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RUSSIA AND THE “FROZEN CONFLICTS” OF GEORGIA

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Analysis**Georgia's Secessionist De Facto States: From Frozen to Boiling**

By Stacy Closson, Zurich

Abstract

Relations between Russia and Georgia have reached a new low. At the center of their quarrel are Georgia's secessionist regions, Abkhazia and South Ossetia. As Russia and Georgia accuse the other of troop movements in and around the secessionist territories, the UN, EU, OSCE, and NATO meet to determine their response. Critical to these deliberations are several underlying developments, which would benefit from an independent review. These include economic blockades of the secessionist territories, Russia's military support for the secessionists, the issuance of Russian passports to secessionist residents, and declarations of independence by secessionist regimes. In these circumstances, it has become difficult to contain the conflicts without resolving them. However, as conflict resolution has proven impracticable, it is time to consider altering present arrangements in order to prevent an escalation of violence.

Boiling Point

Several developments have brought the frozen conflicts to the present boiling point. First, relations between Georgia and Russia have deteriorated since 2004, when Georgia expelled alleged Russian spies, followed by a Russian embargo on Georgian goods and transport, and stricter visa regulations. Second, there have been increasing calls for independence from the Abkhazian and South Ossetian leaderships following Georgia's May 2004 ousting of Aslan Abashidze from his 13-year hold on the "presidency" of the autonomous Ajara region. Third, confrontations have escalated between the United States/Europe and Russia over Kosovo's unilateral declaration of independence and promises of NATO membership action plans (MAPs) for Georgia and Ukraine. Finally, in March the Russian government revoked the 1996 Commonwealth of Independent States (CIS) blockade of Georgia's secessionist territories and announced a formalization of ties.

A Story of Miscues

Starting in 2004, newly elected President Mikheil Saakashvili hoped that the conflicts would finally be resolved in the wake of Georgia's liberal economic reforms and a vigorous anti-corruption campaign. His government believed that a reformed Georgia would be a more attractive option for the Abkhazians and South Ossetians to rejoin. Moreover, the re-activation of a direct negotiation process, combined with carrots of cultural protection, reparations for war-time losses, and economic subsidies would hasten a resolution. However, the challenge for the Georgian government has been neither a lack of will, nor a lack of content, but rather one of forceful implementation, resulting in miscues.

For South Ossetia, Georgia's 2005 offer of autonomy equivalent to North Ossetia's in Russia, plus quotas for representation in the national parliament, executive branch, and judiciary went much further than previous offers. However, this proposal was preceded by Georgia's forced closure of the South Ossetians' principal livelihood, Ergneti market, which came at the expense of dozens of casualties and a sustained low-intensity conflict. Moreover, the offer was followed by Georgia's support for the election of an alternative government led by a former secessionist official, Dmitry Sanakoyev, representing the majority Georgian populated part of South Ossetia. The culmination of these actions bolstered de facto president Eduard Kokoity's role as the guarantor of South Ossetians' security.

Similarly for Abkhazia, Georgia's April 2008 offer was comprehensive: unlimited autonomy, the right to veto amendments to the Georgian constitution and laws regarding Abkhaz rights, and a free economic zone to redevelop areas destroyed by the war. However, after Georgian paramilitaries were relieved of their duties in regions along the de facto border, a government-in-exile accompanied by a nominal security force was established in the only part of Abkhazia under Georgian control, the upper Kodori Gorge. This move was deemed by the Abkhazians to be proof of an inevitable Georgian military offensive.

At the same time, the parties have employed different strategies, which are dangerously colliding. The Georgians have a two-pronged approach, internationalizing the conflicts in order to expose the role of Russia in the secessionist territories, while positioning alternative regimes and security forces in the de facto border areas. The Abkhazians and South Ossetians have increased their calls for independence from Georgia,

declining European offers to fund and implement economic rehabilitation, refugee return, and confidence-building measures. Instead, they are increasing their dependence on Russia for political, economic, and security assistance.

Domestic politics also complicate the process. The timing and content of conflict resolution is tied to the regimes' survival. Georgia and the de facto states, to a certain degree, share common legacies that ail the post-Soviet state-building process, including a lack of cohesion between the state and society, the capture of the state by political-economic elites, a manipulated judiciary, indiscriminate violence by security forces, limited freedom of expression, and a rigged electoral process. Thus, given disparate levels of socio-economic development, combined with an irregular application of the rule of law, the leaders' support base rests on fulfilling their campaign promises to end the conflicts.

As a result, the sides maintain their positions of interdependence versus wide autonomy, and there has been little interactive dialogue. Accordingly, four key issues remain unresolved.

Blockade or No Blockade

The first unresolved issue is the blockades on the secessionist territories. The socio-economic conditions in Abkhazia and South Ossetia have been worse than in the internationally recognized post-Soviet states because of the destruction wrought by the war, the blockades on normal economic activity, sparse employment opportunities, and the limitations placed on international assistance. The maintenance of a "state budget" has been more for show than substance, as the livelihoods of the citizens have been sustained by smuggling, remittances, international aid, and Russian government payments. In order to survive, the Abkhazians and South Ossetians have engaged in over a decade of informal trading, accounting for more than half of their cash earnings.

For Abkhazia, the 1996 CIS embargo permitted the direct import only of food products, medical supplies, petroleum products, and household items. A license from the Georgian government was required for everything else. To circumvent these restrictions, the Abkhazians resorted to trade along undetected or illegally sanctioned passageways, including the de facto borders, as well as at its seaports. Participating in the smuggling chains were Georgian, Russian, and de facto government authorities, armed forces, security services, peacekeepers, paramilitaries, criminals, and local residents.

The smuggling had several damaging effects on conflict resolution. First, it inhibited the development of legitimate institutions and sustainable economic devel-

opment on both sides of the de facto border. Second, the participation of Georgian security services and paramilitaries fostered the perception among residents in the secessionist territories that ceding authority to the Georgian government would not guarantee security. Third, the criminalization of the transit routes was accompanied by a rise in violence among competing groups, which was often mistaken for ethnic conflict or irredentism. Finally, illicit trade was so profitable for those working in political and security positions that the incentive for conflict resolution diminished.

Disrupting these informal networks, however, appears to be equally harmful. In South Ossetia, there was a thriving transport corridor from Russia through the Roki Tunnel down to the Ergneti market. As a result of forced closure, much of South Ossetia is now almost fully dependent on Russia and movement between the two communities is limited. Recent proposals from the Saakashvili government to develop a new market have gone unanswered. Instead, Russia's offer to officially rescind the blockade and to increase assistance is preferred.

Mysterious Air Raids and Stray Missiles

The second unresolved issue is Russia's military support for the secessionists. There have been five major bombing incidents in Georgia since 2001 and Russia has denied them all. In March 2001, nine unidentified jets bombed areas of Kodori Gorge under Georgian control. In August 2002, Georgia accused Russia of bombing its northern Pankisi Gorge. In March 2007, Mi-24 helicopters bombed upper Abkhazia, the Kodori and Chkhalt'a Gorges, and the Chuberi Pass. That same year, there was an air strike on the village of Tsitelubani in Shida Kartli region near South Ossetia. This past April, a MiG-29 fighter was videotaped downing an unarmed Georgian reconnaissance drone over the Gali region of Abkhazia. Only in the case of the missile in Shida Kartli did an independent commission conclude and openly state that it came from Russia.

Thus, either Russia gave the secessionists air combat and air defense forces, or Russian forces are conducting operations on their behalf. It is known that the secessionists have been trained by Russian forces or have served in the Russian army. Georgia claims that Russia periodically moves military equipment into the secessionist regions. Moreover, the international community has been unable to verify whether Russia vacated the Gudauta base in Abkhazia in compliance with a 1991 Conventional Forces in Europe agreement. Russia delegates its former civilian and military leaders to serve in key posts, including as the defense ministers of both Abkhazia (Sultan Sosnaliev) and South Ossetia (Anatoli Barankevich) and Chief of the Abkhaz

General Staff (LtGen Gennadii Zaytsev). Most recently, the Abkhazian leadership has announced that it is preparing an agreement with Russia that would guarantee Abkhazia's security in exchange for a permanent Russian military presence.

The Politics of Passports

The third unresolved issue is Russia's issuance of passports. Russia plays several increasingly conflicting security roles in the secessionist territories. Russia, along with the US, UK, France, and Germany, is a member of the UN Group of Friends, which is responsible for finding a resolution to the conflicts. Similarly in South Ossetia, Russia has either direct or indirect influence over three of the four parties to the Joint Control Commission (Russia, North Ossetia, South Ossetia, and Georgia). Russia, under UN auspices, staffs a CIS peacekeeping force along the ceasefire lines. However, in apparent contradiction to these functions, Russia issued passports to the majority of residents in the secessionist territories and is now their self-declared protector.

There is no immediate international legal precedence for this issuance, which raises several questions. Russia may have violated the non-intervention norm by sending agents into Abkhazia and South Ossetia to issue passports. Therefore, Russia's claim to a right to protect its citizens may be invalid. Moreover, it is questionable, particularly in Abkhazia, whether the recipients consider themselves to be citizens of Russia. Their decision could be affected by what Russia expects of them. While it is known that they have voted in Russian elections, the Russian government has yet to demand that they pay Russian taxes or be conscripted into the army. Finally, Russia may not wish to be held responsible for the actions of the secessionist regimes, including the fighter jets destroying Georgian property, the alleged violations of human rights on Georgian returnees, and the infringement of the IDP's property rights.

Declarations of Independence

The fourth unresolved issue is the declarations of independence. The implications for Russia of independence for the secessionist territories could be troublesome, leading it to recalculate current policies. The South Ossetian leadership states that it wants accession to the Russian Federation through unification with North Ossetia, the most prosperous republic in the North Caucasus. Presumably, it would be a challenge for the North's economy to absorb the much poorer South, including the possibility of significant numbers of South Ossetians moving north. It is also unclear if the South Ossetian leaders would willingly give up their positions to join the North's structures.

Moreover, the livelihoods of those residing in villages that resemble an ethnic checkerboard are in question. Perhaps most troublesome is the unresolved status of the displaced Ingush, who fled the Prigorodny district of North Ossetia in 1992 during a brief but violent ethnic conflict with the Ossetians. Compounding the Ingush's inability to return home have been waves of South Ossetian and Chechen war refugees into North Ossetia, occupying Ingush property.

The Abkhazians realize that their bid for independence is, paradoxically, solely dependent on Russian diplomatic representation. However, it is unknown whether Russia will ultimately support independence. No one understands this contradiction better than Abkhazian President Sergei Bagapsh, who was not meant to win if Russia had had its way. In the December 2004 presidential election, Raul Khajimba, the pro-Russia candidate and surrogate of former president Vladislav Ardzinba, lost to Bagapsh. Days of uncertainty led to judicial and parliamentary deliberations, with supporters of both candidates threatening violence. It ended in a Russian-mediated re-election, with Bagapsh as president and Khajimba as vice-president. However, Bagapsh subsequently appointed his own loyalist, Aleksandr Ankvab, as prime minister, and the pair consolidated power. Perhaps most troublesome for Russia is the potential reaction of the Chechens who, after losing two devastating wars for independence, are hardly appeased by their Kremlin-appointed leader.

Way Forward

Given the four unresolved issues complicating the resolution of the conflicts, the international community should focus in the near-term on preventing an escalation of violence.

Most importantly, mediators, perhaps the UN, should encourage the sides to use more neutral language when referring to the other party. The characterization by Georgia of the separatist zones as havens for criminals and terrorists exaggerates the situation and defeats confidence building. Likewise, the portrayal of Georgians as bloodthirsty nationalists who are willing to use force to regain the territories should be moderated. More factually-based reporting disseminated to all sides would help.

So would more contact among people on both sides of the de facto borders. Exchanges of goods and the reopening of markets should be encouraged, managed by a joint customs institution. The EU should consider establishing border monitoring missions on the Georgian-Russian border in the secessionist territories.

New compilations of negotiation teams are needed. The EU should be much more involved, and effort should be made to ensure that Russia's presence is not

contradictory. Georgia may also wish to reconsider an early role for the Abkhazian and South Ossetian alternative regimes.

The international legal precedence for the issuance of passports, and the potential implications of Russian citizenship for Abkhazians and South Ossetians should be studied by a team of experts, perhaps under the auspices of the OSCE Minsk Group or the UN Group of Friends.

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Analysis

A Russian Perspective: Forging Peace in the Caucasus

By Sergei Markedonov, Moscow

Abstract

Although frequently described as “frozen conflicts,” the situations in South Ossetia and Abkhazia, which seek independence from Georgia, are in fact deteriorating quickly. The precedent of Kosovo heartened the leaders of the break-away regions and spurred Georgia to take action to reintegrate its lands. In reaction to the West’s recognition of Kosovo’s independence, Russia began to institutionalize its support for South Ossetia and Abkhazia and formally lifted trade sanctions against them. This article argues that helping to unfreeze the conflicts is a bad policy for Russia. Instead, Russia would be better off trying to stabilize the conflict areas and only discussing the status of the various territories once their economic situation is secure.

Unfreezing Frozen Conflicts

Before analyzing the interests, plans, and role of Russia in regulating the ethno-political conflicts in Georgia, it is helpful to review the terms used to define them. In studying the situation in South Ossetia and Abkhazia, both experts and politicians talk about “frozen conflicts.” Unfortunately, this description is no longer correct. The “frozen” status of a conflict assumes the absence of any dynamics, whether positive or negative, and thus the preservation of the status quo. However, over the last four years, the conflict in the two Georgian territories has evolved. And this evolution has not been positive.

Across the post-Soviet space, and especially in Georgia, we are witnessing an “unfreezing” of ethnic conflicts. There is a change in the format of resolving the conflicts and also a desire to violate the legal base, which had been created for preventing the resumption of armed conflict in the beginning of the 1990s, namely the 1992 Dagomys Agreement on South Ossetia and the Moscow agreements of 1994 on Abkhazia. Unfreezing the conflict means changing the status of the disputed territories, or attempts to make such changes. There

were several attempts to change the status quo in the conflict zones at the end of the 1990s and the beginning of the 2000s. At the end of 1997 and the beginning of 1998, the Georgian partisan groups Forest Brotherhood and the White Legion increased their activities in the area where the Russian peacekeeping forces were operating. They carried out violent acts against the Russian soldiers and Abkhaz policemen. In May 1998 the situation escalated into a military confrontation. The result of the military activities in the Gali District was a second wave of refugees among the local Megrelian population into Georgia. Georgian media described the events of 1998 as a second ethnic cleansing in Abkhazia after the one that took place in fall 1993. While it would be hard to describe the actions of the Abkhazian police toward the residents of the Gali District as “tolerant,” the Georgian partisan units, identifying themselves as defenders of the Georgian people, often used the Georgian (Megrelian) population as a living shield. On May 25, 1998, the two sides signed a cease fire agreement. After the tragic events of 1998, a new, spontaneous return of displaced people to the Gali District began. By the end of the 1990s, ac-

cording to Tbilisi's data, there were 50,000 Georgians, mostly Megrelians, living there. According to the de facto authorities of Abkhazia, the number was higher – around 70,000. In 2001, the Gali District assembly was established. The Gali District remains the most problematic for Abkhazia. In addition to the actions of the Georgian partisan units, the Abkhazia authorities face the challenges of ordinary criminality, from Georgians, Abkhaz, and even mixed groups including both nationalities.

In October 2001, Chechen Field Commander Ruslan Gelaev and a unit of 500 men crossed from the Pankisi Gorge into Abkhazia. Gelaev and his men traveled in Georgian army trucks with a Georgian accompaniment. They met fierce resistance from the Abkhazian armed forces. Gelaev ordered the shoot down of a helicopter with UN monitors, who died in the crash. After the defeat in Abkhazia, Gelaev returned to the Pankisi Gorge, according to the account of Japanese journalist Kosuke Tsuneoka published in the Georgian newspaper *24 hours*. However, until 2004, such efforts were not a systematic strategy.

The Impact of Kosovo

The situation changed in 2004, when the international recognition of Kosovo's independence reached its final stage. Recognition of this territory as an independent country by members of the United Nations (there is not yet talk of UN recognition) created a precedent for de facto recognition of states in the post-Soviet space. Even though the US and Europe recognized Kosovo's independence, they described the situation as a special case. To be sure, Kosovo's declaration of independence in February 2008 did not lead to a surge in separatist feelings in Georgia or in Nagorno-Karabakh. Kosovo first declared independence in 1991 and nobody but Albania was interested. Then, the situation in the Serbian region deprived of its autonomy by Slobodan Milosevic was an issue for the Balkans, but not on the agenda beyond that region. At that point, the problems of Croatia and Bosnia and Herzegovina were more important for the West.

South Ossetia first announced that it was seeking greater autonomy in 1990 and the first conflicts in Abkhazia took place in the summer of 1989. Thus the first attempts to succeed from Georgia took place within the framework of the Soviet Union. Then none of the leaders of the Abkhaz or Ossetian national movements pointed to Kosovo and the Kosovo precedent itself did not exist. The Abkhaz conflict entered the UN agenda in 1992–1993, long before the international community began to address Kosovo. The establishment of de facto state institutions in South Ossetia and Abkhazia took place after the completion of the “hot phase” of

the conflicts in 1992–93. Thus, although Kosovo had nothing to do with stimulating the self-determination of the two former autonomous regions of the Georgian Soviet Socialist Republic, today the leaders of Abkhazia and South Ossetia see Kosovo as a precedent of successful ethno-political self-determination, which is possible without compromising with the state that legally controls the territory.

In this way, Kosovo created an important political precedent in which it is possible to change the borders of a UN member state without the agreement of the state's leaders. The leaders of states recognized by the UN now will start to fear that the great powers will change their views on how unique Kosovo is. Thus, even a pro-American politician like Georgian President Mikheil Saakashvili refused to recognize Kosovo's independence, which Washington considers one of the key achievements of the Bush administration. Accordingly, Georgia's leaders have a strong interest in resolving the problems of territorial integrity as quickly as possible. Beginning in 2004, the authorities in Georgia sought to achieve the reintegration of Georgia before the formal declaration of independence in Pristina. The year 2004 marked a turning point in Georgia's policies toward the breakaway regions. From 2004, Georgia's strategic goal was to destroy the status quo and reject the existing formats for peaceful conflict resolution. After February 2008, the cause for reintegration became important so that the Kosovo example could not be repeated anywhere else.

Georgia Takes Action in South Ossetia

The first casualty of the special case of Kosovo was South Ossetia, which many in Tbilisi viewed as a “weak link” in the chain of unrecognized republics. In 2004 Saakashvili began demonstratively to violate the 1992 Dagomys agreement, which set out the rules and format for conflict regulation. “If the Dagomys agreement forbids raising the Georgian flag in Tskhinval Region [Georgia's name for South Ossetia], I am ready to exit from this agreement,” Saakashvili said. On July 20, 2004, the Georgian president for the first time announced that he did not exclude the possibility of renouncing the agreement, which was the single legal basis for regulating the Georgian-Ossetian conflict. Saakashvili's Kodori operation, conducted in late July–early August 2006 had the political goal of changing the status quo in the Georgian-Abkhaz conflict and the legal (or more precisely, illegal) aim of unilaterally violating the Moscow agreements of 1994, which regulated the peacekeeping operation.

Over the course of the last four years, beginning in summer 2004, the Georgian leadership has devoted all of its strength to unfreezing the Georgian-Ossetian

and Georgian-Abkhaz conflicts. Official Tbilisi does not hide its goal to overturn the status quo established in the conflict zones at the beginning of the 1990s. In 2006–2007 the Georgian authorities realized the plan for an “Alternative South Ossetia” led by Dmitry Sanakoev, the former prime minister and defense minister of the unrecognized republic. His inclusion in the negotiation process in Tbilisi is viewed by the Georgian government to be the main condition for a successful resolution of the conflict. However, South Ossetia and Russia are opposed to expanding the negotiation format. In an effort to change the existing status quo, Georgia from time to time offers various formats for internationalizing the conflict resolution process. Examples include suggestions to introduce international police into the Gali District of Abkhazia and changing the make-up of the Joint Control Commission for South Ossetia by including in it representatives of the Organization for Security and Cooperation in Europe and the European Union.

However, the frameworks established in the 1990s were weakened, particularly regarding South Ossetia. These included the 1996 “Memorandum on Measures to Provide Security and Strengthen Mutual Trust Between the Sides in the Georgian-South Ossetian Conflict.”; the February 1997 “On the voluntary return of IDPs and refugees resulting from the Georgian–Ossetian conflict to their permanent place of residence”; and the 2000 “Intergovernmental Agreement Between Russia and Georgia on Economic Rehabilitation in the Georgian–Ossetian Zone of Conflict”. Beyond these, there were working markets, such as on the one in Ergneti, closed by the Georgians in 2004, and bus connections between Tbilisi and Tskhinvali. During the last three years more than 50 people died in the conflict zone. Most important, however, is the degradation of the negotiation process and a return to the logic of the early 1990s. Thus, it is no longer possible to speak of the two conflicts on Georgian territory as frozen.

Russia's Increasing Role

The year of 2008 could go down in history as the time Russia actively joined the efforts to unfreeze the frozen conflicts. While until this year official Moscow tried to stay within the limits of the status quo, sticking with the agreements of the early to mid-1990s and criticizing Tbilisi for not wanting to follow the political and legal structures of this period, after February 2008 Russian policy also began working toward reinvigorating the conflicts. Today Russia itself is involved in overturning the status quo. Moreover, inside Russia, there are forces interested in quickly defrosting the conflicts.

The Eurasian conflicts became one of the main topics in President Vladimir Putin's last press conference

as head of state on February 14, 2008. In response to journalist questions, Putin laid out several theses. First, he confirmed, that the territorial integrity of the state is the most important principle of international law. Second, he announced the necessity of comprehensive approaches to resolving ethno-political conflicts. Third, he accented that Russian diplomacy would not copy the approach of the US toward Kosovo. Putin declared that both Serbia and Cypress should be allowed territorial integrity. He said that Russia would not simply recognize the independence of Abkhazia and South Ossetia after the US and Europe recognized Kosovo.

Nevertheless, the subsequent actions by Russia's ministries and executive bodies, as well as its parliamentarians, show that in practice Russia has chosen to provide institutional recognition of Abkhazia and South Ossetia. Again, as in the past, Moscow is conducting a reactive policy. Our new policy toward Abkhazia and South Ossetia is “our answer” to the West on Kosovo. Neither Putin nor the deputies examined the issues of Nagorno-Karabakh or Transnistria, either before or after February 2008. On March 6, 2008, Russia cancelled the 1996 trade, financial, and transportation sanctions imposed on Abkhazia and suggested that other states in the Commonwealth of Independent States also lift their sanctions against the republics. Two weeks later, on March 21, 2008, members of the State Duma adopted a resolution, with the support of 441 of 450 deputies and two abstentions, in which the president and government suggested the expediency of recognizing Abkhazia, South Ossetia, and Transnistria, three of the four conflict zones in the CIS. Although the measure was a non-binding recommendation and had compromise text, it included a call by the deputies to recognize Abkhazia's and South Ossetia's independence.

This resolution was the first time that Russia's political discussion included such calls for independence. Earlier, all Russian politicians, starting with the president had preferred to talk about Georgia's territorial integrity. Finally, on April 16, 2008, Putin ordered the foreign ministry to aid the population of Abkhazia and South Ossetia. The ministry announced that the president's order allowed it to “create a mechanism for comprehensively defending the rights, freedoms, and legal interests of Russian citizens, living in Abkhazia and South Ossetia.” Under the new policy, it is planned to institutionalize the previously existing ties between the leadership of the autonomies and the Russian government. These ties will include organizing cooperation in trade, social, science, information, culture, and education spheres, with the involvement of the Russian regions. At the same time, the foreign ministry blamed Georgia for the poor conditions of the autonomy's residents, declaring: “the main motive

of all our actions in this direction is concern about the interests of the population of Abkhazia and South Ossetia. For the years that the conflicts dragged on, the residents of these unrecognized republics lived in poor conditions. The actions of Tbilisi exacerbated their situation by ignoring the possibilities of existing mechanisms for putting in place normal economic relations and resolving social problems in Abkhazia and South Ossetia.” In this way, Russia sought to legitimize its ties with the unrecognized republics, which are legally part of Georgia.

Alternatives to Russia's Current Policy

Supporting the process of unfreezing the conflicts is not a good policy for Russia. Destroying the status quo, which we established in the early 1990s would be a serious mistake. Undermining the existing balance without having such trump cards as the support of the EU or half of the CIS countries is hardly productive.

This situation raises the question of possible alternatives to Russia's current policy. First, Russia's actions in speeding the recognition process only increases Georgia's North Atlantic desires and provides ammunition to supporters who would like to accept this country into NATO as quickly as possible. Second, these actions could provoke Georgia's leaders into becoming involved in poorly thought out adventures to heat up the conflict and bring the anger of the West down on Russia. Third, the recognition of Abkhazia's and South Ossetia's independence could activate an Azerbaijani attack on Nagorno-Karabakh. Baku is extremely worried that after recognizing Sukhumi and Tskhinvali, Moscow will turn its attention to Stepanakert. In order to warn Moscow, Azerbaijan is beginning to actively unfreeze its conflict, taking military and diplomatic measures, including potentially leaving the Minsk group and taking more action in the UN and GUAM regional grouping of Georgia, Ukraine, Azerbaijan, and Moldova. Fourth, the official recognition of Abkhazia and South Ossetia could bring Russia into conflict not only with the US and Europe, but with a significant number of countries in the CIS. Ukraine is having difficulties in the Crimea and Donbass. Kazakhstan, having become the top investor in Georgia and the strategic partner of Azerbaijan, would hardly be enthusiastic about recognition of the breakaway regions. Moldova, which has yet to decide between neutrality, a pro-Russian orientation, or NATO could also have its own reasons for cooling relations with Moscow.

Does this mean that Russia should completely change its policy and start exerting pressure on the authorities in Sukhumi and Tskhinvali? For Russia, it is much more important to have a political rather than a legal de facto government in these terri-

tories. Moscow cannot give up its political support for clear reasons. There are few foreign policy problems that are so closely connected with Russia's internal security. The ethno-political situation in South Ossetia and Abkhazia directly influences the situation in the Russian North Caucasus. Any back-tracking would be taken by the Caucasus population as a sign of weakness in the Kremlin, with all the consequences leading from it. Moreover, Moscow already has pressured the de facto governments in 1994–1999 with the blockade of Abkhazia, but this did not make the residents loyal citizens of Georgia. Thus, it is important to understand, that with or without Moscow, the residents of Abkhazia and South Ossetia are not ready to integrate with Georgia. Even the political pressure from Moscow has not changed the situation in this direction.

Today one can debate the uniqueness or universality of Kosovo. But it is impossible to ignore one problem: the independence of the former Serb autonomy has put before the international community the problem of identity and the loyalty of citizens. To what extent is it possible to preserve a country's territorial integrity, if the population living in this land is not prepared to recognize the sovereignty of the state. If you accept that territory and population are inseparable, then theoretically there are only two ways to resolve the question: either ethnic cleansing, or many long years of peacefully resolving the conflict through concessions and compromises.

Accordingly, the main problem for South Ossetia is not the format of the Joint Control Commission, but the ability of the Ossetians to be part of Georgia and believe that this country can be their state and their future. In Abkhazia, the main problem is not the peacekeepers (whether they be Russians or a group of Estonians, Ukrainians, and Poles). Perhaps a new contingent of peacekeepers who are not from Russia could help Tbilisi conquer Abkhazia and break its power structure. However, non-Russian peacekeepers do not have the ability to make the Abkhaz loyal citizens of Georgia. In the course of the recent wars with Georgia, the Abkhaz lost between 2,000 and 3,000 individuals, from a nationality of 93,000. To think that after these losses, the replacement of the peacekeeping troops and the return of the Georgian refugees to Abkhazia (including the men, most of who directly or indirectly participated in the 1992–93 military events) will resolve the question of loyalty in favor of Tbilisi is simply a fantasy. With the return of the refugees, there will be a redistribution of property and a series of revenge-taking. Most likely, the result will be a new wave of violence. Such an outcome would not draw Abkhaz society closer to Georgia.

New Approach Needed

Therefore, in order to stop the negative process of “un-freezing,” it is necessary to find different approaches to regulating the conflicts and post-conflict reconstruction. Unfortunately, Russia’s policies have too frequently simply consisted of copying American approaches toward Kosovo.

First, Russia must exclude the use of force. Second, it is necessary to reject any determination of status as the first step of conflict regulation. The priority should be “pacifying the region.” And only then does it make sense to work on preserving the territorial integrity of one or another state or secessionist territory. It is impossible to determine the status of a conflict territory in advance without provoking a revival of military action. Russia can and should support the principle of territorial integrity, but at the same time, it should decisively reject the costs of this process. For a united Georgia or a united Azerbaijan, the price can not be refugees or human casualties. Otherwise, new waves of violence with refugees, ethnic cleansings, and victims will follow.

Third, the territories of the unrecognized republics should be restored economically and socially while

humanitarian concerns are addressed before the determination of territory’s final status. It is much easier to conduct negotiations with transparent administrations, such as Taiwan today, than “black zones.” To this end, there is no choice but to establish relations with the current unrecognized authorities because, without their participation, the territories of the de facto states will turn into territories of de facto chaos. The current leaders of the separatist territories have a certain amount of legitimacy among the population, are reasonably popular, and are able to manage the situation. Negotiating with them would be much easier than potential successors who would speak and act only for themselves.

In conclusion, a complex conception of conflict resolution that emphasizes not formal recognition or giving up one’s position, but a humanitarian reconstruction of the conflict territories, while putting off the determination of their status until a more promising future, could be the basis of a new policy for Russia, not only in the Caucasus, but in the CIS as a whole.

Translated from the Russian by Robert Orttung

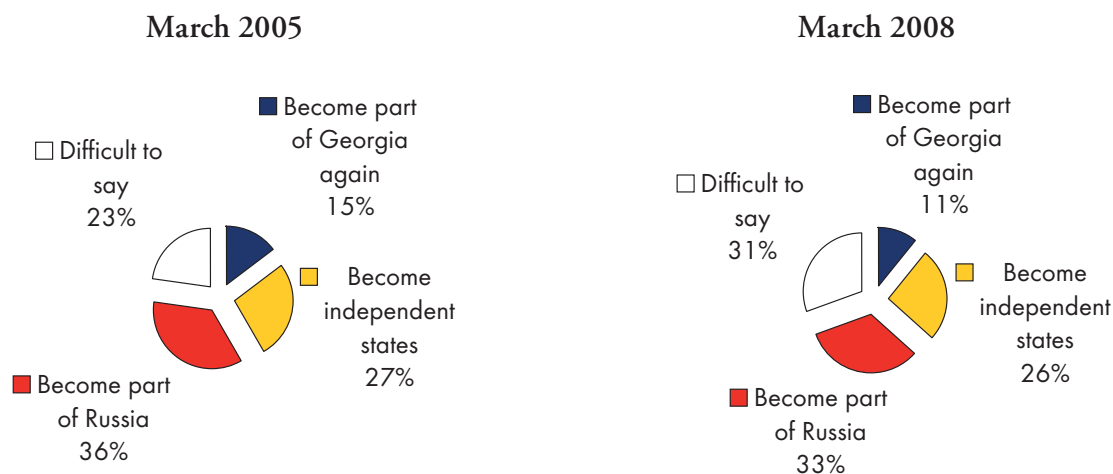
About the author

Sergei Markedonov is the head of the Interethnic Relations Department of the Institute of Political and Military Analysis in Moscow.

Opinion Poll

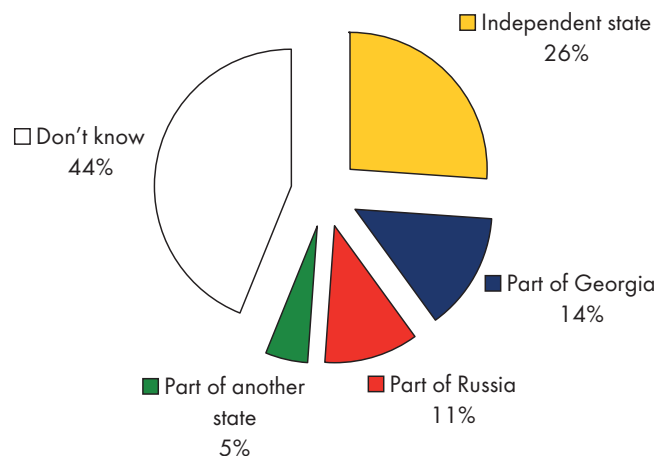
Russian Popular Opinion Concerning the Frozen Conflicts on the Territory of the Former USSR

Graph 1: Abkhazia and South Ossetia should ...



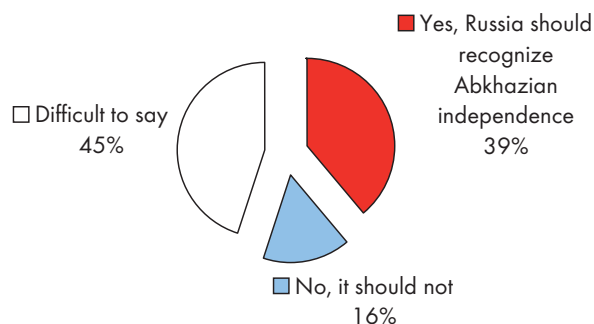
Source: Levada Center, <http://www.levada.ru/press/2008030408.html>

Graph 2: What is your opinion – is Abkhazia at present an independent state or part of another state? (April 2008)



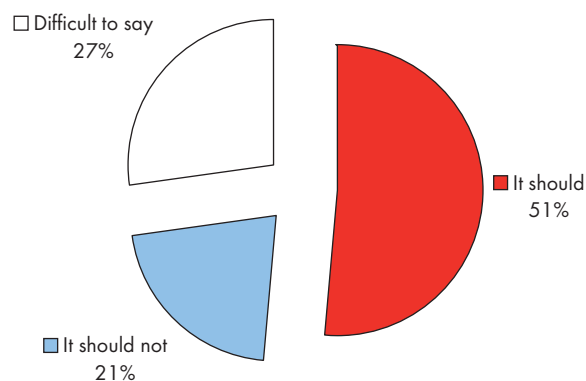
Source: Public Opinion Foundation, FOM. <http://bd.fom.ru/report/map/d081326>

Graph 3: In 1999, Abkhazia declared its independence. Other states do not recognize Abkhazian independence. In your opinion, should Russia recognize Abkhazian independence or not? (April 2008)



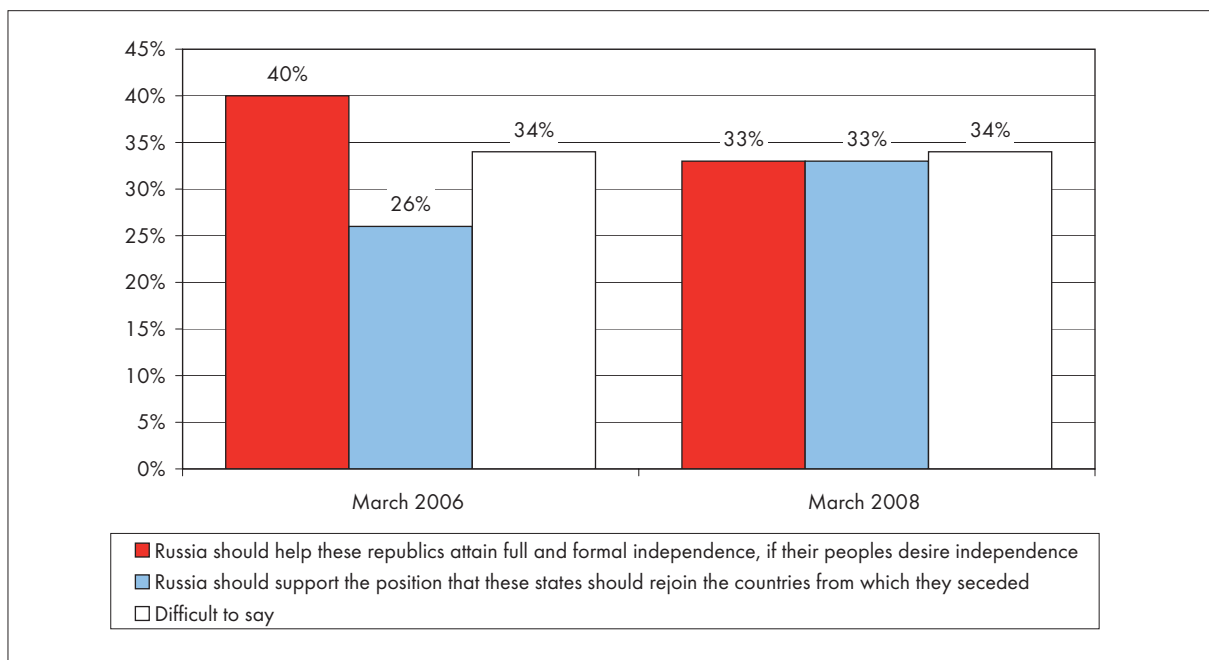
Source: Public Opinion Foundation, FOM. <http://bd.fom.ru/report/map/d081326>

Graph 4: If Abkhazia were to officially apply to become part of Russia, should Abkhazia become part of Russia or not? (April 2008)



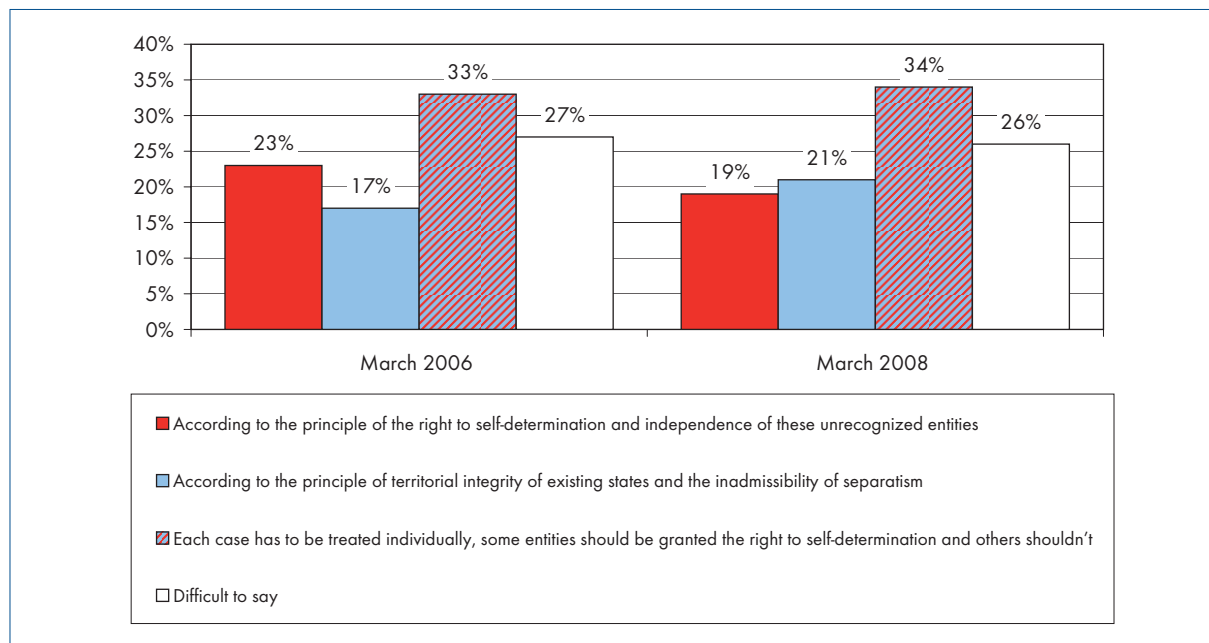
Source: Public Opinion Foundation, FOM. <http://bd.fom.ru/report/map/d081326>

Graph 5: On the territory of the former USSR, there are a number of “hot spots”, breakaway republics that have declared their independence and do not consider themselves part of other, officially recognized states. Examples are Abkhazia, Transnistria, South Ossetia, and Nagorno-Karabakh. In your opinion, what overall position should Russia take in order to resolve the problem of breakaway republics?



Source: VTsIOM, <http://wciom.ru/arkhiv/tematicheskii-arkhiv/item/single/9854.html>

Graph 6: Kosovo is struggling to secede from Serbia and gain full independence and statehood. A number of other states that are not formally recognized – Transnistria, Abkhazia, South Ossetia, and Nagorno-Karabakh – have similar demands. According to which principles should the international community act?



Source: VTsIOM, <http://wciom.ru/arkhiv/tematicheskii-arkhiv/item/single/9854.html>

Analysis

A Georgian Perspective: Towards “Unfreezing” the Georgian Conflicts

By Archil Gegeshidze, Tbilisi

Abstract

Since the early years of independence, Georgia has been negotiating terms of political status with the break-away regions of Abkhazia and South Ossetia, although the process has often reached a deadlock. The existing formats of political negotiation and peacekeeping have proved ineffective and the Georgian side has requested a comprehensive review of the entire peace process. There are many factors that hinder the process of conflict settlement. Topping the list are images of the other as the “enemy” and a deep mistrust among the sides. The primary impediment, however, is Russia’s manipulative policies in the conflict zones aimed at preventing Georgia from acceding to NATO. A comprehensive strategy to break the deadlock needs to be devised and doing so requires the deeper involvement of European institutions in “unfreezing” the conflict.

Background to Conflicts

All of Georgia’s conflicts are related to the issue of the status of minorities. Since the time of Russian and Soviet domination over Georgia, existing divisions within Georgian society and culture were manipulated by outside forces for the purpose of maintaining control over the country. Current conflicts in Georgia came to fore during the nationalist movements of the late 1980s, but had roots dating back to Soviet times. When Georgia declared its independence from the Soviet Union in 1991, non-Georgian ethnic groups within the country also sought to assert their cultural identity. Some of these peoples, like the Abkhaz or Ossets, who lived in distinct autonomous ethnic regions of Georgia, also strove for more political autonomy. Politicians in these minority areas saw the democratic and nationalist wave as an opportunity to create break-away entities and to establish their own rule, escaping control from a Georgian-dominated center.

In the early 1990s the political leaderships of the secessionist regions of Abkhazia and South Ossetia eventually declared their independence from Georgia, which ultimately led to armed clashes between armed rebel forces representing these minority groups and the armed forces of the Georgian central government. Throughout the conflicts, Russia covertly provided the separatists with arms, ammunition and intelligence. Moreover, the Russian military participated directly in the hostilities on the side of separatists. With Russian support, the South Ossetians and then the Abkhaz were able to defeat the Georgian forces. As a result of these conflicts, about 350,000 people (mostly ethnic Georgians from Abkhazia and South Ossetia) had to flee their homes. These events created deep-seated resentments which exist to this day.

Conflicts: Current State of Affairs

In spite of the ceasefire accords and the ongoing peacekeeping operations, the sovereignty dispute has not yet been resolved. In fact, the conflict resolution process has over the past decade allowed these conflicts to solidify. From the standpoint of semantic convenience the situation of secessionist entities has been called “frozen conflicts.” In reality, however, these conflicts are only dormant and may escalate at any moment. The current status quo is not an effective basis for the political and economic reintegration of Abkhazia and South Ossetia into Georgia. As the situation deteriorates over time, the current state of affairs regarding the prospects of finding a solution to the conflicts in Georgia looks grim. Bringing the different ethnic groups together is very difficult, especially in Abkhazia. Today, the Abkhaz and Armenian communities, on the one hand, and the Georgians on the other, live in separate enclaves. Hundreds of thousands of additional Georgians who were expelled during the secessionist war live as internally displaced persons (IDPs) or refugees outside the region.

The existing formats of political negotiation and peacekeeping have proved ineffective, even counterproductive, both in Abkhazia and South Ossetia. The Georgian side has requested a change in the current formats for negotiations and peacekeeping. Necessary changes include the establishment of a new legal framework for the return of IDPs and economic rehabilitation of the conflict zone (this proposal was made by President Saakashvili at the UN General Assembly on September 26, 2007). Concurrently, the government of Georgia had been promoting a “parallel administration” project in South Ossetia, which envisages massive investment in infrastructure and social programs. This project is slowly gaining support among those segments of the local population which have remained

loyal to the Tbilisi administration, but has not led to an amelioration of overall relations between Georgia and the secessionist region. The prospects for a settlement between Georgia and Abkhazia also remains vague at best.

Obstacles to Conflict Settlement

Three main factors complicate and hinder the process of conflict settlement in Georgia: *First*, the parties to the conflicts have different views of the political and legal goals for the conflict settlement process. *Second*, the parties are deeply alienated and perceive the threats to their situations differently. *Third*, Russia, which supports Abkhazia and South Ossetia, wants to extend the process of conflict settlement as long as possible in order to maintain levers of influence over Georgia. Apart from these broader factors, there are a number of other more specific factors that stand in way of the peace process.

The Georgian government claims to have a clear vision for settling the conflicts in Abkhazia and South Ossetia and maintains that every step it takes is part of a well-considered policy based on this vision. In reality, however, the government lacks a vision and is thereby ultimately making inconsistent moves to change the status quo. Moreover, the existence of groups and individuals who favor or sympathize with the option of open warfare is not helping the peace process. The international community has urged Georgia to abstain from its aggressive rhetoric, yet as recent events have shown, such outside advice has had little impact on some of Georgia's politicians so far. Moreover, there is a lack of political discussion and open public debate on how to solve the problem by peaceful means.

A further obstacle to normalizing relations are the Abkhazians' and Ossetians' mistrust of Georgia. There is a considerable amount of fear about Georgia's intentions and a deep-seated image of Georgia as "the enemy" (which is particularly true for the Abkhaz). Since both Abkhazians and Ossetians do not believe that Georgia might be willing to recognize their independence, there is little enthusiasm to enter serious negotiations with Georgia. A further obstacle is the fact that Abkhazia and South Ossetia view Russia as their only true ally and guarantor of their security. Finally, for both entities, independence is considered the highest goal and all other interests are secondary. In Abkhazia, for example, the degradation of the language and demographic decline of the population have increasingly become a matter of concern. Nevertheless, tackling these problems is not a priority in the immediate future since most attention focuses on neutralizing the "Georgian threat."

It goes without saying, however, that the key reason for the deadlocked process of conflict settlement is Russia's aim to prevent Georgia from integrating into the Euro-Atlantic community. The Georgian elite believe that if it were not for Russia's obstructive attitude, the government of Georgia and the representatives of the secessionist regions of Abkhazia and South Ossetia would be able to find a solution to their bilateral problems.

The Russia Factor

Since the conflicts in Georgia have been inspired largely by external forces, it is impossible to solve them without engaging external actors. No matter how strongly motivated the parties in the conflict may be to reach compromises and maintain the peace, it is impossible to achieve these goals without the help of impartial well-wishers and the neutralization of policies of unfriendly outsiders aimed at undermining the peace process. It is an unfortunate reality that Russia has played a negative role in the instigation and the escalation of conflicts in Georgia. Russia is trying to prevent conflict resolution by both overt and covert means since the Russians believe that continued conflict will ensure the maintenance of their influence over Georgia. With the Russian government's April 16, 2008 decision to establish official links with breakaway Abkhazia and South Ossetia, Russia once again underlined the fact that it is a participant in the conflict, rather than an impartial mediator.

Similarly, it is unfortunate that Russia is the very country that has the ability to actually solve these conflicts, but Russia is clearly unwilling to use its leverage. It is impossible to solve the conflicts in Georgia without Russia's active participation in the peace process. At the same time, it is a difficult task to motivate Russia to take part in the peace processes wholeheartedly. There has to be concerted action on the part of the international community aimed at convincing Russia to play a truly impartial role in conflict settlement. Such an action can be taken both on the bilateral level (via direct Georgian-Russian talks) and through a multilateral dialogue in the framework of international organizations (such as the UN).

What next?

Given the circumstances, there is an acute need to devise and implement a strategy, which would ensure that

- Georgia becomes attractive for both Abkhazia and South Ossetia;
- Russia constructively addresses the conflict resolution process; and,
- an alternative course of development as an option emerges in Abkhazia and South Ossetia, which un-

like the “Russian choice” would imply orientation toward building societies modeled on western democracy.

Should these conditions be met, an agreeable environment for constructive dialogue between the parties would be created. Indeed, the best way out of the current impasse would be a dialogue facilitated by a neutral Russia together with international organizations, which are equally trusted by the sides in the conflict. Peaceful dialogue would broaden prospects for a compromise solution.

As the Bucharest NATO Summit in early April 2008 has demonstrated, there is a growing awareness among Western states that the frozen conflicts are the primary impediments to Georgia’s democratic transfor-

mation and its eventual integration into Euro-Atlantic institutions. It is expected that the Western community will stimulate a more active search for a formula that would bring about the peaceful resolution of the conflicts. To this end, the European institutions whose credibility and resources have not been fully exploited so far must become more actively engaged. As a benchmark of this engagement, Abkhazia should be offered an alternative vision for development towards establishment of European political, legal and administrative institutions. Such a vision could provide a basis for the convergence of development agendas in Tbilisi and Sukhumi, thus contributing to building much needed trust and confidence.

About the author:

Archil Gegeshidze is a Senior Fellow at the Georgian Foundation for Strategic and International Studies in Tbilisi.

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Analysis

An Abkhaz Perspective: Abkhazia after Kosovo

By Viacheslav Chirikba, Sukhumi /Leiden

Abstract

The Kosovo case opens up a new chapter in the modern history of admitting states into the international community, as this province was recognized against the will of its mother state, Serbia. Now, after Kosovo, one can hardly offer any more or less reasoned explanation as to exactly why the already 15 year-long *de facto* independence of Abkhazia, unlike the independence of Kosovo, cannot be recognized by the international community.

The Case for Abkhazian Statehood

Though the western politicians and governments have hastened to declare the precedent of Kosovo “unique,” everybody understands perfectly well that the right of people to self-determination, upon which the recognition of Kosovo is based, is universal and fixed in the United Nations Charter. According to this right, the independence of East Timor was recognized. Kosovo, East Timor and Abkhazia – in the light of international law – belong to the same order. The insistence on the “uniqueness” of the Kosovo case is obviously flawed, and Kosovo, undoubtedly, has already become a legal precedent.

One of the most important differences between Kosovo and Abkhazia is that Kosovo Albanians never

had a state, whereas the statehood of Abkhazians has existed for more than a millennium. Abkhazia was a kingdom, a principality, and, within the early Soviet federal structure, a full union republic, on equal footing with Georgia. This was the case until Joseph Stalin decided to incorporate it in 1931 into Georgia, against the will of its people.

The current Abkhazian Republic, encompassing a territory somewhat smaller than Cyprus, satisfies all key criteria required by international law for being a state. It has a territory, a population, and clearly defined external borders. The democratically-elected government of Abkhazia exercises effective control over nearly all its territory. Abkhazia has a strong civil society, and free

and independent media. It is capable of engaging in international relations.

Importantly, Abkhazia is economically viable, able to capitalize on the tourist industry and subtropical agriculture. Even in the condition of the economic blockade, only recently lifted by Russia, and the virtual absence of international assistance, Abkhazia presents an economically more viable and politically more stable state structure than some of the “recognized,” but failing states. If its borders are opened and there is enough investment to upgrade its economy to the modern level, it can prosper.

The Russian Factor

Many in Abkhazia realize that the denial of recognition to their country by the West is punishment for their perceived pro-Russian stance. The question of the validity of such a Cold War era-like approach is currently penetrating the western political debate. Thus, during the recent (end of April 2008) discussion at the U.S. Congress Foreign Affairs Committee on a resolution criticizing Russia, Republican Dana Rohrabacher noted: “We have a totally inconsistent position when it comes to some countries that might have areas that want to have their self-determination but are occupied by people who are somewhat pro-Russian.” This despite the fact, in the words of California Democrat Brad Sherman, participating in the same debate, that “There are substantial claims of the people of Abkhazia, and the people of South Ossetia, to go their own way and not to be part of Georgia”. (Cited from: <http://www.voanews.com/english/2008-04-30-voa71.cfm>).

Despite its insistence on the precedence set by the Kosovo process, Russia so far has stopped short of granting Abkhazia formal recognition *de jure*, instead lifting their mutual relations to a much higher level and withdrawing unilaterally from the regime of economic and political sanctions introduced in 1996 by the member-states of the Commonwealth of Independent States (CIS) at the insistence of Georgia.

So far the current process of re-framing Russia–Abkhazia relations resembles in some respects the US–Taiwan model, whereas the US provides economic aid and military protection to Taiwan without granting it formal recognition. But in the long-term the Taiwan scenario is not in the interests of Abkhazia, as it means the continuation of the present legal *status quo* and the “freezing” of the conflict, perpetuating the situation of “no war, no peace.” This uncertain legal status prevents the inflow of large-scale investments in Abkhazia, which are essential for the development of its economy. It also creates a temptation on the part of Georgia to try again to re-establish its control over Abkhazia by military means.

The Abkhazians realize that if recognition happens at all, for some time the only state willing to recognize it will be Russia. But Russia’s steps concerning Abkhazia will in all probability be dependent on how successfully Georgia moves towards NATO membership. At the April 2008 NATO summit in Bucharest, the question of granting Georgia and Ukraine a membership action plan (MAP) was postponed, primarily because of Russia’s objections and Georgia’s unresolved ethno-territorial conflicts. But, despite Russian objections, in mid-term perspective, Georgia’s ascension to NATO remains rather probable. For the US, which dominates NATO, Georgia’s location along a lucrative east-west transit corridor, its proximity to the Caspian oil reserves, and its pro-Western and Christian population is of exceptional importance. At the same time, there is a firm consensus among the Russian political elite that if Georgia enters NATO, this will happen without the participation of Abkhazia and South Ossetia.

The unilateral lifting of economic sanctions against Abkhazia by Russia on March 6, 2008 caused an angry reaction from Georgia and condemnation from the US and several EU countries. For many in Abkhazia this outpouring raised serious questions as to the moral grounds for such condemnations, directed essentially against the economic and social development of an impoverished people as a result of the brutal Abkhazian–Georgian war of 1992–1993. In reaction to this condemnation, the Abkhazian parliament on 30 April issued an appeal to President Bagapsh, calling on him to stop talks with representatives of those countries belonging to the UN Secretary-General’s Group of Friends of Georgia and participating in peace negotiations between Abkhazia and Georgia. The parliamentary statement read that the members of the Friends of Georgia group “are more concerned with the support of economic and political pressure on Abkhazia than with objective and constructive resolution of the Georgian–Abkhazian conflict. By supporting the regime of economic sanctions, the representatives of the Secretary-General’s Group are thus denying the people of Abkhazia the right to the proper development of their country.”

The Way Forward: Independence from Georgia

The appeal by President Saakashvili to the Abkhazian and Ossetian peoples to reintegrate into Georgia, uttered on the eve of the Bucharest NATO summit on Georgian television in the Georgian language (not understood by the majority of Abkhazians and many Ossetians), left little impression on the peoples of the two unrecognized republics. Everybody understood that he was making the case for the benefit of the Western audience assembling in Bucharest.

The recent downing of four Georgian Israeli-made drones by Abkhazian forces over Abkhazia sparked a new wave of Georgian accusations. The Georgians managed skillfully to divert the issue of provocative flights of Georgian reconnaissance aircraft over the UN-controlled security zone in Abkhazia, prohibited by the Moscow agreement of 1994, to the fact that they were downed, as claimed by Georgia, with possible Russian assistance. Saakashvili asserted that the planes had been flying, were flying and would be flying over Georgian territory, despite the fact that the spy planes were conducting operations in a highly sensitive security zone over Abkhazia. The Russian response was to increase the number of peace-keeping troops. Both sides are accusing each other of preparing for military actions and the discourse of “war” is present in the Russian, Abkhazian and Georgian media.

History, as we all know, often tends to repeat itself, and similar problems in relations between Abkhazia and Georgia arose at the beginning of the 20th century, after the collapse of the Russian empire, when newly-independent Georgia was trying to subdue its long-time western neighbor, Abkhazia. At that time, in 1918, a geopolitical project was developed by the distinguished

British politician and diplomat Lord Curzon, who saw Abkhazia as an independent and neutral buffer state between Russia, Georgia and Turkey. Considering the present international situation, one has to admit that exactly such a scenario would guarantee the creation of stable peace in the western part of the South Caucasus. An alternative to this would be permanent frozen conflicts and a lack of development in the region.

It is clear to any objective observer that Abkhazia will never again return under Georgian control. One can also claim that its recognition is imminent. Abkhazia was attacked in 1992–1993 by Georgia and Georgia should prove to Abkhazia that it can be a friend, not a foe. To do this, Georgia should lift economic sanctions and recognize Abkhazia as a separate entity, exactly in the same way as Russia recognized separation from Georgia, as the Czech Republic recognized Slovakia, and as Indonesia recognized East Timor. This recognition will serve as a basis for new relations – friendly, mutually beneficial and equal, which will eventually create an atmosphere of confidence and cooperation, stimulating opportunities for regional economic integration, open borders and free movement of services, labor and capital across the Caucasus.

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About the Russian Analytical Digest

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The Research Centre possesses a unique collection of alternative culture and independent writings from the former socialist countries in its archive. In addition to extensive individual research on dissidence and society in socialist societies, since January 2007 a group of international research institutes is participating in a collaborative project on the theme "The other Eastern Europe – the 1960s to the 1980s, dissidence in politics and society, alternatives in culture. Contributions to comparative contemporary history", which is funded by the Volkswagen Foundation.

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