

## The European Union's South Ossetia Dilemma

Written by Stefan Wolff

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STEFAN WOLFF, DEC 10 2011

If it wasn't for the potentially serious ramifications of a further escalation of the current election crisis in South Ossetia, the situation would be laughable. But even though, it is not without certain ironies. Moscow's preferred candidate in the presidential run-off on 27 November, emergency situations minister Anatoly Bibilov, was, according to preliminary results, defeated with a 60:40 margin by former education minister Alla Dzhioyeva, who campaigned on an anti-corruption platform.

As the defeat became clear, Bibilov appealed to the South Ossetian Supreme Court to annul the elections because of alleged fraud committed by his opponent. The Supreme Court obliged, banned the release of final results, and the South Ossetian parliament subsequently set a date for new elections on 25 March 2012, in which Dzhioyeva is currently barred from running. The Supreme Court's ruling came despite the fact that the head of Russian State Duma's election observer mission, Olga Borbovskaya, had declared at a press conference on the evening of 27 November that the elections were free and fair.

What is remarkable about this is that despite a ringing endorsement from the incumbent South Ossetian president, Edvard Kokoity (who respected the two-term constitutional term limit and did not run again, although he has now been handed an extension of his term till March next year), and an audience with Russian President Medvedev just days before the run-off, Bibilov was defeated. Dzhioyeva, who is no less pro-Russian than Bibilov, appealed to Medvedev to intervene and declared herself winner of the elections, while thousands of her supporters demonstrated in the South Ossetian capital Tskhinvali. Meanwhile, the local security service already issued a thinly disguised warning that another colour revolution would not be permitted to take place.

So, all in all – not good.

The European Union, normally quick to condemn fraudulent elections and to point to even the most incremental progress towards democracy in its neighbourhood, has so far remained silent on the issue. Not a word was mentioned about the renewed tensions in the South Caucasus in either the statement following the EU – Georgia Cooperation Council Twelfth Meeting on 1 December or the 3130<sup>th</sup> Foreign Affairs Council meeting on 30 November and 1 December 2011.

On the other hand, this is also not too surprising given that the last EU statement on South Ossetia, on 14 November 2011 (the day after the first round of elections) in a time-honoured fashion merely recalled “that the European Union does not recognise the constitutional and legal framework within which these elections have taken place” and reiterated the Union's “support to the territorial integrity and sovereignty of Georgia” while not missing the opportunity “to emphasize the importance of the Geneva International Discussions in ensuring the security and stability in the region” (which have yet to produce much of anything). One might argue that a little bit of local unrest in a far-flung corner of the South Caucasus is understandably not very high on the EU's agenda right now, but the elections were worth a statement two weeks earlier, and similar elections in Abkhazia at the end of August (with the Libyan crisis in full swing) also prompted an EU statement.

Of course, there were no EU observers on the ground, and paradoxically the only evidence of free and fair elections that Dzhioyeva can point to is the statement by the Russian observer mission, which is unlikely to carry much weight

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in either Tskhinvali or Moscow.

The point here is not about whether one candidate is more democratic than the other, or whether the prospects of stability and security are enhanced by a particular election outcome. The real dilemma that the EU has is that it has put itself in a position in which it cannot side with the people of South Ossetia who, in their majority, have endorsed a female candidate in a presidential election deemed free and fair.

The EU, and more likely some of its member states, may not like the constitutional and legal framework within which these elections have taken place, but it is the only one available to the people of South Ossetia. Not supporting them in their determination to make their voices heard and their votes count undermines the credibility of EU efforts to promote and support democracy elsewhere in the neighbourhood and sends a message that it may yet be possible to get away with stealing elections.

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