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Foreword by the Editors

The violent escalation of the Georgian/South Ossetian and Georgian/Abkhazian conflict in the summer of 2008 resulted in a significant deterioration of the regional security situation in this part of the Southern Caucasus. Due to the suffering of injured, expelled or killed civilians, it caused a new humanitarian catastrophe and strained the relations between Washington and Moscow. Despite the raised voices in the UN and OSCE framework starting in the early 1990ies for a proactive and preventive policy in potential crisis situations, the so called “frozen conflicts” in the Southern Caucasus seemed to have been underestimated.

The issue how to close the gap between pretension and reality in regard to preventing violent conflicts has been in the centre of a research project carried out by the Institute for Peace Support and Conflict Management of the Austrian National Defence Academy since 2006. After having dealt with the instruments and concepts for conflict prevention as well as preventive strategies in regard to religious extremism in the Middle East and Western Balkans in March 2009 the case study of the Georgian/South Ossetian and the Georgian/Abkhazian conflict became the main topic of another workshop.

This conference, organized in cooperation with the Austrian “International Institute for Liberal Politics” and held in Vienna, focused in particular on the lessons which can be drawn from the behaviour of international and local actors regarding conflict prevention in the Georgian/South Ossetian and Georgian/Abkhazian conflict between 1990 and 2008. The used - and much more - missed opportunities to transform these conflicts in a peaceful way were discussed by outstanding international experts on the Southern Caucasus, representatives of the OSCE and EU as well as by politicians and NGO representatives coming from the conflict region. Most of their contributions are contained in this publication.

The book comprises of five parts:

Part I is focussed on the concepts and instruments in conflict prevention. Frida Möller, an analyst from the Department of Peace and Conflict Research at the Uppsala University in Sweden, in her contribution gives an overview about this topic with some references to the Uppsala Conflict Data Program.

In part II, international experts on the Southern Caucasus analyze the conflict development in regard to the (missed) opportunities for preventing an escalation. Sabine Fischer from the EU Institute for Security Studies in Paris focuses on the Georgian/Abkhazian conflict. The period 2004-2006 in the aftermath of the “Rose Revolution” in Georgia is in particular the subject of the contribution by Doris Vogl who is affiliated with the University of Vienna. Beyond that she draws from a large pool of knowledge and experience due of having been engaged in different EU and OSCE missions in Georgia. Oksana Antonenko from the International Institute for Strategic Studies in London analyzes the failures of conflict transformation and the root causes of the August war in her contribution. In this context she emphasizes in particular the relevance of “Track-Two-Dialogue”, a confidence-building format to which she actively contributed.

Part III is dedicated to views from the region: Salomé Zourabichvili, who was Georgian Foreign Minister 2004-2005, presents a critical Georgian opinion on the missed opportunities for conflict prevention. Liana Kvarchelia from the Centre for Humanitarian Programmes in Sukhum/Sukhumi presents an Abkhazian perception of the conflict development. Finally, Alan Parastayev, who heads the Centre for Humanitarian Studies in Tskhinval/Tskhinvali, describes in his contribution the Georgian-South Ossetian relations from the angle of an NGO representative from South Ossetia.

In part IV, the role of international actors in regard to the Georgian/Abkhazian and Georgian/South-Ossetian conflicts is analyzed. Dov Lynch, Senior Advisor to the the OSCE Secretary General, illuminates the OSCE’s practical experience with conflict prevention in Georgia. The role of the United Nations in Abkhazia between 1992 and 2009 is the topic of Charlotte Hille, who is Assistant Professor at the

University of Amsterdam. Eugene Kogan, a Senior Researcher at the Vienna based International Institute for Liberal Politics, in his contribution explores the role of the US and of NATO in the context of the conflicts in the Southern Caucasus. Russia's policy is then analyzed in the contributions of Markus Bernath, a journalist for the Austrian daily "Der Standard", and by Flemming Hansen, a Danish Defence College in Copenhagen.

The final part V closes with some general lessons which can be drawn from the Southern Caucasus cases for conflict prevention. This is done by Predrag Jureković, co-editor of this book and researcher at the Institute for Peace Support and Conflict Management at the Austrian National Defence Academy.

Some of the contributions included in this book are primarily based upon the practical experience of the authors in the examined conflicts. Another case is that authors belonging to one of the conflict parties present their personal views. In these cases, unlike in the contributions based primarily upon academic research references are used less often, respectively the articles are written without pointing to other sources. The editors want to thank Veronika Siegl and Rosalind Willi for their substantial efforts in lecturing the articles as well as Christian M. Huber for the technical realization.

By publishing this book the editors want to raise the awareness on the necessity of and the challenges connected with conflict prevention, in particular regarding the lessons learnt which can be drawn from the difficult processes of conflict transformation in the region of Southern Caucasus. With the Partnership for Peace Consortium of Defence Academies and Security Studies Institutes and the Study Group Information series published at the Austrian National Defence Academy we have deliberately chosen a framework of security political research cooperation on regional stability active in the Western Balkans and the Southern Caucasus alike.

Walter Feichtinger
Ernst M. Felberbauer

Predrag Jureković

**PART I:
CONCEPTS IN CONFLICT PREVENTION**

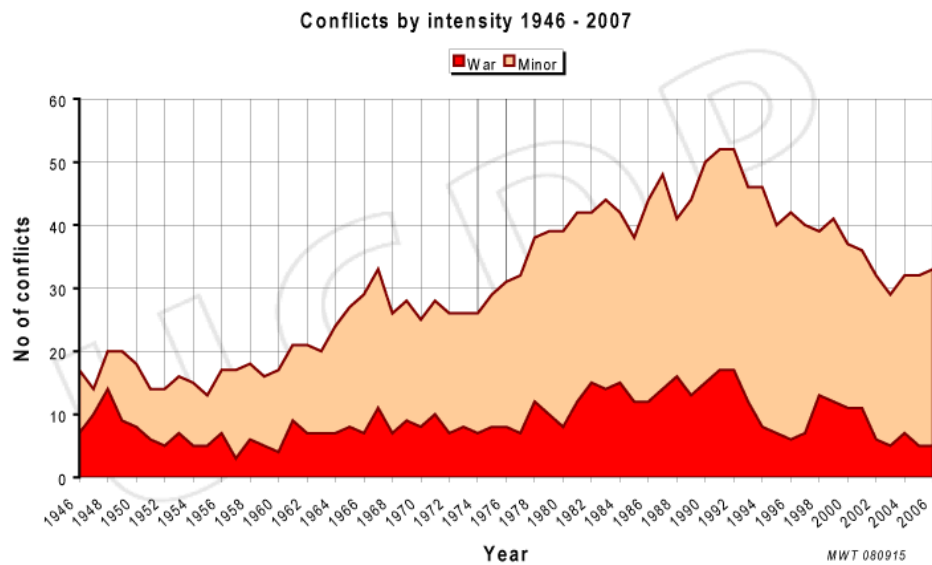
Concepts and Instruments in Conflict Prevention

Frida Möller

A number of positive signs indicate that the world is getting more peaceful. Since the early 1990s, the overall number of armed conflicts in the world has decreased even though there has been a small increase in the last few years, illustrated in Figure 1. Another encouraging trend is that the number of full scale wars (over 1 000 battle-related deaths in one year) has decreased during the same time period. In 1991, the year with the highest number of armed conflicts since 1946, one third reached the level of war. In 2007, there were only four wars registered in the world. This is the lowest number of wars since 1957, when the number was just three¹. Fewer conflicts seem to escalate to the level of war. This in itself is encouraging. Also optimistic is that civil conflicts – the far most common type of armed conflicts – are now to a higher degree terminated through peace agreements. From the 1950s to the 1980s there were many more victories than negotiated settlements. But this pattern changed in the 1990s when the negotiated settlements grew in number and is still growing. Furthermore, negotiated settlements are more stable today than previously. In the 1990s, negotiated settlements were highly likely (44 %) to break down within five years. Today, around 12 % seem to break down. This is a dramatic decrease.

¹ Harbom, Lotta/Melander, Erik/Wallensteen, Peter: Dyadic Dimensions of Armed Conflict, 1946 - 2007. In: *Journal of Peace Research*, 45(5)/ 2008, pp. 697-710.

Figure 1: *Number of armed conflicts 1946-2007, by intensity*



Source: Uppsala Conflict Data Program 2009/02/23

These encouraging signs are often overshadowed by the brutality of some of today's conflicts. However, these positive trends need an explanation. A common one is that the international community to a larger extent has been acting proactively on preventing armed conflicts from starting, reoccurring and spreading. Furthermore, this is the likely result of the increased support for post-conflict peace-building showed by the international community. That would mean that lessons have been learned from the crises such as Bosnia, Rwanda and Somalia in the early part of the 1990s. One reason for the increased action from the international community is that many parties now have the possibilities to get engaged, whereas during the Cold War many third parties, – especially the UN – were restricted in their actions. After the restraints were lifted, the UN and other actors could start to act effectively to prevent armed violence and now there seems to be a global consensus on the importance of acting at an early stage to prevent escalation. Even though conflict prevention has been high on the international community's agenda, (in foreign ministries and in academic circles)

since the early 1990's, there is still no consensus on what this phenomenon constitutes. The insights into what works and what does not, is also often limited.

Defining Conflict Prevention

Conflict prevention can mean many things depending on the situation and what is intended. At the core of the concept is the prevention of destructive and violent forms of conflicts – armed conflicts, wars and even genocide. However, this does not specify what levels of violence are sufficient to merit the attention of preventive measures. The UN sees prevention as “action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur” through dialogue, negotiations or other pacific means (UN Peacemaker Glossary). Some would however argue that conflict prevention should mean the prevention of conflict in the first place, i.e. prevent the outbreak of violence.

Even though the concept has a broad meaning, it is often divided into two categories: measures taken before the conflicts have erupted and efforts that are taken when the violence and conflict is noticeable. The first type includes long term efforts such as creating conditions that foster a peaceful environment and are intended to offset structures that could foster armed violence. These measures can include efforts where poverty is reduced and economic development improved. This is often referred to as *structural* prevention and occurs before violence has broken out. The other category contains measures that are those put into place during the early violent phase of the conflict when there are clear defined and visible organized groups and a stated incompatibility. The efforts taken in this phase have the purpose of affecting the situation in the short term, such as reducing low levels of violence, hindering a conflict from escalating or averting it from spreading geographically. These efforts are often labelled *direct* or *operational* prevention but some would call it conflict management as the conflict has moved from a non-violent situation to a violent one. Finally, conflict prevention can also include measures taken to prevent a conflict from reoccurring after

a peace agreement has been signed. This is often called peace building. Many – countries, organisations, researchers etc. – have their own definitions and notions of what constitute conflict prevention. Whereas researchers need a well elaborated definition, policy makers require one that mirrors the situation on the ground and thus prefer a more inclusive definition.

It is customary to consider preventive actions as actions taken by outsiders, so called third parties and not actions by the warring parties themselves to try to deescalate a situation. The Uppsala Conflict Data Program (UCDP) defines a *third party* as an actor that is involved in either helping the warring parties to regulate the incompatibility, to change conflict behavior or to regulate other conflict issues. In other words, a third party works as an intermediary between the primary parties to the conflict. According to UCDP's definition a third party may or may not be neutral in its relations with the warring parties although it cannot be involved militarily in the conflict as a *secondary warring party*. It may, however, provide support for any of the warring parties short of sending troops.² As long as the outside party is not considered to be a fighting ally of one of the conflict rivals – a secondary warring party – the actor is viewed as a third party³⁴.

Preventive instruments

There is a proliferation of terminology. At the moment there are many concepts circulating: conflict prevention, peace building, conflict management etc. The definitions of these terms oftentimes overlap, describing different aspects of the same thing. There are several different

² A secondary warring party is defined as a party that enters a conflict with troops to actively support one of the sides in the conflict. A secondary warring party is always a state actor who shares the position in the incompatibility with one of the sides in the conflict. (Uppsala Conflict Data Program 2009/02/25: Definitions)

³ Melander, Erik/Möller, Frida/Öberg, Magnus: Managing Intrastate Low-Intensity Armed Conflict 1993-2004: A New Dataset: In: International Interaction, volume 35/2009, pp. 58-85.

⁴ For a description and definitions of all measures, please see Appendix A.

tools available to third parties in their efforts to avert a conflict from escalating. In creating a typology of preventive measures, some include only peaceful means such as mediation, facilitation etc. whereas others include coercive ones such as sanctions or military intervention. As there is no agreed-upon definition of conflict prevention in the first place, there is also no consensus on if or how mediation differs from facilitation, dialogue and diplomacy in general. There are different ways of describing a typology of measures: as toolboxes⁵ or as a ladder of preventive steps⁶. Both assume that there are different, clearly separable means that are used. But how can one distinguish different tools from each other? For example, when does an activity which is termed (for instance, by the involved parties) facilitative talks actually turn into negotiations? Concepts as the toolbox and the ladder are difficult to translate into reality. As a result, the Uppsala Conflict Data Program (UCDP) and its researchers went one step further and created a typology that was both theoretically interesting and empirically authentic, i.e. actions that actually fit into the categories⁷. Based on this typology, data was collected covering escalating ethnic conflicts in the period 1990-1998. This resulted in the Ethnic Challenges to Government Authority Dataset (ECPEC) where 729 preventive actions were recorded in 32 crises. The data was then analyzed, which showed that the typology worked when applied to the empirical cases.

The preventive instruments were divided into peaceful and coercive measures. These two categories each have a set of sub measures as shown in Figure 2. The typology tries to capture the whole spectra of interventions, small and peaceful as well as more demanding and coercive. It covers measures that are traditional tools in preventive diplomacy but also takes in initiatives that might not be viewed as

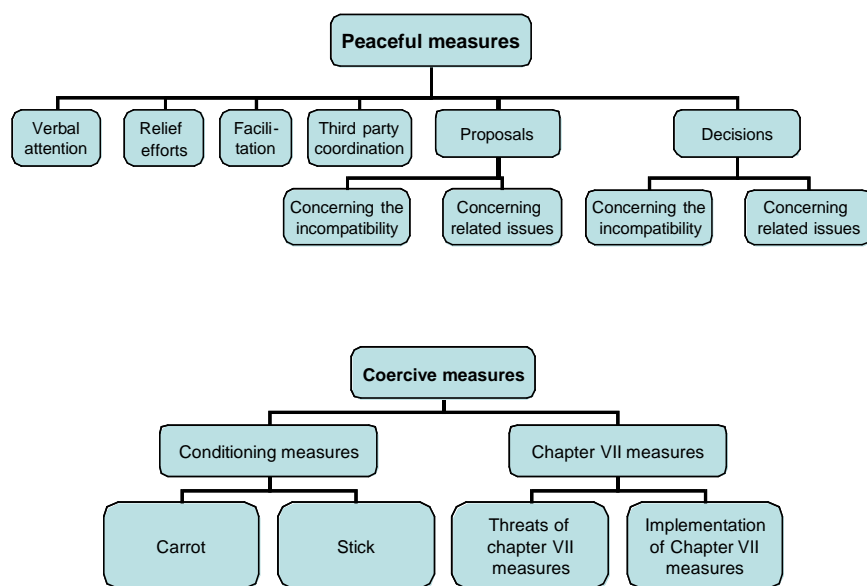
⁵ Lund, Michael S: Preventing violent conflicts. A strategy for preventive diplomacy. Washington D.C. 1996, pp. 203-205.

⁶ Eliasson, Jan: A Culture of Conflict Prevention – Sweden and Conflict Prevention. In: Melbourne, Anders (Ed.): Developing a Culture of Conflict Prevention. Hedemora 2004, pp. 40-46.

⁷ Öberg, Magnus/Möler, Frida/Wallensteen, Peter: Early Conflict Prevention in Ethnic Crises, 1990-98: A New Dataset. In: Conflict Management and Peace Science, 1/2009, pp. 67-91.

necessary for prevention but are used to an extent by the international community when dealing with upcoming conflicts. One such tool is giving verbal attention to various sorts of statements such as condemnations and praises made by head of states, the UN Secretary General, IGO representatives etc. Another unconventional measure is relief efforts, which include humanitarian aid; the actual delivery of food, clothes and medicine but also include decisions by statesmen to allocate funds to this cause. Even though this is not a measure widely used in the literature, researchers such as Dixon (1996) have included this type of initiatives based on the assumption that they may “have the effect of reducing anxieties and tensions”⁸.

Figure 2: *Typology of third party measures*⁹



⁸ Dixon, William J: Third-party techniques for preventing conflict escalation and promoting peaceful settlement. In: International Organization, 4/1996, p. 658.

⁹ Öberg et al.: Early Conflict Prevention, p. 72.

The typology also encompasses different types of activities that facilitate communication and the creation of opportunities for meetings between disputant parties (facilitation). This category includes action such as inviting primary parties to talks, visits, separate or all-party talks, meetings and negotiations over the conflict issue with the participation of a third party. An instrument in line with this is the meetings that are held among third parties in their efforts to coordinate their attempts to discuss the proper way to proceed (third party coordination meetings). The preventive tools in Figure 2 also include proposals by third parties on how to solve or handle the issue at stake, the so-called incompatibility or a related issue such as refugees or ceasefire. The last of the peaceful means are decisions taken by a third party, over the incompatibility or a related issue. These measures can be actions such as arbitration or a decision to form a mission to monitor human rights or to make provisions for the return of refugees.

The coercive means are fewer in numbers. They are divided into conditioning measures and Chapter VII measures. The first ones stipulate a preferred outcome and also state a positive reaction if fulfilled (carrot) or a negative consequence if not (stick). An example of a conditioning carrot could be: “disarm and you can take full part in talks”. An example of a stick could be: “withdraw troops or face further sanctions”. Finally, the Chapter VII measures include threats to use or the decision to carry out measures that are contained in Chapter VII of the UN Charter¹⁰.

One conclusion from the Öberg et al. (2009) study is that in a systematic study, it is reasonable and possible to differentiate between different types of facilitation. One way to do this is to distinguish between different *forms* of talks instead of labelling them mediation, facilitation etc. Instead it seemed fruitful to look at whether the warring parties are meeting and communicating directly or indirectly through a third party. This would enable researchers and practitioners to create their own definitions by combining different types of talk into new categories. For instance, mediation would for some only include direct talks between

¹⁰ Öberg et al.: Early Conflict Prevention, pp. 71-73.

belligerents with a mediator present whereas others would include both direct and indirect talks. These thoughts resulted in a new UCDP project and data collection effort, which emanated in the Managing Intrastate Low-intensity Conflict (MILC) dataset. MILC covers all low-intensity intrastate armed conflict dyads¹¹ in the period of 1993 to 2004 and all third party activities are mapped until the dyad escalates into full-scale war or the dyad becomes inactive.

The MILC dataset maps includes different types of peaceful third party measures: indirect-, direct-, and bilateral talks, good offices, arbitration, fact-finding missions, permanent observers, and peacekeeping operations. Its main focus is on different types of talks between belligerents and third parties. *Indirect talks* are talks where the warring parties are not talking face to face, but indirectly through the third party acting as a go-between. The intermediary brings information from one party to the other. When the combatants meet face to face with a third party present, the talk is viewed as a *direct talk*. The MILC dataset also includes so-called *bilateral talks*, which are talks between the third party and only one of the warring parties over conflict issues. Many times, bilateral talks include situations where the third party simply explores the positions of the parties and there is thus no negotiation or bargaining going on. Bilateral talks may also include events where a third party state representative talks to one of the warring parties about possible financial or material support. This might not be considered intentionally preventive but following strict coding definitions, which are necessary when compiling data, all events taken by a third party where the conflict issue is discussed in any form is included in the dataset. MILC covers 127 dyads. A total of 3,018 third party initiatives are included in the dataset.¹²

¹¹ A dyad is two conflict units that are parties to a conflict. One of these units has to be an armed challenger while the other unit has to be the challenged one, for example; government vs. opposition group or two alliances fighting each other (the alliance is connected by its position in the incompatibility).

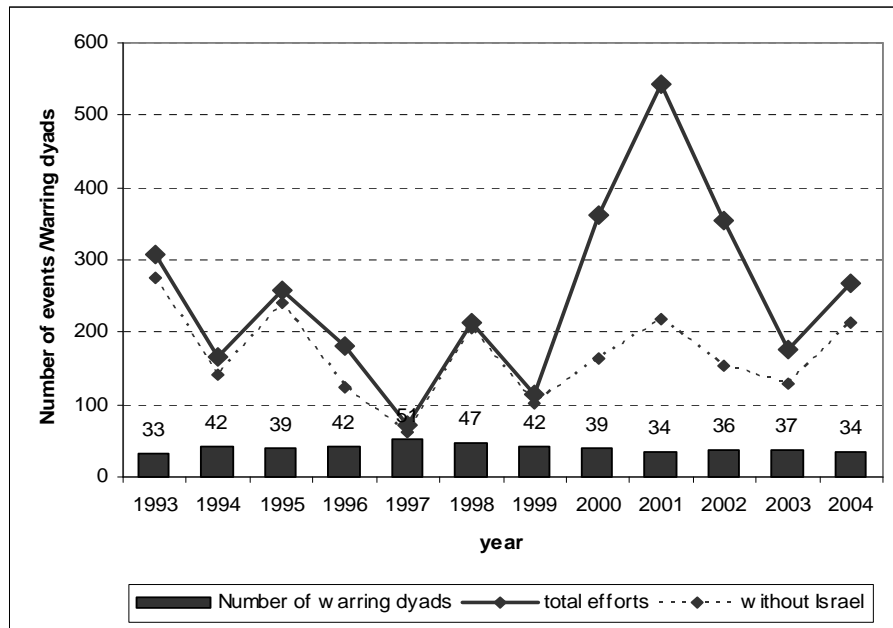
¹² Of the 127 dyads covered in the dataset, measures were taken in 83 dyads.

Patterns of prevention

Even though there has been an increased interest in conflict prevention and management, little is known of what measures are used, who the third parties are and what is effective. Researchers have not had an opportunity to test their propositions as global data has been lacking. Up until a few years ago, there were only few datasets concerning conflict management efforts: the International Conflict Management (ICM) and International Crises Behaviour (ICB) being the most prominent ones. Compared to these datasets, the creation of MILC represented a significant improvement for research specifically aimed at understanding conflict management in low-intensity intrastate armed conflict. First, although ICM has greater breadth, MILC is much more detailed than both ICM and ICB and thus enables researchers and practitioners to get a comprehensive global overview of third party peace initiatives for the period of 1993 to 2004.

As can be seen in Figure 3 the number of efforts has varied over the years. A sharp increase in the activity by the international community is seen from 1999 to 2001. This variation is mainly related to the intensified attention given to the situation in Israel (Palestine). The curve labeled “without Israel” shows the total amount of efforts excluding the efforts made in regard to the Israeli (Palestine) conflict. This conflict appears to be an exceptional case. Examining the data on this case more closely suggests that the actions during the 1990s are actually connected to the peace process that was, at the time, generally seen as creative and with good prospects of finding a solution.

Figure 3: *Number of third party efforts and warring dyads 1993-2004*¹³

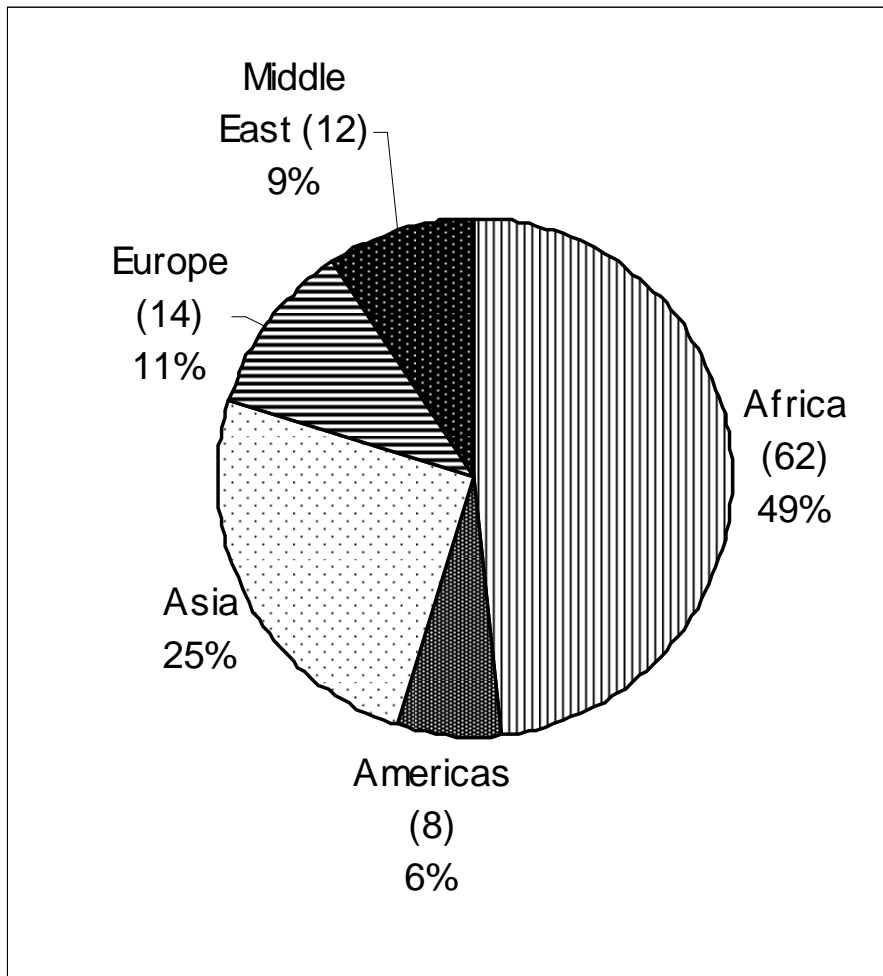


Examining where initiatives by third parties have been taken, one can observe that the number of warring dyads in a region does not correspond to the attention received from the international community. A pattern of bias toward taking action in the Middle East is evident also when one looks at the regional distribution of third party efforts, seen in Figure 4 and 5. The Middle East receives 35% of all international peace efforts even though only 9% of the global number of dyads is found in the region. The same is true for Africa. In contrast, Asian dyads receive little attention despite the fact that they make up one fourth of the global number of warring dyads. In Europe, the many conflicts in the Balkans received a large majority of international attention. A similar pattern was found when analyzing the ECPEC data; the Middle East and Europe received relative high levels of attention while Asia seemed to have been forgotten despite many crises¹⁴.

¹³ Melander et al.: *Managing Intrastate Low-Intensity Armed Conflict*.

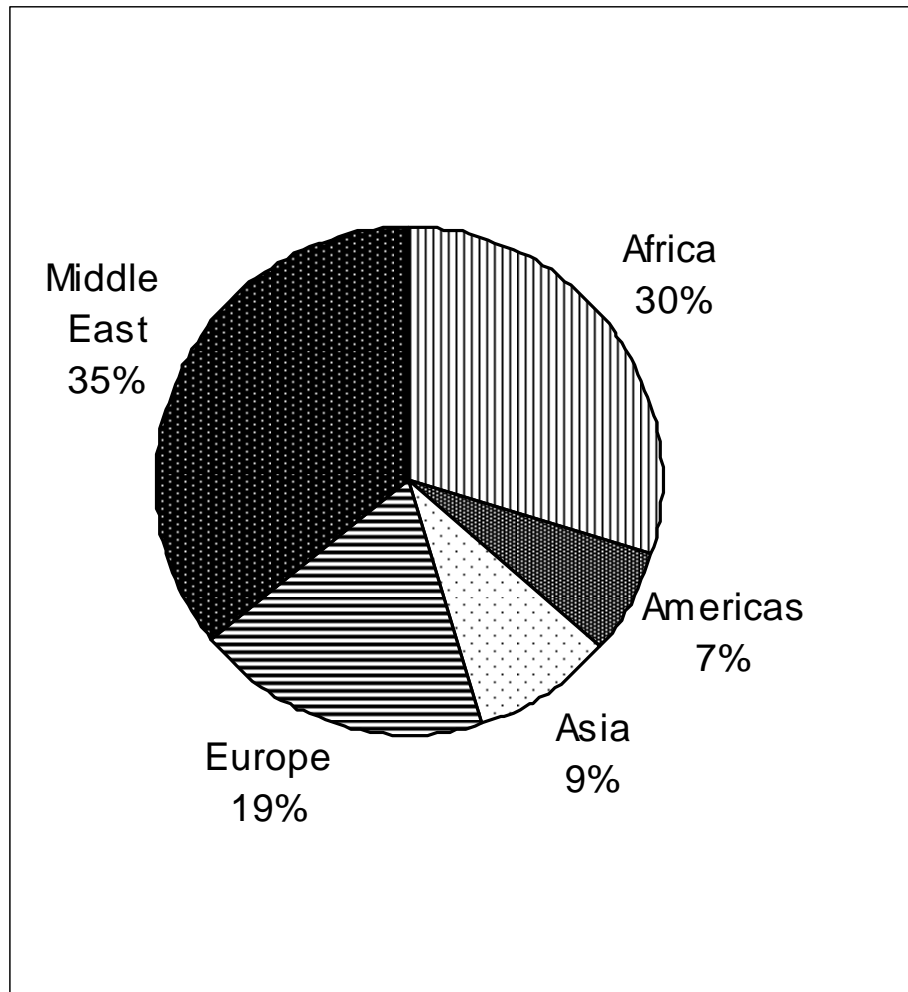
¹⁴ Öberg et al.: *Early Conflict Prevention*, pp. 76-77.

Figure 4: *Number of warring dyads by region 1993-2004.*
Number of dyads in parenthesis¹⁵.



¹⁵ Melander et al.: *Managing Intrastate Low-Intensity Armed Conflict.*

Figure 5: *Third party efforts by region 1993-2004*¹⁶



¹⁶ Ibid.

Based on the MILC data, the most common form of effort by international actors in preventing intrastate conflicts from spreading or escalating is to engage in some type of talk with the warring parties as seen in Table 1. This is true for all regions. Particularly common were bilateral talks, i.e. talks where a third party is talking to only one of the warring parties. One possible explanation for the frequent use of bilateral talks is that this form of talks may be used as a way to pave the way for more direct types of talks between the belligerents, either face-to-face or indirectly through a mediator. One common form of bilateral talks is state visits or visits by envoys who discuss the conflict with either party, often the government side. In fact, it is twice more common for third parties to talk to the government of a warring dyad than to the rebel group. This is probably because the government is a legitimate party and it could be seen as controversial to talk to rebels that are sometimes even labeled as terrorists by their own government. A first step could be to start a process by talking to the government and then move on to include talks with the rebels.

A large share of the good offices, i.e. providing location and facilities to a third party and the warring party/-ies, were offered by Switzerland, Tanzania and South Africa. A majority of Switzerland's good offices were in regard to the conflicts in the Balkans, especially the conflict in Bosnia and Herzegovina and Croatia. Tanzania and South Africa provided a location for talks concerning the conflict in Burundi. Other measures such as fact-finding missions, arbitration and other missions and operations were used in moderation.

Table 1: *Percentage of type of measures by region.*
Actual number in parenthesis

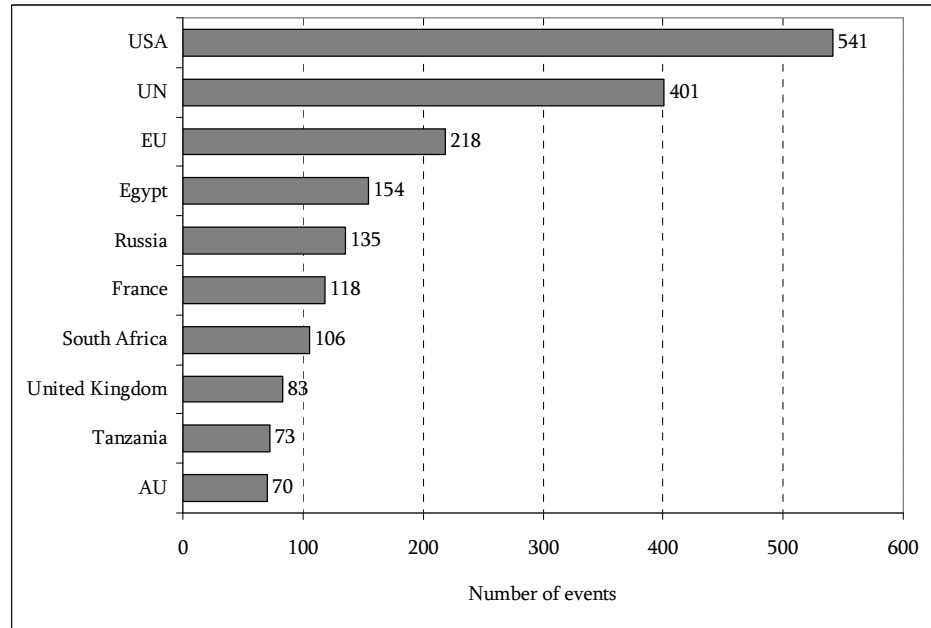
	Europe	Asia	Africa	Americas	Middle East
Bilateral talks (2128)	61%	77%	64%	43%	85%
Good office (359)	11%	10%	17%	27%	6%
Direct talks (307)	18%	7%	10%	22%	5%
Indirect talks (106)	6%	1%	4%	0%	3%
Unclear talks (53)	2%	1%	3%	2%	1%
Fact finding (41)	1%	4%	1%	3%	1%
Peacekeeping (14)	<1% (1)	0%	1%	1%	0%
Permanent observers (8)	1%	0%	<1% (1)	<1% (1)	<1% (3)
Arbitration (2)	0%	0%	<1% (1)	0%	<1% (1)
Total: 3018	100%	100%	100%	100%	100%

Research suggests that the characteristics of the third party actor may affect the outcome of preventive measures. A closer look at who the third parties are, is therefore essential. In the MILC data, the US are the most active intermediary, illustrated in Figure 6. One conflict in particular received US attention: the conflict in Israeli-Palestinian conflict. The Balkans, particularly the conflicts in the Federal Republic of Yugoslavia over Kosovo and in Croatia over Serb territories, was another area of focus of US activity. Also many of the UN's activities were directed at the conflicts in the Balkans, especially the one in Croatia but also in Bosnia Herzegovina. The EU was also engaged in both countries and it mediated actively through its envoy Lord Owen in

Bosnia Herzegovina. Another conflict in Europe that the EU focused their efforts on was Macedonia. Russia also participated in various types of talks and dealt actively with the Israeli/Palestinian conflict as one of the members of the so-called Quartet that attempted to revive negotiations. Russia also took action regarding the two territorial conflicts in Georgia: over Abkhazia in the early 1990s and South Ossetia in 2004.¹⁷ Egypt's involvement was almost exclusively focused on talking to the parties to the Israeli – Palestinian conflict. A large part of the efforts taken by France were directed at African conflicts, such as the ones in Ivory Coast and Niger, and most of the efforts taken by South Africa targeted the conflict in Burundi but also DR Congo. Also the efforts by Tanzania were directed at these two conflicts. The involvement by the UK is spread fairly evenly across the world's conflicts and regions even though the Israeli conflict receives a large part of British attention. Finally, the African Union (AU) has mainly focused its activities on Central and West Africa with conflicts for example in DR Congo, Burundi, Sierra Leone and Liberia.

¹⁷ Remember that according to the UCDP, a third party can support either side in a conflict but cannot be a secondary warring party. In 2008, Russia is coded as a secondary warring party on the side of Republic of South Ossetia and could therefore not be seen as a third party. However, in 2004, Russia was seen as a third party since it was not actively fighting on side of the Republic of South Ossetia. Even if Georgia repeatedly accused Russia of supporting the break-away republic, support in itself is not enough to be seen as a secondary warring party. See <http://www.pcr.uu.se/research/UCDP/data_and_publications/definitions_all.htm#top>.

Figure 6:
*Ten most active third parties in conflict dyads globally 1993-2004*¹⁸



Are any of these conflict management measures associated with an increased or decreased likelihood of an escalation to war? Second, for some of the most commonly employed measures, does it matter what type of third party is taking the measure? Melander et al. (2009) used the MILC data to answer these questions and showed that a number of conflict management measures are associated with either an increased or decreased likelihood of a low-intensity intrastate conflict escalating to the level of war.¹⁹ Many previous findings and suggestions on preventive efficiency are supported by the ECPEC and MILC data. The idea that relief efforts should reduce the likelihood of escalation²⁰ is supported by research by Öberg et al. (2009). Öberg et al. also find that

¹⁸ Melander: *Managing Intrastate Low-Intensity Armed Conflict*.

¹⁹ The UCDP defines war as an armed conflict with at least 1000 battle-related deaths in a year.

²⁰ Dixon: *Third-party techniques*.

activities that facilitate communication and the creation of opportunities for meetings between disputant parties (facilitation) in combination with proposals have a significant conflict dampening effect, which is in line with previous research that argues that efforts to facilitate communication and to create opportunities for meetings have a conflict dampening effect²¹. The effects of using sticks (threats/coercion) and carrots (inducements) are popular themes in the literature²² but when tested on empirical data, the use of carrots increases the risk of escalation significantly, whereas sticks have no effect²³.

Turning to bilateral talks, that is talks between one of the warring parties and a third party, research finds that only bilateral talks where the third party is one or several of the permanent members of the UN Security Council are associated with a lower risk of escalation into war. In fact, bilateral talks where the third party is a neighbouring state, a non-neighbouring state, or an actor in the residual category “other” are associated with a higher risk of escalation into war²⁴. Thus, apart from the measure itself, it seems that the identity or type of third party matters quite a bit. In fact, for mediation (here defined as a combination of direct and indirect talks) and bilateral talks the type of third party seems to be more important than the type of measure. Also, third-party efforts to participate in talks are not generally associated with a lower risk of escalation into war. In fact, mediation by the UN and neighbouring states are associated with an increased risk of escalation into war. Only

²¹ Jentleson, Bruce W: The realism of preventive statecraft. In: Carment, David/Schnabel, Albrecht (Eds.): Conflict Prevention: Path to peace or grand illusion? New York 2003.

And: Lund: Preventing violent conflicts.

And: Lund, Michael S: Preventing Violent Intrastate Conflicts: Learning lessons from experience. In: Tongeren, Paul van et al. (Eds.): Searching for peace in Europe and Eurasia. An overview of conflict prevention and peacebuilding activities. London 2002.

²² Wallensteen et al.: Wallensteen, Peter/Staibano, Carina/Eriksson, Mikael: The 2004 Roundtable on UN sanctions against Iraq: Lessons learned. Uppsala 2005.

And: Jentleson: Realism of preventive statecraft.

And: Lund: Preventing violent conflicts.

And: Lund: Preventing Violent Intrastate Conflicts.

²³ Öberg et al.: Early Conflict Prevention.

²⁴ Öberg et al.: Early Conflict Prevention.

participation by the five permanent members of the UN Security Council and by actors in the residual category “other” is significantly associated with a lower risk of escalation into war²⁵. These findings seem to suggest at least one thing: the identity and characteristics of the third party may be as important, or even more important, than the type of conflict management measure applied. As Melander et al. (2009) point out diplomatic efforts like mediation may be more effective if – at least implicitly – backed by a credible threat of force, or commitment of resources. Thus, super powers, here defined as the five permanent members of the UN Security Council, may be more effective mediators because they possess military and economic power²⁶.

Conclusion

Mapping third party preventive efforts show that the international community is doing a lot to prevent and manage low-intensity conflicts. This is very encouraging. However, many aspects are still unanswered. Even more data and further studies are needed in order to understand the complexity of third parties and their conflict prevention and management activities.

²⁵ Melander: Managing Intrastate Low-Intensity Armed Conflict.

²⁶ Melander: Managing Intrastate Low-Intensity Armed Conflict.

APPENDIX A

Definitions used in MILC dataset:

Indirect talks:

Talks where the warring parties do not converse face to face, but indirectly through the third party acting as an intermediary. The intermediary is bringing information from one party to the other. In order for an event to be coded as indirect talks, there must be substantial validation that the third party is going from one warring party to the other exchanging information. Typical events include shuttle diplomacy. Examples of indirect talks include the Egyptian and US mediation efforts that led to the signing of a number of peace deals on the expansion of Palestinian self-rule in the late 1990s, most notably the Protocol on Redeployment in Hebron, the Wye River Memorandum and the Sharm el-Sheik Memorandum.

Direct talks:

When the combatants meet face to face with a third party present. These talks include events such as face-to-face meetings between the warring parties to the conflict in Aceh, Indonesia in Sweden in 1999 and talks with the Centre for Humanitarian Dialogue (HDC) in 2000.

Bilateral talks:

Talks between the third party and only one of the warring parties over conflict issues. Bilateral talks differ from indirect talks in that we do not have considerable reason to believe that the third party is passing along information between the warring parties, i.e. there is no form of negotiation going on. Many times, bilateral talks include situations where the third party simply explores the positions of the parties.

Unclear talks:

When the character of the talks is uncertain, the *talks* are defined as *unclear*. This includes instances where the circumstances surrounding talks were unclear, e.g. whether the parties talked to each other face to face or indirectly through a mediator, etc.

Fact finding missions:

A delegation with the purpose of establishing the facts of a matter, e.g., whether human rights abuses, instances of violence, or violations of cease-fires have taken place.

A good office:

Defined as a country that offers the warring parties the opportunity to meet. Here, the third party does not actively engage in the talks but only facilitates talks, i.e. provides location, facilities, etc. By good office we only include locations where the talks are held in another country besides the conflicting state or the state of the mediating country. E.g. in talks in Sweden between the Hamas and Israeli government with the US acting as a mediator, Sweden is coded as good office.

Arbitration:

A situation where a third party issues a binding decision on a matter, e.g. an international court ruling on a contested issue. The third party must be mandated by both warring parties to decide in the matter.

Permanent observer is defined here as a mission with a permanent office, carried out by the UN, IGOs or individual states, with the stated purpose to observe and/or support a peace process or conflict situation, but without any operational duties involving uniformed personnel having an official status as military troops, military observers or civilian police. Only the deployment of the mission, not actions taken during its deployment are included.

Peacekeeping operation:

A third-party state intervention that: a) involves the deployment of military troops and/or military observers and/or civilian police in a target state b) is, according to the mandate (as specified in multilateral agreements, peace agreements, or resolutions of the UN or regional organisations), established for the purpose of separating conflict parties, monitoring ceasefires, maintaining buffer zones, and taking responsibility for the security situation (among other things) between formerly, potentially, or presently warring parties; and c) is neutral

towards the conflict parties, but not necessarily impartial towards their behaviour (Heldt & Wallensteen 2005).

Source: Melander et al. 2009 and MILC Codebook

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**PART II:
CONFLICT DEVELOPMENT AND FAILED
PREVENTION**

The Georgian-Abkhaz Conflict

Sabine Fischer

Introduction

Georgia and Abkhazia found themselves on the brink of a new war in July and August 2008. The Russian-Georgian war over South Ossetia did not spill over to Abkhazia mainly thanks to the quick reaction and intervention of the European Union, who succeeded in negotiating a ceasefire only five days after the outbreak of hostilities. Nevertheless, tensions along the administrative border between Georgia and Abkhazia had risen to a maximum, and the events of August 2008 had consequences for Abkhazia that were very similar to those that the war incurred for South Ossetia: unilateral recognition of independence by the Russian Federation, and with it, progressive separation from Georgia and further isolation from the international community.

This contribution aims to analyse the historical roots and evolution of the Georgian-Abkhaz conflict. This conflict is not a recent development but has a long history and a strong ethno-political dimension. It is, therefore, necessary to go back to its pre-1990 history so as to be able to understand the different layers and narratives of the conflict.

As an analytical framework to elucidate the complex structures behind the Georgian-Abkhaz conflict and provide an explanation for the failure of any attempt – be it by the parties to the conflicts or by international stakeholders – to find a solution, the author here uses the terminology of conflict prevention, management, resolution, and transformation.¹ Conflict prevention refers to the attempt to prevent the incompatibility of positions from escalating into open violence. Together with conflict management, meaning the attempt to influence the conflicting parties to

¹ Coppieters, Bruno: The EU and Georgia: time perspectives in conflict resolution, EUISS Occasional Paper, 70/2007, p.1.

make concessions in important security issues through international mediation, it forms part of sustainable conflict resolution. However, the precondition for successful conflict resolution is conflict transformation – a change in the conflicting positions of the parties which enables them to make compromises on issues related to the conflict. Conflict transformation implies first, an alteration of both sides' position on the conflict and a reassessment of their own role and responsibility. Secondly, systematic confidence building is an essential part of conflict transformation so as to enable the parties to the conflict to interact and communicate.

The chapter is divided into three parts: the first part will deal with the historico-structural background to the conflict. Three historic layers shape the structure of the conflict which provided war entrepreneurs at the beginning of the 1990s with fertile ground for fomenting violence: the territorialisation of ethnicity in the Soviet Union, the very specific demographic history of pre-Tsarist, Tsarist and Soviet Abkhazia and Georgia, and nationalist radicalisation against the background of intra-elite struggles for the redistribution of power and wealth in the failing Soviet Union. The main assumption of this first part is that the nationality policy of the Soviet Union deepened divergences between ethnic groups by erecting a system of institutionalised injustice and mutual discrimination which was very likely to implode once the central power disappeared.

The second part focuses on three parallel developments after the war in 1993/1994: the evolution of Georgian politics can be described as following a trajectory from a failing state to a permanent (and nationalist) revolution, while Abkhazia shifted further into Russia's orbit. In the aftermath of the war the distance between the Abkhaz and Georgian societies became insurmountable. Moreover, the regional and international context of the conflict became ever more fragmented and competitive. The main assumption underlying this area is that instead of conflict transformation in the sense of a *rapprochement* of the antagonistic positions of the parties to the conflict there was a growing polarisation of the conflict at all levels. This undermined existing

mechanisms of conflict management and made conflict prevention – not to speak of conflict resolution – increasingly difficult.

The third part gives a brief overview of the conflict resolution process and tries to explain why conflict prevention was not possible.

Historic layers

The territorialisation of ethnicity and the institutionalisation of injustice in the Soviet Union

The territorialisation of ethnicity within the territorial administrative organisation of the Soviet Union was a crucially important historico-structural factor that paved the way for the Georgian-Abkhaz war in 1993/94.² After the October Revolution and the civil war, both Abkhazia and Georgia were incorporated into the Soviet Union as Socialist Soviet Republics. They concluded a Union Treaty in 1921, but remained separate. Starting from 1924, Abkhazia's sovereignty began to vanish (the 1925 constitution already lists it as an Autonomous Soviet Socialist Republic/ASSR). In 1931 it was officially incorporated into the Georgian Socialist Federative Soviet Republic (SFSR). The main difference between the Soviet Federative Socialist Republic/SFSRs and the ASSRs was that the former were sovereign and had the right to secession. Although both sovereignty and the right to secession lacked any practical meaning in the Soviet system, they acquired high symbolic value in the difficult relationship between Georgians and Abkhazians. There were other important peculiarities of the system which in the

² For an elaborate analysis of the development of Georgian-Abkhaz relations during the Soviet era see Coppieters, Bruno: *The Georgian-Abkhaz Conflict*. In: Bruno Coppieters et.al. (Ed.): *Europeanization and Conflict Resolution. Case Studies from the European Periphery*. Ghent, Academia Press 2004, pp. 191-221. For an analysis of Abkhazia's pre-Soviet history, see Schorkowitz, Dittmar: *Postkommunismus und verordneter Nationalismus. Gedächtnis, Gewalt und Geschichtspolitik im Schwarzmeergebiet (Post-Communism and Imposed Nationalism. Memory, violence and the politics of history in the Black Sea region)*. Frankfurt am Main/Berlin: Peter Lang 2008, chapter II.

course of the decades deepened the gap between the two ethnicities: the Abkhazians were in a subordinate relationship to the Georgian community in Georgia and the Abkhaz ASSR had fewer administrative powers. At the same time, the Abkhaz population was granted disproportionate representation in public institutions in Abkhazia. The Abkhaz as the titular nation of the ASSR had fewer cultural rights than the (Georgian) titular nation of the Georgian SFSR. For instance, school and university education was only available in Russian – but not in Abkhaz. This had a dual effect: on the one hand it weakened the Abkhaz language and culture *vis-à-vis* Georgia, thereby multiplying the Abkhazians' fears and sense of being victims of discrimination. Moreover, mutual estrangement was underpinned by the language barrier which emerged between the Abkhaz and the Georgian population. Russian, the language of the oppressor from a Georgian perspective, became the *lingua franca* between Georgians and Abkhazians, because neither community spoke the language of the other. At the same time the predominance of the Russian language brought Abkhazia even closer to Russia. The transformation of Abkhazia into an all-Union vacation paradise and the massive influx of Russian tourists reinforced this trend.

After a period of fierce “Georgianisation” during the Stalin era, Abkhaz protest movements pushed Moscow to improve their position *vis-à-vis* Tbilisi. By the end of the 1970s they had acquired additional cultural rights, and increased representation in political institutions in Abkhazia. Given the fact that in parallel to this the demographic balance kept shifting to their disadvantage, this fuelled more social discontent among ethnic groups in Abkhazia.³

Georgia also had to contend with political and cultural marginalisation and fight its own struggle against Moscow.⁴ Already in the Tsarist Empire emerging Georgian nationalism had militated against the

³ See section on migration below.

⁴ Goltz, Thomas: *The Paradox of Living in Paradise: Georgia's Descent into Chaos*. In: Cornell, Svante/Starr, Frederick (Ed.): *The Guns of August 2008. Russia's War in Georgia*. New York and London: M.E. Sharpe, pp. 10-27.

imperialist centre, but at the same time against ethnic groups in Georgia. Abkhazia, which had been the last part of the Georgian kingdom to be annexed and incorporated into the Russian Empire in 1864, was perceived by the Georgians as a pawn in Russia's hands. Abkhaz claims for more cultural rights were interpreted as hidden attempts to 'Russify' Georgia. The fact that Russian gradually became established as the *lingua franca* between the two communities did not ameliorate the situation. Georgia was subordinated to the Soviet political structures, which, for their part, were dominated by Russian (Russified) elites – despite formal equality between Georgia and Russia. Georgians perceived themselves as discriminated against at the Union level as well as in Abkhazia.

Consequently both sides interpreted their relationship in diametrically opposed ways and ascribed themselves the role of victims – which, in fact, they were. However, neither side accepted the grievances of the other, and consequently, the possibility of simultaneously being a culprit and a victim. This was the perfect precondition for an efficient divide-and-rule policy, which helped the Soviet Empire to keep different ethnic groups in a precarious balance and preserve its own power. Abkhazians, Georgians and Russians coexisted in what was basically a complex system of mutual suppression, in which injustice built upon injustice, and all affected groups developed their own, unrelated and eventually mutually exclusive narratives of their tribulations.

Demographic manipulation

The fact that the Abkhazians as an ethnic group only represented a 17.8% share of the total population in Abkhazia before the 1993 war is often quoted in the Georgian debate as well as in the scientific literature on the conflict. And as a matter of fact the ambition of a relatively small minority to become independent and have a say over the destiny of other (majority) ethnic groups is problematic from a democratic point of view. Because of this striking imbalance, Sukhumi's hesitation regarding the return of internally displaced persons (IDPs) has been one of the central stumbling blocks in the negotiation process on the Georgian-Abkhaz

conflict. It is important, however, to put this into the context of Abkhazia's long history of migration and demographic manipulation.⁵

Two landmark events stand out when looking at the demographic history of Abkhazia: first, the *makhadzhirstvo*, the mass emigration of Abkhazians (and other North Caucasian ethnic groups) to the Ottoman Empire during the second half of the 19th century.⁶ Between 100,000 and 500,000 members (estimations vary depending on the sources) of the Abkhaz community are said to have left Abkhazia during that period. This diaspora was caused by the combination of several wars and political discrimination. Meanwhile, the Tsarist authorities promoted the settlement of Russian, Greek, Armenian and Baltic colonisers in Abkhazia. Secondly, there was also a movement of Mingrelians to the Southern parts of Abkhazia – hence the dense Georgian-Mingrelian population in Gali in the 20th century. As a consequence, already in the 19th century the indigenous Abkhaz population in Abkhazia started to become a minority. From an Abkhaz perspective, what happened was political discrimination in tandem with demographic and ethnic marginalisation.

Under Soviet rule, particularly between 1939 and 1959, massive waves of migration of Georgian, Russian and Armenian workers to Abkhazia took place. This shifted the demographic balance further, to the disadvantage of the Abkhaz. Ultimately, the demographic composition in the Abkhaz ASSR as recorded in the 1989 census was: 17% percent Abkhaz, 46% Georgians, 14% Armenians, 13% Russians, and 10% others.⁷

Thus, demography, migration and Stalinist nationality policy fed into a system of territorial-administrative control over ethnic groups, and it

⁵ Schorkowitz: Postkommunismus, pp.130-134.

⁶ The *makhadzhirstvo* started during the Great Caucasian War (1832-1864) and had several peaks: after the annexation of the Abkhaz fiefdom (1864), after the Great Uprising (1866), and after the Russian-Turkish war (1878).

⁷ Wolleh, Oliver: A Difficult Encounter – The Informal Georgian-Abkhazian Dialogue Process. Berghof Report, 12/2006, Berlin: Berghof Research Centre for Constructive Conflict Management, p. 14.

provided the basis for both Abkhaz and Georgian feelings of discrimination, marginalisation, and need for self-defence. After the war, during which the entire Georgian population was forced to leave Abkhazia, the demographic situation remained one of the factors blocking conflict resolution.

Perestroika and collapse

Three aspects increased inter-ethnic relations in the period of *Perestroika* and *Glasnost*, and the subsequent collapse of the Soviet Union.

First, *Perestroika* provoked debates about democracy and the reform of the state in all parts of the Soviet Union. Given the demographic composition of the Abkhaz ASSR, the Abkhaz started to fear that democratic representation without ethnic quotas would lead to a considerable increase of Georgian power and their own marginalisation. The Abkhazians, therefore, early on militated for an upgrading of their status to a sovereign SFSR and a confederation with the Georgian SFSR within the Soviet Union. Since they considered the existing system a guarantor for their security, they did not share the desire of many Georgians to dissolve the Soviet Union but, on the contrary, opted for its preservation.

Secondly, *Glasnost* triggered off a series of historical debates both in Abkhazia and Georgia. Against a backdrop of mutual discrimination and marginalisation, prejudices and fear, national narratives quickly turned into nationalist narratives. In Georgia, for instance, the Ingoroqva hypothesis on the Abkhaz not being an indigenous people experienced a renaissance during that period. Georgian nationalists used this assumption to try and justify depriving the Abkhazians of their autonomous rights and subordinating them to the Georgian population in Abkhazia.⁸

⁸ Schorkowitz: Postkommunismus, p.133.

Thirdly, the decline of the Union centre and its ultimate collapse, followed by a period of total absence of functioning state structures, gave free rein to unscrupulous actors who were able to reap the benefits of an extremely tense situation in which fears on both sides translated into radical nationalism, and could easily be mobilised and exploited. In Abkhazia, the Abkhazians and the Georgians vied with each other over the redistribution of power and benefits in the failing Soviet structures. In Georgia, various Georgian elite groups competed among themselves, and the Georgians competed with national minorities. As in other parts of the ailing Soviet Union, increasing intra-elite and inter-ethnic tensions and the rush to grab opportunities in the Soviet and early post-Soviet shadow economy became closely intertwined in a vicious circle of violence.⁹

This explosive mix led to three wars in Georgia between 1992 and 1994.¹⁰ The war in Abkhazia (August 1992-October 1993) was by far the bloodiest of them, leaving 10,000 dead, of which at least three quarters were civilians. Almost the entire Georgian population, between 200,000 and 250,000 people, had to leave Abkhazia. The Abkhazia war started as an offshoot of the Georgian war when the Georgian National Guard under Tengiz Kitovani invaded Abkhazia on 14 August 1992 under the pretext of hunting down followers of the ousted President Gamsakhurdia. After an initial display of superiority by the Georgian troops, the Abkhaz side, thanks to massive Russian support, emerged victorious in the war. The acute phase of the conflict finally ended with the 'Moscow Agreement on a Ceasefire and the Separation of Forces' on May 14, 1994. The parties to the conflict agreed on the establishment of a Security Zone and a Restricted Weapons Zone along the Georgian-Abkhaz administrative border. The Agreement also provided for the deployment of a Commonwealth of Independent States' Peacekeeping Force (CISPKF) in order to monitor both conflict parties' compliance

⁹ Zürcher, Christoph: *The Post-Soviet War. Rebellion, Ethnic Conflict, and Nationhood in the South Caucasus*. New York and London: New York University Press 2007, p. 9.

¹⁰ The Georgian-South Ossetian war 1992, the Georgian-Abkhaz war 1992-1993, and the civil war between supporters of the first Georgian President Zviad Gamsakhurdia and his main adversaries, Tengiz Kitovani, head of the National Guard, Jaba Ioseliani, leader of the paramilitary group Mkhedrioni, in 1992.

with the agreement. The UN Mission to Georgia, which had been established already in 1993, was tasked with monitoring the activities of the CISPKF.

Growing apart

If the Abkhaz and the Georgian communities had already lived separate lives during Soviet times, the war and the expulsion of the Georgian population from Abkhazia sealed the rift. Developments in the 14 years between the conclusion of the Moscow Agreement and the Russian recognition of Abkhazia's independence both in Georgia and Abkhazia, but also in the regional and international context of the conflict, systematically deepened the gap between Georgia and Abkhazia.

Georgia – from state failure to permanent revolution

During his years in power, Eduard Shevardnadze proved unable to restore the Georgian state. Neither the security sector, nor the economy or any other sector crucial to support functioning statehood was reformed during his rule. Corruption was endemic, and Shevardnadze, his family and his entourage were deeply involved in it. Shevardnadze's government never possessed the monopoly on the use of force in Georgia. Armed militias and paramilitary groups coexisted with a confusing and ever growing number of state security structures. Last but not least, the impoverished Georgian population became increasingly disillusioned, apathetic and distrustful of the state, while growing distance could be observed between Tbilisi and national minorities living in Georgia – not to speak of the breakaway territories. Centripetal forces were at work, everywhere and at all levels. Georgia was a failing state.¹¹

Georgian policy towards the conflicts during that period did not follow any strategy or goal except the principle of reintegration of the

¹¹ Lynch, Dov: Why Georgia Matters. EUISS Chaillot Paper, 86/2005, Paris: European Union Institute for Security Studies, p. 23.

breakaway regions into an asymmetric Georgian federation. Towards the end of the war and during the first years that followed Georgia succumbed to Russian pressure. In autumn 1993, trapped in a militarily hopeless situation, Shevardnadze had agreed to Georgian membership in the CIS, which changed Russian loyalties and paved the way for the Moscow Agreement.¹² In late 1994 Georgia officially supported Russia's invasion of Chechnya and accepted four Russian military bases on its territory. In 1996 Georgia achieved the imposition of CIS trade sanctions on Abkhazia, which isolated the breakaway territory from the rest of the region. The Georgian government did little to constrain paramilitary groups operating in western Georgia and across the administrative border, presuming that any kind of pressure on the *de facto* authorities in Abkhazia would work in Georgia's favour. Apart from this, however, no conceptual thinking took place on how to create conditions that would allow for a peaceful coexistence of Georgians and Abkhazians in a unified state.

The Rose Revolution radically changed the Georgian approach towards both Abkhazia and South Ossetia. The new administration's policy was underpinned by the wish to reform the Georgian state and pursue its Euro-Atlantic integration. The restoration of Georgia's territorial integration through the reintegration of Abkhazia, South Ossetia and Ajaria was considered a precondition for both these goals.

In concrete terms, the new government launched an ambitious reform programme aiming at the restoration of the Georgian state, focussing on the rule of law, political and institutional reforms, restoring central power across the country, economic reforms and security sector reforms.¹³ It achieved considerable successes during the first years of its rule, particularly regarding the economy. However, deficiencies remained in many areas of the political system. There has been no proper division of power, and the government has shown little appetite

¹² Gordadze, Thornike: Georgian-Russian Relations in the 1990s. In: Cornell, Svante/Starr, Frederick (Ed.): *The Guns of August 2008. Russia's War in Georgia*. New York and London: M.E. Sharpe, pp. 28-48, at pp. 34-38.

¹³ Lynch: *Why Georgia*, p. 26.

for installing a functioning system of checks and balances between the executive, the legislative and the judiciary. Domestic tensions flared up and culminated in the unfortunate events on 7 November 2007.

President Mikhail Saakashvili also moved swiftly to orient the country's foreign policy towards the West. The Shevardnadze administration had cultivated a pro-Western rhetoric, but this had not been matched by much in terms of concrete policy. The new Georgian leadership set out to firmly anchor Georgia in Euro-Atlantic international structures. Close relations with the EU and NATO, and a strategic alliance with the US rose to the top of Georgia's new foreign policy agenda. The country quickly became one of the most active participants in the EU's European Neighbourhood Policy. Even more important from a Georgian perspective, however, was quick *rapprochement* with NATO, which Tbilisi hoped to achieve with American support through a Membership Action Plan. Relations with Russia deteriorated at about the same speed with which Georgia pushed for closer relations with NATO and the EU. In autumn 2006 Russia imposed economic sanctions against Georgia. The two Presidents traded verbal insults on a regular basis. In fact, the very strained personal relationship between Georgian President Saakashvili and former Russian President Putin should not be underestimated as a factor determining Georgian-Russian relations.

The unification of Georgia through the restoration of its territorial integrity became the single most important goal driving the policy of the new Georgian administration. President Saakashvili made the quick reintegration of the unrecognised entities his personal historical mission. Several features characterised the newly activated Georgian policy towards the breakaway territories.

1) The new Georgian approach was based on the idea of reunifying the country for the sake of the Georgian nation. Hence, it was a nationalist approach by its very nature which is problematic from the perspective of national minorities in a multi-ethnic country.¹⁴

¹⁴ Lynch: Why Georgia, p. 32.

2) Georgian policy addressed Russia as the main adversary in the conflict. When looking at public statements by President Saakashvili and other government officials throughout the whole period since the Rose Revolution, they focussed almost exclusively on Russia as the main driving force behind the conflict. The *de facto* authorities in Sukhumi were ignored or disqualified as a bunch of criminals with whom Tbilisi was not prepared to negotiate. Just as in Soviet times, the dispute with Abkhazia was conducted via Moscow, and not directly with the Abkhazians.

3) Georgia actively pushed for a change of the peacekeeping format in place since the 1994 Moscow Agreement. The government's campaign to internationalise the peacekeeping force along the Abkhaz-Georgian border was based on the conviction that Moscow was a party to the conflict, and the CISPKF, staffed exclusively by the Russian Army, was not a neutral peacekeeping force. Georgian officials also regularly criticised the UN Mission to Georgia and the Group of Friends for their inefficiency and called for the involvement of new actors in the negotiation process. The ultimate aim of these claims was to strengthen the influence of actors close to Georgia and to counterbalance Russian predominance.

Abkhazia

Abkhazia may have managed to avoid reintegration with Georgia through the war in 1992/1993, but the price it had to pay was immense. The war had left its infrastructure and economy destroyed and its lands devastated. Economic and trade sanctions undermined any sustainable economic development for more than a decade. The majority of the Abkhaz population remained without employment, and suffered from total isolation from the outside world.¹⁵

¹⁵ Jonathan Cohen: Incentive or Obstacle. In: Accord: A question of sovereignty. The Georgia-Abkhazia peace process. London: Conciliation Resources 1999, p. 34.
International Crisis Group: Abkhazia Today, Europe Report 176/2006, Brussels: International Crisis Group 2006, pp.15-19.

Abkhazia set out to establish state institutions in the course of the 1990s. A constitution was adopted in 1994, and parliamentary elections took place in 1996. In October 1999 a referendum adopting the constitution of Abkhazia as a sovereign state passed with an overwhelming majority.¹⁶

Meanwhile, despite its official adherence to the CIS sanctions and to the recognition of Georgia's territorial integrity Moscow's political and economic influence increased steadily. Clandestine and illegal economic interaction across the Abkhaz-Russian border was the only source of income for ordinary people, and the only way to gain benefits for elites in Abkhazia. Moscow's decision to offer people in Abkhazia Russian citizenship and lift travel restrictions at the beginning of this decade aimed at increasing the region's dependence as well as putting pressure on Tbilisi. When assessing the situation, however, the humanitarian dimension of Abkhazia's isolation should be taken into account. From the point of view of ordinary people in Abkhazia, there was no other alternative but to accept Russian support. Constant Western criticism towards Russia in this respect was perceived in Abkhazia as ignoring the economic hardship inflicted by isolation.

Nevertheless disagreements occurred between Sukhumi and Moscow. The dispute over the Presidential elections in Abkhazia in October 2004 stands out in this respect. Moscow was not able to push through its favoured candidate, Prime Minister Raul Khadjimba, who would have guaranteed (even more) continuity in Abkhaz politics after the resignation of Vladislav Ardzinba. Instead, Russia had to reluctantly accept a new poll and the eventual victory of Sergey Bagapsh.¹⁷ The new Abkhaz leadership tried to pursue a more independent political line. Close relations with Russia remained the centrepiece of Abkhaz strategy. At the same time, however, Sukhumi proclaimed a 'multi-vector foreign policy', aiming at establishing relations with other external actors, notably the European Union.

¹⁶ International Crisis Group: Abkhazia: Ways Forward, Europe Report 279/2007, Brussels: International Crisis Group 2007, p. 9.

¹⁷ International Crisis Group: Abkhazia Today, pp. 11-13.

Polarisation of the international context

The number of international actors formally and informally involved in the conflict resolution process in Abkhazia grew steadily throughout the years. Russia was the first external player to facilitate meetings between the parties to the conflict in 1992. At the same time, however, Russia played a highly ambivalent role in the conflict, lending support first to Abkhazia and later, after Georgia's accession to the CIS, to Georgia. Later on, Moscow kept using the unresolved conflicts in Abkhazia and South Ossetia as a lever against Georgia. Hence, Russia never was a neutral broker between the parties, but got deeply involved in the conflict from the outset and pursued its own interests which were not aimed at the resolution of the conflict, but rather at its preservation to put pressure on Tbilisi.

The United Nations and the OSCE were the next international actors to appear on the stage. Both were involved in the first international mediation efforts in the conflict. A first ceasefire agreement concluded in Sochi in July 1993 provided for the deployment of international observers and peacekeepers under the aegis of the UN. The ceasefire collapsed only two months later, but the United Nations Observer Mission in Georgia (UNOMIG) stayed. A year later its mandate was expanded to observe the activities of the CISP KF along the Georgian-Abkhaz border.

In 1997 the 'Group of Friends of the Secretary General' for Georgia entered the scene when the then Special Representative for the Secretary General (SRSRG) Liviu Bota initiated the so called 'Geneva Process'. France, Germany, the UK, the US and Russia acted as facilitators for the Georgian-Abkhaz Coordination Council and its three working groups (on security, IDPs and refugees, and social and economic issues). Hence, by the end of the 1990s, Russia, the US and three big EU Member States were involved in the official negotiation format.

Between 1997 and the beginning of this decade this seemed to be a promising constellation for the achievement of an internationally negotiated and guaranteed settlement. And indeed the Geneva Process

introduced some dynamic into the negotiations on the Georgian-Abkhaz conflict. After 2002/2003, however, relations between the international brokers became increasingly strained, which had a very detrimental effect on the conflict resolution process. It is not the purpose of this chapter to elaborate on the development of relations between Russia and the US or Russia and the EU. It is important to state, however, that the polarisation of the relationship between Georgia and Abkhazia and the increasing polarisation of the international context of the conflict have been simultaneous and mutually reinforcing since the beginning of this decade.

As outlined above the new Georgian leadership considered Moscow a party to the conflict and occupier.¹⁸ On the other hand, closer military cooperation between Tbilisi and Washington and American support for Georgia's NATO ambitions transformed the image of the US in Abkhazia into that of a protecting power of Georgia.¹⁹ Deteriorating Russian-American relations and increasing competition for influence in the whole post-Soviet space reinforced the polarisation of the Georgian-Abkhaz conflict.

When the EU cautiously increased its engagement in the conflict, it did so by strengthening its relations with Georgia, first through the nomination of an EUSR for the South Caucasus and later through its European Neighbourhood Policy.²⁰ The new Abkhaz leadership expressed interest in contacts with the EU. At the same time, however, the quick *rapprochement* between Georgia and the EU was observed with great suspicion. The fact that the EU quickly became the most

¹⁸ Interviews with government officials and experts in Tbilisi, January, May and July 2008.

¹⁹ Interviews with representatives of the *de facto* authorities and experts in Sukhumi, January, May and July 2008.

²⁰ Lynch, Dov: The EU: towards a strategy. In: Lynch, Dov (Ed.): The South Caucasus: a challenge for the EU. EUISS Chaillot Papers 65/2003, pp. 171-196, at p. 171. The EC has had a delegation in Tbilisi since 1995, and Georgia concluded a Partnership and Cooperation Agreement with the EU in 1999, but it was only with the debates on the ENP that Georgia and the other two South Caucasian Republics became a focus of EU policy.

important donor of external assistance to Abkhazia was insufficient to meet Abkhaz concerns, because EU aid went through Tbilisi and was targeted at strengthening ties between Georgians and Abkhazians.²¹ The EU's economic assistance could not compensate for the political and symbolic deficiencies of EU policy as seen from an Abkhaz perspective. Before decision makers in Brussels even realised it, the EU became part of the polarised international environment of the Georgian-Abkhaz conflict, which negatively affected the potential for mediation it had enjoyed when it first entered the stage. Once again, developments around the conflict and increasing tensions in bilateral relations between Russia and the EU overlapped and reinforced one another.

The failure of conflict transformation

Irreconcilable positions

Throughout the 1990s, negotiations on the Georgian-Abkhaz conflict were characterised by two basic positions: Georgia insisted on territorial integrity and on an asymmetric federation with broad – though never really specified – autonomy rights for Abkhazia and other regions. Abkhazia, on the other hand, was not prepared to go beyond a two-tier confederation guaranteeing sovereign rights to Sukhumi. By the end of the 1990s, and particularly after the Abkhaz referendum in October 1999, however, Abkhaz demands for independence had become firmer and, finally, irrevocable. During the same period, ideas on an associate status with Russia had occasionally surfaced in the Abkhaz political debate. The international debate around Kosovo, growing Western support for Kosovo's independence and Russian statements about its possible implications for other unresolved conflicts had strengthened

²¹ ICG: Abkhazia Today, p. 16. Abkhaz NGOs repeatedly refused to cooperate with the European Commission Delegation in Tbilisi because this cooperation was linked to the final goal of the reunification of Georgia and ran under the umbrella of EU-Georgian cooperation in the framework of ENP. Interviews in Tbilisi and Sukhumi, January, May and July 2008.

Sukhumi's self-confidence and hardened its position *vis-à-vis* Georgia and the other international negotiators.

In May and June 2006 Abkhazia and Georgia published suggestions as to the solution of the conflict. These two papers show how far positions had grown apart since the mid- 1990s, when negotiations circled around the organisation of a federal solution.

The Abkhaz 'Key to the Future' paper made a peace agreement between two sovereign states and Georgian and international guarantees on the non-resumption of force a pre-condition for negotiations.²² It called on Georgia to apologise for its 'policy of assimilation, war and isolation', lift the economic and information blockade and initiate the recognition of Abkhazia's independence to overcome barriers to peaceful relations and regional cooperation. The paper presented these unilateral steps as a precondition for any further negotiation. IDP return was made conditional upon the verification of the actual number of IDPs from Abkhazia in Georgia under the auspices of the UNHCR. The wording in the paper suggested that return should be limited to the Gali region.

The order of priorities of the Georgian peace plan for Abkhazia was the exact opposite: the proposal insisted on Georgia's territorial integrity in internationally recognised borders, albeit granting Abkhazia broad internal sovereignty based on the principles of federalism.²³ In its second point, the proposal demanded the organised return of all internally displaced persons 'in safety and dignity without any preconditions'. The third point affirmed that Georgia was ready to commit itself to the non-resumption of hostilities and the peaceful resolution of the conflict. However, no legally binding agreement was mentioned.

²² Predlozhenie Abkhazkoy Storony o Vseob'emlyushchem Uregulirovaniem Gruzinsko-Abkhazkogo Konflikta 'Klyuch k Budushemu'. (Suggestion of the Abkhaz side regarding the comprehensive resolution of the Georgian-Abkhaz conflict 'Key to the Future' - Website of the *de facto* President of the Republic of Abkhazia. <www.abkhaziagov.org>.

²³ Tbilisi Unveils Principles of Abkhazia Peace Plan. Civil Georgia, 9 June 2006. <www.civil.ge>.

The two papers starkly illustrate the deadlock between the parties to the conflict: the Abkhaz side refused to accept negotiations underpinned by the principle of Georgia's territorial integrity and, for fear of its demographic implications, made talks about the return of IDPs conditional upon the recognition of its sovereignty. Tbilisi, on the other hand, was not prepared to enter any negotiations on the status of Abkhazia because this would have implied its departure from the principle of territorial integrity.

Regarding the involvement of external actors, the gap between the Georgian and the Abkhaz positions grew wider as well. The fact that Sukhumi saw Russia as its main security guarantor exponentially increased Georgian concerns and fears. Consequently, Tbilisi questioned the CIS/Russian peacekeeping mandate. With its demands for the internationalisation of the peacekeeping forces and the negotiation format, as well as closer relations with the US, NATO, and partly also the EU, Georgia tried to gain security guarantees and counterbalance Russia's influence in the conflict resolution process. From an Abkhaz perspective, on the other hand, these measures looked like part of an increasingly aggressive Georgian policy aiming at the unconditional reintegration of Abkhazia into the Georgian state. Consequently, Sukhumi strictly opposed the internationalisation of the CISPKF as well as a change of the negotiation format.

Given the now firmly entrenched separation between the two communities and the tense international context of the conflict, the few small windows of opportunity such as the publication of the two peace plans in spring 2006 were not enough for the actors to break through this vicious circle.

Negotiations – but no transformation

After the negotiation of the Moscow Agreement in 1994 the next phase of active negotiations on the Georgian-Abkhazian conflict started with the launch of the Geneva Process and lasted until the talks on the Boden Document.²⁴ Talks in the framework of the Geneva Process focussed on security and the non-resumption of hostilities, IDPs and refugees, and social and economic issues. Negotiations unfolded on two tracks: a series of meetings at different venues involved a wide range of political, economic and cultural actors from both sides of the conflict line.²⁵ In parallel to this, the Coordination Council and its three working groups mentioned above proceeded in their work. The overall atmosphere was characterised by the parties' willingness to work for conflict settlement. The Boden Paper suggested a federal solution granting Abkhazia sovereignty within the Georgian state. The initiative aimed at forging a consensus among the Friends first – and stalled over Abkhazia's refusal after the Georgian side had already accepted it as a basis for negotiations.²⁶ The failure of the Boden initiative marked a turning point and the beginning of a new period of deadlock in the UN-led negotiations. The bilateral Sochi Agreement between Moscow and Tbilisi in 2003 appeared to be an important step forward. Putin and Shevardnadze agreed on the establishment of working groups on refugees and IDPs, the prospective creation of a tripartite police force and administration in Gali, the restoration of the Sochi-Tbilisi railway

²⁴ This is only a very rough overview of the international processes on the Georgian-Abkhaz conflict. For more detailed analysis see MacFarlane, Neil: *The role of the UN. In: Accord: A question of sovereignty. The Georgia-Abkhazia peace process.* London: Conciliation Resources 1999, pp. 36-41. Coppieters: *The Georgian-Abkhaz conflict.* Oliver Wolleh: *Difficult Encounter.*

²⁵ The Athens meeting in 1998 (weapons reduction, IDPs, joint investigation mechanism in security zone), the Istanbul Meeting in 1999 (IDPs) and the Yalta Meeting with the Yalta Declaration in 2001 (security issues). For a collection of the most important documents of the Geneva Process see *Accord: A question of sovereignty. The Georgia-Abkhazia peace process.* London: Conciliation Resources 1999.

²⁶ ICG: *Abkhazia: Ways Forward*, p. 9.

and other infrastructure and economy-related projects.²⁷ The Georgian government for the first time conceded that economic rehabilitation measures could be implemented before a political settlement of the conflict. However, the Sochi Process did not lead to a significant improvement of the *status quo*. Disappointment over its selective implementation prompted Georgia to reconsider its commitment. After the Rose Revolution, and with tensions mounting between Georgia and Russia, the Sochi Process came to a standstill.

Negotiations were accompanied by recurrent violent clashes along the Georgian-Abkhaz border. The focal points of these incidents were the Gali district, where the situation deteriorated rapidly in 1998, and the Kodori Gorge, where clashes between Georgian/Chechen and Abkhaz troops took place in 2001, and again in 2006. Moscow's decision to grant Russian citizenship to inhabitants of Abkhazia heightened tensions. When both sides put forward their respective peace proposals in 2006, the situation was already at a very low point, and, as outlined above, the positions of the parties to the conflict did not indicate any *rapprochement*. The Georgian incursion into Kodori finally interrupted the Geneva Process shortly before the escalation of events in August 2008.

Conclusion

The ultimate trigger of this escalation was Kosovo's declaration of independence, which had direct repercussions on the unresolved conflicts in Georgia. As part of its 'asymmetric response' Russia unilaterally withdrew from the sanctions regime against Abkhazia and South Ossetia, set about legalising relations with the two entities and moved in more troops. In Georgia this was perceived as the acceleration of Moscow's 'creeping annexation' of the two entities. Tbilisi's reaction fluctuated between heightened nationalist rhetoric, the strengthening of

²⁷ Debates focused on economic rehabilitation (railway, investment in Inguri Power Station), the extension of the CISPKF mandate, tripartite police force in Gali for safe return of IDPs. Coppieters: Georgian-Abkhaz Conflict.

Georgia's bid to obtain a NATO Membership Action Plan (MAP), and diplomatic attempts to defuse tensions along the conflict lines. In late March, President Saakashvili put forward a new peace proposal, which was quickly dismissed by the Abkhaz side.

All this was underpinned by the total failure of conflict transformation. Political elites on both sides of the conflict line over the past 15 years never seriously questioned their roles and responsibilities in the conflict, nor did they soften their positions regarding the way to its resolution. On the contrary, relations between the parties to the conflict became increasingly polarised. Georgia's attitude radicalised after the Rose Revolution and alternated between peace proposals and aggressive nationalist statements. Sukhumi, too, hardened its position, relied totally on Russian protection and hardly took any initiatives of its own. Last but not least, the polarisation of the international context undermined joint efforts to find solutions and deepened the gap between the conflict parties. Under such conditions none of the actors involved could prevent the situation from spiralling out of control in August 2008. Alas, the post-August 2008 *status quo* is even more rigid and less open to conflict transformation.

Missed Windows of Opportunity in the Georgian-South Ossetian Conflict – The Political Agenda of the Post-Revolutionary Saakashvili Government (2004-2006)

Doris Vogl

Summary

This essay focuses on the performance of the Georgian side as main actor in the Georgian-South Ossetian conflict and identifies windows of opportunities that the Georgian central authorities did not seize during the first two years of the first incumbency of President Mikhail Saakashvili. The text refers mainly to comments and background analyses of Georgian experts in order to avoid a possible Western bias. The final part of the text elaborates on the question, whether or not some of the missed opportunities could be reanimated in the context of the current post-conflict situation.

Introduction

Learning from history implies the search for missed opportunities. Conflicts erupt in a context of wrong decisions, omissions and misinterpretations. The history of the Georgian- South Ossetian conflict¹

¹ A precedent to the later Georgian-South Ossetian conflict can be traced back to early Soviet times, when Ossetian clans joined the Russian Soviet Republic in 1918, refusing to become part of the newly-created Democratic Republic of Georgia (1918-1921). In response, Georgia launched several punitive expeditions into Ossetia. The existing historical frictions deteriorated in the winter of 1989-1990 after the South Ossetian Autonomous Region declared on 10 November 1989 separation from the Georgian SSR and unification with the North Ossetian Autonomous SSR in response to nationalist policies of the then Tbilisi leadership. Uncontrolled military actions continued for three months and were stopped by the Soviet Army. During the

is riddled with human errors. The current international discourse on the reasons and factors of the five-day war of August 2008 focuses primarily on political developments shortly before the outbreak of the far-reaching violent conflict. The following text concentrates on the years 2004 to 2006 to trace various missed windows of opportunity for a durable peace-building process. During this period, the newly elected Saakashvili government emerged as driving force in the ongoing negotiation process and was in the favourable position to create a new framework for the political settlement of the Georgian-South Ossetian conflict. In this context, the essay elaborates on the main features and shortfalls of the peace agenda, put forward by the post-revolutionary Georgian government.²

Retrospective on the Shevardnadze era

Already during the era of the Georgian President Eduard Shevardnadze (1992 – 2003), the Georgian-Ossetian conflict was perceived by international observers as “frozen”. Despite a full decade of political stalemate climate with the occasional exchange of harsh official

presidency of Zviad Gamsakhurdia (1990-1991), Tbilisi toughened its "*Georgia for Georgians*" policy and attempted to solve "*the Ossetian Problem*" militarily. On 9 December 1990, the Supreme Soviet of Georgia abolished the South Ossetian Autonomous Region and declared a state of emergency.

An offensive of the Georgian Interior Ministry troops, which started on 6 January 1991, resulted in an escalation of the conflict, during which thousands of Ossetians and Georgians were killed or wounded. On 20 January 1991, the Georgian units, having encountered tough resistance, left Tskhinvali. On 22 May 1992, the Supreme Soviet of South Ossetia adopted an Act of State Independence. The conflict remained frozen under president Shevardnadze after signing of the Dagomys Accords in Sochi, on 14 June 1992. In consequence to the Accords, the stationing of Russian, Georgian and Ossetian peacekeepers as tripartite peacekeeping force was agreed upon.

² On 22 November 2003 massive anti-governmental street protests connected to election results falsification during parliamentary elections of 2 November 2003 led to the forced interruption of the constituting parliamentary session by opposition members (entering the building with roses in their hands) and the resignation of President Shevardnadze on 23 November 2003. Those events are referred to as the “Rose Revolution”. New Parliamentary elections were held on 28 March 2004, with a large majority won by the Saakashvili-supporting National Movement - Democrats.

statements, all sides involved adhered to existing dialogue mechanisms to avoid further complication of the status quo.³ It might be argued that the situation remained stable during the governance of President Shevardnadze due to the effective mechanism of the quadripartite Joint Control Commission (JCC)⁴, which was initiated in 1994, on the one hand and the Georgian-Ossetian treaty, signed in 1996 on the non-use of force, on the other hand. Yet on closer examination, a well-balanced “tit for tat” policy among the conflict stakeholders outside the established framework of international conflict resolution mechanisms appears as the overarching stabilisation factor. To put it more precisely: Georgian authorities, Tskhinvali de-facto authorities together with representatives of the Russian Federation were relying on well-functioning unofficial communication channels related to common “grey economy” activities⁵ – i.e. large-volume cross-border trading – until the fall of the Shevardnadze government. Against this background, the cultivation of a

³ Heinrich, Hans-Georg: OSCE Conflict Management in Georgia: The Political Context. In: Institute for Peace Research and Security Policy at the University of Hamburg (Ed.): OSCE Yearbook 2001. Baden-Baden 2001, pp. 211-215.

⁴ The Joint Control Commission (JCC) was set up as a result of the Dagomys Accords of June 1992. The JCC included Georgian, Russian, North Ossetian and South Ossetian representatives. Under JCC mandate the Joint Peacekeeping Forces (JPKF) with Georgian, Russian and Ossetian soldiers was established, limited to 500 soldiers from each entity.

⁵ Regulatory economic procedures like tax and customs were administered in a way that allowed officials to extract illicit payments from private enterprises and individuals. Border-crossing commerce was regarded as being riddled with corruption. See: Papava, Vladimir/ Kaduri, Nodar: On the Shadow Political Economy of the Post-Communist Transformation. In: Problems of Economic Transition 40(6)/1997, pp.15-34.

Darchiashvili, David/ Tevzadze, Gigi: Ethnic Conflicts and Breakaway Regions in Georgia. Discussion Paper 9, International Institute for Democracy and Electoral Assistance. Stockholm 2003.

Chkhartishvili, David/ Gotsiridze, Roman/ Kitsmarishvili, Bessarion: Georgia: Conflict Regions and Economics. In: Champain, Phil/ Klein, Diana/ Mirimanova, Natalia (Eds.): From War Economies to Peace Economies, International Alert. London 2004, pp. 120-157.

Kukhianidze, Alexandre/ Kupatadze, Alexander/ Gotsiridze/ Roman: Smuggling Through Abkhazia and Tskhinvali Region of Georgia (American University Transnational Crime and Corruption Centre, Georgia Office). Tbilisi 2004.

“hidden” common agenda proved to be fertile soil for a general climate of mutual trust.

The First Missed Window of Opportunity: Trust Building Measures

Within four months after the presidential elections in January 2004⁶, after Mikhail Saakashvili assumed office, the newly installed Georgian government succeeded in regaining control over Adjara, one of the breakaway regions in West Georgia.⁷

In early May 2004, Tskhinvali followed the ousting of Aslan Abashidze, the local potentate of Adjara, with utmost concern, since a continuation of Tbilisi’s ambitious territorial restoration policy seemed likely. Despite high-level Georgian-Ossetian meetings⁸ and a public statement of President Saakashvili, offering autonomy to South Ossetia within a federal state⁹, the general perception on the South Ossetian side was that Tbilisi was going to apply the “Adjara scenario” to South Ossetia.

⁶ On 4 January 2004, Mikhail Saakashvili won an overwhelming victory in the Georgian Presidential election and was inaugurated as President of Georgia on 25 January 2004. With a voter turnout of 86,2% Saakashvili received 96,3% of the votes cast. As in previous elections no polling took place in Abkhazia or South Ossetia.

⁷ Mikhail Saakashvili was refused entry into Adjara to campaign for the regional presidential elections on 28 March 2004. In response Saakashvili put the Georgian armed forces on alert. On 2 May 2004 Adjarian leader Aslan Abashidze ordered the demolition of two bridges linking Adjara with the rest of Georgia. In response Georgian authorities gave the province ten days to disarm its militias. On 4 May 2004, Adjarian security forces broke up protests against Aslan Abashidze in Batumi, the capital of Adjara. The following day, street protests intensified, Abashidze resigned and left Adjara, flying to Moscow with his family.

⁸ According to the testimony of Erosi Kitsmarishvili before a Georgian parliamentary commission on 25 November 2008, Irakli Okruashvili – appointed as Interior Minister on 10 June 2004 – was engaged in informal direct talks with Eduard Kokoity between May and August. 14-16 July 2004, Georgian Minister for Conflict Resolution, Giorgi Khaindrava, met with representatives from North Ossetia and South Ossetia in the framework of the JCC in Moscow.

⁹ On 26 May 2004, President Mikhail Saakashvili outlined in a presidential statement his commitment to discuss a solution based on a federal state granting South Ossetia

At this point, trust building measures would have been of decisive importance for any further developments in the Georgian-South Ossetian peace-building process, creating sort of an introductory blue print for the newly installed government. In this regard, the new government was in the rather privileged position to start from a partly “*tabula rasa*” situation since Moscow initially showed itself open for a new agenda.¹⁰

As a matter of fact, the new Georgian leadership did not meet the challenge to lessen fears on the Ossetian side and to create a durable negotiation basis with Russia. Another shortcoming was the lack of “patience” at the negotiation level, as the young Saakashvili team did not pay appropriate attention to the necessity of displaying diplomatic continence vis-a-vis its Ossetian opponent. The position of Tskhinvali’s leadership in regard to the political status of the breakaway region had not changed for more than one decade. Therefore, any assumption that South Ossetia would quickly drop its aspirations for sovereignty in favour of a federal state solution was unrealistic.

autonomy status within a sovereign Georgian state. In response, South Ossetian Foreign Minister Murad Djioev declared that South Ossetia was a sovereign state and while the Tskhinvali leadership was ready for talks on resolving the conflict it should not lead to the creation of a unified state.

¹⁰ “In February 2004 in a capacity of the Georgian President’s special envoy I [Erosi Kitsmarishvili] was sent to Moscow to organize the first meeting between President Saakashvili and then Russian President Vladimir Putin; ...The first thing Russians told us was that they were starting relations with the new authorities in Tbilisi with an empty paper, because it was a totally new government, which came into power through the peaceful revolution; so Russians were telling us that they wanted to build formats for resolving those problems, which existed between the two countries for years”.

See: Civil Georgia Online: Ex-Envoy’s Hearing at War Commission Ends in Brawl (25 November 2008). <<http://www.civil.ge/eng/article.php?id=20026>>, accessed on 30 April 2009.

On Russian position see also:

Champain, Phil/ Klein, Diana/ Mirimanova, Natalia (Ed.): From War Economies to Peace Economies in the South Caucasus. International Alert. London 2004.

Starting with 31 May 2004, the Saakashvili government engaged in a confrontational strategy vis-a-vis Tskhinvali and Moscow¹¹, which reached its climax in August and September. It was not before late September 2004 that first substantial trust-building efforts were initiated from the Georgian side. Yet, the once open window of opportunity was already closed. The unexpected and sudden crack-down on black market commerce, starting in May 2004 together with the mobilisation of Georgian special forces had left traces in the collective consciousness of the South Ossetian population and significantly lessened the effect of any trust-building efforts, which were later initiated by Tbilisi.

In regard to the uncompromising performance of the Saakashvili government shortly after the fall of Abashidze, critical observers point in the first place at the lack of governance experience of the newly installed political leadership:

“One of the flaws of the new authorities is that they continue to use the revolutionary style and apply the principles of revolutionary expedience in solving the problems (...)In the case of Adjara, the revolutionary style worked, but later, continued use of this style created serious problems in terms of governance and administration. The activities which were conducted informally, behind closed doors, which neglected the law and prompted the misuse of power by officials ended in a serious failure, for example, in breakaway South Ossetia. We can openly say that the government’s campaign failed in South Ossetia”¹².

¹¹ On 31 May 2004 Georgia deployed 300 Interior Ministry troops to the Georgian populated village Tkviavi in South Ossetia following an alleged threat from the commander of the Russian contingent of the three nation peacekeeping force. On the same day, an “Anti Smuggling Operation” started and street blockades were erected at Nikozi, Tkviani, Pkvenisi and Eredvi villages.

On anti-smuggling operation see: Mirimanova, Natalia/ Klein, Diana (Eds.): Corruption and Conflict in the South Caucasus. International Alert. London 2006. The so-called “South Ossetian military campaign”, launched on 18/19 August 2004 with approximately 3 000 troops deployed ended in failure. According to the Georgian military expert Kakha Katsitadze, the campaign was not planned effectively.

¹² Civil Georgia Online: Interview with legal expert Davit Usupashvili (1 November 2004). <<http://www.civil.ge/eng/article.php?id=8231>>, accessed on 30 April 2009.

Even though some members of the new Saakashvili government team like Giga Bokeria, the Vice Foreign Minister of Georgia, have been aware at an relatively early stage that it was advisable to implement goodwill measures in regard to the South Ossetian issue¹³, the official rhetoric on the idea of trust-building remained focused only on the South Ossetian population and excluded the political leadership of the breakaway region.

In sharp contrast to previous Shevardnadze authorities, the new Saakashvili cabinet directed its efforts towards undermining the political standing of the South Ossetian de facto President Eduard Kokoity instead of pursuing dialogue.¹⁴

The Georgian observer, Archil Gegeshidze, offers the following explanation for the failure of this delayed as well as one-sided trust-building strategy:

“Current Georgian President Mikhail Saakashvili’s previous attempt in 2004 to break a twelve-year deadlock and take another step to restore Georgia’s territorial integrity by undermining the regime in Tskhinvali was misguided,

¹³ “We intend to strengthen our policy towards holding dialogue with the people. However it would be rather unrealistic to speak about particular dates now. The situation in the Tskhinvali region completely differs from that which was in Adjara. In Adjara, 99% of the population identify themselves with the Georgian state. Abashidze’s regime was the only problem existing in Adjara. Therefore, we did not need much campaigning among the local population there. ...As for South Ossetia, we have to convince our Ossetian compatriots of the goodwill of the Georgian authorities and the Georgian people; we have already made serious progress in this regard. At the same time, the civil society is significantly weak there, as compared with Adjara”. See: Civil Georgia Online: Q&A with MP Giga Bokeria over South Ossetia (26 July 2004). <<http://www.civil.ge/eng/article.php?id=7489&search=Q&A%20with%20MP%20Giga%20Bokeria%20over%20South%20Ossetia>>, accessed on 30 April 2009.

¹⁴ Ibid.: “Simultaneously, we are working towards establishing ties with those who serve in Kokoev’s administration. To be sure, among them are many persons who wish this regime to be changed. We work in this direction very actively and the results will become obvious very soon, however it will need some time. ...The fate of Eduard Kokoev depends only on him. However, I do not think that he will change his opinion regarding the current situation. Kokoev rejects any dialogue over the status of the breakaway region within the Georgian state. Hence, we have to talk with the Ossetian people by bypassing him; there are many people in his regime who wish to talk with us”.

ignoring the fact that only a comprehensive approach to conflict resolution will result in a sustainable peace.

The Georgian approach failed in large part because it was based on a limited analysis of the causes of the conflict. It falsely considered that South Ossetia's de facto president, Eduard Kokoity, had little democratic legitimacy or popular support and that the people would rapidly switch loyalties from Tskhinvali to Tbilisi"¹⁵.

When Mikhail Saakashvili presented the so-called "three-stage" peace plan on the settlement of the Georgian-Ossetian conflict at the 59th Session of the UN General Assembly on 21 September 2004, the South Ossetian leadership claimed not to have been consulted on the plan.¹⁶

Tskhinvali was more than reluctant to react in favour of the "three-stage" plan, which was presented in a revised and expanded form by President Saakashvili, speaking at the Parliamentary Assembly of the Council of Europe on 26 January 2005. The South Ossetian response came in late December 2005, after the first version of the peace plan was already drafted into a detailed "Action Plan", presented by the Georgian Prime Minister Zurab Noghaideli to the OSCE Permanent Council in Vienna in October 2005. According to the time schedule of this "Action Plan", a final political solution was envisaged by the end of 2006.

Kokoity's peace plan version rejected the idea of conflict settlement within the short period of one year, included all points, unveiled at the UN General Assembly in 2004 and coincided with Tbilisi's three-stages proposal, which called for demilitarization of the conflict zone, confidence-building and security guarantees during the first stage, social-economic rehabilitation at the second stage and a political settlement during the third stage. It should be mentioned at this point that the Ossetian initiative could only materialise with Moscow's explicit approval of Georgia's peace plan; Kokoity's request to absorb

¹⁵ Gegeshidze, Archil: Conflict in Georgia: Religion and Ethnicity. In: Kilpadi, Pamela (Ed.): Islam and Tolerance in Wider Europe, Open Society Institute. Budapest 2006, pp.62-69, citation p. 63.

¹⁶ The full text of the peace plan was posted on the official website of President Saakashvili in late March 2005 (<http://www.president.gov.ge>).

South Ossetia into the Russian Federation had been rejected by Moscow authorities on several occasions.

However, Russian officials, having been involved in the Georgian-South Ossetian peace process, indicated that during the second half of 2005, the Saakashvili government started to pressure for a comprehensive political settlement at an earlier stage than at “Stage Three”, as scheduled in the activity timeframe of the initial “three-stage” peace plan.¹⁷

In fact, such kind of substantial strategy change on the Georgian side towards settling the Ossetian issue proved to be continuous reason for a rather limited trust level and renewed armed tensions. At the beginning of the year 2006, the representatives of the Joint Control Commission were once again confronted with the danger of a renewed armed conflict like in summer 2004.

¹⁷ “The Georgian side understands that it is counterproductive to hold essential talks over political settlement without resolution of the issues of the first two stages”.

See: CAUCAZ.COM Breaking News: JCC to Discuss Kokoity’s Peace Proposals (25.12.2005). <http://www.caucaz.com/home_eng/depeches_detail_imprim.php?idp=482>, accessed on 30 April 2009.

“There’s no need to invent something new here. The approximate guidelines were voiced by President Saakashvili in September 2004 at the 59th UNGA Session, where he formulated a three-stage scheme for settlement: the economic and social rehabilitation of the conflict zone, its demilitarization and decriminalization and the determination of South Ossetia’s status. The three-stage principle received development in the counter-initiatives of Eduard Kokoity. In December 2005 the South Ossetian leader proposed that a working group be set up within the JCC to prepare a program of peaceful settlement based on this principle (demilitarization coupled with trust restoration and security guarantees; socioeconomic rehabilitation; political settlement). The working group was formed exactly two years ago and was ready to operate. But the Georgian side preferred to backpedal immediately”.

See: Interview with Yuri Popov, Russian Co-Chair of the JCC for Georgian-Ossetian Conflict Resolution. In: *Izvestia*, 28.5.2008.

The Second Missed Window of Opportunity: Ergneti Market

South Ossetia is connected through the Roki Tunnel¹⁸ with North Ossetia-Alania in the Russian Federation. Even before the Kazbegi-Verkhni Lars customs checkpoint along the Georgian Military Road was closed in June 2006, the constant heavy transport flow through the Roki tunnel connection was of high economic importance for the political leadership in Tskhinvali. During the Shevardnadze era, the de facto South Ossetian authorities had used tolls levied on tunnel traffic as one of their main sources of revenue and developed South Ossetia into a lucrative North-South trafficking conduit.

One of the main destinations for the smuggled goods from the Russian Federation was the Ergneti market, considered as the main trading point in the South Caucasus region.

For more than one decade the Ergneti market, located one kilometre south from Tskhinvali and 20 kilometres north from Gori (main town in Shida Kartli region), had served as a shipment hub for untaxed goods from Russia, mainly food and petrol. According to the estimate of Mikhail Kareli, governor of Shida Kartli region between 2004 and 2006, the illegal market reached its peak with an annual turnover of 120 million US dollars, with 80% of the trade conducted by Ossetians and the rest by Georgians.¹⁹ Against this backdrop, Tskhinvali was cut off from its economic lifeline, when the Georgian tax police department erected street blockades and deployed police staff in May 2004.

¹⁸ The tunnel, completed by the Soviet authorities in 1985, is one of the few routes that cross the North Caucasus Range. It is at about 2 000 meters altitude and 3 660 meters long, and near the Roki Pass at about 3 000 meters altitude, which can only be used in summer.

The Old Ossetian Military Road, which crosses at Mamison Pass from Georgia to North Ossetia is not passable for trucks and therefore negligent. In breakaway Abkhazia the Gantiadi-Adler crossing connects with the Russian Federation.

¹⁹ Vilanishvili, Nana: Smuggling Row hits Georgian Town (22 April 2005). <http://www.iwpr.net/?p=crs&s=f&o=239752&apc_state=henicrs200504>, accessed on 30 April 2009.

The introduction of a vigorous tax collection system was one of the economic policy pillars of the newly consolidated Saakashvili government. As a consequence, one of the first target groups for the newly introduced tax enforcement were local officials and businessmen in Gori, which were known to gain huge profits from Russian and Ossetian trade connections. In this context, the large-scale anti-smuggling operation of late May 2004 was not merely directed against South Ossetia and its leadership. A more detailed analysis reveals that at least two population segments on the Georgian side lost their income basis as a result of the closure of the Ergneti market: wealthy entrepreneurs in the transport and distribution sector together with rank and file citizens in the retail sale sector. Thousands of Gori residents and Hundreds of Tbilisi residents had made a living of frequently driving to Ergneti market and purchasing tax-free cigarettes, alcohol or food items in order to sell untaxed import goods on the street.²⁰

Further, it should not be overlooked that anti-smuggling initiatives also started to be carried out along the Armenian-Georgian border in Samtskhe-Javakheti region and at Georgian-Azerbaijani border check points in the Kvemo Kartli region. Insofar, the initiative along the South-Ossetian trading route was part of a country-wide conducted “anti-corruption” viz. “anti-contraband” campaign. This campaign was orchestrated by publications which portrayed the target regions like Abkhazia and South Ossetia as criminalised societies:

“The self-proclaimed republics created zones with high concentrations of weapons among the population, and first of all among criminals. Smuggling through Abkhazia and the Tskhinvali Region takes place in an atmosphere of rooted violence, innumerable assassinations, kidnappings, hostage takings, and numerous other serious crimes”²¹.

²⁰ A significant percentage of IDP households from the Abkhaz war 1992-93 derived their income from selling tax-free products in the streets of Tbilisi and other big towns, unable to integrate in limited local labour markets. One economic reform measure of the early Saakashvili government was the prohibition of street kiosks outside market areas. This policy aimed at gaining control over the urban retail commerce, but as a consequence deprived hundreds of Georgian households of their main income source.

²¹ Kukhianidze, Alexandre/ Kupatadze, Alexander/ Gotsiridze, Roman: Smuggling Through Abkhazia and Tskhinvali Region of Georgia. American University Transnational Crime and Corruption Centre, Georgia Office. Tbilisi 2004, p.6.

When the Georgian Prime Minister Zurab Zhvania and South Ossetian President Kokoity met on 5 November 2004 in Sochi to discuss ways to lessen ongoing tensions, the Georgian side refused to consider the withdrawal of the Financial Police from the Tskhinvali-Gori border region claiming that such a move would lead to the restoration of the Ergneti market. Yet, a few months later the establishment of “free economic zones” in South Ossetia was already added as a viable option to President Saakashvili’s peace plan, presented to the Council of Europe in January 2005.

In late 2006, a series of political scandals brought to light that large scale smuggling was a still ongoing phenomenon on the route between Vladikavkaz, Tskhinvali and Gori. The time-tested trafficking routes had been simply taken over by stakeholders of the new political elite.²² It then became public evidence that the Vladikavkaz-Tskhinvali-Gori trading route had developed its own specific networking dynamics, which were not to be stopped by occasional governmental campaigns or arrests. In other words, the broadly campaigned “anti-contraband” campaign of 2004-05 had failed in the South Ossetian case.

When identifying the Ergneti market as a missed window of opportunity, two reasons have to be highlighted: firstly Ergneti market had been a highly valuable venue for inter-ethnic encounter and Ossetian-Georgian co-operation at all levels; secondly the existing trading networks around Ergneti market could have served as a starting point for a future step-by-step integration into the legal national market.

As for the first, second-track diplomacy is frequently quoted as peace-building means against the scenario of frozen conflicts. In fact, the Ergneti market was a perfect example for well functioning people’s

²² “Local people say the smuggling is still going on, but that its nature has changed. The shops in Gori still openly sell duty-free cigarettes, butter, flour and other food products which are clearly contraband. As many smuggled goods are coming in as ever”, said Gori President Gaioz Tsereteli. “Only one thing has changed. Before, it was normal villagers who dealt in it, whereas now four or five influential people have taken over”.

See: Vilanishvili: Smuggling Row hits Georgian Town.

diplomacy in a situation, where the ruling elites had failed to reach a solution in their inter-state viz. intra-state conflict. Until the year 2004, the peace process was mainly sustained by creative energies of citizens from both sides, building on areas of convergence to improve daily life. Without doubt, the Ergneti market was the key area of convergence.²³ The newly installed Saakashvili team lost valuable time, before it came to realize the full importance of a market place, which brought the Ossetian and Georgian ethnicities closer together.

In regard to the second reason, the unique chance of gradually transforming the Ergneti market into a free economic zone had already vanished by 2005, as the venue had been closed in June 2004. The remaining alternative for later years boiled down to the possible reactivation of a dead market venue or the opening of a new market.²⁴ The creation of one or several free economic zones was addressed repeatedly in regard to the South Ossetian issue in the years 2005-2006. But in the following years this economic trust-building option was apparently dismissed by Saakashvili authorities.²⁵

Vladimer Papava, economic expert and senior fellow at the Georgian foundation for Strategic and International Studies (GFSIS) offers a clear hint, which considers that the current Georgian government might have stepped back from the initial idea of “free trading zones” in South Ossetia:

²³ The author of this text visited the Ergneti market several times (1999 -2002) and had the opportunity to observe the location. At that time, car traffic between Tskhinvali and Ergneti was hardly controlled at the South Ossetian administrative border check point.

²⁴ Wennmann, Achim: Renewed Armed Conflict in Georgia? Options for Peace Policy in a New Phase of Conflict Resolution. PSIO Occasional Paper 3/ 2006, Geneva.

²⁵ A presidential draft law on “Free Industrialized Zones” submitted to the Georgian parliament and approved in May 2007 named only Poti and Batumi harbour area. The draft included the provision that companies operating in such zones would be exempted from profit tax, property tax and VAT. Export from the zone or transport to other parts of Georgia would be custom-free.

See Civil Georgia Online: President Submits Draft Law on Free Economic Zone (1.5.2007).

<<http://www.civil.ge/eng/article.php?id=15046&search=President%20Submits%20Draft%20Law%20on%20Free%20Economic%20Zone>>, accessed on 30 April 2009.

“The following threats are anticipated: the operations carried out on these territories [free economic zones] will be less controllable by the central authorities. Regions with large numbers of ethnic minority population, which border with our neighboring states, will try to get involved in this process. A certain capital will start to flow there under the cover of western capital to carry out the interests of some of our neighboring states and naturally, this will not always be acceptable for us”²⁶.

Conclusion

To put the main conclusions of this essay in a nut-shell: State-building measures overshadowed trust-building measures between 2004 and 2006, and the already achieved high level of people’s diplomacy disintegrated under the impact of a faulty diplomacy of the political elites. During the rigorously implemented state-building process of the early Saakashvili government, the informal Georgian-Ossetian relations immediately lost momentum.

The question remains, whether or not some of the missed opportunities could be reanimated in the context of the current post-conflict situation. As for the first missed window of opportunity, only a newly elected Georgian government team would be in a position to launch a “goodwill” campaign vis-a-vis the South Ossetian leadership that might be well received.

Regarding the second missed window of opportunity, the undeniable spirit of economic pragmatism on the side of the South Ossetian leadership is going to heal the wounds of the recent war quickly. Nevertheless, the political status quo has changed significantly and therefore future negotiations on a “free trade market” or “free trade zones” along the Georgian-South Ossetian administrative border line will have to be conducted in an atmosphere of “inter-state” diplomacy. Drawing on last year’s developments, Tskhinvali will definitely not accept the labelling of such negotiations as an “intra-state” initiative.

²⁶ CAUCAZ.COM Breaking News: JCC to Discuss Kokoity’s Peace Proposals (25.12.2005). <http://www.caucaz.com/home_eng/depeches_detail_imprim.php?idp=482>, accessed on 30 April 2009.

The final recommendation refers again to the idea of people's diplomacy and is based on observations of Georgian as well as South Ossetian non-governmental organisations²⁷ over several years. In the Georgian-South Ossetian peace-building process until the year 2004 it was primarily the local population that launched common practical initiatives to improve living conditions, that was active in neighbourhood self-help initiatives or made a living on the inter-ethnic shadow market.

In contrast, the supposedly warning voice of civil society organisations of both conflict sides was hardly heard during the critical periods of violent clashes and armed interventions in 2004, 2006 and 2008. Georgian as well as South Ossetian NGOs did neither organise peace rallies, nor hold press conferences or organise any other public events, in order to foster Georgian-Ossetian peace-building and raise the voice against further conflict escalation. Most civil society organisations in Georgia are still located at elite level, partly affiliated with governmental institutions, rely on external funding and have not yet nested in the main sections of their society.

In this sense, it is recommendable for current international peace-building efforts in the region not to overestimate the role of local civil society organisations for the time being. Of course, the time will come when Georgian and South Ossetian NGOs will be effective implementing partners in reducing inter-ethnic tensions, calming dangerous conflict situations and changing public attitudes.

²⁷ Vogl, Doris: The Idea of Civil Society – The Cultural Limits of a Western Concept. The Cases of the Republic of Georgia and People's Republic of China. In: Central European Political Science Review 3(7)/ 2002, pp.62-69.

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Failures of the Conflict Transformation and Root Causes of the August War

Oksana Antonenko

The immediate effect of the August 2008 war between Georgia and Russia was that the prospect of a mutually agreed resolution of the Georgian-Abkhazian and the Georgian-South Ossetian conflicts has been pushed decades or even generations into the future. These conflicts, which have a long history and resulted in three major wars in the past two decades, have been supplanted by a new inter-state Georgian-Russian conflict, which added the degree of intractability to the conflict resolution process. It is hard to imagine that Abkhazia and South Ossetia – so far recognized as independent states only by Russia and Nicaragua – will have a chance to become full fledged members of the international community in the foreseeable future. Equally, it is hard to see any realistic change for these two entities to accept their de facto reintegration (or as some of them see integration) into Georgia. Therefore, these two conflicts have entered the period of major deadlock, the ultimate “frozen” state, in which conflict management, not conflict resolution could be the only plausible short and medium term objective.

Naturally, questions are being asked to what extent the August war was preventable and avoidable. The majority of experts agree that many predictions about the possible conflict escalation and impending Georgian-Russian confrontation were made in the months leading to the August outbreak of violence in South Ossetia. Equally many speculations persist on the theme of by whom, how and when the chain of events which led to the full scale armed conflict were provoked. The purpose of this paper, however, is not to offer yet another interpretation of the war chronology, but to look deeper into the events preceding conflict resolution (or conflict transformation to be more precise) efforts and to examine the root causes of why these have failed to progress over

the past 15 years and in particular in the years following Georgia's "Rose Revolution" when the international spotlight shone on Georgia and its conflict.

The perspective of this paper for such an analysis is twofold – first of all as an expert, who has been closely following developments in Georgia, Abkhazia and South Ossetia for many years and who spent many years in the region researching and interviewing key decision-makers and opinion formers. Secondly, the process will be looked at from the point of view of a practitioner who has been involved in a number of track-two (or Track One and a Half) processes between the Georgians and the Ossetians, and Georgians and the Abkhazians. Although in the analysis conclusions are drawn based mostly on own experience, much gratitude is owed to other organizations – such as Conciliation Resources, International Alert and others – who have been working for many years, and often under tremendous pressure, in order to develop and maintain a regular dialogue across the conflict divides.

The final caveat to this analysis is that definitions such as Georgia, Abkhazia and South Ossetia will be used without seeking to make any statement regarding their status, but only to identify de facto players and parties to inter-ethnic conflict in the South Caucasus. It will be acknowledged that Russia and Nicaragua recognize Abkhazia and South Ossetia as independent states, while the rest of the international community still recognize them as part of Georgia. Moreover, the definition such as president or government in Abkhazia and South Ossetia will be used not to assert their international legitimacy, but to define key actors and stakeholders who exercise de facto control over a particular territory and people residing there and who have been party to conflict resolution processes – both official and unofficial – in the period between the end of Georgian-South Ossetian and Georgian-Abkhazian conflicts of 1990s and until the August war. Finally, it is continuously believed that although Russia has provided significant support to Abkhazia and South Ossetia in the past five years and it has not behaved in an impartial manner in exercising its role as official mediator and peace-keeper, until the August war the conflicts remained essentially between Georgia and Abkhazia and Georgia and South Ossetia.

Moreover, these two conflicts, although closely linked by the role of Georgia and by geographic proximity have very different dynamics both internally within the conflict regions and externally in terms of the role played by all external mediators and parties. Communalities will be highlighted in the underlining failures of the peace processes in both cases, but due to limited scope of this study, will be unable to dwell considerably on differences, which need to be the subject of a bigger study.

Limitations of the Official Conflict Resolution Efforts

Much has been written about the pitfalls of defining the Georgian-Abkhazian and Georgian-South Ossetian conflicts as 'frozen'. On the one hand, this definition enshrines some degree of complacency on the part of both regional and international actors and wishful thinking, which was so clearly exposed in August, that these conflicts can be left indefinitely in the state of no peace no war.

On the other hand, the definition ignores very dynamic developments which were taking place both within the conflict regions – Abkhazia and South Ossetia – and within Georgia's political class and its international relations. All these changes had a direct and crucial impact on the peace process or the lack of thereof.

For example, the fact that a new generation of Abkhazians and to a lesser degree South Ossetians who grew up after the first wars of the 1990s has by now only a vague understanding of Georgia and has been raised with an only negative perception of the Georgian government as a security threat to their mini-nations causes a problem. Another example, is that over the past two decades of de facto independence of Abkhazia and South Ossetia these two entities, not recognized by any established states within the UN system, have established their de facto institutions of state, including presidency, parliaments and nascent civil society and sought to develop them even in the climate of non-recognition and isolation. Moreover some of these institutions have performed well or even better than those in the established states in the South Caucasus. It

is well-known that in Abkhazia the power transfer from (de facto) President Vladislav Ardzinba to (de facto) President Sergei Bagapsh has taken place as a result of the competitive elections, even though these have been recognized as legitimate. In contrast, in Georgia no transition of power between presidents has so far taken place within major turmoil and competitiveness.

In Georgia too both manifestations of policies for conflicts have been dynamic and this dynamism has increased significantly since the Rose Revolution when the new popular President Mikhail Saakashvili has made the restoration of Georgia's territorial integrity his priority. Such dynamism was later reinforced by activist policies of his government to promote the reintegration of Abkhazia and South Ossetia.

While the conflicts themselves had not been frozen, what was however frozen, was the official peace process. There were at least three factors which back such a conclusion. **Firstly**, the international community has from the very beginning of the post-Soviet phase of Georgia's conflicts in the 1990s supported a principle of Georgia's territorial integrity as the key guiding principle for defining a desired outcome for any peace processes. This was enshrined in the Boden document on Abkhazia and several UN Security Council Resolutions as well as numerous OSCE resolutions concerning the Georgian-South Ossetian conflict. This was a deliberate choice and not just an accidental "lazy" option driven by the mechanics of the Soviet Union's dissolution and principles of the Helsinki Final Act which has enshrined the principle of sovereignty and inviolability of borders. In the post-Soviet space this has meant that the borders for all post-Soviet states have been defined along the lines of administrative borders of the former Soviet Socialist Republics (SSR), defined unconditionally and with no reference to historic, ethnic or other factors which could have called for special consideration. While such an approach was warranted in cases where peaceful acceptance of new borders by states and their peoples had been achieved – in Central Asia or Ukraine for example – in other cases – like the South Caucasus where wars of the 1990s and their outcomes could have been considered as taking precedence over the post-Soviet border rule, the same approach was applied. As a result there was a situation whereby for over 15 years

after the end of conflicts, the peace processes supported by the international community have sought to push the parties – or mostly so-called separatist regions or de facto states Abkhazia and South Ossetia – to accept their place under Georgia’s sovereignty with only the mechanics of their autonomy open for negotiations. Given that following the 1990s conflicts with an outcome such as this one have not been acceptable to them in principle and as time has passed their determination to seek independent nation status has only strengthened – **they saw no real meaning in negotiations which were structured around a pre-determined, as opposed to negotiated, outcome.** Such inflexibility of negotiating strategy on the part of all international mediators, including Russia which in the 1990s imposed a blockade on Abkhazia to force it to abandon its strive for independence – meant that Abkhazia and South Ossetia saw no real meaning for engaging seriously in such negotiations, but only used the peace process as a waiting game in which they believed that time was on their side. The further they actually separate from Georgia de facto, the harder it will be for the international community to sustain its demand for accepting Georgia’s sovereignty.

Their skeptical attitude towards the peace process has only strengthened when the same states which elevated the principle of territorial integrity into a dogma, have then easily violated it by applying unilateral recognition of Kosovo bypassing the UN Security Council process. Although legally Kosovo recognition did not constitute a precedent for Abkhazia and South Ossetia, it influenced their attitudes and strengthened their intransigence in rejecting the dogma still being applied to them. It was indeed difficult to explain to them why Kosovo can, and they cannot, particularly if such explanation only went as far as rejecting any link between the two and refusing to engage in details on substantive difference, which could have meant forcing the international community to accept that under certain circumstances – sometimes referred to as standards before status or as a result of a particular semblance of interests between key international actors – the dogma of territorial integrity could no longer apply.

The **second** reason why the official peace process has failed to transform the conflict and bring it closer as a mutually acceptable resolution was that the **Georgian government, particularly the government of Saakashvili, has been skillful in imitating conflict resolution without even engaging into a genuine attempt at reconciliation and power-sharing.** When Saakashvili succeeded to force the resignation of Eduard Shevardnadze and to receive overwhelming support from the majority of the Georgian people, many people in Georgia and in the conflict regions were hopeful that a new democratic and pro-Western leader of Georgia could finally bring lasting peace. Saakashvili's early success in reestablishing Tbilisi's control over the region of Adjara, where no armed conflicts have taken place comparable to those in Abkhazia and South Ossetia, has been treated as an indication of strategies he was hoping to apply to solving conflicts. These strategies can be reduced to two main components – the president's personal engagement in a top down initiative and a great emphasis on publicity, particularly vis-a-vis broader international audiences. This was a strikingly different approach to the one used by his predecessor who preferred behind the scenes deal-making and who in the years before the Rose Revolution had invested efforts, albeit not very successfully, in trying to get Russia on Georgia's side in pressuring Abkhazia and South Ossetia into accepting Georgia's sovereignty.

Saakashvili started by closing the Ergneti market – one of the largest bazaars operating along the administrative border between South Ossetia and Georgia. The market which without a doubt involved considerable illegal activity and operated largely outside of Georgia's customs controls, had been one of the key peace-making tools. It is at the Ergneti market that Georgians and South Ossetians traded with each other, established contacts and built trust. In hindsight it is widely considered that the closure of the market has been a major mistake, although some efforts to legalize it and to limit corruption and criminality were clearly needed. The conflict escalated when Georgian troops briefly entered South Ossetia and major shooting erupted in the summer of 2004. Although the escalation was quickly quelled, it produced major damage to the potential peace process. Abkhazians and South Ossetians no longer trusted Saakashvili as a peace maker and viewed him as an

opportunist who is not prepared to seek genuine compromises. The perceptions turned more negative after Saakashvili presented a comprehensive peace plan for the Georgian-South Ossetian conflict at the Parliamentary Assembly of the Council of Europe (PACE) session in Strasbourg without even discussing it with the South Ossetian side who only received the text months later. This humiliation amid major economic (post Ergneti market closure) and military strife (Saakashvili opened reservists camps near South Ossetia and his Defence Minister vowed publicly to celebrate next Christmas in South Ossetia's capital Tskhinvali) has turned Ossetians away from any meaningful engagement with Georgian interlocutors and towards seeking closer security ties with Russia. Seeing no progress in pressuring South Ossetians to accept his rule, Saakashvili decided to abandon negotiations and concentrate instead on changing realities on the ground in South Ossetia where he appointed a pro-Georgian governor, Dmitry Sanakoev, who although being of Ossetian origin and a former official in the South Ossetian government enjoyed no legitimacy among the South Ossetians and was viewed merely as a Georgian puppet. Saakashvili invested money to build entertainment centers and organize rock concerts in Georgian villages where Sanakoev was based. This PR campaign however was seen as another insult by the South Ossetian population and a threat to the South Ossetian government which abandoned negotiations and began preparing for another military conflict.

In Abkhazia, Saakashvili's tactics were similarly bold and at the same time superficial. In a similar manner he proposed a peace plan which had no input from the Abkhazian side – was not a product of negotiations or agreements and therefore not a confidence-building tool which Georgians hoped to produce but a source of resentment and rejection on the Abkhazian side. This resentment was particularly stark given that the agreement on the non-use of force which was negotiated by the Georgian and Abkhazian envoys was later publicly rejected by Saakashvili. At the same time the Georgian president sent troops into the Kodori Valley in violation of the ceasefire agreement to conduct what was termed as an anti-criminal operation (similar to the operation to close the Ergneti market which was also termed an anti-smuggling operation). Following the Kodori operation, the Georgian authorities

relocated the pro-Georgian Abkhazian “government in exile” to the upper Kodori region which is located close to the Abkhazian capital Sukhumi, and thus continued to exercise pressure over authorities in Abkhazia. The Kodori operation has effectively ended any hope for the Georgian-Abkhazian negotiations which were suspended by the latter requesting the full withdrawal of Georgian forces and compliance with the ceasefire agreement. The Kodori operation was soon followed by an escalation of violence in which Georgian Unmanned Aerial Vehicles (UAVs) were allegedly shot down by Russian aircraft and by summer 2008 there was a strong expectation that escalation was likely to continue with Russia moving more troops into Abkhazia to reinforce its peace-keepers there. The intervention of the German Foreign Minister Frank-Walter Steinmeier in July 2008, although coming late in the escalation phase of the conflict, might have prevented the outbreak of conflict in Abkhazia and shifted it instead to South Ossetia.

The **third** reason for the lack of progress in the official conflict resolution process was the role of **Russia, which has used the process primarily to safeguard its regional interests, which in many ways were not compatible with peace and strengthened Georgia’s statehood** – be it with or without Abkhazia and South Ossetia in it. The evolution of Georgian-Russian relations has been remarkable. Following the Rose Revolution the relations started on a rather positive note with Russia’s tacit and lukewarm support for Shevardnadze’s resignation and later for the restoration of Tbilisi’s control over Adjara. These improvements came after years of tensions with the Shevardnadze Administration which was accused by Russia of supporting Chechen separatist forces through the Pankisi Gorge, where many Chechens fled Russia’s violence. The first summit between Saakashvili and Russian President Vladimir Putin was considered a promising success. The new Georgian president in his inaugural speech vowed to improve relations with Russia. However, these relations quickly deteriorated following Georgia’s incursion into South Ossetia in 2004 after the closure of Ergneti market and later fuelled by Georgia’s insistence on the closure of Russian military bases on its territory and on seeking membership in NATO.

It appears that early into his presidency, Saakashvili was hoping to offer Russia a bargain to exchange its neutrality (pledge not to join NATO) for Russia's real pressure on what Tbilisi saw as its separatist regions – Abkhazia and South Ossetia – to come under Tbilisi control. Such a bargain, even if it was explicitly discussed, has been unrealistic from the start. Russia had no power to pressure Abkhazia and South Ossetia and Saakashvili's project of Georgia's democratization and pro-Western orientation was incompatible with making Georgia Russia's closest ally. Since the summer 2004 clashes in South Ossetia, the two sides have entered a phase of growing tensions which has led them first to "Cold War" status and in August 2008 to a real military confrontation. As Georgia's relations with the US and NATO improved and Saakashvili's anti-Russian rhetoric became part of Georgia's political mainstream, Russia started to apply pressure on Georgia first by imposing economic sanctions on its products, later closing all transport links and land borders and at the same time developing closer ties with both Abkhazia and South Ossetia. Russia stepped up political engagement, removed economic sanctions, developed security ties with both de facto states, and in the case of South Ossetian even sent Russian citizens to serve in the South Ossetian government in key security and economic posts.

Russia's rapprochement with Abkhazia and South Ossetia has progressively come into conflict with its role as the key mediator and a sole peace-keeper in the conflict zones. Russia maintained over 2000 peace-keepers in Abkhazia and 500 in South Ossetia. It was one of the key mediators in the Joint Control Commission (JCC) – the key negotiating mechanism for the Georgian-South Ossetian conflict – and it played an important role both in the Geneva and Sochi mechanisms for conflict resolution in the Georgian-Abkhazian conflict. Clearly, the Georgian government did not view Russia as impartial and sought to internationalize both the peace process and peace-keeping formats. In the absence of political will on the part of the US or EU states to support Georgia's efforts and to contribute to these processes, Georgia's policies ended up producing a one sided outcome only – undermining the legitimacy of Russia's mediating role in the eyes of its citizens and other key members of the international community. However, both South Ossetians and Abkhazians continued to view Russia as their only

guarantor for political and economic stability and security and rejected any proposals on even marginal internationalization of peace-keeping operations and even the peace process itself.

By 2007, as a result of (1) an unrealistic negotiating strategy (insistence on territorial integrity over a negotiated outcome), (2) Georgia's counter-productive activism (breaking dialogue with de facto authorities in Abkhazia and South Ossetia, applying pressure on them both rhetorically and militarily and undermining Russia's credibility as a mediator and peace-keeper), (3) Russia's conflict with Georgia and rapprochement with Abkhazia and South Ossetia (which undermined its role as impartial mediator and peace-keeper) the two protracted conflicts had been heading towards new escalation eventually leading to the August war and a new post-August status quo in which Georgia has clearly emerged as the major loser.

Track-Two Dialogues

While the official mechanisms – the JCC in South Ossetia and the UN Geneva process in Abkhazia – have been creating a pretense of the peace process and in reality only maintaining and entrenching the unstable status quo with no real agreement in sight, there was a plethora of track-two initiatives involving representatives of the civil society and in some cases officials on both sides of the conflict divide in a more open and honest dialogue on the nature, current status and the future prospects of the unresolved conflicts. Unlike the official mediation processes, track-two initiatives have not operated on the basis of pre-determined outcomes and sought to stimulate discussions on all potential futures and their implications for societies and elites in Georgia, Abkhazia and South Ossetia.

The track-two meetings took place regularly for a number of years and involved a group of activists on both sides which were open to dialogue even in the absence of the official peace process. These groups included both supporters and opponents of governments on both sides of the conflict divides, refugees and IDPs, veterans and ex-combatants, as well

as opinion-formers such as journalists. Youth dialogues were conducted. All these efforts represented the only tentative attempts at reconciliation and promoted new ideas on conflict resolution at the level of the two societies.

Being by definition neutral and informal, these dialogues have revealed clearly a number of obvious truths, which have been banned from the official peace process.

Firstly, it was clear that there was no scope for any agreement on status between current elites representing Georgia and Abkhazia and Georgia and South Ossetia, as well as for their societies (which in many cases were even more radical than elites).

Secondly, that there was no buy-into Saakashvili's 'peace plans' on the other side – in Abkhazia and South Ossetia – which treated them as no more than mere PR games. Similarly there was no support for the Dmitry Sanakoev government in South Ossetia, which was installed by Tbilisi in order to showcase pro-Georgian attitudes confined to a small number of ethnic Georgian communities within South Ossetia.

Thirdly, it was clear from the discussions that a lengthy process of reconciliation is required in order to overcome mistrust and that such a process has not been enhanced, but rather further undermined by Saakashvili's militaristic rhetoric. While the UN Security Council and JCC co-chairs have been debating proposals for conflict resolution, both Abkhazia and South Ossetia were convinced that the escalation of the conflict and Georgia's new attempt to impose a military solution has a high probability to occur within even a short-term perspective.

Fourthly, the Georgian government had very naïve and deliberately ignorant attitudes to conflict resolution – dismissing any role of Abkhazians and South Ossetians and focussing instead on their conflict with Russia. Such attitudes – which were fermented by Saakashvili's policies and statements and provoked by Russia's covert support for Abkhazians and South Ossetians at a time of worsening relations with Georgia – provided a convenient rationale to the Georgians on why they

should not engage in any meaningful reconciliation with Abkhazians and South Ossetians. Such a diminutive attitude in turn provoked more intransigence on the part of conflict regions themselves.

Fifthly, the dialogues have revealed that the West, both the US and EU, have been progressively losing leverage in Abkhazia and South Ossetia. Due to their unconditional support for Georgia's territorial integrity, refusal to see through Saakashvili's declaratory peace initiatives and denial to accept Georgia's mistakes, the West has been viewed progressively as a biased and unconstructive actor which cares little about the human rights and interests of populations living in Abkhazia and South Ossetia. This perception has been further enhanced by the unilateral recognition of Kosovo and refusal to discuss its implications for the South Caucasus conflicts, and most recently by US and EU failure to openly and clearly condemn Georgia's use of force in South Ossetia in August 2008.

Sixthly, the dialogues also revealed that although Abkhazians and South Ossetians welcome Russia's support and view Russia as the only credible security guarantor for them, they are also concerned by the prospects of being isolated from the outside world and dominated by Russia in a way other ethnic republics in the North Caucasus have been in the past. Such sentiments are particularly strong in Abkhazia which has difficult historic relations with Russia – including its brutal incorporation into the tsarist Empire in the 19th century in which thousands of Abkhazians were killed and expelled – and which due to its size, geography and presence of a sizable diaspora abroad has a higher hope of sustaining its independent statehood without Russia's domination, than does a small and landlocked South Ossetia.

Finally, the discussions also revealed that any negotiated outcome in which Georgia, Abkhazia and South Ossetia could eventually find a commonly agreed formula for their peaceful coexistence – be it within one state or separately – can be considered only within a wider regional project. At some point Georgian, Abkhazian and South Ossetian civil activists all agreed on a shared future within a wider Europe, for example. Although this Europeanisation approach has had so far very

disappointing practical results, it can still serve as an inspiration for younger generations. However, the international isolation of Abkhazia and South Ossetia following Russia's recognition and the growing disappointment among their residents in what they see as a western double standard applied to them could undermine these perceptions and open another future of a diminishing status issue within closer partnership with Russia, which remains unacceptable for Georgian elites.

These conclusions have been communicated to the Western governments or the EU, who often funded track-two initiatives, but they have little or no bearing on their official policy which remained fixated on territorial integrity rather than the flexibility on a negotiated outcome. They continued to treat Saakashvili's peace initiatives as significant factors (and not mere PR plans) while refusing to respond significantly to his pleas for a greater internationalization of the conflict with their full involvement in mediation frameworks or peace-keeping operations.

The track-two processes also have become hostage to the changing environment on the ground in and around conflict regions. Firstly, the Georgian government has reconsidered its strategy from conducting dialogue with the Abkhazians and South Ossetians to dismissing them as credible interlocutors. Therefore any initiatives by international NGOs to facilitate such dialogue was opposed by the Georgian government and Georgian officials found it difficult to participate in these meetings. At the same time, one of the problems of the track-two meeting was that in the atmosphere of growing mistrust and insecurity, participants were unable to communicate any positive messages to their societies. Moreover, in some cases participants have experienced growing pressure from their respective authorities. By 2008 it was clear that the gap between any attempts to promote restraint, mutual understanding and constructive dialogue had become marginalized and radical and uncompromising views – including the threat of force – have prevailed within political mainstream both in Georgia and in conflict regions.

Way forward

Following the August war the official negotiations not only have ceased, but any track-two initiatives have also become difficult. Yet it is precisely in this period of separation and post-conflict trauma within Georgian, Ossetian and Abkhazian societies that informal dialogues should be moved to the forefront of the possible confidence-building agenda. Although many networks have survived the war and participants stayed in contact even during the conflict and in the following months, it has become harder to organize meetings and to transform them into a meaningful tool for communication across the conflict divide.

One obstacle includes the Georgian government's new law on occupied territories which advises against any contacts with Abkhazian and South Ossetian representatives. Although thanks to the intervention of the international community this law is not strictly enforced, there is certainly a reluctance for any Georgian officials or leading civil society groups to seek engagement with those residing in conflict regions.

Another obstacle is the physical difficulty of travelling into Abkhazia and South Ossetia. After Russia's veto over UN and OSCE missions in Georgia it is now hard for any international facilitators to access the conflict regions. It is close to impossible for the Georgians to get such access. At the same time Russia's recognition of Abkhazia and South Ossetia prompted a number of Western states to tighten their visa requirements for residents of these two entities travelling abroad on a Russian passport.

Beyond technical reasons there is now no support in the South Ossetian and the Abkhazian societies for any engagement or even a dialogue with the Georgians whom they solely blame for the recent outbreak of war. When the dialogue within existing civil society networks takes place few points of agreement regarding the status issue are found, which looms greatly over any confidence-building measures.

It will take many years before any serious negotiations between Georgia and Abkhazia and South Ossetia can start. Even when at this point the

terms for such negotiations are bound to be different. If there are any lessons to be learned from previous years, they are that any peace process has to be accompanied by reconciliation, combined in as much as possible, with an equal measure of top down and bottom up efforts. Small (and often unilateral) steps or goodwill gestures over grand one-sided peace plans which only breed resentment need to be prioritised. It is important to find a neutral way to engage with Abkhazia and South Ossetia without recognizing their independence. At the same time, any meaningful conflict resolution process has to proceed on the basis of support for a negotiated solution not purely for Georgia's territorial integrity which has no real meaning after the August war. And finally, the conflict resolution process should involve serious investigation into allegations of war crimes on all sides committed during the August 2008 war. Ideally a joint and/or independent commission should review all claims and conduct investigations. If nothing is done to address the new grievances they will be translated into myths which will live in the memory of this and future generations of Ossetians, Georgians and Abkhazians breeding hatred which could at any point in the future be channeled back into violence.

**PART III:
VIEWS FROM THE REGION**

Frozen Conflicts: The Missed Opportunities

Salomé Zourabichvili

This paper addresses the missed opportunities in the Abkhazian and Ossetian conflicts on the part of the Georgian authorities. It intends in no way to minimize or excuse the central factor and responsibility of the Russian side in preventing by all possible means a true peace settlement, in raising tensions at any point in time, resorting to endless provocations and preventing any real dialogue to emerge between the parties.

That being said the scope of the present paper is not Russian politics and strategies, but to question whether – Russia notwithstanding and being what it is, i.e. an uncontrollable factor – there was indeed the slightest chance, had Georgia for its part done everything possible, to outplay Russia and succeed in what should have been and remains the major objective of Georgian policy: to resolve these conflicts peacefully; and by doing so, to remove one of the most destructive leverages that Russia maintains over Georgia, its sovereignty and its independence.

The opinion of the author is that over the years almost all options, all opportunities have been either misused or missed by the Georgian authorities out of lack of vision and strategy, as well as lack of real understanding of the stakes; and finally out of what can be called incompetence. At the same time, the systematic character of these “mistakes”, the addition of so many missed opportunities, the coincidence of unexpected incidents cannot but raise questions regarding the true objective of Georgian authorities. One can sometimes wonder by looking at the final outcome of their policies whether they have ever wanted to serve Georgia’s interests or just let Russia have its own way.

In this succession of errors/mistakes/faults, all three Georgian governments are to be held responsible and answerable, albeit at very different levels: The first Georgian President, Zviad Gamsakhurdia

accountable for the first war in Tskhinvali, does not bear any responsibility for failures in the peace process since he was not given time to perform in that direction and was overthrown before he could address the question of peace making and resolve the conflict situation created by the abolition of autonomy and subsequent to the first conflict.

Looking at the Eduard Shevardnadze/Mikhail Saakashvili years, there is an equal amount of responsibility, each regime having its full share of mistakes and faults, due to the lack of a conceptual approach to the conflicts and their solution.

Ten major failures in policy

1. The conception of State and citizenship

Neither Shevardnadze nor Saakashvili really understood the meaning of citizenship in a modern democratic and multiethnic state. Shevardnadze, raised in the Soviet conception of ethnicity and of national minorities, could not understand any other conception. Saakashvili, although self branded democrat and pro-western leader, did not realize that the concept of multi ethnicity he has been using constantly in a propagandistic fashion, although in appearance more tolerant towards minorities, was based on the same misconception and on the same Soviet ideological grounds. Namely, he did not understand that modern statehood and democracy implies that citizenship overshadows nationalities and any preexisting ethnic origin; as a result, he continued to talk about the “Georgians, Ossetians, Armenians, Abkhazians living in Georgia” and never about the “citizens of Georgia, of Armenian, or ... descent”. He was unable to grasp that “Georgians” did not exist as a separate ethnic group but only as a nationality linked to the emergence of a state and could be referred to only as a citizenship common to all inhabitants of Georgia, therefore allowing them similar rights and duties.

2. Another major failure was the adoption of the policy of sanctions introduced in 1996 by Shevardnadze and never rebuffed by his followers. This policy was an even bigger conceptual mistake; to even

think that punishment through isolation could force Abkhazia into submission was an incredible misreading of the Abkhaz determination to fight for its own identity. It also reflected a total lack of knowledge of existing experiences of sanctions policies and of their effectiveness in similar cases. It is difficult to understand how blockades and sanctions could have worked when this region had a common border with Russia, and was supported politically and economically, and even militarily by Russia. Moreover Tbilisi should have reflected and questioned the logic that led the Community of Independent States (CIS), an organization under full Russian control, to adopt a resolution in favor of such sanctions. In fact, it seems that Tbilisi walked in the trap and adopted, supported and implemented the very policy that was aimed at what it wanted most to prevent: the separation of the entities from the center. It should have been better understood by Georgian authorities that it is both unthinkable and unacceptable to try to punish a part of one's nation, its own flesh and blood, deprive it from the essentials, by cutting it off, while maintaining the ambition to "reunify" this "part" with the center. As could have been foreseeable, this policy did not facilitate a solution, but on the contrary, created an additional obstacle to the resolution of the conflicts and to reunification. It has effectively increased the separation between Georgia and Abkhazia, adding to the separation caused by conflict and the enduring reality of economic separation. It has pushed Abkhazia to turn towards Russia, which became the only possible trade partner for exports as well as imports for the secessionist republic. It succeeded in effectively distending the already strained links between the two populations. In order to implement sanctions, Georgia increased control over the "administrative" border between Abkhazia and the rest of Georgia, thus making circulation of people and goods more difficult. From an administrative line, the Enguri River progressively was turned into a closed, albeit juridically non-existent, border. By cutting Abkhazia from other partners (EU, Turkey) Georgia also contributed to its economic and political weakening, as it was foreseen, but it also added to its increased dependency on Russia, which should have been foreseen, but obviously was not.

The policy of sanctions and isolation led to other and worse mistakes: when Russia decided to invalidate Soviet passports replacing them with

Russian ones, the Georgian authorities opposed the proposal of the international community to consider possibilities to introduce “international travel documents”, as a substitute for Georgian passports. The Abkhazians were forced to decline and since Soviet passports were going out of use, the Abkhazian population was effectively left without any travel document. Such a decision paved the way for the Russian “passeportisation” policy which later in turn allowed Russia to claim that it was entitled to eventually act in “defense of Russian citizens”. The decisions not to allow direct sea links between Turkey and Abkhazia or to prevent Turkish investments in Abkhazia resort to the same logic of isolation. Isolation in this case meant throwing Abkhazia more and more into the arms of Russia.

This very policy is what in the end prevented the EU from maximizing the positive effects that the “Europeanisation policy” could have produced, at a time when the new leadership in Abkhazia, under Sergei Bagapsh, was calling for such a rapprochement. Some Abkhaz leaders were even presenting Abkhazia as the most “western” territory by its geographical location and its historical traditions, hence the closest to Europe. But put in a strait jacket by the policy of sanctions, the EU could never deploy its full fledged instruments and could thus not exert the same mixture of attractiveness and leverage on the Abkhazian population and leaders that it did in the case for instance of Kosovo.

3. The lack of direct dialogue with the separatist leaderships, dismissed as a “criminal bunch”, can be considered as the third major failure. This refusal was paralleled by a preference given at times, in a rather incomprehensible fashion, to a direct channel between Tbilisi and Moscow.

The Sochi and Moscow agreements are results of the direct Georgian-Russian negotiations rather than of a dialogue led with the separatist leaders. One can view such a choice as a major political incoherence: when the State claiming reunification dismisses dialogue with its fellow citizens and gives preference to the very foreign power that is fueling the conflict. There were successive attempts to strike a deal with Russia behind the back of the separatist leaders, thus raising additional distrust

and resentment towards Tbilisi. Shevardnadze tried to strike a deal with Russia in Sochi in 1994: the return of Georgia to CIS and granting military bases to Russia were the price he agreed to pay for the promise of reintegration of Abkhazia and South Ossetia. The deal was never upheld. Deals of this kind have been considered under Saakashvili; the latter acknowledges having sent a letter to Vladimir Putin where he discussed a similar scheme to the Cyprus one for splitting up Abkhazia. The logic of the “Sanakoev Project” for South Ossetia suggests a possible deal with Russia (although never officially recognized by either sides) by which both Tbilisi and Moscow would have in the end either dropped their puppet separatists and agreed on a third leader or divided the region in two halves. There is high probability that before the August war there was some brokering going on between Georgians and Russians aiming at securing Russian peacekeepers’ neutrality, while Georgia would strike a limited offensive against Tskhinvali. The evacuation of civilians from Tskhinvali in the days preceding the August 7 offensive seems to corroborate such an hypothesis. Whatever the reality, the bombing of Tskhinvali using Grad rockets proves the fact that the Georgian authorities did not consider and treat the residents of Tskhinvali as their own citizens, but rather as enemies, on the same footing as the Russians, which by itself contradicts all principles of a long lasting settlement;

Direct dialogue was never a means for looking for a peace settlement and was never pursued seriously; it was constantly rejected as leading to a form of de facto recognition by the authorities; thus one of the major instruments to understand the other side and to try to come to a compromise was never exploited by the Georgian side. It was never in Russia’s interest to allow such a dialogue and consequently, Russia always used all its cards to prevent such a dialogue from happening or from developing. That is the very reason why the Georgian side should have pursued the one policy that Moscow found the most disturbing and threatening.

4. The potential of economy as a conflict resolution instrument has been neglected or deliberately misused – already in the first months after the Rose Revolution. The initial steps in the right direction (the

Peace offensive in Tskhinvali of the spring of 2004) have been totally overshadowed and countered by the closure of the Ergneti market, a decision that was wrong in timing, form and substance. It resulted in the closure of the only existing umbilical cord between Tbilisi and Tskhinvali. The understandable need for border control and transparency and to prevent smuggling in order to raise state tax and customs revenues, was not matched by the damage done to the Georgian-Ossetian relations and to the natural flow of goods and persons. The same mistake was done with respect to Abkhazia, where the resources of the province of Megrelia to develop joint economic projects (following the model of the Enguri Dam co management) were never exploited. To the contrary, even after the August war, Georgian authorities while declaring Russia the all out enemy chose to make a deal transferring the management of the Enguri Dam from the Abkhazians to the Russians, thereby excluding the Abkhazian side from benefits from the dam and obliging them to turn to the Russians to get electricity. Thus, totally ignoring the fact that the joint exploitation of the Enguri Dam had been the only success story of the Georgian-Abkhazian direct relationship during the 15 years since the war.

5. The attractiveness of democracy for the populations living in the conflict regions to the Georgian model was lost when Georgia departed from its main democratic path and turned gradually to an authoritarian model closer to that of its northern neighbor. One has to recall that during the first month after the Rose Revolution, the Abkhazian and Ossetian populations were watching the events unfold in Georgia with extreme interest. One could say that the expectation was the contrary of what it had been at the time of independence in 1991; there and then the feeling was one of fear and worry: was Georgian independence going to be based on the revival of a strong nationalism, to which Gamsakhurdia's publicized conceptions seemed to be pointing, and in such a case what would be the fate of the "minorities"? On the contrary at the outset of the Rose Revolution, the official speeches were "politically correct" talking about brotherhood, equality and democratic development. The resolution of the conflict in Ajara, without the use of force, reinforced this benign vision of the new regime. In addition, whatever the justifications and some of them understandable, the

decision to empty Ajara autonomy of real content can also be seen as a missed opportunity. Right or wrong, Abkhazians were looking at Ajara to see what could be the form of autonomy that the Georgian center would be ready to concede and to what extent the new authorities had changed their conception of the state, from ultra centralism to a different approach, eventually leading to federalism. But those expectations were not met by any serious reconsideration of Georgian state organization. The official speeches never went beyond more rights to minorities as a part of the new approach towards human rights, and no sense of what democracy could mean for state building and how that should be translated in the Constitution of Georgia and its administrative structures was given.

6. The constant refusal to consider non use of force guarantees by Saakashvili; thus increasing the distrust of the Abkhaz and Ossetian populations towards the Georgian authorities, while Russia was consolidating its posture as the “only protector” of their security interests. This long standing demand on the Abkhazian side was understandable given that the discrepancy between Georgian and local military forces was never seriously considered. Well into Saakashvili’s term, when rhetoric started to change, when an emphasis was put on the military build-up of the Georgian Army, when the decision was taken to build the two military bases in Gori and Senaki in the immediate vicinity of the separatist territories, as an implicit message that they were the main objectives of this remilitarization policy, all these separate elements did build up, for the Abkhazian side, into a serious threat coming from the Georgian authorities.

7. The rhetorical use of peace plans without giving them any substance ended up discrediting the proposals contained in them such as the proposals to offer the vice president’s post to the Abkhaz leader, or to create an economic free zone in the conflict zone; or the offer to grant “unprecedented autonomy”, repeated at given intervals as a declaratory rhetoric form, had the effect of emptying these ideas of any meaningful substance and attractiveness.

8. The brutality of the policies towards the refugees living in different parts of Georgia definitely took an aggressive downturn. Refugees were subjected in mass to physical pressure and to expulsions from their temporary living quarters in violation of their elementary legal rights, because those buildings had been acquired by investors in Tbilisi, Kutaisi or Batumi. A majority of these refugees thereafter continued living in different districts of Georgia but in less than human conditions, humiliated and denied of their elementary rights. What initially had looked like a change in policy towards refugees in the first quarter of Saakashvili's tenure, by allowing them some money in exchange for the occupied properties and some recognition of their rights (restoration of documents of property rights over Abkhazian or Ossetian formerly owned properties), ended up in deception and disillusionment; the terrible conditions to which the latest refugees from the Liakhvi Valleys, consecutive to the August war, have been relocated to in Tserovani, does not give any positive indication as to a serious policy of the authorities towards the refugees.

9. The rhetoric of war: during the electoral presidential campaign of December 2008, Saakashvili promised that "next winter would be met under warmer temperatures, in Sokhumi" reminiscent of a similar promise delivered in September of 2006 by the Defence Minister Irakli Okruashvili "to meet the new year in Tskhinvali in January 2007". The propaganda was developed through "videoclips" showing famous singers "returning" to Sokhumi by train, boat or air, but dressed in military attire, followed by the Presidential decision to grant them official honorary distinctions of the highest category, the propagandistic campaigns (like "Kokoity Fandarast!") underlined through the frequent and visible movements of the military units, and aggressive militaristic rhetoric. The opening of two modern military bases one in Senaki at the outset of the conflict zone, the other in Gori, adjacent to the Tskhinvali region, can also be attributed to the policy of flexing their muscles that raised tensions and undermined trust in the conflict zones.

10. The lack of a political vision of what should be the future Georgian state translates itself into the lack of a conception of what real place those entities should occupy in a new Georgian vision of its own

structure. No serious debate on the issue, no formal or informal discussion on the federalist options took place.

These main features – trusting Russia more than the separatists, thinking that by isolating separatists one can achieve something when in fact that meant pushing them in Russian arms, not playing seriously the international or for that matter, the European card – were a constant under the Saakashvili regime.

A chronology of the mistakes/missed opportunities/faults:

In 2003/2004, in the immediate aftermath of the Rose Revolution, there *was a real opportunity* of things moving forward due to positive as well as negative expectations in Sokhumi and in Tskhinvali; positive inasmuch as the new leadership was composed of young leaders who had nothing to do with and did not take part in the first conflicts of the 90's and whose initial gestures and declarations were pointing in the right direction: that of reconciliation (Saakashvili's address of May 26, 2004 which contained elements in Abkhazian and Ossetian languages). But there were also negative elements: already when dealing with a radically different situation in Ajara, the authorities allowed confusion to be created and the Ajara case to become a model of what to expect in other conflict situations on Georgian territory. Due to listening to the military threats aimed at the Ajara leader and witnessing how easily Georgia recovered Ajara, and even more importantly, the relaxed Russian attitude towards this "reunification" despite the presence in Batumi of a Russian military base, separatist leaders could not feel reassured as to the determination of the Russian support in the long run; so one can say that in spring of 2004 and up to the Tskhinvali confrontation of 2004, there was a strong expectation in Tbilisi, in Sokhumi and in Tskhinvali that the Georgian peaceful movement towards reunification was in a certain way irresistible, as predictable as the Color Revolutions, would be supported by the international community and would not be opposed by Russia. At that time the first meeting between Putin and Saakashvili was held and the unofficial reports point to a promise made by Putin to accept a similar solution for

South Ossetia to the one achieved in Ajara; but begging in return for time (one year) in order to prepare the Russian public for this additional “concession”. Indeed, a solution was not too far away for South Ossetia, where the movements to and from Tskhinvali were free and thus economic; people to people links were numerous.

This window of opportunity was missed already in summer of 2004 due to the June 2004 Ergneti market closure and the summer offensive in South Ossetia.

With regard to Abkhazia, at the time of the de facto presidential elections of 2004, Georgia did not find the adequate reaction in support of the Abkhazian leadership and of the newly elected president Bagapsh, despite the fact that he was openly threatened by Russia, intervening in support of Vladislav Ardzinba (the situation there paralleled the Ukrainian elections situation when Putin did directly intervene in favor of the pro-Russian candidate Viktor Yanukovitch and ended up in both cases in a Russian fiasco). Instead of maximizing the advantages of such tensions with Russia, Georgia did not do anything in practice to ease its relations with Sukhumi. On the contrary Tbilisi increased pressures and strengthened the policy of sanctions and, in the summer of 2005, Tbilisi almost went to war declaring a total sea blockade of Abkhazia, President Saakashvili threatening publicly to shoot boats that would enter territorial waters without the Georgian authorities’ consent. This show of force, which stiffened the relations with Abkhazia also ended up in a counterproductive fashion: in fact after this public threat, Georgian territorial waters were violated and vessels entered in Abkhazia. Georgia did not react and as a result the integrity of its maritime territory was infringed without allowing for any future reaction.

In 2005/2006 the failure of the American supported peace project that was developed all through the summer of 2005 and presented at the General Assembly of the UN in September was in fact cancelled by the ultimatums adopted by the Georgian Parliament in October 2005, demanding the unconditional departure of the Russian peace keepers from both the Tskhinvali region (15 February 2006) and Abkhazia (15 July 2006). These harsh and provocative declarations cut short the

diplomatic developments that from the bilateral Russian-American summits of fall 2005 to the Ljubljana OSCE summit of November 2005 were to lead to a serious peace offensive under the aegis of the OSCE and active encouragement by the American administration.

Ministry of Internal Affairs repeated provocations in both Abkhazia and Tskhinvali region in the 2006-2007 period (setting up of a youth camp in Ganmoukhouri followed by the well-known 2007 Ganmoukhouri incident, sending groups of students into the Gali region) had the effect of increasing tensions and of bringing armed Abkhazian forces into the southern part of the Gali region where they had not been present up to 2006.

The Dmitry Sanakoev project in 2007 that claimed to create a second administration rival to that of the separatist entity had in fact the result of increasing tensions; it was accompanied by a campaign to undermine the separatist leadership of Kokoity through the activities of non-governmental organisations under the label of “Kokoity Fandarst” (in Ossetian “out with Kokoity”) that took place all over Georgian cities and villages in the summer of 2007 but did not produce the expected result of raising the animosities in the population of Tskhinvali against its leadership, nor did the investments spent for the alternative government of Sanakoev in Khurta, supposed to attract the populations from the other side because of the economic advantages promised by this new administration, in fact produce any serious movement of the population from Tskhinvali to Khurta. The very high level of corruption in the Khurta administration explains the failure of serious business or economic projects that were to be developed in the Liakhvi Valleys and Khurta region under Georgian-Ossetian administration. The fact that this second separatist administration set in an area that was populated mostly by Georgians and controlled by Tbilisi also raised dissatisfaction in the Georgian-speaking populations of this region that did not feel represented or defended by a Russian speaking “separatist” administration supported by Tbilisi. In the end the suspicions of this population were proven right when they received a new wave of refugees following the August war.

The **Kodori offensive 2006** under the aegis of an anti-criminal operation led by the Ministry of Interior Forces was understandable inasmuch this region had not been under the full control of Georgian administration or police since the first Abkhazian war. But the use of this operation for propaganda ends derailed it. From an internal state strengthening operation, it evolved to being presented as a “recuperation” of lost territories, of a “part of Abkhazia” lost since the war (which it has never been); in order to give credibility to this thesis, this valley was renamed “Upper Abkhazia” (against all geographical and historical facts); this later gave substance and “legalized” the Abkhaz-Russian aggression of August 2008, which was not justified by any military move on the part of the Georgian military. The internal military forces that were present in Kodori/Upper Abkhazia gave way under this offensive without any combat, abandoning large amounts of new military material and armaments. This reaction was later neither explained nor justified.

The succession of these incidents/provocations created a climate in which peace proposals were “lost”, ineffective, unable to gather any serious diplomatic momentum. Georgia in fact was doing the same thing Russia had been doing for a long time, practicing double standards policy: pretending on the one hand to be working for a peaceful settlement, while on the other hand preparing the psychological environment for war.

All of this played directly into the hands of Russia and complemented the latter’s own strategy of keeping tensions high, in order to maintain full control over the separatist regions and their leadership, in order to prevent the internationalization of the peace process, which can take place only in a stabilized environment.

In effect, the Georgian authorities provoked the failure of the official OSCE efforts to bring about a conflict resolution peace plan supported by the international community; at a time when American involvement was ensured at the highest level and when financial assistance from the European Union was already decided in order to support the initiative.

The positive evolution of the events was demonstrated at the time of the June 14th, 2006 Donors conference, held in Brussels, which had been preceded by a three month cooperative process between Georgian and South Ossetian parties and which had produced a number of important joint economic projects. The international community promised 12 mn Euros for infrastructure rehabilitation projects, which would have had the effect of bringing together interests of both populations in the conflict zone.

In the working group created for the follow up of those projects every donor country was included and thus given the possibility to take part in the activities of the Joint Control Commission. In Tskhinvali and Gori, joint business centers were opened under international aegis, which were to finance common interest projects presented jointly by Georgian and Ossetian businessmen. The EU started working on the vital project of reopening the Ergneti market, together with the search for a valid mechanism to control the Roki Tunnel.

With the participation of EU structures, work had also begun on the Project Property Restitution Law in favor of the displaced persons from the Tskhinvali Region. Meetings had already taken place with those refugees living in North Ossetia, and produced a positive effect on trust building among the Ossetian population.

Such positive developments clearly did not please Russia, but it was difficult for Russia to actively and openly confront the international community and oppose its projects. It became necessary to provoke tension, and to do so using Georgia as a proxy, which it managed very successfully.

It was, at this time, first and foremost in Russia's interest to have Georgia leave the existing negotiation's format and that was also achieved without too much difficulty.

The peace plan was "killed" by the Georgian side. Later it was replaced by another plan, i.e. the creation of an alternative Ossetian administration (under Sanakoev's leadership) in the region. The activity

of this administration was directly controlled by the services of the Ministry of Internal Affairs and achieved nothing besides a failed PR campaign.

It is clear that the claim of “unfairness” that the Georgian government brought forward to the existing negotiating format as an argument to justify Georgia quitting those negotiations, as well as the proposal of a new formula (2+2+2) without it having been agreed upon in advance with the international community, can only be judged as mere incompetence.

Similarly, and without any meaningful reason, the Council of Coordination for the Abkhazian conflict, that had been reinstated under UN aegis, as well as its working groups, in the composition of which Russian participation was well balanced by the presence of US, UK, German and French participation. Meetings with the representatives of the Abkhazian side in Tbilisi, Sokhumi, Gali, Zougdidi, Geneva and other European cities, including meetings of the two sides without the presence of other participants, took an intensive form.

It was deliberately, for no valid reason and with a public demonstration of inflexibility that the Georgian side refused to agree on a declaration banning the use of force and in favor of a peaceful settlement of the conflicts. The government missed the possibility that was offered to insert in this document, although originally presented by the Russian side, the positive guarantees that would have helped start and protect the safe return of refugees and the creation of a safe environment. At the same time, no attempt was made by Georgia to exploit the possibility presented by the creation of a group of guarantors composed of the UN, the EU, the US and Russia.

Later on, the State Minister for Reintegration Issues, Temuri Yakobashvili declared publicly that the denomination of his ministry had changed from State Ministry for the resolution of the conflicts to that of “reintegration” because the restoration of the territorial integrity was an issue in the sphere of competence of the Ministry of Defense.

It is clear that in the dealings with this issue the war opens a new page and an even more dramatic one. With the new lost territories and with the partial recognition of their independence by Russia, one can ask whether the story of missed opportunities has not entered a more definitive and dramatic stage.

Beside the war itself, which is not the main subject here, one can also see a very serious missed opportunity in the demand formulated by the Georgian President when presented with the Sarkozy-Medvedev 6 points document to remove the 'status issue' from point 6 as the subject to be negotiated in the international format. In fact this strengthened Russia's position that the international community had no legitimacy to discuss the future of those regions and hence paved the way for their unilateral recognition.

The withdrawal of UNOMIG subsequent to the June 15, 2009 Russian veto on the resolution about the Mandate prolongation, but also caused by the Georgian uncompromising position in the negotiations leading to the finalisation of the text, can be seen and judged as the last of many missed opportunities. Again, as if Georgian authorities were playing in the hands of the Russians, or at least not doing anything to oppose their plans, Georgia has let the international community slip by, allowed it to withdraw from the conflict zones. Today nobody else but the Russians are present in those entities, which is detrimental to both Georgians still (very few except for the Gali region) living there and for Abkhazians and Ossetians, and of course catastrophic for the policies of Georgia as a whole.

Failure to Prevent Violence – Lessons Learnt from the Georgian-Abkhazian Conflict Resolution Process

Liana Kvarchelia

In the analytical discourse surrounding conflict situations the emphasis is often put on the prevention of the conflict itself rather than on the prevention of violence and on conflict transformation. Since conflict is inherent in any society, the task should rather be to transform conflicts in such a way that helps to exclude violence from any resolution process.

Analysis of the Georgian-Abkhazian case regarding opportunities taken, and opportunities missed to prevent violence and transform the conflict, allows us to draw several lessons with regard to:

- The impact of unconditional international recognition of the new states (in this instance Georgia) that emerged after the collapse of the Soviet Union, within the borders of former Soviet Union Republics, that were arbitrarily created in the Soviet period;
- the unpreparedness of the newly independent state of Georgia to transform into a federative state following the disintegration of the USSR;
- the impact of war on the potential to find a compromise concerning the incompatible political goals of the parties to the conflict ;
- the impact of continued unconditional international support for Georgia's territorial integrity after the violent phase of the conflict on Georgia's willingness to reach a compromise;
- the impact of conflicting geopolitical interests on the prospects for conflict resolution;
- the role of civil society in conflict transformation and prevention of violence.

1. The attitude of the international community towards the process of disintegration of the USSR

If one looks at the history of the former Soviet Republics before unification in the USSR, as well as at the history of the Soviet Union itself, one can see that many current conflicts stem from the volatile period that preceded the formation of the USSR, as well as from the way the Soviet Union was later constructed and structured according to ethnic hierarchies. During the Soviet period the Georgian-Abkhaz conflict took on a latent form, though every decade the contradictions manifested themselves in the form of open demonstrations of Abkhazians against being incorporated into the Georgian Republic. The nature of the Soviet Union with its arbitrary re-division of territories between various ethnic groups, alteration of the status of these territories from “union republics” to so-called autonomous entities within union republics, and its policies of resettlement and assimilation planted “time-bombs” that started to detonate with the dissolution of the USSR.

After the official announcement of the disintegration of the USSR by its former leaders, the international community, for various reasons, rushed to recognize the former Union Republics as independent states, although the disintegration process did not stop at the level of the Union Republics. Following this hasty recognition everything that happened in the newly independent states was regarded as the internal affairs of these states. The international recognition process happened at the time when nationalist movements in the newly emerged states were at their peak, and democratic institutions were weak and of a more declarative character, and thus unable to respond to the challenges of nationalist ideologies and practices in the new context. The consolidation of nationalism in the new states was reciprocated by the strengthening of national liberation movements in their former autonomous entities, which considered that their rights had been unfairly sacrificed in the new geopolitical reality. Unfortunately at the time of the collapse of the USSR the international community did not have a nuanced understanding of the situation within the Soviet Republics, or of the grievances of the peoples in autonomous entities, and it did not have a

coherent strategy for dealing with the consequences of such disintegration other than a desire to formalize the collapse of a former foe. From the legal point of view the USSR's disintegration neutralized the contradiction between the principle of territorial integrity and the right to self-determination for people both in the Union and in Autonomous Republics. However, the international recognition of Union Republics alone, without regard for those autonomous entities that had claimed statehood for decades, has in fact resulted in a serious clash of these two principles. In the case of Georgia and Abkhazia this contributed to the aggravation of tensions between Tbilisi and Sukhum, when Tbilisi no longer felt constrained by directives from Moscow. Ultimately, tensions resulted in military actions.

Unconditional international recognition of the new post-Soviet states within the borders of former Soviet Union Republics, that were arbitrarily created in the Soviet period, as well as disregard for the conflicts that had existed between these republics and their former autonomous entities, have given the former a free hand in dealing with what they regarded as their internal affairs and contributed to the aggravation of tensions.

2. Georgian-Abkhazian relations on the eve of the 1992-1993 war

Between the first Georgian-Abkhazian clashes in 1989 and the beginning of a full-scale war in 1992, several attempts were made by various political groups and intellectuals on both sides to organize dialogue between Tbilisi and Sukhum to avoid further aggravation of the situation. These informal negotiations did not have broad public support neither in Georgia nor in Abkhazia since the degree of polarization of the societies was significantly high. It should be noted that these contacts were taking place at the time when ultra-nationalist sentiments in Georgia, led by Konstantine Gamsakhurdia, were particularly strong. The most popular slogan of the time was "Georgia for Georgians". After the overthrow of Gamsakhurdia in Tbilisi, negotiations continued between the Abkhazian Commission, which was set up in Georgia

specifically for the purpose, and the Supreme Council of Abkhazia chaired by Vladislav Ardzinba. According to Giorgi Anchabadze, one of the members of the Commission, the situation favored the negotiations since Gamsakhurdia with his ultra-nationalist policies was no longer in place, and the USSR no longer existed and the Abkhaz could not therefore appeal to Moscow for support in dealing with Georgia. As Anchabadze recalls, the Abkhazian side made appropriate and acceptable proposals on the federalization of Georgia that envisaged the division of competences between Tbilisi and Sukhum, the former being responsible in addition for foreign policy, defense and finance. However these proposals were rejected by the new Georgian leadership who did not accept the notion of reforming Georgia on a federative basis.¹ Similarly, the Georgian faction of the Abkhazian Supreme Council boycotted the idea and did not attend sessions of the Council. On the day when the Abkhazian Supreme Council met to discuss the draft treaty on federative relations with Georgia, Georgian troops attacked the territory of Abkhazia, one of the immediate targets being the Parliament building where the Council's session was held. If the Abkhaz proposals on federative relations between the two republics had been seriously considered in Georgia at that time, subsequent events could have developed according to a more peaceful scenario.

The Georgian ideology of the time was based on the idea of creating what was in effect a Georgian unitary state with Georgian ethnicity at its core. Despite assurances by Georgian intellectuals that the concept "Georgian" was used as the denominator of citizenship rather than of ethnicity (similar to American or Swiss), for the small Abkhaz nation that had suffered Stalin's policies of "georgianization", and was confronted by modern Georgia's nationalist policies that denied their identity, the term "Georgian" was heavily loaded and had little to do with the concept of citizenship. On the other hand, the Georgian political elite and the public were neither prepared to contemplate a Georgian national project based on the idea of civic identity, nor were they ready for any federalization processes in Georgia. Increasing nationalism,

¹ Anchabadze, Giorgi: *The Issues of Georgian Abkhazian Relations*. Tbilisi 2006, p. 36.

denial of identities other than the Georgian one, democratic institutions that were weak to the point of being non-existent, the questionable legitimacy of the new authorities after the overthrow of Gamsakhurdia, and efforts to establish a unitary Georgian state based on the Georgian ethnicity – these were the factors that increased fears within Abkhaz society and further alienated it from Georgia. On the other hand, the aspiration for self-determination in Abkhazia was used by Georgian nationalists to justify their nationalistic stance in relation to other ethnic groups.

Prior to the war of 1992-1993 the prospect of a federal Georgia (including mechanisms to provide security for the non-Georgian population in former autonomous entities), could have considerably reduced the potential for violence.

3. The Georgian-Abkhazian war of 1992-1993

For several years before Georgian troops invaded Abkhazia in August 1992, the situation between Abkhazia and Georgia, as well as between the Georgian and the non-Georgian communities within Abkhazia was tense. The Georgian Mkhedrioni paramilitaries had begun to set up their units in Abkhazia. In response the Abkhaz established their own armed units. The tensions in Abkhazia did not go entirely unnoticed by the international community. At this point a CSCE mission visited Abkhazia and Georgia, followed by a mission by the Unrepresented Nations and Peoples Organization (UNPO) of which both Abkhazia and Georgia were members. Both missions resulted in reports that warned of the possible escalation of the conflict. Letters were addressed to Russia's president Boris Yeltsin, and to Georgia's President Eduard Shevardnadze, stating that the current situation was fraught with grave consequences.

Despite general apprehensions about possible violent scenarios, Georgia's military actions came as a surprise to the Abkhaz. As was mentioned above, on the day of the attack the Abkhaz Parliament had assembled to discuss the draft federative treaty with Georgia. Within

hours, Georgian troops occupied the coastal part of Eastern Abkhazia and the highway connecting Eastern Abkhazia with the capital city and the rest of Abkhazia. However, due to the capital city's geographic position, on the same day the Abkhazian side managed to stop the advance of Georgian troops into the center of the town. In the following few days, as a result of negotiations, an agreement was reached that both sides would withdraw their armed forces beyond the limits of the capital city. The agreement provided a basis for the prevention of further violence, and if it had been honored by the Georgian side, could have helped to avoid a full-scale 13-month war. The Abkhazian side at that time controlled the majority of the city. As the Abkhaz side was not as well-equipped as the Georgians, it was genuinely interested in observing the cease-fire and preventing further military actions. The Georgian side had a military advantage over Abkhazia, having received a share of Soviet weaponry in accordance with the Tashkent agreement weeks prior to its military offensive, and could have used the cease fire to press for more political concessions from the Abkhazian side. However, the apparent aim of the Georgian side was to take full control of Abkhazia, and unilaterally determine its political future. In line with this, the Georgian side violated the cease-fire as soon as the Abkhaz military withdrew and immediately occupied Sukhum.

This episode is important for two reasons: firstly, it was a missed opportunity in terms of preventing a full-scale war. Secondly, it was the first agreement between Georgia and Abkhazia since the start of the war, and it was violated by the Georgian side. Georgian analysts often refer to violations of agreements by the Abkhazian side that occurred later, when a considerable part of Eastern Abkhazia as well as the capital city of Sukhum were under Georgian control. The analysts refer to these violations to justify Georgia's current reluctance to sign an agreement with Abkhazia on the non-use of force, on the grounds that it does not trust Abkhazia to be a reliable partner in any agreement. However, this position overlooks the fact that it was Georgia that undermined trust between the sides back in 1992, when it could still have been possible to avoid widespread bloodshed. Despite the obvious signs and warnings that Georgia was preparing a military attack against Abkhazia, international organizations, particularly the UN, of which Georgia

became a member two weeks before the attack, did not seriously attempt to prevent military actions. This can be explained, among other reasons, by expectations from the international community that Georgia would be able to solve its “internal” problems in a quick and efficient manner.

The Georgian military assault on Abkhazia at the time when the Abkhaz side was speaking about a federative treaty with Georgia, rather than independence, has deprived Georgia of serious arguments in favor of maintaining Abkhazia within the Georgian state. The occupation of Sukhum in violation of the first cease-fire agreement not only started a 13-month war, but also undermined trust, making further agreements between the conflicting parties less viable.

4. Proposals about a common state

From the very beginning of the negotiation process the mediators and facilitators (Russia, the UN and later the Group of Friends of the Secretary General) insisted that a political settlement should be based on the principle of Georgia’s territorial integrity. This approach used the outcome which was desired by one side (Georgia), as the framework for negotiations and thus equated conflict resolution with the restoration of territorial integrity. For mediators to occupy such a position was bound to cause protests from the other party to the conflict. For the Georgian side reconsidering the principle of territorial integrity was inadmissible, as was restructuring the country on a federative basis. Though Georgia’s position was not acceptable for Abkhazia, at the beginning of the negotiation process the Abkhaz side did not insist unequivocally on full independence. This apparent ambivalence in the Abkhaz position was a result of pressure exerted on Abkhazia during the negotiation process by the mediators (Russia and the UN). From 1994 Russia introduced limitations for Abkhaz citizens in crossing the Abkhazian-Russian border, and from January 1996, at Georgia’s demand, trade and political sanctions were imposed on Abkhazia by the CIS. Pressure on Abkhazia increased with the setting up of the Group of Friends of the Secretary General (USA, France, Germany, UK and Russia), that started to play an active role in the negotiation process.

As a result of such pressure the Abkhazian side had to look for potential compromises, which would allow it to preserve the maximum possible sovereignty for Abkhazia. While it was not willing to contemplate political status for Abkhazia within the Georgian state, the Abkhazian side was prepared to talk about the restoration of legal relations between two states on an equal footing (i.e. a common state with divided competences of the confederative type). This position was reflected in the Joint Declaration signed on 4 April 1994 in Moscow.²

This model for potential resolution, based on compromise, could have served as the basis for a comprehensive agreement between the parties at that time. But Georgia and the Western mediators interpreted the Moscow Declaration in a way that excluded a confederative type of a settlement, substituting it by general proposals of a federation with various degrees of sovereignty for Abkhazia within the Georgian state.

In 1997 negotiations led by Yevgeny Primakov, then Foreign Minister of the Russian Federation, resulted in the drafting of a protocol on the creation of a union state, which the Abkhaz leadership agreed to sign and the Georgian side rejected. The Abkhaz leaders agreed to make amendments to seven out of nine provisions of the draft protocol, but this did not help the situation.³

That same year Primakov persuaded the Abkhaz President Ardzinba to visit Tbilisi and meet with President Shevardnadze. The two presidents signed a joint statement in which they committed themselves not to resort to the use of force in the resolution of disputes.

The meeting in Tbilisi was followed by intensive shuttle diplomacy that resulted in the establishment of a Coordination Council to deal with practical issues of security, economic rehabilitation and refugees.

² Kvarchelia, Liana: Sanctions and the path away from peace. In: Powers of Persuasion: Incentives, Sanctions and Conditionality in Peacemaking, Accord, no. 19. Issue Editors: Aaron Griffiths, with Catherine Barnes, London: Conciliation Resources 2008.

³ Shamba, Sergei: The negotiation process: hopes and disappointments. In: Abkhazia-Georgia. Obstacles on the way to peace. Sukhum 2001, p.6

The violent attempt by Georgian forces to regain control over the Gal District of Abkhazia in May 1998, which borders Georgia and is populated predominantly by ethnic Georgians) was a serious blow to the negotiation process. This attempt failed, but it resulted in another, albeit temporary, exodus of the Georgian population, and in a worsening of relations between the sides. The Abkhaz side from then on insisted on the signing of an agreement on the non-use of force that would provide for international guarantees, and refused to discuss the political status of Abkhazia other than in the context of its full independence.

The fact that Georgia was not only not condemned for starting a war against Abkhazia, but also enjoyed unconditional support from the international community for its agenda with regard to Abkhazia after the war, did not motivate the Georgian leadership to look for compromise solutions. The international community insisted on a framework for negotiations that reflected the aspirations and ultimate goals of one particular party to the conflict. Though such an approach was not accepted by the other side of the conflict and therefore was doomed to failure, international mediators continued to insist on it for almost a decade, often closing their eyes on Georgian attempts to change the status-quo by the use of force.

5. Negotiations on an agreement on the non-use of force

From the end of the 1990s the Abkhazian side actively lobbied the signing of a separate Georgian-Abkhazian agreement on the non-use of force and international guarantees for the non-resumption of hostilities. The Georgian side in turn linked the signing of any joint document with Abkhazia with reference to the “inviolability of Georgia’s frontiers” and the return of Georgian refugees to the whole of Abkhazia’s territory (around 50 000 of Georgian refugees have already returned to Abkhazia, almost exclusively to its Gal District).

After the “Rose Revolution” the Abkhaz Foreign Minister Sergei Shamba and the Georgian State Minister for Conflicts Ivlian Khaindrava prepared a document on the guarantees for the non-use of force. They

signed a relevant protocol in the presence of Heidi Tagliavini, Special Representative of the UN Secretary General. However, this document was not approved by the Georgian President, who questioned the role of the CIS Russian peacekeepers as guarantors.

In spring 2006 President Bagapsh produced a plan called “The Key to the Future”. This plan reiterated the necessity of signing an agreement on the non-use of force. President Bagapsh called on the Georgian side and the Community of Independent States (CIS) countries to lift the sanctions. The fact that it was stated in the plan that Georgia should be first to initiate the international recognition of Abkhazia, could have been read to imply that Georgia would then be in a position to set conditions concerning recognition that would address its interests. Another important message was addressed to the international community, and emphasized that while Russia is Abkhazia’s main strategic partner, Abkhazia is open to building relations with the European Union and within the framework of the Black Sea cooperation. Some analysts within Georgia regarded these proposals as a positive step that could contribute new ideas to the negotiation process. But the official Georgian response was to stick to the old frameworks with an emphasis on the return of refugees prior to a political resolution of the status issue.

The introduction of Georgian troops into the upper parts of the Kodor Gorge in Abkhazia in 2006 terminated the official negotiation process for almost two and a half years, though some informal contacts between Sergei Shamba (Abkhaz Foreign Minister) and Irakli Alasania (Saakashvili’s Special Representative) continued, focusing on a draft document on the non-use of force and the lifting of sanctions.

In the absence of external recognition of Abkhazia’s independence, the Abkhazian side hoped to prolong the existing status quo through the signing of a document guaranteeing the non-resumption of hostilities. Though it was not in the interest of the Abkhazian side to commit itself to the return of refugees prior to the resolution of the conflict on a political level because of a possible demographic imbalance in the case of the return of Georgians only, the Abkhazian side nevertheless agreed

to include a provision on the return of refugees in the draft agreement on the non-use of force, referring to past UN Security Council resolutions and other previous agreements between the sides. Reference to the Security Council resolutions was also made in the provisions concerning the CIS Peacekeeping Forces (PKF) and UNOMIG as guarantors.

One can assume that Georgia's strategy in recent years has been based on the following principles: 1) Georgia will not sign any agreements with Abkhazia (on the non-use of force, economic rehabilitation etc), if these agreements do not directly endorse Georgia's territorial integrity and the return of Georgian refugees *en masse*. Knowing that such an approach is not acceptable for Abkhazia, the Georgian leadership attempts to portray the Abkhazian side as the party responsible for freezing the negotiation process. The continuation of the status quo is regarded by Georgian leaders as a counter-productive strategy. 2) The Georgian side accuses Russia for its support of Abkhazia, which, according to the Georgian side, makes Abkhazia's position inflexible. Georgia would be satisfied only if Russia's role helps restore Georgia's territorial integrity. Therefore, Georgia claims that the chief obstacle in changing the status quo is Russia's position and announces Georgia's intention to change the existing peace-keeping and negotiation formats.

The Abkhazian strategy was informed by the following assumptions: 1) It is necessary to exclude any possibility of the use of force in conflict resolution, since military confrontation will have disastrous consequences for Abkhazia. It was for this reason that the Abkhazian leadership decided not to respond militarily to the introduction of Georgian troops to the Kodori Gorge. The Abkhaz also calculated that in this way they would occupy the moral high ground with regard to Georgia's action in the Kodori Gorge, but this did not bring the desired dividends, other than a degree of positive influence on Western perceptions of Abkhazia. 2) In the absence of international recognition Abkhazia was interested in preserving the status quo. From the Abkhaz perspective the Georgian side was preparing to change the status quo

militarily. That is why it was important for the Abkhazian side to sign a non-resumption of war agreement.⁴

Before deciding to change the status quo one has to be fully aware of the possible consequences. The status quo of “no war, no peace” is not a desirable solution, but it is better than the use of force. The status quo creates the space for various diplomatic channels to be pursued. In a situation where the sides have conflicting political goals (independence vs. territorial integrity) and both appeal to third parties who compete for influence in the region, attempts to change the status quo through the use of force instead of unfreezing negotiations are fraught with predictable consequences.

6. The Steinmeier plan and the consequences of the August 2008 war

On the eve of August 2008, Western diplomats increased their efforts in the conflict resolution process. One such effort was the German initiative presented by the German Foreign Minister Steinmeier. The so-called “German plan” envisaged a three-phase approach:

Phase 1 – assurances of non-use of force; security guarantees including for the Kodori Valley; general principle of and continuation of IDP and refugee return; consideration of international security arrangements;

Phase 2 – confidence-building by practical projects – to be initiated by an international donor conference in Berlin; return of IDPs and refugees; practical cooperation in the fields of security, trade, travel, selected legal issues, culture and sports under the political status quo;

Phase 3 – agreed settlement of Abkhazia’s political status in the framework of internationally mediated bilateral negotiations.

⁴ Akaba, Natella: Agreement on non Resumption of hostilities as an important factor in the Resolution of the Georgian-Abkhazian Conflict. Unpublished policy paper, International Alert.

For the first time in almost fifteen years of negotiation a plan suggested by a Western state did not refer to Georgia's territorial integrity. Instead it envisaged discussions concerning the status of Abkhazia as the third phase of the plan. Georgia did not want to discuss the political status of Abkhazia without reference to its territorial integrity. But the main drawback of the plan in Georgia's eyes was that the plan did not stipulate the withdrawal of the CIS PKF.

The Abkhaz side was not satisfied with the plan either since they had made it clear they were not willing to discuss Abkhazia's status as such, but only conditions under which Abkhazia's independence might be recognized. Besides, given the inflexible Western position on the issue of Georgia's "territorial integrity", for Abkhazia it was crucial to have Russia's peace-keeping role as central in any security arrangements. Despite criticism with regard to a number of provisions of the German plan, the Abkhaz leadership agreed to prepare their own version of the paper that incorporated a significant part of the German plan. The Abkhaz draft was sent to Tbilisi on the eve of the August events.

The August war changed the situation not only on the ground, but internationally. Apparently Georgia's plan was to provoke the deterioration of the situation in the so-called "conflict zones" to a degree that would force Russia to intervene. A sufficiently crude Russian intervention would have allowed the Georgian authorities to expose Moscow as a party to the conflict. What the Georgian leadership did not foresee, however, was the intensity of Russia's response. As a result the August war has left Georgia's military infrastructure in ruins, the question of Georgia's "territorial integrity" even in the perception of Georgians themselves has become rhetorical, Russia affirmed itself as the sole regional power, and the internal political situation in Georgia has acquired the form of a permanent crisis. Abkhazia regained control of the Kodori Gorge, was recognized by Russia, and once again stated something that has been obvious to its population all along: the issue of Abkhazia's security is directly linked with its recognized independence and therefore any international solutions have to take this reality into account.

The Abkhazian side realizes that recognition by Russia and Russia's military presence does not exclude the necessity for resolving its conflict with Georgia, and it has supported consultations within the new Geneva process based on the Medvedev-Sarkozy plan. Moreover, Abkhazia is interested in preserving an international presence in Abkhazia in the form of the UN mission, albeit with a revised name and mandate. The eventual presence of EU observers on Abkhazian territory is highly doubtful due to the active position the EU is taking against the recognition of Abkhazia (EU pressure on countries that might potentially recognize Abkhazia, calling on Russia to renounce its recognition etc.). The door of any EU mission to Abkhazia could open only if Abkhazia perceives the EU as an impartial actor, which is not the case at the moment.

Georgia managed to play on the contradictions between Moscow and the West to such a degree, that the international community proved to be ineffective in stopping Georgia from using force in August 2008. Western diplomats failed to warn Georgia sufficiently clearly that using force was impermissible, enabling Georgia to misinterpret their message. The EU, that has now increased its presence in the region and has adopted a more active role in conflict resolution has largely failed to assume the role of an impartial mediator despite some progress in the Geneva talks over creating mechanisms for the prevention of security incidents.

7. The role of civil diplomacy

Contacts on an unofficial level were maintained between the sides even during the war of 1992-1993. During that period, and immediately after the war, these contacts were aimed at solving mostly humanitarian problems (exchange of prisoners of war etc.). Later civil society representatives (mostly NGOs) on both sides accepted that it was important to work together on the prevention of a further outbreak of war. Thus Georgian-Abkhazian civil society dialogue gradually evolved from solving practical issues of common interest such as the exchange

of information on missing persons to issues of a more long-term character.

The main difference between the official negotiation process and the civic dialogue was not only related to the objectives of the two processes or to the degrees of responsibility for any kind of an agreement. The most important difference had to do with the fact that on the official level there was an attempt to come to a resolution without analyzing the sources of the conflict and the range of issues under dispute that constituted the core of the conflict.

Unlike the official process, there was no specific framework within which the sides looked for solutions in the unofficial civil society dialogue. The Georgian participants put forward various ideas for a Georgian state incorporating Abkhazia – either federative or confederative – while the Abkhaz participants discussed potential conditions under which Georgia might recognize Abkhazia. Among the topics discussed were the sources of the conflict, the needs and fears of the parties to the conflict, the role of third parties, the impact of Georgia's possible NATO accession on the Georgian-Abkhazian conflict, and migration processes related to the conflict.

Despite political differences over a number of questions, particularly regarding the territorial integrity vs. independence issues, the common assumption was only that a peaceful resolution should be found to the conflict, and that resolution is as much about the process of reaching agreement as it is about the outcome.

Materials, including transcripts of the meetings, were published and this gave to readers in both societies and internationally the opportunity to explore the conflict resolution process and developments within both countries through the civil society prism. Many warnings about the possible impacts of various decisions, as well as about the possible deterioration of the situation, were unfortunately ignored by decision makers both at the local and international levels.

The so-called “Schlaining” process initiated by civil society from both sides together with international NGOs, occupies a special place in the history of informal dialogue. It provided a neutral space for officials to discuss conflict related issues in an unofficial setting. It was designed in a way that allowed a free exchange of opinions between officials and civil society from both sides and a space for joint analysis of factors that enhance or hamper conflict resolution. Some of the ideas that emerged during the discussions were later used in the negotiation process, or vice versa. For example, the Shamba-Alasania initiative on the agreement on the non-use of force and international guarantees for non-resumption of hostilities, were rehearsed in the Schlaining process. In one of his articles Paata Zakareishvili, a Georgian civic activist and coordinator of the Schlaining dialogue process from the Georgian side, gives a very convincing picture of how the Georgian leadership began to undermine the process by preventing Georgian officials from participating in the Schlaining meetings.⁵

The Georgian leadership put pressure not only on their officials who supported unofficial contacts with the Abkhazian side, but also on those NGOs that took an impartial position and were able to work on both sides of the conflict divide. Impartiality was interpreted by the Georgian government as an anti-Georgian position.

In addition to dialogue processes at the level of NGOs and analysts, civil society was involved in concrete confidence-building measures on bilateral and multi-lateral (Caucasus-wide) levels.

In 2001 on the eve of the first escalation in the Kodor Gorge Georgian NGOs issued a statement in which they warned their Government against any steps that might aggravate the situation. After the clashes in the Gorge following the intervention of armed groups from Georgia, the Caucasus NGO Forum, set up at the initiative of Abkhaz and Georgian NGOs, sent a fact finding mission to the region and issued a report on the events that took place in the Kodor Gorge. In 2007 Abkhaz

⁵ Zakareishvili, Paata: How Step by Step the Georgian Government was Destroying the Informal Georgian-Abkhazian Dialogue Process. In: Rezonansi, 22.09.2008, p. 19, 20.

journalists helped in the release of Georgian journalists that were detained by the Abkhaz authorities for illegally crossing the border.

At the peak of the August events the participants of the dialogue processes were in contact with each other through e-mail. Abkhaz NGOs held a meeting with the Abkhaz authorities to ensure that the ethnic Georgian civilian population in the Kodor Gorge, as well as in the Gal district, did not become a target and innocent victims of score settling. Today Georgian and Abkhaz civil society activists and experts are involved in parallel policy research and in producing recommendations on security, the situation in the border regions, the human rights situation etc. Contacts at the civil society level should not create the illusion among the international community that there are forces within Abkhaz society that see the future of their country within the Georgian state. The rationale behind such contacts is the awareness that the conflict has not been resolved, and that until a resolution is achieved there remains a threat to security, and limitations to what Abkhazia can achieve economically and politically prevail.

However, there is a serious gap between the expertise accumulated within civil society circles with regard to the conflict resolution process and internal developments within both societies on the one hand, and the demand for such expertise from local and international decision makers on the other.

Missed Chances in the Georgian-South Ossetian Conflict – A View from South Ossetia

Alan Parastaev

The conference on “used and missed opportunities for conflict prevention in the Georgian-South Ossetian conflict” required the consideration of two points:

- a) Not too much focus on the general conflict history
- b) Focus on describing the policy of the South Ossetian leadership in the last two decades

Points a) and b) are somewhat contradictory. During the last 20 years, South Ossetia has periodically been in a state of political conflict with Georgia, which culminated in the armed phase. Incidentally, the frequency strictly corresponds with the periods of changing regimes in Georgia. The policy of the South Ossetian leadership of recent decades has simultaneously been the history of the Georgian-Ossetian conflict.

This essay aims at sampling one period of modern South Ossetian history to try to discover the essence of the Georgian-Ossetian relations and the role of various actors, to uncover the lessons to be learnt from the past and to reveal the missed chances/opportunities before and during the conflict.

There have been dozens of peace initiatives of different governments in the Caucasus, including those of Georgia and South Ossetia, as well as the OSCE mission and Russian peacekeeping forces. Each side to the conflict participating in the negotiation process argues that it was their peacekeeping mission which was most effective and contributed to peace-building. However, it is not the aim of this paper to go into further depth into these dynamics. With all personal critique of the South Ossetian government, as a South Ossetian citizen it is impossible to find

actions that could be described as factors leading to the deterioration of the situation. Thus, Georgians also believe the same in the case of their own government and it is quite possible that this is plausible, if one did not take such facts as the case of direct aggression in 1992, 2004 and 2008 into account, as well as the regular violation of international agreements banning the entry of heavy weaponry into the conflict zone.

To increase the complicated dynamic of different viewpoints, officers, part of the OSCE peacekeeping mission, would also praise their peacekeeping mission, finding it difficult to critique their own organisation.

Russia is not to be mentioned here, which formally and in reality, did serve a peacekeeping mission.

The combination of different viewpoints, all serving peaceful means in their opinions, led to hundreds of people being killed and Tskhinvali destroyed.

The security problem, in terms of preventing a renewed conflict, was not solved by the various international institutions. Thus the South Ossetian government, realising that no other security system including the OSCE was able to decrease tensions, allowed the Russian Army in South Ossetia to protect the safety of the South Ossetian population.

At the state level this led to an improvement of the situation. In the formal negotiation process under the auspices of the OSCE the parties failed to agree. Generally, the initiative to review and analyse the parties to the conflict and the conflict dimension does not make sense until the actual conflict process as a whole has been evaluated. Thus, the main problems were neither the actions by the governments nor the international organisations, but in fact the actual negotiations of the peace process and the approach to them by the international community.

From the perspective of a citizen of the Republic of South Ossetia taking part in the round table discussions in Vienna it was important to focus the comments on the conflict regions and not on Georgia and South

Ossetia, territories which are interpreted differently by different parties. The area of conflict is seen here in terms of the places of residence of the non-Georgian population. From Georgia's point of view, any regions inhabited by non-Georgians are defined as the area of conflict. For the majority presently living in the Georgian province of South Ossetia, the essence of the conflict lies in the wish to secede from the metropolis Tbilisi, which is not granted to them. This is because the Georgian-South Ossetian conflict is essentially seen as an internal conflict in Georgia.

To be able to function, civil society activists and government entities, which regarded South Ossetia a part of Georgia, took these differing realities in South Ossetia into account. It was important to try to explain the situation from a South Ossetian point of view to these actors. This dimension was also present in the conference in Vienna, where differing views prevailed on the interpretation of Georgia's territorial conflicts. The general confusion surrounding the topic is not one of mere terminology; it encompasses the main component of the political conflict and the real reason for the low efficiency of peacekeeping initiatives and attempts to transform and resolve the Georgian-South Ossetian conflicts that have been going on for more than 16 years and have led to numerous deaths.

The permanent and categorical declarations of the international community of its support of the disputed territorial integrity of Georgia and the definition of the Georgian-South Ossetian conflict as an internal conflict within Georgia and not as a conflict where actors compete for international recognition, hindered the international community as well as Russia to develop effective measures that would prevent an escalation of the conflict and the events of August 2008.

The recognition of Georgia's territorial integrity by the international community at a time when the territory was plagued by three armed conflicts in 1992, (South Ossetia, Abkhazia, the civil war) was the first measure that hindered the resolution of the conflict.

The former Georgian Soviet Socialist Republic was recognised as an independent Republic of Georgia, despite the fact that referendums held

under international law and democratic norms in South Ossetia demonstrated the willingness to become a part of Russia, not part of the new Georgian Republic.

With no possibility of an absolute recognition of South Ossetia, it was taken to the level of a taboo topic that could not even be discussed. The international community, through the OSCE, denied signing an agreement in support of South Ossetia.

All these events led to an air of opposition between Russia and the West. In terms of attitudes towards democratic values, the West and Russia had no specific conflicts. However, South Ossetia's population was of the opinion that Russia and the West were antagonists regarding the respect for their democratic values. This was not the only example of where the EU and other international institutions vexed the civil society.

As a result, the South Ossetian leadership sought support from the representatives of the Russian political elite, opposing the Western "no" to South Ossetia's independence. This was the only correct choice considering the circumstances and was ultimately preserved as the South Ossetian ethos, allowing it to make the first step towards international recognition.

The approach by the international community towards the problem of resolving the South Ossetian conflict led to a negative attitude in South Ossetia towards NGOs and individuals based on Western democratic values, which minimised the influence of democratic forces in the South Ossetian society.

The international community and Georgia believed that negotiations with the current political leadership of South Ossetia regarding the validity of the international recognition of the Republic of South Ossetia would be problematic. However, they had the chance to negotiate on this issue with constructive-minded politicians and civil society activists to defuse tensions, to avoid the escalation of the conflict and prevent the move towards military action.

Nevertheless, the selective approach of the international community in regard to cooperation with the South Ossetian NGOs and community leaders, giving preference to those that did not regard the issue of the international recognition of the Republic of South Ossetia, did not help matters. This was because international organizations had developed policies towards South Ossetian organizations which gave support to those who would not express public opinion i.e. would not represent the interests of a large part of civil society. The principles of tolerance were substituted by the loyalty towards the policies pursued by Georgia and international organizations. Over the years this has become sustainable. Based on the findings made as a result of the cooperation with “loyal” NGOs, the atmosphere was transformed into one of a political nature. The international organisations built a strategy for analysing the situation based on these findings. As revealed later, the analyses and conclusions were perfunctory and often did not correspond to reality.

This deadlock occurred despite the fact that the civil institutions in South Ossetia had taken initiatives to encourage the international community and Russia to reconsider their attitudes towards the Ossetian-Georgian conflict as an internal conflict in Georgia and to take into account the justification of South Ossetia to be recognized as independent in accordance with international law. Unfortunately, the international community did not heed the calls of the South Ossetian civil society.

To cite a personal example, when less than one year prior to August 2008, at a conference organized by the EU Institute for Security Studies in Paris, I tried to convince the high assembly of experts that the EU was promoting the political elite of Georgia. I presented the idea that the replacement of the leadership of South Ossetia by the pro-Georgian government of Dmitry Sanakoev would in no case be the way to resolve the conflict, but instead would lead to bloodshed. As a justification of my logic, I gave a single argument: the problem was that the views of the civil society of South Ossetia were not being taken into account. The ignoring of this fact led to bloodshed, 20 000 refugees, the destruction of the city of Tskhinvali and the approach of Russian tanks up to 30 kilometres from Tbilisi.

How long will it take for the different actors to listen to the civil society of South Ossetia? Considering the role of the civil society of South Ossetia in the context of upholding the democratic principles of international law on the domestic front, it can be concluded that it is more than significant. Civil society activists have played a significant role in forcing the political leadership of South Ossetia to abide by humanitarian and international law. Various actors in the political arena of the Georgian-South Ossetian conflict have tried to give guidance to the Republic of South Ossetia in terms of foreign policy, based on international law, in order to achieve short-term and highly dubious “progress”, but they regularly met with resistance from civil society.

A striking example is the struggle of civil society against the political forces of South Ossetia, claiming that adherence to the Russian Federation was the main purpose of the Republic of South Ossetia.

Defending the principles of independence was treated as a betrayal of the Republic of South Ossetia. Despite tremendous pressure from formal structures of civil societies, these activists were persuaded by political parties and the public to accept the accession to Russia, without which South Ossetia would not achieve international recognition. Furthermore they claimed that real independence was contrary to the interests of Russia itself. Already by mid-2007, the political platform of the President of the Republic of South Ossetia, Eduard Kokoity, was based on the principles laid down in the struggle for independence of South Ossetia only in the framework of international law.

This was an important element in the peace efforts, as well as in the policy guidance of South Ossetia during the period 2004-2005, because it did not focus on the opposition to Georgian policies for achieving independence and recognition. This was despite the fact that the majority of the people of South Ossetia voted in favour of an independent South Ossetia and in spite of the position of the international community that negated South Ossetia equating it to the independence of separatist territories. This led, given the right leadership in Georgia, to the support of Georgia by the international community and the United States and to the implementation of law enforcement against South Ossetia and

against separatism.

Georgia and the international community as represented by the OSCE and other interested parties in 2006/2007, had a real chance to negotiate with South Ossetia, by offering it various formats of the settlement, taking into account legal requirements of South Ossetia.

Civil society activists were aware that a change in attitude towards South Ossetia's problems not to mention its recognition was not possible without respect for proper procedures and without an appropriate level of democracy in the republic. South Ossetia was ready and open to dialogue with all, regardless of the views of others on the South Ossetian problem, and it was ready to support democratic processes in its society.

Even in 2007/2008, civil society activists started initiatives aimed at building confidence with the Georgian side.

Among them, the "Civil Initiative, the citizens of South Ossetia" and the "Caucasus Network of Business and Development" should be noted as the first united network of citizens of South Ossetia, regardless of nationality or place of residence. They acted with initiatives aimed at the development of civil institutions (media, social programs, human rights, culture). However, support from international organizations was not sufficiently strong and these kinds of civil society groups could not withstand the pressure from the extremist forces and thus the project did not proceed. Citizens of the Republic of South Ossetia accepted these high-risk conditions, a step which led them to be publicly declared as traitors, accusing them of having distributed untrue information. But the Civic Forum did not succeed, which was not beneficial for the Ossetian-Georgian dialogue. A dialogue at a crucial moment neither had the means nor the capacity to ensure what would work effectively, because there was no proper support from the international community.

A more efficient project is the "Caucasus Business and Development Network", wherein the basis of its activities is the development of business in the South Caucasus region. The success of the project lies in the fact that the organizers and participants observe a number of

principles necessary for a successful peace project, the most important of which is promoting equal respect for the interests of the participants.

The situation in Georgia and its territorial conflicts has been and will be directly connected with the situation in South Ossetia and with the Georgian-Ossetian peace process which was interrupted by attempts of the Saakashvili government to destroy the peaceful population of South Ossetia and to annex the territory of South Ossetia in August 2008.

The aggression against South Ossetia clearly exacerbated the already heightened tensions in Georgia in the conflict zones. The political leadership of Georgia has repeatedly stated that the culprits were the Republic of South Ossetia's people – citizens of Georgia –, i.e. its own citizens; the application of weapons of mass destruction against its "own" citizens did not have a positive impact on the relations between the various nationalities inhabiting Georgia, especially in areas of residence of other ethnic groups, such as the Armenians, Chechens or Azerbaijanis. This is also an important lesson to be learned from the tragic events of August 2008.

Continuing this line of thought, it can be concluded that the August 2008 events have negatively affected the situation in the Northern Caucasus. The increasing acts of violence demonstrate this, as the difference between attacks on security forces and internecine fighting are getting more and more difficult to define.

Russia went along with the recognition of South Ossetia, in spite of being aware of the fact that it would worsen the situation in the Northern Caucasus. This was a high price paid by Russia for the security of the citizens of South Ossetia.

**PART IV:
THE INTERNATIONAL INFLUENCE**

OSCE Early Warning and the August Conflict in Georgia

Dov Lynch¹

Introduction

To reflect the paradox of reality, the medical world sometimes uses the expression, “the operation was successful; the patient died.” The phrase helps to capture, dramatically indeed, the paradox of success in some situations, when operations may be carried out effectively, even successfully in their own terms of reference, but fail at a more fundamental level. In the medical world, a heart may be successfully transplanted, but the patient may still pass away, from related or even unrelated causes. The expression can be useful for settings outside the medical world.

The OSCE has been working in Georgia since 1992 with the mandate to support the process of settling the territorial conflict between the Georgian central authorities in Tbilisi and the separatist self-declared region of South Ossetia. Through the OSCE Mission to Georgia on the ground and the activities of the permanent representatives of the participating States in Vienna, the OSCE performed early warning in and around the conflict zone and undertook policies to warn against and prevent renewed conflict. Nonetheless, war resumed in the region of South Ossetia on August 7th 2008.

How can we explain the resumption of the conflict? Is this a failure of the OSCE and the participating States? Or was there, indeed, a more paradoxical logic at play on the ground?

¹ These are the personal views of the author and do not reflect those of the OSCE. Thanks go to Emmanuel Anquetil, Martha Freeman and Martin Nesirky for their criticism and support. All remaining errors and shades of opinion are those of the author only.

In exploring these questions, the argument in this paper is structured in three parts. The first part will examine OSCE mechanisms for early warning and conflict prevention in Georgia. A second section will look more closely at OSCE activities in the run-up to August 7th, during the period of heightening of tensions that occurred in 2008. The last part will outline elements of a deeper logic that was at play on the ground. In the end, it was this logic that led events into an escalatory cycle and that worked ultimately to offset the benefits of OSCE engagement.

OSCE mechanisms

Before examining events in 2008, it is important to set out the different OSCE structures and mechanisms that have been engaged in early warning and conflict prevention activities in Georgia.

The OSCE has a strong mandate for engagement across the whole OSCE area and at all phases of the conflict cycle, starting with early warning, conflict prevention, including crisis management and settlement, and followed by post-conflict rehabilitation. Since the early 1990s, the 56 participating States have created a toolbox of instruments that work each in different ways in pursuit of this mandate.

The OSCE role begins with the prominent political leadership that is provided by the rotating Chairman-in-Office (CiO) and his/her Special Representatives and Envoys. In the past, the OSCE Chairman-in-Office has often chosen to play a personal role in the protracted conflicts that remain unresolved in the OSCE area. In support of the Chairman-in-Office, the Special Envoys embody the political will of the Chairmanship in established negotiating mechanisms and in taking forward new confidence-building initiatives.

The Chairmanship is supported by the work of the OSCE Secretary General and the activities of the Conflict Prevention Centre in the Secretariat. The OSCE Institutions – the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, and the Representative on Freedom of the Media – also have

strong early warning and conflict prevention mandates and have developed wide-ranging activities to these ends. On the ground, OSCE field operations undertake early warning and conflict prevention through active monitoring and project implementation.

In the case of Georgia, the OSCE drew on a combination of these tools, working at different levels to pursue early warning and promote conflict settlement.

The rotating OSCE Chairmanships were constantly engaged with the objective of conflict settlement through regular visits to Georgia and through the targeted activities of CiO Special Representatives. In addition, the Permanent Council, the OSCE's main political decision-making body, regularly debated developments occurring in and around the conflict zones in Georgia, including destabilising incidents. The Permanent Council also provided a forum for the participating States to explore proposals for the settlement of the conflicts.

The OSCE Mission to Georgia led OSCE early warning and conflict prevention activities. The Mission was established in December 1992 with the mandate to promote negotiations between the parties to the Georgian-Ossetian conflict in order to reach a political settlement. A branch office in Tskhinvali, the capital of the region of South Ossetia, was established in 1997 to support this objective.

Unarmed OSCE Military Monitoring Officers (MMOs) played a particularly important role in monitoring the security situation in the zone of conflict, including by identifying sources of tension and reporting back to the OSCE Chairmanship and the participating States. Almost all of the MMOs were based in Tskhinvali itself. Their role involved independent patrolling as well as patrolling with the tripartite Joint Peacekeeping Forces (comprising a battalion each of Georgian, North Ossetian and Russian peacekeepers). The MMOs were tasked also with monitoring alleged and actual violations of the cease-fire agreement, and with drawing attention to possible political implications of specific military activity.

In addition, the OSCE supported the work of the quadripartite Joint Control Commission, which was created by the 1992 Sochi cease-fire agreement. The Joint Control Commission comprised the parties to the conflict (the Georgian and South Ossetian sides) as well as the facilitators (representatives from Russia and North Ossetia), along with the participation of the OSCE itself through its Mission. The Joint Control Commission was entrusted with monitoring the cease-fire and with supervision of the Joint Peacekeeping Forces. The Joint Peacekeeping Forces had been deployed in the zone of conflict since 1992, headed by a Commander that was appointed by Russia and endorsed by the Joint Control Commission.

The OSCE Mission and its field office in Tskhinvali focused on raising issues of urgent concern to the sides, with the aim of promoting a results-oriented dialogue and of assisting implementation of agreements that they reached. These activities also helped to develop the momentum for political, security and confidence-building initiatives including between communities. It should be noted that whilst the Mission promoted constructive initiatives, ultimately, the sides had to agree together to engage with them.

The OSCE Mission also supported the publication of a newsletter of the Joint Control Commission in order to increase transparency and information-sharing. In addition, the OSCE helped to establish a co-operation centre for the law enforcement bodies of the conflicting sides. The Mission also led a project to promote the collection and destruction of small arms.

The OSCE also worked on longer-term confidence-building on the ground. The OSCE-led Economic Rehabilitation Programme (ERP) was a flagship project in this respect. Launched in 2006, after a thorough needs-assessment, the ERP drew on pledges worth € 7.8 million to seek to build confidence between Georgian and Ossetian communities in and around the conflict zone through a programme of rehabilitation and economic development. These projects were developed and carried out with the consent of the sides. They involved a range of infrastructure projects, such as rehabilitating water pipelines and schools, as well as

capacity building across communities. With the ERP, the intention was to help move forward an often-stalled dialogue and build on the ground a more favourable context for peaceful settlement.

In addition, in order to promote transparency and information-sharing regarding the activities of the Joint Control Commission, the OSCE Mission supported the publication of a JCC newsletter. The Field Office engaged also in a plethora of grass-roots programmes that also provided insights into community developments on the ground. These activities included supporting local community projects, promoting civil society development, and supporting the professional development of constructive journalism.

Overarching these activities, the OSCE sought to provide a perspective for the peaceful settlement of the conflict. At the invitation of successive OSCE Chairmanships, a ‘Group of Political Experts’ met regularly to elaborate draft proposals on criteria for the political settlement of the conflict. The so-called ‘Baden Paper’ of 2000 (named after the town in Austria where it was drafted) was the last major push by the OSCE through the ‘Group of Political Experts.’

How did these mechanisms work in 2008?

Throughout the year, the Finnish Chairmanship, and the CiO in person, was engaged actively with seeking to defuse tensions and create the basis for sustainable progress. Heikki Talvitie, the Special Envoy of the CiO, played an active shuttle role throughout the Spring and early Summer – meeting with the Georgian and Ossetian authorities and the Russian government, including to discuss ways to enhance the conflict settlement mechanisms. On 10-11 July, Ambassador Talvitie held consultations in Moscow, Tbilisi and Tskhinvali, as well as with the commander of the Joint Peacekeeping Forces, to discuss how to resume the political dialogue and halt a deteriorating security situation.

The OSCE role in 2008 involved also the continual engagement of the Permanent Council and the Forum for Security Cooperation in Vienna.

Following the incident on April 20th 2008 involving an unarmed aerial vehicle over Abkhazia, the Finnish Chairmanship invoked one of the OSCE conflict prevention tools (Bucharest MC Decision no. 3) to request expert advice from the Forum for Security Co-operation, which meets weekly in Vienna to discuss and take decisions regarding military aspects of security in the OSCE area, in particular confidence- and security-building measures. In late May, Georgia and Russia activated Chapter III of the Vienna Document 1999, which provides a mechanism for consultation and co-operation on unusual military activities. The Chairmanship provided the framework for consultations between the parties in Vienna.

In 2008, the 56 Ambassadors debated developments in Georgia almost on a weekly basis in the Permanent Council. The last debate before August 7th occurred on July 14th – these discussions followed in the wake of worrying shootings in the zone of conflict and the statement by the Russian Ministry of Foreign Affairs that four Russian fighter jets had entered Georgian airspace on July 8th.

On July 7-9, the OSCE Permanent Representatives went a step further. Twenty two Ambassadors travelled to Georgia, including the zone of conflict (and as far as the Roki Tunnel), where they met Georgian authorities, *de facto* leaders from the South Ossetian side, and the Commander of the Joint Peacekeeping Forces.

On the ground, the Mission to Georgia continued to send Activity and Spot Reports back to the participating States, which testified to rising tensions and the danger of escalation. OSCE MMOs reported on the full range of incidents that were occurring. These included the exchanges of fire in Tskhinvali on July 3-4, the increasing casualties caused by improvised explosive devices in the zone of conflict, the firing incidents in the Sveri/Andzisi area on July 29th and in the Sarabuki area on July 30th.

In the days before August 7th, the reporting of the OSCE Mission provided clear early warning of the escalation of hostilities. For instance, on August 4th, the Mission to Georgia issued a report informing the

OSCE participating States of exchanges of small arms fire and mortar shelling. These were assessed by the Mission as being the most serious outbreak of fire since the conflict in 2004. The report concluded that unless there is urgent political dialogue between the representatives of the sides, in whatever format, to de-escalate the current military security situation, there was a distinct possibility that the situation could further deteriorate. The report of August 7th informed the participating States about the deterioration of the military security situation, the failure of a meeting between the sides and significant movements of troops and equipment on the Georgian side towards the zone of conflict.

Throughout this period, the CiO, Alexander Stubb, issued a number of sharp statements that drew attention to rising tensions on the ground and calling on parties to resume dialogue and refrain from unilateral measures. On August 7th, the Finnish Foreign Minister extended an invitation to the parties to meet in Helsinki as soon as possible, declaring that ‘the situation in the conflict zone is extremely tense and requires immediate de-escalation’.

In sum, early warning by the OSCE was regular and unambiguous in the run-up to August 7th. A series of destabilising incidents was occurring on the ground; this was reported by the Mission to Georgia, and it was discussed in Vienna by the Permanent Representatives of the 56 participating States.

What went so wrong? How can we explain the failure of what was an elaborate system of early warning? Is this a case of ‘the operation was successful, the patient died’?

A first, unsatisfactory but accurate, answer to these questions is tautological: ‘Early warning works if it works – it doesn’t work if it doesn’t work.’ One should recognise that the early warning activities of the OSCE were far from perfect. Monitoring by the OSCE did not extend throughout the entire conflict zone, and did not include the area around the Roki Tunnel. The OSCE never had the full picture and was

never able to report on the whole spectrum of developments in and around the conflict zone.

This being said, a more satisfactory explanation must explore the 'patient' itself – that is, the logic at work on the ground in and around the zone of conflict that led to renewed hostilities on August 7th. From this perspective, the following factors can be identified as having worked as accelerators of escalation.

1. The existence of a weak but entrenched self-declared separatist 'state' based around Tskhinvali, in a state of mobilization readiness and driven by a firm political determination to consolidate what it saw as its hard-won *de facto* 'independence.'
2. The increasing territorial complexity of the South Ossetian region itself, with the development of the pro-Georgian Ossetian authorities in Kurta led by Dimitry Sanokoyev – this placed pressure on the separatist authorities in Tskhinvali and added uncertainty to the military configuration on the ground.
3. The support provided by external forces to the separatist authorities in South Ossetia, including in infrastructure, revenues and security – counterbalanced by the legitimate assistance provided by Tbilisi to the Kurta-based authorities, also in infrastructure and security assistance. These constituted two *de facto* alternative and contradictory rehabilitation programmes that dwarfed the OSCE-led ERP, which was designed to knit communities together.
4. By 2008, the agreed framework for conflict settlement had run into the sand. To make progress, two elements had to work together: First, effective monitoring in the zone of conflict by the Joint Control Commission and Joint Peacekeeping Forces to prevent and offset destabilising incidents; Second, serious work on criteria for a political settlement of the conflict by the 'Group of Political Experts.' For all intents and purposes, the 'Group of Political Experts' stopped working after 2000. Lacking a political

perspective, the Georgian government in Tbilisi became frustrated with the existing settlement mechanisms, from which it disinvested. At the same time, the Russian Federation continued to insist on the first pillar of the mechanisms (the Joint Control Commission and the Joint Peacekeeping Force) whose legitimacy and efficiency was increasingly called into question by Georgia. By 2008, these countervailing pressures had stalled the OSCE's double-pronged approach to promoting conflict settlement. The Organisation was left working with a *status quo* that hardly existed on the ground and fighting to sustain mechanisms that were off-kilter.

5. The acceleration of the pace of events after February – including a sharpening militarisation in and around the zones of conflict, the multiplication of incidents on the ground, and the increasing brazen openness of the different parties involved in these incidents.
6. The perception of local actors on wider international developments mattered – such as developments in Kosovo, the opportunities and constraints seen to be offered by the upcoming elections in the United States, the new leadership of the Russian Federation, the prospects for Georgia of deepening relations with NATO.

From this wider angle, the picture becomes more clear. Weaving together, these trends on the ground and more widely produced a logic of escalation that was driven by a sense of high perceived urgency from local actors. Entrenched and urgent, this logic coloured the strategic calculations that were being made by different local actors about the costs/benefits of maintaining a deteriorating status quo or taking a risk. The result was war.

Early warning means little if it is not followed by early action. In this sense, it is hard to take solace from the early warning signs that were emitted by the OSCE regarding developments in Georgia in the run-up to August 2008. From this view, the OSCE ‘operation’ can not be seen as having been successful, as sufficient early action did not follow. This would have required the requisite political will from OSCE participating States to act swiftly and firmly to halt an emerging escalatory logic. Despite all of the signs of rising tension, putting together an accurate analysis and prediction of developments proved very difficult.

Distinguishing between increasingly routine incidents and a pattern of imminent conflict in Georgia was no easy task by early August. It is simply not easy to act on early warning. By August 2008, the international community faced the difficulty of disentangling the ‘usual’ from the ‘extraordinary’ in tensions on the ground. It may have been easy to predict dramatic events if developments continued, but it was not a simple thing to pinpoint tipping points beyond which escalation and war became inevitable, and even less so to then act on this analysis.

There is a lot that can be done to strengthen international early warning and conflict prevention mechanisms in protracted conflicts. Certainly, OSCE mechanisms could be further strengthened with increased analytical capabilities. One could also point to the need for greater coordination between international actors. One could draw specific lessons also from the experience in Georgia – for instance, concerning the area of activities of the MMOs, which remained territorially restricted.

However, we should underline the importance of context. In the summer of 2004, working with a healthier ‘patient’, the OSCE helped to halt the escalation of hostilities in and around South Ossetia. In 2008, early warning worked well on the whole. But OSCE actions proved insufficient to offset what had become an entrenched logic of escalation. The picture was sufficiently blurred for early action by external actors to be delayed. In the end, the commitment to escalation from local actors proved ineluctable.

The Role of the United Nations in Abkhazia, Opportunities and Missed Opportunities between 1992 and 2009

Charlotte Hille

The conflict between Russia and Georgia of August 2008, followed by the recognition by Russia of Abkhazia and South Ossetia, urges us to rethink the opportunities and missed opportunities in the past 17 years since Georgia declared its independence, and conflicts with Abkhazia and South Ossetia emerged. This essay investigates the role of the UN, concentrating on the role of UN mediation in the Georgian-Abkhazian conflict, and the mandate and activities of the United Nations Mission in Georgia (UNOMIG). Investigating the opportunities the UN has taken is the more interesting aspect, since the UN has played an active role, supported by and working with the OSCE and states which form the Group of Friends of the Secretary General.

The Conflict and the United Nations

The conflict between Georgia and Abkhazia erupted on 14 August 1992 when Georgian military forces entered Abkhazia. Since the introduction of perestroika by Soviet President Michael Gorbachov in the mid 1980s Abkhaz nationalists had aimed at more rights for the Abkhaz population. During the 20th century Abkhazians had become a minority in their own republic, because of large scale immigration of Georgians and Russians.¹

¹ Hewitt, George: Demographic Manipulation in the Caucasus. In: *Journal of Refugee Studies*, 8(1)/1995, p. 57, and Mueller, Daniel: Demography: ethno-demographic history, 1880-1989. In: B.G. Hewitt (Ed.): *The Abkhazians*. Routledge 1998, p. 225, 232, 236. Abkhazians numbered in 1897 in Abkhazia 58 697, in 1926: 55 918 and in 1939: 56 147, while Kartvelians (Georgians, Mingrelians, Laz, Svan) numbered in 1897: 25 875, in 1926: 67 494 and in 1939: 91 067, which shows that the Mingrelians in some 30 years started to outnumber the Abkhazians.

In 1989 the Lykhny declaration was adopted by the Aidgylara People's Forum, a group of Abkhazians who, together with other ethnic groups in Abkhazia, aimed through this declaration at raising Abkhazia's Autonomous Soviet Socialist Republic (ASSR) status to Soviet Socialist Republic (SSR) status, separated from the Georgian SSR.² They referred to the treaty-SSR status Abkhazia had held from 1921 to 1931 in order to have more autonomy.³

After Georgia declared its independence in 1991, the nationalist policies of Georgian president Zviad Gamsakhurdia estranged the Abkhazian population. The decision to open a Georgian language university in the Abkhazian capital Sukhum(i) led to demonstrations and unrest in the republic. Following the start of an open conflict on 14 August 1992, the conflicting parties reached a cease fire agreement under the auspices of Russian president Boris Yeltsin on 3 September 1992.⁴ Fighting resumed several times, until the cease fire agreement 27 July 1993, the so-called Sochi Agreement.⁵

The Secretary General and the Security Council of the UN have been involved in the conflict since the beginning, pursuant to the obligations of chapter VI and VII of the UN Charter. The Secretary General had appointed a Special Representative to the conflict shortly after the outbreak of hostilities, to brief him and the Security Council on the situation in the conflict between Georgia and Abkhazia.

² Studenikin, Alexander: Roots of the 1992 – 1993 Georgian-Abkhaz Armed Conflict (2009). <<http://mdb.cast.ru/mdb/6-2002/ac/rgaac/>>, accessed on 19 April 2009.

³ Lynch, Dov: Engaging Eurasia's Separatist States, US Institute of Peace Press. Washington 2004, p. 28. An SSR was a member of the Soviet Union, and therefore had the right to secede from the Union, while an ASSR formed part of an SSR and did not have the right to secede.

⁴ Ceasefire agreement (3 September 1992). <<http://www.c-r.org/our-work/accord/georgia-abkhazia/key-texts.php>>, accessed on 19 April 2009.

⁵ Ibid.

UN Security Council

The UN Security Council has been involved in the Georgian-Abkhazian conflict since its beginning. When several breaches of cease fire agreements in the period 1992-1993 the cease fire were observed, a *Declaration on Measures for a Political Settlement of the Georgian-Abkhaz Conflict* was adopted on 4 April 1994. The settlement included a *Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons*, which was followed a month later by an agreement on a cease fire and a separation of forces.⁶ This document also included a protocol with regard to the stationing of CIS peace keeping forces. Apart from CIS peacekeepers, the United Nations deployed UN military observers who would patrol the border area, the United Nations Mission in Georgia (UNOMIG).⁷ The Security Council convened in a special session when Abkhazia on 26 November 1994 adopted a new constitution, replacing the temporary constitution of 1925. In a referendum in 1999 the population in Abkhazia voted strongly in favour of its independence from Georgia.⁸ The referendum also asked the population whether they approved of the 1994 constitution. The Abkhazian government pledged allegiance to the constitution and declared Abkhazia an independent republic.⁹

⁶ Declaration on Measures for A Political Settlement of the Georgian/Abkhaz Conflict Signed on 4 April 1994, in S/1994/379, Annex I and the Quadripartite Agreement in Annex II of the said document. The Agreement on a Cease Fire and Separation of Forces of 14 May 1994 in S/1994/583, 17 May 1994.

<<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Georgia%20S1994397.pdf>> and <<http://daccessdds.un.org/doc/UNDOC/GEN/N94/219/27/IMG/N9421927.pdf?OpenElement>>, all accessed 31 March 2009.

⁷ The amount of UNOMIG observers was expanded pursuant UN Security Council Resolution 937 (21 July 1994).

<<http://daccessdds.un.org/doc/UNDOC/GEN/N94/298/25/PDF/N9429825.pdf?OpenElement>>, accessed on 31 March 2009.

⁸ 97,7% of the voters were in favor of independence, and gave their support to the Abkhazian Constitution.

⁹ Wikipedia: Act of State Independence of the Republic of Abkhazia (12. October 1999).

The UN Security Council has adopted many resolutions, trying to end the conflict. It asked the parties to refrain from hostilities, and observe the cease fire agreements of 1993. The negotiations following these 1994 resolutions mainly dealt with the return of refugees and internally displaced persons (IDPs) to Abkhazia, in addition to seeking a solution to the conflict.

Early in the conflict a Special Envoy of the Secretary General was appointed to brief the Secretary General and the Security Council on the developments in the relation between Georgia and Abkhazia. The Special Envoy also played a role as mediator in the negotiation process. Negotiations involved the Special Envoy of the Secretary General of the UN, representatives of the Russian Federation as facilitators, the OSCE, and the Group of Friends to the Secretary General (consisting of the USA, Great Britain, France, Germany, the Russian Federation).

The aim of the Group of Friends of the Secretary General was to create a favorable situation for conflict transformation and confidence building measures. The Group of Friends of the Secretary General, together with Russia (as facilitator) and the UN Special Envoy, along with the Georgian and Abkhazian sides, met in a Coordinating Council. The Coordination Council was set up on 18 December 1997 in Sukhum(i), and met regularly, alternating its meetings in Sukhum(i) and Tbilisi.¹⁰ The Coordinating Council divided its work into Working Groups, in which two representatives of the parties participated, as well as the UN Special Envoy as chair, Russia as facilitator, the OSCE, and the Group of Friends as observers. Working Group I dealt with issues related to lasting non-resumption of hostilities and to security problems; Working Group II discussed the issue of refugees and internally displaced persons; Working Group III was responsible for finding a solution for economic and social problems.¹¹ In 1998, as part of the ongoing

<http://en.wikisource.org/wiki/Act_of_State_Independence_of_the_Republic_of_Abkhazia>, accessed on 19 April 2009.

¹⁰ Record of the first session of the Coordination Council of the Georgian and Abkhaz Parties, held in Sukhumi (18 December 1997). <<http://www.c-r.org/our-work/accord/georgia-abkhazia/keytext8.php>>, accessed on 19 April 2009.

¹¹ Ibid.

negotiation process which took place in Geneva, a meeting was convened in Athens to discuss confidence building measures. In addition to the expected participants, Georgian and Abkhaz high representatives, the Special Envoy of the Secretary General, the OSCE, the Group of Friends of the Secretary General, and the Executive Secretary of the Coordinating Council, the Georgian and Abkhaz delegations included academics, businessmen, cultural figures, journalists and representatives of NGOs, in order to create broad support for the process.¹² This process took place while exchanging information on the decisions taken by the Coordinating Council.

At the Athens meeting, held from 16-18 October 1998, the Secretary General presented a draft protocol, indicating which measures should be taken as part of confidence building measures. Refugees and IDPs should have the right to voluntary return to the places of their permanent residence; violations of the cease fire and separation of forces agreement of 14 May 1994 should be investigated jointly by UNOMIG and the CIS peacekeeping force; the prosecutors should be supported by the sides in investigating criminal cases; support to the leaders of the military structures of the conflicting parties for rapid response in the conflict zone should be given; demining programs should be promoted; contracts in the fields of energy, trade, agriculture and construction should be supported; there should be active involvement in the investigation of cases involving persons missing during the hostilities and the handing over of the remains of the dead; and lastly donor countries should be requested to support in carrying out psychological social rehabilitation of post-trauma syndrome.¹³

This initiative resulted in another important meeting concerning confidence building measures when in June 1999 a proposal was adopted in Istanbul on renewed efforts to solve the problem of the refugees and Internationally Displaced Persons (IDPs) from Abkhazia.

¹² Athens Meeting of the Georgian and Abkhaz Sides on Confidence-Building Measures (16–18 October 1998). <<http://www.c-r.org/our-work/accord/georgia-abkhazia/keytext10.php>>, accessed on 19 April 2009.

¹³ Ibid.

Another topic which was high on the agenda at this meeting was the economic situation.¹⁴

Territorial Integrity and Independence

From the beginning the resolutions of the UN Security Council have stated that the territorial integrity of Georgia is to be preserved, which meant before August 2008 that a solution was to be found in a federal or confederal status of Georgia, or a situation where Abkhazia would have extended autonomy.

It was only on 12 October 1999 that Abkhazia declared independence, which means that much time was wasted to find a solution which was acceptable for both parties within Georgia, or in a loose bond with Georgia. The fact that Abkhazia had been an ASSR in the Soviet Union and held treaty-SSR status from 1921-1931 gave enough room to maneuver for extended autonomy, maybe even sovereignty, already having its own government, constitution and other institutions.

The formal declaration of independence, backed by the population of Abkhazia through a referendum, limited the scope of negotiations from then on. Though the Abkhazian parliament had declared sovereignty on 25 August 1990 and adopted a constitution on 26 November 1994, it had held open the possibility of a form of alignment with Georgia, even though the Abkhaz politicians aimed at a solution which would be based on equality between Georgia and Abkhazia.¹⁵

The UN has missed chances in finding creative ways to propose to solve territorial conflicts in which entities have become factually independent, *de facto* states. The existence of these territories is difficult, since they are often boycotted. Furthermore, the adoption of resolutions in which

¹⁴ Istanbul Statement of The Georgian and Abkhaz Sides on Confidence-Building Measures (7–9 June 1999). <<http://www.c-r.org/our-work/accord/georgia-abkhazia/keytext11.php>>, accessed on 19 April 2009.

¹⁵ Wikipedia: Act of State Independence of the Republic of Abkhazia (12 October 1999). <http://en.wikisource.org/wiki/Act_of_State_Independence_of_the_Republic_of_Abkhazia>, accessed on 19 April 2009.

the territorial integrity is respected, in accordance with international law, leaves the mediator with the task of creating trust in the negotiation process by the *de facto* entity. While it is customary that mediators are neutral, such an *a priori* statement at least creates doubt on the neutrality of the mediator.

Frozen Conflicts

The status as ‘frozen conflict’ also resulted from the tactics of the negotiators. As time went on, the momentum for a breakthrough was lost. There were spoilers both in and outside the delegations. People willing to compromise were replaced by hardliners, there was sporadic fighting along the borders of the conflicting parties, and rhetoric was used as other means of continuing the fight. As time passed and new Special Representatives of the UN Secretary-General were appointed to report on the situation and mediate, parties had to build confidence in the new mediators, and the willingness to work towards a compromise diminished. Parties dug themselves in, and the peace proposals were often reformulations of earlier versions, to which the other party could only say no.¹⁶

Although protracted conflicts between the metropolitan state and the secessionist entity at some point may be called a “frozen conflict”, this may be misleading, since negotiations, sporadic fighting, and developments in international politics in the Georgian-Abkhazian conflict continued.¹⁷

In the end, the conflicts over the status of Abkhazia and South Ossetia were not only “frozen conflicts”, but even worse, forgotten conflicts,

¹⁶ Chester Crocker explains in “Taming Intractable Conflicts: Mediation in the Hardest Cases” (United States Institute of Peace Press, Washington 2004), how conflicts become intractable (a feature which applies to the Georgian-Abkhazian and the Georgian-South Ossetian conflict).

¹⁷ United Nations Security Council: Press Release. Security Council demands that parties in Abkhazia, Georgia, widen commitment to United Nations-led peace process. SC/6671 (7 May 1999). <<http://www.un.org/Depts/dhl/resguide/scact1999.htm>>, accessed on 31 March 2009.

with little international attention.¹⁸ The fighting in August 2008 did two things: the conflict became violent, and it placed the “forgotten” conflicts back on the international political agenda, thus creating new possibilities to negotiate a settlement. The role of Russia in this process has changed from being a facilitator and provider of military for the peace keeping force to being a party to the conflict.¹⁹

Negotiations from 1992-2009

Mediation

The fact that there have been several Special Envoys of the Secretary General implies that trust had to be rebuilt time and again. In mediations it is known that the chances for success diminish when earlier attempts to mediate have failed. Unless, of course, the parties at the negotiation table change.

This created chances in January 2004, when in Georgia Mikhail Saakashvili came to power, and in Abkhazia Sergei Bagapsh. However, the Georgian president soon left his position of luring Abkhazia back through promises of economic help. The controversy concerning the right to self-determination, demanded by Abkhazia, and underlined by the unilateral declaration of independence of 1999, and the territorial integrity, as demanded by Georgia, finally made it difficult to think out of the box and get common state concepts accepted.

Another aspect which made the conflict turn into a “frozen conflict” was the aspect of time. The mediator has to consider the time, especially

¹⁸ Crocker, Chester and Hampson, Fen Osler and Aal, Pamela (Eds): *Intractable Conflicts, Mediating in the Hardest Cases*. United States Institute of Peace Press, Washington 2004. The authors describe various forms of forgotten conflicts. *In casu* the Georgian-Abkhazian and Georgian-South Ossetian conflict could fall in the sub category “neglected conflicts”, pp. 49-52.

¹⁹ Circassian World: A Short Chronicle of Events of the 1992-93 Georgian-Abkhazian War. <<http://www.circassianworld.com/croniclewar.html>>, accessed on 31 March 2009.

shortly after a violent conflict. A solution should preferably be found as soon as possible. If the parties have tried several ways to solve the conflict, like in the case of Abkhazia and Georgia, they reach the moment where they will repeat their moves, and the conflict becomes frozen. It has been seen that an escalation of violence in a conflict will result in taking steps back, destroying what has been reached in recent years.

The most important aspect in the negotiations is to rebuild trust, before negotiations will and can lead to a solution. In the Georgian-Abkhazian case there are confidence-building measures at different levels of society, both at political, economic, and cultural levels. Several organizations support local civil society projects and participate in multi track diplomacy, such as the Institute of Strategic Studies, and the Berghof Institute. Since the cease fire agreement of August 2008 this issue is again at the top of the agenda.

In order to have a positive and successful negotiation environment, spoilers among the negotiators have to be neutralized. There can be several reasons for thwarting the negotiations. The mediator may have influence on spoilers among the negotiators, but the spoilers can also be external, consisting of groups which want the conflict to remain. Cross border incidents, although minor, made it more complicated for the mediators to broaden the room for maneuver.

The outbreak of hostilities in August 2008 in South Ossetia was not a sudden eruption of the conflict. Analysts had had information on the buildup of Georgian military presence in the border area of South Ossetia since summer 2004, when newly elected Georgian president Saakashvili visited South Ossetia.²⁰ In 2006 Georgian troops were

²⁰ Saakashvili: Russia to blame for South Ossetia crisis (7 December 2004). <<http://www.eurasianet.org/departments/insight/articles/eav071204.shtml>>, accessed on 31 March 2009.
Georgia-South Ossetia: Refugee Return the Path to Peace (19 April 2005). <<http://www.crisisgroup.org/home/index.cfm?l=1&id=3380>>, accessed on 31 March 2009.

stationed in the Kodori Gorge along the border with Abkhazia. The pretext was the fight against a Georgian warlord, Emzar Kvitsiani, who defied Georgian rule, and the restoration of constitutional order.²¹ In both cases there were incidental cross border occurrences.

In 2007, the Georgian government decided to physically move the exiled governments of Abkhazia and South Ossetia to the border regions with Abkhazia and South Ossetia. These governments included Georgian citizens who had fled Abkhazia and South Ossetia during the conflicts in the 1990s and got their support from Internally Displaced Persons (IDPs), but had little support in South Ossetia and Abkhazia proper.²² This could potentially have resulted in cross border incidents.

Negotiations with OSCE and EU

In terms of opportunities and missed opportunities, the topic of this article, the UN has had to share the mediations with the OSCE and the EU since August 2008. The EU, under the presidency of French president Nicolas Sarkozy, brokered a cease fire between Georgia and Russia, and not the UN. In this case it is understandable that the position

Fuller, Liz: Georgia: Tbilisi's Moves Raise Fears In South Ossetia (July 2005).

<<http://www.globalsecurity.org/military/library/news/2005/07/mil-050728-rferl03.htm>>, accessed on 31 March 2009.

²¹ Fuller, Liz: Georgia: Troops Deployed to Rein in Militia (26 February 2006).

<<http://www.rferl.org/content/article/1070114.html>>, accessed on 30 March 2009.

Unpredictable Results in Kodori Gorge (25 July 2006). <http://www.kommersant.com/p-9225/r_500/Unpredictable_Results_in_Kodori_Gorge/>, accessed on 30 March 2009.

However, Ghia Nodia did not see a reason for a military invasion, though he mentions the risk of a spill over effect of the Georgian military operation in the Kodori Gorge to Abkhazia. Nodia, Ghia: Georgia: Operation in the Kodori Gorge (26 July 2006).

<<http://www.eurasianhome.org/xml/t/expert.xml?lang=en&nic=expert&pid=740>>, accessed on 30 March 2009.

²² Civil Georgia: EU Mulls New Opportunities for Breakaway Abkhazia and South Ossetia (23 January 2007).

<http://www.caucas.com/home_eng/depeches.php?idp=1486>, accessed on 31 March 2009.

Freedom House: Freedom in the World 2008 - Abkhazia [Georgia] (2 July 2008).

<<http://www.unhcr.org/refworld/docid/487ca1e91a.html>>, accessed on 31 March 2009.

of the UN, and especially the position of the Security Council, was difficult, having a permanent member as a party to a violent conflict. The UN, OSCE and EU have combined their energy to negotiate with the parties to the conflict, which include Abkhazia and South Ossetia. This joint effort also leads to a weakness in the process. If the negotiations fail, the credibility the UN, OSCE and EU may have will be lost. The fact that the organizations work together can therefore be seen both as a strength, combining forces and putting parties under pressure to take the negotiation process serious, and as a weakness, since the UN is no longer the sole mediator in the Georgian-Abkhazian conflict (leaving aside mediation efforts by other actors, such as the Harvard Project on Negotiation, the German Berghof Research Center for Constructive Conflict Settlement, the Schlaining Process (aimed at confidence building measures and named after the place in Austria where the first meeting was held), and initiatives of the London based Institute for Strategic Studies).

Negotiations since October 2008

The first round of negotiations was to take place in the UN Headquarters in Geneva in October 2008. Right at the opening of the negotiations major problems erupted concerning who would be present at the negotiations.²³ Georgia declared it would negotiate with Russia, but not with the Abkhazian and South Ossetian delegations, which were also in Geneva. Russia considered it necessary to include the Abkhazian and South Ossetian delegations, since they were part of the conflict, and subsequently, they were now independent states which had to be present at the international negotiations as aspects regarding their position were discussed. The South Ossetian and Abkhazian delegations also expected to be taken seriously as they were now recognized states, and the position of the Russian military directly affected their interests. The Russian, South Ossetian and Abkhazian delegations threatened to return home if the South Ossetian and Abkhazian delegations were not

²³ Hille, Charlotte: *Onderhandelingen in de Kaukasus* ("Negotiations in the Caucasus"). In: *Atlantisch Perspectief*, 1/2009, p. 26.

admitted. Since no solution on the correct negotiation partners could be obtained, the meeting was immediately postponed until November.

In the middle of November 2008 a second round of negotiations took place. The mediators found a way to incorporate the relevant parties in the process. Georgia allowed the participation of delegations from the Abkhazian and South Ossetian government, and also asked for delegations from the (Georgian) Abkhazian and South Ossetian government in exile to be present. Instead of official meetings, the different groups met informally in working groups, thereby giving Georgia the idea that the Abkhazian and South Ossetian delegations had lower status. One has to keep in mind that peace negotiations do not imply recognition of a party as an independent state. So for Georgia this was part of its strategy, rather than a risk of recognizing Abkhazia and South Ossetia.

No tangible results were reported during the December round of negotiations. However, there was some progress in confidence building, which was regarded as a positive sign.

During the negotiations in February 2009, the group which negotiated on the issue of security was partially successful. It was agreed that all parties concerned will have weekly contact on security issues, and additionally, that there will be extra contact when security risks emerge. Some journalists stated that these are for the moment mere words, and their significance in practice has to be proven.²⁴ However, the fact that parties agreed on regular contact with regard to security can also be seen as an intent to establish a long term cease fire and towards normalization of relations. In the group which negotiates about a return of refugees and Internally Displaced Persons (IDPs) no progress was made.

If we want to analyze the *chances* that are created for the international community after the August 2008 war, one chance is the possibility to

²⁴ Radio Free Europe, Radio Liberty: Is Geneva Agreement More Important Psychologically Than Militarily? (19 February 2009). <http://www.rferl.org/archive/The_Caucasus/3/963/963.html>, accessed on 31 March 2009.

support civil society projects in Abkhazia and South Ossetia and thus create understanding for the other party. Though there are international NGOs present in Abkhazia and South Ossetia, many NGOs, in particular Dutch NGOs, did not invest in Abkhazia and South Ossetia out of fear to anger the Georgian authorities and lose entrance to Georgian projects.

The negotiations are now being held under the auspices of three intergovernmental organizations, the UN, OSCE and EU. The first priority in order to be successful is to rebuild trust between the conflicting parties, to which the Russian Federation has now been added. This renewed interest of the international community, and the commitment of international organizations, can be regarded as an opportunity for the UN and the parties to the conflict.

It is possible that the Group of Friends of Georgia (Russia, the US, France, Germany, Great Britain), to which the new Friends (Bulgaria, Czech Republic, Latvia, Estonia, Lithuania, Poland, Rumania) can be added, will keep the interest of international politics alive, and will create an additional forum to support Georgia in its progressive relations with NATO and the EU and support peace initiatives regarding Georgia's unresolved conflicts.²⁵

The UN Security Council has regularly extended the mandate of the United Nations Mission in Georgia (UNOMIG). UNOMIG has participated in confidence building measures and good offices. Apart from UNOMIG, a CIS peace keeping force has existed in the border zone between Georgia and Abkhazia since 1993.²⁶

²⁵ United Nations: Group of Friends of Secretary-General Review Georgia-Abkhaz Peace Process (15 December 2004).

<<http://www.unis.unvienna.org/unis/pressrels/2004/sgsm9646.html>>, accessed on 31 March 2009.

Ministry for Foreign Affairs of the Republic of Latvia: Latvian representative at "Friends of Georgia" meeting indicates support for Georgia's reform process (10 Nov 2006). <<http://www.am.gov.lv/en/news/press-releases/2006/november/10-5/>>, accessed on 31 March 2009.

²⁶ United Nations Security Council: Letter dated 17 May 1994 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council. S/1994/583 (17 May 1994).

UNOMIG

When UNOMIG was established in 1993 its aim was to guarantee that the parties, the Georgian government and the Abkhazian authorities, which had signed a cease fire agreement in July 1993, would abide by this agreement, and that actions would be undertaken to preserve and restore peace.²⁷ In September 1993 fighting started again between Georgian and Abkhazian forces. A new mandate was needed for UNOMIG.²⁸ The amount of military observers was increased from 88 to 136 and the mandate was formulated as: to monitor and verify

“To monitor and verify the implementation by the parties of the Agreement on a Ceasefire and Separation of Forces; to observe the operation of the CIS peacekeeping force within the framework of the implementation of the Agreement; to verify, through observation and patrolling, that troops of the parties do not remain in or re-enter the security zone and that heavy military equipment does not remain or is not reintroduced in the security zone or the restricted weapons zone; to monitor the storage areas for heavy military equipment withdrawn from the security zone and the restricted weapons zone in cooperation with the CIS peacekeeping force as appropriate; to monitor the withdrawal of

<<http://daccessdds.un.org/doc/UNDOC/GEN/N94/219/27/IMG/N9421927.pdf?OpenElement>>, and United Nations Security Council: Resolution 937 (1994) adopted by the Security Council at its 3407th meeting, on 21 July 1994, where the mandate of UNOMIG was expanded, including overseeing the activities of the CIS peacekeeping force as well,

<<http://daccessdds.un.org/doc/UNDOC/GEN/N94/298/25/PDF/N9429825.pdf?OpenElement>>, all accessed 31 March 2009.

²⁷ UNOMIG was established on 24 August 1993 in UN Security Council S/RES/858 (1993). [United Nations Security Council: Resolution 858 adopted by the Security Council at its 3268th meeting, on 24 August 1993].

<<http://daccessdds.un.org/doc/UNDOC/GEN/N93/466/03/IMG/N9346603.pdf?OpenElement>>, accessed on 31 March 2009.

²⁸ United Nations Security Council: Resolution 881 (1993). Adopted by the Security Council at its 3304th meeting, on 4 November 1993,

<<http://daccessdds.un.org/doc/UNDOC/GEN/N93/609/28/PDF/N9360928.pdf?OpenElement>>, accessed 31 March 2009.

troops of the Republic of Georgia from the Kodori Valley to places beyond the boundaries of Abkhazia, Republic of Georgia; to patrol regularly the Kodori Valley; to investigate reported or alleged violations of the Agreement and to attempt to resolve or contribute to the resolution of such incidents; to report regularly to the Secretary-General, in particular on the implementation of the Agreement, any violations and their investigation by UNOMIG, as well as other relevant developments; to maintain close contacts with both parties to the conflict and to cooperate with the CIS peacekeeping force and, by its presence in the area, to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons.”²⁹

UNOMIG was to patrol the border area of Abkhazia and Georgia. The Moscow Agreement listed the conditions under which the Commonwealth of Independent States Peacekeeping Force should be implemented.³⁰

In July 2003 the Secretary General suggested that apart from military observers, 20 civilian police officers would be added to UNOMIG.³¹

When fighting broke out in South Ossetia and the border area of Abkhazia in August 2008, additional Russian troops were deployed. The CIS peacekeeping troops were withdrawn on 15 October 2008, after a decision of the CIS Ministers of Foreign Affairs, held in Bishkek on 9 October. The conflict between Russia and Georgia also had consequences for the mandate of UNOMIG. While it had been extended every six months in the period from its creation to May 2008, in October 2008 the mandate was extended only for a period of four months, and in

²⁹ UNOMIG: UNOMIG Background.

<<http://www.un.org/Depts/dpko/missions/unomig/background.html>>, accessed on 31 March 2009.

³⁰ Thruelsen, Peter Dahl: Russian Peacekeeping in Georgia/Abkhazia. Fakultet for Strategi og Militaere Operationer, Copenhagen, 2006, p. 5.

³¹ United Nations Security Council: Report of the Secretary-General on the situation in Abkhazia, Georgia. S/2003/751 (21 Jul 2003).

<<http://www.reliefweb.int/rw/rwb.nsf/AllDocsByUNID/6ad7e15ec7cc825785256d6c006fabe5>>, accessed on 31 March 2009

February 2009 it was again extended for only four months. One of the reasons is that the Georgian government, which has to accept the peace keeping force on its territory, is not content with the situation.

The mandate has to be changed, since it is still based on the pre-August 12 2008 situation.³² Since, according to the Secretary General, there is little clarity concerning the status of UNOMIG's area of responsibility (the security zone), where, according to the Secretary General and adopted documents, no military presence was permitted, and where in the restricted weapons zone no heavy weapons could be introduced, it is clear that the CIS peacekeeping force has no role in this area. This was underlined by the termination of the peacekeeping force on 15 October 2008.

A reason to keep UNOMIG in place is the fact that Georgia on 23 October 2008 adopted a law which declared Abkhazia and South Ossetia "occupied territories", and Russia as occupying force. On 4 November the Russian Parliament ratified a treaty on friendship, cooperation and mutual assistance with Abkhazia. This legalized the presence of Russian armed forces on Abkhaz territory. These forces have in the following months taken over some of the positions formerly occupied by the CIS peacekeepers.³³

In resolution S/2009/69 of February 2009 the Secretary General details the activities UNOMIG can perform, while discussions on the future role and activities of UNOMIG continue. The activities which can be discerned as a basis for an effective security regime comprise of observing the cease fire agreement; refraining from hostile actions; creating a security zone on both sides of the ceasefire line, where no armed forces and equipment are allowed, with the exception of law enforcement personnel; banning overflights by military aircraft and

³² On 12 August 2008 the cease fire agreement between the Russian Federation and Georgia was signed.

³³ United Nations Security Council: Report of the Secretary-General on the situation in Abkhazia, Georgia. S/2008/631 (3 October 2008).
<<http://daccessdds.un.org/doc/UNDOC/GEN/N08/526/58/PDF/N0852658.pdf?OpenElement>>, accessed 31 March 2009.

unmanned aerial vehicles in the security zone; advancing the notification of changes in armed personnel and equipment; and designating each party of authorized representatives for negotiations.

While waiting for consensus on a renewed mandate, the Secretary General in resolution S/2009/69 proposes that UNOMIG regularly patrols its area of operations, on both sides of the cease fire line and the Kodori Gorge; wins the hearts and minds; monitors respect for UN Security Council resolutions by the parties to the conflict; contributes to an improvement of the humanitarian situation and situations which will make it possible for refugees and IDPS return; facilitates dialogue through the activities of the Special Envoy; and continues activities in the field of human rights and law enforcement on both sides of the cease fire line.

The activities of the United Nations in the field of negotiations and security can be interpreted as beneficial to the peace process. If the opportunities and missed opportunities in the conflict between Georgia and Abkhazia were to be summarized, the following could be concluded:

Conclusion

The following used opportunities in conflict prevention activities performed by the United Nations in Abkhazia can be discerned:

1. The continuing negotiation process, under the chairmanship of the Special Envoy of the Secretary General of the United Nations;
2. the renewed interest of the international community in the conflict between Georgia and Abkhazia, which may turn out beneficial to the peace process;
3. the activities of the Group of Friends of the Secretary General, primarily as observers to the negotiation process, in the field of peace building measures;

4. the fact that the UN, OSCE and EU unite powers is unique and may help in putting pressure on parties to continue the process towards settlement of the conflict;
5. encouraging civil society initiatives in the conflict areas, especially in Abkhazia; especially international NGO's could be more active, and can be additional to the activities of the UN on a political level.

There are, however, also some missed opportunities in the field of conflict prevention of the UN in Abkhazia:

1. The controversy concerning the right to self-determination, demanded by Abkhazia, and underlined by the unilateral declaration of independence of 1999, and the territorial integrity, as demanded by Georgia, finally made it difficult to think out of the box and find a solution to the conflict, such as common state concepts.
2. The fact that the UN has not been able to solve this conflict and has seen it flare up again in August 2008 can be regarded as a missed opportunity.
3. The fact that the UN now negotiates with OSCE and EU increases the risk of failing to reach an agreement in the future, since the organizations will lose credibility in the eyes of Abkhazia and Georgia. If the negotiations fail, it will be difficult to find a new team of mediators, or a new mediator, and this will not only be regarded as a loss for the parties to the conflict, but also for the organizations which engage in mediation efforts.
4. The adherence by the UN to territorial integrity of Georgia makes it more difficult to gain the trust of the Abkhazian party to the conflict, since it may give the impression of partiality of the mediator.

It may be concluded that there are more opportunities taken than opportunities missed, which gives hope for a peaceful solution, acceptable for all parties, in the future.

United States' and NATO's Role in Georgia's Territorial Conflicts; August 1992-July 2008

Eugene Kogan

Key Points

- We can neither speak of the United States' nor NATO's role in Georgia's territorial conflicts between August 1992 and 11 September 2001 because both the US and NATO were militarily engaged elsewhere.
- The role of the European NATO members remained very marginal even after 11 September 2001. During his visit to Armenia, Georgia and Azerbaijan on May 14-16 2003, George Robertson, the then NATO Secretary General, emphasised that "NATO cannot play the leading role in speeding up the peace process in the South Caucasus". He added that the "responsibility for achieving peace is borne mainly by the countries themselves"¹. That, to put it mildly, was the official policy line declared by the NATO Headquarters in Brussels, which remained in place until the outbreak of the Russian-Georgian war in August 2008.
- As the only non-European NATO member in the area, Turkey provided military assistance but was wary of getting diplomatically involved in solving the conflicts, partly because of the large Abkhaz diaspora living in Turkey who could try to influence the politicians and partly because Turkey tried to keep a balance between its economic needs from and political interests with Russia and good neighbourly and energy security relations with Georgia. Thus far, the policy of maintaining the status quo

¹ Devdariani, Jaba: NATO Interest in Caucasus Security Confirmed by Secretary General's Visit. In: Eurasia Insight (19 May 2003). <www.eurasianet.org/departments/insight/articles/eav051903.html>, accessed on 23.2.2009.

has been a central piece of Turkish foreign and security policy. It remains to be seen whether Turkey can maintain this stance. In addition, as a member of NATO, Turkey followed NATO's official policy line of "not playing the leading role".

- Thus, the greatest involvement, on a military and political and diplomatic level, was left to the US as a counter-part to Russia in the area. In political terms, the US has supported Georgia's territorial integrity and sovereignty. However, it has consistently avoided committing itself unilaterally to a more active role in resolving Georgia's territorial conflicts. In consequence, the US position can be summed up in that the US says "yes" but carries out a "no". The Georgian Training and Equipment Programme (GTEP) followed by the Sustainment and Stability Operation Programme (SSOP) provided the first tangible military assistance to Georgia, but neither programme was intended to serve as a bridgehead for conflict resolution.
- During Georgia's military operation against South Ossetia in the summer of 2004, US officials communicated to Tbilisi that Georgia could not count on US support if it sought to resolve the situation in South Ossetia through force. This blow to President Mikhail Saakashvili by the US brought him to his senses and led him to come up with a peace initiative for South Ossetia in January 2005. The subsequent visit of US President George Bush to Tbilisi in May 2005, marked by multiple offerings of goodwill on Saakashvili's part on the one hand and Bush's refusal to commit the US to taking a more active role in resolving the conflicts on the other, left Saakashvili unsure of what to do next. Furthermore, Georgia showed the weakest track record in democracy building, which was one of the major US pillars of foreign policy in the post-Soviet era. The Bush administration was extremely disappointed. As a result of this combination US involvement in Georgia's territorial conflicts began to fall sharply after May 2005 and reached its nadir after Saakashvili's reciprocal visit to Washington in July 2006. Since May 2008 in particular the US re-engaged diplomatically to decelerate the August 2008 conflict but too much time had been wasted and very little was done to prevent the conflict.

- There is a problem with a smaller state like Georgia where the leadership may almost take it for granted that its benevolent patron, namely the US, would come to its rescue at the moment of truth if such a scenario were played out by the leadership. This is often a very dangerous illusion and the consequences of such a dangerous game can be disastrous for a smaller state. A realistic assessment with a very painful and unpleasant outcome is often rejected because such an assessment is too difficult to come to terms with in general and very hard for politicians in particular. It is evident that diplomacy alone without the real backing of military force is not going to accomplish its goals. In particular, in the case of confrontation with Russia the backing of a robust military force is not only necessary but an imperative.
- The economic benefits may assist in preventing and/or solving the conflict only if, for instance, Russia was unwilling to provide such assistance to Abkhazia and South Ossetia. If dependent states such as these have nothing to gain from the opposite side in the conflict, they will not agree to give up their newly acquired status even if this status is very illusionary and not recognised by the international community. It means that in the overall strategy both sides have reached a stalemate.

An appeal from Georgia to the Euro-Atlantic Partnership Council to assist in settling the conflicts

During a Summit of the Euro-Atlantic Partnership Council (EAPC) on 9 July 1997 in Madrid, Eduard Shevardnadze, the then President of Georgia, stated that “The time has come for a collective effort to be made towards the restoration of peace and justice which were [*sic*] crushed during the conflict in Abkhazia”². Shevardnadze clearly referred

² <www.nato.int/docu/speech/1997/s970709o.htm>, accessed on 4.2.2009. During a Summit of the EAPC in Washington on 25 April 1999 President Shevardnadze reiterated his comments made on 9 July 1997 and stated that “I strongly believe that the time has come for the Euro-Atlantic Community, already rich in experience, to invigorate the joint effort to achieve a settlement in the Abkhaz conflict” See: <www.nato.int/docu/speech/1999/s990425b.htm>, accessed on 4.2.2009.

to the conflict in Abkhazia that began in August 1992 and that Georgia lost in 1993 and suggested that a collective effort that included NATO member states should be made. It was an explicit invitation to NATO member states to intervene. Almost eighteen months later Giorgi Burduli, Georgia's First Deputy Minister of Foreign Affairs, in a speech at the EAPC noted that "Georgia sees the Alliance as the instrument of an integrated, comprehensive and long-term stability for all the Euro-Atlantic area". He added that the conflicts in South Ossetia and especially Abkhazia are, as yet, unsettled. Their settlement is unrealistic without the mobilisation of the concerted efforts of the European security institutions and especially the EAPC. Burduli continued, in September 1998: "We had the honour to host Secretary General Xavier Solana. I take this opportunity to thank him once again for his constant attention towards our region and my country in particular, for useful, encouraging discussions in Tbilisi on a number of issues, and for his instilled optimistic spirit"³. Burduli has not, however, elucidated his statement further. Nonetheless, it can be said that it was another appeal to NATO member states to come aboard and settle the conflicts together.

On 19 December 1999, Georgia's Minister of Foreign Affairs, Irakli Menagarishvili, gave a speech at the EAPC meeting held in Brussels and urged NATO to help settle the conflict in Abkhazia, as it had done in Kosovo.⁴ Despite Menagarishvili's appeal, NATO member states were still heavily engaged in settling the conflict in Kosovo and, as a result, did not get involved in solving the conflicts in Georgia.

Interestingly enough, in a comprehensive document entitled *Georgia and the World: A Vision and Strategy for the Future*, cited by NATO

³ For a complete article and the strengthening of relations between Georgia and NATO in particular, see <www.nato.int/docu/speech/1998/s981208p.htm>, accessed on 4.2.2009. The article did not, however, refer to the issue of NATO's role in Georgia's territorial conflicts.

⁴cf. Jafalian, Annie: Influences in the South Caucasus: Opposition and Convergence in Axes of Co-operation. In: Conflict Studies Research Centre (CSRC), Caucasus Series P42 (February 2004). <www.da.mod.uk/colleges/arag/document-listings/caucasus>, accessed on 21.2.2009, p. 3. Hereafter cited as Jafalian: Influences in the South.

online⁵, there was not even one line referring to Georgia's plea to the US and NATO to assist in resolving its territorial conflicts. The document emphasises that Georgia aims to resolve disputes peacefully, in accordance with international law and through negotiations. The Government of Georgia seeks to reconcile the people and leaders of Abkhazia, Georgia and South Ossetia to live within the Georgian state.⁶ It appears that in early October 2000 the Georgian leadership was losing patience with the leadership of the US and NATO, or perhaps both had turned a deaf ear to the various Georgian appeals for the resolution of the conflicts. It can be assumed that the opportunities to resolve the conflicts by involving the US and NATO were not available. Furthermore, both the US and NATO were militarily engaged elsewhere and, until 11 September 2001, Georgia's territorial conflicts were not in their field of interest. To reiterate the author's assumption that Georgia's resolution of the conflicts was not yet a priority for the US policy-makers, see below.

As Cory Welt, deputy director and fellow in the Russia and Eurasia Programme of the Center for Strategic and International Studies (CSIS) notes, there was no indication that the US was going to make conflict resolution in Georgia a central issue in its overall Russia and Eurasia policy. In the 1990s, Washington evinced little interest in pursuing a more active conflict-resolution policy, preferring to leave the responsibility to the United Nations (UN) and the Organisation for Security and Co-operation in Europe (OSCE) missions, in which the US played a peripheral role. After 11 September 2001, however, US policy-makers appreciated the need to prevent the proliferation of uncontrolled territories around the globe, and this imperative did translate into a need to support more energetically the resolution of Georgia's territorial conflicts.⁷

⁵ For a complete document, see <www.nato.int/pfp/ge/d001010.htm>, accessed on 4.2.2009.

⁶ Ibid.

⁷ cf. Welt, Cory: *Balancing the Balancer: Russia, the West, and Conflict Resolution in Georgia*. In: *Global Dialogue* 7, 3-4 (Summer/Autumn 2005). <www.csis.org/media/isis/pubs/welt_globaldialogue.pdf>, accessed on 21.2.2009, p. 4. Hereafter cited as Welt: *Balancing the Balancer*. For an earlier article, see Jafalian:

Change in US policy toward Georgia's territorial conflicts and the US's practical contribution

As will be discussed further below, the Georgian Training and Equipment Programme (GTEP) was launched in May 2002 and was the first real US initiative to address the shortcomings of the Georgian military. It should be remembered that the GTEP was not in any way linked to the resolution of Georgia's territorial conflicts. The idea behind the programme was to have a robust military force capable of fighting terror and maintaining stability in the country.

US security assistance to Georgia during the last few years has been quite impressive in terms of material support and the reform of Georgia's security sector. Among other programmes, one has to mention the GTEP, which started in May 2002. In the frame of this \$US65 mn programme, the build-up and training of four Georgian battalions was planned.⁸ It needs to be remembered, that Georgia requested US assistance to defend itself against the external threat. Concerned about jihadist elements in the Pankisi Gorge, the US provided a two-year \$US64-mn military assistance package.⁹ The package that was launched

Influences in the South, pp. 3-4. See also Cornell, Svante: US Engagement in the Caucasus: Changing Gears. In: Helsinki Monitor, 16:2 (2005).

<www.isdp.eu/files/publications/scornell/05/sc05usengagement.pdf.pdf>, accessed on 10.3.2009, p. 111. Hereafter cited as Cornell: US Engagement.

⁸cf. Darchiashvili, David: Georgian Security Sector: Achievements and Failures.

<www.bmlv.gv.at/pdf_pool/publikationen/10_ssg_07_dar.pdf>, accessed on 21.2.2009, p. 96. For an in-depth report on the growing Georgian-US military relations, see German, Tracey: Faultline or Foothold? Georgia's Relations with Russia and the USA. In: CSRC, Caucasus Series P41 (January 2004).

<www.da.mod.uk/colleges/arag/document-listings/caucasus>, accessed on 21.2.2009, pp. 6-8. According to Krasnaya Zvezda, since 2002 the USA assisted Georgia to train its military for a sum of about \$US125 mn. According to Krasnaya Zvezda this was the minimal financial assistance needed to train seven (and not four as mentioned above) battalions. The sum excluded procurement expenditure offered to Georgia to purchase arms and weapons systems. See <www.redstar.ru/2009/02/19_02/3_03.html>, accessed on 19.2.2009.

⁹cf. Welt: Balancing the Balancer, p. 3. The sum of \$US64 mn is often cited as \$US65 mn.

in May 2002 was subsequently followed by the Sustainment and Stability Operation Programme (SSOP). The latter's goal was merely to prepare select Georgian units for deployment in Iraq in support of Operation "Iraqi Freedom".¹⁰ The outgoing Minister of Defence, Giorgi Baramidze, stated that the assistance for the SSOP was about \$US60 mn. It was planned that four battalions or about 2 000 soldiers were to be trained under the 16-month initiative, which was aimed at enhancing Georgia's military peacekeeping skills.¹¹

GTEP training focused on counter-terrorism and general military preparation, and *was not intended to serve as a bridgehead for conflict resolution* (author's italics). In fact, US officials insisted that as a requirement of GTEP, Georgia should not use its forces trained under the programme in any military operations against Abkhazia.¹² During the visit of Lieutenant General David Tevzadze, Georgia's Minister of Defence, to the US on 7 May 2002 he was asked whether there was any possibility that those four battalions of Georgian troops trained by the US would be deployed anywhere near or along the border to Abkhazia. Tevzadze's reply was negative.¹³ Ironically (as will be seen below), these stipulations failed to specify operations against South Ossetia, an oversight that was perhaps due to South Ossetia being a less contentious issue at the time. The Georgians themselves believed that they had to resolve Abkhazia first, after which the South Ossetia conflict would "take care of itself".¹⁴

¹⁰cf. Giragosian, Richard: Georgian Planning Flaws Led to Campaign Failure. In: Jane's Defence Weekly, 20 August 2008, p. 23.

¹¹cf. Mackedon, John: With US Help, Georgia Gets Its Cake and Eats It, Too. In: Eurasia Insight, 17 December 2004.

<www.eurasianet.org/departments/insight/articles/eav121704.shtml>, accessed on 23.2.2009. The above information contradicts information published in the recent issue of Nezavismoye Voennoye Obzreniye (NVO) that the US provided a two-year \$US100 mn military assistance package (for training, full equipment and full armament of the armoured brigades destined to Iraq) between 2005 and 2006. For a complete article, see <nvo.ng.ru/forces/2008-09-12/1_invasion.html?mthree=3>, accessed on 12.9.2008.

¹²cf. Welt: Balancing the Balancer, p. 4.

¹³cf. <defenselink.mil/transcripts/transcript.aspx?transcriptid=3430>, accessed on 21.2.2009.

¹⁴cf. Welt: Balancing the Balancer, p. 4.

In addition to the GTEP another milestone in military relations between the two countries was reached in December 2002. The agreement between the Government of Georgia and the Government of the United States of America on Defence Co-operation was signed on 10 December 2002. On 21 March 2003 the Georgian Parliament ratified it and the agreement came into force on 25 March 2003.

Military co-operation between Georgia and the US dates back to 1997. However, the majority of agreements concerns specific military co-operation, while the Agreement on Defence Co-operation, signed on 10 December 2002, could be considered as a framework instrument in the military field. Its signature is regarded as the necessary legal precondition for the transfer to a new stage of strategic partnership in Georgian-US relations. At this important stage of reforming the Georgian armed forces attention is accorded to the intensification of co-operation between the two states and the establishment of basic principles. This is the purpose of the agreement. Furthermore, the agreement is regarded as one of the most important elements of the successful implementation of the Georgian-American “train and equip” programme¹⁵ mentioned above.

Although Georgia had momentarily become a high-profile arena in the war on terror, and although it staunchly backed the US in its invasion and occupation of Iraq, Georgia’s relationship with the West deteriorated in the two years after 11 September 2001 and the country came no closer to a favourable resolution of its conflicts with Abkhazia and South Ossetia.¹⁶ However, relations with the US remained strong.

Former US Secretary of State James Baker visited Tbilisi in early July 2003 and delivered a letter, indicating that the Bush administration

¹⁵ For a complete article, see geplac.org/publicat/law/glr03n1Eng/Chachava%20Eng.pdf, accessed on 21.2.2009. See also Blagov, Sergei: US-Georgian Security Co-operation Agreement Provokes Outcry in Russia. In: Eurasia Insight (16 April 2003). www.eurasianet.org/departments/insight/articles/eav041603a.html, accessed on 14.2.2009.

¹⁶cf. Welt: Balancing the Balancer, p. 5.

unequivocally supported Georgia's territorial integrity and sovereignty. It appears that this letter from the US encouraged Shevardnadze to state that "Our friends are slowly closing in on Abkhazia". Tedo Japaridze, Secretary of the Georgian National Security Council, did not share Shevardnadze's optimism and described a recent conversation with US National Security Advisor Condoleezza Rice in which Rice emphasised that Georgia "should settle relations with Russia by all means". As a result, Japaridze said that

"We should not hope that the United States is going to resolve this problem while we sit around and wait. If we have a concrete plan for resolution of the Abkhazia conflict in which the interests of all sides will be taken into account, they will naturally help us at the highest level, but we have to take the first steps"¹⁷.

This was a very sobering assessment and perhaps also a wake up call for the leadership of Georgia to devise a concrete plan and not to pursue an ensuing military campaign.

Japaridze as the new Minister of Foreign Affairs appointed on 30 November 2003 stated recently that Georgia regards the strategic partnership with the US as one of the means of solving Georgia's most complicated problems and those associated with regional normalisation and the establishment of the country's territorial integrity. The recent visit of Donald Rumsfeld, US Secretary of Defense, underlined Washington's readiness to continue productive and active efforts in the processes.¹⁸ It is important to stress that Rumsfeld was the first senior administration official to visit Tbilisi on 6 December 2003 since the peaceful Rose Revolution took place there. The Secretary of Defense expressed strong support for Georgia in the face of rising secessionist sentiment and the presence of Russian troops on its territory. Rumsfeld added that the visit was meant to "underscore America's very strong

¹⁷cf. Miller, Eric: Georgia Looks West For Help in Resolving Abkhazia Issue. In: Eurasia Insight (21 August 2003). <www.eurasianet.org/departments/insight/articles/eav082103.shtml>, accessed on 23.2.2009.

¹⁸cf. Blandy, C. W: Georgia at the crossroads. In: CSRC, Caucasus Series Occasional Brief 100, (December 2003). <www.da.mod.uk/colleges/arag/document-listings/caucasus>, accessed on 21.2.2009, pp. 13-14.

support for stability and security and the territorial integrity in Georgia”¹⁹. At the same time, Rumsfeld said nothing about assisting Georgia in solving its territorial conflicts. The ambiguous US position regarding South Ossetia and Abkhazia may have emboldened Saakashvili to launch a limited military operation in the summer of 2004.

As a result, Georgia underestimated the US opposition to an armed engagement in South Ossetia. The military forces that Georgia had inserted into the conflict zone were, in fact, GTEP-trained. However, thanks to the original understanding that Georgia would not use these soldiers for an offensive explicitly against Abkhazia only (see notes 11 and 13), as well as the fact that the operation in South Ossetia was not strictly an offensive one, US officials expressed little concern that Georgia was employing GTEP troops in South Ossetia. *However, they did voice grave concern* (author’s italics) that Georgia was placing itself in a situation that could lead to a sustained armed conflict which, especially given Russia’s involvement, the Georgians might not win and would certainly not be without significant casualties on both sides. As the fighting escalated, *US officials communicated to Tbilisi that it could not count on US support if it sought to resolve the situation in South Ossetia through force* (author’s italics). Ultimately, Saakashvili heeded this warning: “After a brief, dramatic offensive Georgia withdrew its troops...”²⁰ Whether a limited military campaign in the summer of 2004 can be seen as pre-course to the war in August 2008 is not known. What is evident, however, is that President Saakashvili underestimated the US opposition to an armed engagement, especially given Russia’s involvement.

¹⁹ For a complete article, see <query.nytimes.com/gst/fullpage.html?res=9805E0D9153DF935A35751C1A965>, accessed on 21.2.2009.

²⁰cf. Welt: Balancing the Balancer, p. 7. For a very crude and simplistic analysis of the US policy towards Georgia, see Barabanov, Mikhail: Saakashvili: “War at Last!” In: Moscow Defense Brief, 3 (2008). <www.mdb.cast.ru/mdb/3-2008/item1/article1>, accessed on 26.9.2008.

The US saying “yes” but carrying out a “no”

Georgia has consistently lobbied the US to take a more active role in resolving the conflicts. First, however, the Bush administration placed the onus on Georgia to step up to the negotiations table, urging it to produce detailed proposals for political settlements that could be used as a basis for further discussions. At last, in the January 2005 meeting of the Council of Europe’s Parliamentary Assembly, Saakashvili unveiled the key principles of a new peace initiative for South Ossetia.²¹ The US was responsive to Georgia’s South Ossetia initiative. Within weeks of its declaration in January 2005, US diplomats were expressing approval of it and a willingness to take part in its realisation. Commenting on a February phone conversation between Bush and Saakashvili, a White House spokesperson, Scott McLellan, noted that the leaders had talked of the Georgian government’s “serious plan” to “resolve the separatist conflict in South Ossetia”. In a historic visit to Georgia on 10 May, 2005 Bush affirmed that the peace plan seemed to him “to be a very reasonable proposition”. However, at the same time, President Bush did not commit the US to taking a more active role in resolving the disputes. Instead, he emphasised how important it was that Georgia resolves its conflicts by purely peaceful means. Accompanying President Bush, US Secretary of State Rice stressed that the main drivers for reintegration should be Georgia’s own democratisation and economic growth, not a negotiation process mediated by outsiders.

The US could have done better than this. Georgia, having unveiled its South Ossetia peace initiative to a great fanfare, awaited a patron to help move this initiative forward against the opposition of the South Ossetian authorities and their Russian backer. Cautioning Georgia against resorting to arms while encouraging patience, may have reassured the Abkhazians and South Ossetians, but it does not mean that they will be more prepared to negotiate against their independence. In the worst case, it could even end up having a directly opposite result from the one that Washington intends: it may convince Georgia that only by threatening or

²¹ For the details of a new peace initiative, see Welt: Balancing the Balancer, pp. 7-8. For an earlier comment of Japaridze, see note 16.

using military force can it hasten an end to the conflict.²² It can be said that the US policy towards conflict resolution was neither active enough nor well articulated. As a result of US ambiguity Saakashvili received mixed signals from Washington, which he did not read correctly. It can also be stated in a broader context of US policy in South Caucasus that no clearly articulated US policy toward the South Caucasus was developed and, as a result, policy moved on an ad-hoc basis. The global war on terrorism, Iraq, Afghanistan, and bilateral relations with Russia are only some of the issues that are of higher importance than the South Caucasus per se. This implies that US policy toward the South Caucasus remains hostage to developments on other fronts of US policy, and susceptible to the role of the region in relation to these threats.²³

The perceived illusion that the US was going to intensify its efforts to break the stalemate (see note 21) was also highlighted during President Saakashvili's visit to the US on 5 July 2006. In an article published in *Eurasia Insight* Cory Welt noted that "it does look [*sic*] that they [the Presidents] are going to be able to talk about it", but with the probable understanding from the Russian side that "yes we will talk but no, we are

²² For an excellent analysis, see subsection "South Ossetia First?", *Ibid*, pp. 11-12. See also Cornell, Svante: Georgia After the Rose Revolution: Geopolitical Predicament and Implications for US Policy. In: Strategic Studies Institute of the US Army War College (February 2007). <www.isdp.eu/files/publications/scornell/07/sc07georgiaafter.pdf>, accessed on 10.3.2009, p. 34. Hereafter cited as Cornell: Georgia After. Statement of President Bush during his milestone visit to Georgia on 10 May 2005 that "he was ready to help President Saakashvili, if requested in the peaceful settlement of disputes Georgia has with two separatists regions – Abkhazia and South Ossetia" (<www.cnn.com/2005/WORLD/europe/05/10/bush.tuesday/index.html>, accessed on 21.2.2009) sounds a bit hollow. It appears, however, that President Bush statement was taken seriously by President Saakashvili und underscored what seems to be an intensification of US efforts to break a stalemate surrounding the Abkhaz and South Ossetian conflicts. Owen, Elizabeth. In Georgia, Bush Emphasizes Freedom, Conflict Resolution. In: *Eurasia Insight*, 10 May 2005. <www.eurasianet.org/departments/insight/articles/eav051005.shtml>, accessed on 23.2.2009. This was far from reality and the US did not in any way intensify its efforts to break the stalemate.

²³ Cornell: US Engagement, p. 117.

not going to do much about it". Welt continued, "I think that was good enough for the White House"²⁴.

Nikolai Sokov in his assessment reiterates Welt's analyses and notes that, so far, the US position on the Russian-Georgian crisis has been cautious and quite adequate. It has consistently supported Georgia, partially protecting it from Russian pressure. At the same time, it has placated Russia by insisting that Georgia's conflict with Russia and the integration of the breakaway regions be resolved via diplomatic means.²⁵

The placation of Russia was clearly reiterated by the following episode. In October 2006, at the height of the North Korea nuclear crisis, the US State Department joined Russia in a United Nations Security Council (UNSC) resolution on the Abkhazia conflict that praised the existing Russian peacekeeping forces. This sent all the wrong signals. To Georgia, it sent a shock wave of worry that the US was ready to sell out crucial Georgian interests for the sake of Russian acquiescence on a North Korean resolution. To Russia, it sent the signal that gunboat diplomacy still works, and that the US will yield when subjected to sufficient pressure. To the rest of the region, it exacerbated doubt regarding US credibility as an ally.²⁶

In the subsection "A Role for the West?" in Welt's article he cites four important reasons why the US, together with Europe, might want to push more actively for negotiated solutions to the South Ossetia and Abkhazia conflicts. They are:

²⁴ Welt, Cory: Summit Signals US Support for Georgia on Eve of G8 Meeting. In: Eurasia Insight, 3 July 2006. <www.eurasianet.org/departments/insight/articles/pp070306.shtml>, accessed on 23.2.2009.

²⁵ The United States Between Russia and Georgia. In: Center for Strategic and International Studies, Ponars Policy Memo 407 (September 2006). <www.csis.org/media/csis/pubs/pm_0407.pdf>, accessed on 21.2.2009.

²⁶ Cornell, Svante: Georgia After, p. 33. See also Jibladze, Kakha.: Russia's Opposition to Georgia's Quest for NATO Membership. In: China and Eurasia Forum Quarterly, 5:1 (2007). <www.isdp.eu/files/publications/cefq/07/k/07russiaopposition.pdf>, accessed on 10.3.2009, p. 50. Hereafter cited as Jibladze, Kakha.: Russia's Opposition.

- Greater Western involvement would give peace negotiations a better chance of success.
- The US diplomats have begun to assert more frequently that breakaway regions are potential threats to European security.
- Unresolved conflicts also promote insecurity within the Caucasus.
- Resolving the conflicts will give a huge boost to Georgia's democratic development.²⁷

The last American diplomatic push

On 6 May 2008 the Bush administration issued the strongest Western statements thus far in response to Russia's overt seizure of Abkhazia. Blaming the Russian government for its "provocative actions that have increased tensions with Georgia significantly and unnecessarily heightened tensions in the region", Dana Perino, White House spokesperson, "strongly urged the Russian government to de-escalate and reverse these measures" [namely President Putin's decision of 16 April 2008 to annex Abkhazia and South Ossetia] and "cease further provocation". Perino added that "the White House calls on Russia to 'reiterate its commitment to Georgia's territorial integrity and sovereignty' and 'begin playing a true mediator's role' in the dispute"²⁸. In recent days, US diplomats have stepped up their rhetoric in support of Saakashvili's administration. During a 9 May 2008 briefing in Tbilisi, US Deputy Assistant Secretary of State for European and Eurasian Affairs Matthew Bryza assailed Russia's peacekeeping behaviour, saying that "Mediators or peacekeepers do not issue military threats to parties to a conflict". The US diplomat called on Moscow to consider the peace proposals that were recently advanced by Saakashvili.²⁹ As part of

²⁷ For further details, see Welt: Balancing the Balancer, pp. 8-9.

²⁸ Socor, Vladimir: The West Responds Weakly to Russian Challenges in Georgia: Part I. In: Eurasia Daily Monitor, 5:87 (7 May 2008).
<www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=33612>, accessed on 19.3.2009.

²⁹ Akhmeteli, Nina: Georgia: US and EU Support for Tbilisi Grows Amid Escalating Tension with Russia. In: Eurasia Insight, 9 May 2008.

a growing Euro-Atlantic campaign to reduce tensions between Georgia and Russia over the breakaway region of Abkhazia, Bryza travelled to Sukhumi on 25 July 2008 to push for Abkhaz participation in international peace talks in Berlin. Bryza told reporters in Batumi that “Our goal now ... is to try to bring the positions of Sukhumi and Tbilisi together and re-launch a vigorous settlement process to the Abkhaz conflict”³⁰.

Turkey’s role

In addition to the military assistance launched by the US, the non-EU NATO member Turkey provided a \$US77mn military assistance package (of which \$US2 mn were allocated for the modernisation of the air base at Marieuli) between the years 1998 and spring 2008. In addition, about 3000 Georgian military personnel (mostly officers but also some non-commissioned officers (NCOs)) were educated either in Turkey or in Georgia³¹. At the same time Turkey was wary of pursuing diplomatic initiatives in solving Georgia’s territorial conflicts, although Turkish officials coordinated negotiations with Abkhaz and Ajarian officials at the OSCE summit in Istanbul in 1999. True to Turkish tradition, these talks sought to establish Turkey as a likable neighbour in

<www.eurasianet.org/departments/insight/articles/eav050908.shtml>, accessed on 23.2.2009.

³⁰ For the complete article, see Owen, Elizabeth.: US Pushes Between Leaders of Georgia and Abkhazia. In: Eurasia Insight (28 July 2008).

<www.eurasianet.org/departments/insight/articles/eav072808bf.shtml>, accessed on 23.2.2009.

³¹ E-mail from Mustafa Aydin, Head of Department of International Relations, University of Economics and Technology (TOBB), Ankara, 2 March 2009. The author is thankful to Mustafa Aydin. The information provided by Mustafa Aydin refuted information published in Nezavisimoye Voennoye Obozreniye online. For a complete article, see <nvo.ng.ru/forces/2008-09-12/1_invasion.html?mthree=3> accessed on 12.9.2008. See also Torbakov, Igor: The Georgia Crisis and Russia-Turkey Relations. In: The Jamestown Foundation (26 November 2008).

<www.jamestown.org/uploads/media/Torbakov_Russia_Turkey.pdf>, accessed on 14.3.2009, p. 9.

every party's view.³² On 15 May 2008 the UN General Assembly adopted a Georgian resolution recognising the right of expellees to return to Georgia's Abkazian region. Turkey abstained, while calling on "all parties to pursue a peaceful resolution" and expressing its readiness to "assist in that effort"³³.

Turkey learnt that maintaining an equilibrium with Russia and Georgia and not getting sucked into solving Georgia's territorial disputes is a hard test for Turkish foreign and security policy.

The role of other European NATO countries

Interestingly enough, only one article was found related to the visit of George Robertson, NATO Secretary General, to Armenia, Georgia and Azerbaijan between 14 and 16 May 2003. Despite the mutual interest in expanding co-operation, Robertson emphasised that NATO should not be viewed as the miracle cure for all the region's geopolitical ills. He added that "NATO cannot play the leading role in speeding up the peace process in the South Caucasus". "Responsibility for achieving peace is borne mainly by the countries themselves". Robertson continued, referring to efforts to find political solutions to long-standing conflicts, such as Nagorno-Karabakh and Abkhazia.³⁴ Another article noted that while NATO tried to distance itself from the conflicts [in South Ossetia and Abkhazia] Brussels also stated that Georgia did not need to resolve

³² Katik, Mevluk: Will Turkey Meet the Strategic Challenges in Georgia? In: Eurasia Insight (10 December 2003).

<www.eurasianet.org/departments/insight/articles/eav121003.shtml>, accessed on 27.2.2009.

³³ Socor, Vladimir: UN Resolution on Abkhazia Shows Who's Who on Ethnic Cleansing. In: Eurasia Daily Monitor, 5:94 (16 May 2008).

<www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=33643>, accessed on 19.3.2009.

³⁴ Jaba: NATO Interest in Caucasus Security Confirmed by Secretary General's Visit. In: Eurasia Insight (19 May 2003).

<www.eurasianet.org/departments/insight/articles/eav051903.html>, accessed on 23.2.2009.

the conflicts in order to be considered for membership.³⁵ In the third article published in *Jamestown Foundation* online two days after the Russian President Vladimir Putin signed a decree authorising direct relations of officials between Russian government bodies and the secessionist authorities in Abkhazia and South Ossetia, Jaap de Hoop Scheffer, NATO Secretary General, issued a statement criticising Russia's violation of Georgia's sovereignty and urging Russia to reverse these measures.³⁶ These mixed signals sent by Brussels, namely of not wanting to get involved, of seeing no need to resolve the conflicts and of mild criticism, confused Georgian authorities. The three articles on the issue highlighted the low-key role of the Alliance in the region and its reluctance to antagonise Russia and, as a result, to endanger NATO's friendly relations with the latter. In other words, it can be said that NATO's role in Georgia's territorial conflicts was minimal.

To conclude, in terms of diplomacy the US sent mixed signals to Saakashvili and was consistently unprepared to take a more active role in resolving the conflicts. It is important for the US to formulate and clearly present its policy guidelines in the South Caucasus, as the absence of such clear policy principles hampers the stability of the region.³⁷ The latest policy statement of US interests in the Caucasus and Central Asia was made by then Deputy Secretary of State Strobe Talbott at an address to the Central Asia-Caucasus Institute in 1997; nothing similar has taken place since then.³⁸ The US military assistance to Georgia was important but in terms of the US commitment to its various allies around the globe Georgia was at the very bottom of the list. European NATO's role both in terms of diplomacy and military engagement was minimal and marginal. The Turkish military role was important but at the same time Turkish leaders looked anxiously behind their shoulder to watch out for Russia's response.

³⁵ Jibladze, Kakha: *Russia's Opposition*, p. 46.

³⁶ Socor, Vladimir: *Russia Moves Toward Open Annexation of Abkhazia, South Ossetia*. In: *Eurasia Daily Monitor*, 5:74 (18 April 2008).
<www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=33560>, accessed on 19.3.2009.

³⁷ c.f. Cornell: *US Engagement*, p. 119.

³⁸ Cornell: *Georgia After*, p. 36.

Used & Missed Opportunities for Conflict Prevention in Georgia (1990-2008) – The Role of Russia

Markus Bernath

Russia is the central actor in the territorial conflicts that have plagued Georgia so much over the past 20 years. Its historic legacy, geographic size, military clout, its energy routes, its economy that gives work to hundreds of thousands of Georgians, Abkhazians, Ossetians – all this makes Russia an indispensable power in the region. Without Russia, with a Russia not present in the separatist conflicts or with a benign, cooperative Russia or, finally, with Russia having a clear vision on what to do about Georgia everything might have been very different.

This paper examines the role of Russia as it had been. Two major features appear: A lack of strategic thinking that made Moscow's dealings with Tbilisi difficult; second, a very ambivalent approach towards separatism, genuinely disliked and fought by the Russians, but on the other hand proven to be a useful instrument against the Georgian leadership. Russia's role in conflict prevention, therefore, needs some clarification. It was more about upholding than preventing – let alone resolving – conflicts between Georgia and the separatists. Did Russia use opportunities before August 2008 in order to prevent a dangerous worsening of relations or even the outbreak of military conflict? Yes, sometimes. Did it miss opportunities? Certainly, and very much so voluntarily.

1. Living without Strategy

In interviews over the past years Salomé Zourabishvili, the Georgian Minister of Foreign affairs and later opposition party leader, was regularly asked what, in her view, might be Russia's real idea about

Georgia and the future of the secessionist territories. Her answer used to be: It is just not clear. Decision-makers inside the Kremlin and outside seem not to have made up their minds. Russia, at any rate, is “incapable to maintain normal relations”¹ with Georgia.²

It is understood what Russia was doing over the past years in South Ossetia and in Abkhazia and how it was responding to the policy of the Saakashvili governments. But it is not understood why Russian leadership was behaving that way and what the final aim, the deeper sense of its policy towards Georgia and the separatist provinces would be. A telling story in that regard was Russia’s veto in December 2004 against the prolongation of the OSCE’s Border Observation Mission (BOM) along the Chechen stretch of Georgia’s border with Russia. The fact was: that mission proved to be helpful for all sides, it eased tensions, it made things more transparent, it brought in a third neutral party, the OSCE. But Moscow did not want to have it any longer.

1.1. Russia – a power in process

1.1.1. From a delegitimized to a revanchist power

Russia started its relations with the new Georgia in 1990, on the brink of independence, as a delegitimized Soviet power. Some 164 ethnic and separatist conflicts in total were simmering or raging over the whole territory of the Soviet Union, the Kremlin staggered between democratically oriented and nationalist-communist forces in the Duma and in the ministries. Both forces wanted to uphold the empire. 18 years later, Russia rolled into Georgia with tanks and broke up the country by recognizing the separatist provinces as independent states. Not much foreboded that turn of history, nothing at the same time could have excluded it. Russia was and still is a power in progress.

¹ Interview with Salomé Zourabichvili („Unfähig zu normalen Beziehungen“). In: Der Standard, 18.10.2006, p.4

² Georgien sieht ein ‚Meer der Demokratie‘. In: Der Standard, 9.12.2004, p.4.

Russland hat sich noch nicht zu einer Politik entschlossen. In: Der Standard, 2.8.2004, p.4.

“The state model in Russia will be a far cry from what was originally conceived 10-12 years ago”, wrote Fyodor Lukyanov in spring 2004 in a foreword to an issue of *Russia in Global Affairs*. “Unlike the Russia of ten years ago”, he continued, “today’s Russia no longer wants to imitate Europe, not to mention adapt to it”³. Russia kept changing and the consequences for its stance on Georgia which more than anything wanted to be part of Europe and the Euro-Atlantic community were far-reaching.

The Russia of Vladimir Putin, for one thing, would not accept willingly international inputs for conflict prevention as the Russia of the mid-nineties under Boris Yeltsin might have done. With Putin in command in the Kremlin, the Geneva-talks on Abkhazia halted between 2001 and 2005, the Security Council just kept on prolonging the mission of UNOMIG, the Joint Control Commission (JCC) in South Ossetia somehow supported the substantial financial aid the EU provided for rehabilitation projects. But we would not see Russia being actively engaged, developing a policy for Georgia that could link up with the EU’s new European Neighborhood Policy, or reforming a completely dysfunctional peacekeeping-mechanism in South Ossetia and letting in military components from other states in the West or the CIS. Quite the contrary.

In a résumé of the geopolitical changes the summer 2008 has brought to Russia and the Caucasus, Russian Foreign Minister Sergej Lavrov drew a new line of revanche. The post-Soviet space, he claimed, is a “common civilization area for all the people living here”, nothing that can be criticized by the West as a “sphere of influence”, but an expanse where Russia has “privileged interests” with its closest neighbors as they have with Russia. “Trying to destroy what rests on our combined objective history and on the interdependence and intertwining of our economies”, Lavrov warned that the West and Georgia “means to go

³ Lukyanov, Fyodor: Heading for a sober national policy. In: *Russia in Global Affairs*, 2(2)/2004, p.5.

against history”.⁴ The revanchist tide submerged the liberal beginnings of the 1990’s. “Without the neighboring countries located in the so-called post-Soviet space, Russia cannot be viewed as an economically and, moreover, politically self-sufficient sovereign state”, an influential editorialist stated, echoing widespread thinking in Moscow’s power circles.⁵ Punishing Georgia, in the end, seemed a far better option than preventing a military conflict.

1.1.2. Balance, nuisance, dependence: How Russia deals with Georgia

In the 1990s Russia first helped Abkhazians and Ossetians defeat Georgia, and then – with the different Sochi agreements – laid the framework for prevention of further conflicts with the two provinces. That paradoxical sequence of events prepared the ground for Russia’s way of dealing with Georgia for the next years to come: striving for some kind of military and political balance between Georgia and the secessionist regimes; being a power of nuisance that can at any time create problems for Tbilisi if deemed necessary; and, thirdly, enforcing economic dependence on Russia that made sure no side would easily think of reversing the peace order. All that added up to a mode of dealing with Georgia, not to a well reflected strategy.

Russia forced Georgia into the CIS in 1993, imposed Russian troops as peacekeepers in Abkhazia and South Ossetia and reestablished military bases in Georgia following the Bilateral Treaty on Friendship and Cooperation from 1994. It meant putting order into the “near abroad” of then Foreign Minister Andrey Kosyrev, the early version of Lavrov’s “privileged interests”-zone, when Russia did not expect NATO expansion into the South Caucasus. It is doubtful, though, whether Russia really “planned to control all conflicts so that none of the parties

⁴ Lavrov, Sergej: Russian Foreign Policy and a New Quality of the Geopolitical Situation. In: Diplomatic Yearbook of the Ministry of Foreign Affairs of the Russian Federation 2008, 15.12.2008.
<www.in.mid.ru/brp_4.nsf/itogi/BC2150E49DAD6A04C325752E0036E93F>, accessed on 28.2.2009.

⁵ Leontyev, Mikhail: Union of the Sword and the Plowshare. In: Russia in Global Affairs, 2(2)/2004, p.8-15, p. 9.

involved could win a military victory”⁶, the result, however, was clear: military victory was possible – but only through the Russian army. Neither the fighting in the Gali district in 1998 nor in South Ossetia in the summer of 2004 led to any military gains and was soon aborted. Russia froze the conflicts in the two separatist provinces with the Sochi agreements and its follow-up treaties due to the mere threat of military defeat. “We couldn’t afford to be at war. We had lost the war”, Eduard Shevardnadze explained, when asked many years later, why he had accepted the 3+1 format of joint peacekeeping in South Ossetia – “There was a danger that Russian troops would interfere in the conflict”⁷.

The balance that Moscow established between Tbilisi, Sukhumi and Tskhinvali was shifting at times. It could move more to the Georgian side, when Georgian leadership showed some loyalty to Moscow as it did in 1994/96. President Shevardnadze then gave his verbal support to Russia’s first war against Chechnya. In return, Russia made the CIS-states impose an embargo against the separatists in Abkhazia. But Georgia could have also had it the other way round: from December 2000 onwards, Russia required Georgians to have a visa as a punishment for politically approaching the U.S., it sanctioned “bad behavior” by Tbilisi later on by cutting the import of Georgian wine and mineral water, closing the land border to Georgia, or by disrupting the gas supply in mid-winter after a sudden pipeline explosion. Russia finally seriously troubled its own conflict prevention scheme by a series of unexplained military incidents on the territory of Georgia in 2007 and in spring 2008.

⁶ Manucharyan, Ashot (Manutscharjan, Aschot): Russlands Politik im Süd-Kaukasus. In: KAS-Auslandsinformationen 5/2007, p.28-73, p.29.

⁷ Interview with Eduard Shevardnadze (“Georgia: Shevardnadze Discusses 1992 South Ossetia Agreement”). In: Radio Free Europe/Radio Liberty, 23.2.2006. <www.rferl.org/content/Article/1066081.html>, accessed on 28.2.2009.

1.2. The view from Moscow

1.2.1. Impossible Georgia: The country Russia wishes to have

Russia was the center-piece of the political order in Georgia's secessionist regions, but for most of the time in the 1990s and after 2000 it did not have the Georgia it wished to work with at all. Russia imagined a loyal neighbor on its Southern border, a Georgia that respected Russia's interests, accepted a more or less subtle form of hegemony when it came to security alliances, energy routes, bilateral relations with the regional powers Turkey and Iran and that stayed within the sphere of Russian language and culture – all in all a kind of second Armenia. Russia would have also liked the issue of Georgian refugees settled as a major step towards a future political solution of the separatist conflicts. "We never were in favor of secession", Russia's current ambassador at the OSCE, Anvar Azimov, declares. "Until Georgia's aggression in 2008 we always wanted to have a solution for the two republics of Abkhazia and South Ossetia, a broad autonomy within the territory of Georgia"⁸. The Georgia that Russia saw, however, was different.

It is often overlooked nowadays that even before Rose Revolution Tbilisi made advances towards the U.S. During the presidential election campaign in 1999, Eduard Shevardnadze who was disliked by many in Moscow for his past as Soviet Foreign Minister and his alleged responsibility for the downfall of the Soviet Union openly talked about a NATO-membership for his country.⁹ After 9/11 it was also Shevardnadze who invited U.S. and British instructors to militarily train Georgian troops. He was one of the driving forces in founding GUUAM and emptying further CIS of substance. With 1,7 bn US-Dollars since 1991 Georgia figures among the world's biggest recipients of U.S. aid.

⁸ Interview with Anvar Azimov by Markus Bernath, 26.2.2009.

⁹ Subeliani, Sozar: Knocking on NATO's door? (3.12.1999). Institute for War Reporting.

<www.iwpr.net/index.php?apc_state=hen&s=o&o=p=crs&l=EN&s=f&o=158944>, accessed on 1.3.2009.

Despite – and because – of this tremendous financial support from Washington, Russia perceived Georgia as a failed state. “Georgia’s statehood (or rather its semblance) is maintained by foreign financial injections, without which there would have been no national budget at all”, noted Sergei Karaganov acrimoniously in 2004, a month after Mikhail Saakashvili’s election as President, adding that “in Soviet times its [Georgia’s] per capita gross domestic product made it equal to a modest European country”¹⁰. Russia, in fact, did not consider Georgia a European country in the sense that one day it could be part of some EU-structures. The general conviction in Moscow was: Georgians have destroyed their own country by putting the nationalist Zviad Gamsakhurdia into power in 1990, they no longer control large parts of their territory, corruption has completely undermined the rest of the state and Georgians like to put the blame for all their problems on Russia. The idea of Georgia as the future energy transit corridor is widely overblown, the resurrection of the Silk Road a myth. From 2000 to 2002, the issue of the Pankisi Valley, where Chechen rebels had sought refuge before they were driven out by Georgian troops and before villages were bombed by Russian aircraft, proved more than anything how wide the gap between Georgia and Russia had become.

1.2.2. Russia’s way of conflict prevention: What “opportunities” at all?

In one respect Russia’s management of the separatist conflicts in Georgia was quite successful. Up to the moment in August 2008 when it decided for military action, the Russian leadership avoided to be drawn into combats between Georgians and the separatists. After the ceasefire in South Ossetia and Abkhazia in 1992 and 1993 Russia tailored itself a role as a “peacekeeper”. It did not mean that the Russian soldiers themselves were safe: In Abkhazia for example, more than 60 members of the CIS peacekeeping forces had already been killed when the head of States of the CIS decided in 1997 to expand the size of the forces and enhance security in the province. But seen from the heights of

¹⁰ Karaganov, Sergei: Moscow and Tbilisi: Beginning Anew. In: Russia in Global Affairs, 2(1)/2004. <<http://eng.globalaffairs.ru/numbers/6/507.html>>, accessed on 27.2.2009.

geopolitics Russia had acquired the role of an arbiter working to its own end. Russia could seize opportunities to prevent Georgia's separatist conflicts from worsening; or it could cannily miss these chances by just remaining inactive in favor the one or the other side.

There are far more examples that show Russia tipping the balance for the regimes in Sukhumi and Tskhinvali. Looking at advantages for Tbilisi, however, may reveal more of Russia's changing and inconsistent role as a "peacekeeper". In the mid-nineties, in the Abkhazian conflict, Russia again and again initiated separate and joint meetings with the two parties, facilitating in that way discussions which were taken up by the UN. 1994 saw the Declaration on the Settlement of the Georgian–Abkhaz Conflict which allowed for a common federal structure, but was later disapproved by Sukhumi. A shuttle diplomacy by Russia's then Foreign Minister Yevgeni Primakov resulted in summer 1997 in a meeting between Shevardnadze and Abkhazia's de-Facto-President Vladislav Ardzinba in Tbilisi. On that basis the UN initiated what became to be known as the Geneva process. But then again, Russia did not push the Abkhaz leadership to accept the "Boden document", probably the most promising proposal named after the UN-Secretary General Special Representative in Georgia, the German Dieter Boden, in 2001/2002. By that time, the political tide in Moscow had changed against Georgia.

Conflict management in the case of Abkhazia as of South Ossetia was somewhat chaotic under Boris Yelzin. This was categorised by conflicting messages coming from the Ministries of Defense, Foreign Affairs or the short-lived Ministry for Cooperation with CIS member states, including the period of businessman Boris Berezovsky active at the National Security Souncil and as Executive Secretary of the CIS in 1998/1999. But the basic problem of an unclear strategy remained also under Vladimir Putin: "Russia hasn't decided yet which course is more advantageous – to help achieve the comprehensive settlement of the South Ossetian conflict or (to freeze the conflict) by pursuing ad infinitum the policy of preventing Tbilisi and Tskhinvali from going to

war”, the defense analyst Alexander Golts wrote in summer 2004.¹¹ By not offering any perspective of political conflict resolution to Georgia, Russia’s role as peacekeeper would exhaust itself.

2. Struggling with Separatism

Separatism was an antithesis to the Soviet Union, but the same is true for the Russia of today. Russia waged two wars against its Republic of Chechnya which declared independence and is combating separatist tendencies all over the North Caucasus or in Tatarstan with no end in sight. When the Union of Socialist States started to fall apart 20 years ago, the leadership in the Kremlin was occupied with just containing the damage. But, as shown in 1990, supporting separatist forces was an efficient way to prevent even bigger entities from floating away from the Ex-Soviet space. Enemies of Georgia’s central government could be good partners for Russia. Eduard Shevardnadze went even further in his memoirs. “The wars in Abkhazia and South Ossetia are only episodes in the relations between Russia and Georgia”, he wrote, “they are part of Russia’s attempts to dissolve Georgia as an integral country and to throw it back into the state where it had been when – divided in seven principalities – it had joined Russia”¹².

Russia’s ambivalent approach towards separatism blurred the lines of conflict prevention. What appeared to be a meaningful contribution to ease tensions at one point, could be dropped or “overlooked” on another occasion just because it would go against Russia’s agenda of “divide and rule”. To freeze a conflict and not move it forward to a peaceful resolution therefore made perfect sense for Russia.

Moscow’s “double standard” in dealing with Georgia on the one hand and the two separatist regimes on the other – three in fact if one added

¹¹ Alexander Golts cited in: Torbakov, Igor: Kremlin policies in South Ossetian conflict under fire. In: Eurasia Daily Monitor, 9.8.2004.
<http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=26735->, accessed on 25.2.2009.

¹² Shevardnadze, Eduard: Als der Eisenerne Vorhang zerriss. Duisburg 2007, p.343.

Adjara where Russian military leaders like Pavel Gratshev and Alexander Lebed or Moscow's mayor Yuri Lyushkov regularly showed up doing business with Aslan Abashidze – was a current reproach over the past 15 years. Upholding the principle of territorial integrity and at the same time materially supporting separatist regimes seemed to be an untenable position. Russia's recognition of Abkhazia and South Ossetia as independent states in 2008 was felt in a negative sense in the North Caucasus and will certainly revive separatist movements.

2.1. The issue of “double standard”

2.1.1. Owning Abkhazia and South Ossetia

Elections and political changes in Georgia's two separatist provinces used to be a particularly sensitive issue. When Abkhazians and South Ossetians went to vote in the past years, Moscow watched carefully. When the de-facto-Presidents purged their governments, political observers were always quick to establish some link with Russia. Sergei Bagapsh in Abkhazia, his predecessor Ardzinba, the former South Ossetian de-facto-President Ludwig Chibirov learned their lesson. The huge neighbor in the North had come to “own” Abkhazia and South Ossetia over the years. Russia guaranteed survival, paid pensions and salaries, overlooked all law enforcement, invested in businesses – in the case of Abkhazia – and provided government administration officials – in the case of South Ossetia; Russia created new citizens by distributing passports from the end of the 1990s onwards and offered them the only way out to the world – Russia was and is the lifeline for Abkhazia and South Ossetia.

So vast is Russia's hold over the separatist territories that it leaves the population with a meager political choice: being pro-Russian or being simply Russian. The consequences for conflict management, again, were momentous, the questions for Russia's decision-makers clear: how best should we support Sukhumi and Tskhinvali to meet our own interests in the Caucasus, how much space to breathe do we want to give them?

The year 2003 offered in that respect good insights into the mechanics of lending support to the separatists while playing out against Georgia: Russia had just reestablished the railway link between Sochi and Sukhumi without discussing the matter beforehand with Tbilisi or the UN mission – a decision the Georgian government qualified as “unlawful”. The preferential treatment for Abkhaz people was, anyway, badly felt by the Georgians who now had to queue up in Tbilisi for Russian visas. In Abkhazia, distribution of Russian passports was on the rise; by mid-2003 80% of the population allegedly owned Russian citizenship. In that situation, Vladimir Putin tried to squeeze a Georgian leadership which would not survive the year. President Shevardnadze came back empty handed from a CIS-summit at the end of January, Russia would not backtrack from reopening the economically important railway link for Abkhazia. Shevardnadze even had to go back on his threats to deny his consent for another prolongation of Russia’s peacekeeping troops in the separatist province. “We must definitely be aware of what might happen if the peacekeepers were to leave, what tragic consequences this might have”¹³, he admitted.

Hence, in March 2003, not even two months after humiliating Shevardnadze, the Russian president opened up a new track in the conflict diplomacy. Putin invited Shevardnadze to Sochi and signed an agreement on Abkhazia with the Georgian leader: Georgian refugees should be able to return to the Gali district, the agreement stipulates, a tripartite police force would be deployed. With the repatriation in course, railway connections between Russia and Georgia via Abkhazia would be resumed. Abkhazia’s then de-facto Prime Minister Gennady Gagulia, who happened to be in Sochi, spoke about “very positive” talks between Putin and Shevardnadze – the agreement itself, however, dubbed as the start of the “Sochi process” parallel to the UN-led “Geneva process”, was never really implemented. When in summer 2004 a Russian company started maintenance work at the Sochi-

¹³ Eduard Shevardnadze cited in: Kandelaki, Giorgi: Abkhazia row with Russia deals new blow to Georgia's Shevardnadze. In: Eurasianet, 7.2.2003. <www.eurasianet.org/departments/insight/articles/eav020703.shtml>, accessed on 2.3.2009.

Sukhumi railway without the Georgian refugee issue in Gali resolved, Tbilisi protested in vain. The deployment of a Russian military unit in 2008 for more maintenance work announced something different than economic rehabilitation for Abkhazia. It was the precursor of a military solution to the separatist conflicts in Georgia.

“Owning” Abkhazia and South Ossetia meant not only a one-sided management of the separatist conflicts by Russia. The Russian leadership sanctioned “misbehavior” of the regimes as well. That was more evident in the case of Sukhumi than in the tiny region around Tskhinvali where a famous big billboard with the portrait of the Kremlin master read: “Putin, our President”. Russian critique or anger was not even related to the conflict with the central government in Tbilisi.

In November 2004 for example, the Kremlin simply did not like the outcome of the presidential elections in Abkhazia. Despite Russian money spent on the election campaign the majority did not vote for Putin’s candidate, the incumbent Abkhaz Prime Minister Raul Khadzhimba, but for the slightly more independent former Prime Minister and businessman Sergei Bagapsh. With Bagapsh insisting on his victory and the dispute dragging on, Russia closed the border to Abkhazia. “We cannot send humanitarian and financial support in a situation when we do not have the possibility of controlling the use of these means”, a Russian government spokesman tried to explain¹⁴. The Kremlin finally set out new rules for the political succession: a rerun of the presidential election with Bagapsh teaming up with Khadzhimba as his deputy.

Russians and Abkhazians, it turned out, could be uneasy friends. Similarly, Vladislav Ardzinba appeared to have dismissed one his best ministers, Anri Djergenia, at the end of 2002, because Djergenia spoke about “associate relations” with the Russian Federation – an idea that sounded at times too close for the ears of the de-facto President and a

¹⁴ Russia threatens Abkhazia blockade amid crisis. Reuters, 23.11.2004.

good part of the Abkhaz people.¹⁵

Already in the 1990s, Moscow turned its back on Sukhumi. At a CIS summit in January 1996 Russia and Georgia secured the support of the ten other member states to impose an embargo on trade, finance, transportation and communication against Abkhazia. The reason was Chechnya. Russia's first war against the rebellious republic did in fact much to relativize comprehension and support of the separatist regimes in Georgia. Shamil Basayev, later Russia's enemy number one, was fighting along with other rebels from the North Caucasus during the war in Abkhazia with Georgia in 1992/93, possibly even encouraged or sent by Russian military officials.¹⁶ Four years and a war later, however, Moscow sought solidarity among the new Community of Independent States for its campaign against Chechnya. The sanctions against Abkhazia angered Ardzinba and his people, but were quickly forgotten by Russia. In March 2008 the Russian government lifted the very porous "sanctions" unilaterally. It was just another sign for a dangerous turn to come.

2.1.2. The "Rose Revolution" as a separatist enterprise

For Russia, Georgia's Rose Revolution in November 2003 was the ultimate challenge to the "frozen conflict" order it had helped to create in the early 1990s and which it consolidated throughout the decade. With his promise to unite the whole of Georgia, Mikhail Saakashvili put the country from day one of his tenure as President on a collision course with Moscow. His assertiveness provoked the Russians. Six months into his office Saakashvili's fervor only seemed to grow. "I think Ossetia won't last long ... there are only 30.000 people there", he announced in July 2004 in an interview with the Financial Times, "Abkhazia is

¹⁵ Waal, Thomas de: Abkhazia and Russia: Uneasy friends. In: IWPR, 19.12.2002. <www.iwpr.net/?p=crs&s=f&o=158768&apc_state=henicrs2002>, accessed on 1.3.2009.

¹⁶ Baran, Zeyno: The Caucasus and Caspian Region: Understanding United States Policy, Testimony before the House Committee on International Relations, Subcommittee on Europe (10.10.2001). <http://commdocs.house.gov/committees/intlrel/hfa75632.000/hfa75632_of.htm>

different. It is dear to the heart of the Russian generals ... that is where they have their dachas”¹⁷.

First stunned by the speed of Georgia’s young reformers and their appeal to the international community, Russia came to see the whole Rose Revolution as a separatist enterprise, a contagious disease which would seriously disturb the belt of former Soviet Republics around Russia. Georgia’s reformers seemed set on moving their country out of the post-Soviet space, but they also touched upon a fundamental issue of Russia’s relations with the broader West of today: Russia’s refusal to tolerate the construction of a new democracy on its immediate borders. If successful, Georgia would have been the first former Soviet Republic after the Baltic States to establish an example of good governance. Russians then may start asking questions about Vladimir Putin’s authoritarian styled “sovereign democracy”, observers in the West noted. More than at any time before the issue of the separatist conflicts in Georgia became for Russia a question of a much broader geostrategic rivalry with the West. The Kremlin pointed at the U.S. and the role of their NGOs in the political upheaval in Georgia. “Their aim is to destroy Russia and fill the vast space with a number of pseudo-states”, Putin’s advisor Vladislav Surkov claimed.¹⁸ As early as July 2003, four months before the disputed elections, the visit of the former U.S. Secretary of State James Baker in Tbilisi alarmed some in Moscow; Eduard Shevardnadze had to make “unprecedented concessions to the opposition”, Russian news agencies reported.¹⁹ In the critical hours of the revolution on November 23, a phone call from Secretary of State Colin Powell allegedly made Shevardnadze realize that his time had finished. But it was Russian Foreign minister Igor Ivanov who went to Shevardnadze’s residence and talked the embattled President out of office.

Regardless of the political skirmishes and finally the war that followed

¹⁷ Interview with Mikhail Saakashvili (“Georgia’s leader tells Moscow to mind its own business”). In: Financial Times, 02.07.2004, p.2.

¹⁸ Kaftan, Larissa and Elena Ovcharenko: Заместител главы администрации Президента РФ Владислав Сурков: Путин укрепляет государство, а не себя. In: Комсомольская Pravda, 28.09.2004.

¹⁹ Rosbalt (private Russian news agency), 2.7.2003.

years later, Russia adopted an attitude of positive neutrality during the days of the Rose Revolution and then again a second time, in May 2004, in Adjara. Igor Ivanov secured a smooth takeover of this autonomous region through Georgia's new rulers. With hindsight these cautious steps appear as a way of testing the new leadership. Saakashvili still was an unknown quantum for Moscow. Again, Russia's political forces were divided on what to do with Georgia. Mikhail Margelov, for example, then chairman of the Federation Council's Foreign Affairs Committee, maintained that a confrontational stance with Georgia's new leaders would not benefit Russia. It would rather cause new conflicts between Tbilisi and the separatist provinces and possibly create another "Chechnya" in the Caucasus.²⁰ Russian nationalists who came out strong in the State Duma elections in December 2003 – the communists, Rodina, Vladimir Zhirinovskiy's Liberal Democrats – but also a faction in the Kremlin, all of them saw the Saakashvili government as a declared and irrevocable opponent to Russia. Helping to stabilize his administration, this group said, would not bring any good.

Moscow quickly found Saakashvili's approach contradictory. On the one hand, Tbilisi had decided to resolve the problems of Abkhazia and South Ossetia without Russia. Saakashvili denounced "previous relations when Russia itself instigated conflicts, tried to resolve them and never succeeded"²¹. Instead, Tbilisi talked directly to Sukhumi and Tskhinvali. But on the other hand, Russia simply was too big to be overlooked and the list of problems too long, starting from gas delivery, visa restrictions up to the issue of Russian military bases in Georgia proper. "There are too many marks in our relations", Georgia's Prime Minister Zurab Zhvania stated one year after the Rose Revolution; relations with Russia were the biggest problem Georgia is facing, he said.²²

From 2004 on, Russia despite being a key-player in the separatist conflicts was mostly reacting. Moscow hardened its role as a power that

²⁰ Cohen, Ariel: US Officials warily monitor Russian policy debate on Caucasus. In: Eurasianet, 9.1.2004. < <http://www.eurasianet.org/departments/insight/articles/eav010904b.shtml>>, accessed on 3.3.2009.

²¹ Arminfo (Armenian news agency), 8.1.2004

²² Strained Russia ties main problem for Georgia. Reuters, 13.11.2004.

kept the peace but sided with the secessionist regimes. That was essentially due to worrying security developments: Georgia's rush to enter NATO and its steadily growing defense spending. It meant that Tbilisi, at one point, would think of being able to go to war against the separatists. NATO-membership was a red line. "Any attempt of Georgia to join NATO would put an end to efforts aimed at settling conflicts in Abkhazia and South Ossetia", Konstantin Kosachev, the chairman of the State Duma committee for international affairs, warned.²³ Already in 2001 Leonid Ivashov, the former Joint Chief of Staff of the Russian Army, declared: "Russia will never reconcile with NATO borders stretching along Psou River"²⁴. That could as well be understood as: If Georgia insists on going into NATO it will have to give up Abkhazia and probably South Ossetia in exchange. With Saakashvili alternating nonstop proposals for peace plans and bellicose speeches to the Georgians, pushing forward with parallel administrations in the separatist provinces and the bid for NATO-membership, Russia prepared for change too. A revanchist Georgian leadership faced a revanchist Russian leadership.

2.2. Russia's used and missed opportunities before and after Saakashvili

2.2.1. 1994-2004: A decade of trials and entrenchment

On the plus-side:

- Russian shuttle diplomacy in 1997 gave new impetus to Abkhaz-Georgian-talks and to mediation by the UN after the post-war agreements of 1994.
- Russia tried to draw a line under a particularly heated time with Georgia between 2000 and 2002 and offered with the Sochi agreement

²³ Kosachev, Konstantin cited in: Nasibli, Yunis: Russia as a key player in the South Caucasus. In: Geistlinger, Michael/ Longo, Francesca/ Lordkipanidze, Gocha/ Nisibli, Yunis (Ed.): Security Identity and the Southern Caucasus. Wien/Graz 2008, pp.131-146, citation p. 139.

²⁴ Ibid.

in March 2003 a perspective for a partial settlement of the Abkhaz conflict. The agreement basically was a rerun of an older UN-supervised Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons from April 1994.

- the establishment of a Joint Law Enforcement Body in South Ossetia in 2000 as part of the Russian-led Joint Peace Keeping Forces (JPKF) was a potentially positive step. Joint police operations helped diffuse tensions.

Missed opportunities:

- Russia during the Yeltsin-presidency did not bundle its policy for Georgia and the separatist conflicts. Instead Yeltsin sub-contracted his Caucasus policy out to a number of policy agents like the Foreign Ministry, Defense Ministry, CIS Ministry, Kremlin Security Council, the Duma, oil and gas companies and single actors like Moscow mayor Yuri Luzhkov.
- by imposing a CIS based economic embargo on Abkhazia in 1996, Russia favored mafia business structures, criminality and therefore insecurity in the province; by gradually establishing official trade relations with Sukhumi in the following years in violation of the embargo Russia damaged its own position in the conflict management.
- Russia did not establish thorough controls on its peacekeepers and border guards in South Ossetia in order to make sure members of these units would not be involved in the smuggling business; crimes related to the smuggling in South Ossetia soared in 2002, contributed to insecurity in the region and undermined confidence in the work of the JCC and JPKF.
- by not really supporting the “Boden document” of 2001/02 and dropping references to it in negotiations later on.
- by not implementing the Istanbul commitments of 1999.

The “dont’s”:

- Russia should not have pressured Tbilisi for support during the second Chechen war, and build a case against Georgia after 9/11 as a country which allegedly harbors terrorists. An ultimatum of the Russian

president and the bombing of villages in the Pankisi valley in 2002 as well as threats and military incursions on Georgian territory prior to 2002 raised tensions considerably. The population in Abkhazia and South Ossetia was afraid of acts of retaliation by Georgian armed groups. The political process was seriously damaged between 2000 and 2003.

- Russia should not have deployed a military force without mandate in the Upper Kodori Gorge in April 2002.

2.2.2. Chances and combats: 2004-2008

With the start of the Saakashvili presidency Russia had to make fundamental choices: confront the new Georgian government or try to engage it; continue to keep the status of Abkhazia and South Ossetia in limbo or start – this time for real – meaningful negotiations for autonomy; stop Georgia moving towards a NATO membership or work for a new security arrangement in the South Caucasus together with NATO. A number of the listed “missed opportunities” for conflict prevention and of decisions Russia should better not have taken, imply that Russia would have opted for engagement and completely reversed its stance on Georgia. They are therefore highly hypothetical.

On the plus-side:

- Russian Foreign minister Igor Ivanov took the initiative during the Rose Revolution in November 2003 and prevented a further escalation in Tbilisi by convincing President Shevardnadze to step down. In May 2004 he mediated in the power struggle between the central government in Tbilisi and Aslan Abashidze, the ruler of the autonomous region of Adzhara. Ivanov convinced Abashidze to go into exile which gave the new Georgian government its first political victory.
- Russia supported the EU-financed economic rehabilitation program in South Ossetia, implemented by the Georgian deputy minister Gia Volsky and the South Ossetian Vice-Prime Minister Leonid Tibilov.
- Russia replaced its JPKF-commander Svyatoslav Nabzdorov in South Ossetia in June 2004 with the more cooperative Marat Kulakhmetov.

- Russia weighed on the South Ossetian administration in August 2004 and could finally stop the shelling of villages in the province.
- Russia signed in March 2006 an agreement on the removal of its military bases in Batumi, Akhalkalaki and Vaziani. The pull-out of the troops was completed at the end of 2007.

Russia had missed opportunities

- by not pushing for an implementation of the 2003 Sochi agreement (repatriation of Georgian refugees in the Gali district and restoring railway communications with Georgia through Abkhazia); talks in Tbilisi in July 2005 remained inconclusive.
- by not accepting a new format of peacekeeping in South Ossetia and Abkhazia which would be more balanced and would include military observers or peacekeepers from CIS countries like Ukraine and EU-member states or from the OSCE.
- by not hindering volunteers and mercenaries from the North Caucasus passing through the Roki tunnel to South Ossetia.
- by not following through with a comprehensive framework agreement for Georgia, as foreseen in the Joint Declaration of May 2005, that would end Russian military presence in Georgia proper – signed in 2006 –, lift restrictions on visa, trade and transport and also give an impetus for negotiations on autonomy solutions within the territory of Georgia.
- by not taking up and discussing Georgian proposals for autonomy agreements in 2004, 2005 and 2006.
- by not rigorously enforcing control over militias in South Ossetia and fully implementing agreements on disarmament after the combats in August 2004.
- by not working for UN-monitoring of the Upper Kodori Gorge after the incident of June 2003 (kidnapping of UN observers).
- by not prolonging the OSCE border observation mission in 2004.
- by not allowing an inspection of the Gudauta base.

The “don’ts”:

- Russia should not have given the Georgian authorities the opportunity in the first place to arrest four Russian military officials and charge them

with espionage in September 2006; the incident was publicly exploited by the Georgian government and led to retaliation measures like the deportation of – officially– 5000 Georgians, closing of the land border and the temporary retreat of the Russian ambassador to Georgia.

- Russia's army should not have given reason for speculations about military provocations against Georgia in 2007 and 2008 prior to the August war (March 11 attack in Upper Kodori by three helicopters, August 6 missile incident in Gori district in 2007; shooting down of a Georgian drone over Abkhazia on April 20, 2007)
- Russia should have spared the import ban of Georgian wine and mineral water because of alleged "violation of state sanitary-epidemiological rules and norms" in March 2006
- Russia should have abstained from linking the possible recognition of Kosovo by the West with the case of Abkhazia and South Ossetia from 2006 onwards, aggravating by this the political climate in the conflict regions.

Russia and South Ossetia: The Road to Sovereignty

Flemming Splidsboel Hansen

When on 26 August 2008 Russian president Dmitry Medvedev made the surprise announcement that Russia was recognising the sovereignty of Georgian breakaway region South Ossetia (as well as Abkhazia), he was using the ultimate political tool of the modern state: The right to give or to deny the recognition of the sovereignty of other states.¹ This is a step which the state usually will take hesitantly and after great deliberation only as often it can only be undone with considerable costs for the state itself. In this case, the controversy of the Russian decision is clearly indicated by the fact that even early into 2009, only one other state – Nicaragua – had recognised the sovereignty of South Ossetia.

Even more controversially, the road leading to this point had to a large extent been cleared by the Russian military, either through direct involvement in the fighting or through indirect support, e.g., arms transfers, training and intelligence, to the South Ossetian rebels. And the short but dramatic war between Georgia and Russia which was fought out in South Ossetia in August 2008 really was just the culmination of a Russian military involvement which dates back to the days of the collapse of the Soviet Union.

The political and military power, however, are only the most recent and controversial manifestations of the large array of tools which Russia has been able to employ as it has tried to influence the situation in South Ossetia. In fact, so I argue here, as all other states, Russia enjoys four types of power – military, civilian, normative and soft – and it has used all four in the conflict over South Ossetia. It has done so in different

¹ Statement by President of Russia Dmitry Medvedev, 26.8.2008; in <www.mid.ru>, accessed on 14.2.2009.

combinations, with varying intensity and with more or less successful outcomes.

This study proceeds in four main parts. In the first part, I briefly discuss the Russian interests in South Ossetia, which I argue have mainly been linked to the question of Georgia's foreign policy orientation. Following this, I introduce the four different types of power, and I go on, in the third part, to apply these categories to the South Ossetian conflict. As part of this, I attempt a rough categorisation of the conflict according to the different Russian *modus operandi*. This part of the study does not in any way claim to be exhaustive; the aim, essentially much more modest, instead is to provide an alternative framework for the study of this type of conflict. And finally, I offer a few concluding thoughts about the conflict and about the future status of South Ossetia.

Russian interests in South Ossetia

Power is a relative term. The concept only acquires meaning through comparisons, for instance of capabilities or process outcomes. Karl Deutsch, for instance, advised us to get an indication of the amount of power available to an actor by looking at "the difference between the amounts of changes imposed and changes accepted by the actor".² This is of course a measurement of power based on process outcomes and it is one which is useful in this particular context also. Clearly, events in August 2008 reflected Russian interests much more than those of Georgia, and the development indicated that, relative to earlier stages of the conflict, Russian power had increased while Georgian power had decreased; Russia, after all, took a series of bold military and political steps, suggesting that it enjoys a new-found confidence in its own ability to change the system – be it globally, regionally or locally – in a way that reflects its interests more accurately than is the case today.

² Deutsch, Karl: *The Nerves of Government: Models of Political Communication and Control*. New York 1966, p. 115.

However, it is equally clear that global events in the early 1990s illustrated a dramatic loss of Russian power. Put simply, the international system was being arranged in a way that caused increasing discontent and resentment in Russia. This development started already in 1992 and subsequently it just accelerated.³ The reasons were many and are not easily pinned down. While it is tempting to see the development as a more or less inevitable consequence of the fact that Russia gradually seemed stronger and more emboldened and therefore in a position to challenge the West still more, sociological approaches instead offer richer and more nuanced analyses. And when these writers look at the deteriorating relations between Russia and the West, they mainly see a record of expectations that were never met.

Russia on its side was sincerely (but perhaps also naively) hoping and expecting to be recognised as part of the “in-group”, but that recognition was not (and could not) be delivered; the West on its side was hoping and expecting that Russia would follow new normative standards, but it did not fully deliver and so it remained part of “them”. Once distrust started growing, it fed on itself, eventually leading to the now widespread talk of a new Cold War even.

For Russia, the early signs that the West had not managed to get rid of its Cold War mentality and therefore could not be fully trusted included the failure to offer a comprehensive recovery programme (a new Marshall Plan) to Russia after the collapse of the Soviet Union; the planning and subsequent execution of two rounds of enlargement of the North Atlantic Treaty Organization [NATO] as well as increased support for Russian-critical voices and regimes in the territory of the former Soviet Union.⁴

³ E.g. *Nezavisimaya gazeta*, 5.3.1992 and Shiraev, Eric/Zubok, Vladislav: *Anti-Americanism in Russia. From Stalin to Putin*, London 2001, p. 47.

⁴ See, e.g., the speech by then Russian president Vladimir Putin in Munich on 2 October 2007; in www.securityconference.de/konferenzen/rede.php?sprache=en&id=179, accessed on 5.1.2009.

As relations with the West in general and with the United States of America [USA] in particular started deteriorating, the Commonwealth of Independent States [CIS] was soon seen in Russia as a possible source of support or, if that failed, a sphere-of-influence to be manipulated; it was, in fact, the near-only pool of support which Russia could hope to draw from as the country found it agonisingly difficult to find allies in its struggle to arrest or to even roll back Western influence. Few states were so vulnerable to Moscow's politics of arm-twisting that they felt that they *had* to follow the lead of the new-born Russian state, which seemed to teeter on the brink of total collapse and disintegration, and even fewer were inclined to do so out of free will.

When faced with such adverse developments in the international system, so traditional balancing theory tells us, a state will have two principal policies at its disposal. The first is to generate more resources, either through intrinsic means or by teaming up with allies and the second is to weaken the opposing side.⁵ While some of the CIS members have served as more (e.g. Belarus) or less (e.g. Kyrgyzstan) willing allies, others were drawn into the organisation by Russia mainly to prevent them from throwing in their lot with the opposing side. The overall purpose, so it should be kept in mind, was to further Russian demands that certain processes in the international system be halted.

Initially, Georgia managed to withstand Russian pressure on it to join the CIS. However, after prolonged and intense pressure, not least including support from Moscow for the South Ossetian cause, then Georgian president Eduard Shevardnadze in late 1993 brought his country into the CIS; in a statement, Shevardnadze explained that he had been "forced to consent to Georgia's joining the CIS as a result of the country's having been 'brought to its knees'", and he added that he personally had opposed Georgian membership in the CIS "until the very end".⁶ Moscow's policy of arm-twisting had worked.

⁵ Waltz, Kenneth: *Theory of International Politics*, Reading 1979, p. 118.

⁶ In *Segodnya*, 9.10.1993. In: *The Current Digest of the Post-Soviet Press [CDPSP]*, 41/1993, Minneapolis, p. 28.

Needless to say, this development laid the basis for a very unhealthy relationship between Russia and Georgia. And, additionally, it served to weaken the already fragile CIS which was being kept together by a combination of bribes (e.g. cheap credits, subsidised goods and unrestricted market access) and threats (e.g. support for secessionist movements). In a comment, a Russian newspaper drew the conclusion that “today the members of the Commonwealth scarcely have any other choice than to accept economic integration with Russian while making political concessions they don’t like”.⁷

And in a later analysis, two Russian scholars warned against believing that this would work, explaining that “most likely, the leaders of the CIS member countries are artificially prolonging the days of the outer shell known as the ‘Commonwealth’ until the organic process of their adaptation to a world economic picture that is new to them is complete and problems that still require a cautious attitude toward Russia (...) are removed”.⁸

But for a Russian leadership determined to bring the post-Soviet space together (excluding Estonia, Latvia and Lithuania which had all been irrevocably “lost”) and to oppose the West, the policy, however short-sighted and counter-productive others may have labelled it, indeed seemed to work. Thus, Georgia *did* join the CIS and, no matter how foot-dragging it was as a member state, as long as it was there, at least it was not joining any Western-led security structure.

Georgia stayed in the CIS until August 2008, when the country announced the immediate termination of its obligations as a member state.⁹ As this preceded the Russian recognition of the sovereignty of South Ossetia, the main cause of the Georgian withdrawal from the CIS was the fighting with Russia. However, there is no doubt that the secession of South Ossetia (and Abkhazia) – facilitated and made

⁷ Nezavisimaya gazeta, 8.12.1993. In CDPSP, 49/1993, Minneapolis, p. 15.

⁸ Zatulin, Konstantin/Migranyan, Andranik in Nezavisimaya gazeta, 1.12.1997. In: CDPSP, 49/1998, Minneapolis, pp. 1-2.

⁹ According to Statement of the Ministry of Foreign Affairs of Georgia on Georgia’s Withdrawal from CIS, 18.8.2008. In: <www.mfa.gov.ge>, accessed on 5.1.2009.

possible by Russia – has only reinforced the view of those who believe that all in all it serves Georgia’s interests better to view the CIS from the outside; the recognition by a supposedly allied state of a breakaway region is, after all, extremely controversial.

The picture presented here is one in which South Ossetia has primarily been played by Russia as a pawn in a game of chess against Georgia. And the prize for Russia to win was a subservient Georgian state which would bandwagon with Russia out of fear of the possible consequences of *not* doing so;¹⁰ Georgian involvement in the openly anti-Russian GUAM (Georgia, Ukraine, Azerbaijan and Moldova) and the Community of Democratic Choice has only shown that the country could not be fully controlled; however strong Russia’s desire to keep Georgia in the CIS, in its policy responses it was still restricted by a concern for its relations with the other member states as well as by normative considerations which would rule out “unacceptable” behaviour.

The Russian-South Ossetian relationship clearly contains more than that, however. Below, I will offer a few examples of the pro-Ossetian and anti-Georgian discourse which dominated a large part of the Russian media from the early stages of the conflict; while there is no doubt that the South Ossetians enjoyed widespread support in Russia even at this time, nearly two decades of “Common Othering” of Georgia has of course had an impact on the Russian public view on South Ossetia and on the Georgian role in the conflict. A quick succession of August and September 2008 polls illustrated the understanding and sympathy which the Russian population has for the South Ossetians.

Thus, while 54 % held the Georgian government responsible for the outbreak of the August 2008 hostilities, very few (only one % each) assigned blame to the governments of either South Ossetia or Russia; twelve percent pointed fingers at all three governments (10-13

¹⁰ Walt, Stephen: *The Origins of Alliances*, Cornell 1987, pp. 17-49.

August);¹¹ 90 % of all respondents found that Russia should help South Ossetia leave Georgia (10-13 August);¹² 72 % wanted the Russian peacekeepers to stay in South Ossetia (10-13 August);¹³ 87 % found that Russia should protect its citizens regardless of their place of living and 91 % believed that the development in the Caucasus threatened Russian interests (10-13 August);¹⁴ 71 % wanted Russia to recognise the sovereignty of South Ossetia and 63 % were even willing to welcome the region into Russia should it wish so (16-17 August 2008);¹⁵ and a later poll showed that 87 % agreed with the 17 September 2008 signing by Medvedev of treaties of friendship and mutual assistance with South Ossetia (and Abkhazia), in which Russia pledges military protection, while another 79 % found that Russia should offer financial support to assist in the development of the area (20-21 September 2008).¹⁶

The early August 2008 action by Georgian forces against South Ossetia, described by *Jane's* as a "full-scale military assault", clearly was the precipitating event of the war which then almost immediately broke out between Georgia and Russia.¹⁷ Looking slightly further back, however, two other events seem of critical importance. The eventual outcome – the recognition by Russia of the sovereignty of South Ossetia (and Abkhazia) – was not in any way inevitable because of these two events,

¹¹ Vserossiyskiy tsentr izucheniya obshchestvennogo mneniya [VCIOM], Tragediya v Yuzhnoi Ossetia: Kto vinovat?, article 1021, 14.8.2008. In: <www.wciom.ru>, accessed on 24.2.2009. Remarkably, a full 22 % were of the opinion that the United States [US] government was responsible for the fighting

¹² VCIOM, Buduschiy status Yuzhnoi Ossetii: Mnenie rossiyan, article 1022, 15.8.2008. In: <www.wciom.ru>, accessed on 24.2.2009.

¹³ VCIOM, Rossiyskie mirotvortsy dolzhny ostatsya v Yuzhnoi Ossetii!, article 1023, 15.8.2008. In: www.wciom.ru, accessed on 24.2.2009.

¹⁴ VCIOM, Zashchita prav rossiyan – v svoei strane i v Yuzhnoi Ossetii, article 1025, 19.8.2008. In: <www.wciom.ru>, accessed on 24.2.2009.

¹⁵ VCIOM, Rossiyanе podderzhivayut vybor Yuzhnoi Ossetii i Abkhazii v polzy nezavisimosti, article 1030, 27.8.2008. In: <www.wciom.ru>, accessed on 24.2.2009.

¹⁶ VCIOM, Rossiyskaya pomoshch Yuzhnoi Ossetii i Abkhazii: Nuzhna, no kak crezvyainaya, a ne postoyannaya mera, article 1055, 25.9.2008. In: <www.wciom.ru>, accessed on 24.2.2009.

¹⁷ *Jane's Sentinel Security Assessment – Russia and the CIS: South Ossetia*, 8.9.2008.

but together they propelled the area toward secession backed by unprecedented Russian support.

The first event was the 2003 Georgian Rose Revolution which brought Mikhail Saakashvili to power at the expense of then president Eduard Shevardnadze. Critically, Saakashvili soon announced not only a policy that aimed at the speediest possible re-integration of South Ossetia into Georgia proper, he also made clear that he wanted to bring Georgia even closer to the West, in particular the USA, and that the country was hoping to join NATO within no more than four years, that is, by 2008.¹⁸

It follows from the previous argument that for the Russian side the latter aim held the more damaging prospects. A Georgian exit from the CIS and then entry into NATO would be hugely problematic for Russia's understanding of its own role and mission in the CIS space as well as for its security interests as these have been defined by successive Russian administrations. Both plans – re-integration with South Ossetia and NATO membership – therefore had to be thwarted; but for Moscow the immediate aim was to prevent the re-integration of South Ossetia into Georgia proper in order to prevent the ultimate aim, that is, the formal re-orientation of Georgia away from Russia and the CIS toward the West.

The second event was the February 2008 recognition by a large number of especially Western states of the sovereignty of Kosovo. Russia famously has opposed the independence of Kosovo, citing “precedence concerns” and warning that, if Kosovo were to be recognised as a sovereign state, Russia could be forced to recognise other and similar non-state entities such as South Ossetia, Abkhazia and Trans-Dniester. As a consequence of the recognition of Kosovo in early 2008, in April 2008 Moscow authorised “official relations” to be established with South Ossetia to indicate that the area now had a status of semi-statehood.¹⁹

¹⁸ Radio Free Europe/Radio Liberty [RFE/RL] – Caucasus Report, 2.7.2004. In: <www.rferl.org>.

¹⁹ Jane's Sentinel Security Assessment – Russia and the CIS: South Ossetia, 8.9 2008.

Others have argued that Russia actually wanted to secure the secession of South Ossetia from Georgia; what seemed to be a Russian “threat” to recognise the region should Kosovo be recognised, instead is presented as a “deal” whereby Russia would fail to oppose the sovereignty of Kosovo if only the West would support South Ossetia. In the words of the Stockholm Peace Research Institute,

“It was long expected that Russia would be ready to strike a deal with the USA and others over Kosovo in the hope that the West would then accept the secession of the (Russian-backed) provinces of Abkhazia and South Ossetia from Georgia and Trans-Dniester from Moldova. During 2006, however, it became clear that Western powers were not ready to accept this implied trade-off and would continue to support the territorial integrity of Georgia and Moldova. This drove Russia back towards its more traditional policy of sympathy and cooperation with Serbia ... However, when [international mediator Martti] Ahtisaari put forward his proposal [about phased sovereignty for Kosovo] in ... 2007, Russia started to change its tone and no longer mentioned an eventual veto on the independence of Kosovo – a hint perhaps of renewed consideration being given to a *quid pro quo*”.²⁰

Both interpretations of course are quite cynical; the main difference between them is that while the former bases itself on a belief in a Russian principle of non-recognition of secessionist entities (unless compelling circumstances dictate otherwise), the latter bases itself on a belief that Russia was willing to recognise *at least* the four areas mentioned above. In the absence of the right sources, there is no way for us to ascertain what really happened behind closed doors in the Kremlin.

It does seem, however, that the policy of blanket recognition goes against Russia’s earlier policies and those of different organisations of which the country is a member. The Shanghai Co-operation Organisation [SCO], for instance, since 1999 has a clause in its charter

²⁰ SIPRI Yearbook 2007, Oxford 2007, p. 47.

which defines secessionism as “an evil”;²¹ and at the SCO summit in Dushanbe in August 2008, the other member states, led by China, gave Medvedev a minor public humiliation by insisting that they would not break the SCO principle by recognising the sovereignty of South Ossetia (and Abkhazia).²²

Moreover, a policy that weakens the principle of territorial integrity is fraught with risks for a Russian state that may have been successful at increasing internal cohesion in the past decade but which will undoubtedly have to face strong secessionist movements again, perhaps already within the next decade (e.g. Chechnya, Dagestan or perhaps even Kaliningrad).

Instead it could be speculated that by linking the status of Kosovo to the status of other entities such as South Ossetia, Russia gambled and eventually painted itself into a corner from which there was no easy exit. The early 2008 recognition of Kosovo did not automatically cause the recognition by Russia of South Ossetia – although the April 2008 establishment of “official relations” seems to have been ordered by the Kremlin in direct response to the Kosovo development. This decision also brought Russia one step closer to the recognition of the sovereignty of South Ossetia; while it is doubtful that this is where Russia *really* wanted to go, it may have felt that it had to punish not only Georgia for launching a military attack on South Ossetia with the aim of winning control of the area but also the West for having disregarded Russia’s objections to the recognition of Kosovo as a sovereign state.

Given the all too obvious lack of international support for Russia’s recognition of South Ossetia, even among its closest allies, as well as the precedent which this step may set for some of Russia’s own federal entities, it seems reasonable to speculate that there has been a good deal of soul-searching in the Kremlin. The administration may still try to

²¹ E.g. Hansen, Flemming Splidsboel: The Shanghai Co-operation Organisation. In: *Asian Affairs* 2/2008.

²² SCO Fails to Back Russia Over Georgia. In: *RFE/RL*, 28.8.2008. In: <www.rferl.org>.

convince itself that Georgia has been left even weaker than it was before August 2008 and that the region, fully unable to exist without Russian support, offers new and promising prospects for Russian involvement in the Caucasus; plans to establish before the end of 2009 a military base in South Ossetia with a deployment of 3,700 troops are a sign that Russia is indeed profiting from the conflict.²³

At the same time, however, it seems that Russia has been weakened. Its policy on South Ossetia has been exposed as a failure by the international community, it has exacerbated tension with the West, the CIS has lost a member state, and Georgia has been forced to go the whole way in terms of its pro-Western orientation; bandwagoning is even less an option today than it was before August 2008. And in even in a long-term perspective, Russia will find it extremely hard to satisfy Tbilisi's demands that the region be brought back under Georgian control; by agreeing to this, Russia will suffer heavy reputational damage.

The different types of power

As suggested, all states enjoy the following four types of power. Variations across states therefore are not caused by type but by quantity; Russia is more powerful than Georgia which again is more powerful than South Ossetia, but all three have access to the same types of power.

Firstly, military power, defined as “the ability to use physical force”.²⁴ This is perhaps the type of power that is most easily understood, as

²³ RIA Novosti, 29.1.2009. In: <en.rian.ru/russia/20090129/119877010.html>, accessed on 25.2.2009. In addition to this, Russia plans to establish a base of a similar size as well as both air and naval facilities in Abkhazia.

²⁴ In his article “The role of military power” John Garnett explains that military power “is the legally sanctioned instrument of violence that governments use in their relations with each other, and, when necessary, in an internal security role”. In: Little, Richard/Smith, Michael (eds.): Perspectives on World Politics. London 1991, p. 69. This definition, however, misses non-state entities such as South Ossetia whose military build-up is controversial simply by the fact that it is *not* sanctioned by the central government (of Georgia).

history unfortunately is replete with examples of its use by actors seeking to “kill, maim, coerce, and destroy”.²⁵

Secondly, civilian power, which includes most importantly economic and political power. This category serves as a residual as it is to some extent defined by what the other categories are *not*.

Thirdly, normative power, defined as “the ability to define acceptable standards of behaviour”.²⁶ Recent decades have witnessed the attempt, especially among non-Western states, to build up normative power, and it is a type of power which seems to be growing in importance. Part of the reason for this is the gradual emergence of a global constituency informed by the mass media and by new information technology about events throughout the world. While it was never fully true that “might is right”, it is even less true today; to illustrate, when in July 2008 United States [US] president Barack Obama visited Berlin as part of his pre-election tour of key capitals, he introduced himself as a “fellow citizen of the world”, addressing his audience with the opening words “people of the world”.²⁷ Most states today find that controversial policies have to be legitimated not only at home but often even more so abroad.

These first three types of power share two characteristics which deserve mentioning here. One is the ability of the actor to use them either positively, for instance by offering military assistance, financial help or normative support, or negatively, for instance by threatening to launch military strikes, introduce economic sanctions or work to delegitimise a given behaviour. And the other characteristic is the fact that all three types of power can lead to policy changes based on simple as well as complex learning; while simple learning refers to a process where policies change but fundamental values remain the same, complex

²⁵ Ibid., p. 69.

²⁶ Ian Manners defines normative power as “the ability to shape conceptions of ‘normal’ ”. In: Normative Power Europe: A Contradiction in Terms?. In: Journal of Common Market Research, 2/2002, p. 239.

²⁷ Obama trip addressed global constituency. In: The Boston Globe, 27.7.2008.

learning instead requires a change in fundamental values which is then followed by a change in behaviour.²⁸

The fourth and final type of power is soft power, which Joseph Nye, who coined the term, defines as “the ability to shape the preferences of others”.²⁹ One way to approach it is to view it as the combined total of the other types of power. Soft power differs from these other categories in that it is the only “power muscle” which cannot be flexed (neither positively nor negatively) and by the fact that it is associated with complex learning only; actors use their soft power by drawing attention to their fundamental values and the norms by which they operate – that is, their “way of life” – thereby hoping to persuade others to follow their lead.

Russian power

As noted, Deutsch focused on process outcomes. In what follows below, however, I will take one step back to look at the capabilities which made the present situation surrounding South Ossetia possible. I will discuss the different types of power in reverse order, starting with soft power, that is, the most diffuse type of power, and ending with the military power which has played such a central role in the conflict.

Soft power

I am not aware of any study which has tried to measure Russia’s soft power. Studies do exist, however, on “soft power”, but usually this is merely part of the very traditional hard (military or kinetic) and soft (non-military or non-kinetic) dichotomy, where the latter category includes civilian, normative and soft power as the concepts are used here.

²⁸ Nye, Joseph, Nuclear Learning and U.S.-Soviet Security Regimes. In: International Organization, 3/1987, p. 380.

²⁹ Nye, Joseph, Soft Power. The Means to Success in World Politics, New York 2004.

Russia clearly is not a great soft power. Since 2000, the Russian foreign policy doctrines have stressed the need to create a more positive image of Russia in the world, thereby openly admitting that there is a problem here. Part of this task is to “promote an *objective* image of Russia globally as a democratic state committed to a socially oriented market economy...”³⁰ Even polls conducted among Russians show that more people have feelings of shame rather than pride towards their country;³¹ given this, it seems reasonable to hypothesise that foreigners may be even less attracted to the Russian “way of life”.

But Russia probably has more soft power than it is usually credited with. This is especially so among people of the former Soviet Union; to illustrate, a 2006 poll showed that 32 % of Belarusians, 23 % of Kazakhs, 21 % of Russians and 34 % of Ukrainians preferred to live in a (Russian-led) union of these four states rather than in their present state.³²

Similarly, the aim of South Ossetia, as expressed for instance in the January 1992 referendum, has not been sovereignty; rather, the region has aimed at incorporation into Russia, as either a separate entity or through unification with North Ossetia.³³ Part of the reason for this undoubtedly is the fact that very few observers have deemed it realistic that South Ossetia could exist entirely on its own; interestingly, even after Russia had recognised the sovereignty of South Ossetia, president Eduard Kokoity has explained that he still aims to bring the new state into Russia.³⁴

³⁰ The Foreign Policy Concept of the Russian Federation, 18.7.2008, part I; emphasis added.

³¹ E.g. Fond obshchestvennoe mnenie [FOM], Patriotizm: kriterii i proyavleniya, 7.12.2006. In: <www.fom.ru>, accessed on 22.2.2009.

³² VCIOM, Raspad SSSR i novye integratsionnye nastroyeniya, Article 593, 7.12..2006. In: <www.wciom.ru>, accessed on 25.2.2009.

³³ E.g. Keesing's Record of World Events [KRWE], 1992, p. 38731. It should be added that before this, the region wanted to leave Georgia and to join the Soviet Union as “the South Ossetian Soviet Democratic Republic”. In: Postfactum, 2.1.1991. In: Current Digest of the Soviet Press [CDSP], 1/1991, p. 9.

³⁴ RFE/RL – News, 11.9.2008.

But Russia in itself has also been attractive – and for several reasons. Firstly, it should be re-called that the conflict in South Ossetia was prompted by a succession of controversial laws passed by the Georgian Supreme Soviet which had the effect of undermining the rights of minorities within Georgia, including the South Ossetians: The restrictive August 1990 language law, which introduced Georgian language testing, the October 1990 election law, which excluded regional parties from the parliamentary elections held the same month, and then, finally, the decision in December 1990 to suspend the autonomy of South Ossetia.³⁵

Secondly, Russia at the same time seemed comparably tolerant of ethnic minorities; most clearly, just across the border, North Ossetia enjoyed the status of an autonomous republic, that is, one step above the level which had now been denied the South Ossetians. A Russian newspaper, though hardly an impartial observer of the unfolding crisis, in mid-1992 tried to explain to its readers the appeal of Russia to the South Ossetians:

“In the north, the Ossetian urban intelligentsia found its identity within the Russian-speaking environment of [the capital city] Vladikavkaz. Linguistic Russification was accompanied by an increase in Ossetian influence in the republic. The Russified Ossetians preserved a firm ethnic self-awareness and the potential for de-assimilation. In Georgia the assimilation of the Ossetians took a different course: (...) the point of political and territorial autonomy for South Ossetia was to overcome the “second-class citizen” syndrome of the Ossetians in Georgia. The destruction of South Ossetia’s political autonomy in today’s Georgia is a declaration to the Ossetians that they are social outcasts without a state and with a ‘guest’ complex”.³⁶

Subsequent Georgian administrations failed to increase the attraction of their own country to the South Ossetians, thereby leaving Russian soft

³⁵ Truelsen, Peter Dahl/Hansen, Flemming Splidsboel, *Konflikten i Sydossetien*. In: Royal Danish Defence College Brief, 2008, pp. 5-6.

³⁶ *Nezavisimaya gazeta*, 8.7.1992. In: CDPSP, 27/1992, p. 26.

power intact;³⁷ a non-ethnic understanding of what it means to be “Georgian” was not developed and propagated and the original dividing lines of “us” and “them” therefore remained strong.

Thirdly, and most generally, the Russian “way of life” has had an attractive appeal to it. In 2008, the Russian Gross Domestic Product per capita was more than three times that of Georgia (USD 15,800 versus USD 5,000),³⁸ and for many South Ossetians Russia undoubtedly has seemed more developed and capable than Georgia. Moreover, by authorising itself, in early 1992, to defend throughout the former Soviet space the rights of Russian citizens, “Russian-speakers” and other groups in need of protection, Russia to some extent succeeded in creating an image of itself as a selfless and potent actor which could easily put local governments in their place.

As noted the soft power muscle cannot be flexed. Instead, actors have to draw attention to their norms and behaviour. Russia has had practically unlimited access to a South Ossetian audience through ordinary television and radio broadcasts, newspapers and internet sites. But, in recognition of the importance of being able to shape the preference of others, the central authorities have also targeted the region more directly; an example of this is the Kremlin-controlled “Caucasus Institute for Democracy”, which organises public seminars, supports cultural activities and even has a radio station, located in South Ossetia, which broadcasts in Ossetian.³⁹

All of this is not to suggest that the relationship between Russia and South Ossetia has been free from conflict. On the contrary, there have been numerous disagreements and the South Ossetian side has complained about a lack of Russian involvement and commitment. To

³⁷ E.g. statements by former Georgian foreign minister Salome Zourabichvili at the conference Used/Missed Opportunities for Conflict Prevention – The Case of Georgia’s Territorial Conflicts, Austrian National Defence Academy, 4.3.2009.

³⁸ CIA, The 2008 World Factbook. In: <www.cia.gov>. All figures are measured in Purchasing Power Parity.

³⁹ Popescu, Nicu: Russia’s Soft Power Ambitions. In: CEPS Policy Brief, 115/2006, p. 2.

illustrate, in the first half of 1992, when the Russian authorities were still discussing whether and how to get involved, their South Ossetian colleagues openly expressed dissatisfaction with “Russia’s passivity and meagre assistance”.⁴⁰ And, so it should be kept in mind, despite successive direct appeals made over the years by South Ossetia to Russia to help it change its international legal status, the break-through did not occur before August 2008.

Civilian power

From this varied toolbox, two types of political power deserve mentioning. The first is the campaign, particularly strong after the election in 2001 of hard-liner Kokoiti to the position of president of South Ossetia, of offering passports “confetti-style” to the South Ossetians. As a result of this campaign, the overwhelming majority (+90 %) of South Ossetians held Russian citizenship when war broke out in August 2008.⁴¹ As just noted, already in early 1992, Russia had authorised itself to act in defence of Russian citizens, and Medvedev did not hesitate to justify the military involvement in the conflict with reference to the need to protect Russians; in an 8 August 2008 statement, he explained that

“Civilians, women, children and old people, are dying today in South Ossetia, and the majority of them are citizens of the Russian Federation. In accordance with the Constitution and the federal laws, as President of the Russian Federation it is my duty to protect the lives and dignity of Russian citizens wherever they may be. It is these circumstances that dictate the steps we will take now. We will not allow the deaths of our fellow citizens to go unpunished. The perpetrators will receive the punishment they deserve”.⁴²

⁴⁰ Moskovskiye novosti, 21.6.1992. In: CDPSP 25/1992, p. 5.

⁴¹ Hedenskog, Jakob/Larsson, Robert: Russian Leverage on the CIS and the Baltic States, Stockholm 2007, p. 35.

⁴² Statement on the Situation in South Ossetia, 8.8.2008. In: <www.kremlin.ru>, accessed on 28.2.2009.

Along similar lines, when in 2001 Russia introduced visa requirements for Georgians, South Ossetians were exempted.⁴³ This way, Russia could restrict the free movement of labour, on which Georgia has been so dependent, without doing damage to South Ossetia.

The second type of political power that should be mentioned is the status and legitimacy which Moscow has bestowed on Kokoiti by referring to him, even before the official recognition of the sovereignty of South Ossetia, as “president”.⁴⁴ This has been a subtle but also highly symbolic way of raising the status of the region to something approaching the “official relations” introduced in April 2008.

The political support has been accompanied by economic support. The Russian state has paid pensions – higher than those provided by the Georgian state – to residents of South Ossetia, and it has provided subsidised goods as well as undertaken major investments in the regions’ infrastructure, thereby financing a large part of its development while at the same time bringing the region closer to Russia.⁴⁵ It is estimated that the Russian authorities have been providing as much as 60 % of the yearly budget revenue of South Ossetia in direct support.⁴⁶

As with the visa regime, South Ossetia has also been exempted from the trade restrictions imposed by Russia on Georgia. Already in late 1991, the Russian government decided to postpone the signing of a trade agreement with Georgia until the situation in South Ossetia had stabilised.⁴⁷ And in mid-1992, sanctions were then threatened.⁴⁸ Since then, economic sanctions have been imposed on numerous occasions, but they have not targeted South Ossetia.

⁴³ Hedenskog/Larsson: Russian Leverage, p. 35.

⁴⁴ Popescu, Nicu: ‘Outsourcing’ de facto Statehood: Russia and the Secessionist Entities in Georgia and Moldova. In: CEPS Policy Brief, 109/2006, p. 6.

⁴⁵ Ibid., p. 6.

⁴⁶ Jane’s Sentinel Security Assessment – Russia and the CIS: South Ossetia, 8.9.2008.

⁴⁷ In Izvestiya, 12.12.1991. In: CDSP, 49/1991, p. 22.

⁴⁸ Moskovskiye novosti, 21.6.1992. In: CDPSP 25/1992, p. 5.

Even after a deliberate effort to re-direct trade away from Russia, Georgia is still quite dependent on the Russian market. Thus, 2007 trade figures show that trade with Russia represents eleven percent of total Georgian trade; from this trade, Georgia suffered a deficit of USD 622 mn.⁴⁹ By contrast, Georgia does not even figure among Russia's 20 main trade partners. Clearly, Georgia has been – and still is – relatively sensitive to trade restrictions imposed for instance because of the conflict over South Ossetia.

Normative power

Two aspects of the normative power seem of particular importance. The first is the way in which the conflict has been construed by the Russian authorities and media. From the very beginning of the conflict, strong voices in Russia argued that Russian involvement was needed to prevent genocide against the people of South Ossetia. Thus, in mid-1992, Ruslan Khasbulatov, then chairman of the Supreme Soviet and a leading opposition figure to then Russian president Boris Yeltsin, described the policy of the Georgian government as “genocide”, and he warned that Russia might consider sending troops or even annexing the region in order to protect the local population; these views were echoed by his ally then vice-president Aleksandr Rutskoy.⁵⁰

The Yeltsin-critical media expressed similar views. To illustrate, in April 1992 *Nezavisimaya gazeta* noted that

“against the backdrop of their demonstration of solidarity with the [Trans-Dniester] region, the Russian authorities “obliviousness” to the South Ossetia problem is being linked – and not without reason – to the new complexion of Russian foreign policy, which considers it possible to defend the rights of citizens of other countries on the basis of nationality. But only if they are Russians. South Ossetia, admittedly, has

⁴⁹ European Commission, Georgia - Trade Statistics, 14.19.2008, p. 4. This is with an average EUR-USD exchange rate of 1,3711 for the year 2007.

⁵⁰ KRWE (1992), p. 39018.

not yet succeeded in provoking the appropriate “ecstasy” among representatives of the Russian authorities”.⁵¹

And after the Supreme Soviet had rejected a June 1992 appeal from the South Ossetian authorities that the region be incorporated into Russia, *Izvestiya* predicted that

“under the present conditions, in which there is an obvious intention to implement a policy of ‘faits accomplis’ by expelling an entire people and eliminating their autonomous entity, the Russian parliament may be put in a position in which it will be forced to immediately consider this question in accordance with the expression of the people’s will and the South Ossetian authorities’ request to the Russian Supreme Soviet”.⁵²

Initially, there clearly was a strong element of domestic political fighting to this. The Russian opposition painted a picture of a hesitant administration which had lost control over the CIS space, surrendered to local governments and failed to protect the interests of those who sympathised and identified with the new Russian state. Gradually, the political centre moved along, because of either a genuine belief in the duty of Russia to act, political necessity as voters demanded action or sheer opportunism as this was a welcome opportunity for Russia to re-establish some of the lost influence in the CIS space.

It should be added that external observers have in fact described Tbilisi’s policy toward South Ossetia in terms similar to those used in Russia. Thus, Julian Birch, for instance, has explained how just prior to the collapse of the Soviet Union “the language foreshadowing a ... forcible ethnic cleansing of [South Ossetia] became increasingly apparent and the [supporters of then Georgian president Zviad Gamsakhurdia] in particular manipulated the issue to their advantage by their use of readily intelligible populist rhetoric”. And, so he adds, when Russia became

⁵¹ *Nezavisimaya gazeta*, 10.4.1992. In: CDPSP, 15/1992, p. 21.

⁵² *Izvestiya* (15 June 1992), in CDPSP, 44/24 (1992), p. 16.

actively involved in the conflict in mid-1992, “South [Ossetia] had been *de facto* largely ethnically cleansed by the Georgians...”.⁵³

This then became the main normative foundation for Russia’s involvement in South Ossetia. While in general Georgia has been forced to acquiesce to a Russian military presence in South Ossetia, the occasional complaint from Tbilisi could be rejected with reference to the need for an external force to protect the minority population. The violation of Georgian state sovereignty, in other words, was legitimated with reference to the principle of humanitarian intervention, a term which really entered widespread use in the early 1990’s.⁵⁴ The term was later widely employed by the West – including NATO – to legitimate its military actions, for instance in the former Yugoslavia, and critics of Russia therefore had to work hard to convince the global constituency that the Russian policy was wrong.

The Russian argument was brought to its natural conclusion in August 2008. In his speech on the recognition by Russia of the sovereignty of South Ossetia and Abkhazia, Medvedev explained how

“The Georgian leadership, in violation of the [United Nations’] Charter and their obligations under international agreements and contrary to the voice of reason, unleashed an armed conflict victimizing innocent civilians (...) The most inhuman way was chosen to achieve the objective – annexing South Ossetia through the annihilation of a whole people (...) Saakashvili opted for genocide to accomplish his political objectives. By doing so he himself dashed all the hopes for the peaceful coexistence of Ossetians, Abkhazians and Georgians in a single state (...) Russia calls on other states to follow its example [and recognise the two regions]. This is not an easy choice to make, but it represents the only possibility to save human lives”.⁵⁵

⁵³ In Birch, Julian: *Ossetiya – land of uncertain frontiers and manipulative elites*. In: *Central Asian Survey*, 4/1999, pp. 503 and 506.

⁵⁴ Danish Institute of Foreign Affairs: *Humanitar intervention*. Copenhagen 1999, pp. 13-14.

⁵⁵ Statement by President of Russia Dmitry Medvedev, 26.8.2008. In: <www.kremlin.ru>, accessed on 26.2.2009.

The second normative power aspect is the principle of recognition of secessionist entities. This was discussed briefly above, so it will suffice to note that by linking the future status of South Ossetia and other non-state entities in the CIS space to the Western policy on the former Yugoslavia, Russia tried to build a normative basis of “normalcy”. This held the promise of deterring Western recognition of Kosovo, a sub-region in one of the federal entities of the former Yugoslavia, and, if this failed, of deflating Western criticism that Russia was violating international practices. The Russian scholar and commentator Andranik Migranyan illustrated this view well in a 2004 article, when noting that

“generally speaking, I do not see any legal or international barriers to recognizing the independence of [Karabakh, South Ossetia, Abkhazia and Trans-Dniester] in consideration of the practices that the Western countries demonstrated toward the republics of the former Soviet Union and Yugoslavia”, adding that “if Russia develops an interest in recognizing the legitimacy of those states on the basis of international law, there are no barriers that prevent it from doing so”.⁵⁶

When explaining to Russian viewers his decision to recognise the sovereignty of South Ossetia and Abkhazia, Medvedev explained that prior to the outbreak of fighting in early August 2008, “we repeatedly called for returning to the negotiating table and did not deviate from this position of ours *even after* the unilateral proclamation of Kosovo’s independence”, thereby suggesting that by recognising Kosovo, the West had established a precedent which could be applied to South Ossetia also.⁵⁷

And in another interview on Russian TV a few days later, Medvedev justified his action with reference to arguments similar to those laid out by Migranyan. Thus, while first assuring the viewers that the other SCO

⁵⁶ Migranyan, Andranik: Georgia Propelling Its Disintegration. In: *Russia in Global Affairs*, 4/2004, p. 123.

⁵⁷ Statement by President of Russia Dmitry Medvedev, 26.8.2008. In: <www.mid.ru>, accessed on 14.2.2009, emphasis added.

members did indeed “understand the motivations for the decisions that Russia has taken”, he went on to explain that

“Recognition is a separate issue. I want to remind you that each country makes its own individual decision on recognition. There is no collective action in this situation. Take the example of Kosovo. It is clear that in this situation some countries will agree to emergence of new states, while others will consider their emergence untimely. But according to international law, a new state becomes a subject of law, as the lawyers say, from the moment it gains recognition from at least one other country”.⁵⁸

The rules that apply to Western-supported non-state entities, so the argument on which Russia builds part of its normative power goes, should not differ from those that apply to Russian-supported non-state entities.⁵⁹

Military power

As indicated, originally there was some disagreement in Russia over whether to deploy troops in South Ossetia. In fact, a 1991 decision by the Russian Supreme Soviet ruled out the use of Russian troops for the resolution of ethnic conflicts in any of the other Soviet republics.⁶⁰ And when, by the end of the year, Russia then took over former Soviet interior ministry troops stationed in South Ossetia, they were quickly pulled out.⁶¹

The examples given above showed, however, that there was strong political and media pressure on the then Russian administration to act and to order Russian troops back into the region. Eventually, an

⁵⁸ Interview given by Dmitry Medvedev to Television Channels Channel One, Russia, NTV, 31.8.2008. Transcripts available at <www.kremlin.ru>, accessed on 27.2.2009.

⁵⁹ For a discussion of this, see e.g. South Ossetia is not Kosovo. In *The Economist*, 28.8.2008.

⁶⁰ *Izvestiya*, 21.2.1991. In: CDSF, 8/1991, p. 27.

⁶¹ KRWE (1992), p. 38926. This was in April 1992.

agreement was reached on 24 June 1992 which paved the way for Russian troops to be deployed in South Ossetia. Only the day before, a Russian government statement made clear that Russia “will take all necessary measures to defend the human rights, lives and dignity of the region’s population and to restore peace and law and order”.⁶²

As part of the agreement, (non-UN sanctioned) peacekeepers were introduced. At first, they included a force of about 1,500 men in a combination of Russian and Ossetian (South and North) troops in addition to Georgian troops.⁶³ Approximately half of these were Russian troops. The number decreased rapidly later in the conflict and early into the 2000’s, only approximately 500 Russian and Ossetian troops were left in the region.⁶⁴ In addition to these figures, non-peacekeeping Russian military personnel have also been present in the region.

The Russian peacekeepers have often been accused of bias, for instance by turning a blind eye to the transfer of arms from Russian to the South Ossetian rebels.⁶⁵ Even more critically, Russian forces have been accused of having aided the rebels in combat activities, for instance through the use of artillery or even un-marked aircrafts for reconnaissance or bombings.⁶⁶ In this way, the largely asymmetrical conflict between the few (about 3,100) and ill-equipped South Ossetian forces and the more numerous (about 27,000) and more well-equipped Georgian forces was somewhat balanced out through Russian involvement.⁶⁷

⁶² Nezavisimaya gazeta, 23.6.1992. In: CDPSP, 25/1992, p. 1.

⁶³ E.g. SIPRI Yearbook 1997. Oxford 1997, p. 79, note 75.

⁶⁴ Jane’s Sentinel Security Assessment – Russia and the CIS: South Ossetia, 8.9.2008.

⁶⁵ Hedenskog/Larsson: Russian Leverage, pp. 98 and 101. Former Russian prime minister Yevgeniy Primakov claims that the unmarked aircrafts have been deployed by corrupt Russian officers and *not* by the Russian government. In: Gody v bolshoy politike. Moscow 1999, p. 417.

⁶⁶ Hedenskog/Larsson: Russian Leverage, pp. 107-108.

⁶⁷ Jane’s Sentinel Security Assessment – Russia and the CIS: South Ossetia, 8.9.2008 and Jane’s Sentinel Security Assessment – Russia and the CIS: Georgia, 5.11.2008.

A quick look at the military capabilities of Russia and Georgia indicates the relatively little effort required by the former to leave a decisive impact on the force distribution of South Ossetia and Georgia; this is especially so given the fact that Russia borders directly not only on Georgia but also on South Ossetia. Thus, at an estimated USD 35,369 mn, the 2007 Russian defence budget is 60 times larger than the Georgian budget (at a much more modest USD 592 mn).⁶⁸ And the estimated 660,000 Russian troops outnumber the Georgian troops by a factor of 24.⁶⁹

As Russian troops moved into South Ossetia in 1992, cautious voices in Russia warned that the use of force could prove detrimental to Russia's interests. To illustrate, an editorial in *Moskovskie novosti* made the argument that "at this point we can defend our interests in the 'hot spots' of the near foreign countries [that is, the former Soviet Union] only by political and economic methods. Force will not do. It is dangerous for [us]".⁷⁰

But in general the move toward a greater role for the military in the country's foreign policy was welcomed. Then presidential advisor Sergei Stankevich argued that the relative stability brought to South Ossetia after the signing of the June 1992 agreement was caused by the more active and hard-hitting Russian policy; thus, so explained, "until recently Russia did not have a finished, clearly and publicly formulated position on [the] conflict, nor did it have its own policy – an energetic and consistent one – that made use of the full arsenal of lawful methods and means".⁷¹

Essentially, Stankevich's comments reflected a belief in a particular strategic culture, that is, a set of ideas about the way in which politics

⁶⁸ SIPRI Military Expenditure Database. In: <www.sipri.org>.

⁶⁹ Jane's Sentinel Security Assessment – Russia and the CIS: Russia, 20.10.2008 and Georgia, 5.11.2008.

⁷⁰ *Moskovskie novosti*, 14.3.1993. In: CDPS, 10/1993, p. 22.

⁷¹ *Rossiyskaya gazeta*, 28.7.1992. In: CDPS, 30/1992, p. 20.

should interact with military power.⁷² Generally speaking, it is a Russian strategic culture based on zero-sum thinking and dichotomised views of the actors involved; it relies quite heavily on negative military power (“punishment”) which is easily employed unilaterally; moreover, unless the potential costs are prohibitively high, the military power is introduced at an early stage of a conflict or even pre-emptively.⁷³

The manifestation of this strategic culture, at least within the context of “peacemaking” and “peacekeeping”, is seen most clearly perhaps in Chechnya, where Russian troops have been assigned an overwhelming role and where the use of force has led the republic to a state of near-total destruction; this conflict illustrates yet another aspect of the strategic culture of present-day Russia – its low aversion to casualties, foreign as well as own. A strategic culture like this, needless to say, serves as an impediment to successful and peaceful conflict resolution as it raises the costs for other actors involved.

Conclusion

In conclusion I would like to point to four defining features of the conflict over South Ossetia. The first feature is the Russian strategic culture, which has added to the already strongly dichotomised nature of the conflict; the Russian black-and-white view of the conflict (if not increasingly the world) and willingness to go to extreme military lengths, as illustrated during the August 2008 war, has made it harder for the parties involved to reach a peaceful and negotiated settlement. And it will make it harder for them in the future also.

The second feature is the Russian normative power, which is being built up in so many different areas. In the 2000’s, the Kremlin, often

⁷² E.g. Meyer, Cristoph: *The Quest for a European Strategic Culture*, Houndmills 2006, pp. 15-42.

⁷³ E.g. Wilhelmsen, Julie/Flikke, Geir: Evidence of Russia’s Bush Doctrine in the CIS. In: *European Security*, 3/2005, pp. 387-417 and Hansen, Flemming Splidsboel, In the Transatlantic Gap. Between the Modern and the Postmodern. In: *Russia in Global Affairs*, 4/2004, pp. 91-104.

supported by non-Western allies, has been increasingly good at playing the normative card; this is true, for instance, for the lack of democracy in Russia, the heavy use of military power in Chechnya and support for South Ossetia. Now more than before, the Kremlin understands the importance of influencing world opinion, and it will use this insight to shape the understanding of the international public of “acceptable standards of behaviour” on secessionist entities.

The third feature is the neighbour status and relative importance of Russia to South Ossetia as well as to Georgia proper. This has made it easier for Georgia to project its power – especially military and civilian – to reward and to punish, respectively, South Ossetia and Georgia. This has offered Russia a greater deal of control over the two parties.

The fourth and final feature is the Russian soft power. This conflict is remarkable – though not unique – in the fact that the seceding entity wants to join another state; if this does indeed happen, it will most likely be in a long-term perspective as Russia should be expected to avoid provoking further the international community by incorporating South Ossetia into its own territory too soon. However the outcome of this, the positive feelings of the South Ossetians toward the Russians – reciprocated in turn – may very likely have caused Russia to get involved more determinedly than it would otherwise have done.

Overall, it should be noted that the Russian recognition of the sovereignty of South Ossetia has of course only served to exacerbate tension over the region. While it is unrealistic – even in a perspective of several decades – that Georgia should accept the secession of South Ossetia, it is equally unrealistic that the region should want to return to Georgia on its own. And, as suggested, Russia can only accept the return of South Ossetia to Georgia at heavy reputational costs. The conflict, simply put, has become even more frozen than it was before August 2008.

**PART V:
CONCLUSIONS**

Some Lessons Learnt in Conflict Prevention from the Conflicts in the Southern Caucasus¹

Predrag Jureković

The breakdown of the communist regimes in East and South East Europe in the late 1980s and early 1990s meant – in particular for the territories of the former Soviet Union and former Yugoslavia – that previously employed models of balancing different national demands were no longer valid. However, relevant political actors in the international arena responded very slowly to the challenges for international relations which derived from the formation of new states. One serious consequence has been the appearance of violent conflicts that have been legitimized by using national/nationalistic and/or territorial explanations.

In contrast to the Western Balkan region, which clearly belongs to the geopolitical environment of the EU and which has been the target area for serious international support since the end of the war in improving interethnic relations, the ethnic and territorial conflicts in the Southern Caucasus are considered wrongly to be “frozen”. Indeed, the strong political and military influence of Russia on its neighbours impedes any peace initiatives by other international actors. On the other hand, perceiving a conflict as “frozen” induces a political thinking to preserve the status quo which again can have fatal implications for conflict development – as demonstrated by the parties of conflict in Georgia during the 2008 summer crisis.

¹ This article attempts to draw some relevant conclusions for conflict prevention and peace-building derived from the workshop organized by the Institute for Peace Support and Conflict Management on the topic of the Georgian-Abkhazian and Georgian-South Ossetian conflict in Vienna in March 2009, whose contributions are published in this book.

From an analytical perspective, especially if it is close to conflict transformation and conflict prevention theory, conflicts which tend to be violent cannot be “frozen”. Neglecting the demand to transform potentially violent conflicts into a more peaceful and cooperative direction produces new cleavages between the societies in conflict. As a consequence of this it could become more difficult for international mediators to place new proposals for negotiations which are acceptable to all parties in the conflict at a later date. Therefore both cases, the Georgian-South Ossetian conflict and the Georgian-Abkhazian conflict, are characterized by lots of missed opportunities in confidence-building over the last two decades.

According to some of the findings of experts in this book, it could have been possible to achieve political compromises in particular in the Georgian-Abkhazian conflict at its beginning stage in the early 1990s before the first violent escalation took place and during some rather peaceful phases that followed. Unlike South Ossetia, Abkhazia has shown less military and economic dependency from Russia. However, the lack of a pro-active engagement on the side of moderate local actors (especially in Georgia) and on the international side closed this “window of opportunity”. Instead, radical political forces on both sides found majority support in their ethnic communities for exclusive “solutions” at the expense of the “enemy community”. This conflict constellation has resulted in a spiral of mistrust and sporadic outbreak of violence during the last twenty years.

In conflict constellations which are prone to fall into a crisis situation very easily, only “structural prevention” can be of substantial influence on the parties of conflict. This means that in an area threatened by war a long term engagement is necessary, which is focused on the root causes of the conflict in order to change the social, economic and political conditions in a positive way.² Indeed with the OSCE and UN, two

² See the contribution of Frida Möller on concepts and instruments in conflict prevention in this publication and see further Melander, Erik/Pigache, Claire: Conflict Prevention: Concepts and Challenges. In: Feichtinger, Walter/Jureković, Predrag (Ed.): Konfliktprävention zwischen Anspruch und Wirklichkeit. Schriftenreihe der Landesverteidigungsakademie, 16/2007, pp. 9-17, at p. 13.

important international organisations have been present in the conflict region since the early 1990s. In particular the OSCE has been engaged in supporting political processes aiming at calming the conflicts. These initiatives were difficult to implement due to lacking of point of contacts in the civil societies of the affected communities, who would facilitate on site projects for normalizing social relations.

Since initiatives for a political dialogue induced by the local political actors for the time being remain unlikely to succeed due to the mistrust which increased over the escalation period, identifying and supporting NGO's that have kept some independence from governing structures and are ready to cooperate with the other side is all the more important.

Furthermore, international actors who have a bearing on the policy of individual actors which are a party in the conflict should watch that the gap between a positive political rhetoric of their protégés and antagonist measures will not become too large. An example for this has been the ambiguous policy of the Georgian government towards the separatism of Abkhazia and South Ossetia since 2004 under the rule of the "US-ally", President Mikheil Saakashvili. Between 2004 and the serious crisis in summer of 2008, Georgia's President officially carried a policy of peaceful (re)integration vis-à-vis the separatist entities. On the other hand, he undermined this goal simultaneously by practicing an adversarial realpolitik.

The creeping escalation in the Georgian-Abkhazian and Georgian-South Ossetian conflicts 2004-2008 demonstrated the vulnerability of early warning as one of the most important tools of conflict prevention. As Dove Lynch, who is one of the most experienced experts of the OSCE for the Caucasus region, points out in his contribution the best early warning instruments mean little, if early warning is not followed by "early action" that means if key countries or a community of countries (f. ex. in the UN or OSCE framework) which are involved in a peace-building process are not willing to act swiftly. A second aspect also emphasized by Lynch in regard to operating early warning in a potentially violent environment is the difficulty for external actors to distinguish "usual" from "extraordinary" developments in the conflict

region. This can lead to false estimations concerning the escalation of conflicts.

How far social relations between Georgians and Abkhazians as well as between Georgians and Ossetians have deteriorated in the last two decades of the Georgian-Abkhazian and Georgian-South Ossetian conflict is demonstrated through the fact that even representatives of civil society groups from Abkhazia and South Ossetia have not been ready to support the return of Georgian expellees and even perceive this endeavour as an “aggressive” act of the Georgian government.

With the violent crisis in summer 2008, mistrust between the parties of conflict in the Southern Caucasus reached its culmination. For that reason starting a new process of confidence-building should be a priority goal for international actors engaged in peace-building. Parallel to its efforts to improve communication between the political elites in the context of the “Geneva Process”, the EU could play a significant role in rebuilding contacts between Georgian, Abkhazian and South Ossetian NGO’s. The EU became conversant with “Track-Two-Mediation” in the scope of the “*Schlaining-Process*” before the violent crisis in Georgia endangered all previous efforts in peace-building. However, a problem which appeared then was that initiatives launched by civil society groups very often could not be translated into concrete political measures.

Despite these problems of implementation, the advantage of informal und neutral formats for conflict prevention like “Track-Two-Mediation” can be stated in particular when in the official political process the main conflict parties put into question the impartiality of the international brokers. This circumstance certainly applies to the Georgian-Abkhazian and Georgian-South Ossetian conflict. In these, the Russian side has been perceived by the Georgian government as “pro-separatist” and the EU as well as the US by the Abkhazian and especially by the South Ossetian side as “pro-Georgian” in terms that their political proposals would have predetermined the outcome of negotiations by insisting on the territorial integrity of Georgia. Thus, informal formats in a situation of interethnic mistrust and strained political relations enable an open communication on the goals and fears of each side. Through this, it can

be determined much easier than in official talks whether there are common interests which could be the basis for building confidence and for starting the process of reconciliation. As emphasised in Oksana Antonenko's article, the necessity to combine the support for reconciliation with equal measures of top down and bottom up efforts in the political negotiations is one of the crucial lessons learnt from the Georgian case regarding the missed opportunities for peace-building. A precondition for starting the process of reconciliation is – following the example of the Balkans in the post-war period – to prosecute war criminals on all sides aiming to prevent new spirals of hatred among future generations.

Another lesson learnt is that in the case of long-lasting territorial and ethnic conflicts like in the separatist conflicts in Southern Caucasus, economic sanctions do more harm than good. Economic sanctions which are imposed against war-economies or war-like economies enhance shadow economy and criminal structures. A strategy that could contribute with more efficiency to the peace process is the support for trans-border initiatives in the economic sector which would gradually improve social relations in the conflict affected area. This important aspect should be taken into account when the EU will decide upon new measures to help Georgia's economy.

International actors which are engaged in the peace-building process and want to prevent the outbreak of new violent crises – in particular in persistent and long-lasting conflicts – should consistently overhaul their political concept and their measures for influencing the conflict situation. If required, they should adapt their concepts and tools to new political realities. So it turned out that in territorial and ethnic conflicts the lack of finding common criteria in the UN framework for treating quasi-states has proved to be a big obstacle for peace-building. This applies to the issue of defining the Kosovo status issue. In case of the territorial and ethnic conflicts in the Southern Caucasus the negative social and political implications of this default are even more severe taking the circumstance into consideration that unlike in the Western Balkans foreseeable violent conflicts cannot be defused by an association and integration strategy of the EU.

List of Authors and Editors

ANTONENKO Oksana, International Institute for Strategic Studies,
London/United Kingdom

BERNATH Markus, Daily “Der Standard”, Vienna/Austria

FEICHTINGER Walter, Institute for Peace Support and Conflict
Management, National Defence Academy, Vienna/Austria

FELBERBAUER Ernst M., Research Management, National Defence
Academy, Vienna/Austria

FISCHER Sabine, EU Institute for Security Studies, Paris/France

HANSEN Flemming Splidsboel, Danish Defence College,
Copenhagen/Denmark

HILLE Charlotte, University of Amsterdam, Department of Political
Science, Amsterdam/Netherlands

JUREKOVIĆ Predrag, Institute for Peace Support and Conflict
Management, National Defence Academy, Vienna/Austria

KOGAN Eugene, International Institute for Liberal Politics,
Vienna/Austria

KVARCHELIA Liana, Centre for Humanitarian Programmes,
Sukhum/Abkhazia - Georgia

LYNCH Dov, OSCE Secretariat, Vienna/Austria

MÖLLER Frida, University of Uppsala, Department of Peace and
Conflict Research, Uppsala/Sweden

PARASTAYEV Alan, Centre for Humanitarian Studies,
Tskhinvali/South Ossetia – Georgia

VOGL Doris, University of Vienna / EUMM Georgia, Vienna/Austria

ZOURABICHVILI Salomé, Former Georgian Minister for Foreign
Affairs