addressed, among others, in the Strategy for the Integration of Roma, Ashkali, and Egyptian Communities in Kosovo,¹⁶ and the Kosovo Education Strategic Plan for the five-year period 2011–2016 confirms as one the most important priorities the need to develop and support ‘an inclusive system of education enabling equitable access to quality education’.¹⁷

However, the reality on the ground does not match this positive impression: education continues to separate people, and the most important factor that undermines all efforts of well-meaning educationalists to set up an inclusive cross-ethnic school and university system is a resurgence of thinking on national or nationalistic lines.

The Council of Europe's European Charter for Regional or Minority Languages (ECRML), which sets out, in Article 8, the right of minorities to be taught in their respective language (this includes higher education provision), is often regarded as a panacea for all these problems.¹⁸ However, Kosovo and the wider region show that rather than bridging the ethnic divide, education provided in the various regional or minority languages tends to widen the gap between the ethnic group because it all too easily leads to,

- firstly, separate lessons for the children of the different ethnic communities in some disciplines;
- secondly, different curricula for the disciplines that are taught separately, reflecting only the perspective of the respective ethnic community;

¹⁵ Constitution of the Republic of Kosovo, Article 47, available at: <http://www.kryeministri-ks.net/repository/docs/Constitution1Kosovo.pdf> (accessed 21 July 2014).

¹⁶ Republic of Kosovo, Office of the Prime Minister, Strategy for the Integration of Roma, Ashkali and Egyptian Communities in the Republic of Kosovo 2009–2015 (December 2008), pp. 20–5, http://www.kryeministri-ks.net/zck/repository/docs/Strategy_for_the_Integration_of_Roma,_Ashkali_and_Egyptian_communities_2009-2015.pdf (accessed 21 July 2014).

¹⁷ Republic of Kosovo, Ministry of Education, Science and Technology, Kosovo Education Strategic Plan 2011–2016, p. 11, available at: http://www.masht.gov.net/advCms/documents/KESP_2011_2016.pdf (accessed 21 July 2014).

¹⁸ Council of Europe, European Charter for Regional or Minority Languages, Available at: <http://conventions.coe.int/Treaty/en/Treaties/Html/148.htm> (accessed 21 July 2014). The ECRML came into force in Armenia on 1 May 2002; Kosovo has not signed it yet.

- thirdly, teaching of students of the different ethnic communities in different buildings, i.e. a complete physical separation: no disciplines are shared any more.

This happens at all levels of education, including higher education, with the University of Pristina now basically attended by ethnic Albanian students only, and ethnic Serbian students attending the Serbian-language university in Mitrovica in northern Kosovo, funded by the Serbian government in Belgrade and run in line with the Serbian system of higher education.¹⁹ This means that the situation of the 1990s is now largely reversed: most ethnic Serb schoolchildren and university students have opted out of the mainstream Kosovo educational system and attend classes paid for by the Serbian government in Belgrade and taught, in many cases, in private homes. Denisa Kostovicova concludes that educational segregation prevailed after the 1999 war just as it did before the war: ‘The UNMIK’s initial attempts to reopen the university in Kosovo as an open and democratic institution, for all students regardless of ethnic background, and without segregation, came to nought.’²⁰

Separate even if equal does not work (and in most cases separate is not equal) – and it goes against the spirit of the Bologna Process. Inclusive education at all levels means that curricula and learning environments must bridge national or ethnic divides, and ensure that former enemies or adversaries learn together and learn from each other. All unrecognized countries have a long history of terrible violence and war, but they must understand – and accept – that no one side has the monopoly on suffering and that no one side is made up solely of perpetrators. All sides suffered, all sides committed violence – and curricula must be based on a mutual acceptance of everyone’s pain, experiences and history.

However, inclusive education does not only mean including former enemies or adversaries on an equal basis. It means equal access, equal opportunities, and equal representation in the curricula for all groups of

¹⁹ The university goes officially by the name of University of Pristina at Mitrovica, reflecting the Serbian view that it is a parallel institution to the University of Pristina in the capital of Kosovo. See **Brajshori M., and Jovanovic I.**, ‘Kosovo, Serbia debate status of university in Mitrovica’, *Southeast European Times*, 7 March 2013, Available at http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2013/03/07/feature-03 (accessed 21 July 2014).

²⁰ **Kostovicova D.**, p. 208.

society. For the wider EU Eastern Partnership Region this means in particular:

Ethnic Minorities:

Ethnic minorities continue to face marginalization and various forms of discrimination, including access to education, in many countries of the EU Eastern Partnership Region. Roma and Jews are often also targets of discrimination in countries where they live, not only by society at large, but sometimes also by the state authorities. Anti-Semitism and anti-Romaism are if anything on the rise in these countries.²¹

Religious Beliefs:

Most Eastern Partnership countries have provisions in place that guarantee the freedom of religion and belief. However, the actual practice is often deficient, with the dominant religion enjoying privileges, including in educational provisions, often informal and uncodified, while other religious groups face restrictions and intolerance which are not addressed because of the lack of preventative legislation. Greater tolerance and acceptance of religious minorities are widely regarded as a threat to national traditions and national identity.²²

Women:

Again, most Eastern Partnership countries have provisions in place that guarantee gender equality, but women's rights are not consistently implemented or enforced. Women continue to face discrimination in employment, and whilst there is usually equality of access to higher education based on merit, it is arguable how far women's concerns are reflected in the curricula and the general learning environment, and how far they are required to adopt the traditional male perspective and behaviour in order to succeed or find themselves restricted to traditional female roles such as teaching and nursing.²³

Disabled People:

Whilst there are laws against discrimination of disabled people, they are rarely effectively enforced. The social stigma against disabled people

²¹ See *Yearbook 2010-11 Human Rights and Democratization Eastern Partnership Region*, compiled by Benjamin Bronstein and Charlotte Freeman, Yerevan: Yerevan State University, 2011; and *Yearbook 2011-12 Human Rights and Democratization Eastern Partnership Region*, compiled by Benjamin James Barnard, Yerevan: Yerevan State University, 2012, entries 'Ethnic Minorities' and 'Roma'.

²² *Ibid.*, entries 'Freedom of Religion'.

²³ *Ibid.*, entries 'Women'.

remains high, meaning that they find it difficult to exercise their right to education, including higher education. Inclusive education bringing disabled and non-disabled children together remains the exception at all levels, not least because a lack of step-free access to schools and universities, making it difficult for disabled people to enter lectures halls, classrooms and laboratories together with their non-disabled peers.²⁴ However, studies from western countries have shown that stigma, prejudices and intolerance of disabled people are best addressed by inclusive education in the same classroom: it is better for the children, and it is better for society at large. The United Nations' 2006 Convention on the Rights of Persons with Disabilities explicitly defines in Article 1 as its purpose: 'to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.'²⁵

Sexual Orientation:

This is arguably one of the most sensitive and controversial issues for all countries of the Eastern Partnership Region. Whilst homosexuality has been officially decriminalized, LGBTQ people continue to face widespread ignorance, intolerance, rejection, marginalization, discrimination and outright violence; they are regarded as 'alien' or 'a disease' who intend to 'undermine' the traditional ways of life.²⁶ In September 2011, the European Parliament expressed 'its concern regarding the numerous human rights violations and widespread discrimination based on sexual orientation and gender identity, both in the European Union and in third countries',²⁷ and Catherine Ashton, High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the EU

²⁴ Ibid., entries 'Persons with Disabilities'.

²⁵ Convention on the Rights of Persons with Disabilities, available at <http://www.un.org/disabilities/convention/conventionfull.shtml> (accessed 21 July 2014).

²⁶ See *Yearbook 2010-11*, entries 'Sexual Orientation', and *Yearbook 2011-12*, entries 'LGBT Persons'. The acronym LGBT has become the commonly used self-designation and is meant to embrace the diversity of sexuality and gender-based identities. In the United States and much of (western) Europe, it is now gradually replaced by LGBTQ: Lesbian, Gay, Bisexual, Transgender and Queer, to include non gender-binary identities.

²⁷ European Parliament Resolution of 28 September 2011 on Human Rights, Sexual Orientation and Gender Identity at the United Nations Human Rights Council, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0427+0+DOC+XML+V0//EN> (accessed 21 July 2014).

Commission, confirmed in a statement to the European Parliament ‘the commitment of the European Union to the entitlement of all people, wherever they are, to enjoy the full range of human rights – and to do so without discrimination’.²⁸

Education has a crucial role to play in addressing prejudices and fighting discrimination and creating the conditions for respecting the equal rights and dignity of each and every citizen – both through its own practice of non-discrimination and unimpeded access for everyone based on merit alone and through curricula and a learning environment that actively teach tolerance towards other views, beliefs, practices, behaviour and opinions. Education without discrimination does not just mean that unrecognized countries should not be *per se* excluded from the benefits of the Bologna process. It also means that unrecognized countries (just like any other country) must not discriminate against any of their citizens because of ethnicity, religious belief, gender, disability, sexual orientation or any other factor. This is the essential and non-negotiable basis on which the Bologna process rests: there is no pick and choose from respecting and implementing these European values, which are in fact the universal values set down in the UDHR.

The Russian political scientist and philosopher Aleksandr Dugin, the ideologist of Neo-Eurasianism and often considered one of the brains behind Russian President Vladimir Putin’s vision of a resurgent Russia, recently denied again that there are any universal values, claiming that those which are regarded as universal are in fact a projection of ‘western’ values which the West tries to impose upon the rest of the world, such as gender equality or LGBTQ rights.²⁹ As the Bologna Process is driven by the European Cultural Convention, and participation is voluntary, the debate about the universality of European values is irrelevant in this context. Those countries who want to benefit from the opportunities that the Bologna Process offers, be they recognized or non-recognized countries, knowingly join a European

²⁸ Statement by HR/VP Catherine Ashton to the European Parliament on ‘Sexual orientation and gender identity at the United Nations Human Rights Council’, Brussels, 28 September 2011, European Union, Document A 387/11, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/124774.pdf (accessed 21 July 2014).

²⁹ See “Jeder Westler ist ein Rassist”: Spiegel-Gespräch mit Alexander Dugin, *Der Spiegel*, No. 29, 15 July 2014, pp. 121-2.

process and therefore need to incorporate the underpinning European values in their educational reforms.

The Humanities and the Social Sciences have a central role for aligning the educational system with the values underpinning the Bologna Process: it is in these disciplines that the questions of rights, values and attitudes are first and foremost addressed. However, it cannot be done solely by an order from 'above', i.e. by the Ministry of Education or select educational leaders. Nando Sigona and Nidhi Trehan, writing on the situation of the Roma in Europe and the aim of their full inclusion in a common future, emphasize that it requires a new form of discourse to embed a step-change in popular attitudes and views: 'This dialogue therefore must move beyond the confines of liberal discursive platitudes about equality of Roma, and must enter the realm of co-existence of life-worlds where shared schools, workplaces and neighbourhoods once again become a reality for Roma'.³⁰ The same applies with regard to all groups of populations who face prejudice, intolerance, marginalisation, discrimination and (partial) exclusion: it requires a new kind of societal discourse which involves everyone on an equal basis.

Prevailing patterns of discourse have long ensured that the 'otherness' of these groups was heightened and perpetuated, and it will require a fundamental change in these patterns to transform the perception and the treatment of these groups. Instead of putting the emphasis on minority, religious, gender, disabled or LGBTQ rights which can end up reinforcing boundaries, whether real or imagined, exacerbate conflict and give rise to jealousies, the emphasis should be more on mainstreaming these issues, on solidarity and on building trust and creating cross-ethnic, cross-religious, cross-gender, cross-sexual bonds. In order to address deep-seated traumas and design a common future which is not based on (forced) assimilation or incorporation of one side or the other, this discourse must also include sharing, understanding and embracing each other's experiences – and, returning to higher education, reflecting them in the curricula and the general learning environment.

Obviously, higher educational developments cannot be de-coupled from primary and secondary educational developments: university students

³⁰ **Sigona N., and Trehan N.,** Conclusion: A 'People's Europe' for Romani Citizens?, in **Sigona N., and Trehan N.,** (eds.), *Romani Politics in Contemporary Europe: Poverty, Ethnic Mobilization, and the Neoliberal Order*, Houndsmills, Basingstoke: Palgrave Macmillan, 2009, p. 294.

bring to their higher education institutions the education, attitudes and values they received in their respective primary and secondary schools, and the universities build upon this. Just as importantly, if a disproportionate number of members of one particular group, be it girls, disabled children or children from religious minorities, can't complete compulsory primary education or have no access to secondary education, no reform at the higher educational level will be able to establish the desired inclusivity with regard to student body and curriculum. Therefore, it matters profoundly for higher education provision what happens at the lower levels.

Only addressing the immediate legal and/or 'technical' issues – vital as this obviously is – is not nearly enough: in order for education to reduce prejudices and become more inclusive, it is just as important for all groups of society to talk to each other, listen to each other's memories and experiences, acknowledge them, and make them part of a comprehensive and inclusive historical-cultural memory or consciousness. The curricula need to be based on such an inclusive public consciousness.

Bearing witness of one's experiences means transforming oneself from a mute and subjugated victim to a self-determined subject through one's own efforts. 'Healing through History' is a commendable and tested project³¹ – but for it to work it needs the willingness, ability and openness on all sides involved to engage in such a process. The concerns of the marginalized groups are cogently articulated by a Romanian Rom: 'We are always supposed to listen to the majorities; we are never taken seriously. [...] All of us need to change, not only us, [...] We want help, we need help but this help should be on our terms and not focused as it is now on assimilation.'³² An activist expressed it similarly: 'We are part of the current situation and will be part of the future. So, if you consider us as human

³¹ See, for example, the Initiatives of Change conference 'Healing History – Overcoming Racism, Seeking Equity, Building Community' in Caux, Switzerland, which included a workshop on 'Listening to Unheard Voices: Roma in Kosovo', which I chaired, <http://www.caux.iofc.org/en/healing-history-0>; or projects such as 'Healing Through Remembering', <http://www.healingthroughremembering.org>; 'Healing Histories', <http://www.healinghistories.com>; or 'Healing the Wounds of History – Addressing the Roots of Violence', <http://www.healingwoundsofhistory.org> (all accessed 21 July 2014).

³² Lilian Ignat Caransebes, Romania, September 2009, cited in Nicolae V., *We are the Roma! One Thousand Years of Discrimination*, London: Seagull Books, 2013, pp. 83-4.

beings, then you must put us in the game'.³³ Again, it is immediately obvious that this applies to all marginalized groups.

Some people might argue that countries currently not involved in the Bologna Process should only embark on these difficult and often painful changes and reforms once they have been given assurances that they will officially become part of the Process. This misunderstands the character of an inclusive (higher) education that values each and every member of society. It is not a 'price' that has to be paid to get access to benefits or opportunities: it is something that any society will want to implement because it agrees that it is the right way forward to develop and strengthen a stable, peaceful and democratic common future and resolving internal and inter-state conflicts.

Higher education has an important role to play in this development. However, instead of focusing solely on mechanisms and 'ticking the right boxes' in order to achieve recognition and become part of the Bologna Process, it is necessary to get the fundamentals in order first – or at least at the same time. Without solving internal problems where they exist, a resolution of the external issues will not be viable. All countries need to build a solid base from which to ensure comparability in the standards and quality of higher educational provisions and qualifications. Without such a base, the process would be sitting on very hollow foundations.

This is not to suggest that all is well within the European Higher Education Area and that all current EHEA member states have fully implemented in their educational reforms the European values that underpin the Bologna Process – far from it. What is suggested – and indeed, strongly advised – is that clear steps should be undertaken towards implementing these values. There are no doubt currently a number of EHEA member states that are sceptical of some or even all of these European values and resist their implementation in their higher educational provisions, and one might well argue that they should leave the EHEA. However, even if they do not leave the EHEA, they will inevitably find themselves increasingly marginalised as their standards and qualifications will be questioned, the mobility of their staff and students will become more confined, and they will

³³ Nando Sigona in conversation with Mustafa A., and Salijevic G., 'Being Roma Activists in Post-Independence Kosovo.' In **Sigona N., and Trehan N.**, (eds.), *Romani Politics in Contemporary Europe: Poverty, Ethnic Mobilization and the Neoliberal Order*, Houndsmills, Basingstoke: Palgrave Macmillan, 2009, p. 212.

not be able to benefit fully from the opportunities that the Bologna Process offers.

Conclusion

Joining the European Higher Education Area is a protracted process, and even in the countries actively involved in the Bologna Process the interpretation of what exactly European values entail sometimes differs. However, what unites most countries of mainland Europe is a broad underlying agreement on the principles of democracy, rule of law and the inviolability of human rights.

The countries of the EU Eastern Partnership Region face particular challenges in this respect, as do all unrecognised or partially recognised countries, because for them the decision of whether or not to adopt the system of European values which underpins the EHEA is very much linked to the fundamental decision about how they want to see their societies develop after the collapse of the Soviet order. They also need to find ways of measuring progress. However, all too often the criteria are not set by non-partisan experts, but by government officials who use crude instruments such as policy documents and declarations, rather than real evidence of how far the values and principles are being implemented and embedded on the ground.

When the geopolitical struggle about the new demarcation of the zones of influence in the post-Soviet period turns into armed conflict, as in Georgia in 2008 or Ukraine in 2014, the principles of democracy, rule of law and the inviolability of human rights often become mere tools in this struggle. The assessment of how far these values and principles are being implemented tends to be even cruder as it is now linked to the question as to whether whoever evolves as the 'winner' in a particular country or region, be it in elections or otherwise, sees the future of his or her country with 'Europe' or with 'Russia'. In fact, more often than not this decision is the result of a strategic calculation as to what promises better prospects of preserving his or her grip on power, and less so a reflection of a true belief in or commitment to the value system of one side or the other.

Higher education is for the most part little more than a pawn in this struggle.

Three Stages, Three Groups and Three Paradigms of Post-Soviet Transformation

TIGRAN TOROSYAN

Brusov State University of Languages and Social Sciences, Armenia

HAYK SUKIASYAN

Brusov State University of Languages and Social Sciences, Armenia

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Even two decades after the start of the post-Soviet transformation, discussions on theoretical grounds of that process are still ongoing. While a decade ago it was possible to unequivocally assert that it is not the continuation of the third wave of democratisation and that the theories and models of regime transitions, recorded before the collapse of the USSR, can only to a first approximation be applied to the post-Soviet transformation study, later doubt was cast upon the existence of a general paradigm for the process. Nevertheless, several patterns are evident in the process, and the article examines the modelling possibility of that exceptionally complex and multivector process.

Keywords

Post-Soviet transformation, democratisation, regimes, stages, paradigms

Post-Soviet Transformation: Continuation of the Third Wave or a New Phenomenon?

The first estimates regarding the essence of the post-Soviet transformation phenomenon, brought forth after the collapse of the USSR, were overly optimistic. Even experts, well-informed of previous transition processes, did not see a need for specific approaches, and applied existing theories and models in order to analyse and interpret it. S. Huntington¹, in particular, considered it a minor twilight continuation of the third wave of

¹ **Huntington S.** The Third Wave: Democratization in the Late Twentieth Century. Norman and London, University of Oklahoma Press. 1991.

democratisation, leading to the steady establishment of democratic regimes in the countries undergoing that process. As A. Melville mentions, many researchers, describing and analysing political developments in the world, understood modern political transformations exceptionally in the framework of clear linear logic – transition from authoritarianism to a consolidated democracy². It is no coincidence that in the paradigm formulated from the results of the first decade of that process, a key role was assigned to elections³. Indeed, elections are an important mechanism for assessing the post-Soviet transformation process and its achievements; namely because directly involved in this process are political powers representing both the government and the opposition simultaneously, all the government bodies – legislative, executive and judicial – and the quality of elections can be considered an assessment of their integral activity. However, already at the beginning of the early 2000s, it became clear that in the paradigm of such a complex, system-creating and multivector process, elections cannot have a crucial role given that solutions to problems depend not only on authorities activities, but on the efficiency of state and public structures, structures as yet either incompletely formed or defective. Through elections it is possible to change only the authorities, but not improve the nature of structures. It is no coincidence that one and a half decades after the beginning of the process, an idea of a new paradigm was proposed, assigning key importance to a system-building structure – the multiparty system⁴. Others questioned the existence of a general or prevailing paradigm for the post-Soviet transformation, considering it a myth⁵. It was becoming obvious that the third wave of democratisation and the post-Soviet transformation are various phenomena, and the following at least five essential differences between these processes play an essential role:

- post-Soviet transformation has a dual nature: both pluralistic democracy and a market economy should be created on its basis, while in the countries of the third wave, the grounds of especially the second nature were

² **Melville A.**, On the Trajectory of Post-Communist Transformations, *Polis*, 2004, 2, 65-75. (in Russian)

³ **Carothers T.**, The End of the Transition Paradigm, *Journal of Democracy*, 2002, 13, 1, pp. 6-21.

⁴ Ibid

⁵ **Gans-Morse J.**, Searching for Transitologists: Contemporary Theories of Post-Communist Transitions and the Myth of a Dominant Paradigm, *Post-Soviet Affairs*, 2004, 20, 4, pp. 320-349.

present,

- the third wave included countries with lower socio-economic and industrial levels, where it was easier to implement privatisation and a social development strategy,
- a national issue did not exist in the countries of the third wave, while the overwhelming majority of post-Soviet states had to cope with that challenge as well,
- one can speak about the existence of a civil society in post-Soviet transformation countries with too much reservation, at embryonic stage levels; moreover, they were hearths of nongovernmental instability rather than mechanisms for compromise solutions to problems,
- the international situation in the 1970s was more favourable and stable than that in the 1990s.⁶

These differences suggest that the two processes have completely different natures, therefore, the differences of problems, faced by the countries and societies involved in the process, are essential. What is more, various measures, approaches and models are required for the solution of essentially different problems. Thus, in the initial phase of post-Soviet transformation, when state and public structures were just being formed, and the countries undergoing this process had the same problems, it was possible to use a common paradigm and already existing principles and models, established concerning the third wave of democratisation. However, during the next stage of developmental path selection for each country, it was necessary to apply models and theories developed for that unprecedented process; moreover, no longer in the framework of a single paradigm, but for each group of countries having chosen different paths.

The End of the Common Stage and the Selection of Diverging Paths: A Three-Element Process with Three Possible Outcomes

Several events of 2004 finally confirmed opinions that the post-Soviet transformation cannot be viewed as the continuation of the third wave of democratisation. It is a unique process, which for different groups of countries, has various courses and directions with completely different outcomes. After the large-scale expansion of the European Union, as well as

⁶ Terry S., Thinking about Post-Communist Transition: How Are They? *Slavic Review*, 1993, 52, 2, pp. 333-337.

after “colour revolutions”⁷ in several countries, post-Soviet states were divided into three groups according to their trajectories and emerging future:

- new EU member states that had formed democratic regimes,
- countries that had declared the formation of democratic regimes a constitutional goal, had accomplished some results in that direction, but still retained a number of essential features of authoritarianism,
- countries that were moving towards deepening authoritarianism, and some of them – towards the establishment of totalitarian regimes.

Obviously, while during the first decade of the transformation of these countries, they may have had a number of common features, and general theories could have been used for the evaluation, interpretation and prediction of their progression, it would become more and more difficult afterwards. Moreover, dividing countries into the aforementioned three groups allows to state that for the countries in the first and third groups, post-Soviet transformation can be considered accomplished because the development problems, typical of these countries, and their study are quite comparable to problems and their study that existed both before post-Soviet transformation and today in dozens of other countries, and there is no need to process a paradigm or theory. The countries in the first group, in particular, should already be considered in the same plane with other EU member states, with their specific problems and development opportunities. The problems of countries in the third group do not differ significantly from problems in other countries having deep-rooted authoritarian or totalitarian regimes, and their courses can later be observed out of the plane of post-Soviet transformation. The situation is different for the countries in the second group, among which Armenia, Georgia, Ukraine, Moldova, Belarus, and according to the estimates of some experts, also Azerbaijan – with a number of reservations – can be classified. It is no coincidence that exactly these countries are included in the EU “New Neighbourhood Policy” (launched in 2004) and “Eastern Partnership” (launched in 2008) projects. The choice of democracy as a type of regime is still possible for those countries. However, as V. Gelman mentions, previously used democratisation models of political transformation analysis in post-Soviet societies are obviously insufficient for understanding the processes of

⁷ **Torosyan T., Vardanyan A.**, "Color Revolutions": antecedents and consequences, *Public Governance*, 2005, 3, pp. 90-101. (in Armenian)

transformation in these countries⁸. T. Karozers's conclusion was much more radical: the study of the post-Soviet transformation experience through the previously formed transition theory is inefficient and should be denied⁹.

It should be noted that those estimates were formulated in the early 2000s, when economies began stabilising and demonstrating signs of development of the aforementioned countries in the second group, and structures were almost completely formed, etc. However, A. Melville, quite fairly noted that although institutional stability and regime consolidation may provide some gains, in themselves they are far from constituting a consolidated liberal democracy¹⁰.

According to Carothers, as a result of post-Soviet transformation, in the early 2000s, delegative democracies¹¹ were formed, which are not only certain hybrid political regimes¹² that incorporate separate elements and attributes of democratic and authoritarian regimes, but are also false democracies, which merely simulate some of the formal attributes of a democracy (for example, elections and a multiparty system)¹³. One of the reasons behind the temporary success of such simulations is the lack of effective research tools and approaches and the difficulties of processing solutions for specific issues. The primitive application of Western models, for the purpose of solving post-Soviet transformation problems, leads to the formation of formal structures doomed to failure, and afterwards – to political crises, major social upheavals, political polarisation, etc.¹⁴ As with other complex processes aimed at developing systems, in the case of post-Soviet transformation, mechanistic thinking is not applicable¹⁵. It is no coincidence that even two decades later, approaches and paradigms related

⁸ **Gelman V.**, Post-Soviet Political Transformations, *Polis*, 2001, 1, pp. 15-29. (in Russian)

⁹ **Carothers T.**, A sober look at democracy, *Pro et Contra*, 2005, 1, pp. 73-80.

¹⁰ **Melville A.**, On Trajectories of Post-Communist Transformation, *Polis*, 2004, 2, pp. 65-75. (in Russian)

¹¹ **Carothers T.**, The End...

¹² **Diamond L.**, Thinking About Hybrid Regimes, *Journal of Democracy*, 2002, 13, 2, pp. 21-35.

¹³ **Melville A.**, Transnationalisation of world politics and its "antiphases". *Political Science in Modern Russia*. M., 2004., pp. 136-137. (in Russian)

¹⁴ **Torosyan T.**, Post-Soviet Transformation of Social System, Yerevan, 2006, p. 34. (in Armenian)

¹⁵ **Torosyan T.**, Post-Soviet ..., pp. 40-43.

to the study of the “post-Soviet transformation” phenomenon continue being reviewed. Only in respect of the progression of countries in the second of the aforementioned three groups can one talk about a new post-Soviet transformation paradigm, in the context of the democratisation process.

Obviously, in such a paradigm, the multiparty system – as a system-building structure – should be of crucial importance because the parliamentary majority and the opposition, which form the structures of the political system, stem from it¹⁶. Indeed, the multiparty systems formed in countries involved in the post-Soviet transformation have essential specificities¹⁷, and the application of political theories, created for the purpose of and as a result of previously existing transformation studies, periodically also encounter difficulties during the research of multiparty systems in post-Soviet countries¹⁸. The complexity of the problem stems not only from that fact, but also from the matter of the post-Soviet transformation process entering a new stage, in which it has essentially grown given the characteristics of individual countries undergoing that process, in addition to the rapidly increased importance of a completely new course, formed in international relations with the launch of the process.

The Civilisational and Geopolitical Factors of Post-Soviet Transformation

The answers to the following two questions gained paramount importance in terms of the further course of the post-Soviet transformation or the democratisation of countries in the aforementioned second group:

- What factor influenced post-Communist countries to be divided into three groups with different courses and directions?
- What factors can be more effective in terms of the further courses of countries in the second group?

According to D. Cameron, the process of democratisation was successful in those post-Soviet transformation countries which started cooperating with the European Union earlier, and this success is due to the

¹⁶ **Torosyan T.**, Wreck of the Multiparty System, Available at www.168.am/2013/03/07/192008.html (in Armenian)

¹⁷ **Poghosyan L.**, Optimisation Problems of the Multiparty System’s Institutionalisation in Post-Soviet States, *Armenian Journal of Political Science*, 2014, 1, pp. 63-80.

¹⁸ Ibid

influence of that European institutions.¹⁹ Of course, in the process of European integration, it is difficult to overestimate the role of European institutions, but based on the logic of this hypothesis, Romania and Bulgaria, which had signed a cooperation agreement with European Union in 1993, should have been the first countries to join with this organisation. However, in 2004, three Baltic countries and Slovenia, which had signed an agreement only in 1995 and 1996 respectively, were included among EU member states rather than the aforesaid countries, along with the Czech Republic, Slovakia, Poland and Hungary, which had signed an agreement in 1991. Moreover, Cameron's hypothesis is not complete also in terms of the division into the aforementioned three groups. However, the thesis statement, contrary to Cameron's, fully explains both the aforesaid contradiction and the separation of post-Soviet transformation countries in the above-mentioned three groups. The thesis is as follows: the success of the democratisation process in post-Soviet countries heavily depends on the pre-Soviet course of those countries and the reminiscence concerning it²⁰. It is no coincidence that all EU member states having joined by 2004 had appeared in the socialist camp after World War Two; even after being involved there, they did not adapt to the reality (particularly, riots in Hungary in the 1950s, in Czechoslovakia – in the 1960s, in Poland – in the 1970s, etc.). At the time of the collapse of the USSR, pre-Soviet reminiscence and a generation that preserved pre-Soviet values still existed in those countries; whereas, among Central and Eastern European countries, the Communist regime in Bulgaria in the 1970s-1980s was closest to the Soviet regime, and under **Ceausescu**, a rigid totalitarian regime was established in Romania.

In terms of the courses of post-Soviet transformation countries, the defining role of values and traditions – and therefore, of national characteristics – was already obvious in the late 1990s. Ph. Roeder attached great importance to national transformation, which implies a formation of nation states along with the transformation of social consciousness²¹. Even S. Huntington, one of the main authors of the notion of linear post-Soviet transformation development in the early 1990s, later claimed that the

¹⁹ **Cameron D. R.** Post-Communist Democracy: The Impact of the European Union, *Post-Soviet Affairs*, 2007, 23, 3, pp. 185-217.

²⁰ **Torosyan T.**, *Post-Soviet ...*, p. 94.

²¹ **Roeder Ph.**, People and States after 1989: The Political Costs of Incomplete National Revolutions, *Slavic Review*, 1999, 58, 4, pp. 854-882.

transition of Western values to other civilisational environments, their “Westernisation”, is not only impossible but also immoral in its consequences because modernisation and economic development do not require cultural “Westernisation” and do not necessarily lead to it. Generally, the European (Western) path selection cannot be the only or even the correct way²². Civilisational and value factors had a determining influence during the second stage of post-Soviet transformation. The countries undergoing that process belonging to the Western civilisation chose the path to European integration and eventually joined the European Union, the countries belonging to the Islamic civilisation chose the totalitarian regime, and the countries belonging to the Orthodox civilisation or that had been in that environment for several centuries, appeared in the second group and had difficulties selecting a civilisation. Russia had a special position as an axis of the Orthodox civilisation. As L. Nikovskaya mentions, the mechanical reproduction²³ of Western ideas and political experience is not applicable to the Russian society, and Russia continues searching for its particular path.

It is not hard to perceive that the allocation of post-Soviet transformation countries within the aforementioned three groups in the early 2000s, and the second stage of the process are best explained by civilisational and value congenialities and differences in those countries, as well as the reminiscence and experience of organising public life in the pre-Soviet period.

There were two events symbolising the beginning of the third stage of post-Soviet transformation, – that of strengthening geopolitical influences. First, the speech of the President of Russia at the 2007 Munich Conference on Security Policy²⁴, by which Russia expressed sharp disagreement with the United States policy towards forming a unipolar world; then in August, 2008, during the Russian-Georgian Five-Day War, which heralded that Russian-American rivalry in the post-Soviet area is entering a phase of hard

²² **Huntington S.**, The West: Unique, not Universal, *Political Affairs*, 1996, 75, 6, pp. 28-46.

²³ **Nikovskaya L.**, Problems and Peculiarities of Democratic Transformation in Contemporary Russia), (in Russian). Available at <http://rapn.ru/?grup=573&doc=1661> (16.11.2013).

²⁴ Vladimir Putin, Speech at the 43rd Munich Conference on Security Policy, February 10, 2007, Available at http://globalsecurity.org/.../2007/putin-munich_070210.htm

confrontations²⁵. At least over the past three centuries, the Eurasian Heartland²⁶ analysis of developments – in the South Caucasus in particular – reveals three patterns: at the beginning of each century, the balance in zones of influence, established between influential countries, collapses; during the following 25-30 years, a new struggle for the redistribution of zones of influence takes place, a new balance is established afterwards²⁷. The new period of decisive operations of that struggle, which started after the collapse of the Soviet Union, was launched with the aforementioned events in 2007 and 2008. The EU Eastern Partnership programme was of key importance for the subsequent developments. Although initially the course of events was reminiscent of the previously failed New Neighbourhood Policy, the situation was exacerbated dramatically after the Vilnius Summit in November, 2013. The European Union intended the summit to be a turning point in the relations between the EU and the countries involved because it expected four of those countries – Ukraine, Armenia, Georgia, Moldova – to sign free trade and association agreements. While it was relatively safe to predict that the agreements would be signed by Georgia and Moldova, by the beginning of September it was clear that Armenia would not sign such agreements; then the behaviour of the President of Ukraine Viktor Yanukovich, having a special role in that quartet, created a completely new situation.

Not only did Yanukovich, adventurously lost in the sinuous “trade” relations of the “European Union - United States - Russia” triangle, not perceive that he was losing control of the realistic view of the situation and the possibility of control, and resulting from the subsequent revolution, also his power, but also turned Ukraine into a main arena of the U.S.-Russian confrontation in the process for establishing a new world order. Moreover, while in Russian-Georgian issues a non-main role was reserved for the European Union, in the case of Ukraine the organisation appeared in the foreground. Moreover, the EU’s active engagement in geopolitical

²⁵ **Torosyan T.**, Nagorno-Karabakh and Kosovo: Conflicts, Negotiations and Geopolitics, Yerevan, Tigran Mets Publishing House, 2012. (I Armenian)

²⁶ **Mackinder H.**, The Geographical Pivot of History, *The geographical Journal*, 1904, 23; **Mackinder H.**, Democratic Ideals and Reality, London, Constable and Company, 1919.

²⁷ **Torosyan T.**, The Return of Turkey, *Russia in Global Affairs*, 2009, July-September, 3, pp. 120-129.

competition through its policies significantly reduces the importance of the value system, which has for a long time been one of the EU's defining factors. Although in the course of the post-Soviet transformation, the European Union has undergone significant alterations in terms of both its constitution and the impact in international relations, it is also noticeable that in geopolitical competition it has to cope with difficult challenges in the framework of the "values or interests" dilemma²⁸.

The Vilnius Summit and the following events demonstrated that the process of establishing a new world order has entered a decisive phase and has become the most influential factor in the post-Soviet transformation. With the final policy choice of the countries in the "waiting" group (Ukraine, Armenia, Georgia, Moldova) between Western and Orthodox civilisations, or integration environments, the post-Soviet transformation will be complete.

Concluion

Two decades of results and progression of post-Soviet transformation demonstrate that:

1. It does not have a linear nature, but is a complex and multivector process, that has had three stages development, three paradigms, and the countries involved in that process can be divided into three groups, based on their trajectories and possible future courses.

2. The three stages of this process have had different durations, but features of key importance – in terms of the course and outcome of each – have clearly differentiated them. In the longest and opening stage, in Eastern and Central European countries, which had been part of the former socialist camp, as well as in newly independent states, created after the collapse of the Soviet Union, completely new regimes were formed. This stage can be considered a statehood-forming phase. The second stage can be called a

²⁸ **Krastev I.**, Europe's Democracy Paradox, *The American Interest*, VII, 4, March-April, 2012, pp. 41-47.

phase of path diversion based on value systems, and the third stage, a dominance phase for the geopolitical factor.

3. While during the first stage of statehood-forming, the courses of the countries involved did not differ significantly, in the second stage these countries were divided into three groups, according to the value systems they avowed. The first one can be called a full democracy group, the second one – a “waiting” group, and the third one – a group of rigid authoritarianism or totalitarianism.

4. While in the first stage one could, with some reservations, talk about the existence of a common post-Soviet transformation paradigm and about the possible employment of such theories and tools previously applied for studying such phenomena, in the second stage three completely different paradigms were to be observed according to the aforementioned groups. It can be considered that for the first and third groups of countries, the second stage completed the post-Soviet transformation, and the third stage can be observed only regarding the “waiting” group of countries. Having gradually gained dominant influence, the geopolitical factor will have a crucial role in their further courses.

Optimisation Problems of the Multiparty System's Institutionalisation in Post-Soviet States

LUSINE POGHOSYAN

Brusov State University of Languages and Social Sciences, Armenia

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The efficiency of the multiparty system significantly depends on the system institutionalisation level, which has two components: party system institutionalisation (PSI), and institutionalisation of political parties (IPP). Different models, criteria and indicators of the evaluation of the institutionalisation levels are used for their study. Nevertheless, by the late '90s of the past century it became clear that in post-Soviet transformation countries the establishment of democracy and, in particular, multiparty system has significant peculiarities and difficulties, the employment of those criteria and indicators are ineffective. It is no coincidence that since 2000 a sharp increase in the study of multiparty systems in post-Soviet transformation countries is noticeable. The revelation of those difficulties and the revision of models and criteria for the evaluation of multiparty systems will enable an increase in research productivity.

Keywords

Post-Soviet transformation, multiparty system, evaluation, political party, institutionalisation.

In the studies devoted to the development of democracy and, in particular the making of multiparty systems, countries are often classified on a regional basis, which has resulted in the creation of a possibility to compare the democratisation making process based on regional generalisations¹. However, having studied the political party systems in the Philippines and Thailand, and comparing them to the new Eastern European, Latin American as well as Western consolidated democracies, Allen Hicken draws attention to the fact that, despite their differences, political parties perform the same functions, and party systems have the same role, i.e., to

¹ **Spirova M.**, Political Parties in Post-Communist Societies. Formation, Persistence, and Change Houndmills: Palgrave MacMillan, 2007; **Hicken A.**, Building Party Systems in Developing Democracies, Cambridge University Press, 2009.

balance local and state interests, as well as long-term priorities and short-term political requirements². Electoral and party systems result from various complex factors, some of which are specific to certain countries, while others, on the contrary, have a general nature³. Those factors are multiple: states' traditions and history, culture and social structure, religious beliefs, intra-national ethnic relations, economic structure, etc. Therefore, during the study of any state's party system, multiple factors should be considered in the processes of its creation, consolidation and development. According to Dahl, no political institution shapes a political system as much as a state's political parties and the electoral system do⁴. In his classification of party systems, he takes into account the representation of political parties in elections and in the parliament, comparing their competitive and cooperative nature⁵. In Latin America, Central and Eastern European countries (CEE), the problems of building party systems are discussed mainly in the context of the institutionalisation of political parties and political party systems, assessing the democratisation degree or the conditioning of the quality of democracy by the institutionalisation degree or level of the political party system and political parties⁶.

Works discussing issues of party system institutionalisation, refer especially to relationship questions of political party and party institutionalisation and democracy quality⁷. First and foremost, building a

² **Hicken A.**, *Building Party Systems in Developing Democracies*, Cambridge University Press, 2009, Chapter 1

³ **Duverger M.**, *Political Parties*, Wiley. 1963.

⁴ **Dahl R. A.**, *On Democracy*, Yale University Press, 1998, p. 130.

⁵ **Dahl R. A.**, Patterns of Opposition, *Political Oppositions in Western Democracies*, edited by Robert Dahl, Yale University Press 1973, p. 338.

⁶ **Mainwaring S., Torcal M.**, Party System Institutionalization and Party System Theory after the Third Wave of Democratization, Working Paper #319, The Helen Kellogg Institute for International Studies, April 2005, Available at: <http://kellogg.nd.edu/publications/workingpapers/WPS/319.pdf>, 25.08.2013,

Croissant A., Völkel Ph., Party system types and party system institutionalization. Comparing new democracies in East and Southeast Asia. *Party Politics* 2012, 18 (2), pp. 235–265, **Randall V., Svåsand L.**, Party Institutionalization in New Democracies, *Party Politics* 2002, 8 (1), pp. 5–29.

⁷ **Lijphart A.**, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*. Second Edition, Yale University Press/New Haven & London 2012; **Berman S.**, Lessons from Europe, *Journal of Democracy*, 2007, 18, 1, pp. 28–41; **Linz J. J., and Stepan A. C.**, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore, MD: Johns Hopkins University Press. 1996.

multiparty system is a political process, but it cannot happen without a number of other factors. Already in the '60s of the past century, Huntington indicates the necessity to focus on increasing the degree of political participation and the level of institutionalisation in societies in the democratisation process⁸. He believed that the political sphere depends on the level of political organisations and procedures, which in turn reflects the institutionalisation level of these organisations or procedures; he defined political and social institutions as stable, recurrent and valuable behaviour models, which usually have institutionalisation levels.

The institutionalisation phenomenon of political parties and political party systems can also be explained as a form of political parties' "materialisation" in the social consciousness, as a result of which they can often exist independent from their leaders, recurrently being included in well-known behaviour models⁹; whereas the parties in post-Soviet transformation countries were formed not so much around ideas and principles as around political figures distinguished in the political arena in one way or another¹⁰. However, regardless of the characteristics of the institutionalisation or the making process of a political party system or a single political party, it is an integral part of the political developments process. Naturally, the institutionalisation of a political party, moreover the establishment, are long-term and complex processes because they simultaneously occur in the political, social, as well as legal dimensions, incorporating many components. It is clear that the situation – in its versatility – cannot be fully assessed by the affirmation or confirmation of any single dimension. For example, a certain political party's legal registration or the existence of multiple political parties is a necessary but insufficient condition for the making of a multiparty system or even for institutionalisation. Institutionalisation process can be considered as a

⁸ **Huntington S.P.**, Political Development and Political Decay. *World Politics*, 1965, **17**, 3, pp. 386-430, Available at: <http://chenry.webhost.utexas.edu/core/Course%20Materials/SPH1965/0.pdf>, 08.11.2013

⁹ **Janda K.**, Comparative Political Parties: Research and Theory: **Ada W. Finifter** (ed.), *Political Science: The State of the Discipline II*, Washington D.C., American Political Science Association, 1993, pp. 163-191, Available at: http://janda.org/comparative%20parties/Janda_on_parties.htm

¹⁰ **Torosyan T.**, Post-Soviet Transformation of Social System, RA NAS "Science" Publishing House, 2006, p. 153. (in Armenian)

transformation of political parties into a legal-political institute, in case of which

a) their creation, activity and liquidation are regulated by legal means,

b) regulatory norms, values and rules of conduct for the organisation and activity of political party systems and political parties is established,

c) the political parties' relationships with each other as well as with other institutions have a stable, permanent, organised, regulated, periodic and predictable nature.

Moreover, while the institutionalisation framework of a political party system can generally be derived from constitutional norms and the nature of the electoral system, it is possible to investigate more specific issues, especially those regarding relations with the opposition, only by completing the studies of the aforementioned relations by the observation of social, economic, cultural or psychological factors¹¹.

Discussing the institutionalisation of political party systems, some authors¹² suggest observing the issue from two perspectives: political party system institutionalisation and political party institutionalisation because these processes are derived from each other, but both need a thorough analysis: one does not necessarily determine the qualities of the other one, moreover, political party institutionalisation criteria have been observed much less¹³. As noted by Bértoa, while in some cases the organisational stability and continuity of parties will promote political party system institutionalisation, in other cases it may be otherwise, which is especially true for new democracies¹⁴.

¹¹ **Dahl R. A.**, Some Explanations. In *Political Oppositions in Western Democracies*, edited by Robert Dahl, Yale University Press, 1973, p. 349

¹² **Bértoa F. C.**, Party System Institutionalization and the Quality of Democracy in Eastern Europe, Center for the Study of Imperfections in Democracy, A Research Center at Central European University, DISC working Paper Series, DISC WP/2009/7, Available at http://pdc.ceu.hu/archive/00005498/01/fernando-paper-web_2.pdf, 30.09.2013

¹³ **Randall V., Svasand L.**, Party Institutionalization in New Democracies, *Party Politics*, 2002, 8, 1, pp. 21-32.

¹⁴ **Bértoa F. C.**, ...

The Features of Parties in New Democracies

As a result of the study of political party systems in new democracies of Eastern Europe, Spirova emphasises the need to study the activities of individual parties for the purpose of effectively researching a political party system and for perfecting a political system¹⁵. An important feature of party activity in new democracies is the fact that they limit the strength of power structures¹⁶.

Also in terms of the governing system's specific manifestations and in terms of its improvement policy, the study of political party systems in post-Soviet transformation countries is of an essential importance¹⁷. In Russia¹⁸, Ukraine¹⁹, Kyrgyzstan²⁰, the Baltic States²¹, Georgia²², Moldova²³ and Armenia²⁴, a number of works are devoted to the discussion of those issues, but, understandably, especially in the limelight are the political problems in Russia, the Baltic countries and Ukraine, which are observed on

¹⁵ Spirova M., ...

¹⁶ Hicken A., ...

¹⁷ Democracies in Danger (Ed. A. Stepan), Johns Hopkins University Press; 2009, p. 141

¹⁸ Рогов К., Политические циклы постсоветского транзита, *Pro et contra*, июль-октябрь 2012, Холодковский К.Г., К вопросу о политической системе современной России, *Полис*, 2009, 2.

¹⁹ Межуев Б.В. "Оранжевая революция": восстановление контекста, *Полис*, 2006, 5.

²⁰ Базарбаев К., Жумагулов Б., Политические партии Кыргызстана: теория и практика., Бишкек, 2012, Available at <http://library.fes.de/pdf-files/bueros/bischkek/09685.pdf>, 03.12.13

²¹ Meleshevich A.A., Party Systems in Post-Soviet Countries: A Comparative Study of Political Institutionalization in the Baltic States, Russia and Ukraine, Palgrave Macmillan; 2007

²² Tsursumia A., Tsutskiridze L., Political Party Assistance Programme, Netherlands Institute for Multiparty Democracy, Georgia Representation, Tbilisi, 2012, Available at: http://nimd.ge/old/Document/Nimd_Georgia_PPA_English_final.pdf, 03.12.2013

²³ Post Soviet and Asian Political Parties, Vol.3, volume editors: Baogang He, Anatoly Kulik, and Kay Lawson in: Political Parties and Democracy. 5 books set, General Editor Kay Lawson, Praeger Publishers/ABC-CLIO, 2010

²⁴ Hess S., Protests, Parties, and Presidential Succession: Competing Theories of Color Revolutions in Armenia and Kyrgyzstan, *Problems of Post-Communism*, 2010, 57, 1, 28-39, Torosyan T., Predictions and Difficulties of Democratic Multiparties System formation in Post-Soviet Countries, *Review of Social Sciences*, 2005, 3, pp. 12-31. (in Armenian)

the level of comparative analysis of political party system and political party institutionalisation problems in the CEE. But while it is not justified in the sample of Baltic States, in the case of other countries the efficiency is not high because of their transformation trajectory after the collapse of the Soviet Union and the radical differences of the formed realities. Indeed, the problem is complicated not only due to the characteristics of the phenomenon, the absence of efficient study models, but also the difficult accessibility of data. However, for the success of the democratisation-making process, the making of a multiparty system is crucial²⁵. Thus, for the countries having chosen the democratisation path, political parties can be considered a major player in transformation processes, as a result of which, political party system and political party institutionalisation and their study play a key role in terms of the assessment and improvement of political systems' performance in these countries. In the initial phase of the transformation process, assumptions were made (taking into account only the experience of CEE and a few other countries), that fully institutionalised parties are not a necessity for democracy-making²⁶. Toka reasoned it by summarising the results of case studies of the Czech Republic, Poland, Hungary and Slovakia, although he also noted that elections ensure only formal citizen equality, while political parties are a central element of democratic representativeness. Studying the electoral instability in those countries, the age and organisational style of political parties and the organisational style, political party fragmentation, the stability of electoral institutions, the connections between social groups and political parties, and the programme structure of political party competition, Toka concluded that in CEE countries, democracy was made before political party institutionalisation, although some level, however, is desirable for improving the quality of democracy²⁷. In post-Soviet transformation countries, the existence of political parties that are a Soviet legacy or repeat the political party-organisational system of the Soviet or transitional period, is natural.

²⁵ **Lipset S. M.**, The Indispensability of Political Parties, *Journal of Democracy*, 2000, 11, 1, pp. 48-55.

²⁶ **Toka G.**, Political Parties and Democratic Consolidation in East Central Europe, Centre for Study of Public Policy, University of Strathclyde, Glasgow 1997, Available at

http://www.personal.ceu.hu/staff/Gabor_Toka/Papers/Toka97Consolidation.pdf, 18.09.2013

²⁷ Ibid.

They can be big and powerful, which explains the importance they had as actors of a political system. Some criteria have been proposed to classify such parties, and in discussing them, G. Golosov defines post-authoritarian political parties which are a continuation of the old regime, have inherited at least some organisational characteristics from, and have some ideological similarities with the old regime²⁸. This once again emphasises that the problem related to political party institutionalisation and making during social system transformation depends not only on legal and organisational issues but also on the transformation of social consciousness, which is the most difficult task in the process of post-Soviet transformation²⁹. Therefore, the making of a specific political party and generally a system, is a long process and may consist of several phases. It starts with a legal reservation of political parties and the system, theoretical arguments and the solution to organisational-structural problems, which are the processes occurring more rapidly. Then in political processes, an adequate representation of the interests of groups or individuals with different social problems should be carried out; accordingly, public support should be formed. The result may depend both on external and internal factors, which in turn have two components:

- structural (continuity of political alternatives, autonomy, coordination),
- behavioural (parties recognise each other as legitimate competitors);

According to Randall and Svasand³⁰, this can be presented in the form of Table 1:

Table 1

Factors	Internal	External
Structural	Systemness	Decisional autonomy
Attitudinal	Infusion	Reification

²⁸ **Golosov G. V.**, Party Organization, Ideological Change, and Electoral Success: A Comparative Study of Postauthoritarian Parties, Working Paper # 258, The Helen Kellogg Institute for International Studies, September 1998, Available at: <http://kellogg.nd.edu/publications/workingpapers/WPS/258.pdf>, 10.09.2013

²⁹ **Torosyan T.**, Post-Soviet...

³⁰ **Randall V., Svasand L.**, ...

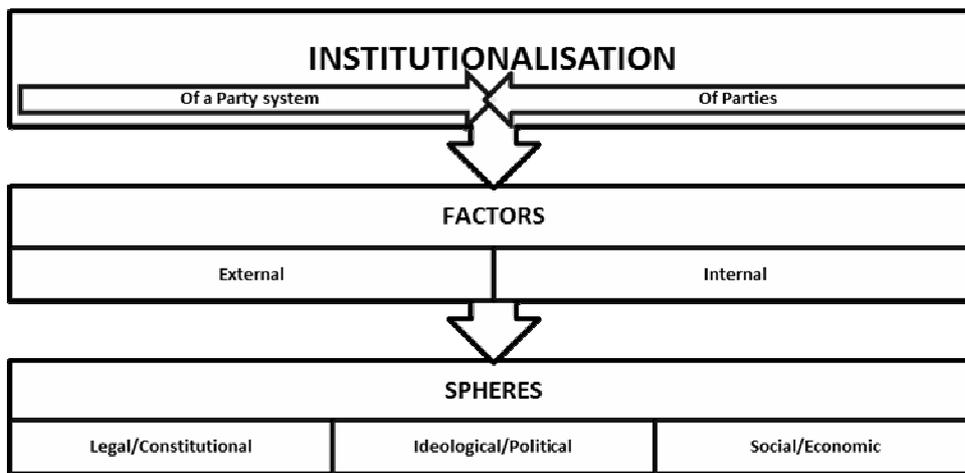
Basedau and Stroh offer the following option³¹:

Table 2

Factors	Stability	Infusion
Internal	Roots in society	Autonomy
External	Level of organization	Coherence

Generally, PSI and IPP institutionalisation link with spheres of different factors can be presented via the following scheme:

Figure 1



According to Huntington, institutionalisation level can be measured in the framework of the following four axes: adaptability-rigidity,

³¹ **Basedau M., Stroh A.**, Measuring Party Institutionalization in Developing Countries: *A New Research Instrument Applied to 28 African Political Parties*, Edited by the GIGA German Institute of Global and Area Studies / Leibniz-Institut für Globale und Regionale Studien, No 69, February 2008, GIGA Research Programme: Legitimacy and Efficiency of Political Systems GIGA WP 69/2008, Available at: http://www.giga-hamburg.de/en/system/files/publications/wp69_basedau-stroh.pdf, 12.09.2013

complexity-simplicity, autonomy-subordination, and coherence-disunity³². Mentioned are the key axes, around which the main discussions regarding different political institutions, especially the institutionalisation of political parties and political party systems take place in political science. In essence, these four criteria are at the essence of all further studies of institutionalisation, which are applied to a specific situation and are completed by criteria assessing the specific characteristics of a region or state. In spite of the fact that this approach was formed in the '60-'70s of the past century and was developed for a changing society, it also applies to cases of post-Soviet countries.

Among the studies of IPP and PSI features in states of the third wave of democratisation and those having chosen the democratisation way, distinguished are the works by S. Mainwaring and M. Torcal. Mainwaring suggests paying attention to the diversity of the phenomenon and analysing it in the following four dimensions: 1) stability of electoral competition Patterns, 2) durability of party roots in a society, 3) party legitimacy, and 4) structural organisation of a political party³³. At the same time, although political party system institutionalisation can take on many forms, the pattern has been revealed that advanced industrial democracy systems are more institutionalised than those of many countries of the third wave of democratisation³⁴. That is a pattern which has significant consequences in democracy-making. Especially when examining modern democratic political systems in Latin America or Eastern Europe, the research on institutionalisation levels is just as important as the number of political parties and their polarisation³⁵. Three specific variances of advanced

³² **Huntington S.P.**, *Political Order in Changing Societies*. New Haven; L.: Yale University Press, 1968. Seventh printing, 1973, 12-24, Available at: http://projects.iq.harvard.edu/gov2126/files/huntington_political_order_changing_soc.pdf 02.10.2013

³³ **Mainwaring S.**, *Rethinking Party Systems Theory in the Third Wave of Democratization: The Importance of Party System Institutionalization*, Working Paper # 260, The Helen Kellogg Institute for International Studies, October 1998, 10-12, Available at <http://kellogg.nd.edu/publications/workingpapers/WPS/260.pdf>, 27.08.2013

³⁴ **Mainwaring S., Torcal M.**, *Party System Institutionalization and Party System Theory after the Third Wave of Democratization*, Working Paper #319, The Helen Kellogg Institute for International Studies, April 2005, pp. 24-25, Available at: <http://kellogg.nd.edu/publications/workingpapers/WPS/319.pdf>, 25.08.2013

³⁵ *Ibid.*, p. 3

industrial democracies and flawed democracies' party system institutionalisation are discussed. First of all, in less developed democracies, a higher electoral volatility (and less electoral stability are observed than in developed democracies. Secondly, the existence of deep-rooted political party systems in society forecasts radical programmatic and ideological attachments between political parties and voters. In this case, voters choose a political party or candidate according to their programmatic and ideological preference. Such a connection is less existent in semi-democracies. In these countries, the linkages between political parties and voters is less based on the approval of a political party's programme or ideology, which implies weaker party roots in society. Thirdly, the link between voters and candidates in semi-democracies is more personalised than in developed democracies³⁶. Low-level institutionalisation creates problems related to representation and electoral accountability. In weakly institutionalised political party systems, a non-party candidate's victory is more likely³⁷. Political freedom, party control of political processes, competition of political parties according to their policy can also be considered as political party system institutionalisation criteria or components³⁸.

In order to determine the extent to which a political party system is institutionalised, it is, naturally, necessary to consider not only the question of a political party's internal developments, but also the nature and type of its relations with other state institutions. In case of post-Soviet transformation countries, the question of the relations between political parties and authorities is more important in the sense of the extent to which parties are independent from the authorities.

The difficulties of the applicability of Western European political party system study models for CEE political systems, leads some researchers to the idea of creating a model for studying political systems in CEE countries, completing it with criteria specific to the region. For example, T. Saarts suggests using the following basic criteria:

1. party system stability,
2. party system fragmentation,
3. party penetration into society,

³⁶ Ibid.

³⁷ Ibid., pp. 24-26:

³⁸ **Grzymala-Busse A.**, *The Programmatic Turnaround of Communist Successor Parties in East Central Europe, 1989-1998*, Available at <http://www.personal.umich.edu/~abusse/CPCStudies.pdf>, (10.10.2013)

4. the origin and ideology of main parties,
5. a set of dominant strata that party competition,
6. the organisational capacity of parties³⁹.

Those standards have been marked out both generally and for the analysis and comparison of CEE party systems especially. The criteria reflect the basic features that can differentiate political party systems in traditional democracies and those in post-Soviet transformation countries. Although these criteria have been proposed for observing first of all political party systems in the Baltic countries, it is however, considering some features, possible to apply them to the study of political party systems in other post-Soviet states. The problem is that during criteria development, specifications were taken into account, with which political parties and political party systems in post-Soviet states – as new democracies – essentially differ from institutionalised political party systems and political parties in democratic countries. At the same time, as noted by Mainwaring and Torcal, the main feature of political party systems in developing and in semi-democracies is not only – and not so much in – their ideological disagreements but also the low level of institutionalisation.

For the purpose of studying PSI and IPP problems in other post-Soviet regions, Azerbaijan, Kyrgyzstan and Tajikistan, J. Ishiyama completes institutionalisation research with new criteria and indexes, taking into account the specificities of those countries⁴⁰. He observed the data of participation in presidential and parliamentary elections, applying the “attraction” concept of the electorate. Ishiyama separates three criteria of political party development, which are presented through nine indexes:

1. parties’ organisational and political continuity, over multiple elections,
2. as periodic elections require resource availability from political parties, maintenance of obvious political party “attractiveness” and of the degree of continuous existence,
3. the degree of staying in a party system:

³⁹ **Saarts T.**, Comparative Party System Analysis in Central and Eastern Europe: The Case of the Baltic States, *Studies of Transition States and Societies*, 2011, 3, 3, pp. 83-104, Available at: http://www.tlu.ee/stss/wp-content/uploads/2011/11/stss_nov_2011_saarts.pdf, (02.11.2013)

⁴⁰ **Ishiyama J.**, Political Party Development and Party “Gravity” in Semi-Authoritarian States. The Cases of Azerbaijan, Kyrgyzstan, and Tajikistan, *Taiwan Journal of Democracy*, 2008, 4, 1, pp. 33-53.

a) features of transformation for a certain state, b) clan party existence/domination, c) significant production of oil/natural gas, d) the presidential power unit (with an application of the Hellman-Tucker index)⁴¹, e) legislative electoral system, f) “attractiveness” degree of a political party, g) the positions of main continuously winning political parties, h) the percentage of winner political party candidates, i) the positions of independent winner candidates⁴².

In order to analyse the institutionalisation of political parties in developing countries, Basedau and Stroh have introduced the concept of the “Index of the Institutionalisation of Parties (IIP)”; moreover, those indexes, according to the authors, enable to estimate any political party institutionalisation degree⁴³:

Table 3

	Indexes
Roots in the society A political party is deeply ingrained in the society	A political party’s age/years of a state’s independence The age of a political party/multiparty period Relative change in support at the latest two elections The link with civil society organisations
Autonomy	Changes of political party leaders Modifications of the electoral support after political party leaders’ changes Decision-making autonomy Sympathy of the masses for the political party
Organisation There is an organisational device, constantly present in all administrative levels and acting in the interests of a political party	Membership stability Regular meetings of political parties Material and personal resources Existence of institutions in the whole state, the scope of activities is not limited to a campaign
Interaction	Cooperation of a parliamentary fraction

⁴¹ This index can be replaced by Fortin’s index: **Fortin J.**, Measuring Presidential Powers: Revisiting Existing Aggregate Measurement. *International Political Science Review*, 2013, 34, 1, pp. 91-112,

⁴² **Ishiyama J.**, ...

⁴³ **Basedau M., Stroh A.**, ...

	Moderate relations between intra-party groups Toleration of intra-party dissent
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Today, in the studies of IPP and PSI problems of post-Soviet transformation countries, especially important among the criteria for monitoring their level are electoral volatility, and the number of political parties⁴⁴. Electoral volatility in the consolidated democracies is relatively constant and unambiguous, since it has a fully functioning political parties and the PS. In post-Soviet countries its consideration as a criterion causes difficulties. The main complexities are due to the fact that:

a) it becomes necessary to discuss the participation of old and new political parties in elections (this criterion considers the representation of political parties in successive elections),

b) in post-Soviet transformation countries, the exit of old and the entrance of new political parties can constantly be observed during election campaigns, which causes difficulties in frequency calculations. This criterion also affects election stability because the link between voters and a particular political party weakens, and the link with the new political party is not yet deep-seated. As political parties being stably ingrained in society determines the connectedness between political parties and voters, the application of this criterion to post-Soviet transformation countries shows that voters, one can say, become doomed to choose not a political party but a candidate.

While being quite different, the countries of post-Soviet transformation, however, have some common features – especially in terms of the complexities of the transformation process – which allow one to carry out study in that aspect: a) common Soviet history, with a single-party system, b) economic problems after independence, c) given the role of the Communist Party, formation of voters' distrust towards political parties as a whole, d) absence of political culture, e) necessity of carrying out constitutional amendments during post-Soviet years, moreover, mainly conditioned by a transition from the presidential form of government to the

⁴⁴ **Powell E. N. and Tucker J. A.**, Revisiting Electoral Volatility in Post – Communist Countries: New Data, New Results and New Approaches, *British Journal of Political Science*, 2013, 1, pp. 1-25, Available at: http://journals.cambridge.org/abstract_S0007123412000531 (27.11.2013)

parliamentary one, f) people's unrest, colour revolutions, g) existence of various conflicts, interethnic, political, etc. h) the same time period of independence and democratisation.

Nevertheless, a large number of approaches and indexes are suggested for the evaluation of PSI and IPP in post-Soviet transformation countries, which can be represented in the form of the table below:

Table 4

Factors/ Spheres	Criteria	Indicators	Data source
External Social/ Economic	Evaluation of a state's economic condition	Official data on GDP and other economic indicators	Freedom House, UNDP (Human Development Report)
	The ethnic, religious, social composition of a state	Ethnic composition, The presence of religious organisations, Social stratification	Statistical data
	State's democratisation degree	Defence of human rights and freedoms, Organisation of free and fair elections	Freedom House, UNDP
External Legal- Constitutional	The form of a state's government	Presidential/semi/parliamentary	Constitution
	State structure	Unitary/federal	Constitution
	Stability of electoral institutions	Reforms in the election order	Constitution, Election code
External Ideological Political	Representation bodies, party representation	Existence of parties in the parliament, Presence of non-party candidates/deputies	Official sources

	Executive bodies: representation of political parties	Distribution of executive portfolios according to party affiliation	Official sources, evaluation of the presidential power index ⁴⁵
	Representation of parties in Local Self-Governance Bodies	Presence of political parties, non-party candidates/officials in LSB elections, positions	Official sources
Internal Social Economic	Social group and political party connections	Existence of official Internet or periodical media, Presence of national or religious parties	Official sources
	Multiparty system	Calculation of effective number of political parties in a multiparty system	Laakso's, Taagepera's and Golosov's index ⁴⁶
	Political Party funding	Political Party funding during campaigns, Creation of political party means	Official sources, law

⁴⁵ **Fortin J.**, Measuring Presidential Powers: Revisiting Existing Aggregate Measurement. *International Political Science Review*, 2013, 34, 1, pp. 91-112.

⁴⁶ **Golosov G. V.**, The Effective Number of Parties: A New Approach, *Party Politics*, 2010, 16, March, pp. 171-192, Available at: <http://ppq.sagepub.com/content/vol16/issue2/>, 05.12.2013; **Taagepera R., Laakso M.**, The "Effective" Number of Parties: "A Measure with Application to West Europe" , *Comparative Political Studies*, 12, 1, 1979, Available at: [http://www.pratiquesciencesociales.net/exposes/S12.%20The%20Effective%20Number%20of%20Parties%20A%20Measure%20with%20Application%20to%20West%20Europe%20\(Laakso%201979\).pdf](http://www.pratiquesciencesociales.net/exposes/S12.%20The%20Effective%20Number%20of%20Parties%20A%20Measure%20with%20Application%20to%20West%20Europe%20(Laakso%201979).pdf) (03.12.2013)

Internal Legal Constitutional	Participation in state elections	Nomination of political party candidates in the legislative body	Official sources ⁴⁷
	Inter-party connections	Formation of coalitions, electoral alliances, Support for representatives of another political party	Official sources
	Party fragmentation	The ratio of the number of political parties to the number of their members	Official sources
Internal Ideological Political	The age of parties and organisational style	The registration date of a political party The relations of years of independence and a political party's existence	Official sources
	A political party's organisational capacity	Principles of political party activities, Existence of territorial/regional units, The number of members	Official sources
	The ideological orientation of parties	Analysis of political party programmes, Comparison of programme theses during elections and during the period in-between elections	Official sources

⁴⁷ The index calculated in this work can be used: **Powell E. N. and Tucker J. A., ...**

Conclusion

The study of the condition and of the evaluation criteria of PSI and IPP in post-Soviet transformation countries shows that in those countries:

1. the formation of government systems based on effective multiparty systems has an exceptional role in terms of shaping an established democracy;
2. PSI and IPP have essential features compared with established democracy countries;
3. approaches and standards that have been developed for democratic countries can serve as a basis for PSI and IPP studies, but they should be amended by criteria taking into account the characteristics of post-Soviet transformation countries;
4. specific approaches and standards, proposed for PSI and IPP studies, are numerous, sometimes – contradictory, which makes their implementation complicated and less efficient and requires comparative analyses and optimisation.

Economy Versus Ecology: A Human Rights Perspective on the Proposed Copper Mine in Teghut

BENJAMIN JAMES BARNARD
University of Essex, United Kingdom

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This article explores the concerns raised regarding the proposed copper and molybdenum mine in Teghut (Armenia) from a human rights perspective. It aims to assert that a human-rights-based morality is the most universally-accepted global morality, and thus the one which may be most justifiably used by outsiders to judge the actions of other cultures. It examines which of the complaints against the proposed mine can be upheld due to their status as human rights violations. More importantly, however, it aims to explain why supporters of a human-rights-based morality must reject some of the more obvious and seemingly valid criticisms of the mine. In doing so, the paper aims to highlight a potentially catastrophic flaw in the logic of the human rights doctrine which may well prevent its supporters from adequately combatting climate change.

Keywords

Ecology, human rights protection, morality, climate change, Teghut

Introduction

In recent years, Armenia has witnessed the emergence of a large, passionate, and organised environmental movement, protesting against all manner of state-sanctioned constructions - from hydro-power stations on waterfalls to shops in parks – with varying levels of success. The phenomenon raises many issues surrounding democracy, freedom of speech, and corruption. Most of all, it highlights a clash of interests between today's economic needs and tomorrow's ecological requirements; a clash which is becoming more and more common throughout the developing world. As Humphreys notes,

More than any previous issue, climate change places the question of human rights fulfilment firmly within the context of development policy. This is because tackling climate

change will require revisiting development models and making far-reaching decisions about access to the use of resources, questions which in turn have direct human rights consequences.¹

The proposed copper and molybdenum mine in Teghut represents an intriguing microcosm of just such an issue. While the employment opportunities the mine will create within a desperately impoverished rural community will prove invaluable to local residents, environmentalists fear that the ecological damage caused to the site will be devastating for both the environment and its inhabitants (human and otherwise) for decades to come. It is a scenario which raises complex ethical issues surrounding the moral status of non-human creatures and the moral weight held by future persons. Such issues will be difficult to pass judgement upon, particularly for those who remain unaffected by the poverty that apparently necessitates the aforementioned ecological damage. If we are to judge the actions of others at all, we must judge them against some sort of pre-defined standards. Adopting the standards of human rights as our moral yardstick enables such judgements to be made on the basis of standards that the Armenian government is already bound by. Moreover, in addition to highlighting the most important ethical issues with the proposed mine, a human-right-based approach to the problem will also help to demonstrate the limitations of the doctrine that many hold so dear.

Disclaimer

Before going any further, it should be noted that, although great effort has been taken to verify all sources used within this paper, some of the standards of evidence are not of the highest level. While every attempt has been made to refer to the most up-to-date and respected academic and scientific sources, this has simply not always been possible with regard to some of the Armenia-specific information which follows. As such, the information available from texts has been supplemented with a series of interviews with experts in the Armenian environmental field, including: Jeff

¹ **Humphreys S.**, Introduction: Human Rights and Climate Change, in *Humphreys S., Human Rights and Climate Change*, Cambridge University Press, Cambridge, 2010, p. 11.

Masarjian and Armine Tokhmakhyan of Armenia Tree Project (ATP), and Kirk Wallace of Armenian Environmental Network (AEN).

This problem of limited academic resources is itself demonstrative of an initial discrepancy between the developed and the developing when it comes to climate change. As *The Stern Report* notes; “All countries will be affected by climate change, but the poorest countries will suffer earliest and most.”² Despite this fact (or, indeed, as a partial explanation of it), information on how climate change will affect (and, indeed, *is* affecting) human rights is much less available in relation to developing countries, which often lack the necessary resources to carry out such research³. This leaves their citizens vulnerable to the serious human rights violations which will result from climate change since, even if developing countries did have the resources necessary to mitigate against such problems, they have no way of identifying what such problems will be. It is not surprising that this issue, which is pervasive throughout the developing world, affects Armenia. One example of this is demonstrated in a 2009 report published by the government’s Ministry of Nature Protection, which highlights the fact that “(t)here is no Armenian-specific research available that forecasts the scale of the likely increase in incidence of water-borne diseases with climate change.”⁴

Why a Human Rights Perspective?

One of the major problems with judging the practices of any culture as an outsider is that ‘morality’ is not a universal concept. Cultural practices which are the norm in one country may be considered abhorrent in the next. For example, while many in the West would consider the killing of a cow to eat at a community barbecue unremarkable, such a practice would be considered reprehensible by many in India.

This problem of locating a universal morality is further amplified by the vast disparities in wealth which are witnessed throughout the globe. There doubtlessly exist certain scenarios which people of all cultures find

² Osborne H., *Stern Report: The Key Points*, (30/10/2006) Available at: <http://www.guardian.co.uk/politics/2006/oct/30/economy.uk> (March 2012)

³ Humphreys S., ..., p. 17.

⁴ Ministry of Nature Protection of the Republic of Armenia, *Vulnerability of Water Resources in the Republic of Armenia Under Climate Change*, Yerevan, 2009, p. 12.

unacceptable, but where approaches to combatting such issues vary greatly. No child deserves to perish from malaria, yet while the majority of countries have devoted great resources to eradicating the disease within their territory, many African children do not receive even a minimum level of preventative care. This difference in approach does not speak of a difference of opinion over the value of human life, but of a difference in resources. The fact is that tough decisions will need to be made more often in developing countries – leading to policies that many in the West might find unacceptable.

As Griffin asserts, “(t)he belief is widespread that human rights mark what is most important in morality”.⁵ The doctrine represents a value system that crosses cultures, religions, and national borders. It is the closest thing to a universal morality that humanity has ever had. If we cannot judge the behaviours of others by the standards of human rights, it is difficult to see how we can judge them at all.

Perhaps more importantly, Armenia has ratified many international human rights treaties, including the two major 1966 treaties – the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). As such, its government has accepted that it holds certain duties in relation to human rights; duties which have been enshrined in law and which the international community have a responsibility to ensure are met. As such, if the environmentalists who oppose the situation in Teghut could demonstrate that the government’s activities in the area amount to a violation of human rights, their demands for the cessation of such activities would carry great moral and legal weight.

The Logic and Structure of Human Rights

It is important to bear in mind a general idea of the way in which human rights are structured before considering whether they have been violated.

The first thing to note is that the concept of human rights is a fundamentally non-legal one.⁶ While there may be good reasons for seeking to encode them in law, such a condition is neither necessary nor sufficient to demonstrate their existence. This is not to say that the law is unimportant,

⁵ **Griffin J.**, *On Human Rights*, Oxford University Press, Oxford, 2008, p. 92.

⁶ **Jones P.**, *Rights*. Macmillan Press Ltd, London, 1994, p. 82.

particularly in the case of Teghut. Firstly, as I have already mentioned, the fact that the Armenian government has signed up to many human rights treaties adds weight to the legitimacy of judging its actions in accordance with the basic moral standards of human rights which underline such treaties. Secondly, there exists a widely held opinion among environmentalists that the proposed mine is in violation of the law.⁷ Regardless of the content of such laws, there is a human right that the law should be consistently and fairly followed by everybody, and upheld by the government. It is for this reason that I highlight the significance of the legal issues surrounding the mine. This paper, however, focusses upon the moral logic of the human rights doctrine. As such, the specific issue of the mine's legality will not be discussed.

The next thing to note about human rights is that they are universal – they are acquired simply through one's status as a human. Indeed, they are doubly universal, that is to say, they are held by everybody, against everybody else.⁸ Hence, if your action in building a mine would lead to the violation of my right to health, you would have failed in your duty not to cause me harm. In such a case, the logic of human rights would require that my government, who act as the ultimate protector of my rights, prohibit your action and punish any violation which had already taken place.

Most importantly, human rights are mandatory.⁹ The only reason for not meeting one's correlative duties is if, in doing so, one would place one's own human rights in danger. Human rights are designed to function as a 'trump' over unrestricted utility.¹⁰ In other words, the very point of human rights is to assert that there are certain actions which may not be taken (i.e. those actions which would violate human rights) regardless of the perceived negative consequences of not taking them.

As a result, human rights supporters are effectively forced to adopt a human-rights-based morality. This is not to say that they cannot hold that

⁷ In the opinion of Socio-Ecological Association President, Srбуhi Harutyunyan, the operation in Teghut is currently in violation of seventy-seven different articles of law, *Copper Mine Menaces Armenia's Teghut Fores*, Available at: <http://www.ens-newsire.com/ens/jul2007/2007-07-11-01.asp> (March 2012)

⁸ Griffin J., ..., p. 101.

⁹ Nickel J., *Making Sense of Human Rights*, Blackwell Publishing, Oxford, 2007, p. 9.

¹⁰ Dworkin R., *Rights as Trumps*, Waldron J., *Theories of Rights*, Oxford University Press, Oxford, 1984, p. 153.

non-human-rights-based values can be morally desirable, but only that such values must be morally incorrect if meeting them comes at the cost of even a minor infringement of human rights. Thus, if I purchase new toys for an orphanage (a morally good action which goes beyond the duties the human rights doctrine assigns to me), but I do so using £100 which I have stolen from a multi-billionaire (thus violating her human right to property) then my action must be judged to be morally bad by the human rights supporter, even though the children are more in need of toys than the billionaire is of £100. The only situation in which human rights may be justifiably restrained is when their exercise would violate the human rights of others. When such ‘clashes of rights’ occur, the legitimacy of Gewirth’s principle that the right which is most necessary for action should prevail is widely accepted.¹¹

Climate Change

A further reason for adopting a human rights perspective is the fact that climate change represents the largest threat to human rights in humanity’s history. Almost every human right will be negatively affected by climate change. Flooding will damage homes (the right to shelter) and bring disease (the right to health). Droughts will remove people’s sources of income (the right to work) and their means of feeding themselves (the right to food).

In Armenia, many of these effects will be felt strongly and quickly – indeed, some are already being felt. In 2000, the country lost more than 10% of its gross agricultural product to drought.¹² In fact, Armenia’s water supply seems particularly vulnerable to climate change, with experts predicting that river flow will reduce by 6.7% by 2030 if current temperature patterns are followed.¹³ This fact, combined with other internal factors, may well render Armenia uninhabitable within the current generation’s lifespan.

There is now widespread agreement among the scientific community that climate change is the result of human actions¹⁴, with industrial emissions

¹¹ **Gewirth A.**, *The Community of Rights*, University of Chicago Press, Chicago, 1996, p. 45.

¹² Ministry ..., p. 6.

¹³ Agriculture Productivity Reducing Due to Climate Changes, (16/03/2012), Available at: <http://www.ecolur.org/en/news/climate-change/agriculture-productivity-reducing-due-to-climate-changes/3666/> (March 2012)

¹⁴ **Page E.A.**, *Climate Change, Justice and Future Generations*, Edward Elgar, Cheltenham, 2006, p. 6.

of Greenhouse Gases (GHGs) being the main cause. As a result of all this, it seems eminently reasonable to assert that, in taking actions which increase levels of pollution, one could be seen to violate the human rights of others.

Deforestation

However, it is not simply our emissions which are responsible for climate change. Globally speaking, deforestation is more damaging to the climate than the emissions of the entire transport sector.¹⁵ This is not as surprising as it might seem. Trees are humanity's main weapon against climate change. They sequester much of the CO₂ produced through human activities before expelling this as oxygen as part of the process of photosynthesis. As such, when there are fewer trees, more CO₂ reaches the earth's atmosphere, thus causing it to thicken, creating a 'greenhouse effect'.

The phenomenon of deforestation is closely tied to economics. Odihi asserts that deforestation is often "a result, a symptom, and a cause of poverty".¹⁶ The situation in Armenia appears to evidence such a claim. While the phenomena began in the Soviet era, it has now escalated to an unprecedented level.¹⁷ After the collapse of the Soviet Union, trees were illegally felled on a vast scale in order to be used for fuel in the absence of other sources of energy.¹⁸ However, despite the reinstatement of national supplies of gas and electricity, deforestation has not abated. The World Bank estimates that 600-700 thousand cubic metres of wood are illegally logged in Armenia each year.¹⁹ This figure is additional to the many hectares of forest which are felled with the government's permission. According to a 2007 report by the Economy and Values Research Center, it is estimated that

¹⁵ **Osborne H., ...**

¹⁶ **Odihi J.,** Deforestation in Afforestation Priority Zone in Sudano-Sahelian Nigeria, *Applied Geography*, 2003, 23, pp. 227-259.

¹⁷ The State of Armenia's Environment, Policy Forum Armenia Press, Yerevan, 2010, p. 15.

¹⁸ **Grigoryan M., and Hayrapetyan A.,** *Armenia: Where Deforestation is a Hidden Killer*, 24/10/2011, Available at: <http://www.eurasianet.org/node/64365> (March 2012)

¹⁹ Copper, ...

around 46% of this illegal logging is performed by subsistence families who use the wood for fuel.²⁰

The problem is increasingly serious. Most experts estimate that forests currently cover 6-8% of Armenia's territory²¹, a reduction from 25% over the last 200 years²². According to World Bank experts, 80% of Armenia is currently undergoing a process of desertification,²³ and if deforestation continues at the current rate, that figure will only rise. Needless to say, such a process will have a devastating impact on the human rights of Armenians.

Teghut

So what has all this got to do with a copper mine? The answer depends on to whom one addresses the question.

The Armenian government has granted Armenian Copper Programme (ACP) (which is a subsidiary of Vallex F.M.) a twenty-five-year licence to build a copper and molybdenum mine in the impoverished area of Teghut.²⁴ The human rights benefits of such a project are immediately clear.

²⁰ The Economics of Armenia's Forest Industry, Economy and Values Research Center, Yerevan, 2007

²¹ **Masarjian J.**, *Original Interview with Jeff Masarjian*, (interview by Barnard, B., (via Skype), Watertown, 27/02/2012).

It should be noted that, according to official government figures, forestation in Armenia remains at 11.2%. However, as Tokhmakhyan highlights, it is quite possible that this discrepancy results from a difference of opinion over what constitutes a forest;

"There are different classifications. The UN, ATP, and other agencies estimated that the forest cover in Armenia is less than 8%. But the recent studies...arrived at the conclusion that now Armenia has more than 11% of forest cover...and it's all based on satellite pictures. So now some experts say, ok we may have this level of forest cover, but we do not know if whether, when the satellites see green, that is a forest for a satellite." Tokhmakhyan, A., *Original Interview with Armine Tokhmakhyan*, (interview by Barnard, B., Yerevan, 29/03/2012)

²² Report on Millennium Development Goals, (Armenia, 2002). This represents fall in forest cover of around 66% over the past two centuries. By way of contrast, global rainforest coverage has only fallen by 50% over the same period.

Owen L., and Pickering K., *An Introduction to Global Environmental Issues*, Routledge, London, 1994, p. 352.

²³ Drought: Management and Mitigation Assessment for Central Asia and the Caucasus, World Bank Report No: 31998-ECA, 2005, p. 25.

²⁴ **Matosian M.**, *Save Teghut Redefines Environmental Activism*, 21/02/2012, Available at: <http://www.armenianweekly.com/2012/02/21/save-teghut-redefines-environmental-activism-in-armenia/> (March 2012)

Firstly, according to the former Governor of the Lori Marz²⁵, Henrik Kochinyan, the mine will create 1500 new jobs for local residents.²⁶ Given the relatively small local population, and the vast level of unemployment within it (which can be as high as 50%²⁷), such an influx of employment opportunities will make a real difference to people's lives. In addition to the obvious fact that such jobs fulfil the right to work of these individuals, Armenia's distinctly underdeveloped social security system means that the positions may well also end up facilitating many of the other basic human rights of the workers and their families, such as rights to shelter and food.

Moreover, it is not only the human rights of the newly-employed that will be improved by the new mine. It is estimated that the Armenian government will receive approximately \$600-650 million in tax revenue and fees over the life of the mine.²⁸ Such an additional level of income could be used to fund countless operations, school places, or facilitate any number of other human rights.

At this point, it is necessary to consider one of the more immediate criticisms of the project. Critics note that the money raised in taxation will only represent a tiny fraction of the value of the ore being mined,²⁹ and that the money raised represents a relatively insignificant percentage of the government's total revenue.

It seems that, for the human rights supporter, such criticism can be quickly dispersed with. Even if the level of revenue raised by the mine is relatively small, it still represents additional revenue which can be put towards meeting human rights.³⁰ Indeed, any complaints over the amount of

²⁵ The regional administrative areas of Armenia are known as 'Marzes'. Lori Marz is the area in which Teghut is located.

²⁶ **Danielyan N.**, The Teghut Forest is Doomed, Thanks to the Minister for Nature Protection, 24/07/2006, Available at: hetq.am/eng/news/10691/the-teghut-forest-is--doomed-thanks-to-the-minister-of-nature-protection.html (February 2012)

²⁷ Copper

²⁸ This figure represents around 1% of the government's total revenue collection per annum. The Fate..., p. 26-27.

²⁹ **Masarjian J.**, Save Teghut, Armenia Tree Project Conference, Pasadena, 2012, Available at: <http://www.youtube.com/watch?v=mPnmJFDhkhw&feature=related> (April 2012)

³⁰ Of course, there is no guarantee that such funds *will* be put towards human rights, but that is a separate issue. In order to demonstrate the potential human rights benefits of the mine, it is simply necessary to assert that it will provide additional

revenue to be gained only seem to evidence the argument that the mining company should be taxed to a greater level – not that it should be stopped altogether.

With this immediate criticism overcome, there appear to be four main areas of concern for environmentalists surrounding the mine's existence which pose far stronger moral questions:

1. The damage that will be done to historical monuments
2. The damage that will be done to endangered species of plants and animals
3. The damage that will be done to the human rights of future generations
4. The damage that will be done to the human rights of the current generation.

Over the course of this paper, it will be demonstrated that the human rights supporter must assert that it would be illegitimate and, indeed, immoral to prohibit the mine on the grounds of the first three complaints, but that the fourth complaint (*if* it can be conclusively demonstrated) would render the government of Armenia morally (and, in all likelihood, legally) obliged to revoke ACP's mining licence. In the process of providing a rational, logical analysis of the problems with the mine, some of the ethical problems with a human-rights-based morality will also be highlighted.

The damage to historical monuments

Excavation of the area where the proposed mine will be built has revealed the existence of several ancient monuments of historical significance (ironically, the excavations were funded by Vallex)³¹. There is great concern that these monuments will be destroyed or rendered inaccessible by the proposed mine – particularly those which will be buried beneath the mine's tailings foundry. Vallex has already proposed relocating

income which the government would not otherwise have received which *could* be diverted to human rights causes.

³¹ **Abrahamyan G.**, Teghut Concerns: Archeologist says ancient sites another reason against mining in endangered forest, 27/01/2012, Available at: http://armenianow.com/social/environment/35031/save_teghut_protest_copper_mine (February 2012)

one of the monuments to a different site, but archaeologists feel that this would cause it to lose its significance.³²

This argument is perhaps the least challenging of the four in terms of human rights thinking. There is no human right to the enjoyment or preservation of historical monuments. The closest thing is article 15(1)(a) of the ICESCR, which affords the right to take part in cultural life. However, since these monuments were, until very recently, unknown, they clearly do not play a significant role in the cultural life of any current persons. As such, it is difficult to foresee any way in which the damage to these historical monuments could constitute a violation of human rights.

Of course, this is not to prevent the human rights supporter from thinking that preserving historically and culturally significant monuments to be a commendable activity. History is an important part of the identity of any nation, and nowhere is this truer than in Armenia. However, the protection of historically significant artefacts cannot be considered the correct course of action if one has to sacrifice the human rights of any current individual in order to do so. As such, it is not permissible for the human rights supporter to sanction the preservation of the monuments in Teghut if doing so comes at the cost of sacrificing the existence of the mine and its accompanying human rights benefits.

The Damage to Endangered Species

According to ACP, the areas affected by mining will amount to 670 hectares, of which 510 hectares are currently covered by forest.³³ This area is home to over fifty different species of plants, mammals, and fish which are currently listed as threatened or endangered.³⁴ Their habitat, and therefore their continued existence, will undoubtedly be placed in further jeopardy by the mine.

³² **Abrahamyan G.**,

³³ The State..., p. 23; It should be noted that this figure seems to vary depending on whether one asks ACP, the government, or environmentalists, an issue which will be discussed further later in the paper.

³⁴ Big Family, Save Teghut: The Problem, (12/12/2007), Available at: http://www.bigfamily.am/eco/index.php?option=com_content&view=article&id=13&Itemid=17 (February 2012)

This is not an issue which is specific to Armenia. At a global level, species loss is estimated to be occurring at 1000 times the natural rate.³⁵ Armenia represents a microcosm of this global problem. The South Caucasus is one of the planet's twenty-five most endangered bio-diversity hotspots.³⁶ Given the extremity of the microclimates that exist within Armenia (seven of the nine possible climate zones in the world occur within its borders³⁷), allowing mining in Teghut could make a significant contribution to eradicating many entire species.

The moral implications seem clear in this case. Eco-centrics like Peter Singer would have no trouble in explaining why wiping dozens of species from existence for the sake of a few hundred million dollars and relatively few employment opportunities should be considered immoral. Indeed, many less environmentally-focussed individuals would doubtlessly share such an opinion. For the human rights supporter though, the outlook is very different. As Wallace puts it; "...there's this inherent conflict right now between the environmental movement and the right of these people to work....do Armenian's have a right to protect endangered species in their country? There's no *human* right to that."³⁸ Nor, of course, are plants and non-human animals capable of possessing human rights. As such, because we again face a situation where one choice (mining) will lead to human rights fulfilment, and the other (not mining) will not, the human rights supporter is once more forced to deny the significance of a major area of opposition to the Teghut mine.

The Damage to the Human Rights of Future Generations

A key area of concern among those opposed to the mine in Teghut is the damage it will cause to the human rights of individuals who do not yet exist. This is a particularly complicated area in terms of human rights, and there are many sub-issues within it. As has already been established,

³⁵ **Spanner Films**, *The Age of Stupid*, (film), 2009.

³⁶ **Sohigian J.**, *Redefining Economic Systems; Could a Forest be Worth More Than a Goldmine?* TEDx Conference, Yerevan, 2011, Available at: http://www.youtube.com/watch?v=ehpa1BTULVE&feature=player_embedded (March 2012)

³⁷ **Masarjian J.**,

³⁸ **Wallace K.**, Original Interview with Kirk Wallace, (Interviewed by Barnard, B., Yerevan, 27/02/2012)

deforestation causes climate change, and climate change will cause human rights violations among future generations across the world. However, is far from clear as to what conclusion one should draw from facts.

Firstly, despite the fact that climate change is deeply worsened by deforestation, it is less than clear that the widespread felling of trees can be legitimately considered to be a cause of climate change. Forests are necessary to *mitigate against* increasing global temperatures which are *caused* by pollution. If it were not for the large amounts of GHGs being pumped into the atmosphere, we would not need nearly so many trees as there would be far less carbon to be sequestered.

Of course, even if one accepts this fact, it might still be claimed that the Teghut mine will go some way to *causing* climate change due to the emissions which will arise from it. Such emissions, however, will play only the most miniscule role in the overall level of climate change that it seems difficult to see this as a legitimate reason for its prohibition. Indeed, given the fact that the total emissions of Armenia (whose citizens will be drastically affected by climate change) since 1850 were vastly less than one per cent of those produced by China in 2009 alone³⁹, it seems arguable that, regardless of Armenia's actions, the human rights violations caused by climate change are primarily the result of the emissions of other states. As such, it seems that the duty to adapt to and mitigate against climate change in Armenia falls upon parties other than Vallex or the Armenian government.⁴⁰

Such an argument, however, only necessitates that it is not reasonable to hold Armenia accountable for climate change related violation of the human rights of future persons who will one day exist outside of Armenia. In other words, the problem of global climate change is so vast, and so largely the result of the actions of other nations, that Armenia's level of responsibility is insignificant. At a domestic level, however, things are

³⁹ Armenia produced 3669.1 thousand tonnes of Co2 between 1850 and 2000 (http://www.nationmaster.com/red/pie/env_co2_emi-environment-co2-emissions#definition), while China produced 7,031,916 thousand tonnes in 2009 alone (<http://data.worldbank.org/indicator/EN.ATM.CO2E.KT/countries/1W?display=defaul>).

⁴⁰ Jeff Masarjian explains that, in his experience, developed countries are beginning to acknowledge this fact. APT have recently received large grants from the German Development Bank and the Norwegian government to carry out reforestation work in Armenia. **Masarjian J.,**

very different. If Armenia cuts down all of the trees within its territory, the climate within that territory will change in a manner which is negative in terms of human rights realisation. This is true regardless of GHG emissions. Indeed, even if GHG emissions were necessary for such human rights violations to occur, this would not amount to an adequate defence on the government's part, since they could and should have known the consequences of their actions. It seems clear then, that while the government cannot easily or reasonably be held accountable for the human rights violations which future persons suffer as a result of the *general* phenomena of anthropogenic climate change, it is more than reasonable to hold them accountable for the *specific* violations which occur solely as a result of their actions.

The problem with such an assertion, however, is that, from a human rights perspective, it seems doubtful that future persons should be capable of holding human rights at all. It seems implicit in the nature of human rights that they can only be held by normative agents.⁴¹ Although future persons will one day meet this criteria, they do not yet do so. As such, they are only *potentially* human and so are only *potential* right-holders. Human rights are about protecting human interests and, as Feinberg puts it, "...there are no actual interests, presently existent, that future generations, presently non-existent, have now."⁴² In short, according to the logic of human rights, past and future persons lack the contemporaneity which is necessary if they are to hold duties in regard to one another. Therefore, while my right to work in a mine may severely damage the human rights of the future generations who are forced to grow up in the desert which my actions have helped to create, this does not constitute a clash of rights. As such, the human rights supporter is forced by the logic of their doctrine to place the *actual* rights of a few hundred workers above the *potential* rights of the millions who do not yet exist.

The Damage to the Human Rights of the current generation

If it could be demonstrated that the proposed mine in Teghut would endanger the human rights of current Armenians, this would represent the

⁴¹ Griffin J., ..., p. 92

⁴² Feinberg J., The Rights of Animals and Unborn Generations, in *Feinberg J., Rights, Justice, and the Bounds of Liberty: Essays in Social Philosophy*, Princeton University Press, Princeton, 1980, p. 181.

most obvious and legitimate objection to its going ahead from a human rights perspective. If the human rights of current persons will be violated, then the human rights supporter is no longer condemned to supporting the mine due to the human rights benefits it will confer through job opportunities and taxation. Of course, it would still have to be demonstrated that the human rights benefits of stopping the mine would, in accordance with Gewirth's maxim, be more necessary for action than the benefits of mining, but, given that such benefits are relatively small in scale, and consist primarily of positive rights, *any* violations of negative rights that can be demonstrably allocated to the mine would be likely to tip the balance against its opening.

Unfortunately, things are not clear-cut even in this area, which raises further theoretical and practical issues surrounding the protection of human rights. Primary of these are; a) whether the apparent threats to human rights provided by the mine can be evidenced, and b) who bears which duties in relation to future violations of the rights of current persons.

The Damage to the future human rights of current persons

Let us begin by addressing the issue of the *future* rights of *current* persons. Thus far it has been established that the human rights supporter may only legitimately constrain the human rights of one currently existing individual if the exercise of those rights will lead to the violation of the human rights of another current individual. But what happens if the exercise of one's human rights today will violate the rights of another currently existing individual (who therefore meets the required standards of agency and reciprocity necessary for a clash of rights to occur) in twenty-five years?

Teghut could be seen to constitute just such a situation. Environmentalists maintain that the land around the mine will no longer be usable for farming.⁴³ As such, once the mine closes, the traditionally agrarian people of the area will be left with no source of income. Furthermore, there are additional concerns surrounding health and safety issues after the mine's closure. As was described in a recent newspaper article on the issue:

In order to set up the tailing structure, the company plans to change the course of the Kharatanots River. Environmentalists

⁴³ Matosian, M., ...

worry that the new course will only be maintained for 25 years - the life of the mine - after which there is no guarantee that the company will continue to remediate the artificial flow.⁴⁴

There seems to be no problem with claiming that such situations constitute clashes of rights. As Parfit states, when it comes to moral mathematics, “(r)emoteness in time has, in itself, no more significance than remoteness in space.”⁴⁵ The difficulty arises when we try to assert what action should be taken when the effects of the violation are felt so long after the action which caused them.

It is commonly thought that, when it comes to human rights protection (especially in relation to climate change), there are two approaches which a government may take; it can either mitigate against a future problem by taking action now to prevent its occurrence, or it can adapt to that problem as and when it occurs. In most situations, governments will mitigate against foreseen problems and adapt to unforeseen ones, but, according to the logic of human rights, there is no necessity for them to act in such a fashion. Provided human rights are protected, governments may choose to allow the occurrence of current actions which could violate human rights in the future (like destroying arable lands to build a mine), provided that they adapt their behaviour to prevent such violations before they occur (by providing locals with an additional source of income after the mine has closed). Indeed, one might even claim that the government has a duty to adapt, rather than mitigate in such circumstances, since, in doing so, it ensures that the right to work of the villagers is adequately met in the present without unavoidably violating that right in the future.

The problem surrounding such choices however, is that they require a level of foresight which is impossible to possess. The government cannot know whether it will be in the necessary economic situation to be able to provide income to the people of Teghut, or to be able to maintain the diverted river in twenty-five years; just as it cannot know whether the river will require maintenance, or whether the villagers might not discover their own source of employment.

It seems then, that, with regard to the right to work of current persons, tough decisions will need to be made about which rights should be

⁴⁴Copper, ...

⁴⁵ **Parfit D.**, *Reasons and Persons*, Oxford University Press, Oxford, 1984, pp. 356-357.

prioritised at which time. While we might not agree with the choices of the government with regard to such decisions, it is difficult to claim with any certainty that such choices represent a violation of human rights at the present time.

Perhaps, then, a more profitable line of attack for the environmentalist would be to highlight the deforestation aspect of the mine. According to experts from the World Bank, there will be no forest remaining in Armenia within 20-30 years, creating nationwide desertification within the lifetime of current citizens.⁴⁶ Such a problem will prohibit almost all food-production, thus having a devastating effect upon human rights. This is not a problem which can be adapted to; it is a problem which must be mitigated against. The only way in which desertification can be prevented is for the government to take action now, in the form of stopping deforestation and promoting reforestation.

Unfortunately for environmentalists, such a fact still fails to necessitate that the Teghut mine must be stopped on human rights grounds. As Armenia's Minister for Nature Protection, Vardan Ayvazyan highlights, "...only 60 thousand cubic meters of wood will be cleared. According to a study by the World Bank, illegal logging in Armenia comes to an annual volume of 600-700 thousand cubic meters of wood. These are more serious numbers."⁴⁷ In other words, the fact that a coherent support for the human rights doctrine requires that the current rate of deforestation be drastically slowed does not necessitate that the specific trees in the Teghut forest be saved. This is especially true when we consider that illegal-logging by companies, which is responsible for infinitely more of the damage to Armenia's forests than a single mine, has no obvious human rights benefits. Moreover, as ACP director, Gagik Arzumanyan has made clear, the company will plant two new trees for every one they cut down.⁴⁸

⁴⁶ Armenian Environmental Network Issues Statement About PACE Declaration No. 503 on Teghut Mining Project, 27/01/2012, Available at:

http://www.armeniatree.org/envirnews/aen_012712.htm (February 2012)

⁴⁷ Copper, ...

⁴⁸ Armine Tokhmakhyan cautions against simply focussing on numbers planted as evidence of the fight against desertification. As she puts it; "Now, in Armenia it's very trendy to do tree plantings. Officials do it. But they just come, plant, and go away. These beautiful trees dry out very beautifully. In ATP it is different, we always monitor the process. If something is dried out, we replant with new seedlings. It's difficult and different. So when the representatives of ACP, this

Clearly, it is difficult to conclusively demonstrate that this specific piece of deforestation constitutes a human rights violation. While deforestation in general will lead to human rights violations by creating desertification, it is impossible to demonstrate that deforesting a maximum of 1200 hectares⁴⁹ of forest in Teghut will do so specifically. Desertification will not occur unless a great many other trees in Armenia are also felled. As such, the deforestation of this relatively small area of forest is neither necessary nor sufficient for desertification to occur. It is therefore not clear that such an action could be said to have caused desertification and the human rights violations that result from it in any meaningful way.

Immediate damage to the human rights of current persons

At this point, those individuals who would like to consider themselves both environmentalists and human rights supporters may be starting to despair. It seems as though many of the seemingly valid arguments of the former against the Teghut mine are ruled out by a coherent commitment to the latter. However, regardless of its apparent failings in seemingly supporting the mine's creation by overruling a wave of objections which many would have viewed as morally sound, the human rights doctrine might yet prove to be the strongest weapon available to the mine's opponents. If it could be demonstrated that building the mine would rapidly lead to the violation of current persons' human rights, then doing so would have to be outlawed under a human-rights-based morality. And, as noted earlier, if the mine could be outlawed on human rights grounds, the position of its opponents would be greatly strengthened due to the fact that the human

Vallex Group, say they are going to replant, we do not know when this territory will again become a forest or whether it will become a forest at all." **Tokhmakhyan A.**,

....

⁴⁹ It should be noted that this number is the worst-case-scenario highlighted by environmentalists- **Mkrtchyan G.**, Occupy Teghut?: Year begins with new protest of mining exploitation, 11/01/2012, Available at:

http://armenianow.com/social/environment/34551/armenia_teghut_foreign_environment_campaign (February 2012)).

According to the government, the figure could actually be as low as 180 hectares- *Only 10% of Armenia's environmentalists are qualified experts* – Vallex Group President, 17/02/2012, Available at: <http://news.am/eng/news/93744.html> (March 2012).

rights doctrine is a widely-accepted moral standpoint which has been encoded within international law and ratified by the Armenian government.

When asked if there would be any human rights concerns with regard to the mine, Masarjian replied; “I think that having access to clean air, and clean water, and land that hasn’t been poisoned by mining tailings is a human right.”⁵⁰ He was referring, as many environmentalists do, to the experiences of other mining operations in Armenia. There are widespread media reports suggesting that the residents of Alaverdi - where, in the early 1990s, ACP began operating a smelter which processes copper ore for a consortium of mining companies⁵¹ - have experienced increased levels of sterility, respiratory diseases, and birth defects.⁵² In addition to claims over harmful emissions, there is also widespread concern that the Teghut mine, through poorly managed tailings beds⁵³, will contaminate nearby rivers, which are used for irrigation and drinking water.⁵⁴

Such fears are fuelled by the failings of previous mining operations in Armenia. As Wallace explains;

...if the past history of the mining industry tells us anything, and these tailings beds are going to be constructed in the same shoddy fashion, then we do have a potential for serious issues. And not just for Armenians. That river flows down into the Debed, and the Debed is trans-boundary, it goes into Georgia...So Armenia’s issues become their issues as well.⁵⁵

For those seeking to condemn the mine on human rights grounds, the most important word in Wallace’s warning is *if*. Aside from the fact that there seems to be a distinct lack of independent scientific research to either back-up or dismiss the claims of the previous mines’ failings – they are the

⁵⁰ Masarjian J., ...

⁵¹ Armenia Tree Project Distributes Action Alert to Save Teghut Forest, 25/06/2007, Available at: http://www.armeniatree.org/atpnews/news_press_062507.htm (February 2012)

⁵² Copper...

⁵³ Tailings are the remains of the chemicals used to separate the copper and molybdenum from the ore. Tailings beds are containers used to hold these unneeded chemicals without risking environmental harm.

⁵⁴ Forest Copper Mine Triggers Controversy in Armenia, 28/01/2008, Available at: http://www.illegal-logging.info/item_single.php?it_id=3006&it=news (February 2012)

⁵⁵ Wallace K., ...

failings of previous mines. As such, they do not represent conclusive evidence that the mine in Teghut will have the same effects. Indeed, ACP maintains that it has undergone painstaking research and safety controls to ensure that such problems will not occur in their mine.⁵⁶ When concerns over the potential damage to human rights that mining causes, evidenced by previous experiences, are levelled at ACP, the company simply points to its Environmental Impact Assessment (EIA). Such an approach seems reasonable. The fact that other mines may have had a devastating impact upon human rights through poor safety controls does not constitute sufficient evidence that the mine Teghut will also do so – particularly if the science demonstrates that it will not.

The problem is that the EIA was conducted by Lernametalurgiai Institute cjsc (LMI), and LMI are owned by ACP's parent company, Vallex.⁵⁷ There have been widespread criticisms that the EIA lacks impartiality and contains vast errors with regard to its cost/benefit analysis, using double price standards, showing lower costs and higher benefits.⁵⁸ Wallace states that such criticisms seem justified, and that the best way for Vallex to avoid them would be to carry out an independent assessment:

I think we have to ask for science on this. If I'm diagnosed with cancer by a doctor, I'm going to get a second opinion. I think, with all the red book species that are up there, that's the least we can do. Let's go for a second opinion. Let's get an independent company to do this.⁵⁹

Given the context, Wallace's demands seem far from being those of an environmental extremist. As Policy Forum Armenia's report notes,

It is to be expected that the environmental impacts stated within a company-sponsored study may be underestimated. It is typically the responsibility of the government to

⁵⁶ Forest ...

⁵⁷ **Wallace K.**, Teghut II: The Players, (05/03/2012), Available at: <http://www.armenia-environment.org/2012/03/05/teghut-ii-the-players/> (April 2012)

⁵⁸ For a more detailed analysis of such criticisms, see: **Sanasaryan H.**, The Exploitation of the Teghut Mine will have Disastrous Consequences, (06/03/2012), Available at: <http://hetq.am/eng/articles/11561/the-exploitation-of-the-teghut-mine-will-have-disastrous-consequences.html> (April 2012)

⁵⁹ **Wallace K.**, ...

commission an independent assessment and to include public participation in its analysis.⁶⁰

And so arises perhaps the first indisputable human rights concern surrounding the events in Teghut. It is widely accepted that governments are primarily responsible for taking all reasonable, appropriate steps to safeguard the human rights of their citizens. Such duties cannot straightforwardly be attributed to corporations.⁶¹ As such, it is the government's duty to ensure that the actions of companies operating within its territory will not harm the human rights of its citizens. In failing to demand that an independent EIA be carried out – and, indeed, in failing even to express any challenges or reservations to findings presented to them⁶² – the government has failed to meet such a duty⁶³.

Of more concern are the obvious problems with even LMI's EIA. ACP openly acknowledges that its tailings bed will be clay-lined. Such liners are known to leak over time. High Density Polyurethane (HDPE) liners offer far greater protection and are the industry standard in modern mining.⁶⁴ In allowing ACP to use a cheaper, less-effective lining, the government again takes its duty to protect its citizens from human rights violations too lightly.

ACP attempts to subvert such concerns with assurances that the tailings bed will be closely monitored in order to prevent such leaks. There are, however, problems with such a claim.

Firstly, even if we accept that ACP has the expertise and ability to maintain these tailings safely, there is no reason to believe that they will do so beyond the life of the mine. As such, in order for human rights to be

⁶⁰ The State ..., p. 28.

⁶¹ **Humphreys S.**, ..., p. 10.

⁶² The State ..., p. 28.

⁶³ Similarly, if there are widespread reports of unusual numbers of health concerns in Aliverdi, it would seem that the *minimum* the government's correlative duty requires is to conduct an investigation into possible causes, and quite possibly to close down the suspect smelter in the meantime

It should be noted here that, as this article was completed, it emerged that a second EIA, designed to "fill the gaps" of the one carried out by LMI, had been carried out by the (apparently independent) company, Environmental Resources Management (ERM). The details of this second survey, however, have not been made available for public release. (**Wallace, K.**, Teghut IV: The Gate, 15/04/2012, Available at: <http://www.armenia-environment.org/2012/04/15/teghut-iv-the-gate/>) (April 2012)

⁶⁴ The State ..., p. 25.

protected, assurances would have to be made that some other body with similar expertise (presumably the government) would later assume the responsibility for maintaining these tailings beds. Such assurances are, thus far, lacking.

An even bigger problem is that there will only be one tailings reservoir. Even if ACP is certain that it has the capability to fix any problems which occur, it cannot guarantee that such problems will not occur at all. And if there are leaks within the tailings bed, those leaks will need to be fixed. The only way of making such fixes is to drain the tailings reservoir, but, in the absence of an alternative reservoir in which to temporarily locate the tailings, it seems impossible that any leaks could be repaired without emptying the entire contents of the tailings into the soil (thus somewhat negating the benefits of fixing the leak).⁶⁵

As a result of these uncontroversial problems alone, allowing the mine in Teghut to go ahead as currently planned would amount to an unreasonable and immediate endangerment of the human rights of current Armenians. Given these admitted problems, it would seem that the further problems which are raised by environmentalists concerning the other harms that will allegedly be caused by the mine at least merit investigation. According to the logic of human rights, the government is primarily responsible for sufficiently protecting the rights of its citizens by all means reasonably possible. Commissioning a second, independent EIA seems both reasonable and possible.

Conclusion

From a human rights perspective, the study of the problem concerning the Teghut copper-molybdenum mine requires considering the issue not only from a moral perspective, but also from a legal point of view, since solely moral standards have different manifestations in different cultures. At the same time, legal specification enables to not only overcome such difficulties, but also more clearly formulate requirements and the possible solution to the problem. Moreover, Armenia has ratified the main documents that define the scope of human rights protection and obligations. This enables to specify requirements and obligations more clearly,

⁶⁵ The State ..., p. 29.

eventually making the struggle for human rights and the steps taken more efficient.

The potential damage of the Teghut copper-molybdenum mine exploitation are viewed in the framework of four classes: damage to historical monuments, damage to endangered species of plants and animals, damage to the human rights of future generations, and damage to the human rights of the present generation. Considering other rights of the people living in the region (the right to work, the right to health, the right to food, etc.), prohibiting the exploitation of the mine – based on complaints regarding the first three classes – could be considered to be inconsistent with human-rights-based morality (and, quite possibly, the law). However, with regard to possible violations concerning the fourth class, the government should either ensure their prevention – by, for example, placing the company under an obligation to operate in accordance with the relevant requirements, or prohibit exploitation altogether.

Regarding the Teghut issue, the government of Armenia, which is supposed to ensure respect for the rights of its citizens according to ratified agreements, should:

- receive an independent evaluation of the environmental impacts of mine exploitation because the evaluation of only the Mining and Metallurgical institute is not sufficient for a full and impartial evaluation as the institute is correlated to the parent company;
- demand that the mining company increase the reliability of the protective layer within the tailings, using modern reliable equipment;
- demand that the mining company create a second alternative tailing, to be used in the case of the emergence of any problems related to the first one.

**FORMATION OF THE NEW WORLD ORDER:
REGIONAL DEVELOPMENTS****The “Arab Spring” as a New Challenge and a New Opportunity
for China’s Middle East Policy**

AGHAVNI HARUTYUNYAN

Brusov State University of Languages and Social Sciences, Armenia

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As a result of the collapse of the USSR, the termination of the bipolar world order led to new geopolitical realities in a number of regions, creating competitive possibilities for countries that have aspirations for influence and hegemony in the new world order. Especially during recent decades, the relations with Middle Eastern (ME) and North African (NA) countries, based on non-intervention, have gained strategic importance for China, the undisputed leader among those countries. The article views the influence of the challenges and possibilities – caused by the “Arab Spring” – on China’s policy in the region.

Keywords

China, Middle East, the “Arab Spring”, new world order, new policy

China’s Place in the Arab World before the launch of the “Arab Spring”

The United States (US) is Beijing’s main competitor in the region, which in itself, conditions the content and nature of the Middle East policy of the Peoples’ Republic of China (PRC). The problem is that, notwithstanding the efforts towards differentiating energy import sources, 50% of the PRC’s oil demand required for its rapidly growing economy is imported from the ME (60% of which is from Iran and Saudi Arabia)¹. According to the International Energy Agency, in 2015, instead of the current 50%, the PRC will import 70% of its oil demand from other

¹ **Li Weijian**, Energy of the Middle East and Peaceful Rise, International Energy Security and Cooperation, SIIS, Shanghai, June 24-25, 2004, p. 121; **Bhadrakumar M.K.**, China Becomes Increasingly Involved in the Middle East, Power and Interest News Report, (10.03.2006), Available at: http://www.pinr.com/report.php?ac=view_report&report_id=455&language_id=1

countries, from the ME in particular². Therefore, ensuring a strong position of Chinese oil companies in the energy sector of the ME countries is the priority of the PRC Middle East policy³.

However, the United States and other Western countries view China's "huge energy demand" as a threat to the stability of global energy markets and to the global geopolitical oil and gas balance, i.e., to vital interests of countries consuming a large amount of energy⁴. Moreover, China's dynamic economic growth is considered a cause of rising oil prices, the escalating struggle for energy resources, environmental pollution and global warming⁵.

It should be noted that China is the only permanent UN Security Council (UNSC) member to have close partnership relations with both the US' traditional partners in the ME – moderate Arab administration Egypt, Saudi Arabia, Kuwait, Qatar, UAE, Oman and other countries on the one hand – and on the other hand, with countries having "difficult relations" with Washington, such as Syria, Sudan, Libya, Iraq and Iran⁶. Beijing has energy and trade-economic interests also in the Arab countries of NA⁷. The close political, economic, scientific, cultural, and technological – especially in the energy sector – cooperation established between the PRC and those countries contributes to the expansion of PRC presence and influence in a region of strategic importance to it⁸.

A significant number of the ME countries, both the US' allies and those having "difficult relations" with it, view China as a factor countervailing Washington's influence in the region. Along with Beijing, the latter share a common desire to limit the US' global hegemony and the

² **Lee Hudson Teslik**, What are the Implications of a Reemerging "Silk Road"? The Council On Foreign Relations, A, 04.06.2008. Available at: <http://www.cfr.org/publication/16398/>

³ **Blumenthal D.**, Providing Arms China and the Middle East, *The Middle East Quarterly*, 2005, **XII**, 2, Spring. Available at: <http://www.meforum.org/article/695>

⁴ **Zhao Hongtu**, New Features of Int'l Energy Security Situation, *Contemporary International Relations, Beijing*, 2005, **15**, 7, pp. 23-35.

⁵ **Ma Zhengang**, China's Responsibility and the "China Responsibility" Theory, *China International Studies*, 2007, Summer, pp. 7-8.

⁶ **Guang Pan**, China's Success in the Middle East, *The Middle East Quarterly*, 1997, 4. Available at: <http://www.meforum.org/373/chinas-success-in-the-middle-east>

⁷ **Shinn David H.**, North African Revolutions and Protests Challenge Chinese Diplomacy, *China Brief*, Vol. XI, Issue 6, The Jamestown Foundation, 08.04.2011, p. 2, Available at: http://www.jamestown.org/uploads/media/cb_11_6_01.pdf

⁸ **Lei Wu and Youyong Wang**, Comparative Analysis of China's Energy Activities in the Middle East and Africa, *Journal of Middle Eastern and Islamic Studies (in Asia)*, Shanghai International Studies University, 2009, 3, 1, pp. 50-61. Available at: <http://mideast.shisu.edu.cn/picture/article/33/b7/b8/aca1fbd24175a68760eeb598408c/0252f54e-4ffc-4acd-8248-ebbb1b6ec13e.pdf>

Western influence in their internal affairs especially in issues such as allegations of human rights violations⁹. Beijing is ready to support the processes concerning the liberalisation of the economies of those countries, enabling the latter to avoid US pressure towards performing political reforms¹⁰. Beijing shares with ME countries the view that any democratisation and reforms of the Arab world should be on its own initiative, and the stance of Arab administrations to perform based on the Islamic value system, realities and national interests¹¹.

The PRC seeks to develop relations with the region in both bilateral and multilateral diplomatic formats, cooperating with Arab countries in the framework of China-Arab States Cooperation Forum¹², the Gulf Cooperation Council and the Forum on China-Africa Cooperation. China develops stable bilateral relationships not only with countries of strategic importance to the region, but also with those of no energy or strategic importance to China. Beijing strives to as much as possible expand its economic presence in the ME through the development of commercial ties with the countries in the region. China is not only interested in making huge investments in ME countries – moreover, without political preconditions – but also encourages capital investments in its own economy by Middle Eastern – especially by Arab – countries.

Beijing is gradually expanding its abilities not only to strengthen its Middle East policy, but also in the issue of choosing its means of impact on the political processes in the region. Since the early 2000s, China has established close links with the leading ME countries – mainly for the purpose of achieving its long-term geopolitical ambitions¹³.

The PRC has achieved such political and economic success with minimal resources, meanwhile refraining from high rhetoric and demonstrative activities. In their initial assessments, Chinese experts attributed the causes of the events in NA and the ME since the start of 2011

⁹ The Sino-Saudi Energy Rapprochement: Implications for US National Security, The Gracia Group, New York, 2002, p. 2. Available at: <http://large.stanford.edu/publications/coal/references/baker/testimony/docs/SinoSaudiStudyFinal.pdf>

¹⁰ **Calabrese J.**, Saudi Arabia and China Extended Ties Beyond Oil, China Brief, Vol.: 5, Issue 20, The Jamestown Foundation, 31.12.2005, p. 3. Available at: [http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews\[tt_news\]=3895&tx_ttnews\[backPid\]=195&no_cache=1#.UbmYDthtbXQ](http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews[tt_news]=3895&tx_ttnews[backPid]=195&no_cache=1#.UbmYDthtbXQ)

¹¹ **Yao Kuangyi**, Arab Countries; Reform and Development of China-Arab Relations, China International Studies, CIIS, Beijing, Winter 2005, pp. 90-92.

¹² **Yao Kuangyi**, ..., p. 103:

¹³ **Mordechai Chazisa**, The Arab Spring: Implications for Chinese Policy, The Global Research in International Affairs (GLORIA) Center, 04.08.2013, p. 74. Available at: <http://www.gloria-center.org/2013/08/the-arab-spring-implications-for-china-policy/>

mainly to the NA and ME political systems and social contradictions, as well as to the hard economic and employment situation, cultural and religious issues, foreign interference and other factors. According to Chinese experts, that “explosion”, along with long-accumulated problems, disclosed the trends and inevitability of the development model transformation in the region¹⁴.

China faced rapidly changing developments and was therefore forced to rethink its foreign policy. Still, Beijing was concerned about not only problematic prospects of its relations with those countries, but also the infectious reflection of Middle Eastern developments in its own country¹⁵. Beijing feared that through the international community, the possibility of intervention – formulated as humanitarian in the Arab countries – would turn into a precedent to interfere with China’s internal affairs¹⁶. For that reason, Beijing’s reaction to the events had two components: immediate measures were taken to prevent possible developments within China and to ensure internal stability and security, as well as towards saving its growing economic and political interests in the Arab world and the reduction of possible economic losses of the PRC¹⁷.

In February, 2011, during his meeting with provincial and ministerial-level officials, the PRC President Hu Jintao demanded to solve “the existing problems (connected with the rising prices of housing taxes, food and energy), which may endanger the harmony and stability of society,” to deliver more qualified social services to the people and to improve the information management of the Internet “in order to guide public opinion”¹⁸. The problem was that through the Internet, the residents of the country were

¹⁴Влияние беспорядков в ближневосточном регионе на Китай, (04.03.2011).

Available at: <http://russian.people.com.cn/31520/7308133.html>

¹⁵ **Parello-Plesner J.**, China and the Arab Spring: External and Internal Consequences and Implications for EU-China Cooperation, Istituto Per Gli Studi Di Politica Internazionale, (ISPI), Analysis, No. 53, (May 2011), p. 1. Available at: http://www.ispionline.it/it/documents/Analysis_53_2011.pdf

¹⁶ **Kandil A.**, China and the “Arab Spring”: A New Player in the Middle East? Brief N. 47, European Institute of the Mediterranean, (05.07.2012), p. 1. Available at: <http://www.euromesco.net/images/briefs/euromescobrief47.pdf>

¹⁷ **Jing-Dong Yuan**, The Arab Spring and China’s Evolving Middle East Policy, Arab Spring, Global Repercussions, *World Politics Review*, 20.12.2011, p. 8. http://www.relooney.info/SI_FAO-Africa-2012/Africa_7.pdf; **Baker R.**, Dispatch: Middle East Unrest and China’s Resource Interests, Stratfor, (23.02.2011). <http://www.stratfor.com/analysis/20110223-dispatch-middle-east-unrest-and-chinas-resource-interests#axzz2VYX7rMnB>

¹⁸ China Tries to Stamp out 'Jasmine Revolution', *The Washington Post*, (20.02.2011). Available at: <http://www.washingtontimes.com/news/2011/feb/20/china-tries-stamp-out-jasmine-revolution/>

called to realise the “Jasmine revolution,” demanding of the authorities requirements for “food, housing, labor, justice, freedom, democracy, political reform, multi-party system and others”¹⁹.

In February, the Chinese law enforcement officials had to disperse unauthorised protests in over a dozen Chinese cities – including Shanghai and Beijing – during which more than a hundred activists were arrested. The authorities restricted the news flow regarding street protests from countries massively beset by complaints²⁰. Undoubtedly, there were many commonalities between the complaints in the abovementioned countries and those made by Chinese protesters, but Beijing managed to set strict control over the media, the Internet and other forums, which created difficulties in organising mass demonstrations²¹.

Obviously urging the masses not to succumb to the provocations of the West, renowned Chinese research centres came up with famous “warnings concerning Western conspiracy aimed to weaken developing China by instituting Washington’s strategic levers – value system and soft power”.

Indeed, in NA and the ME, the protests and revolutions also became a serious challenge to China’s foreign policy, which was based on the principle of non-intervention²². Beijing considers that principle the cornerstone of its foreign policy (not only in the ME), considering it a major warranty of regional and global stability, at the same time keeping in mind its claims on Taiwan and Tibet-related issues regarding “non-intervention in China’s internal affairs”²³.

That is why, in the beginning of the “Arab Spring”, Beijing pursued its traditional “sit and wait” strategy, seeking to avoid any assessment as much as possible, and confined itself to only calling conflicting parties to sign a treaty and to restore peace. Beijing preferred to stay away from any active participation in the ME reorganisation process and from the possibility of direct confrontation with the US. Meanwhile, Beijing's initial passivity

¹⁹ **Richmond J.**, Dispatch: China's 'Jasmine' Rallies, Stratfor. Available at: <http://www.stratfor.com/analysis/20110228-dispatch-chinas-jasmine-rallies>

²⁰ **Parello-Plesner J.**, ..., p. 2.

²¹ **Jing-Dong Yuan**, ...

²² African Revolutions Challenge Chinese Diplomacy, *Intelligence Quarterly*, (11.04.2011). Available at: <http://www.intelligencequarterly.com/2011/04/north-african-revolutions-challenge-chinese-diplomacy/>

²³ **Пахомова М.**, КНР: к вопросу о «политике невмешательства во внутренние дела», Политборд. Available at: <http://www.inomnie.ru/debate/11903/>

was due to both the region's remoteness and Beijing's insufficient potential to influence current processes²⁴.

To Beijing, ME and NA events simultaneously became both a challenge and an opportunity in terms of maintaining and strengthening its position in the region.

China's Response to the Launch of the "Arab Spring"

At the beginning of the "**Tunisian Spring**", Beijing, unlike the West, was mostly reluctant to make any interpretation or assessment. Moreover, during the first period of the unrest, the problem did not receive special attention, partly due to the lack of a clear understanding of the developments in the country.

After Ben Ali left Tunisia, Beijing officially announced that "Tunisia is a friend of China. China is concerned about the events in Tunisia and hopes that stability will be restored in the country as soon as possible."²⁵ In early March, China's deputy foreign minister arrived in Tunisia for the purpose of establishing and strengthening cooperation with the new government²⁶. Beijing officially released statements of respect for the Tunisian people's choice, developing traditional friendly relations with Tunisia, as well as statements regarding the intent to provide 6 million USD non-refundable donations for the purpose of Tunisia's further development²⁷.

The reaction was adequate and quite favourable for China. In early June, 2012, during a meeting with his Chinese counterpart, the Tunisian prime minister noted that in the new international situation, Tunisia puts much more importance on China's role and the strategic, mutually beneficial, and "highly complementary" cooperation between the two countries, at the same time promising to create a favourable environment in Tunisia for Chinese companies' investments²⁸.

As for Beijing's stance on the "**Egyptian Spring**", before the coup carried out by the Egyptian opposition, the Chinese press criticised the Egyptian anti-government speeches, characterising them as a "street

²⁴ Unease from Afar, The Brookings Institution, (18.11.2011). Available at: <http://www.brookings.edu/research/articles/2011/11/18-arab-awakening-china-pollack>

²⁵ China Hopes Stability in Tunisia Restored: FM, *China Daily*, (15.01.2011). http://www.chinadaily.com.cn/imq/china/2011-01/15/content_11868329.htm;

²⁶ China Respects Choice of Tunisian People, *China Daily*, 08.03.2011. Available at: http://www.chinadaily.com.cn/china/2011-03/08/content_12134764.htm

²⁷ *Xinhua News Agency*, 07.03.2011.

²⁸ China, Tunisia Confident in Prospect of Bilateral Ties, (02.06.2012). Available at: http://www.gov.cn/misc/2012-06/02/content_2151509.htm

democracy”²⁹. China expressed confidence in Cairo’s ability to settle the situation with their own efforts, without outside intervention, at the same time expecting that Chinese-Egyptian relations would not suffer as a result of the disturbances³⁰. Beijing criticised the US’ repressions of Hosni Mubarak that forced the latter to leave government³¹. The problem, however, was not the resignation of Mubarak and his regime. The Chinese authorities did not consider the use of the “Western democracy model” in developing countries effective. The Chinese media wrote that American and European institutions and norms cannot match the reality in Africa and the Middle East, especially considering that “colour revolutions” have never led to a real democracy. In Egypt and neighbouring countries, in case of democratic elections, a possible result is that of Islamist leaders – which not only “ignore the American democracy, but also threaten to stop oil shipments” to the USA – coming to power. It was pointed out that after Iran’s Islamic revolution, in almost all Muslim countries – as a result of democratic elections – regimes hostile to the West and Israel had come to power³². China initially treated with scepticism the possibility of ME democratisation as a result of the “Arab Spring”; Beijing was more concerned about the processes related to the radicalisation of Islam³³.

On the other hand, Beijing believed that the “Islamist centrism” – struggling against the Western “Islamic threat” theory and internal extremism and terror – can play a positive role in the review of the notion regarding Islam. The expansion of, and the moderate and party-political course of Islamist centrist forces, in some sense indicated that the main characteristic of these forces is the rejection of extremism and harsh radicalism and the search and implementation of new development ideas and ways according to their national characteristics and realities³⁴.

²⁹ **Bodeen C.**, China, Wary of Arab Spring, Hosts Egypt's Morsi, *The Jakarta Post*, (29.08.2012). Available at: <http://www.thejakartapost.com/news/2012/08/29/china-wary-arab-spring-hosts-egypts-morsi.html>

³⁰ *Xinhua News Agency*, (10.02.2011).

³¹ **Kandil A.**, ...

³² **Lam W.**, Beijing Wary of “Color Revolutions” Sweeping Middle East/North Africa, *China Brief*, Vol.: XI, Issue 3, The Jamestown Foundation, 10.02.2011, pp. 2-3. Available at: http://www.jamestown.org/uploads/media/cb_11_3_04.pdf

³³ **Shichor Yitzhak**, Storm in a (Jasmine) Teacup: China’s Response to the Middle East Upheavals, Paper prepared for the German Marshal Fund’s China Forum, Stockholm, 09.06.2011, p. 3.

³⁴ **Yao Kuangyi**, The Upheaval in the Middle East and China's Middle East Policy, *Journal of Middle Eastern and Islamic Studies (In Asia)*, Shanghai International Studies University, 2012, 6, 3, pp. 5-14. Available at: <http://mideast.shisu.edu.cn/picture/article/33/5e/9c/9fc0f54c4453bbeca59f4f718aa2/3c548194-582d-4ce6-8b55-268a5eaebea8.pdf>

Beijing did not confine itself to mere statements but quickly undertook practical diplomacy. In March, 2011, and May, 2012, high-ranking Chinese diplomats made productive visits to a number of Arab countries (Algeria, Tunisia and Saudi Arabia), including Egypt. Beijing expressed support for Cairo in overcoming upcoming difficulties³⁵, at the same time emphasising Beijing's policy of non-intervention in the course of Egyptian developments³⁶. Beijing congratulated Mohammed Morsi on being elected President of Egypt, and expressed the PRC's respect to the people of Egypt in view of making an independent choice³⁷.

At the end of August, 2012, Egyptian President Mohammed Morsi's visit to China served further to restore relationships between the two countries³⁸. It was notable that only after visiting the PRC was the President of Egypt going to visit the US – New York and Washington – to participate in the United Nations General Assembly (UNGA) session and to negotiate with US' high-ranking officials³⁹. Since taking presidential office, this was M. Morsi's first official visit beyond the scope of the ME and Africa, which signalled the importance of China for Egypt as a permanent member of the UNSC and as a strategic partner, as well as a main trading partner and a vital investment source. The visit was also seen as a reorientation – of the strong focus of the Egyptian foreign policy on the US – towards the PRC⁴⁰. According to the Chinese official media, the Egyptian party wanted to rethink its foreign policy – too dependent on the West – and to show a balanced approach in its relations with the East and West. Defining the PRC as an important country in preserving balance in the world, M. Morsi believed that it played an extremely significant role for the settlement of Syrian crisis – a key focus of the international community – and other

³⁵ Очередная пресс-конференция 10 марта 2011 г. у официального представителя МИД КНР Цзян Юй, Посольство Китайской Народной Республики в Республике Армения, (10.03.2011). Available at: <http://am.chineseembassy.org/rus/ztlm/fyrth/t806056.htm>

³⁶ Пахомова М., ...

³⁷ Очередная пресс-конференция 25 июня 2012 г. у официального представителя МИД КНР Хун Лэя, МИД КНР, (25.06.2012). Available at: <http://www.fmprc.gov.cn/rus/xwfw/fyrth/lxjzhzhdh/t945889.shtml>

³⁸ Китай предложил Египту программу развития отношений между странами, РИА Новости, Available at: <http://ria.ru/world/20120828/732406506-print.html?ria=022j2vaa411rvpne6b5humapudfh5d1g>

³⁹ Президент Египта М. Мурси 23 сентября совершит визит в США, Жэньминь Жибао. Available at: <http://russian.people.com.cn/31520/7920893.html>

⁴⁰ Bodeen Ch., ...

issues⁴¹. Both countries considered military intervention in Syria unacceptable⁴², notwithstanding the Egyptian criticism of Syrian authorities and calls for Bashar Assad's resignation⁴³. Calling China "a good brother, friend and partner", M. Morsi noted that "Egypt respects and appreciates the PRC's just position on major regional and international issues, and is willing to strengthen relations and consolidate efforts with the Chinese party for the purpose of confronting various challenges"⁴⁴. Even the "China Daily" governmental newspaper wrote that "M. Morsi's visit to China can change ME political landscape"⁴⁵.

According to the Egyptian media, the main objective of Morsi's visit was to increase Chinese investments and involvement in Egypt. China was able to help Morsi's government to implement their "renaissance project" of the country⁴⁶. The parties signed eight agreements on agriculture, telecommunications, tourism, environment, and other sectors⁴⁷. Overall, 4.9 billion USD worth of Chinese loans and investments were signed, including a number of those concerning a power station in Upper Egypt, and the construction of the "Cairo-Alexandria" free highway. It should be noted that in general, the Chinese aid to be provided to Egypt was an estimated 2 billion USD, which included 450 million Chinese yuan (equal to 70 million USD) as a non-refundable aid and a soft loan worth of 200 million USD to the National Bank of Egypt⁴⁸.

It is noteworthy that after M. Morsi's return from China, the meeting – planned in September – between the US President Obama and the President of Egypt, did not take place. Previously, international media discussed the issue of the US' intention to pay Egypt's 1 billion USD debt. However, the USA announced Washington's lack of intention to pay Egypt's debts or allocating other financial aid⁴⁹.

⁴¹ Комментарий: Визит М. Мурси в КНР открывает новую страницу в китайско-египетских отношениях, *Жэньминь Жибао*, (29.08.2012). Available at: <http://russian.people.com.cn/31520/7927350.html>

⁴² Bodeen Ch, ...

⁴³ Egyptian President Hails «Syrian Revolution» in Tehran Non-Aligned Summit, *Al-Arabiya News*, (30.08.2012). Available at: <http://english.alarabiya.net/articles/2012/08/30/235082.html>

⁴⁴ **Китай...**

⁴⁵ **Подкопаева М.**, Египет между США и Китаем, *Dao Ke Dao*, (29.01.13). Available at: <http://www.daokedao.ru/2013/01/28/egipet-mezhdu-ssha-i-kitaem/>

⁴⁶ Комментарий: ...

⁴⁷ **Bodeen Ch.**, ...

⁴⁸ **Лузянин С.**, Политика Китая на Ближнем Востоке: "накормить волков и сохранить овец", *Голос России*, (7.12.2012). Available at:

http://rus.ruvr.ru/2012_12_17/Politika-Kitaja-na-Blizhnem-Vostoke-nakormit-volkov-i-sohranit-ovec/.

⁴⁹ **Подкопаева М.**, ...

In fact, the Chinese experts' initial forecasts and warnings concerning Islamists in Egypt coming to power – with unfriendly attitude towards the US – were not unfounded. Meanwhile, the process of Egypt's strengthening relations with the PRC not only was not halted by the "Arab Spring" but rather displayed yet deepening trends. Chinese experts found that "the time has come to reconsider formerly too peaceful and "soft policy" in the ME"⁵⁰. According to the latter, China should reformulate its Egyptian policy and move the US out of the country – by providing financial support to the Egyptian Islamists. And if the PRC succeeds, the "Egyptian model" in the Arab East can become universal to the Chinese policy. In this regard, the President of Egypt's words – regarding his Chinese colleagues – during his visit to the PRC are noteworthy: "If you protect our interests, we will protect yours"⁵¹.

Some Western experts are inclined to think that China will try to obtain "freedom of action in the region" due to the active involvement of not only old and new partners, but also Iran within ME matters. It is hard to evaluate how real the possibility of forming an Iran-Egypt tandem against the US is; still, such efforts cannot remain unnoticed in Washington. Nevertheless, while China has sufficient means for strengthening its strategic position in the ME, the US has enough resources for destabilising the region as well.

Also noteworthy is that after his visit to Beijing, the President of Egypt, M. Morsi, participated in the Tehran summit on the "Non-Alignment Movement", August, 2012, which – after the foundation of the Islamic Republic of Iran (IRI) and the rupture of diplomatic relations between the two countries – was the Egyptian leader's first visit to Iran⁵². In his turn, President of Iran Mahmoud Ahmadinejad was Iran's first president to visit Egypt after the foundation of the IRI and to participate in the summit of the Organisation of Islamic Cooperation in February, 2013⁵³.

It is not to be excluded that Beijing will use the aspirations of tense Egyptian-American relations and the Egyptian government's foreign policy reconsideration for the purpose of "strengthening its position in the region and gaining freedom of action".

⁵⁰ **Лузянин С., ...**

⁵¹ **Chen J.**, The Emergence of China in the Middle East, The Center for Strategic Research, The Institute for National Strategic Studies, SF No. 271, (December 2011), p. 6. Available at: <http://www.ndu.edu/press/lib/pdf/StrForum/SF-271.pdf>

⁵² После 30-летнего разрыва дипотношений иранский президент впервые прибыл в Египет с визитом, *Жэньминь Жибао*, (06.02.2013). Available at: <http://russian.people.com.cn/31519/8123732.html>

⁵³ **Qin Zhongwei**, Iran and Egypt in Landmark Meeting, *China Daily*, Available at: http://www.chinadaily.com.cn/world/2013-02/04/content_16197104.htm

In terms of the PRC's strategic interests, the favourable environment created in the ME and NA can contribute to it; the ME's authoritarian regimes, having witnessed Mubarak's fate and having lost trust in the US' promises, further on "can bet" in favour of Beijing, deepening cooperation with the latter⁵⁴.

The "Libyan Spring": Challenge for China's Non-Intervention Policy

Libya was the next country in the "Arab Spring" whirlpool, at the beginning of the anti-government protests of which, the PRC tried to avoid any assessment, confining itself to encouraging reconciliation to the conflicting parties, and, unlike the West, did not speak in favour of the removal of Gaddafi from power⁵⁵.

From February 22 to March 5, 2011, Beijing organised – by land, sea, and air – the evacuation of nearly 36,000 PRC nationals from Libya⁵⁶. It was the first time in the PRC history that the Chinese People's Liberation Army Navy cruiser accessed the Mediterranean waters⁵⁷, which was an important challenge for Chinese military expeditionary capabilities.

The PRC had to overcome numerous obstacles concerning the support and evacuation of its citizens. Beijing linked these obstacles to Gaddafi's inability to end the chaos in the country, which resulted in the violation of Beijing's most sacred principle – stability⁵⁸. Perhaps for that reason, in late February, along with other members of the UNSC, the PRC voted in favour of Resolution 1970, which determined protection of civilians, embargo on the delivery of arms, a no-fly zone, a flight ban, and the freezing of Libyan assets⁵⁹. In reality, Beijing was facing the difficult dilemma of conforming its position to that of the League of Arab States

⁵⁴ **Mordechai Chazisa**,...

⁵⁵ **Шекоян И.**, Китай подбирается к Ливии, *Коммерсантъ*, 02 (4643), (08.06.2011). Available at: <http://www.kommersant.ru/doc/1655949>

⁵⁶ Чудесная операция Китая по эвакуации своих граждан из Ливии получила одобрение широкой общественности, *Жэньминь Жибао*, (08.03.2011). Available at: <http://russian.people.com.cn/31521/7311410.html>

⁵⁷ **Collins G., Erickson Andrew S.**, Implications of China's Military Evacuation of Citizens from Libya, *China Brief*, Vol.: 11, Issue: 4, The Jamestown Foundation, p. 8. Available at: http://www.jamestown.org/uploads/media/cb_11_4.pdf

⁵⁸ **Parello-Plesner J.**, Libya Shows China the Burdens of Being a Great Power, *Economics, Politics and Public Policy in East Asia and the Pacific*, East Asia Forum, (06.03.2011). Available at: <http://www.eastasiaforum.org/2011/03/06/libya-shows-china-the-burdens-of-being-a-great-power/>

⁵⁹ Мир и безопасность в Африке, S/RES/1970 (26 февраля, 2011), Available at: <http://www.un.org/russian/document/scresol/res2011/index.html>

(LAS), which was trying to resist its sanctions and requiring more vigorous actions against Gaddafi's government⁶⁰.

Notwithstanding Beijing's negative stance on foreign intervention in Libya, the PRC (as well as Russia) did not use its veto power in March 2011 to prevent the UNSC adoption of Resolution 1973⁶¹. According to Li Baodong, the PRC Permanent Representative to the UN, although Beijing was concerned about the deteriorating situation in Libya, especially in view of the inadequate clarification – by the resolution's sponsors – of the nature of the no-fly zone, nevertheless, the PRC reckoned with the stances of the African Union member states (AU) and the Special Representative of UN Secretary-General in Libya⁶². Still, in late March, when the PRC President Hu Jintao openly criticised NATO's operations in Libya, the West perceived that the PRC and the West actually favoured opposing camps of the Libyan conflict⁶³.

Beijing's passive stance on the "Libyan spring" was criticised both in China and abroad. Internally, it was connected with refraining from opposing the adoption of Resolution 1973, which, according to Chinese nationalists, yielded to the West and paved the way for NATO to carry out military operations against Libya. At the same time, that stance caused manipulations, accusing Beijing of a retreat from the principle of non-intervention. At the international level, the West and some Arab countries accused Beijing in not joining military operations against Libya, assessing it as the behaviour of "an irresponsible country"⁶⁴.

Similar to internal and external accusations, doubts growing over the potential for Gaddafi's victory made Beijing activate diplomacy and negotiate not only with the government in Tripoli but also the opposition. Beijing took over the mediation for the Libyan conflict and officially announced its peacekeeping aspirations, launching active talks with both parties simultaneously.

On the level of Tripoli's and Benghazi's contacts and for "promoting peace talks", Beijing excelled other countries, including Libyan crisis

⁶⁰ **Zhang Yuwei, Ai Yang**, Libya Declares Cease-Fire after UN Resolutions Vote, *China Daily*, (19.03.2011), p. 8. Available at:

http://www.chinadaily.com.cn/cndy/2011-03/19/content_12195541.htm

⁶¹ Положение в Ливии, S/RES/1973 (17 марта 2011), Available at:

<http://www.un.org/russian/document/scresol/res2011/index.html>

⁶² **Zhang Yuwei, Ai Yang**, ...

⁶³ **Габуев А.**, У Китая к Ливии дело на \$19 млрд, *Коммерсантъ*, 111 (4652), (22.06.2011). Available at: <http://www.kommersant.ru/doc-rss/1664384>

⁶⁴ **Kandil A.**, ..., p. 3.

mediator Russia and the AU⁶⁵. The problem was that Beijing – regardless of the confrontation outcome – needed protection of its business interests in Libya and was cautious lest the Libyan developments lead to irreparable economic losses for Chinese business circles. China National Petroleum Corporation's (CNPC) projects were implemented in the western Libya, under the control of Gaddafi's troops, and a number of infrastructure projects in eastern Libya – with China's participation – were under rebel control. In exchange for Chinese security project insurances, the PRC was ready to support Gaddafi in the UNSC and to provide the rebels with the necessary financial aid⁶⁶. Numerous promises of lucrative compensation agreements in case of the support of the latter also contributed to a Beijing "retreat" from its principle of non-intervention⁶⁷; especially as Beijing did not appreciate Gaddafi's threats to organise "Tiananmen" against the opposition⁶⁸. The PRC was naturally also concerned about National Transitional Council (NTC) statements regarding restructuring the energy sector of the country, according to which, the latter intended to replace Gaddafi ally Chinese and Russian energy companies with Western companies that assisted the rebels⁶⁹. Moreover, in early September, the head of the Libyan rebels' military committee accused Beijing of supplying weapons to Gaddafi's army and of efforts to prevent blocking Libyan accounts⁷⁰. Still, the PRC Ministry of Foreign Affairs (MFA) denied the existence of any arms trade agreement – especially transportation to Libya – stressing that from the outset, Beijing has strictly followed the UNSC 1970 and 1973 Resolutions⁷¹.

⁶⁵ China Says Libya Rebels as Important Political Force, China Military Power Mashup, (22.06.2011). Available at: <http://www.china-defense-mashup.com/china-says-libya-rebels-as-important-political-force.html>

⁶⁶ Габуев А., ...

⁶⁷ Ливия: Китай пытается поладить и с мятежниками, и с Каддафи, RTKORR.com, <http://www.rtkorr.com/news/2011/06/08/243487.new?ref=rss>

⁶⁸ Higgs A., For China, Relations with Libya a Balancing Act, *The Washington Post*, (26.08.2011). Available at: http://www.washingtonpost.com/world/middle-east/libya-policy-a-balancing-act-for-china-as-moammar-gaddafis-rule-collapses/2011/08/26/gIQAnlKKgJ_story.html.

⁶⁹ New Leaders May Expel Russia and China from Libyan Energy Sector, *World Tribune*, USA, (25.08.2011). Available at: http://www.worldtribune.com/worldtribune/WTARC/2011/me_libya10660825.asp

⁷⁰ Серова Н., Китайская перестройка потрясет мир, *Центр Азия*, (08.09.2011). Available at: <http://www.centrasia.ru/newsA.php?st=1315455420>

⁷¹ Китайская сторона не экспортировала в Ливию военную продукцию – официальный представитель МИД-а, *Жэньминь Жибао*, (06.09.2011). Available at: <http://russian.people.com.cn/31521/7589023.html>

Regardless, at the beginning of September, the PRC – with observer status – participated in the “Friends of Libya” conference held in Paris⁷². On September 12, Beijing officially recognised NTC as Libya’s only legitimate authority and the representative of the Libyan people, expecting that all the previously signed China-Libya agreements would remain valid and be implemented conscientiously⁷³. Beijing promised to support the international community to restore peace and stability in Libya⁷⁴. Immediately after the recognition of NTC, the PRC commenced strengthening its position in Libya, offering support for the country’s post-war reconstruction. Already in July, Beijing announced its decision to provide the Libyan people with 55 million Chinese yuan (7.7 million USD) worth of humanitarian aid⁷⁵.

In February, 2013, during a meeting with Chinese diplomats in Libya, the Prime Minister of the Libyan interim government noted that the Libyan government and the people welcomed the return of Chinese enterprises to Libya as soon as possible and the resumption of Chinese companies’ interrupted production⁷⁶.

Thus, during the “Libyan war”, the PRC’s regional policy underwent the largest challenge, connected with Beijing’s concept of territorial integrity, sovereignty, and non-intervention. In case the latter was pursued, the problem of not only deepening cooperation with Libya but also with NA, the realisation of its massive projects in the continent’s infrastructure, energy, telecommunications and other spheres, as well as the employment of hundreds of thousands of Chinese citizens would become more problematic for Beijing⁷⁷. Undertaking an active mediation mission towards the advocacy of its regional interests, Beijing made a fundamental change in the concept

⁷² Китай будет в качестве наблюдателя принимать участие в конференции "друзей Ливии" в Париже, *Жэньминь Жибао*, (01.09.2011). Available at: <http://russian.people.com.cn/31521/7585433.html>

⁷³ **Farge E., Turner L., Irish J.**, How to Win Business in Libya, *Fox News*, USA, Available at: <http://wincountry.com/news/articles/2011/sep/23/special-report-how-to-win-business-in-libya/>

⁷⁴ Своевременное регулирование политики Китая по отношению к Ливии свидетельствует о зрелом и стабильном дипломатическом стиле КНР, Available at: http://russian.china.org.cn/news/txt/2011-09/13/content_23404709.htm

⁷⁵ Китай предоставит ливийскому народу гуманитарную помощь в размере 50 млн юаней, *Жэньминь Жибао*, (11.07.2011). Available at: <http://russian.people.com.cn/31521/7435837.html>

⁷⁶ Правительство Ливии приветствует возвращение китайских предприятий в Ливию, *Жэньминь Жибао*, (06.02.2013). Available at: <http://russian.people.com.cn/31520/8123703.html>

⁷⁷ **Parello-Plesner J.**, China's Desert-Dance in Libya, *European Council on Foreign Relations*, (31.10.2011). Available at: http://www.ecfr.eu/content/entry/commentary_chinas_desert_dance_in_libya

of non-intervention, consistently applied for decades. While previously China was a neutral country in the region, signing commercial transactions one after another, during the Libyan developments it became a country with a new international status of a mediator. The Libyan Civil War turned into an event that urged China to get out of its “shell”⁷⁸.

The events of the “Arab Spring” showed that in the ME and NA, and especially in Libya, as a result of the lack of China’s political influence and military presence, Beijing had difficulties in ensuring its economic security and investment interests. Realising this “gap”, China sought to deepen cooperation with relatively stable Gulf States, expanding its’ naval presence in the Gulf of Aden, as well as in the Indian Ocean – reasoning with anti-piracy operations.

Moreover, in 2011, Beijing supported the procedure of building a military harbour in Pakistan’s Gwadar Port (where Chinese ships have a permanent parking right), which not only is a part of China’s strategy to suppress its regional rival India, but also draws the positions of Chinese naval forces close to the Strait of Hormuz and the Persian Gulf. In fact, through the establishment of new bases, as well as through the acquisition of experience in anti-piracy operations in the Indian Ocean and the Gulf of Aden, Beijing seeks to expand its naval presence in the ME⁷⁹.

The “Syrian Spring” and the Activity of Chinese Diplomacy

Although it may appear that China does not have great interests in Syria, ever since the anti-government movement in the country, Beijing insisted that President Bashar al-Assad should not give up power under Western pressure. China has repeatedly dispatched special envoys to the region for the purpose of establishing connections between interested parties of the conflict, through negotiations with Syria and neighbouring countries and for the purpose of problem regulation through dialogue, as well as the provision of humanitarian aid⁸⁰. Standing firmly in the position of Syria’s national sovereignty defence, China completely ruled out the possibility of an intervention in the internal affairs of the country on any ground, including

⁷⁸ **Dresdner G.**, China, the Arab Spring, and Context, Institute of Strategic Thinking, (23.08.2011). Available at: <http://www.sde.org.tr/en/news/1612/china-the-arab-spring-and-context.aspx>

⁷⁹ **Parks A.**, She Waking Giant and the Arab Spring: China’s Middle East Strategy in the Wake of the Arab Revolutions, University Honors in International Studies, Fall 2012, pp. 36-37.

⁸⁰ **Zongze R.**, Responsible Protection: Building a Safer World, CIIS Time, (15.06.2012). Available at: http://www.ciis.org.cn/english/2012-06/15/content_5090912.htm

human rights violations. According to Beijing, Syria's future should be decided by its own people, and solutions to internal disagreements and establishment of national stability in the country should be achieved through political dialogue⁸¹. Beijing also insisted that the Syrian issue should be solved according to the UN Charter and norms of international law, respecting Syria's rights to independence, sovereignty and territorial integrity⁸².

In June, 2011, Beijing and Moscow boycotted the UNSC meeting aimed to develop a resolution against Damascus (due to the government's hard pressure on Syrian opposition) impeding the possibility of adopting UN sanctions against Bashar al-Assad⁸³. In Beijing it was strongly believed that B. Assad's resignation would not result in an end of violence in the country. Beijing did not intend to give preference to any of the parties of the Syrian conflict, viewing it as a struggle for power between different armed groups rather than a struggle between a dictator and rebels⁸⁴. That is why China made a choice in favour of preserving the status quo in Syria rather than the unpredictable future of the country.

In October, 2011, placing a veto on the UNSC resolution condemning Syria in relation to anti-government pressure, the PRC and Russia practically threw a lifebuoy to B. Assad⁸⁵. Beijing and Moscow were convinced that NATO members wanted to achieve the adoption of the resolution on Syria by manipulating the UNSC, which they managed during the adoption of the resolution on Libya⁸⁶. Probably that was the reason

⁸¹ China Opposes Foreign Intervention in Syria: FM, *Xinhua*, Beijing, (24.05.2011). Available at: http://www.chinadaily.com.cn/world/2011-05/24/content_12572110.htm

⁸² Use of Force not Solution to Syrian Crisis: Chinese Envoy, Institute of Strategic Thinking, (29.04.2011), pp. 1-2. Available at: <http://www.sde.org.tr/en/newsdetail/use-of-force-not-solution-to-syrian-crisis-chinese-envoy/2564>

⁸³ Россия и Китай бойкотируют переговоры ООН по Сирии, *AFP*, (14.06.2011). Available at: <http://inosmi.ru/asia/20110614/170670904.html>

⁸⁴ СМИ: Россия, Китай и Иран готовятся к учениям у берегов Сирии, *Военное Обозрение*, (02.08.2012). Available at: <http://topwar.ru/17199-kitay-reshil-napravit-k-beregam-sirii-svoi-voennye-korabli.html>

⁸⁵ **MacFarquhar N. M.**, With Rare Double U.N. Veto on Syria, Russia and China Try to Shield Friend, *The New York Times*, (05.10.2011). Available at: <http://www.nytimes.com/2011/10/06/world/middleeast/with-united-nations-veto-russia-and-china-help-syria.html?r=2&pagewanted=all>

⁸⁶ **Тавитов В.**, Почему Китай поддерживает Сирию? (30.09.2012). Available at: <http://modernpolitics.ru/2012/09/pochemu-kitajj-podderzhivaet-siriyu/>

Russia and China intended to prevent the repetition of such a scenario not only in Syria but also in the entire ME region⁸⁷.

Moreover, in December, 2011, the PRC defended Russia's draft resolution on Syria submitted to the UNSC⁸⁸. Furthermore, in early 2012, Beijing told the LAS leadership that it stood against putting the "Syrian folder" on UNSC judgment, and believed that the crisis should be resolved within the scope of the pan-Arab organisation⁸⁹. In February, 2012, Russia and the PRC voted against the UNSC draft resolution containing military solution to the Syrian issue, proposed by the Moroccan delegation along with a number of Western and Arab countries⁹⁰. Discontent was especially brought forth by a point of the resolution requiring President Assad to resign the Presidency and transfer power to his deputy throughout three weeks⁹¹.

It should be noted that Beijing rarely resorts to the use of the veto in the UNSC (since 1971, the PRC has used its veto power only eight times), the motives regarding which range from domestic political and economic considerations to geostrategic calculations. In Beijing it is believed that a limitation to the West's intervention in the region can serve their interests. By not compromising with the West, resorting to the use of veto and to the risk of facing serious criticism aimed at it, China actually sought to prevent Western influence on the formation of a new situation in the ME⁹². Beijing took such a position in conditions under which ME member states not only strive for the PRC's support on regional conflicts, but also saw the deepening of relationships with Beijing as a way to gradually decrease their dependency from Washington. According to Beijing, the events in Afghanistan and Iraq displayed that revolutions – under external pressure – of existing administrations do not lead to the desired result. That is the

⁸⁷ **Swaine M. D.**, Chinese Views of the Syrian Conflict, China Leadership Monitor, No. 39, p. 5. Available at:

<http://media.hoover.org/sites/default/files/documents/CLM39MS.pdf>

⁸⁸ **Blanchard B., Mao S.**, China Says Supports Russian Resolution on Syria, Reuters, UK, (19.12.2011). Available at:

<http://www.reuters.com/article/2011/12/19/us-syria-china-russia-idUSTRE7BI0IX20111219>

⁸⁹ Китай выступил против иностранного вмешательства в сирийский кризис, РИА Новости. Available at: http://ria.ru/arab_sy/20120112/538005266.html

⁹⁰ **Swaine M. D.**, ...:

⁹¹ China Opposes Armed Intervention in Syria, Chinadaily.com.cn. Available at: http://www.chinadaily.com.cn/china/2012-02/17/content_14628079.htm

⁹² **Caron T.**, Russia and China Challenge the West on Syria: What Implications for Iran? *Time*, USA, (06.02.2012). Available at:

<http://world.time.com/2012/02/06/russia-and-china-challenge-the-west-on-syria-what-implications-for-iran/>

reason China did not want to abandon the role of a mediator in Syria talks, especially considering that B. Assad trusts China⁹³.

China's vetoes also practically "saved" Moscow from international isolation, playing an essential role in maintaining balance of power in the ME. The "strategic understanding" between Moscow and Beijing suppressed the US, minimising the possibility of the latter imposing its decisions in ME issues⁹⁴. Moscow and Beijing were convinced that the whole West, and the US in particular, nourished opposition movements in the Arab world in order to advance their own interests in the region. Therefore the stances of Moscow and Beijing increasingly grew closer to each other regarding the issue of preventing the possibility of powers – friendly to the West or under their patronage – coming to power⁹⁵. Chinese experts even spoke of the creation of a "Beijing-Moscow axis", with a "historical mission of confronting the American empire". Perhaps for that reason, China was ready to support Russia on issues regarding Syria, important to it, and Russia on those regarding the Asian-Pacific region, important to Beijing. In Beijing it was believed that the fall of the Syrian administration could lead to more serious consequences than the existing political crisis. Assessing tens of thousands of civilian deaths as a great tragedy, Beijing assumed that the West underestimated the effects of radical Islamists coming to power or the occurrence of a possible power vacuum in the country⁹⁶.

In the case of the Syrian crisis, Beijing was more flexible, effectively using the Libyan experience, establishing connections and starting negotiations with conflicting Syrian parties. China began to manifest itself as a great power, acting in support of the basic norms of international relations and participating in the affairs of global governance and taking responsibility.

Taking into account the calls – on social networks of various Arab countries – of Arab political activists to put an embargo on Chinese goods, Chinese diplomacy in Syria displayed unprecedented fervency towards instituting mediation efforts⁹⁷.

In early February, Beijing hosted the delegation of the Syrian opposition, after which the PRC MFA declared about Beijing's willingness to maintain connections and contacts with appropriate Syrian opposition groups⁹⁸. Beijing also refused to participate in a meeting with "country-

⁹³ **Sieren F.**, Die Spielregeln ändern, Handelsblatt, (10.02.2012).

⁹⁴ **Mordechai Chazisa**, ..., p. 79:

⁹⁵ **MacFarquhar N.**, ...

⁹⁶ **Тавитов В.**, ...

⁹⁷ **Kandil A.**, ..., pp. 3-4:

⁹⁸ **Belton C., Chaffin J., Fielding-Smith A.**, China Reveals Syria Opposition Visit, *The Financial Times*, (09.02.2012). Available at: <http://www.ft.com/cms/s/8e905e1a-524c-11e1-a155-00144feabdc0Authorised=>

friends of Syria”, scheduled for late February⁹⁹. In response, the US State Department official said that “the international community will make a decision regarding Assad without Russia’s and PRC’s participation”¹⁰⁰.

In early March, China made a six-point suggestion of a peaceful regulation of the Syrian conflict. It included a call to immediately stop the violence, to start political dialogue, to ensure provision of humanitarian aid, directed simultaneously to the Syrian government and the opposition. China’s readiness to support Arab countries and the LAS during the political regulation of the crisis was also mentioned¹⁰¹. Beijing had also made a decision to provide – through the committee of the Red Cross – the Syrian people with humanitarian aid worth 2 million USD¹⁰². Incidentally, China was one of the first countries to provide humanitarian aid not only to Egypt, Tunisia (5 million USD) but also to Syria¹⁰³. In early July, 2012, Beijing refused to participate in the Paris meeting of the “Friends of Syria” either, arguing that efforts should be made towards the implementation of the agreement outcome reached at the Geneva meeting¹⁰⁴. In Beijing, late October, during his negotiations with L. Brahimi, UN-LAS Joint Special Representative for Syria, the Foreign Minister of China declared that China played a consistent and stable role toward the Syrian crisis, speaking with a four-point suggestion¹⁰⁵. According to the latter, phasic cessation of fire and all military activities was necessary in Syria, initially in the regions, and afterwards throughout the whole country. Supported by L. Brahimi and the international community, a participation of the representatives of all parties interested in preparing a “road map” for the transitional governing body, the support of the international community on the implementation of the memorandum regarding the Geneva “action group”, and activation of humanitarian aid provision to the Syrian people were also planned. The

[false.html?ilocation=http%3A%2F%2Fwww.ft.com%2Fcms%2Fs%2F0%2F8e905e1a-524c-11e1-a155-00144feabdc0.html&ireferer=#axzz1lltG eqmU](http://www.ft.com/cms%2Fs%2F0%2F8e905e1a-524c-11e1-a155-00144feabdc0.html&ireferer=#axzz1lltG eqmU)

⁹⁹ КНР не будет участвовать в тунисской встрече «Друзей Сирии»,

Телеграфистъ, (23.02.2012). Available at: <http://telegrafist.org/2012/02/23/5070/>

¹⁰⁰ США считают, что мир донесет до Асада свою позицию и без РФ и Китая, *Телеграфистъ*, (24.02.2012). Available at: <http://telegrafist.org/2012/02/24/5073/>

¹⁰¹ **Zongze R.**, ...

¹⁰² Правительство Китая предоставит экстренную гуманитарную помощь сирийскому народу, *Жэньминь Жибао*, (10.03.2012). Available at: <http://russian.people.com.cn/31521/7754024.html>

¹⁰³ **Kuangyi Yao**, ..., p. 18:

¹⁰⁴ China not to attend Upcoming Syria Meeting, (05.07.2012). Available at: <http://www.china.org.cn/world/2012-07/05/content25828411.htm>

¹⁰⁵ Китай готов совместно с заинтересованными сторонами прилагать общие усилия для содействия скорейшему решению сирийского вопроса-МИД КНР, (07.11.2012). Available at: http://russian.china.org.cn/china/txt/2012-11/07/content_27037487.htm

measures listed were supposed to be provided both by the authorities and opposition groups¹⁰⁶.

In early January, 2013, the PRC MFA said that China would welcome any decision aimed at the cessation of violence adopted by conflicting Syrian parties¹⁰⁷. Regarding the Syrian conflict, the PRC Foreign Minister had a telephone conversation with L. Brahimi, UN-LAS Joint Special Representative, expressing Beijing's strong support for his mediation efforts¹⁰⁸. In Beijing, February, 2013, during a meeting between the PRC Foreign Minister and Syrian Deputy Foreign Minister, all the parties of the Syrian conflict were called to begin a political dialogue as soon as possible, finding that the situation had reached a "critical stage". Before that, during a meeting with the president of the "National Coalition of Syrian Revolution and Opposition Forces", the PRC Ambassador to Egypt expressed hope that all the parties of the Syrian conflict, on consistent and equitable basis, through consultations and negotiations, would reach a comprehensive political dialogue regulation¹⁰⁹. Chinese diplomats also called the conflicting Syrian parties to lead the political transition process according to the spirit of the Geneva Action Group memorandum, adopted in June, 2012¹¹⁰.

It should be noted that because of disagreements regarding Syria, the aggravation of Beijing's and Moscow's ties with the UNSC permanent member Western partners "overshadowed" the Obama administration's efforts to isolate Iran – connected with Iran's nuclear programme; meanwhile it had a obvious connection with the Syrian problem.

According to Chinese experts, through diplomatic isolation, military containment and the spread of information networks, Washington sought to toughen sanctions against Iran's oil exports and financial system. The Iran-Syria Alliance is seen as a "threat" not only for the US' strategic ally Israel but also unsettles Gulf Arab states and Turkey. Therefore, the purpose of suppressing Assad is to break the "Shiite arc" and to isolate Iran¹¹¹.

¹⁰⁶ Очередная пресс-конференция 1 ноября 2012г. у официального представителя МИД КНР Хун Лэя, Генеральное Консульство Китайской Народной Республики в г.Хабаровске, (01.11.2012). Available at: <http://www.Chinaconsulate.khb.ru/rus/fyrth/t985099.htm>

¹⁰⁷ China Welcomes Generally Accepted Solution for Syria, *China Daily*, Available at: http://www.chinadaily.com.cn/china/2013-01/07/content_16092875.htm

¹⁰⁸ Chinese FM Talks with UN-AL Envoy on Syria in Phone, *China Daily*, (08.01.2013). Available at: http://www.chinadaily.com.cn/china/2013-01/08/content_16096603.htm

¹⁰⁹ Beijing Calls for Syria Political Transition, *China Daily*, (07.02.2013). Available at: http://www.chinadaily.com.cn/china/2013-02/07/content_16209754.htm

¹¹⁰ Swaine Michael D., ..., p. 3:

¹¹¹ Kuangyi Yao, ..., p. 14:

It is known that Syria and Iran play a central role in China's strategy to strengthen its geopolitical impact, in which Beijing is just as determined as the US. Still, unlike the US, China avoids military intervention. To Beijing, Syria is the shortest overland route to the Mediterranean Sea, and as a member of the Mediterranean Union, an additional access to the EU – in case of an application of trade barriers against the PRC¹¹². According to Beijing, Syria's downfall can lead to the weakening of the pro-Iranian front (Iran, Syria, "Hezbollah"), simultaneously strengthening the pro-Western alliance (Saudi Arabia, UAE, Qatar, etc.), as well as Turkey – as a NATO member.

To the PRC, Iran is a major transit country at a geographic nexus of developing relationships with the Persian Gulf states, Central Asian, and Caucasian republics¹¹³. Tehran sees China as an alternative source of capital and technology involvement, as well as a protector of its national interests. This substantially aids China in advancing its interests in the region, especially in the context of the impending competition with the US. In this regard, the PRC former President Jiang Zemin's opinion – expressed as far back as 1994 – that the US' dominance should be resisted – by helping countries such as struggling Iran – remains up-to-date¹¹⁴.

It is no coincidence that while in the past, in its Middle East policy, Beijing took into account the US' presence in the region, now based on the need to secure its energy needs and realising its power as the world's second economy, it displays more freedom of action. For years, concerning the intensification of sanctions against Tehran, Washington has faced Beijing's resistance as a result of Chinese economic interests, – in particular huge energy interests, – in Iran.

Quite obviously, the West's indirect, and still one of its most important goals in the ME is to weaken Beijing energetically. The Syrian crisis and its consequences can have an extremely serious impact on China's energy security¹¹⁵. Beijing will try to prevent it in any possible way as it has already suffered huge losses because of the application of anti-Iran sanctions and because of issues in Libya, Sudan, and West Africa. Meanwhile military

¹¹² Sieren F., ...

¹¹³ Ögütçü M., Building a Turkish-Chinese Strategic Partnership In the 21st Century: Why and How? Presented at China Academy of Social Sciences, Institute of West Asia and Africa Studies, September 2000, Beijing, p. 6. Available at: <http://www.econturk.org/Turkisheconomy/ogutcu4.pdf>

¹¹⁴ Власти Китая рассуждают о мире, но поддерживают террор, *The Epoch Times*, (17.11.2006). Available at: <http://www.epochtimes.ru/content/view/7786/9/>

¹¹⁵ Сирийский кризис угрожает энергетической безопасности Китая: эксперт, Информационное агентство REX, (12.07.2012). Available at: <http://www.iarex.ru/news/27412.html>

actions against Iran – one of the PRC's most important oil and natural gas suppliers – could bring China to the edge of an energy crisis.

This is perhaps the reason that by defending Syria, Beijing seeks to prevent the strengthening of the US' position and Iran subsequently becoming the West's next target. China will try to maintain a flexible policy in the future as well, based on the necessity to protect its geopolitical interests. The US' assessment of China as a strategic rival also contributes to this, especially in the context of rapid PRC economic growth and the strengthening position of the latter in the ME region, in particular its relations with oil-producing countries.

As for Beijing's predictions and worries associated with Islamic radicalisation processes in the beginning of the "Arab Spring", subsequent developments displayed that they were not unfounded. Since May, 2012, "the East Turkestan Liberation Movement" combatants have moved to Syria in order to join "al-Qaeda" and other radical organisations in the fight against the Assad administration¹¹⁶. Beijing is highly concerned about the possibility of the Islamic extremist wave propagation to Central Asia and East Turkestan, which can be a serious threat not only to the PRC's security along its western boundary but also to peace and stability in South Asia¹¹⁷. Perhaps that is the reason Beijing tightened its control over China's Xinjiang Uighur autonomous region, inhabited by about 22 million Sunni Muslims, including 10 million Uighurs, among which Islamic radicals are indeed not few.¹¹⁸ On the background of radicalism and extremism growth in the ME and CA, Beijing seeks to prevent and limit possible activity manifestations of Chinese Muslims – mainly Uighur separatists. It is noteworthy that in early September, 2013, at the Shangahi Cooperation Organisation (SCO) summit in Astana, the President of China, Xi Jinping, not only expressed his support for Russia's plan to disarm Syria's chemical weapons stockpiles, but also drew SCO members' attention from Afghanistan to the Syrian problem. This was assessed as an attempt to create – in NATO's traditional area of responsibility – a counterweight to the US' and NATO's security operations. Since 2012, Chinese military experts have begun calling the SCO "eastern NATO", accusing NATO of causing "chaos and instability" in Afghanistan and Libya. Moreover, according to Chinese experts, China and Russia – as Asian-Pacific countries – should expand the SCO mandate in the

¹¹⁶ Uyghurs Fighting in Syria, *Al-Manar*, (29.10.2012). Available at: <http://www.almanar.com.lb/english/adetails.php?eid=72711&frid=31&seccatid=91&cid=31&fromval=1>

¹¹⁷ **Mordechai Chazisa**, ..., p. 73.

¹¹⁸ **Shichor Yitzhak**, ..., p. 3.

aforementioned region, confining NATO's enlargement as a "centre of world security"¹.

Conclusion

The analysis of China's stance on the "Arab Spring", as well as that of the developments resulting from China's role in the region shows that:

1. The "Arab Spring" intensified China-America strategic competition in the region and created new challenges and opportunities for the implementation of Beijing's geopolitical ambitions.
 2. In the first phase of the events, when they were unfolding in Tunisia and Egypt, Beijing continued operating based on the traditional concept of territorial integrity, sovereignty, and non-intervention. After Islamists came to power, Beijing managed utilising Egyptian-American tension and the objectives of the Egyptian new government to rethink their foreign policy, for the purpose of strengthening Chinese-Egyptian relations and expansion of influence in the region.
 3. During the Libyan war, it became clear that further implementation of that concept would not be effective, and in order to protect its regional interests, Beijing actively assumed a mediation mission, making a fundamental change in the foreign policy concept used for decades.
 4. In the course of Syrian developments, China's new foreign policy role – as a power supporting the basic norms of international relations and participating in global governance affairs and taking on responsibility, displayed that with regard to the events in Libya, Beijing's new foreign policy manifestations are a result of implementing new conceptual approaches rather than related to a particular case.
 5. In the scope of those approaches, for ensuring economic security and investment interests, Beijing also deepened cooperation with relatively stable Gulf States, ensuring Chinese naval presence – substantiated by performing anti-piracy operations – in the Gulf of Aden, as well as in the Indian Ocean.
 6. Beijing's geopolitical and economic position in the region strengthened due to both the application of new foreign policy approaches and the effective use of the atmosphere and mood emerging towards the US' policy.

¹ **Zenn J.**, China and the SCO: Dead Wood but a Good Platform, China Brief, 13, Issue: 20, (10.10.2013), p. 9. Available at:
http://www.jamestown.org/uploads/media/China_Brief_Vol_13_Issue_14.pdf

Normative and Political Dimensions of the European Union's Energy Policy: The Case of the South Caucasus

ARAM TERZYAN

Leading Research Institute, Romania

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During the first decade of the 21st century energy diversification has emerged as a key issue on the European Union's (EU) external energy policy agenda. Of the challenges that the European Union faces, ensuring a secure, competitive and sustainable energy supply is one of the more complex. Unsurprisingly the EU's quest for diversification of energy supplies and transit routes has marked a major shift in the importance the EU attaches to the South Caucasus region as a vital corridor to Caspian energy resources, holding the potential to underpin EU energy security. In view of the EU's growing interest in the energy "potential" of the South Caucasus and the acceleration of efforts towards its utilisation, a number of research questions regarding the main drivers, peculiarities, and normative and political dimensions of the EU's energy policy within the given geographical framework have arisen. The article attempts to analyse the interplay between the normative and political dimensions of the EU's external energy policy towards the South Caucasus, assessing the problems and prospects of their "reconciliation".

Key words

European Union, energy policy, South Caucasus, security, Caspian resources

During the first decade of the 21st century, energy security has emerged as a key issue on European foreign and security policy agenda, increasingly perceived by both national governments and European Union (EU) institutions as an area of priority concern due to the depletion of intra-EU resources and growing dependence on energy imports. The EU's import dependency reached almost 54% in 2006 and continues growing. At current projections, by 2030 more than 70% of the EU oil and gas will have to be imported.¹ Moreover, the depletion of oil and gas reserves in EU member

¹ EU Energy Policy, European Council, 04.02.2011, Available at http://www.european-council.europa.eu/media/171257/ec04.02.2011-factsheet-energy-pol_finaldg.en.pdf.

states is shifting the distribution of available energy sources further away from Europe. Specifically, the key source of oil is the Middle East and OPEC countries but the largest single oil supplier to the EU is Russia, which is also the largest supplier of natural gas to the EU. In this complex scenario, diversification of energy supplies and transit routes has become an increasingly significant requirement for EU member states. In addition to some high level statements from EU officials, various EU policy documents on energy state that Caspian oil and gas will be important for the EU's security of energy supply "by increasing the geographical diversification of the EU's external energy supplies"². Needless to say that the shift in the southern dimension of the EU's energy security dramatically increases the importance of the South Caucasus region constituting a vital land bridge between Asia and Europe, physically linking the Caspian Sea region and Central Asia with the Black Sea and Western Europe.

All the scenarios of the southern diversification of the EU's energy supplies and transit routes significantly bolster the role of Azerbaijan as a transit country and key energy producer in the South Caucasus region. Hence, the realisation of all projects of the Southern Gas Corridor hinges on a smooth EU- Azerbaijan energy partnership.

Table 1. Azerbaijan's oil and gas proved reserves (2013)

Oil (billion barrels)	Share of total reserves	Natural gas (trillion cubic metres)	Share of total reserves
7.0	0.4%	1.3	0.7%

Table 2. Oil and gas production in Azerbaijan (2002-2012 years)

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Oil (mil. tons)	15.3	15.4	15.5	22.2	32.3	42.6	44.5	50.4	50.8	45.6	43.4
Gas (bcm)	4.7	4.6	4.5	5.2	6.1	9.8	14.8	14.8	15.1	14.8	15.6

Source: BP Statistical Review of World Energy 2013, Available at http://www.bp.com/content/dam/bp/pdf/statistical-review/statistical_review_of_world_energy_2013.pdf.

² Green Paper: A European Strategy for Sustainable, Competitive and Secure Energy, COM(2006) 105 final, 08.03.2006, Available at http://europa.eu/documents/comm/green_papers/pdf/com2006_105_en.pdf.

Although the history of Southern Gas Corridor dates back to 1990s, when the European Commission identified South Caucasus and Central Asia as the main targets for the diversification of its energy supplies and transit routes, it acquired a greater degree of emphasis following the construction of the original backbones of the corridor; Baku-Tbilisi-Ceyhan (BTC) and Baku-Tbilisi-Erzurum (BTE) pipelines. These pipelines, fraught with geopolitical significance, are the most vivid manifestation of the growing connections between the South Caucasus region and Europe. Largely a US initiative, the BTC pipeline became an important element in expanding oil production in the Caspian basin, significantly altering the system of energy supplies transportation in the region. Even though the BTC only transports around 1 percent of total global oil supplies, and is probably one of the most controversial and politicized energy pipelines of modern times. From the EU's perspective it established foundations for direct access to Caspian energy resources. Namely BTE, the twin gas pipeline of the BTC became a foundation for Nabucco, largely considered as the flagship of the Southern Gas Corridor.

Nabucco (31 billion cubic metres per year, project) was a considerably more ambitious project than its competitors (TAP, ITGI); expected to transport much larger volumes of gas to Europe, Nabucco was endorsed as a priority project by the European Commission (EC). Although the EU's European Investment Bank (EIB) involvement in the project and contribution to the feasibility studies of the pipeline generated high hopes regarding the successful realization of the project and its subsequent positive outcomes for the EU's energy security, over time it became clear that the EC had evidently underestimated a number of geographical, commercial and political obstacles hampering the realization of Nabucco. The weakness of the original Nabucco proposal could never be overcome: there was no source for the natural gas that the pipeline was supposed to carry. Despite intensified negotiations with Azerbaijan and Turkmenistan, 10bcm of gas per year agreed with Azerbaijan could hardly meet the EC's expectations pertaining to Nabucco. Hence, the EC adopted the idea that realization of small projects providing access to Azerbaijan's Shah Deniz II gas field may establish foundations for more ambitious projects.

Furthermore, in May 2012, the EC stated that it does not consider Nabucco to be the priority option in importing Caspian gas to Europe and

supports all pipelines that are being developed for this purpose equally and is neutral in the choice of the pipeline.³

In this vein, a new package of agreements signed between Turkey and Azerbaijan on October 26, 2011, establishing rules for the transit, volumes and prices of gas, triggered new developments and established foundations for the start of the southern gas corridor projects. Under the new agreement, Turkey is to transit 10 bcm/year of gas from Azerbaijan to the borders with Greece and Bulgaria through the recently agreed Trans-Anatolian Gas Pipeline (TANAP). Underlining TANAP's importance, EU Energy Commissioner Günther Oettinger stated that: "Europe is now a step closer to its aim to get gas directly from Azerbaijan and the other countries in the Caspian region".⁴ In this regard the Shah Deniz Consortium's decision on June 28, 2013 regarding the selection of TAP apparently prompts a new round in the southern dimension of the EU's energy policy.

However, despite the EU's reliance on the Southern Gas Corridor and high hopes for the southern diversification, obstacles to the construction of the Trans-Caspian gas pipeline, prevent direct access to the energy resources of Central Asia, and therefore significantly limit the importance of the Southern Gas Corridor. 10bcm of gas per year agreed with Azerbaijan does not hold the potential to significantly reduce the EU's growing dependence on Russia's energy supplies. The situation is aggravated by Russia's intensive endeavours towards the construction of the South Stream gas pipeline - the main rival to the projects of the Southern Gas Corridor, capable of hampering the EU's agenda of southern energy diversification.⁵ Unsurprisingly, speaking in the European Parliament on December 04, 2013, Klaus-Dieter Borchardt, director for energy markets at the EC, said that the bilateral agreements for the construction of the Gazprom- favoured South Stream gas pipeline – concluded between Russia, Bulgaria, Serbia, Hungary, Greece, Slovenia, Croatia and Austria – are all in breach of EU

³ "Nabucco Classic/ Nabucco West Natural Gas Pipeline Project", Global Gas Transport: Information and analysis on global gas transport and storage, 1.02.2013, Available at <http://www.globalgastransport.info/archive.php?id=885> .

⁴ Commissioner Oettinger welcomes TANAP gas pipeline agreements, 26.06.2012, Available at http://europa.eu/rapid/press-release_IP-12-721_en.htm .

⁵ **Proedrou F.**, EU Energy Security in the Gas Sector: Evolving Dynamics, Policy Dilemmas and Prospects, Ashgate, 2013, pp.79-91.

law and need to be renegotiated⁶. In response to this statement Gazprom's director-general for export Alexander Medvedev stressed that "nothing could prevent the construction of South Stream"⁷. Nonetheless, the EU's efforts towards the materialization of the Southern Gas Corridor have marked remarkable transformations in its foreign and security policy towards the South Caucasus. Hence, a closer look at the EU's energy policy in the region offers a more nuanced perspective of its various dimensions.

The EU's energy policy towards the South Caucasus: Normative power or power politics?

It is widely recognized that a prominent feature of the EU's self-definition is the affirmation of its internal adherence to and external promotion of particular norms and values. Apparently energy represents a serious and genuine test of the EU's capacity and commitment as a "normative power": the difficulty for the European Union is essentially how to preserve its political and economic status in a changing energy world with the bargaining power shifting to energy producers and exporters. Like the United States of America, the Republic of India or the People's Republic of China, the European Union faces an underlying growth in its dependence on third countries for its energy needs.

Largely rejecting the geopolitical approaches to energy policy, senior EU officials declared that energy policy must be compatible with its broader foreign policy objectives, based on the commitment to the promotion of economic liberalization, democracy and good governance in energy producer states. Hence "external governance" is the overarching EU approach to energy relations with the region: "EU will not pursue energy interests in isolation from its Common foreign and security policy principles...relying on its soft power and believing that good governance and human rights contribute to Europe's energy security".⁸

In this regard, the EU set itself ambitious goals in the European Neighborhood Policy (ENP) and Eastern Partnership (EAP), aiming to create

⁶ South Stream bilateral deals breach EU law, Commission says, 04.12.2013, Available at <http://www.euractiv.com/energy/commission-south-stream-agreement-news-532120>.

⁷ Ibid.

⁸ **Youngs R.**, *Energy Security: Europe's New Foreign Policy Challenge*, Routledge, 2009, p. 45.

a "ring of energy cooperation" based on the centrality of the EU's own rules, liberal principles and their transfer in the neighborhood. Clearly, enhancing energy security and deeper cooperation with neighbours in the sector is a challenge for the EU's external governance. In the case of the South Caucasus, the situation is aggravated by intense geopolitical competition in the Southern Caucasus and the Caspian basin. It is no exaggeration to suggest that EU's ability to protect its energy interests whilst staying true to its values is being tested in the South Caucasus region, where the EU has positioned itself as a special actor, the interests of which are not confined to energy:

Whereas the significance of the region for the positive involvement of the EU is not only linked to its geographical position as a transit area for energy supplies from Central Asia to Europe but is also based on the mutual interest, shared by all concerned, in the development of the region with a view to enhancing democracy, prosperity and the rule of law and thus creating a viable framework for regional and inter-regional development and cooperation in the South Caucasus area.⁹

Moreover, the EU differentiated itself from other actors, which can be seen in the following statement: "Highlights... the growing interest of other economic powers, such as Russia, the United States and China, in this area; considers it of the utmost importance, therefore, that cooperation with the South Caucasus be given the highest priority, not least in matters relating to energy"¹⁰.

In this regard, the case of Azerbaijan, which is the key energy producer in the region, represents a serious test of the EU's ability to provide balance between bilateral energy partnership and multilateral external governance, to "reconcile energy with democracy".

When Azerbaijan was included in the ENP, Commissioner Benita Ferrero-Waldner declared that this offer reflected the country's "geo-

⁹ European Parliament resolution of 17 January 2008 on a more effective EU policy for the South Caucasus: from promises to actions (2007/2076(INI)), point 1, Available at <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2008-0016&language=EN>.

¹⁰ European Parliament Resolution of 20 May 2010 on the Need for an EU Strategy for the South Caucasus, 20.05.2010, Available at <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0193+0+DOC+XML+V0//EN>.

strategic location and energy resources”. For this reason it was included in the ENP.¹¹ EU commenced initiatives to deepen energy cooperation with Azerbaijan in recognition of the latter’s importance as a transit route into the EU and Baku’s influence in Caspian region. European officials insisted that energy interests warranted a priority focus on governance reforms. Namely, out of the 30 million Euro Commission aid commitment for 2004–6, 17 million was allocated for “institutional, legal and administrative reform”.¹² The Commission aid programme concluded under the Neighbourhood strategy listed democratic and energy reforms as two priority areas of support. With regard to the bilateral energy agreement (Memorandum of Understanding on a Strategic Partnership between the European Union and the Republic of Azerbaijan in the Field of Energy) with Azerbaijan the President of the EC José Manuel Barroso declared: “This is not just about energy ... Our relations are also about pursuing shared European values of democracy, good governance, fundamental freedoms and the protection of human rights. We will continue to work with Azerbaijan in all of these political and economic areas”.¹³

However, despite the EU’s reliance on “soft power” and adherence to external governance, several factors, among which China’s growing interest in Caspian energy resources and Russia’s negative approach to the ratification of the Energy Charter Treaty, drove the need to reinforce the bilateral partnership with energy producers and emphasised the geopolitical dimension of the EU’s external energy policy. Namely, bilateral energy-partnership agreements signed with Azerbaijan and Kazakhstan in 2006 evidenced an increasingly geopolitical approach, as the importance of gas increased relative to oil –the former being linked to long-term contracts over fixed pipeline routes, very different to the dynamics of oil supplies to

¹¹ **Ferrero-Waldner B.**, “Azerbaijan”, European Commission - SPEECH/05/649, European Parliament Plenary Strasbourg, 27.10.2005, available at http://europa.eu/rapid/press-release_SPEECH-05-649_en.htm.

¹² European Neighbourhood and Partnership Instrument, Azerbaijan Country Strategy Paper, available at 2007-2013, http://ec.europa.eu/world/enp/pdf/country/enpi_csp_azerbaijan_en.pdf.

¹³ President Barroso and The President of Azerbaijan Sign a Memorandum of Understanding on Energy Partnership, 07.11.2006, available at <http://www.europeanlawmonitor.org/latest-eu-news/barroso-and-the-president-of-azerbaijan-sign-a-memorandum-of-understanding-on-energy-partnership.html>.

international markets.¹⁴ Several officials suggest the tougher international energy panorama requires the EU to abandon the rhetoric that energy policies are to be based on liberal interdependence.¹⁵ Moreover, some authors argue that the EU has failed to "reconcile energy and democracy", as engagement in the Caspian region requires the EU to adhere to a realistic posture, and hence, it is impossible to be post-modern in the South Caucasus and Central Asia, arguing that as long as the U.S., China, and Russia act this way, so must the EU.¹⁶ While these "normal" actors are pragmatic and materialist in their aims and policy orientations, the "normative" EU cannot pursue only normative values setting aside its energy interests. Thus the EU's quest to ensure the reliable supply of energy resources does not proscribe all claims to its being a normative power and it makes the EU appear more normal than some have presented.¹⁷

In the words of the EU's former High Representative for Common Foreign and Security Policy Javier Solana:

We may have to deal increasingly with governments whose interests are different from our own and who do not necessarily share our values. Sitting on huge reserves of oil and gas gives some difficult regimes a trump card. They can use energy revenues for purposes which we may find problematic. And it shields them from external pressure. Thus, our energy needs may well limit our ability to push wider foreign policy objectives, not least in the area of conflict resolution, human rights and good governance...The scramble for territory of the past maybe replaced by a scramble for energy. We have to take our energy from where we find it.¹⁸

¹⁴ **Youngs R.**, *Energy Security: Europe's New Foreign Policy Challenge*, Routledge, 2009, p.106.

¹⁵ **Youngs R.**, *Foreign Policy and Energy Security: Markets, Pipelines, and Politics, Toward a Common European Union Energy Policy: Problems, Progress, and Prospects*, Edited by Vicki L. Birchfield and John S. Duffield, Palgrave Macmillan, 2011, pp. 41-54.

¹⁶ **Cornell S. E., Jonsson A., Nilsson N., Haggström P.**, *The Wider Black Sea Region: An Emerging Hub in European Security*. Central Asia-Caucasus Institute & Silk Road Studies Program, 2006, pp. 83-91.

¹⁷ **Wood S.**, *The European Union: A Normative or Normal Power?* *European Foreign Affairs Review*, 2009, 14, 113-128.

¹⁸ **Solana J.**, Address to the EU External Energy Policy Conference, Brussels, 20.11.2006, available at http://eeas.europa.eu/energy/events/energy_conference_2006/final_brochure_en.pdf

Within the corpus of literature on EU relations with states that are oil and gas producers, for example in the context of the European Neighbourhood Policy and Eastern Partnership, there are many references to goals of democratisation and human rights but little on how the EU will provide balance between its energy policy and other policy areas (particularly democracy and good governance promotion) in relation to energy producing countries. This is especially significant when the goal of energy diversification exacerbated by harsh geopolitical struggle appears incompatible with external multilateral governance and democracy promotion. The case of Azerbaijan is illustrative: the political elite has no interest in democratic reforms, a situation which no degree of economic incentives is likely to change. Azerbaijan's progress under the ENP is slow. The Commission's review in March 2008 as well as subsequent reports admitted that in Azerbaijan no progress had been made on democracy and human rights; corruption had worsened; the "non-oil sector" had shrunk; and inflation had risen.¹⁹ Although the EU has the possibility to apply negative conditionality through suspending funding, it is unlikely to impress Azerbaijan. Opinions differ over whether the EU has any leverage over Azerbaijan and if so, if it is willing to use it through conditionality. Those who argue that Brussels is broken-winged in influencing Azerbaijan to make progress on democracy and human rights reform argue that energy revenues and Europe's thirst for oil and gas make leverage non-existent.²⁰ The Azerbaijan government concluded the Action Plan as an expression of good relations in building further economic ties and political co-operation. ENP budget support to Azerbaijan that will amount to roughly 15 million euros a year is no incentive in view of the rising state budget; this amount of aid is equivalent to the revenues of around one afternoon of pumping oil through the BTC oil pipeline²¹. Moreover, the EU is lacking the carrot of

¹⁹ Commission of the European Communities, Implementation of the European Neighbourhood Policy in 2007: Progress Report on Azerbaijan, COM(2008) 164, Brussels, 03.04.2008, pp. 6–7, available at http://ec.europa.eu/world/enp/pdf/progress2008/sec08_391_en.pdfhttp://ec.europa.eu/world/enp/pdf/progress2008/sec08_391_en.pdf; ENP Country Progress Report 2011 – Azerbaijan, MEMO/12/XXX, Brussels, 15.05.2012.

²⁰ **Boonstra J.**, How serious is the EU about supporting democracy and human rights in Azerbaijan? Working Paper, 29.05.2008, available at <http://www.fride.org/publication/432/how-serious-is-the-eu-about-supporting-democracy-and-human-rights-in-azerbaijan?>

²¹ Ibid.

membership of the European Union, meanwhile there is no precedent of promoting EU rules (the *acquis communautaire*) as a template for development and modernisation without a formal membership perspective on the table.

Apparently Azerbaijan's unique position has vastly increased the negotiating leverage of the state vis-à-vis the EU, reducing the inherent asymmetry of a strictly bilateral setting of negotiations and emphasising that Baku is not devoid of options, whilst conversely the EU is in no position to put conditions on energy-or other relationships. The recent (September 12, 2011) "unprecedented commitment" of the EC to elevate the status of diplomatic engagement with Azerbaijan and Turkmenistan to a bilateral Treaty – committing all parties to the construction of a Trans Caspian pipeline system, and the Joint Declaration on the Southern Gas Corridor (13.01.2011) – further embolden the political elite of Azerbaijan for two reasons:

-Firstly, because they increase the centrality of Azerbaijan for the European natural gas market, that is, a fuel that is increasingly important since the nuclear disaster in Fukushima and Germany's commitment to a nuclear phase-out by 2022.

-Secondly, the realisation of all projects of the Southern Gas corridor depends on smooth cooperation with Azerbaijan, which has allowed Azerbaijan to pursue horizontal and symmetric partnership with the EU due to its "geostrategic importance".

Moreover, the EU's inability to balance energy interests with its "transformative capacity" particularly towards Azerbaijan puts serious constraints on its policies regarding democracy promotion and conflict settlement. Due to its growing importance, Azerbaijan has become increasingly assertive in the region. On the domestic level, the rise of energy prices, the rapid expansion of the nation's oil industry and subsequent rapid economic growth all led Azerbaijan to consider its strategic position favourable vis-à-vis Armenia. Azerbaijan also became increasingly resentful of regional trends. The Turkish-Armenian rapprochement partly fuelled this. From an Azeri perspective the opening of the Turkish-Armenian border would be a "stab in the back" by its closest ally-Turkey.²²

²² **Popescu N.**, *EU Foreign Policy and Post-Soviet Conflicts: Stealth Intervention*, Routledge, 2011 pp. 112-114.

Moreover, some authors argue that: "The more Azerbaijan-West oil partnership deepens, the further regional stability weakens"²³ as the rapidly growing defense spending linked to the huge revenues from energy flows create further instability in the region; meanwhile the EU's "soft power" has little to do with these trends.

As stated the president of Armenia S. Sargsyan:

We, of course, respect and understand the EU's desire to ensure energy security and diversity of energy sources. However, we also anticipate that the very same EU countries will be considerate about our country's security and issues of stability in our region. We all want the EU to implement programs in our region because the regional cooperation component of these programs can play a positive role in establishing stability. And these programs should also provide for the even development of the regional countries. The end results of these programs should promote peace and not war. These programs should be implemented in a manner that, God forbid, they don't become a new war nourishing source...²⁴

Some authors argue that driven by the desire of diversification, the EU favours stability and economic-and energy-interests over reform, to the detriment of Europe's "soft" or "normative" power and that "the strong state first" approach to the South Caucasus region has taken over policy circles in Brussels²⁵. Thus the interest in alternative energy resources and diversified transport routes has been prioritised over other scenarios leading to change.

Apparently when it comes to the diversification of energy supplies, the EU demonstrates a rhetoric-behaviour gap, which in the longer term will certainly lead to reassessment of the EU as a "normative power" and reform promoter, and instead modifying its image to that of status-quo actor in the eyes of public opinion. Although theoretically a successful EU regional

²³ **Manvelyan A.**, The EU Energy Policy in the Caucasus-Caspian Region: Implications of Regional Security, Available at

[http://www.psaa.am/hosting/file/PDF-s/Manvelyan-%20EOo13%20p66-68\(1\).pdf](http://www.psaa.am/hosting/file/PDF-s/Manvelyan-%20EOo13%20p66-68(1).pdf).

²⁴ "President Serzh Sargsyan responds to the raised by a journalist at the Press conference with the president of France Nicolas Sarkozy", 07.10.2011, Available at <http://www.president.am/en/interviews-and-press-conferences/item/2011/10/07/news-73/>.

²⁵ **Alieva L.**, Azerbaijan: Power in the Petro-State, *Plight of Democracy's Plight in the European Neighborhood: Struggling Transitions and Proliferaing Dynasties*, edited by Emerson M. and Youngs R., Centre for European Policy Studies, Brussels, 2008, p. 117.

policy should not be confined to energy, but should also embrace a broader parallel promotion of its interests in the governance and security sectors, in practice the quest for energy limits the EU's ability to push wider foreign policy objectives, increasing disharmony between energy and other policies of the EU in the South Caucasus region.

Conclusion

Despite the EU's reliance on its "soft power" and adherence to the principle of liberal interdependence, over time it became clear that market-based liberal initiatives do not have much room to grow in the South Caucasus region, coming to prove the structural weakness of market mechanisms and the underlying tensions between the priorities of diversification (pipeline politics) and the governance modes of the EU.

In general, three main factors hampering the EU's external energy agenda in the South Caucasus region may be identified: lack of coherence in external energy policy; geopolitical realities of the region characterized by the domination of power politics; irrelevance of the EU's conditionality due to lack of membership perspective. Such a situation has driven the need to reinforce bilateral energy partnerships, thereby marking a shift in the geopolitical dimension of the EU's external energy policy towards the region. Namely, a number of bilateral EU-Azerbaijan energy agreements have started to accelerate since 2006. Needless to say that the incoherent and inconsistent external energy policy widens the gap between multilateral governance and bilateral energy partnerships, thus limiting the EU's ability to push broader foreign policy objectives in the region. Nonetheless, a series of factors, along with the limited energy capacity of Azerbaijan and other obstacles pertaining to the EU's direct access to Central Asian energy resources, may yet trigger significant changes in the EU's policy towards the South Caucasus.