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INTERNATIONAL ENGAGEMENT IN THE GEORGIAN-ABKHAZ CONFLICT RESOLUTION PROCESS

May 2010

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Acronyms

ADB	Asian Development Bank
APEC	Asia-Pacific Economic Cooperation
BSEP	Black Sea Environmental Programme
CBDN	Caucasus Business and Development Network
CIS	Commonwealth of Independent States
CR	Conciliation Resources
CSCE	Conference on Security and Cooperation in Europe
CSTO	Collective Security Treaty Organisation
ENP	European Neighbourhood Policy
EU	European Union
EUMM	Monitoring Mission of the European Union
GUAM	Organization for Democracy and Economic Development (Georgia, Ukraine, Azerbaijan, Moldova)
IBRD	International Bank for Reconstruction and Development
IDP	Internally Displaced Person
IGO	International Governmental Organisation
IIFMCG	International Independent Fact Finding Mission on the Conflict in Georgia
INGO	International Non-Governmental Organisation
IPRM	Incident Prevention and Response Mechanism
IWPR	Institute for War and Peace Reporting
MEP	Member of the European Parliament
NATO	North Atlantic Treaty Organization
NGO	Nongovernmental Organization
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organization for Security and Cooperation in Europe
PACE	Parliamentary Assembly of the Council of Europe
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOMIG	United Nations Observer Mission in Georgia
UNPO	Unrepresented Nations and Peoples Organisation
USAID	United States Agency for International Development
WWF	World Wildlife Fund

Introduction from International Alert

This collection of papers is the second in a series of 'dialogue through research' produced by Georgian and Abkhaz researchers, in an attempt to shed new light on the conflict and stimulate a different way of thinking about conflict-related issues.

The first paper, on which work began prior to the August 2008 conflict and was published in September 2009, was entitled *Dialogue on Security Guarantees in the Context of the Georgian-Abkhaz Conflict* and considered the separate analyses of both Georgian and Abkhaz civil society experts on the need for security guarantees, the reasons why the sides have been unable to agree on them as well as barriers and opportunities for future agreements.

The theme behind this paper on *International Engagement in the Georgian-Abkhaz Conflict Resolution Process* was chosen by researchers at a meeting in Paris in July 2009, only two weeks after Russia had vetoed the extension of the UN Observer Mission in Georgia (UNOMIG) mandate.¹ This prompted a lively discussion on the potential consequences of the departure of UNOMIG, especially in the context of the already on-going debate on the isolation of Abkhazia, and Abkhazia's increasing economic and political ties with Russia since Russian recognition of Abkhazia's independence in August 2008.

The veto came somewhat as a surprise to many, despite the fact that UNOMIG's mandate and name had been under review since August 2008. The core of UNOMIG's mandate had been undermined by Georgia's withdrawal from the 1994 Moscow agreement on 30th August 2008, and by the withdrawal of CIS peacekeepers and their replacement with Russian border guards. Many analysts had considered that the interest in keeping a UN mission in Abkhazia was strong enough on all sides to make it possible to find a compromise on the wording of a new mandate, and a new name.

Speculation as to why Russia finally vetoed the extension was rife. Why had the sides allowed it to happen? Each side was able to blame the other sides' intransigence, yet other internal factors appeared to be at play also, such as the Abkhaz internal political dynamic in the run-up to presidential elections in December 2009; concerns within certain Georgian quarters that UN presence in some way legitimised the presence of Russian troops and was preventing progress on getting EU monitor² access; Russian lack of enthusiasm for observation of its troops; and even US lack of enthusiasm to continue six-monthly head-to-head with Russia at the Security Council when renewing the mandate. Suddenly, with this surprise veto, all political interests were served. But two key questions remained: what of the isolation of Abkhazia? And what did UNOMIG's departure mean for local and regional security?

The previous paper on *Security Guarantees* had explored the question of who would be acceptable guarantors of an agreement on non-use of force, given that there were no completely neutral actors. While Russia and the EU/US were mistrusted by Georgians and Abkhaz respectively, the UN was considered to be the most neutral, and most experienced. One of the recommendations arising from the research was for there to be a balance of guarantors, but the UNOMIG withdrawal forced the question as to what would a balance of guarantors look like?

In considering the significance of UN imminent withdrawal, the researchers discussed UNOMIG's strengths and weaknesses. Would their impending departure have any significant impact? What had they, or other international organisations for that matter, actually achieved? More importantly, what lessons could be drawn from their experience?

1 UNOMIG (UN Observer Mission in Georgia) established in August 1993 to verify compliance with the ceasefire agreement between the Georgian and Abkhaz parties. Its mandate was expanded following the signing by the parties of the 1994 Moscow Agreement on a Ceasefire and Separation of Forces.

2 The EU Monitoring Mission is a civilian mission operational since 1st October 2008 to monitor the implementation of the EU-brokered peace agreements of 12th August and 8th September. EUMM is currently only able to monitor Georgian-controlled territory and continues to try to negotiate access to Abkhaz & South Ossetian-controlled territory.

The main regret appeared to be that there would be no more six-monthly reporting by the Secretary-General on the situation in Abkhazia. The objective reporting by the UN Secretary-General was welcomed by all, in particular the role that reports played in refuting unfounded media reports on alleged incidents perpetrated by one side or the other. Also valued were the practical projects supported through the UN and the human rights monitoring function that the UN Human Rights Office³ carried out, in particular in the Gal/i district.

On the downside, it was felt that UNOMIG had not been able to prevent or respond adequately to incidents, since its mandate restricted it to observation and reporting. Its limited mandate, which had not been updated since 1994, and its strict impartiality prevented it from passing judgement and thus limited its effectiveness. Some questioned the effectiveness of the UN in general, referring to competing interests of the five permanent members of the Security Council – evident in the Georgian-Abkhaz context.

It was therefore not clear what the consequences of UNOMIG departure would be, and it was not even clear what the significance of any international (i.e. Western) presence in Abkhazia would be given the large-scale Russian financial support to Abkhazia. Perhaps other international non-governmental and inter-governmental organisations would take on some of the UNOMIG roles, at least in terms of supporting humanitarian projects, but these are a drop in the ocean compared to Russian financial support.

The researchers agreed to look more in depth at these issues. Each group agreed to study the experience and perceived effectiveness of international organisations and international non-governmental organisations in Abkhazia in more depth and (for comparative purposes but to a lesser extent) in South Ossetia as well, starting with a historical retrospective analysis (Natella Akaba and Vakhtang Kolbaia). The Akaba paper in particular explains why the UN was perceived to be more neutral and therefore acceptable to the Abkhaz side than, for example, the OSCE – though it also highlights that this neutrality was learned behaviour and wasn't always the case.

Since the topic concerns international presence specifically in Abkhazia, the Abkhaz side goes more in depth into the roles and achievements of different types of organisations in working on conflict resolution. Liana Kvarchelia's paper points to significant and positive impact of such initiatives, despite certain limitations, and serves as a powerful argument for continued engagement by impartial and non-ideological actors in building mutual understanding, strengthening civil society and contributing to international political discourse around the conflicts.

Both sides consider the consequences of UNOMIG departure and, while they differ in their motivations, they both seem optimistic about the possibility of future international engagement – if the political will can be found. Nodar Sarjveladze's paper highlights the considerable frustration of Georgian establishment and civil society alike over the ultimate powerlessness of UNOMIG and its limited mandate, while Ivlian Haindrava, in examining the sides' reactions to UNOMIG's departure and considering the pragmatic interests of all sides, concludes that it is realistic and even inevitable that new modes of engagement will be found.

Irakliy Khintba provides a number of arguments why all sides have an interest in international engagement in Abkhazia, looking from the context of Russian-Abkhaz relations and Abkhazia's standing in the international arena, to the West's realisation that isolation of Abkhazia is not in their interests. Diana Kerselyan's paper explores prospects for international cooperation in the context of partial recognition and produces a poignant reminder of just how isolated Abkhazia actually is. At the same time the paper questions the effectiveness of international and regional cooperation when one of the actors is excluded, highlighting cooperation in environmental issues in particular.

Both sides analyse the Geneva discussions underway since October 2008,⁴ (Manana Gurgulia and Archil Gegeshidze) providing a useful outline and some information not currently widely available to the public on the nature of discussions within the different working groups, as well as analysis of the risks and

3 The Human Rights Office in Abkhazia, Georgia (HROAG) established in December 1996 jointly staffed by OHCHR and the OSCE, under the authority of the Head of Mission of UNOMIG.

4 The Geneva discussions, co-chaired by the UN, EU and the Organisation for Security and Cooperation in Europe (OSCE), attended by delegations from Russia, Georgia, Abkhazia, South Ossetia and the US.

prospects for the talks. They both make a strong case for continuing with the talks – even cautiously optimistic about what they might achieve – apparently contradicting the prevailing narrative that the talks are without result. However, they cannot deny the fragility of the talks.

In conclusion, the papers make a strong argument for continued international presence “in the context” of the Georgian-Abkhaz conflict, on all levels, political, social, economic, environmental, humanitarian and in the field of conflict transformation. Both sides are critical of the Georgian Law On Occupied Territories, and cautious about the new Georgian State Strategy on Engagement through Cooperation, though the ‘de-occupation’ framework of this strategy is clearly unacceptable to the Abkhaz side.⁵ Despite low confidence in the Geneva talks, there is strong support for their continuation. And while the Georgian and Abkhaz sides’ political motivations may differ, they agree on the fundamental principle of non-isolation and engagement as pre-requisites for security and stability.

This collection of papers should be of interest to anyone looking for a nuanced understanding of the Georgian-Abkhaz conflict, the role of the international community and the complex dynamics at play regarding Georgian-Russian and Russian-Western relations. The opinions expressed in this collection are those of the individual authors or, where indicated, the opinions of people interviewed for the collection, and do not pretend to represent a unified vision for the resolution of the conflict. We hope that both individual articles and the collection as a whole will help readers look at the conflict from different perspectives, inform their analysis and influence the way in which they respond to developments “in the context”. In this way, it could be of equal interest to both local and international audiences, to decision-makers and civil society activists, to people living in the region and working “on” the region from Western capitals.

5 These papers were mainly written before the strategy was published.

Part I – The Abkhaz Papers

International Engagement in Abkhazia –
Experience and Prospects

Introduction

The August war and the subsequent recognition of Abkhazia have had an undeniable influence on the nature of cooperation between international organisations and different actors in Abkhazia. The particular features of cooperation are defined by the format, objectives, and status of local and international participants in the various processes. After the collapse of the USSR, Abkhazia's official contacts with the international community were primarily in connection with the resolution of the Georgian-Abkhaz conflict, since the international community was not interested in Abkhazia as a separate state. The most noticeable changes in the nature and mechanisms of cooperation on conflict resolution have taken place at the official level. These changes are reflected mainly in the departure of the UN observer mission from the region and the reformatting of the negotiation process, which today is described as 'consultations' on security issues through the Geneva process. However, there has not been such a radical change at the non-governmental level, though the already limited number of international NGOs working in Abkhazia has significantly decreased, and there is minimal contact between local organisations and official international structures. Abkhaz citizens have started to encounter problems in obtaining visas to Europe, and the Abkhaz foreign ministry has proposed to INGOs accredited in Abkhazia that they should review the conditions of their presence in Abkhazia.

The European Union's Special Representative to the South Caucasus, Peter Semneby, announced that although the EU is not ready to recognise Abkhazia's independence it is ready for cooperation. The EU, however, has obviously not yet developed a clear strategy on Abkhazia. On the other hand, Abkhaz society needs to reflect on the positive and negative aspects of international presence in Abkhazia, as well as on prospects for future cooperation with international structures, taking into consideration the radical changes in the region.

This collection of articles is part of a series by Abkhaz experts, published with the support of the London-based international non-governmental organisation International Alert. Parallel studies on international engagement in Abkhazia were conducted in Georgia and Abkhazia under the auspices of International Alert's programme. The articles in this collection are the result of qualitative research conducted by Abkhaz authors using a retrospective political analysis of various aspects of international presence in Abkhazia. They analyse the current situation and prospects for Abkhaz interaction with international institutions as well as factors influencing the nature of the cooperation or lack thereof. This collection is composed of the following articles:

- I. The role of international inter-governmental structures in the resolution of the Georgian Abkhaz conflict and political stabilisation in the region (before August 2008) – *Natella Akaba*
- II. Abkhazia's experience of cooperation with international institutions and organisations – *Diana Kerselyan*
- III. Consequences of the withdrawal of the UN mission and prospects for international presence in Abkhazia – *Irakliy Khintba*
- IV. The significance of the Geneva process: concerns, limitations, possibilities and prospects – *Manana Gurgulia*
- V. The role of international NGOs in the Georgian-Abkhaz conflict transformation process – *Liana Kvarchelia*

Chapter 1

The Role of International Inter-governmental Structures in the Resolution of the Georgian-Abkhaz Conflict and Political Stabilisation in the Region (before August 2008) NATELLA AKABA

1. Introduction: The main stages and dynamics of inter-governmental organisations' activities in the Georgian-Abkhaz conflict prior to August 2008

When discussing the root causes of ethnic conflict in the Caucasus, the metaphor used is often that perestroika triggered the delayed-action mines that had been laid historically. This clearly refers to arbitrary ethno-territorial and administrative divisions, which caused an enduring sense of grievance and injustice for many peoples of the Russian Empire, and later the USSR. This was felt especially painfully in the Caucasus, where traditional concepts of “land” and “homeland” hold special, almost sacred meaning. Today, the optimistic expectations that Gorbachev's perestroika gave rise to amongst representatives of “wronged” peoples of the USSR may seem overly romantic or even naive. As opportunities for protest were extremely limited in the totalitarian system, with the adoption of the policy of “glasnost and democratisation”, people sincerely believed in the reality of positive change and the fulfilment of their rights to self-determination. Those who were dissatisfied with the status quo embraced with enthusiasm values that were new to Soviet citizens, of democracy, freedom, human rights and the rights of peoples, as set out in the founding documents of the UN, the Conference on Security and Cooperation in Europe (CSCE) and other global and regional organisations. The Communist Party elite and the Soviet bureaucracy demonstrated a complete lack of willingness to respond to this challenge – a position which had well-known and dramatic consequences.

Chauvinist slogans, which became more popular in Georgian society under Gamsakhurdia, could not but cause alarm amongst the non-ethnic Georgian inhabitants of multi-ethnic Abkhazia. The growth of ethno-nationalism in Georgia contributed to the unification of the Abkhaz with significant sections of the Armenian, Russian and Greek populations of Abkhazia. Abkhaz national activists, along with leaders of Armenian, Russian and Greek communities, believed that if the international community were better informed about events in Georgia and Abkhazia, it would condemn the rhetoric coming from Tbilisi as completely unacceptable for a multi-ethnic country striving for democracy. They were referring in particular to Georgian calls to limit the birth rate amongst non-Georgian populations; to insulting and provocative statements against the Abkhaz and Ossetians (i.e. regarding the intentions to abolish their autonomy within Georgia); as well as explicitly discriminatory slogans about the Armenian and Azerbaijani minorities in Georgia.

This uncertainty about tomorrow and fear for the future of their ethnic identity prompted activists from different ethnic communities and non-Georgian members of the Supreme Council of Abkhazia to appeal to authoritative international organisations for the protection of the rights of small nations and national minorities. They did this even before Georgian troops were deployed in Abkhazia, in an attempt to obstruct Tbilisi's efforts to provoke inter-ethnic and inter-community conflict in Abkhazia. However, much to the disappointment of the authors of these appeals, almost all correspondence from Abkhaz parliamentarians and activists of the People's Forum of Abkhazia to regional and international institutions was left unanswered. In contrast, calls by the Head of the State Council of Georgia, Eduard Shevardnadze, for the international community to support his actions were heard and responded to relatively quickly. It is worth

noting that neither the absence of a legitimate leadership in Georgia (Shevardnadze came to power following the overthrow of the legitimately elected president Zviad Gamsakhurdia), nor the bloody conflict unleashed by Georgia in South Ossetia prevented Georgia from joining the CSCE in March 1992 and, in July of that year, the UN.

2. A retrospective analysis of the actions of inter-governmental organisations in the Georgian-Abkhaz conflict zone prior to August 2008

Many experts say that the role of principal mediator in the Georgian-Abkhaz conflict was given to the UN. However, this was not always the case. In the article ‘UN and CSCE policies in Transcaucasia’, published in the collection *Contested Borders in the Caucasus*, Eric Remacle and Olivier Paye describe in some detail how the CSCE was trying to increase its influence on events in Georgia as early as March 1992 during the political crisis in Tbilisi. They attribute this to supporting Shevardnadze, who was at that time illegitimately in power. The same article quotes the representative of the CSCE in Georgia, Istvan Diarmati, who, although talking about the need to extend the presence of the CSCE in Abkhazia, nevertheless laments that the conflict had not reached the point where large-scale involvement of the CSCE⁶ could be envisaged.

On the eve of the invasion of Abkhazia by Georgian forces, it was clear that the CSCE was far more interested in the situation in the region than the UN. At that time the CSCE still planned to ‘initiate a visible CSCE presence in the region’ and ‘facilitate negotiations between the warring parties in Georgia, aimed at achieving a peaceful political settlement’.⁷

Indeed, the CSCE mission was the first to visit Sukhum after the signing of the Dagomys Agreement. The CSCE mission visited Georgia from 25th to 30th July 1992, just before the deployment of Georgian troops in Abkhazia, and visited Sukhum for several hours, after having met with officials in Tbilisi. As the CSCE mandate focuses on issues of the “human dimension”, such as human and minority rights, the mission’s visit was taken very seriously by a group of Abkhaz parliamentarians led by Vladislav Ardzinba (then chairman of the Supreme Council of the Republic of Abkhazia). They hoped that the European delegation would intervene to reduce tensions with Tbilisi and prevent the situation from deteriorating further. During the meeting the “Abkhaz fraction” of the Supreme Council described relations between Abkhazia and Georgia as extremely tense. They appealed to European diplomats to prevent the further escalation of the conflict.⁸ However, the CSCE mission report later showed that the Abkhaz point of view was completely ignored, and the mission based its report solely on the basis of the Georgian position. Moreover, the CSCE mission report contained obvious and serious errors, which indicate that the European visitors did not even attempt to investigate the actual situation, but merely repeated information they received from the Georgian side.⁹

The acceptance of Georgia into the UN in July 1992 (the newspaper *Svobodnaya Gruzia* [Free Georgia] noted in its 27th June 1992 issue that this occurred shortly after Boris Yeltsin had promised Eduard Shevardnadze’s assistance in this respect) was viewed by the illegitimate Georgian leadership as a *carte blanche* for actions by Tbilisi within the internationally recognised

⁶ O. Paye and E. Remacle (1996). ‘UN and CSCE Policies in Transcaucasia’, in B. Coppieters (Ed.) *Contested Borders in the Caucasus*. p. 147.

⁷ For more on this, *ibid.* pp. 145-146.

⁸ Since at that time, the Georgian deputies refused to work together with the Abkhaz and demonstratively left the Supreme Council building (a minority of Russian-speaking deputies joined the Georgians, while the majority joined the Abkhaz), meetings took place separately with the “Abkhazian” and with “Georgian” deputations.

⁹ For example, the report of the mission stated that all ethnic Abkhazians are Muslim, which is known to be completely untrue. This was obvious disinformation emanating from Eduard Shevardnadze and his entourage. At that time the Georgian leader and his team had been fostered by the international community, and had given a false impression of Abkhazia as one of the Muslim enclaves of Christian Georgia. He said that Abkhazia is part of the so-called “arc of instability”, which includes Bosnia, Tajikistan and other countries that were considered at that time ‘strongholds of Islamic fundamentalism’.

borders of Georgia, including Abkhazia. In his speech of acceptance of Georgia into the UN, the head of the Georgian foreign ministry Alexander Chikvaidze said: ‘There is certainly a need to protect the rights of national minorities, but this cannot and should not be at the expense of the native, indigenous population... Georgia has never seized the land of other nations, does not intend to do so in the future... Simply put, in Georgia there is not a single inch of non-Georgian land, and we will strongly suppress any claim on Georgian soil’.¹⁰ In light of this statement, the invasion of Georgian troops into Abkhazia – exactly two weeks after Georgia was accepted into the UN – seems perfectly logical.

On 17th August 1992, only three days after the Georgian-Abkhaz war began, the chairman of the Parliamentary Commission on Human Rights and Ethnic Relations, Yuri Voronov, and vice chair of the same commission, Natella Akaba, appealed to the UN and the International Helsinki Federation for Human Rights to intervene to prevent the small Abkhaz nation from disappearing from the face of the earth. In the following days and weeks Vladislav Ardzinba and other Abkhaz political and civic leaders based in Gudauta (the town the Abkhaz leadership had relocated to) sent dozens of appeals to the UN Secretary-General and various UN and CSCE agencies calling for a stop to Georgian aggression. However, these requests again remained unanswered. The only international organisation that responded to Abkhaz calls for assistance was the International Red Cross, whose representative Violen Donje arrived in Gudauta in the first few weeks of the war and began to provide medical and humanitarian assistance to the wounded and to refugees from the Georgian-occupied territories of Abkhazia.

However, the call from Shevardnadze for UN and CSCE missions to visit Abkhazia did not go unheard. On 17th September a “goodwill mission” arrived in Gudauta from Tbilisi comprising the director of the UN Department for Political Affairs, Gustav Faisal, and an employee in the same department, Horst Hayman. They were accompanied from Tbilisi by the academic Tamaz Gamkrelidze and a group of Georgian journalists. The latter did not participate in the negotiations, which were attended by deputies of the Supreme Council of the Republic of Abkhazia and the vice chairman of the Council of Ministers of the Republic of Abkhazia, Zurab Labakhua. Issues of conflict resolution and human rights were discussed. Mr Ardzinba concluded by saying he hoped the Abkhaz position would be reported to the UN. Faisal then met privately with the International Committee of the Red Cross representative for the area controlled by Abkhaz forces.¹¹

During the military action, Georgian troops allowed war crimes and gross, mass violations of the rights of the civilian population to occur, and on 2nd October Ardzinba wrote to the UN Secretary-General asking for a fact-finding human rights mission to be sent to Abkhazia. It is significant that such a mission was actually sent to Abkhazia and Georgia, but only in October 1993, that is after the Georgian forces had already been driven out from the territory of Abkhazia.¹²

On 14th October 1992 a second UN mission arrived in Gudauta, comprising the UN Deputy Secretary-General Antoine Blanca, the director of the Department of Political Affairs Gustav Faisal, and others. The higher level of this mission clearly indicates that more attention was being paid to events in Abkhazia. The Head of the Supreme Council of the Republic of Abkhazia, Ardzinba, was given a message from the UN Secretary-General expressing concern about the military conflict between Abkhazia and Georgia. In his message Boutros Boutros-Ghali also expressed his support for the Moscow Agreement of 3rd September 1992. In discussions Ardzinba and other members of the Supreme Council drew their guests’ attention to the fact that repeated appeals by the Abkhaz leadership to the UN had gone unheeded, while Shevardnadze’s request had immediately prompted an appropriate international reaction. ‘We were defended not by the UN, but by the Confederation of Peoples of the Caucasus’, stated Ardzinba. He also noted that both sides of the conflict should be present during UN discussions

¹⁰ Quoted by the newspaper *Svobodnaya Gruzija* [Free Georgia], 1st August 1992.

¹¹ G. Amkuab (Ed.) (1993). *Abkhazia: khronika neobiavlennoj voiny* [Abkhazia. Chronicle of an undeclared war], part 2. Moscow, pp. 28-29.

¹² On 8th October 1992 the First World Congress of the Abkhaz-Abaza (Abaza) People appealed to the UN, calling on them to protect the Abkhaz people, to prevent genocide and to grant them the right to decide their own fate. *Ibid.*, pp.246-247.

on this issue, and not only the Georgian side.¹³ A CSCE mission arrived in Gudauta from Tbilisi shortly afterwards, on 18th October, and returned the same evening to Tbilisi after a meeting with the Abkhaz leadership.

As the scale of the bloodshed grew, the activity of international organisations increased. This was no accident: many Abkhaz politicians and experts believe that international organisations only became seriously engaged in the peace process once they realised that the Abkhaz were able to resist, and that the Confederation of Peoples of the Caucasus was no myth but a real force acting on the side of the Abkhaz. On 5th May 1993 the UN Secretary-General expressed his grave concern in a special letter about 'further deterioration of the situation in Abkhazia', and urged all parties to cease hostilities immediately and honestly observe and comply with the terms of the Moscow Agreement of 3rd September 1992. He went on to say that a mission had been sent to Georgia to study the situation and discuss practical issues. Noting that this was not sufficient and that 'more concentrated efforts are required to establish a lasting ceasefire and to resume political negotiations', Mr Boutros Boutros-Ghali said that he had decided to appoint Ambassador Edouard Brunner (Switzerland) as his special representative for Georgia. 'His tasks, in view of the agreement of 3rd September 1992, will include the following: a) the achievement of a ceasefire agreement; b) assisting the parties in the renewal of negotiations to find a political solution to the conflict; c) seeking support from neighbouring countries and other stakeholders in achieving the above goals... The Ambassador Brunner, who plans to make his first trip to the region in the second half of this month, will closely consult with the current chairman of the CSCE'.¹⁴

The UN Observer Mission in Georgia (UNOMIG) was officially established on 24th August 1993 by Security Council Resolution 858 (1993). At first UNOMIG was composed of 88 military observers. The purpose of its mission was to monitor the implementation of the Abkhaz-Georgian ceasefire agreement of 27th July 1993. UNOMIG was to pay special attention to the situation in Sukhum, i.e. to investigate reports of violations of the ceasefire and try to resolve such incidents with relevant parties. The Secretary-General was to be provided with regular reports on the implementation of the mission's mandate, including information on violations of the ceasefire agreement.

However, when hostilities resumed in September 1993, the above mentioned Security Council Resolution lost its force. A new Resolution 881 (1993) was passed by the Security Council on 4th November, defining a temporary mandate aimed at maintaining contacts with the parties to the conflict and the military contingent of the Russian Federation, monitoring the situation and keeping the UN headquarters informed of developments.¹⁵

The Agreement on Ceasefire and Separation of Forces that was signed during the Georgian-Abkhaz talks in May 1994 provided new impetus for international organisations' work in Abkhazia. In its Resolution 937 (1994) of 27th June 1994, the UN Security Council approved the expansion of the UNOMIG mission to include 136 military observers and defined its mandate: (1) to observe the operation of the CIS peacekeeping force within the framework of the implementation of the agreement; (2) to verify, through observation and patrol, 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; (3) to monitor the storage areas for heavy military equipment withdrawn from the security zone and the restricted weapons area, in cooperation with the CIS peacekeeping force as appropriate; (4) to monitor the withdrawal of troops of the Republic of Georgia from the Kodori Valley to places beyond the boundaries of Abkhazia, Republic of Georgia; (5) to regularly patrol the Kodori Valley; (6) to investigate,

13 Ibid, pp. 300-301.

14 See UN S/24542.

15 For more on this see S. N. MacFarlane (1999). 'The role of the United Nations' in *Accord - Special issue on the Georgian-Abkhaz peace process*. Moscow: Globus, pp. 44-52. It is also available in Russian at <http://www.c-r.org/our-work/accord/georgia-abkhazia/russian/unrole.php>, or in English at <http://www.c-r.org/our-work/accord/georgia-abkhazia/un-role.php>

at the request of either party or the CIS peacekeeping force or on its own initiative, reported or alleged violations of the agreement and to attempt to resolve or contribute to the resolution of such incidents; (7) to report regularly to the Secretary-General within its mandate, in particular on the implementation of the agreement, any violations and their investigation by UNOMIG, as well as other relevant developments; (8) to maintain close contact with both parties in 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.¹⁶

Researchers analysing UN and CSCE (later OSCE) mission activities in Abkhazia note that these two organisations adopted different strategies according to their different institutional nature and purpose. If the UN position evolved from open bias in favour of Georgia to a somewhat more balanced and relatively neutral one (to be discussed below), the OSCE has failed to prove (at least in the eyes of Abkhaz) to be a neutral mediator. Experts point out that while the UN learned over time to avoid using sharp wording, the OSCE did not take the trouble to find diplomatically correct or balanced ways of putting things.

For example, at the OSCE Budapest summit in 1994, a concluding statement was adopted that expressed concern over ‘ethnic cleansing and mass expulsions of people’. The emphasis was placed mainly on the fate of the Georgian population, although the 1992-93 war resulted in people of all nationalities in Abkhazia becoming refugees, including Greeks, Armenians, Jews, Russians, Abkhaz, and others. Tens of thousands of people of different nationalities fled from the occupied territories in the first days of the war, and international organisations neither protested nor worried about their future and what would become of them. Sukhum was particularly dissatisfied that Abkhaz representatives were not only not given the right to express their views on the issue, but not even allowed to attend the OSCE meeting. Naturally, this provoked an extremely negative reaction in Abkhaz society, depriving the OSCE of any chance of playing a significant role in Abkhazia in the future.

Although the UN Security Council had refrained from drawing such sharp assessments, it still referred to the Budapest meeting and repeatedly recalled ‘the unacceptability of demographic changes caused by the conflict’.¹⁷

It is important to note that no such statements were made in regard to the situation in Nagorno-Karabakh, where tens of thousands of people were displaced as a result of the Armenian-Azerbaijani armed conflict. As Olivier Paye and Eric Remacle rightly point out, the UN Security Council condemned some events, but not other similar events that ‘were plainly attributed to one or other warring party. However, only the actions of the Abkhaz side were clearly condemned’. According to these researchers, the absence of reference to the Armenian side was due to lack of political consensus in the UN Security Council,¹⁸ which was probably the result of successful Armenian diplomacy.

The UN, unlike the OSCE, sometimes tried to use the “carrot and stick” approach in relation to the Abkhaz. The “stick” used was, for example, the UN Security Council Resolution, which consistently emphasised the inviolability of the territorial integrity of Georgia. For a long time the UN Security Council successfully avoided presentation of the Abkhaz position and fully supported the official position of Tbilisi. Abkhaz representatives were regularly refused entry visas to the USA where they hoped to express their opinions on prospects for a peaceful settlement from the UN rostrum or at least on the margins. The fact that the representative of the so-called “Abkhaz government in exile” was given the opportunity to organise a press conference at the UN headquarters in New York is also significant. All this was understandably interpreted by the

¹⁶ UNOMIG, SCR 937 [of 21st July 1994].

¹⁷ See United Nations Security Council Resolution 993, 12th May 1995.

¹⁸ For more on this, see O. Paye and E. Remacle [1996]. ‘UN and CSCE Policies in Transcaucasia’, in B. Coppieters (Ed.) *Contested Borders in the Caucasus*, pp. 123-124.

Abkhaz side and its sympathisers as confirmation of international organisations' double standards and bias against Abkhazia, and hardly improved their credibility.

As a "carrot" the UN used economic aid to Abkhazia. A UN mission visited Abkhazia in February 1998 to assess its economic development needs. To give the mission participants their due, they produced a high-quality and objective report and developed a series of small pilot projects to allow the economic recovery process of the war-ravaged country's social infrastructure to begin. Some major donors, including the USA and the EU, had allocated several million dollars for reconstruction and other programmes. The only issue was that Georgia's consent was needed in order to start the reconstruction process. However, even these modest plans were not to be fulfilled: Tbilisi strongly opposed the implementation of this programme, requiring that all economic projects exclusively promoted the integration of Abkhazia into the Georgian economy.

Some believe that at first the UN and the CSCE were competing for involvement in resolving the Georgian-Abkhaz conflict but managed by 1993 to agree on a division of "spheres of activity". The functions of international mediation for resolution of the conflict between Georgia and Abkhazia went to the UN, while the CSCE was made responsible for the settlement in South Ossetia. The United Nations Office of the High Commissioner for Human Rights in Abkhazia is a good example of cooperation between these two organisations. The office was established on 10th December 1996 following the Security Council Resolution 1077 (1996) of 22nd October 1996. It was jointly staffed by personnel from the UN Office of the High Commissioner for Human Rights (OHCHR) and the Organisation for Security and Cooperation in Europe (OSCE). The Office of Human Rights was part of UNOMIG and submitted reports to the High Commissioner for Human Rights through the UNOMIG Head of Mission.

When examining the role of the CIS as a regional interstate organisation seriously involved in the Georgian-Abkhaz peace process, it is important at all times to distinguish between the policies of Russia and those of the other CIS countries. The amorphous and contradictory nature of the CIS as an organisation was shown clearly in its "attempts" to resolve the conflict between Abkhazia and Georgia. The most striking manifestations of CIS activities in the Georgian-Abkhaz conflict were perhaps the Collective Peacekeeping Force (given that in fact these were Russian forces) and also the 1996 announcement by the CIS of the blockade of Abkhazia, which brought further suffering and deprivation to the war-weary population. In fairness, activities in Abkhazia increased for a while when the then-influential Russian oligarch Boris Berezovsky was secretary of the CIS, but Tbilisi did not support Berezovsky's initiative to restore trust between Sukhum and Tbilisi. Overall, it appears that Russia used the CIS as a "cover" for Russia's presence and involvement in events in Abkhazia, which it needed to promote the legitimacy of its actions.

3. Abkhaz expert opinion on the conflict-resolution activities of international institutions

When researching this issue, nine in-depth interviews were carried out with Abkhaz foreign policy experts and officials with practical experience of working with representatives of different international organisations operating in Abkhazia. The interviewees included: a former Abkhaz foreign minister, a senior military figure, a prominent civil activist, a researcher, a head of a local authority and other competent persons. Although all those interviewed criticised international organisations, their activities were generally considered to be useful for Abkhazia.

Some respondents criticised the hasty acceptance of Georgia into the CSCE and the UN at a time when the country was in conflict with its autonomous entities South Ossetia and Abkhazia. As one expert put it: 'The Soviet Union had just collapsed and they [international organisations – N.A.], with little understanding of the situation, quickly recognised 15 republics'. Several experts

consider it cynical that the CSCE and UN only became actively engaged in the process of settling the Georgian-Abkhaz conflict when they realised that Abkhazia was able to resist for a lengthy period. According to one person interviewed, international organisations believed that the conflicting sides would resolve the issue themselves without outside interference, and therefore they did not get involved while everything was left to sort itself out. 'But of course the international community could not remain indifferent to the fact that Georgia, a member of the UN, had lost the war. And from the time of the defeat of Georgia, not from when the war was started by Georgia but precisely from the time of Georgia's defeat, international organisations began to get involved'.

One of the experts points out that many situation assessments were not objective, and 'in many ways were based on the desired results, as they regarded Abkhazia as an integral part of Georgia. Therefore, we often had misunderstandings with them'. Another expert stated that the Abkhaz side had to disprove stereotypes about Abkhazia: as a satellite of Russia, a puppet, as being completely helpless, as an enclave occupied by Russia with no functioning internal processes, as a black hole where money is laundered and drugs trafficked, or some kind of transport corridor.

Some experts note that despite these drawbacks and bias, which prejudiced the outcomes of the negotiations in favour of finding the best solution to the conflict for Georgia, Sukhum nevertheless wanted international organisations to be present, particularly the UN. One reason for this was that in recent years Russia saw fewer chances to bring Georgia back under its sphere of influence and changed its attitude to Abkhazia accordingly. Since Russia is a permanent member of the UN Security Council, UN presence was beneficial to Abkhazia as Sukhum could always count on Russia's veto, and the UN presence ensured the conflict and Abkhazia were kept as a focus of international attention.

Therefore in spite of their harsh criticism, nearly all the experts concluded that the presence of the UN was a positive factor for Abkhazia, despite its disadvantages. One interviewee believed that neither UNOMIG in Georgia, nor the OSCE in South Ossetia were guarantors of security in any way because 'the concept of "guarantor" and their own interests did not coincide'. Some interviewees thought that the CIS peacekeeping force was to some extent a guarantor of security. The role of international organisations was completely different: to provide the world community with more or less objective information. Another respondent felt that none of the leaders of the UN mission or the military would provide completely one-sided information. How this information was used, which decisions were made and in whose interests, is another question.

Almost all the experts think that the UN position has undergone significant changes since its involvement in the Georgian-Abkhazian conflict, and see a positive development in the UN understanding of the situation and possible solutions. Respondents explain the reasons for such changes in different ways. One, who was himself directly involved in the Geneva talks, said: 'The situation changed when representatives of international organisations met the Abkhaz and Georgian delegations personally in Geneva... when they themselves started to understand the process and compare Abkhazia and Georgia they saw that both ethically and tactically we had a completely different conduct and didn't resemble the savages that our opponents had tried to portray us as'.

Another person interviewed believes that the position of international organisations improved in relation to Abkhazia towards 1997 – i.e. that it became more objective. 'Before this I think it was one-sided, due to inertia, and attitudes towards us were shaped by Georgian interests. The international weight and influence of Shevardnadze, the attitude of the "Friends of Georgia" towards him, must be taken into account'. And mission participants gradually began to understand the situation. 'The moment came when they began calling Abkhazia a "de facto state" and viewed Abkhazian authorities as "de facto authorities"'. That was a big improvement. That was a significant step forwards. Recently several objective assessments have been carried out, investigating well-known incidents. There have also been UN Security Council resolutions, which we consider to be some of the most objective so far', said one respondent.

According to some experts, much of the UNOMIG activity at a particular stage depended on the individual qualities or personal experience of those who led UNOMIG or who had a certain area of responsibility. One interviewee said that employees' nationalities also affected their attitudes towards the conflict and the overall situation: Asian and African nationals, many of whom had personal experience of armed conflicts and the anti-colonial struggle, had much deeper insight into the essence of the Georgian-Abkhaz conflict than, for example, Europeans. He is also convinced that the group of military observers included several representatives of various countries' foreign secret services, who were not even under obligation to report to the Chief Military Observer of UNOMIG.

When asked about the role of the CIS as an interstate organisation mediating negotiations between Sukhum and Tbilisi, some experts focused on the positive role of the Collective Peacekeeping Forces. The latter, who were in fact Russian, divided the warring parties along the ceasefire line across the river Ingur.

On the other hand, political decisions taken by the heads of CIS states, especially in the early stages, 'were in fact anti-Abkhaz'. All experts condemned the decision by heads of CIS states to impose sanctions against Abkhazia. 'I would like to remind people of the decision of 19th January 1996 which resulted in sanctions being introduced against Abkhazia', one expert said. Some experts claim that decisions taken by the Council of CIS Heads of States during the "Yeltsin period" were not objective and favoured the interests of the Georgian side. True, some experts noted that not all heads of CIS countries supported punitive action against Abkhazia.¹⁹

According to another respondent, the CIS had no direct relation to Abkhazia. 'The position of the members of the CIS was developed most probably on the basis of their relationship with Russia. For example, the GUAM countries, also members of the Commonwealth of Independent States, all adopted the same position with regard to our conflict, clearly pro-Georgian. But there were other countries, which, although they did not recognise Abkhazia, at least held a calm, watchful line, not voicing their opinions because it was important for them to develop their relations with Russia, and we [Abkhazia - N.A.] didn't figure in the equation. At least, they did not adopt an active policy, and this is understandable as it was in the sphere of Russia's interests'. But there is also a different point of view. As one interviewee pointed out: 'the CIS countries took other decisions that were unacceptable to us, which we did not allow to be implemented. For example, twice decisions were taken to establish a mixed [Abkhaz-Georgian - N.A.] administration in the Gal region, which we categorically disagreed with, and this did not happen'. One expert reacted emotionally, saying that the CIS countries' behaviour towards the Abkhaz was 'worse than Georgians during the war; they strangled, suffocated us!' Another interviewee blamed the CIS for the fact that it was not strong enough to 'rein in Georgia'.

One person believed that the starting point for the change in CIS Russian attitudes was the raid by Gelaev's forces on Abkhazia in 2001, which provided Moscow with reasonable grounds to talk about the security threat on its southern borders in the Caucasus.²⁰ Other interviewees noted that when Russia's leadership changed, so did its policies and relations with the CIS, which gradually moved away from focusing on the problems of the Georgian-Abkhaz conflict. The other interviewees shared this view in general, with some stressing that the losses and costs incurred by the Collective Peacekeeping Forces, including the human losses, affected Russia primarily.

¹⁹ As is well known, the presidents of Belarus and Turkmenistan abstained from voting on the question of sanctions against Abkhazia.

²⁰ Referring to the invasion of Abkhazia by a military formation from upper Kodori Valley. This attack was organised in autumn of 2001 by notorious Chechen field commander Ruslan Gelaev with the support of the Georgian security service, in an attempt to re-establish control over Abkhazia. Gelaev's forces were defeated by mid-October. Tbilisi denied its involvement in the attack, although it is well known that the attack was launched from the Pankisi Gorge in Georgia. Some experts think that the end goal of Gelaev's forces was southern Russia.

4. Conclusions

1. In general the UN's role in the political settlement of the Georgian-Abkhaz conflict has been positive, since its mediation and its very presence in the conflict zone contributed to maintaining the peace and created more or less favourable conditions for the negotiation process.
2. The mediation of international organisations did not lead to the settlement of the Georgian-Abkhazian conflict, as it was based on a number of erroneous assumptions:
 - The unequivocal commitment of international organisations to the principle of Georgian territorial integrity, which drastically reduced chances for meaningful negotiations;
 - The fact that international organisations were unable to convince Georgia of the need to sign an agreement on the non-use of force with Abkhazia and South Ossetia, which in turn led to an escalation of the violence (1998, 2001, 2008); and
 - The tactics of “punishing Abkhazia” and supporting political sanctions in relation to Abkhazia, which undermined confidence in the impartiality of international organisations as intermediaries.
3. Positive dynamics were observed in the UN mediation process: a thorough understanding of the multidimensional nature of the conflict gradually developed, and the realisation that a “black and white” view is not useful when trying to achieve a settlement. The UN gradually developed a more in-depth view of the nature of the Georgian-Abkhaz conflict, as well as the positions and interests of the parties.
4. The OSCE members' desire to avoid reinforcing Russia's role in the South Caucasus at all costs led to this regional organisation adopting an unbalanced approach to the conflict, which led to it losing its right to act as mediator.
5. International organisations did nothing to ensure that parties to the conflict were treated equally, or to assure the Abkhaz people that the events of August 1992 would not be repeated.

Chapter 2

Abkhazia's Experience of Cooperation with International Institutions and Organisations

DIANA KERSELYAN

Internal political life in Abkhazia became more dynamic after the 1992-93 Georgian-Abkhaz war. In choosing a path of democratic development, both the state and society began to implement reforms aimed at promoting a transparent electoral system, free and independent media, a market economy, the establishment of mechanisms to protect human rights and so forth.

Today we can confidently say that Abkhazia has made some important strides in terms of democracy. This is evidenced by many facts, such as the existence of an influential civil society, of independent media playing a prominent role in public life and society and of electoral processes in which clear progress towards greater transparency and fairness is observed.

Also of note are achievements in the field of legislation, as over the past few years a number of fairly progressive, democratic laws have been lobbied for and adopted. These include the Law on Access to Information, the Law on Equal Opportunities for Men and Women in the Republic of Abkhazia, and others. These achievements are even more valuable in light of the fact that democratic development in Abkhazia was taking place at a time when the country was isolated from the outside world by an economic and information blockade, and when the international community was reluctant to provide assistance for democratisation, although other South Caucasian states received and continue to receive advice and financial assistance from Western countries for the implementation of democratic reforms.

However, we should at the same time acknowledge problems in different areas. There is a clear need to reform the judicial system, to create the conditions and mechanisms that would ensure the total independence of the judiciary. Legislative improvements are needed in order for local governments to play a more prominent role, for their decisions to be made independently and to be implemented by the authorities. Despite the existence of independent and opposition media, there is a lack of diversity, and unfortunately our media today does not portray an accurate, full picture of life in the country.

I think that these existing problems would be more effectively addressed if Abkhazia were able to participate in various international forums for the exchange of information and experience, where common goals are agreed upon; the achievement of which is of primary importance for each participant. In addition, participation in multilateral forums would encourage greater commitments from the Abkhaz side and stimulate internal development.

This paper will examine the Abkhaz experience of international cooperation, the prospects for its involvement in various international, inter-governmental and non-governmental organisations, as well as its participation in forums, ongoing conferences, and other events. The article has been prepared on the basis of a review of documents, including online materials and in-depth interviews with experts.

Different forms of international cooperation

States cooperate in many different ways and on different levels. The first level is that between states through the signing of Inter-governmental agreements, such as the Agreement on Friendship and Cooperation, and agreements on economic, military, social and cultural issues.

Another level involves international cooperation between different government agencies and the signing of joint documents, including agreements between ministries or departments of two or more countries.

A third level of cooperation provides more scope for establishing various types of contacts and cooperation, such as cooperation on a non-governmental level. This can take many forms, ranging from international conferences and forums to specific projects for different groups in society.

The experience of Abkhazia

Political sphere

In the political sphere, inter-governmental cooperation takes place through the negotiations on the Georgian-Abkhaz conflict. This is a very complex process in which Abkhazia has for many years been assisted by Russia, who has long lobbied for Abkhaz participation in meetings of the Consultative Committee of the UN Security Council. There have been many instances in which representatives of unrecognised countries have spoken at informal meetings or consultations in order to provide information about their position to members of the UN Security Council. For example, President of Northern Cyprus Rauf Denktaş was officially invited to one of these meetings, and representatives of that country, which is recognised only by Turkey, participate in discussions of the Parliamentary Assembly of the Council of Europe (PACE). In October 2006, the PACE Bureau adopted a decision authorising two Turkish Cypriot representatives to participate in the activities of all PACE bodies, including addressing the assembly's²¹ plenary session. Representatives of Kosovo have also appeared before the members of the Security Council.

Unfortunately, Abkhazia has still not been given this opportunity. According to Deputy Foreign Minister Maxim Gvindjia, 'it is not a question of the legality of participation, is a question of obtaining a US visa'.²² Prime Minister of Abkhazia Sergei Shamba was twice denied a US visa, in 2006 and 2007, when he was minister of foreign affairs. The minister intended to speak at a hearing before the UN Security Council that was examining the issue of settlement of the Georgian-Abkhaz conflict and the adoption of resolutions on the situation in the region. He was not able to speak, despite the efforts of Russia and the persistent efforts of the Abkhaz to argue that they had the right to be heard on the UN platform, since Abkhazia is an officially recognised party in the conflict and is a permanent member of the negotiation process taking place under UN auspices.

Following its recognition of Abkhazia's independence, Russia has represented Abkhazia's diplomatic interests at the international level in accordance with an agreement between the two countries' foreign ministries. The document states that 'The Russian side will facilitate the Republic of Abkhazia's membership in international organisations, to which the Russian Federation belongs'.²³

21 Available at: <http://www.regnum.ru/english/708006.html>. Europe, USA, Turkey and Azerbaijan recognise the "unrecognised" Turkish Republic of Northern Cyprus.

22 Maxim Gvindjia was interviewed in 2009. In 2010 he was appointed minister of foreign affairs.

23 Available at <http://www.mfaabkhazia.org>. 'Memorandum o vzaimoponimanii mezhdu Ministerstvami inostrannikh del Respubliki Abkhazia i Ministerstvom inostrannikh del Rossiiskoi Federatsii' [Memorandum of understanding between the Ministry of Foreign Affairs of the Republic of Abkhazia and the Ministry of Foreign Affairs of the Russian Federation].

The Geneva discussions on security and stability in the Caucasus, co-chaired by the UN, EU and the Organisation for Security and Cooperation in Europe (OSCE), were made possible thanks to Russia's position. These are attended by delegations from Russia, Georgia, Abkhazia, South Ossetia and the United States. The format originally proposed two forms of participation: plenary meetings of the parties involved, and working groups. In the first round representatives of Abkhazia and South Ossetia were excluded from the plenary, and Deputy Foreign Minister Karasin, heading the Russian delegation, made it clear that this was unacceptable. His delegation left the plenary meeting in protest. In all subsequent rounds – 10 at the time of writing – participants worked in two working groups: one on security and stability in the region and the other on issues of refugees and internally displaced persons, including humanitarian issues. All participants of the Geneva process participate in their personal capacity. Only as a result of compromises made by all parties involved did the process become acceptable.

In addition, Abkhaz politicians and NGO representatives are still involved in bilateral and multilateral public diplomacy processes at a regional level, aimed at establishing contacts, information exchange and analyses of various aspects of the Georgian-Abkhaz conflict.

The ecological sphere

Another common form of interaction is official conferences and forums organised on a state level that government officials attend. A large number of such events are of interest to Abkhazia, for example the annual Aarhus Conference held in various countries in accordance with the Aarhus Convention, signed as part of the UN environmental protection framework. Real and relevant issues are raised at this conference and are discussed by heads of the environmental agencies of European countries, including Russia. The format of this conference is region-wide, with the participation of CIS countries and Georgia.

Unfortunately, Abkhazia is not able to participate in this format. According to the head of the Committee for Ecology and Environment of the Republic of Abkhazia, attempts to receive an invitation were not successful, as the organisers suggested that Abkhazia should participate as part of the Georgian delegation, which is unacceptable to Abkhazia.

Abkhaz environmentalists trying to join the World Wildlife Fund faced similar problems. All talks ended inconclusively. Despite the fact that an agreement had been reached with the WWF's Russia office to support environmental initiatives in Abkhazia, the WWF Georgian branch categorically refused, arguing that Abkhazia is an integral part of Georgia and that all WWF projects planned for Abkhazia should be implemented through the Georgian branch.

According to Roman Dbar Chairman of the State Committee on Ecology and Environment, Abkhaz environmental organisations repeatedly tried to obtain associate membership of the Black Sea Environmental Programme (BSEP), which was set up by the UN Development Programme. The programme involves Turkey, Bulgaria, Romania, Russia, Ukraine and Georgia. Attempts by Abkhaz organisations to join have always met with resistance from the Georgian side. It is no secret that, because of its geographical location and for a number of other reasons, Abkhazia is of great interest for regional environmental initiatives. First of all, the Abkhaz coastline is almost 240 miles long; secondly, Abkhazia has a unique river basin. Thirdly, it is difficult to imagine conservation of the Black Sea ecosystem and promotion of environmental security in the Black Sea without the participation of Abkhazia, situated on the Black Sea coast. But even these arguments are not a match for Georgia's aim to limit Abkhazia's international access.

It is obvious that the initiators of the various regional initiatives, whilst understanding the importance of the participation of Abkhazia in the regional project – be it a trans-Caucasian, South Caucasian or a Black Sea project – are not always able to make independent decisions on including Abkhazia in the initiative.

Economic sphere

Opportunities for Abkhazia to engage in international economic cooperation are also limited. Despite the fact that there are a large number of international economic forums, this sphere is more politicised and therefore Abkhazia is practically excluded from participating on equal terms in these projects.

Thanks to partial recognition by certain states, Abkhazia could have serious economic contacts with those countries that have recognised it. Abkhazia had significant levels of economic cooperation with Russia prior to political recognition, but it was only after recognition that the relationship began to assume a legal nature. However, Russia's recognition alone was insufficient to achieve full cooperation. For more tangible progress in bilateral economic relations, Abkhazia needs to take the necessary steps to modernise legislation, and to establish adequate safeguard mechanisms to promote the development of partnerships.

Abkhazia was involved, for example, in the Valdai and Sochi International Economic Forum, organised by the Russian Federation. These kinds of forums are another area where Abkhazia can promote itself. Interstate agreements can be signed. However, in reality such agreements are more declaratory in nature, outlining a legal framework for the provision of assistance to Abkhazia, rather than addressing issues of development of the Abkhaz economy.

The recognition of Abkhaz independence by Latin American countries means that economic cooperation is possible. But what are the prospects of this potential cooperation? As far as trade is concerned, opportunities for the export and import of goods are unlikely because of the geographical remoteness of these countries, and a small market. The development of tourism could be considered, but it is likely that only one-off projects are possible in this field, which would not significantly impact on economic development. Therefore, the geographical remoteness of Latin America means that any future economic cooperation between those countries and Abkhazia will remain on paper rather than have a significant economic impact. On the other hand, the political recognition of Abkhazia by these countries provides more possibilities for legal investment and various business projects.

When considering Abkhazia's economic relations, it is impossible to overlook trade with Turkey. Despite the fact that the Turkish leadership does not recognise Abkhazia's independence, it allows Turkish businesses to conduct active trade with Abkhazia. This is evidenced by the ships travelling between the two countries, carrying various goods from Turkey to Abkhazia. Abkhazia also sells Turkish businessmen scrap metal, timber and coal. In addition, Turkish fishing vessels fish in Abkhaz waters. In this respect the belief of one person interviewed is interesting: that by doing this 'Turkey is de facto recognising Abkhazia, otherwise it would not allow it'. According to expert estimates, in 2007 the profit from trade with Turkey made up 30 percent of the Abkhaz budget, while imports of goods from Turkey amounted to 45 percent.²⁴ According to the State Customs Committee of the Republic of Abkhazia, in 2009 Turkey accounted for 22 percent of the country's foreign economic activity.

However, the fact that passenger ships travelled between Sukhum and Trabzon until 1996 should also be noted. But this came to an end after Georgian pressure on the CIS led to the imposition of economic sanctions on Abkhazia. This has greatly complicated contact between representatives of the Turkish diaspora and other Middle Eastern countries with their families. Turkish Abkhaz cannot enter the territory of Abkhazia legally, not to mention Abkhaz citizens visiting Turkey. Despite numerous attempts by Abkhaz diaspora organisations and the business community to lobby for the renewal of a passenger shipping service, the situation has not changed. The lack of progress on this issue can be explained by Ankara's official support for the territorial integrity of Georgia.

²⁴ Economic Policy Research Foundation of Turkey (2009). 'Abkhazia for the integration of the Black Sea'. Available at http://www.tepav.org.tr/eng/admin/dosyabul/upload/abkhazia_for_the_integration_of_the_black_sea.pdf

Nevertheless, there are signs of possible changes in the political position of the Turkish Republic. This was shown by the statement of Turkish Minister of Foreign Affairs Ahmet Davitoglu, who told journalists during his visit to Tbilisi that he plans to visit Abkhazia. In particular, he said: 'We want to get to know Abkhazia and try to settle its relations with Georgia'.²⁵ Turkish diplomats did not stop there and on 10th September 2009 Turkish Deputy Minister for Foreign Affairs Unal Cevikoz arrived in Abkhazia and met with then Minister of Foreign Affairs Sergei Shamba.

It is clear that Turkey wants to play a more active role in the Caucasus, including Abkhazia, and in this regard it is hoped that the issue of maritime communication will be a subject of discussion for Turkey, Georgia and Abkhazia. Some experts from the Abkhaz diaspora believe that 'Turkey can play a leading role in the integration of Abkhazia with countries of the Black Sea region'.²⁶ In any case, Turkey's role in the region will in all probability grow.

Regional projects are of great interest in terms of economic benefits. One of the largest regional projects is the Black Sea Economic Cooperation, a sub-regional association of 11 countries in the Black Sea region: Albania, Armenia, Bulgaria, Greece, Georgia, Moldova, Romania, Russia, Turkey, Ukraine and Azerbaijan. Its priorities include: the development of economic cooperation in the Black Sea region, the promotion of various joint integration projects, from global ones, starting with regional "free trade", to smaller ones, such as a transport corridor, the so-called (transport) ring around the Black Sea. It also wants to develop various energy projects, such as the "Blue Stream" pipeline, the transportation of oil, electricity, etc. It is clear that in order to fully participate in this project Abkhazia needs to be recognised by the member countries, of which only Russia has done so. But similarly it is obvious that some of the objectives of this organisation will be impossible to attain without Abkhazia's participation, for example, the transport ring around the Black Sea. Perhaps this task is not currently a priority for BSEC, but Abkhazia must think about lobbying for participation in this organisation, if not as a member country, then perhaps as an observer or through another form of participation.

According to one of the economists interviewed, Abkhazia can 'not afford' full participation in regional, and in particular, Black Sea forums at present. This conclusion is based on the fact that participation in these main forums requires payments of membership fees and incurs costs for specific projects. He believes that the Abkhaz economy is not yet ready for such projects.

Today Abkhazia requires projects to support its economy in the form of investment and modernisation of its systems as well as various rehabilitation projects. In this respect the International Bank for Reconstruction and Development (IBRD) – the UN economic development agency – is of most interest. This organisation funds economic rehabilitation projects in various countries, including in partially recognised Taiwan and Kosovo.

Abkhazia can theoretically work with the World Bank as the IBRD has experience in assisting societies to establish democratic institutions, supporting the economy, and implementing social projects. 'If a territory has an independent economic activity and the taxes collected are not being sent anywhere, but remain in the territory, then it is considered an independent entity', according to one of the economic experts interviewed. There are precedents of IBRD cooperation with countries that are not recognised by other nations of the world, such as Taiwan. Therefore, the interaction of Abkhazia with the IBRD is in theory possible. In reality, it is evident that Taiwan had the US to promote its interests at the IBRD.

In Abkhazia's case, Russia could lobby on its behalf, but given the disproportionate difference between the participation of Russia and the US (3 percent compared to 20 percent) in the IBRD, Abkhazia needs to take alternative action in order to be heard. For example, a direct appeal could

25 See S. Markedonov, 'Abkhazkoe Okno Turtsii' [Abkhaz window to Turkey] in 'Russia in Global Affairs'. 17th September 2009. Available at <http://www.globalaffairs.ru/articles/12394.html>

26 Economic Policy Research Foundation of Turkey. Op. cit.

be made to the IBRD, other forms of interaction could be identified, justifying the right to support from this organisation since its core aims include overcoming poverty and misery on the planet and raising living standards in developing countries. A direct appeal could be made to the Russian leadership to ask that it uses its position in the organisation to lobby for the implementation of projects in Abkhazia.

Experience from Taiwan

Taiwan has diplomatic relations with 23 nations of the world, including 12 countries in Latin America, four countries on the African continent, six countries in the Pacific basin, and one European country. Taiwan has economic and cultural offices without diplomatic status in over 60 countries, through which it establishes diplomatic relations *de facto*. The People's Republic of China obstructs Taiwan's participation in international organisations which require recognised sovereignty if Taiwan does not participate under the auspices of the "Republic of China". Despite this, Taiwan is a member of APEC (Asia-Pacific Economic Cooperation) and ADB (Asian Development Bank). Agreements between China and the other parties involved, regarding the name under which Taiwan participates, made this membership possible. Taiwan therefore participates in APEC under the name Chinese Taipei, and in ADB as Taipei, China. In 2002 Taiwan joined the World Trade Organisation and appears as Chinese Taipei in the list of participating countries. Special agreements govern Taiwan's participation in these organisations stipulating that this cannot become a model for Taiwan's participation in other interstate or international organisations.

Given the specific political context of relations between China and Taiwan, it is understandable how both countries reached this compromise. However, this is not relevant in the Abkhaz context as the China-Taiwan conflict was not of an ethno-political nature.

Abkhaz participation in international organisations

It is true that there are limited possibilities for Abkhaz international relations. As Abkhazia is recognised by a few countries only, the only realistic possibilities for inter-governmental and inter-agency exchange are with countries which have recognised Abkhaz independence. This means Russia, Nicaragua, Venezuela and Nauru. However, with the exception of Russia, the geographic location of these countries makes it hard to imagine a realistic level of cooperation. At present, all the agreements with them are merely of a declaratory nature.

Abkhazia signed an agreement with Russia 'On Friendship, Cooperation and Mutual Assistance' and agreements on establishing diplomatic relations with Venezuela and Nicaragua. Several other inter-agency agreements with Russian ministries also exist, such as between the foreign ministries, tax offices, ministries of justice, prosecutors, ministries of internal affairs, ministries of defence, and so forth.

There are many more possibilities for Abkhazia to engage in effective cooperation on a non-governmental level. However, in the past there have been instances where various project organisers have refused to include Abkhazia in their work under pressure from the Georgians. A clear example of this is the Black Sea Environmental Program.

Russia's position has also evolved since it recognised Abkhaz independence. Now the Russian leadership tries to ensure Abkhaz participation in various events organised by Russian civil society. Often, these organisations were established on the initiative of people at the top and are funded by the state. As representatives of these organisations are not always well informed about the situation in Abkhazia, their activities are often not compatible with those of civil society and consequently are not always as effective as they could be.

As states often fund non-state initiatives, they have some leverage on civil society. Western countries reveal their policy towards the Georgian-Abkhaz conflict, which is to preserve the territorial

integrity of Georgia and ignore Abkhazia's achievements in establishing democratic processes. Such politicisation at the non-governmental level not only obstructs opportunities to establish international relations, but also slows down the development of internal processes. According to one person questioned, this situation arises because many states view the situation in Abkhazia through the prism of their relations with Russia and use Georgia's position to prevent Abkhazia from participating in a variety of formats.

In addition, Georgia, as the initiator of CIS economic sanctions against Abkhazia, continues to actively oppose Abkhaz attempts to establish a country representation. This was illustrated, for example, by the indignation of the Georgian leadership when a Benetton shop was opened in Sukhum, along with the scandal involving the sale of Abkhaz *adzhika*²⁷ in Armenian shops, which the Georgian government protested in writing to Armenia.

In October 2008 the Georgian parliament adopted the Law On Occupied Territories, which contains a number of discriminatory provisions restricting the activities of international humanitarian missions, humanitarian activities, and property transactions; and prohibiting economic activities of foreign companies in the territory of Abkhazia and South Ossetia. This action by the Georgian leadership is not the best illustration of its intentions to bring Abkhazia out of isolation.

The thesis of 'Georgia Against the Isolation of Abkhazia and Tskhinvali/South Ossetia', as reflected in the State Strategy on the Occupied Territories²⁸ adopted by the Georgian Parliament, as explained in an interview on 24th December 2009 with Georgian Minister for Reintegration Temuri Yakobashvili is not, unfortunately, evident in reality.

It is clear that this document appeared because Georgia is about to sign a new agreement of association with the EU under the Eastern Partnership. In order to do this, Georgia must undertake a number of improvements, including 'showing "strategic patience" in relation to its separatist regions' as outgoing EU Neighbourhood Commissioner Benita Ferrero-Waldner said on 15th December at the European Parliament. According to her, 'isolation of the breakaway regions will not help efforts for conflict resolution'.²⁹ In connection to this, the Venice Commission, an advisory body of the Council of Europe on constitutional matters, is again considering a law 'On Occupied Territories', and necessary amendments. It makes recommendations to the Georgian leadership, including 'not to obstruct the implementation of humanitarian activities in the occupied territory nor entrepreneurial activities'. Unfortunately, recommendations of the Venice Commission are not binding, so it is far from certain that the recent declarations from the Georgian leadership actually signify a change in policy on the de-isolation of Abkhazia.

For many years following the 1992-93 Georgian-Abkhaz war, only the European Commission's mission for the South Caucasus (based in Tbilisi) managed to find an acceptable form of cooperation with Abkhazia by financing initiatives of Abkhaz civil society organisations aimed at promoting democratic values. With regard to other donors, DFID (the UK Department for International Development) USAID (US Agency for International Development) and others have funded projects in Abkhazia through non-governmental organisations. The fact that donor policies do not allow Abkhaz NGOs to apply directly for funding for civil society projects is not conducive to the democratic development of Abkhazia.

Since 1991, Abkhazia has been a member of the Unrepresented Nations and Peoples Organisation (UNPO), represented there by the Ministry of Foreign Affairs. The UNPO is an international organisation established in 1991 in The Hague (Netherlands), whose members are indigenous peoples, ethnic minorities, unrecognised states and occupied territories. Members are united by

27 A type of spice.

28 Available at <http://www.civil.ge/eng/article.php?id=21830>. 'Tbilisi unveils draft of S.Ossetia, Abkhaz strategy'.

29 'Commissioner outlines EU Georgia priorities' Civil.Ge 16th December 2009. Available at <http://www.civil.ge/eng/article.php?id=21789>

the desire to be adequately represented at the highest international level. The UNPO today has 60 members. Membership in this organisation provided Abkhazia, as a non-recognised state, with opportunities to lobby for their interests internationally. Now that Abkhazia has been politically recognised, I believe that participation in this organisation is no longer appropriate.

The Abkhaz Ministry of Foreign Affairs is also involved in “Circassian Culture Days”, which take place at the European Parliament in Brussels. This initiative began in 2006 and is organised by the Circassian Hasa Federation and the Adygeyan MEP Cem Özdemir. These events are important for the Abkhazian Ministry of Foreign Affairs, as they provide an opportunity to inform MEPs about the situation in Abkhazia. Participation in conferences, debates and other activities taking place during “Days of Circassian Culture” allow Abkhazia to lobby for its interests in Europe.

Opportunities for Abkhaz international cooperation

Abkhaz participation in international organisations such as the European Union, the Commonwealth of Independent States (CIS), the Collective Security Treaty Organisation (CSTO) and others will not be possible until Abkhaz independence is recognised by the member states of these organisations.

However, in theory Abkhazia could already participate in selected international organisations, such as the World Health Organisation, the World Trade Organisation – which includes Taiwan – the World Tourism Organisation – which, amongst its 150 member countries, includes members from six territories, including Palestine – and allows associated membership for public and private structures and organisations.

Unfortunately, Abkhazia today can only lobby for observer status in these organisations. As we are not signatories to various conventions, we cannot be full participants. For this reason, Abkhazia cannot, for example, participate in forums such as the International Movement against Anti-personnel Mines. As we are not a signatory to the Convention on the Prohibition of Anti-personnel Mines, we can only be represented in this campaign as an informal armed force, which is unacceptable.

Other organisations exist whose membership requirements do not restrict the rights of unrecognised states and territories. First and foremost, there is the UNPO discussed above. Other examples include the World Meteorological Organisation and the International Telecommunication Union.

Given the various types of international organisations with different mandates, it is difficult to draw general conclusions about how Abkhazia could increase its participation in international structures. It is evident that participation in international organisations would allow Abkhazia to gain and share experiences, exchange information, and promote the adoption of different international standards. The prospect of being included in international structures will encourage Abkhazia to meet international norms that are upheld by participating countries.

The international community’s interest is complex to analyse, as it is not homogenous and depends on many different actors. Today, it is clear that a certain level of interest on the part of Western countries exists, to at least obtain reliable information about what is happening in Abkhazia. This is evidenced by the fact that Abkhaz experts are now able to meet with fairly high-level Western officials and by the visits of foreign delegations to Abkhazia. Unfortunately, these meetings are not yet systematic and institutional cooperation remains a long-term goal.

The international community may also become interested in cooperation with Abkhazia, because global processes occur that spread across countries regardless of the status of their international recognition, and these processes will not avoid Abkhazia. Therefore, Abkhaz participation in international organisations would allow the international community to oversee these processes more clearly.

In my opinion Georgia also has an interest in allowing Abkhaz participation in international forums. Today, we often hear from Georgia and the West that Abkhazia will be swallowed by the “monster” Russia. However, the Georgian policy of ensuring that Abkhazia remains isolated from the outside world only exacerbates the situation for Abkhazia, leaving it with only one available option for cooperation. I think that Georgia’s raising the issue of the de-isolation of Abkhazia could help restore confidence between the two sides. However, if the de-isolation of Abkhazia is inflexibly tied to requirements that it should only interact with the outside world through Georgia, then this initiative will have the opposite effect.

The signing of various international instruments, conventions, charters, and bills by countries like Abkhazia, which are not full members of the international community, is one that needs further consideration. For example, today we have a situation in which the Abkhaz constitution refers to international documents in Article 11, stating: ‘The Republic of Abkhazia recognises and guarantees the rights and freedoms enshrined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and on Civil and Political Rights and other universally recognised international legal acts’.³⁰ As only recognised states can sign these documents, the state of Abkhazia can only make reference to them. Therefore, Abkhazia can not be held legally responsible before the international community for these commitments.

If Abkhazia were to sign international instruments it would show that the state, at its own initiative, accepts responsibility for the observance of international principles. For example, by adhering to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, Abkhazia would agree to comply with the wide range of human rights enshrined in these documents. By acceding to the Convention on the Rights of the Child, Abkhazia would ensure the rights of children to education, to culture, to rest and leisure. Accession to the Aarhus Convention would ensure human rights in an environment favourable to health and well-being, as well as rights of access to information, public participation in decision-making and access to justice in environmental matters.

The individual as a subject of international law is today a globally recognised principle. Therefore, the ratification of international instruments is even more relevant. It is clear that the West should have an interest in Abkhazia signing existing international instruments. This would provide the international community with the guarantee of a predictable policy and a commitment to democratic values.

In order for Abkhazia to participate in international forums several conditions must be met, and first of all this will require effort on Abkhazia’s part. I believe it would be useful to draw up a list of existing organisations and identify those in which participation would be beneficial for Abkhazia.

Secondly, it is important to take the initiative and organise various international activities. Only by adopting a more proactive foreign policy and by consistently upholding democratic principles will Abkhazia have its voice heard by the international community.

Thirdly, the various international structures that wish to cooperate with Abkhaz organisations should work with the Georgian leadership to ensure that Georgian approaches to de-isolation are as depoliticised as possible and that despite its declarations, the Georgian leadership will not obstruct real contact between Abkhazia and the outside world.

30 Available in English at <http://www.abkhazworld.com/abkhazia/156-constitution-abkhazia.html>

Chapter 3

Consequences of the Withdrawal of the UN Mission and Prospects for International Presence in Abkhazia

IRAKLIY KHINTBA

The political and legal situation in the South Caucasus changed significantly after the August 2008 war and Russia's recognition of the independence of Abkhazia and South Ossetia on 26th August 2008. Recognition had serious moral and psychological significance for the Abkhaz nation, as it was the result of a long, hard struggle for self-determination. In addition, it provided certain security guarantees for Abkhazia.

At the same time, recognition also presented Abkhazia with positive new challenges mostly related to the need for rapid socio-economic modernisation and for an improved system of governance. Without addressing these issues the country is at risk of growing corruption and marginalisation of the national business community.

The most serious challenges, however, relate to political matters. Resolution of the Georgian-Abkhaz conflict should be seen in the context of the geopolitical reconfiguration of the South Caucasus. The withdrawal of the UN mission from the conflict zone and strengthening Russian influence raises questions about prospects for an international presence in Abkhazia and its significance at this new stage.

UN mission: preconditions and factors leading to its withdrawal

The peacekeeping format for the Georgian-Abkhaz conflict was first shaken by the August war in 2008 and then completely destroyed on 30th August 2008 by Georgia's unilateral denunciation of the Moscow Agreement on Ceasefire and Separation of Forces of 14th May 1994. This cast doubt on the legitimacy and functional justification for the presence of the UN Observer Mission in Georgia (UNOMIG) in the territory of Georgia and Abkhazia. Russia's recognition of Abkhazia's independence created a legal basis for the deployment of its troops in Abkhazia, which was considered by Sukhum and Moscow to be necessary to ensure security in the area of the ongoing conflict between Abkhazia and Georgia.³¹

During the "August crisis" and against the background of the greatly weakened influence of the UN in the region, Brussels stepped up its activity. The European Commission has prioritised activities in the South Caucasus since 2004, implementing them first through instruments of the European Neighbourhood Policy (ENP) and, since 2008, through its Eastern Partnership programme. These involve strengthening ties between participating countries and the European Union without promising membership in this inter-governmental union.

The August 2008 war attracted serious attention from the Europeans, who clearly hoped to play the role of chief peacemaker in the confrontation between Russia and Georgia. The French EU presidency's diplomatic activity, coupled with Russia's desire to find a political solution to the military situation, culminated in the signing of the Medvedev-Sarkozy plan in Moscow on 12th August 2008. Additional amendments were made to this document on 9th September 2008. According to this plan, the EU was assigned the role of guarantor of the non-resumption of

³¹ It is evident that in order for the Georgian-Abkhaz conflict to be considered to be resolved, it is necessary to satisfy the claims of the two opposing sides. This has not yet been achieved.

military activities between Russia and Georgia. It stipulates the EU obligation to station not more than 200 military observers in the zones adjacent to South Ossetia and Abkhazia before 1st October 2008. To some extent this reflected Abkhaz interests, as the Abkhaz were unlikely to agree to the deployment of EU observers on their territory.

However, it became apparent that the French and English versions of the document contained fundamental differences in wording: while the Russian text refers to security 'for South Ossetia and Abkhazia', the French and English versions talk about security 'in' these republics.³² This allowed the European Union and Georgia to insist on the expansion of the EU mandate to monitor the territories of Abkhazia and South Ossetia. Quite probably the aim could be for the Europeans to replace the UN mission, as is happening in Kosovo. Another aim could be to create the political and psychological impression of the preservation of Georgian territorial integrity.

In this situation, Sukhum on the one hand was conscious of the need to maintain an international presence in Abkhazia, but on the other was mistrustful of the EU. Its official position was that it was only ready to accept a UN mission continuing its work in Abkhazia. This position was supported by the Russian leadership.

The declaration by official Sukhum of its preference for a UN presence can be explained firstly because the UN is the only international institution where Russia has such a large role as a permanent member of the Security Council, and secondly because the UN's experience is trusted to a certain extent by the Abkhaz side as is its ability for effective action.

The following argument helps to explain the position of the Abkhaz leadership: in order for Abkhazia to achieve its foreign policy objectives at this historical juncture – i.e. the international legitimatisation of the status of Abkhazia as an independent sovereign state – it is necessary to preserve an international presence on its territory. The strategy of isolation from the outside world (except Russia) and the perception of the UN mission as unnecessary for ensuring security in the Georgian-Abkhazian conflict would be a political error for a newly recognised country. It is no secret that world knowledge about Abkhazia is minimal, as is its presence on the global agenda. UN presence, which is the most politically acceptable type of international presence for Sukhum, would increase Abkhazia's prospects of wide international recognition and becoming a UN member state,³³ and also of being able to attract international attention to events in Abkhazia.

In recent years, the Abkhaz side has had grounds for confidence in the UN mission's activities. Firstly, according to unofficial sources, UNOMIG warned Abkhaz leaders about the Georgian military convoys moving into the Kodori Valley in August 2006. Secondly, in his reports (particularly of 23rd July 2007), UN Secretary-General Ban Ki-moon noted that the increased ground and air activity by the Georgian side in the upper Kodori Valley and other facts could be interpreted as evidence of repeated violations by Georgia of the Moscow Agreement on Ceasefire and Separation of Forces of 1994. Thirdly, immediately after military operations in the Kodori Valley in 2006, the UN Security Council adopted resolution 1716 which 'expresses its concern with regard to the actions of the Georgian side in the Kodori Valley in July 2006 and to all violations of the Moscow Agreement on Ceasefire and Separation of Forces of 14th May 1994, and other Georgian-Abkhaz agreements concerning the Kodori Valley'; it also 'urges the Georgian side to ensure that the situation in the upper Kodori Valley is in line with the Moscow agreement and that no troops unauthorised by this agreement are present'.³⁴

32 'Mirny Plan Medvedev-Sarkozy plokh pereveli' [The Medvedev-Sarkozy peace plan is poorly translated]. Available at: <http://www.lenta.ru/news/2008/09/07/translate>

33 The UN as an organisation is not authorised to recognise the state: it is the prerogative of individual countries that adopt these solutions on a bilateral basis.

34 Georgia, officially supported in its actions by the United States and the European Union, denies the facts of violation of the 1994 Moscow Agreement. The UN position is ambiguous. Tbilisi's right to such a peculiar interpretation of the events in Kodori was indirectly confirmed by UN Secretary-General Ban Ki-moon in his report to the General Assembly session on 23rd July 2007. Therefore the call in the Security Council resolution 1716 of 13th October 2006 to bring the situation in the Kodori Valley into line with the Moscow Agreement was not heeded by the Georgian side.

In autumn 2006, UN representatives helped resolve an incident involving the capture of seven Abkhaz border guards. The Abkhaz Ministry of Foreign Affairs appealed to UN Secretary-General Ban Ki-moon to facilitate the release of the Abkhaz border guards on 25th September. It is known that UN special envoy Jean Arnault participated in talks of 25th October 2006 between David Bakradze and Sergei Shamba, and it is likely that he helped influence the Georgian minister of state. In an official press release after the meeting given by Abkhaz President Sergei Bagapsh and Jean Arnault, it was noted that the head of state was grateful to the special representative for his efforts to secure the release of the Abkhaz border guards who had been illegally detained by Georgian special forces.³⁵

The Abkhaz leadership has certainly always appreciated the substantial participation of the UN and its agencies (UNHCR, UNDP, UNICEF) in the reconstruction of the socio-economic infrastructure in Abkhazia, its assistance with human rights protection and the rehabilitation of the run-down areas of eastern Abkhazia.

Despite it looking favourably on the continuing work of the UN mission in Abkhazia, which was clearly articulated by the Abkhaz leadership, Sukhum put forward two conditions. The first and most important was the requirement to change the mission's name (UNOMIG no longer being considered acceptable) and its mandate, in order to give due recognition to new political realities. The second condition was a reduction in the number of military observers, which, according to Abkhaz President Bagapsh, was excessive.³⁶

These conditions greatly influenced the assessment of the chances for the future of the UN Mission in Abkhazia. Press reports claimed that this issue would be addressed through the Geneva discussions on security in the South Caucasus, established by the Medvedev-Sarkozy plan, with the participation of Abkhazia, South Ossetia, Georgia, Russia, USA, EU and the UN.

However, in the very first round a crucial flaw of the Geneva discussions was revealed. It became clear that the Abkhaz and South Ossetian delegations were not invited into the discussions as official parties, but as experts present in an individual capacity. This format of the talks meant that no legally binding documents could be produced by such meetings.

After the interrupted first round of discussions began again, it failed to make progress on the issue of the UN mission in Abkhazia. Moreover, head of the Abkhaz delegation Vyacheslav A. Chirikba said that this issue was not even addressed as a priority on the agenda.

In these circumstances the UN Security Council twice agreed to a technical extension of 'the UN Mission'; (it was designated this way in the resolution, without any geographical reference). The Abkhaz proposal to name UN structures in the region the 'UN Mission in Abkhazia and Georgia' was not well-received by European and American partners. At the same time, it was obvious that without clearly stated neutrality on the issue of the political status of Abkhazia, the UN monitoring bodies in the region were unlikely to get a second chance in the changed realities of the South Caucasus.

In addition to complications regarding the title of the mission, there were other no less serious problems concerning the renewal of the UN function in the significantly changed context. As the Moscow Agreement of 14th May 1994 no longer existed, there were no safety zones or zones of restricted weapons, the surveillance of which was UNOMIG's main task. A new regulatory and institutional framework for the mission's activities was required. The consolidation of new security arrangements in the region could be achieved by signing an agreement on non-resumption

35 Press release on the meeting of President of the Republic of Abkhazia Sergei Bagapsh and Jean Arnault, the Special Representative of the UN Secretary-General. Available at http://www.abkhaziagov.org/ru/president/press/mes_for_smi/detail.php?ID=8895

36 'Bagapsh predlozhit izmenit nazvanie missii OONa v Gruzii' [Bagapsh proposed changing the name of the UN mission in Georgia]. Available at <http://www.izvestia.ru/news/news189307>

of hostilities between Georgia and Abkhazia, which would entail a legal commitment on the non-use of force, and be backed by international guarantees. In this case the UN could become one of the most important international guarantors of the agreement, which would allow it to obtain the legal framework and functional grounds to continue its work in Abkhazia. However, the Georgian leadership strongly opposed signing such a document with Abkhazia, despite the support of Georgian citizens³⁷ for such an agreement.

The UN Secretariat was concerned at the uncertain fate of the UN mission and the likelihood of its collapse. UN Secretary-General Ban Ki-moon said in his report: 'Under these circumstances, it is too early at this stage to define the role that UNOMIG may play in the future. But as long as international involvement in the Georgian-Abkhaz conflict is seen as helping to prevent future conflict, UNOMIG may be called upon to make a contribution'.³⁸

As subsequent events showed, it was not possible to reconcile the positions of interested parties on extending the UN mandate.³⁹ On 16th June 2009, Russia vetoed a UN Security Council resolution extending the UNOMIG's mandate and the mission began the process of curtailing its activities on the territory of Abkhazia.

The official Abkhaz position and attitudes towards international presence

In the above quotation, Ban Ki-moon raises fundamental questions about the purpose of an international presence in the Georgian-Abkhaz conflict zone and also about perceptions of its role and functions by parties to the conflict.

Opinions within Abkhaz society and the political establishment were divided after 26th August 2008 into two schools of thought that had developed over the long post-conflict period. The first point of view held that, thanks to Russia's recognition of Abkhazian independence and the related security guarantees, it was possible to talk about a final resolution of the Georgian-Abkhaz conflict. Since the conflict had been resolved, there would no longer be a need for additional security guarantees through an international presence. Therefore, a significant section of Abkhaz society and the political elite did not regret the withdrawal of the UN mission from Abkhazia.

There are people who hold the opposite view, with the belief that recognition has not resolved the conflict but has merely moved it to a different stage. It is thus important to continue the negotiation process, which necessarily requires the participation of international mediators. They believe opportunities for an international presence are required in order to ensure wider international recognition of Abkhazia. Therefore, the preservation of UN structures is critically important, as it is membership of this very organisation that is the ultimate goal of the development of Abkhazia into a full-fledged state. In general, preserving an international presence should create a competitive international-political environment around Abkhazia, allowing Sukhum to maintain key elements of independence in a complex geopolitical setting.

Thereby one can identify two major trends in Abkhaz politics and public attitudes. The traditionalist view exacerbated by Soviet stereotypes about the West and the policies of Western countries during and after the conflict over Abkhazia favours limiting outside influence. There

37 See: V. Kolbaia, I. Haindrava, N. Sardjveladze, E. Chomakhidze and A. Gegeshidze (2009). 'Garantii po nevozobnovleniyu boevikh deistvij: opaseniya v kontekste gruzino-abkhazskikh vzaimootnoshenij' [Guarantees on non-resumption of hostilities: fears in the context of the Georgian-Abkhaz relations]. Tblisi: Georgian Foundation for Strategic and International Studies.

38 Report of the Secretary-General on the situation in Abkhazia, Georgia. S/2008/631. 3rd October 2008, p. 12.

39 Oksana Antonenko characterises the UN Security Council's inability to adopt a neutral position mandate for Abkhazia (as the EU did with regard to Kosovo) as a 'catastrophic failure' and a major setback in the confidence-building measures and conflict resolution. See O. Antonenko 'Grim Expectations', *New York Times*, 13th August 2009. Available at: <http://www.nytimes.com/2009/08/14/opinion/14iht-edantonenko.html>

is also the liberal-pragmatic view, based on the flexibility and diversification of foreign policy. In general, significant sections of civil society hold this second view and even some representatives of the political elite who support the concept of a “multi-vector foreign policy”.

Despite the fact that the government of Abkhazia has repeatedly expressed its interest in ensuring an international presence in the country, it is becoming increasingly difficult to make progress in this direction. This is not even due to potential opposition from Moscow. Negative socio-psychological political peculiarities of a post-conflict society are still evident in Abkhazia, as demonstrated by the recent presidential elections. The concept of national interest remains unconventional and there are serious differences of opinion as to what is in the national interest. It became clear that slogans such as “the fatherland is in danger”, with its alarmist call to exploit patriotism, and “the betrayal of national interests” could stir up significant public dissatisfaction that the government could not ignore. In these circumstances the problem of public legitimacy arises in decisions on international presence and particularly on the more tactical concessions related to this issue. Therefore the government will be cautious in taking decisive steps in this direction.

Negative consequences of the withdrawal of the UN mission

Following are some of the possible negative consequences of the withdrawal of the UN Mission from Abkhazia:

1. Foreign nationals (mostly from European countries and the US) may find it difficult to travel to Abkhazia, as previously they were able to use UN transport. They may also have safety concerns, due to the fact that with the UN departure they lost a degree of legal protection.
2. Abkhazia loses one of the most important channels of communication with the world community. Regular UN Secretary-General reports have long been a source of relevant information on events in the Georgian-Abkhaz conflict, and often also on the progress of Abkhazia in building the infrastructure of a modern state. This information was important for the parties in their efforts to achieve a peaceful settlement of the conflict, as well for experts who guide public opinion in various countries around the world.
3. Abkhazia will find it more difficult to project its “image” as the UN Mission could be used as a “witness”, recording and to some extent legitimising the positive developments taking place in nation-building and social modernisation.
4. The UN is the only global inter-governmental organisation in which Russia has a deciding vote; it is also a club that Abkhazia aspires to become a member of. The withdrawal of the UN mission may therefore delay prospects for the international recognition of Abkhazia.
5. The absence of a UN mission in Abkhazia allows the EU to appeal to the international community to fill the vacuum with European monitoring structures, which is contrary to Sukhum’s official position.
6. Access to potential resources for modernisation provided by the UN will be reduced due to organisational problems of the UN agencies in Abkhazia. Previously, they received money through the UN financial system, i.e. through the UNOMIG bank account in the “Sberbank” in Abkhazia. Now they have had to reduce the number of local staff because they cannot open their own accounts in Abkhaz banks. This was the case in particular with the UNDP office in Sukhum.
7. Reduced competitiveness of international actors in relation to the Georgian-Abkhaz conflict.
8. With the withdrawal of the UN, the conflict resolution process between Georgia and Abkhazia is practically grinding to a halt for the first time in 16 years.

Positive consequences of the withdrawal of the UN mission

Despite the many obvious drawbacks, there are some possible positive consequences of the curtailment of UN activities in Abkhazia:

1. The Abkhaz leadership has proved its strength of will by refusing to sacrifice its “political interests” for the sake of the possibly only token value of an international presence.
2. Abkhaz authorities have increased responsibility to ensure security and to support socio-economic development; the responsibility for addressing these challenges was previously partly shared with UNOMIG.
3. It will stimulate independent efforts by Abkhazia to break through the information blockade. The Abkhaz government’s consulting the American public relations agency “Sailors Company” for advice can be seen as positive in this context.
4. Despite the reduction of UN agency personnel in Abkhazia, the organisation will expand the network of counterparts amongst local NGOs. This could strengthen civil society in Abkhazia.

International presence in Abkhazia in the context of Abkhaz-Russian relations

Today Abkhazia’s foreign policy is losing sight of its essential purpose. It resembles less and less a proper foreign policy – that is, activities to promote national interests by interacting with multiple actors in world politics and developing international relations. Observers may even get the impression that the Abkhaz Ministry of Foreign Affairs has turned into a kind of “department for Abkhaz-Russian relations”. The issue here is not only that recognising Abkhaz independence and ensuring its security gives Russia legal grounds to extend its influence on Abkhaz territory. It is also that other stakeholders simply did not realise that recognition and cooperation are effective tools for building a stable and close relationship, whereas isolation is a recipe for one-sided dependence.

It is therefore not surprising that the once-popular idea of the “multi-vector foreign policy” is no longer talked about in Abkhazia. Although the phrase still occasionally slips into the speeches of Abkhaz politicians, this is done carefully and with a very different interpretation from the one that is well-established in post-Soviet realities (where “multi-vector policy” is a euphemism for an exit strategy from Russia’s influence).

Without doubt, many of Abkhazia’s internal and external policies in recent years have depended on Russia. Some believe that for some of Russia’s elite the promotion of recognising Abkhaz independence among significant world nations is far from a priority, as they fear this could lead to a gradual “slipping away” of Abkhazia from under the monopoly of Russia’s influence⁴⁰

At the same time, it is logical to assume that Moscow’s attempt to earmark the South Caucasus as its sphere of privileged interests can be somehow legitimised through interaction with Western countries and organisations on a number of issues that are partially addressed through the Geneva

⁴⁰ In particular, the famous Russo-American political analyst Nikolai Zlobin wrote in his Internet blog: ‘The recognition, for example, by Western countries of Abkhazia is simply not beneficial for Russia because its influence will be diluted, and other external players will arrive on the Abkhaz scene. On the other hand, for Abkhazia it is vitally important to maintain close strategic and allied relations with Russia, but at the same time search for ways to access the world stage not only through Moscow, but under no circumstances ‘offending’ them by this’. See <http://n-zlobin.livejournal.com/17021.html?page=2>. During his working visit on 12th August 2009, Russian Prime Minister Vladimir Putin, at a joint news conference with Abkhaz President Sergei Bagapsh, responded to a question about “slippage” of the international recognition of Abkhazia: As for reluctant recognition of Abkhazia, we never thought it would be otherwise when we determined to recognise the sovereignty of Abkhazia and South Ossetia. We proceeded from that point... Real life will put everything in its place. If I may be frank, Abkhazia needs only Russian recognition. Available at <http://premier.gov.ru/eng/events/pressconferences/4735/>

discussions' framework. In particular, the Moscow State Institute of International Relations (MGIMO) – the university of the Russian Ministry of Foreign Affairs – reports on problems in Russia's foreign policy highlighted the need for 'intensive use of existing multilateral institutions and potential cooperation with them for collective solutions to shared problems' in order to strengthen Russia's position in strategically important areas.⁴¹ However, given the significant deterioration in Russia's relations with the West and the fact that US president Barack Obama's "rebooting" project is not yet worked out, it is difficult to hope for tangible progress in this direction. It is possible therefore that attempts at cooperation between Abkhazia with actors who are not affiliated with Russia could be frostily received by Moscow.

In fairness, it must be noted that others in Russia's establishment see Abkhazia as an important project for Russia, designed to demonstrate Moscow's potential for conflict resolution to the international community and the validity of the decision on recognition.⁴² The existence of an independent, internationally recognised Abkhaz state should confirm that Russia acted correctly in August 2008 and that Abkhazia can become a reliable partner for Russia in the South Caucasus. However, in order to be considered as such, Abkhazia must be free to establish external contacts.

There are signs of growing awareness among Western experts that Abkhazia's international isolation is unjust and ineffective. Although isolation may not be part of a clearly articulated strategy in relation to Abkhazia, such as, for example Georgia-designed "non-recognition policy", it has nevertheless had this effect in practice. (In particular, Georgia's adoption of the Law on Occupied Territories after August 2008 contributed to this isolation). The fact that European visas are increasingly being refused to Russian citizens living in Abkhazia is also noteworthy.

The de-isolation of Abkhazia is viewed by Western countries, and even the Georgian government, as a means of "rescuing" Abkhazia from Russia's influence. In this regard, Georgian Minister for Reintegration Temuri Yakobashvili promulgated ideas that formed the basis of a new Georgian strategy in relation to Abkhazia and South Ossetia. This document was discussed and elaborated with Western experts as well. The final version of the *State Strategy for the Occupied Territories: Engagement through Cooperation*, was adopted by the Georgian government on 27th January 2009. This document highlights the need to "de-isolate" Abkhazia, but the argument concentrates on the people, rather than on the "authorities in control" of the republic. In actual fact, it practically proposes removing the Abkhaz population from under the jurisdiction of the Abkhaz government, so as not to violate the 'basic principles of this strategy – notably the territorial integrity and sovereignty of Georgia and the objective of non-recognition and eventual de-occupation'.⁴³ Despite a number of interesting ideas, the plan, with its clear teleology ('the future political status of Abkhazia... within the state boundaries Georgia'), and the fact that it does not recognise Abkhazia as a party to the conflict, will not be taken seriously by the Abkhaz side. This is confirmed by the history of Georgian-Abkhaz political relations since 1999.

41 A.J. Melville (2009). 'The potential international impact and effectiveness of Russia's foreign policy (2008–early 2009). Analytical report. Moscow: MGIMO. p. 36.

42 The statement by Russian President Dmitry Medvedev at a press conference following the Russia-Abkhaz high-level negotiations on 17th February 2009 in Moscow is of interest in connection with this. It was not made in the tradition of Putin and can be interpreted as noting the importance of the international recognition of Abkhazia to gain real independence: 'We are developing our international cooperation. We are in constant contact through the foreign ministers of the so-called Geneva consultations. This forum is not easy, but it is the only direct one we have today, a good platform for contacts of our Abkhaz friends with Western partners, with international structures. All this will improve the socio-economic situation in the republic and, ultimately, promote recognition of the republic as an independent subject of international law'. Available at <http://www.kremlin.ru/transcripts/6897>

43 Government of Georgia. 'State Strategy on Occupied Territories: Engagement through Cooperation', p. 3. Available at www.civil.ge/files/files/SMR-Strategy-en.pdf

International presence in Abkhazia: possible forms and potential actors

Abkhazia, with Russia's backing, insists on an international presence that reflects the changed realities in the South Caucasus after 26th August 2008. This is an influential factor for the prospects of international governmental organisations (IGOs) in Abkhazia, and also for Sukhum's participation in various forums at regional and global levels.

Given the circumstances, it is perhaps more realistic to provide an international presence through other transnational actors, such as international non-governmental organisations (INGOs). Many of these support socio-economic development projects, have offices in Abkhazia and are registered with the Abkhaz tax authorities. Some organisations operate through partnership networks with local NGOs, implementing democratic development programmes, promoting greater transparency of state administrations, and strengthening human resources. The UN agencies UNHCR, UNDP, UNICEF are still present in Abkhazia for the moment and through these offices the UN hopes to continue having an impact on socio-economic development, human rights and other areas of social protection.

At the same time, there are some disturbing tendencies. Recently the Abkhaz Ministry of Foreign Affairs restated a proposal, originally made over a year ago, asking all INGOs with branches in the republic to sign a special memorandum agreeing to 'respect the territorial integrity and the independence of Abkhazia' and to conclude agreements with the Abkhaz foreign ministry on partnership and cooperation.

The eventual impact of this initiative by the Abkhaz foreign office is hard to predict. On the one hand, it is known that some of the non-UN organisations have not ruled out the idea of signing such a document. On the other hand, it is doubtful that these conditions are acceptable for UN agencies as they could, ultimately, negatively affect their activities in Abkhazia. This memorandum is currently in draft form, and further modifications are possible.

One of the few opportunities to provide a legal and political framework for an international presence in Abkhazia today is through the signing of an agreement on the non-use of force with strong international guarantees. Given Abkhazia's declared interest in cooperating with the UN, as well as the organisation's desire to continue working in the region,⁴⁴ it might be worth exploring the option of opening a political office of the organisation (UN) in Abkhazia. This office would not have military monitoring functions but would aim to nurture the necessary conditions for negotiations and coordination of peacebuilding efforts, democratisation, human rights, and the rebuilding of infrastructure, etc. Were the EU to agree to adopt a neutral position regarding the status of Abkhazia, they could participate in political processes in the conflict zone and involve Abkhazia through the positive mechanisms of the Eastern Partnership programme, possibly with the agreement of the Russian Federation in the context of "shared security space" envisaged by the Agreement on Partnership and Cooperation between Russia and the EU.

Conclusion

In order to establish any international presence in Abkhazia, it is necessary to find alternatives to existing formats based on compromise. The international community should understand that the potential for strengthening stability and security in the South Caucasus is more important than dogmatic formulations. The Abkhaz leadership needs to give clearer indications that it is ready for this complex conversation and prepared to come to an acceptable compromise on the issue of international presence in Abkhazia.

⁴⁴ 'The Secretary-General affirms the readiness of the United Nations to continue its other key activities and remain engaged in the region'. Available at <http://www.un.org/apps/sg/sgstats.asp?nid=3950>

Chapter 4

The Significance of the Geneva process: Concerns, Limitations, Possibilities and Prospects

MANANA GURGULIA

Background

The tragic events of August 2008 in South Ossetia brought about significant changes in the region: Russia recognised the independence of Abkhazia and South Ossetia; Abkhazia reasserted authority over the Kodor Valley, which had been under Georgian control since the end of the Georgian-Abkhaz conflict; Russia's peacekeeping forces were withdrawn from the Georgian-Abkhaz and Georgian-Ossetian conflict zones; Russia established military bases in Abkhazia and South Ossetia; and the UN and OSCE observer missions in the Georgian-Abkhaz and Georgian-Ossetian conflict zones were phased out.

However, the problem of the resolution of the conflicts between Georgia and Abkhazia and Georgia and South Ossetia is still alive. Indeed, the events of August 2008 proved the futility of attempts to resolve conflicts by military force. In actual fact, the "five-day war" was brought to an end through negotiations between Russia and the European Union, under the presidency of France at the time. On 12th August 2008 the Medvedev-Sarkozy plan was adopted, in which the sides agreed on six points: not to use force; to definitively cease all hostilities; to allow free access to humanitarian assistance; the return of Georgian armed forces to their places of permanent deployment; the withdrawal of the Russian armed forces to the positions where they were stationed prior to the hostilities; and the commencement of international discussions on the future status of South Ossetia and Abkhazia and ways to ensure their lasting security. Among these principles there was notably no wording about the territorial integrity and sovereignty of Georgia.

In answer to a question from a journalist on why the Medvedev-Sarkozy plan makes no reference to the principle of territorial integrity of Georgia, the French president replied: 'We are in an extreme situation and our aim is not to resolve all issues'. According to Sarkozy, there are two ways to resolve the problem: 'We can try to resolve all the issues now and end up achieving no result at all, or we can try to restore peace and attempt through dialogue to find a long-term solution, which is what we have tried to do'.⁴⁵

The European Union, as mediator, understood that a statement on the territorial integrity of Georgia would not facilitate the rapprochement of the parties' positions. Sarkozy used concepts of 'independence' and 'sovereignty'. 'Georgia is an independent and sovereign state and I think this formula, the principle of sovereignty, is broader than the formula of territorial integrity', he said.⁴⁶

According to Medvedev, the question of the territorial integrity of Georgia should not be addressed to Russia or other states, but to Abkhazia and Ossetia: 'This is therefore a question that the Ossetians and Abkhazians must answer themselves, based on their history and taking into account everything that has happened over these last few days', he responded.⁴⁷ The recognition by the US and several EU countries of Kosovan independence freed Russia from the need to recognise Georgia's territorial integrity, especially as the Abkhaz and the Ossetians gave an unambiguous answer to this question in their various referenda.

⁴⁵ See: http://archive.kremlin.ru/eng/speeches/2008/08/12/2100_type82912type82914type82915_205208.shtml

⁴⁶ Ibid.

⁴⁷ Ibid.

At the 8th September talks the Russian and French presidents added points to the Medvedev-Sarkozy plan relating to the withdrawal of Russian peacekeeping forces as well as international monitoring and consultation mechanisms.

Russia and the EU agreed to the withdrawal of peacekeeping forces from five observation posts on the line from Poti to Senaki if legal guarantees of non-aggression against Abkhazia were given. They also accepted the complete withdrawal of Russian peacekeeping forces from the zones adjacent to Abkhazia and South Ossetia within 10 days after the establishment there of international monitoring mechanisms. International monitoring mechanisms allowed further implementation of the mandates of the UN and OSCE missions in their areas of responsibility, as well as the deployment of at least 200 EU observers in the zones adjacent to Abkhazia and South Ossetia.

The 12th August 2008 Medvedev-Sarkozy plan dealt with international consultations on issues of the future status of South Ossetia and Abkhazia and ways to ensure lasting security, but at the meeting on 8th September the wording of point six was substantially changed. It was decided that international discussion would focus on the provision of security and stability in the region, issues of refugees and displaced persons, based on internationally accepted principles and practices of post-conflict settlement, along with other issues by mutual agreement.

The wording of the sixth point was changed at Georgia's insistence (Mikhail Saakashvili did not sign point six of the Medvedev-Sarkozy plan), as they categorically refused to discuss the political status of Abkhazia and South Ossetia, which they considered to be "occupied" by Russia. Abkhazia did not insist on a discussion of its political status, as it had decided this question for itself in 1999. The Abkhaz people expressed their opinions in a referendum when the absolute majority of the population voted for sovereignty and independence.

The first round of international discussions on security and stability in the Caucasus took place on 15th October 2008 in the Palais des Nations in Geneva. Despite complications and contradictions at the first meeting, Geneva launched a process that Russian Deputy Minister of Foreign Affairs Grigory Karasin, who participated at the meeting, characterised as 'the only international forum which provides the opportunity for all stakeholders to discuss informally and openly, as equals, the most pressing problems of the region, from the current situation on the borders to the general humanitarian situation, as well as the situation of refugees and displaced persons'.⁴⁸

The Georgian-Abkhaz negotiation process was interrupted in July 2006 when Georgia moved military units into the upper part of the Kodor Valley. Attempts by the German Minister for Foreign Affairs Frank Walter Steinmeier to revive the negotiation process were unsuccessful. The plan proposed by Germany in July 2008 for conflict settlement included addressing the causes of tension in the conflict and security zones, agreeing to general principles of the return of refugees and displaced persons, the return of refugees to Abkhazia and the economic rehabilitation of the region, as well as resolving the issue of political status of Abkhazia. To a large extent it took Georgian interests into account although, for the first time and in contrast to other international initiatives, this plan did not mention the 'territorial integrity of Georgia'. Despite its principled objections, Abkhazia agreed to work on the document and presented its proposals to Georgia shortly before the August events. The Abkhaz proposals included the signing of a security guarantees agreement on the basis of the Shamba-Alasania agreement, confidence-building through the non-use of political and economic sanctions and agreement on state legal relations through bilateral negotiations with international mediation.

The framework of the Georgian-Abkhaz negotiation process, which for 15 years was conducted under UN auspices, did not help resolve the conflict. The UN did not see the most sensitive problems under negotiation – the restoration of Georgia's territorial integrity and the return of refugees to their places of

48 Available at <http://www.izvestia.ru/comment/article3135153>. Partially republished in English here: http://www.in.mid.ru/brp_4.nsf/e78a48070f128a7b43256999005bcb3/80287e542dec57eec325766b00248e34?OpenDocument

origin – as part of the negotiations, and this did not promote the rapprochement of conflicting parties. Russia's role in the negotiation process also changed over the 15 years. Although formally it was still a mediator in the resolution process of the Georgian-Abkhaz conflict, gradually the Group of Friends of the UN Secretary-General began to play a significant role in the negotiation process. This group included Great Britain, Germany, the US and France as well as Russia.

As the West's immediate interest in the South Caucasus and Georgia increased, Georgian-Russian relations deteriorated and distrust between the two countries grew. Georgia's aspirations to join NATO exacerbated these problems. Having received unconditional support from the US and several European countries, Georgia then attempted to exclude Russia from the negotiation process by declaring Russia a party to the conflict. The Georgian leadership insisted on the internationalisation of the peacekeeping forces and on changes to the negotiation format. Abkhazia resisted this because it did not trust Western intermediaries, who denied Abkhazia's right to independence and supported the territorial integrity of Georgia. Georgia became an arena for the clash of Russian and Western geopolitical interests, which significantly restricted possibilities for mediators and potential guarantors to take action to ensure security in the region.

Meanwhile, the events of August 2008 showed that the combined efforts of Russia and the West were needed more than ever to solve the problem of security and stability in the South Caucasus.

The format and status of participants in the Geneva consultations process: from round to round

The **first round of consultations** in Geneva was preceded by a meeting between UN Secretary-General Ban Ki-moon, the EU Representative for Foreign Affairs Javier Solana, French Foreign Minister Bernard Kouchner, then holding the EU presidency, and Finnish Foreign Minister Alexander Stubb, who was also president of the OSCE. At this meeting, it was decided that the Geneva consultations on security and stability in the Caucasus would be co-chaired by the EU, UN and OSCE.

Despite general awareness of the importance of these consultations, they almost collapsed at the first stage because of different understandings of the format and status of participants. Representatives of Abkhazia and South Ossetia were only prepared to participate in consultations as equals, which Georgia strongly opposed. Before flying from Tbilisi to Geneva, Deputy Foreign Minister Grigol Vashadze said that the Georgian delegation would not accept the participation of representatives from Abkhazia and South Ossetia in any negotiations. 'The last soldier of the Russian occupying forces must leave Georgian territory, houses must be returned to refugees and forcibly displaced persons and the territorial integrity of Georgia's internationally recognised borders must be restored', the deputy minister said.⁴⁹ Organisers of the negotiation process were willing to allow the Abkhaz and Ossetians to participate in the working groups in a personal capacity, but not as official representatives of recognised republics. Russia maintained that it would only participate in those meetings if representatives of South Ossetia and Abkhazia were involved.

Finally, the Russian delegation refused to participate in the first plenary session, to which the representatives of Abkhazia and South Ossetia were not invited, and Georgia refused to participate in the second. President Mikhail Saakashvili quickly accused Russia of disrupting the international debate and of lack of interest in the diplomatic process. In turn, Russian Deputy Minister of Foreign Affairs Grigory Karasin, who participated in the consultations, said that Saakashvili's statement was made in inexcusable haste for a responsible politician.

Unlike the first round, all participants thought that the **second round of talks** in Geneva on 19th November 2008 was constructive and productive, despite the fact they did not propose signing of

49 Available at <http://www.kavkaz-uzel.ru/articles/142888/>

any binding document. In order to avoid scenes similar to those which occurred in the first round, it was decided to abandon the plenary sessions and hold consultations in two working groups: one group working on security and stability in the region, and the other dealing with issues of refugees and displaced persons, including humanitarian assistance. The discussion was attended by all eight delegations – the EU, UN, OSCE, Russia, the United States, Georgia, Abkhazia and South Ossetia. Signs with country names were replaced with participants' surnames. 'An important qualitative leap has been made today, as the meeting moved from a sterile procedural debate to a substantive one', UN representative Johan Verbeke noted with satisfaction at a press conference after the second round of consultations.⁵⁰

'All participants sat together in both working groups and engaged in a productive discussion on key issues of security and stability in the region and internally displaced persons and refugees', said EU Special Envoy Pierre Morel.⁵¹ 'It is essential that, without exception, the activities of three Caucasian states have absolutely equal representation', noted Deputy Minister of Foreign Affairs of Russia Grigory Karasin.⁵²

The **third round** of talks, held on 17th-18th December 2008, was devoted to discussion of possible conflict prevention mechanisms based on a document prepared by the Europeans, 'Incident and Conflict Prevention'. Attempts by moderators to discuss the status of Abkhazia and South Ossetia in this context proved futile, and this time concrete agreements were not reached. 'Participants provisionally discussed conflict prevention mechanisms and they all agreed to participate in these, but a specific agreement has yet to be reached', EU Special Envoy Pierre Morel reported at a press conference after the third round of discussions.⁵³

The second working group discussed specific measures aimed at improving the situation for refugees and Internally Displaced Persons (IDPs), implementation of new economic programmes and the provision of humanitarian assistance.

The main outcome of the **fourth round** (17th-18th February 2009) was the adoption of a specific document on an Incident Prevention and Response Mechanism (IPRM).

According to the expert Sergey Markedonov, the Geneva consultations gradually became routine diplomatic work instead of an ideological confrontation. Yet the discussions took an excessively emotional turn in May 2009.

The **fifth round** (18th-19th May 2009) nearly broke down because the Abkhaz delegation refused to participate in the consultations before the report of the UN Secretary-General on the situation in the region was released. 'The participation of Abkhazia in the fifth round of discussions is dependent on the new UN Secretary-General report reflecting current reality', the Abkhaz foreign affairs minister stated at a meeting with the co-chairs of the Geneva process.⁵⁴ The Abkhaz side insisted that Ban Ki-moon's report was not entitled 'The United Nations Observer Mission in Georgia', and did not refer to 'Abkhazia, Georgia'. According to Shamba, 'Abkhazia cannot be considered part of Georgia, and neither may the UN General Secretary, on behalf of the entire organisation, declare that Abkhazia is a part of Georgia'.⁵⁵

Foreign Minister Sergei Lavrov announced the suspension of Russia's participation in these consultations on 18th May. He noted that the absence of the report was in 'non-compliance with

50 Available at http://rian.ru/osetia_news/20081119/155481455.html.

51 Available at <http://www.apsnypress.info/news2008/November/19.html>.

52 Available at http://www.rian.ru/osetia_news/20081119/155487262.html.

53 Available at <http://www.rian.ru/world/20081218/157566857.html>.

54 Available at <http://www.apsnypress.info/archiv.htm>. *Daily news* No 210, 18th May 2009.

55 *Ibid.*

the initial conditions, which were to ensure the timely work of the current round of consultations'.⁵⁶ The Russian delegation in Geneva proposed taking a break until Tuesday, 19th May.

In the end, the meeting took place and the discussion focused on the need for strong security guarantees in the region. The Russian delegation proposed some basic elements and principles that should be included in the draft of the legally binding Agreement on the Non-use of Force between Georgia and Abkhazia and between South Ossetia and Georgia.

On 1st July 2009, the **sixth round** of international talks was held in Geneva, in which discussions continued on the non-use of force and on the implementation in practice of joint mechanisms to prevent and respond to incidents in the region of the Georgian-Abkhaz and Georgian-South Ossetian borders. The Russian, South Ossetian and Abkhaz sides stressed the importance of early conclusion of legally binding documents on the non-use of force between Georgia and South Ossetia, as well as between Georgia and Abkhazia.

The problem was exacerbated by the phasing out of the UN and OSCE missions in the Georgian-Abkhaz and Georgian-Ossetian conflict zones, after Georgia and its Western supporters proved unwilling to acknowledge the new political and diplomatic situation in the region. In the working group on refugees, the Russian, South Ossetian and Abkhaz delegations presented recommendations to alleviate the situation of refugees and displaced persons.

One of the main themes of the **seventh round** of Geneva talks of 17th September 2009 was the agreement on the non-use of force by Georgia in relation to South Ossetia and Abkhazia. In addition, the Abkhaz side raised the issue of pirate hijackings in the waters of the Black Sea. The co-chairs of the discussions presented a draft paper on measures to improve the lives of people displaced by conflict.

Neither the **eighth** (11th November 2009), **nor the ninth** (28th January 2010) rounds of talks were successful in reaching an agreement on the non-use of force, as the parties were unable to reconcile their positions on the draft agreement. Work on the document continues.

This brief overview of past consultations allows us to identify the main aims of the Geneva process: the elaboration of mutually acceptable Incident Prevention and Response Mechanisms (IPRMs) in the regions of the Georgian-Abkhaz and Georgian-South Ossetian borders; resolution of problems of humanitarian assistance to refugees and displaced persons; and the preparation of legally binding documents on the non-use of force between Georgia and South Ossetia and Georgia and Abkhazia.

Interests and positions of the parties on the main issues addressed by the Geneva consultations

The refusal to run meetings in plenary meant that discussions took place in the more practical format of working groups. The first working group looks at stability and security in the region, possible mechanisms for cooperation between the parties to prevent and respond to various incidents, and the basic elements and principles of the draft agreement on the non-use of force between Georgia and Abkhazia, and Georgia and South Ossetia.

The second working group focuses on the adoption of measures aimed at improving the situation for refugees and IDPs, the implementation of new economic programmes and the provision of humanitarian assistance.

⁵⁶ Available at <http://www.radiorus.ru/news.html?id=368988> and <http://www.apsnypress.info/news2009/May/19.htm>

Agreement on the non-use of force

Despite the fact that parties to the Geneva consultations agree in principle to work on legally binding documents on the non-use of force, opinions differ significantly on who should sign the agreement, its form, who should be its guarantor and which international norms and underlying agreements should be referenced. According to the co-chairs (EU, UN and OSCE), the Agreement on the Non-use of Force must be part of a general security agreement providing for the separation of forces, dialogue between parties, and monitoring and control mechanisms to ensure the parties' compliance with their obligations. At this stage they propose the discussion and agreement of a common understanding of the basic elements of future agreements.

'The Georgian side is ready to consider an agreement on the non-use of force, but only if the parties to the contract will be Russia as the aggressor country and Georgia as the victim of aggression, 20 percent of whose territory is occupied today', the Georgian foreign ministry stated⁵⁷ in response to the article by Russian Deputy Foreign Minister Grigory Karasin 'Transcaucasia in the Geneva format'. 'The main priority in Geneva is to strengthen the legal position in the form of an official document with obligations for Georgia on the non-use of force. It is essential that this document is signed or endorsed directly by representatives of Georgia, on the one hand, as well as Abkhazia and South Ossetia on the other', the head of Russia's delegation to the Geneva consultations wrote in the newspaper *Izvestia*.⁵⁸

According to the Georgian foreign ministry, it is Russia that should agree not to use force. Georgia is sceptical that Russia will accept this, as it flouts the 'norms and principles of international law and its own international obligations'.⁵⁹

Ignoring the political realities of the post-war period, Georgia continues to insist on the principle of territorial integrity and the inviolability of its "internationally recognised borders", on the full withdrawal of Russian armed forces from Abkhazia and South Ossetia and the establishment of an international EU police mission on its "de-occupied territory", on the return of all refugees under the supervision of the EU and UNHCR, and the economic reconstruction of areas to where refugees will return. Georgia sees the EU as a guarantor of security, and the EU, UN and OCSE, co-chairs of the Geneva process, as mediators.

Abkhazia also proposes signing a legally binding international agreement with Georgia on the non-use of force, with the UN, Russia, OSCE and the EU as guarantors. Discussion focuses on renouncing the use of force and threat of force, renouncing the use of military, political or economic pressure, the obligation to resolve any disputes through dialogue as well as finding ways to improve the situation of populations affected by war.

The Abkhaz side categorically refuses to admit the EU Monitoring Mission to its territory, as it does not trust the EU, which, unlike the UN, made statements regarding the inadmissibility of recognition of Abkhaz independence. Talks can only be about the acceptable form of UN presence in Abkhazia.

Following the withdrawal of the UN mission last summer, their involvement in the region has been limited to co-moderating the Geneva consultations and presiding over meetings on the IPRM at the Georgian-Abkhaz border. UN Secretary-General Ban Ki-moon has decided that a limited number of international UN staff, based in Geneva, will provide the necessary assistance to the Geneva discussions and the IPRM, and will spend as much time as is needed in Abkhazia and Georgia to implement these tasks.

57 Available in Russian at http://www.newsgeorgia.ru/official_statement/20091111/151262633.html

58 Available in Russian at <http://www.izvestia.ru/comment/article3135153>

59 Available in Russian at http://www.newsgeorgia.ru/official_statement/20091111/151262633.html

Abkhazia does not intend to discuss with Georgia the presence of Russian military bases on its territory. This is an issue of Russian-Abkhaz cooperation and mutual assistance in the military sphere. The Abkhaz authorities have repeatedly stated that Russian military presence contributes to stability and security in the region and in the border zone. Abkhazia sees Russia as its primary guarantor of security and non-resumption of hostilities with Georgia.

Humanitarian issues

‘After the withdrawal of Georgia from the Moscow Agreement of 1994, Abkhazia has no obligation to allow the return of refugees to its territory’, Abkhaz Foreign Minister, Sergei Shamba said on 24th December 2009 at a joint press conference with Foreign Minister Sergey Lavrov in Moscow. According to Shamba, ‘When Abkhazia began unilaterally to return people, the Georgian authorities openly said they were not interested in this until Georgian jurisdiction over the republic had been established’.⁶⁰

There are no ongoing negotiations with Georgia on this issue, apart from the Geneva consultations at which the Abkhaz side made proposals on humanitarian issues.

In recent years, especially after the adoption of the Law on Occupied Territories by Georgia in October 2008, the activities of international humanitarian organisations in Abkhazia have reduced noticeably. The fact that their actions depend on decisions taken in Tbilisi has led to a situation in which humanitarian activities, aimed at helping people who suffered during the war and dealing with the difficulties of post-war life, are tied to the Georgian-Abkhaz conflict being resolved in a way that suits Georgia.

The disproportionate, unbalanced approach of international humanitarian organisations to the provision of assistance to Georgian returnees in Abkhazia compared to the non-Georgian population affected by the conflict hinders the integration of international organisations into life in the republic. The provision of most assistance exclusively to Georgian refugees who have returned to the Gal district creates negative attitudes towards them amongst those who have lived all these years in towns and villages most affected by the conflict.

The Abkhaz side emphasises the need for a balanced strategy of humanitarian assistance to returning refugees and IDPs, as the selective provision of assistance to victims of conflict discriminates against other residents of Abkhazia.

In order to address the humanitarian problems of refugees and internally displaced persons, Abkhazia urges the international community to help lift Georgian economic sanctions against Abkhazia and to undertake needs assessments of all categories of affected populations, including refugees and internally displaced persons, as well as those who are willing or who have the right to return.

It should be noted that by “refugee” the Abkhaz side refers to the Georgian population that fled Abkhazia during the fighting of 1992-1993 and afterwards. The category IDPs refers to people who were forced to leave their homes due to the war and the destruction of homes in Abkhazia.

1. According to the Abkhaz side, there should be a system of categorisation of those who are refugees from Abkhazia and those who were forcibly resettled to Abkhazia from Georgia in the Soviet period of repression and discrimination against the indigenous population of Abkhazia.

⁶⁰ ‘Dlia vozvrashanii bezhentsev v abkhaziyu nuzhna pravovaya baza’ [A legal basis is required for refugee return to Abkhazia]. ITAR – TASS, 24th December 2009. Available at http://news.km.ru/dlya_vozvrashheniya_bezhenczev_v

2. As a result of the 1992-93 war many people from numerous ethnic communities fled Abkhazia including Greeks, Jews, and Russians. However, the international community continues to support the return to Abkhazia only of people of Georgian nationality, which Abkhazia considers as a direct violation of the rights of all non-Georgian refugees.
3. The Abkhaz side insists that Georgia and the international community formally recognise the fact that several tens of thousands of Georgian refugees have returned to the Gal district.
4. Over 15,000 Georgians living in other districts in Abkhazia should be included in the programme of verification of returnees.
5. The international community should ensure that Georgia has intensified efforts for the social and economic integration of refugees into Georgian society.

The refugee issue in Georgia remains highly political, and is often used to attract international attention to the issue of restoring Georgian territorial integrity. In order to avoid further unnecessary politicisation and speculation about the return of Georgian refugees and their numbers, the Abkhaz proposed to carry out, with UNHCR and other international humanitarian organisations, a procedure of verification and profiling of Georgian refugees, both those who have returned to Abkhazia and those who live in Georgia and other countries. It is important to have exact statistics about the number of people who are ready and willing to return to Abkhazia.

Recognising the right of refugees to voluntary, dignified and safe return, the Abkhaz side associates this in the first instance with resolving the related economic and social problems. Apart from that, according to the then Foreign Minister Sergei Shamba, people should know where they are returning to – to their own country or to a different republic, with all the consequences this entails.

Opportunities for the internally displaced in Abkhazia to return home require a package of solutions to the socio-economic issues of eastern Abkhazia, and the rebuilding of infrastructure in the Gal, Ochamchira and Tkuarchal districts, which were most affected by the fighting.

As it is expressed in the Abkhaz proposals prepared for the Geneva consultations: 'A verification or profiling process of refugees would also help obtain more accurate information about the possible return of refugees to eastern Abkhazia. It is important to have a clear picture of the financial resources required for rebuilding damaged infrastructure as well as for subsequent reintegration activities, such as the creation of employment opportunities, etc. Abkhazia does not have the necessary infrastructure to accept tens of thousands of people, as the Georgian side suggests. In order to implement the plan for refugee return proposed to the Abkhaz by UNHCR, a programme of social rehabilitation and refugee integration is needed, to create the conditions for the dignified return of refugees. The economy needs to be developed, with infrastructure and new jobs created, the problem of demographic imbalance need addressing, the return of the Jews, Greeks, Armenians, Russians and representatives of Abkhaz diaspora now living abroad and who wish to return to their historic homeland must be organised'.⁶¹

The mood of the local population and its willingness to accept Georgian refugees must also be taken into account. There is a high level of ethnic hatred still on both sides of the Georgian-Abkhaz border. Any confidence-building projects will be ineffective until both parties sign an agreement on the non-resumption of hostilities.

Recently, the issue of refugees' property rights has been frequently raised and discussed during the Geneva consultations. Given the complexity and ambiguity of the issue, Abkhazia is prepared to start negotiations on compensatory restitution with the participation of experts and international mediators under the following conditions:

⁶¹ Unpublished proposal presented by the Abkhaz representative in Geneva.

1. Firstly an independent assessment of the damage to Abkhazia during the 1992-93 war must be carried out.
2. Political and legal assessments of the 1992-93 events are also needed, since Georgia continues to insist on the 'equal responsibility' of the parties in the conflict, despite the fact that it instigated the military action in Abkhazia.
3. The Georgian authorities must commit themselves to restoring property and other rights as well as to providing compensation for moral damages and for destroyed property to Abkhaz citizens affected by the war.
4. Practical mechanisms for compensation and rehabilitation need to be studied and defined with the involvement of international expert committees, procedures determined for calculating property values for restitution purposes (taking into account the rights of persons who resided in public housing), and so forth.

Abkhazia draws international attention to the fact that to date Georgia has not been brought to account before the Abkhaz citizens who bore the full brunt of the war, nor before the refugees – Greeks, Jews and Russians – who were forced to leave the country in 1992-93. The Abkhaz authorities believe that the lack of clarity on the responsibility for the anti-Abkhaz campaign in Georgia, which resulted in the war, as well as the lack of coherent political and legal assessment of the events of 1992-93 may impact negatively on the practical process of restitution.

The Abkhaz side believes the priority should be restitution, provision of adequate housing to people and compensation for damage to properties for individuals who suffered in Abkhazia. In return, Abkhazia, for its part, could propose to the Georgian side a range of measures for compensation to forced migrants.

Implementation of a restitution process would require clear statistics regarding the number of people who are entitled to restitution; those who really wish to return to Abkhazia; those who wish to remain in Georgia, Russia or another country; as well as those who wish to claim compensation for loss of property.

Incident Prevention and Response Mechanism (IPRM)

To date, the main concrete result of the Geneva consultations has been to develop and to begin to implement in practice an Incident Prevention and Response Mechanism (IPRM). This is the first joint agreement of Abkhazia, Georgia and South Ossetia since the tragic events of August 2008 and Russia's recognition of Abkhaz and South Ossetian independence. The head of the Russian delegation, Deputy Foreign Minister Grigory Karasin, said that the 'important practical and political significance of this document is that it was the first set of practical measures and recommendations agreed upon with the participation of Abkhazia, Georgia, South Ossetia, and Russia, the United States and representatives of international organisations – the UN, OSCE and EU'.⁶²

IPRM provides for representatives of structures responsible for security and public order in the border regions [Zugdidi and Gal – M.G.], and representatives of international organisations with relevant mandates to meet to exchange information and discuss concrete measures to counteract incidents and provocation. The Gal IPRM meetings are held every two to three weeks. Although the Georgian side insisted on rotation of the meeting locations (between Gal and Zugdidi), so far all the meetings have been held in the former UN office in Gal. In addition, the IPRM provides for a 24-hour hotline between the authorised representatives of Abkhazia, the Georgian authorities and the Russian military.

⁶² Available at <http://www.osetinfo.ru/main/375/page/4/tags/politics>

IPRM proposals are recommendatory in nature. ‘However, in the political sense, these are extremely important and positive initial “agreements”, designed to build more predictable, peaceful Intergovernmental relations between Abkhazia and South Ossetia and Georgia’, according to Karasin.⁶³

The Georgian side also welcomed adoption of the IPRM, as did the co-mediators of the process, and the US. ‘We welcome the agreement to establish an incident-and-response mechanism with the participation of representatives of the UN, OSCE and the EU’, Georgian diplomat Giga Bokeria said, adding that the success of this mechanism will depend on the political will of Russia.⁶⁴

IPRM meetings are chaired by the UN and bring together representatives of Abkhazia, Georgia, Russia and the EU Monitoring Mission, which monitors Georgian territory adjacent to Abkhazia. Among the issues discussed at these meetings are the procedures for residents of the Gal and Zugdidi districts crossing the Georgian-Abkhaz border, including school children studying in Zugdidi and Tsalenjika, the movement of public transport across the border, incidents at sea, flights of unmanned aircraft, criminal incidents, and so forth.

Therefore the Gal meetings allow representatives of security institutions to exchange information, assessments and forecasts in order to prevent possible escalation of the situation in border regions, much in the same way as previous four-way meetings between Abkhazia, Georgia, the UN Observer mission and the Russian peacekeeping forces in the village of Chuburkhindzh.⁶⁵

The Geneva process: effectiveness and prospects

The importance of the Geneva consultations as a means to exchange views on stability and security in the region has increased since the withdrawal of the UN and OSCE missions from the Georgia-Abkhaz and Georgian-South Ossetian conflict zones. The Geneva process serves as an open communications mechanism between Georgia, Abkhazia and South Ossetia. By participating in the process, the Abkhaz side hopes for improved security conditions and safety in the region and the signing of a legally binding agreement with Georgia on the ‘Non-Use of Force’ with international guarantees.

The process is one of consultation with parties, rather than of negotiations between parties to the conflict.

- Decisions are recommendatory in nature and the signing of binding documents is not an expected outcome.
- So far the Geneva consultations are the only international platform for discussion of issues of stability and security in the region.
- The Geneva consultations give Abkhazia the chance to explain its position on the situation in the region directly to international organisations.
- Although Abkhaz participation in the Geneva process does not boost its status in terms of formal recognition, it does reinforce the status of Abkhazia as a regional actor to be reckoned with. It is impossible to solve the issue of stability in the region without Abkhazia.
- A mechanism of communication between Abkhazia and Georgia as the parties to the conflict has been created in Geneva.
- Abkhazia considers that participation in this representative international forum in the context of partial recognition of independence gives Abkhazia greater legitimacy.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Village where weekly meetings were held to discuss the security situation during the presence of UN monitors and Russian peacekeeping forces in the security zone.

- Abkhazia is de facto an equal participant in the process. If the co-chairs decided, at Georgia's insistence, to return to a plenary format without the participation of Abkhazia and South Ossetia, Abkhazia will cease to participate.
- The Abkhaz delegation frequently puts forward constructive proposals, and this is noticed by international mediators.

The internationalisation of the peace process is important for the Georgian side, as is the fact that Russia does not play a dominant role in the Geneva consultations. Mikhail Saakashvili wants to show the Georgian people that he is taking steps to address the issue of restoration of territorial integrity and the return of refugees. Georgia continues to try to extend the EU observer mission to the territory of Abkhazia.

According to the Abkhaz side, there are more reasons for Georgia to leave the process than for Abkhazia, as Georgia's priority objectives (i.e. the restoration of the territorial integrity of the country, the return of all refugees to their former places of residence, "de-occupation" of Abkhazia and South Ossetia) do not take the new realities of a post-August 2008 situation into account.

EU Special Representative Pierre Morel sees 'the main concrete result of the Geneva discussions has been – until now – the 18th February 2009 decision to put in place a double Incident Prevention and Response Mechanism that allows for regular meetings in the respective Abkhaz and South Ossetian theatres between all the local actors responsible for security issues and the maintenance of peace and security. This framework is complemented by the establishment of a "hotline" creating a permanent channel of communication between all parties'.⁶⁶ Morel points out that the periodic visits of the three co-chairs of the consultations to the field 'allow opportunities to enhance security and improve the humanitarian situation to be constantly monitored and pursued'.⁶⁷ The possibility of joint visits not only by co-chairs but by all participants in the process could be a subject of future discussion. The EU considers that despite its inadequacy and fragility, the specific dialogue mechanism 'is working, recognised and used by relevant parties' and is a significant achievement.⁶⁸

After a year's work, the Geneva discussions moved into a second phase, which includes specific work on the basic elements of a framework agreement on the non-use of force and international security measures. More sensitive subjects are still to be addressed, such as 'stable and direct relations between former warring parties', the status of participants in the process, conditions of return to normal daily life and others. At the same time, the EU representative emphasises the unacceptability of forcing events.

Morel believes that 'the clear use of the procedures of dialogue, of consultation mechanisms, as well as security measures serve as the best way to reconstruct peaceful conditions'. 'The breakdown of these mechanisms and increase in provocation lead to the conflict of last August'.⁶⁹

Peter Semneby, the EU representative in the South Caucasus, believes the EU underestimated the risks and that a greater EU presence in the region could have helped to prevent the tragic events.⁷⁰

⁶⁶ Available at <http://www.civil.ge/eng/article.php?id=21574>

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Available in Russian at <http://www.georgiatimes.info/articles/25191.html>

The EU attaches great importance to the commission report by Heidi Tagliavini⁷¹ on the investigation into the circumstances of the Georgian-South Ossetian conflict. This report clarifies a great deal about the situation, thus facilitating the Geneva discussions, and provides “lessons learned” for the future.

Despite major policy differences between the parties concerning Russia’s recognition of independence of Abkhazia and South Ossetia, the Geneva consultations have meant that, as head of the Russian delegation Karasin put it, ‘a specific and frank discussion on the practical aspects of life and coexistence among the peoples of Abkhazia, Georgia and South Ossetia has begun’.⁷²

Thanks to Russia’s firm position, attempts by the organisers to divide participants into categories at the beginning of the process, and thereby diminish the status of representatives of Abkhazia and South Ossetia, failed. ‘Today the draft documents presented in Geneva by the Abkhaz and South Ossetian sides hold as much political weight as those introduced by co-chairs of international organisations and other stakeholders’, said Karasin.⁷³

Another important result is that the Geneva format provides Russia’s Western partners ‘with the possibility to constructively engage in the region’. Exchange of information and cooperation between EU monitors and Russian border guards helps reduce the number of incidents in border areas.

Although Georgia and the EU have repeatedly stated that Russia does not fully comply with obligations under the Medvedev-Sarkozy plan, Russia believes that it fully met its obligations by withdrawing all its troops from Georgia’s new borders on the night of 9th – 10th October 2008.

‘Prospects for the Geneva discussions on the Caucasus undoubtedly exist. But they are directly dependent on the willingness of all parties, including Tbilisi, to find compromises and mutually acceptable solutions, to respect the views of all partners, especially the Abkhaz and South Ossetians’, concludes Karasin.⁷⁴ It is impossible not to agree with the Russian diplomat on this point.

71 The head of an international investigation committee on the causes of the August conflict, Heidi Tagliavini, presented a report in Brussels on 30th September 2009 acknowledging that Georgia began the war in South Ossetia in 2008. At the same time the report accuses Russia of using ‘excessive 2009 force’ in response to Georgian aggression, and in the escalation of the conflict on Georgian territory outside South Ossetia.

72 Available in Russian at <http://www.izvestia.ru/comment/article3135153/>

73 Ibid.

74 Ibid.

Chapter 5

The Role of International NGOs in the Georgian-Abkhaz Conflict Transformation Process

LIANA KVARCHELIA

Introduction

With the exception of humanitarian organisations, international NGOs (INGOs) only began to show interest in Abkhazia a few years after the Georgian-Abkhaz war ended. In contrast, both governmental and non-governmental organisations began to work in Georgia almost immediately after the collapse of the USSR. The interests of the numerous INGOs, private and international foundations operating in Georgia varied from development projects to supporting governance reform. The few international institutions that did start work in Abkhazia were focused exclusively on the need to resolve the Georgian-Abkhaz conflict while the internal development of Abkhazia, not recognised by the international community as an independent state, at first fell outside the scope of their interests.

Over time, some INGOs developed good cooperative relationships with local organisations and gained a more in-depth understanding of the local context, which led to the understanding that processes of democratisation and development are valuable in their own right and are not dependent on international standpoints on the political status of Abkhazia. This resulted in these INGOs beginning to support work on the development of civil initiatives, strengthening of democratic institutions and so forth, alongside their work on conflict.

This chapter does not intend to cover the work of all the INGOs or international foundations working in Abkhazia, nor internal development initiatives in Abkhazia. It instead attempts to analyse the activities related to the Georgian-Abkhaz conflict by some of the more active INGOs, and with which the author is familiar. Therefore, its purpose is to analyse INGO activities in the Georgian-Abkhaz context in terms of:

1. Understanding the aims and agendas of the INGOs and how these changed during the course of their activities;
2. Strategies and approaches used;
3. Results achieved and lessons learned;
4. Appropriateness, relevance and the possibilities for continuing conflict work after August 2008.

The results of a qualitative sociological study were used for the research (in-depth interviews with representatives of international NGOs and local experts) as well as methods of political analysis, based on the author's personal experience. This chapter provides a synthesis of various expert opinions and assessments.

Working definitions used for description of work in conflict situations

Before beginning to analyse the activities of individual INGOs working on the Georgian-Abkhaz conflict, clarification of certain definitions in relation to conflict-related activities might be useful.

Academic texts describe different ways of influencing a conflict. The following definitions summarise existing terminology from various sources.

Conflict settlement is aimed at ending the violence through a peace agreement.

Conflict management aims to curb violent manifestations of conflict.

Conflict resolution means addressing the deeply rooted causes of the conflict; when behaviour ceases to be violent, relations cease to be hostile and the structure of the conflict changes.

Some researchers believe that ‘conflict resolution’ is not only the result, but the process which leads to changes in behaviour, relationships and attitudes, as well as structural changes. The interpretation of ‘conflict resolution’ as a process overlaps with the definition of ‘conflict transformation’.⁷⁵

Conflict transformation is addressing the conflict at a deeper level in order to change the attitudes, behaviours and contexts that gave rise to conflict. This is a long-term and multifaceted process involving a more sustainable relationship between parties that excludes the use of force.⁷⁶ Transformation goes beyond solving the problems. It involves a shift in strategic thinking, the exploration of various solutions and opportunities for cooperation,⁷⁷ with the objective of *creating an environment for sustainable peace*.

Hugh Miall and his co-authors have identified several levels of transformation:

- Context transformation: change in the social, regional, international contexts influencing the motivation of parties;
- Structural transformation: if the root causes lie in the structure of relations – for example, in an asymmetrical conflict – strengthening the capacities of the weaker party is one means of structural transformation;
- Transformation of the situation and relations of the actors;
- Transformation of problems through their restructuring.⁷⁸

John Paul Lederach writes about the different levels of transformation. In his view, transformation can take place at the individual and systemic levels. On an individual level, it leads to awareness of a problem and its causes, recognition of the concerns and needs of the opponents and finally leads to a preparedness for change.⁷⁹

Systemic transformation involves achieving greater social justice and equality. Authors discussing systemic transformation mainly refer to internal conflicts, meaning changes within a state system. Attention is focused on political changes within a system, on the development of social and institutional capacity to settle the internal conflict in a viable and sustainable manner. However, in post-war situations, it is often impossible to reach a settlement within a one-state system, especially in circumstances of ethno-political conflict. This factor, amongst others, means transformation at the international level is required. Despite the evidence of the importance of transformation in the sphere of international relations for better addressing local problems, it is often perceived as too global and beyond the reach of organisations working on local conflict transformation. Therefore these organisations focus primarily on the other levels of transformation.

It is not only the result that is important in conflict transformation but also, to an equal if not greater degree, the process itself. When well-organised the process can influence the relations, attitudes and conduct of parties and encourage the non-violent expression of interests.

75 O. Ramsbotham, T. Woodhouse and H. Miall (1999). *Contemporary Conflict Resolution*, Cambridge, UK: Polity Press. p. 21.

76 S. Fisher, D.I. Abdi, J. Ludin, R. Smith, St. Williams and Su. Williams (2000). *Working with Conflict: Skills and Strategies for Action*. Zed books in association with Responding to Conflict. pp. 27-29

77 L. Reyhler (2001). ‘Conceptual framework’ in L. Reyhler and T. Paffenholz (Eds.). *Peace-building. A Field Guide*. Boulder, London: Lynne Rienner. pp. 12-13.

78 O. Ramsbotham, T. Woodhouse and H. Miall, (1999). *Contemporary Conflict Resolution*, Cambridge, UK: Polity Press. pp. 156-158.

79 J.P. Lederach (1995). *Preparing for Peace: Conflict Transformation across Cultures*. Syracuse, NY (US): Syracuse University Press.

Lederach believes that effective transformation involves improving the understanding between parties to a conflict. In situations where parties have conflicting interests and incompatible goals, values and needs, even managing to achieve a level of clear mutual understanding can be considered progress.

Based on the above and on an analysis of the INGO initiatives in the Georgian-Abkhaz context, we can assume that the peacebuilding activities of INGOs should be seen in the context of conflict transformation.

This article will attempt to determine the impact of various initiatives on the transformation of the Georgian-Abkhaz conflict, and identify the possibilities and limitations of the peacebuilding activities of non-governmental organisations.

INGO aims and approaches to the Georgian-Abkhaz conflict

Among the first non-governmental actors to work on the transformation of the Georgian-Abkhaz conflict were the University of Maryland (US), George Mason University and the Norwegian Refugee Council. However, those who worked most actively and in-depth in the long term include the University of California (Irvine), the British NGOs Conciliation Resources, International Alert and the Institute for War and Peace Reporting (IWPR), the German organisation Berghof Center for Constructive Conflict Management, and the South Caucasus Bureau of the Heinrich Böll Foundation. In recent years the Swedish organisation Kvinna till Kvinna [Women for Women] has become more active in the peacebuilding field and the Toledo International Centre for Peace began a research programme in 2007. The region has also been selected from time to time for one-off initiatives by other foundations and organisations but the author has insufficient information about their activities to attempt to assess their impact.

This paper will analyse the aims of the most active INGOs based on the opinions of international and local NGO representatives and experts as well as an analysis of the peacebuilding activities of international organisations.

In the context of the Georgian-Abkhaz conflict, it could be said that the *main aim of INGOs has been to create a neutral space for the cooperation between parties to the conflict which would help to a) promote mutual understanding, b) promote recognition of the impossibility of solving the conflict by means of force and promote ideas of peaceful settlement in communities, and c) search for mutually acceptable solutions to issues of joint interest while promoting these in the two communities.*

At the beginning INGOs seemed to set their aim in the most general terms – that is, building confidence between the two communities – making the outcome difficult to measure. It is likely that INGOs initially did not have a comprehensive, long-term strategy for their work in the Georgian-Abkhaz context. However, they understood that there was no simple solution to the conflict and that strategy should be based on a situation analysis considering the views of local partners on possible solutions and ways to prevent new escalation of the conflict, along with a search for mutually acceptable solutions to issues of mutual interest.

As is natural in a post-war context, many people in society found such initiatives facilitating contacts between parties to the conflict to be painful, leading to much criticism of those involved in peacebuilding activities. Hardline critics said that INGOs had a purely political agenda: of reconciling Georgians and Abkhazians in order to reunite the two countries.

It is important to note that non-governmental peacebuilding initiatives were carried out exclusively by western NGOs. Abkhaz society, like most post-Soviet societies, had a stereotypical view of the West. These stereotypes were compounded by the fact that Western policies were considered to be a “double standard” in relation to Abkhazia, both during the Georgian-Abkhaz conflict

and afterwards. Therefore Abkhaz society had little reason to believe that international NGOs could work in a conflict situation and stick to principles of impartiality and neutrality, or that an international non-governmental organisation could possibly be neutral when financed by a state holding a definite political opinion on an issue. The lack of knowledge about Western traditions of charitable work and about the culture of non-governmental organisations that were set up a century ago also was a factor. It was precisely due to this charitable NGO culture that organisations were allowed access to conflict zones to provide assistance to people in need.

Russian NGOs and representatives of Russia's civil society became more interested in peacebuilding in the region after August 2008. In spite of the differing perceptions of parties to the conflict about Russia's role in the Georgian-Abkhaz context, Russian experts and civil society organisations have for some time had the potential to work on conflict issues. However Russian NGOs did not get involved for a number of reasons. For many years Russia invested in relations with parties to the conflict through official contacts with the authorities. The few independent Russian experts and representatives of civil society who had been successfully involved in the Georgian-Abkhaz civil dialogue before 2009 were involved through projects run by Western organisations. In general, Russian NGOs concentrated on domestic Russian issues. They had poor knowledge of the situation in the neighbouring conflict regions and did not show any particular interest in them. There was also the issue of a biased attitude against Abkhazia amongst some politicised human rights circles that were very uncritical of the Georgian leadership. At the same time the Georgians did not trust Russian organisations as mediators. All these factors became even more relevant after August 2008.

Of course, not all Western organisations adhere to the principle of impartiality, and not every state donor will allow INGOs to develop their independent strategies. As one of the experts interviewed pointed out, there are many "think tanks" in the world who say they are non-governmental organisations. Many such organisations have clear political positions on the settlement of the Georgian-Abkhaz conflict which are based, more often than not, on respect for the principle of Georgia's "territorial integrity". Amongst donor organisations, for example, the United States Agency for International Development (USAID) openly stated that its aims were to support initiatives which would facilitate conflict settlement through the 'restoration of territorial integrity' of Georgia. Parenthetically, USAID was the only donor agency to withdraw the organisation that it funded – Save the Children – from Abkhazia after the August 2008 war. In contrast to USAID, private American donors make no political demands which limit the work of INGOs.

Experts point out that there is greater flexibility in the relationship between state funders and NGOs in European countries, where funding is defined by thematic priorities rather than a political agenda. This allows INGOs to act as neutral actors and makes them acceptable partners, mediators and facilitators for local organisations. In addition to their personal ethics, many INGO representatives working in the Georgian-Abkhaz context understand that if their organisation does not show impartiality to both sides and to the final settlement they will be unable to continue working with one or other of the parties to the conflict.

However, the unbiased position of INGOs is not always convenient for government officials in the conflict region. The Georgian leaders are accustomed to the West supporting the "territorial integrity" of Georgia and interpret INGOs' impartiality as bias towards Abkhazia. For example, pressure from the Georgian leadership on some INGOs and international donors supporting internal projects in Abkhazia, together with the obstruction of the informal official dialogue under the Schlaining process (managed by Conciliation Resources and the Berghof Center), show that the Georgian leadership is probably not interested in the participation of neutral mediators. At the start of the Schlaining dialogue, the Georgian authorities hoped to win mediators to their side, but over time began to see them as opponents instead. The Georgian authorities became increasingly frustrated with the process, which was not delivering the results that they desired, and with the mediators who did not consider it their job to put pressure on the Abkhaz side.

On the other hand neutrality and impartiality allowed the INGOs some freedom in their actions and strategic flexibility. Abkhaz government agencies that were used to biased Western views on the issue of Abkhaz self-determination welcomed the impartiality and neutrality of INGOs on the issue of the final conflict settlement as a positive factor that would allow these organisations to operate more effectively in the region.

In addition, many INGOs soon realised that the official Western strategy of either offering Abkhazia assistance in exchange for political concessions or pressurising them did not produce the desired results. At the start of INGO engagement in the Georgian-Abkhaz conflict, some organisations may have agreed with the Western idea that the best outcome for the region would be some kind of alliance between Abkhazia and a “new” Georgia on a federal or confederal basis. This option might also have seemed preferable to individual INGO representatives given the West’s stereotyped view of Russia’s role in the region and the resulting negative attitude to Abkhazia moving towards a partnership with Russia.

However, the professionalism of the most active and progressive INGOs and their competence based on in-depth study and analysis of conflict meant that the INGOs present in the region operated and continue to operate on principles of neutrality and impartiality in the matter of political resolution.

Does this mean then that INGO representatives should refrain from making any assessments of developments in the conflict situation? Impartiality does not exclude value judgments, although INGOs rarely make public statements or give interviews. Instead they express their reactions to particular events (such as a breaching of agreements, a threat of or the use of force, human rights violations and other deviations from democratic norms in domestic policy, etc.) in analytical articles and documents (often confidential in nature), presentations at conferences, at diplomatic and expert meetings at international and local levels. In such cases the parties “accused” of violations may in turn accuse INGOs of not being neutral.

However, if INGOs refuse to express any opinions on violations that cause an escalation of tension, they then lose the confidence of other parties to the conflict. It can be seen that along with the reaction of official international bodies, the reaction of local civil society is important in this case, as is its ability to influence public opinion and to counter the pressure local authorities exert over INGOs.

Unfortunately, criticism by Western official structures of the actions of the Georgian leadership was until recently not made in a public manner, which did not help the Georgians form a realistic, balanced policy towards the conflicts in Abkhazia and South Ossetia. The Georgia internal situation made it difficult for local civil society to resist pressure from the authorities, including pressure on “dissident” INGOs. Many experts acknowledge that local civil society organisations and INGOs working on the conflict were to some extent marginalised by this.

In Abkhazia the situation was somewhat different. Although the public was wary of peacebuilding in general and of Western organisations in particular, the transparency of these processes allowed relevant sections of society to become familiar with the INGO positions and activities. The unbiased positions of INGOs increased the legitimacy of their presence in Abkhazia in the eyes of Abkhaz society and leadership. However, there were instances when INGO experts took definite political positions on the issue of final settlement. For example, the facilitator of a research project on the Georgian-Abkhaz conflict, from an organisation which had not worked in Abkhazia before, published an article through the German Marshall Fund even before the project ended. The article, co-authored with several Western experts, presented Georgian “territorial integrity” as the only possible solution for conflict settlement. This not only undermined the confidence of Abkhaz participants in the facilitator but also jeopardised the continuation of the research project.

It is difficult to measure impartiality and objectivity but it is clear that it is possible for INGOs to remain neutral if they adhere to their declared objectives and principles. It is not the INGO's prerogative to support one or the other formula for final settlement. However, they can create an environment for discussion of conflict resolution options proposed by the parties. In summary, the work of the most successful INGOs in the Georgian-Abkhaz context is guided by the following principles:⁸⁰

1. Do not adopt the position of one party on the final settlement.
2. Treat all parties as equal participants in the process.
3. Do not put pressure on the parties, but help them to understand that dialogue is necessary to reach a peaceful settlement.
4. Work at different levels: with civil society, political parties, the authorities and international institutions.
5. Base work on a joint situation analysis to which local partners have contributed.
6. Focus on building cooperative relationships, rather than on issues of territorial integrity or independence.
7. Ensure transparency, while respecting the principle of confidentiality if required. (For example, the Schlaining process was based on principles of confidentiality.)
8. Be open, have a vision but do not impose it, develop the agenda together with local partners.
9. Do not focus exclusively on issues which divide the parties, but on issues of mutual interest or common concern.
10. Consider internal problems in the broader context.
11. Maintain flexibility in the choice of cooperation formats; clarify aims during the process of working on the conflict, formulate new goals as changes in the situation occur and knowledge and understanding about the conflict and its root causes deepen.

Based on the objectives and principles of the INGOs described above, the main tasks of peacebuilding initiatives were as follows:

1. Identify people on each side who are thinking about conflict resolution; establish communication between parties; and create a neutral space for dialogue.
2. Help overcome fear, aggression and stereotypes held by the parties about each other, promote more realistic images and destroy myths or stereotypes about each side and allow parties to experience dialogue with the opponents and to understand their motivations and needs.
3. Promote confidence-building and networking between parties through joint discussion of problems and identify solutions through professional cooperation in various fields including joint training, etc.
4. Encourage systematic analysis of the conflict, its causes, origins, disputes and possible consequences.
5. Promote brainstorming for ideas on resolving different aspects of the conflict, including a discussion of "taboo" subjects.
6. Influence diplomatic strategies and approaches, drawing the attention of parties to the conflict and official international structures to the root causes, needs and fears of the parties, as well as offering knowledge, experience and ideas developed through civic diplomacy.
7. Support civil society to raise public awareness in favour of a peaceful settlement of the conflict.
8. Support the development and strengthening of local civil society institutions and democratic institutions in general.

⁸⁰ See 'Track II diplomacy' in L. Diamond and J. McDonald (1996). *Multi-Track Diplomacy: A Systems Approach to Peace*, 3rd Edition. West Hartford, CT, US: Kumarian Press.

In relation to the last point, INGOs with a mandate mostly for confidence-building and conflict transformation have provided significantly more support to domestic projects in Abkhazia than in Georgia. INGO representatives explain this support in view of the fact that in the post-war years there was virtually no INGO internal development work in Abkhazia, despite the need for projects strengthening democratic institutions. In Georgia, on the other hand, a large number of international organisations were supporting internal development. They did not want to work on the conflicts in part because they did not wish to risk their activities in other areas, since the peacebuilding aspect of their work could invite criticism from the Georgian authorities. The INGOs that work directly with the conflict had limited resources to support internal development work in Georgia and they saw no need to duplicate other organisations' work.

A range of approaches and forms of cooperation were used to implement the above aims: working within the communities on each side, bilateral formats (meetings with representatives of civil society, informal dialogue with politicians, mixed meetings), Caucasus-wide and international formats. When they began peacebuilding work in the region, INGOs prioritised bilateral contacts with international mediation and facilitation, but after consultations with local partners, in particular Abkhaz civil society representatives, they soon decided to broaden their format and include representatives of Caucasian civil society in the process. Subsequently, an international format was adopted, allowing for the participation of local and international experts and diplomats in discussions on conflict issues. The international format has proved particularly successful for conferences on conflict aimed at young people, such as the International Summer University in Pitsunda. Each format has advantages and disadvantages. For example, the broad all-Caucasian format (used by International Alert) helped to overcome the isolation of civil groups from non-recognised states, primarily from South Ossetia and Nagorny Karabakh. All members were able to participate as equals in the establishment of the Caucasus NGO Forum (CF), from formulating the agenda to the implementation of different programmes.

The Caucasus Forum allowed participants from different conflict areas to sit around the table for the first time with representatives of other parties to the conflict. Joint regional conferences, research papers, seminars and training sessions facilitated the establishment of working and personal contacts between civil society representatives from all Caucasian countries. Regional cooperation also played an important role in crisis situations. For example, in 2006 the Caucasus Forum sent a monitoring mission of representatives of different countries from the region to Georgia and Abkhazia to assess the situation following events in the Kodori Valley. A detailed report was published on the mission's findings. Likewise, when the situation became tense in Karachay-Cherkessia, a mission of mediators from the Caucasus Forum went there and held a number of meetings and negotiations with representatives of different parties.

Representatives of INGOs acknowledge that there is a certain lack of civil input into political processes. The governments of the South Caucasus have different, often conflicting expectations of regional cooperation determined primarily by egotistical national interests and influenced by geopolitical factors. Support for civil society cooperation around issues of common interest could possibly help create a model of regional cooperation in the South Caucasus. Today, civil society in all six South Caucasian countries is concerned about the state of democracy, human rights and freedom of speech, etc. Discussion and interaction in areas where there is common ground create more opportunities for regional cooperation than trying to address issues directly related to the ethno-political conflicts, where the parties hold very different points of view. However, this does not mean that conflicts should not be discussed in a regional format. On the contrary, in cases where bilateral discussion does not take place, the regional format provides a safe space for quiet deliberation on "difficult" issues.

The bilateral format with external mediation provided the opportunity for detailed analysis and in-depth discussions of various aspects of the conflict. The process of dialogue between Georgian and Abkhaz civil society representatives (at first under the auspices of the University of California,

Irvine and later in cooperation with the Böll Foundation and Conciliation Resources) created a platform that gradually allowed the necessary level of trust to develop so that even the thorniest issues could be discussed. This platform has become a kind of laboratory for the generation of ideas on various aspects of conflict resolution. Issues discussed during the process included the interests and concerns of the parties, the roots of the conflict, the role of third parties, prospects for Georgian-Abkhaz cooperation regarding the Black Sea, the impact on Georgian-Abkhaz relations of Georgia joining NATO, the impact of conflict on migration in the region as well as an assessment of the August 2008 events and prospects for resolution in the new situation.

INGO influence on the transformation of the Georgian-Abkhaz conflict: achievements and limitations

In discussing INGO influence on conflict transformation it is fair to ask whether peacebuilding initiatives can be considered successful and useful considering that the conflict is still not resolved 16 years on; considering that a large-scale war was not successfully prevented in 2008, that there is less contact between the sides since the war; and that although the societies demand security, they do not sufficiently recognise the need for long-term peace and realistic ways of achieving it. The answer to this question brings up the aims of INGO peacebuilding activities, which are somewhat ambitious but nevertheless pragmatic and long-term.

Most importantly, serious INGOs have never pretended to be able to influence conflict resolution within a certain time frame, nor did they foresee that they would play a key role. Although the indicators of INGO success in conflict transformation are not evident, the results of this work are undoubtedly important in the long term.

Moreover, the success of any initiative is achieved by joint effort with local partners and it is difficult to distinguish the contribution of INGOs from the achievements of local civil society.

Working in the field of ethno-political conflicts involves a complex political context, and INGOs have shown flexibility and creativity in creating different platforms and formats for cooperation between the sides, without specifying the political framework. Such initiatives include the Schlaining process,⁸¹ dialogue between representatives of civil society, publications of proceedings of meetings and international conferences,⁸² films about the Georgian-Abkhaz conflict,⁸³ the International Summer University,⁸⁴ study trips, study visits to other conflict regions (Northern Cyprus, Kosovo, Northern Ireland, the South Caucasian countries),⁸⁵ research projects and the publication of their results,⁸⁶ regional networking, journalism and gender initiatives. Not only did these efforts promote civil networking, but they also helped to expand the circle of people who understand that conflict resolution is in the long-term interest of both sides, and who are ready for serious discussions on ways to achieve sustainable peace.

81 The name given to series of informal seminars with Georgian and Abkhaz experts and politicians organised by Conciliation Resources (London, UK) and the Berghof Centre for the Constructive Conflict Management (Berlin, Germany), named after the location of the first meeting, Stadtschlaining in Austria. Between 1997 and 2007 some 20 meetings were held.

82 In reference to series of conferences organised since 1999 by the University of California, Irvine. Publication of the series 'Aspects of the Georgian-Abkhaz conflict' Volumes 1-15 is available in Russian and English on the Center for Citizen Peacebuilding website: www.socsci.uci.edu/~cpb/progs/projpubs.htm

83 Information on the films produced within the framework of the Georgian-Abkhazian civil society dialogue can be found on the Conciliation Resources website: <http://www.c-r.org/resources/audio-video/index.php>

84 From 2002 to 2006 Conciliation Resources supported an annual two-week international summer university course in Pitsunda (Abkhazia) with a focus on international relations, issues of democratisation and governance, as well as conflict transformation.

85 Including those supported by Conciliation Resources and the Berghof Centre.

86 See for example, 'Issues of sovereignty: the Georgian-Abkhaz peace process', *Accord*, Vol. 7 (1999) available at www.c-r.org/our-work/accord/georgia-abkhazia/contents.php; *Dialogue on security guarantees in the context of the Georgian-Abkhaz conflict* International Alert 2009, available at <http://www.international-alert.org/publications/pub.php?p=409>; 'Nekotorie Aspekti Chelovecheskoi Bezopasnosti' [Some aspects of Human Security], Volumes 1,2,5 2007-2009. Sukhum; this is a series of publications in Russian produced under the auspices of International Alert.

Various projects have led to reflection on the challenges of the path to lasting peace. Many consider the individual agreements reached by influential political figures during the Schlaining process to be concrete results. For example, the ideas that formed the basis of the draft agreement on non-resumption of hostilities and international guarantees on the non-use of force were first floated out at the Schlaining meetings. Today the issue of signing of such an agreement is being discussed in the framework of the official Geneva meetings.⁸⁷ Representatives of Abkhaz and Georgian civil society carried out parallel research on international guarantees of the non-renewal of hostilities and presented the results to international and local experts, politicians and diplomats who were involved in the conflict settlement process.⁸⁸

Experts interviewed in the study noted that a deep, realistic, non-ideological understanding of the situation developed in civil circles on both sides of the conflict amongst international experts, representatives of international NGOs and official structures who were involved in the different initiatives. Despite the fact that their positions on the key issues of conflict settlement differ, they share a sober understanding of existing realities, opportunities and prospects.

As a result, a group composed of people from each side of the conflict has been formed that is well-informed about the motivations, concerns and needs as well as about the processes occurring on the opposite side. Many of these people are committed to finding exclusively peaceful methods of conflict resolution and are spreading this message to their communities.

The involvement of Russian and Western experts in the process helped promote cooperation between Abkhaz and Georgians and multilateral meetings also facilitated to some extent better mutual understanding between Georgian and Russian participants on the one hand, and between Abkhaz and Western experts on the other.

Realising that the marginalisation of Abkhazia by the West was not helping to settle the conflict, nor supporting the development of democratic institutions in Abkhazia, INGOs encouraged international structures such as the European Commission to work not only in Georgia but also in Abkhazia. The engagement of the European Commission encouraged other donor organisations to support internal development projects in Abkhazia. By striving to create equal opportunities for all, INGOs also facilitated Abkhaz access to the international arena in order to voice their interests, needs and concerns. This helped to provide a more adequate, balanced picture of the situation to the international community, which until then had been more familiar with the Georgian interpretation of events.

In Abkhazia some critics of local NGOs claimed that the participation of Abkhaz civil society in peacebuilding initiatives would give the international community the idea that the Georgians and the Abkhaz could live as one state, concluding as a result that the activities of local NGOs were not in Abkhazia's interests. Those who observed the process from afar and who had only a superficial knowledge of the conflict may have had this impression. However, those international experts, diplomats and representatives of inter-governmental organisations who directly participated in the dialogue understood that this was not at all the case. They saw that Abkhaz experts and representatives of civil society defended Abkhazia's right to independence, but also that the Abkhaz NGOs were participating in these processes because they realised that the Georgian-Abkhaz conflict was not extinguished when the hostilities ended in 1993 and that efforts were still needed to prevent a new outbreak of violence. This understanding was circulated to diplomatic circles in Brussels, to the UN, the US State Department, to diplomatic missions which periodically organise briefings with INGOs working in the region, as well as to local civil society activists and experts. The discussions that took place at different meetings provided international representatives with a

87 Discussed in detail in Chapter 4 of this volume.

88 See *Dialogue on security guarantees in the context of the Georgian-Abkhaz conflict*. International Alert, 2009, available at <http://www.international-alert.org/publications/pub.php?p=409>

more objective view of the essence of the conflict and helped to dispel previous illusions. One such illusion was that Georgia had no problems with Abkhazia but was only in conflict with Russia. This myth has been frequently repeated in recent years by the Georgian leadership with INGOs and local experts trying to dispel it in order to give the international community a more realistic image of the conflict and its various permutations (Georgia-Abkhazia, Georgia-Russia, Russia-the West) and of the true aspirations of the parties.

Individual staff personalities are a significant factor affecting INGOs' efficiency, mobility and flexibility. The most successful ones, respected even by their opponents, were those whose representatives had strategic vision, demonstrated the ability to analyse and predict situations, were creative with good communication skills and were sensitive to the conflict situation.

Of course peacebuilding activities had their own serious *limitations and drawbacks*. One limitation is that only a narrow group of people is actively interested in conflict issues and it is not always possible to articulate the results of the work to the general public on both sides of the conflict. In order to address this, local partners should be more active in communicating with the public whenever possible. For example, INGO publications were printed in small numbers and not widely distributed, with minimal impact. However, many recognise that despite their sometimes limited effect, peacebuilding projects also stimulated important new initiatives. One of them is the film by Mamuka Kuperadze, *Absence of Will*, released in 2009, which asks Georgian society to reflect on the origins of the conflict and the events of the 1992-93 war.⁸⁹

Abkhaz NGO representatives regret that the peacebuilding efforts did not develop into an anti-war movement or spark the growth of such a movement across the South Caucasus. The broad social circles of the South Caucasus are divided by mutually exclusive expectations of conflict resolution and failed to unite around the understanding that the use of force should be excluded from the means available to politicians trying to resolve conflict situations.

Trans-Caucasian initiatives produced interesting results although INGOs and donors who preferred to work in a bilateral way did not always understand the importance of a regional approach to processes in the South Caucasus. Once these regional networks were relegated to exist only in the virtual realm, they became too politicised, creating a peacebuilding vacuum, which was acutely apparent in August 2008. A gap remains between the experiences and ideas accumulated by civil society and international decision-making and approaches to the conflict.

Unfortunately, despite the fact that civil society initiatives are funded by international donors, civil society opinions on conflict and development-related issues in Georgia and Abkhazia are not taken sufficiently into account by international mediators and influential organisations. INGO staff who have a thorough knowledge of the local situation and understand its specifics are able to provide information on the complicated political processes in Georgia and Abkhazia to representatives of diplomatic missions in the region, representatives of the EU and other international organisations, as well as foreign ministries of leading world states.

However as international responses to many issues are dictated by prevailing geopolitical paradigms, INGOs find it hard to influence policy change at an international level. When some INGOs tried to follow international practice and adopt prejudiced positions towards the Abkhaz that were damaging to Abkhaz interests, the Abkhaz partners refused to accept this – and without their participation the initiative was meaningless.

INGO work at the local authority level also encountered difficulties and obstacles with the internal political situation in each country and the attitude of the authorities to INGO activities. In recent years, for example, the Abkhaz leadership, fearing criticism from the opposition and negative

⁸⁹ Studio Re, 1999. Available at <http://studiore.org/?p=6#more-6> and also on YouTube

public reaction, has not provided Georgian journalists working on various INGO projects with the opportunity to visit Abkhazia, without officially refusing them permission. The opponents of democracy in Abkhazia have used the Georgian-Abkhaz conflict in the internal political debate, especially during the elections, more than once launching ideological attacks on local NGOs. Since they could not criticise NGOs for their commitment to democracy, they criticised the process of informal Georgian-Abkhaz dialogue instead. In addition it was widely believed in Abkhaz society that there was no need to enter into dialogue with the Georgian side until it recognised Abkhaz independence and that Georgians have an *a priori* understanding of Abkhaz aspirations. After the August 2008 war and the recognition of Abkhazia by Russia even greater doubts were cast on the relevance of discussions on the conflict.

Today INGOs are faced with a new situation in relation to the Abkhaz authorities. If a mutually acceptable format for their work in Abkhazia is not found, their activities may have to be scaled down. This mainly refers to organisations working in Abkhazia with regional head offices in Tbilisi. However, curtailing the activities of these organisations may complicate life for other INGOs that work with Sukhum directly from European capitals.

The Georgian leadership also poses challenges for international organisations. Since Saakashvili came to power, Tbilisi effectively torpedoed the Schlaining process by preventing Georgian officials from participating. Engaging in a meaningful dialogue with the Abkhaz side was not conducive to Georgia's strategic objectives, as Georgian authorities were trying to persuade the international community that the regional situation should only be considered through the prism of Russia's relations with its neighbours.

INGOs thought it important to work with both the Georgian and Abkhaz sides since they see the conflict as primarily between Abkhazia and Georgia. They also invited Russian experts to contribute, as they acknowledge that Russia plays an important role in the region. However, due to the limited resources available to INGOs, work with the Russians was clearly insufficient.

Many organisations, particularly those based in Tbilisi, prefer not to provoke the Georgian authorities on the Georgian-Abkhaz conflict. This not only means they avoid working on conflict-related issues, but also that they sometimes find themselves supporting the official Georgian position on the conflict. When participating in discussions with the Georgian leadership on conflict issues, many representatives prefer, at best, not to express their views. However, the silent presence at such discussions is then interpreted by Georgian officials as endorsement of Tbilisi's strategic direction.

Another challenge relates to how the Georgian authorities collaborate with civil society for political ends. One example is the work on the so-called new "Strategy of the Government of Georgia on Occupied Territories", for which Tbilisi has brought Georgian and international NGOs into the discussions. As the title shows, however, the document did not take into account the key criticisms made by Georgian experts and representatives of the more independent INGOs. Nevertheless the "strategy" is now being presented as a document that was developed through extensive discussions.

The lack of coordination between different initiatives should be noted as a main weakness of INGO work, which can lead to frustration especially amongst international organisations themselves. As one of the experts interviewed said, too much coordination could turn different initiatives into a single process, thereby limiting the impact. Lack of coordination, however, can lead to duplication of certain activities. Although the wide range of ideas meant it should have been possible to expand the participant group and achieve greater results, it was often the case that the same organisation or individual was involved in several important projects at the same time, leading to clashes in schedules of activities and other consequences.

Sometimes it seems as though INGOs and their local partners operate through inertia, exploiting a “fashionable” topic for which it is easier to obtain funding, without clear objectives and strategies, but comforted by a long-term and easy partnership.

Various INGOs have adopted different approaches to drafting agendas. Some organisations increasingly rely on the ideas and preferences of local organisations. Others feel that local and international NGOs should participate on equal terms in developing programmes. Both approaches have their pros and cons. The first requires greater flexibility from INGOs and accords greater independence to local organisations, which they strive so hard to achieve. However, sometimes this approach may indicate a lack of strategic vision by INGOs. The second approach involves a complex joint analysis of the situation and development of strategic objectives, at times requiring compromise. When such a partnership is successful, it becomes one of like minds based on a comprehensive understanding of the situation and on shared values, but without excluding disagreements over tactical measures. INGOs working in the Georgian-Abkhaz context understood that they were not the key figures in terms of influencing public opinion in the field – and that meant passing responsibility onto local partners. However, sometimes the goals and expectations of local NGOs did not coincide with the expectations of international organisations, or for various reasons the internal political capacity of local NGOs was limited. International and local partners developed a shared agenda through lengthy negotiations without always reaching consensus. Most problems arose when INGOs tried to impose their agenda on local organisations. These partnerships either never got off the ground, or were short-lived one-time projects.

One of the most serious challenges INGOs faced was the fact that local partners in Georgia and Abkhazia had very different objectives despite their agreement on the need to prevent the use of force in conflict settlement. The Abkhaz wanted to use every opportunity to promote Abkhaz independence, explaining to the Georgians and the representatives of the international community why Abkhazia and Georgia could not co-exist as one unified state. Conferences and meetings, in addition to the dialogue component, were important for them as international platforms for justifying the need to recognise Abkhazia’s independence. The aims of Georgian participants varied depending on which group they represented, although it is likely that issues of reconciliation with the Abkhaz and finding common ground without throwing doubt on the issue of the territorial integrity of Georgia were central for most participants. For INGOs, it was important to establish a process that would help participants from both sides better understand their opponent’s situation, so that they did not build their strategy based on myths.

Many experts believe that people in Georgia, especially Georgian refugees, have illusions about the situation in Abkhazia, along with illusions about Abkhaz perceptions of the 1992-93 war and its consequences. Probably for refugees, return to Abkhazia signifies a return to the old pre-war life, which no longer exists. INGO representatives recognise that international organisations supporting Georgian NGOs’ work with refugees are faced with the challenge of helping these people go through the painful process of accepting the new reality and rethinking the past. Part of the refugee work is aimed at stimulating thinking about how to change their situation in Georgia itself and how to ensure that they are not used as a tool by the Georgian authorities.

Future prospects

Many people – in Abkhazia at least – felt that the conflict was finally resolved after the events of August 2008. However, one could argue that it is only the theme of Georgian “territorial integrity” that has been laid to rest, rather than the Georgian-Abkhazian conflict as such. The question is what approach to conflict resolution should be adopted at this stage, when the Abkhaz believe that recognition of Abkhaz independence has completely changed the conditions for resolution but Georgia has not yet accepted the new reality.

The August war forced INGOs with many years of peacebuilding experience to rethink the value of dialogue and their own activities in general. Many wonder whether there is too much idealism in peacebuilding work and whether they are just carrying out dialogue for dialogue's sake. INGOs realise that many opportunities were missed to prevent the August violence. Neither international actors nor local civil society succeeded in convincing Georgian society that the Georgian leadership was pursuing not only counterproductive but dangerous policies. Neither did they succeed in influencing Western politicians, who until August 2008 shied away from publicly criticising the Georgian leadership and backed many of their risky measures.

The August war and the recognition of Abkhaz independence created entirely new conditions for INGOs working in Abkhazia, both for those working on internal development, and for those working on the conflict. In addition, the fact that INGO activities were not paralysed by events is valuable in itself. INGO representatives rightly point out that the situation in Georgia-Abkhazia has been volatile for many years and that INGOs have tried to respond to important changes by adjusting their strategies and goals. However, August 2008 took the conflict to a completely new level and conflict transformation needs to be viewed in this new context.

It is important that Georgian society understands the new realities and that returning to former relations is impossible. Georgia has gone through a period of turmoil over the last 20 years and it is vital that it reflects on past events and adopts a more realistic and pragmatic approach to the present and the future. In order for normal relations between parties to be established, Georgian society needs to understand why the Abkhaz people wish to have their own independent state. For this understanding to develop Abkhazia must begin to talk to its neighbours. Both Abkhaz and Georgian societies must recognise that it is in their own interests that security be ensured through lasting peace.

INGO peacebuilding work has helped communities of civilians and experts to better understand each other and has created a platform for discussion of the most pressing and important topics. Alongside the official Geneva process this is the only channel of communication between the two communities.

Issues of the abandonment of the use of force in resolving the conflict along with problems of human security, especially in border areas, are still relevant today. A different form of dialogue could be established, without overly ambitious goals, which could avoid the situation from becoming directly confrontational. Stronger social forces on both sides are needed to argue against the use of force to resolve the conflict and also to prevent politicians from using the conflict to serve their own internal political ends.

Advocacy activities with decision-making international institutions need to be strengthened. The gap between the experience of local civil society and international approaches to the region needs to be bridged. To do this, more effective forms of cooperation with international institutions must be found. One means could be to involve civil society representatives of Abkhazia, Georgia and other regions of the South Caucasus as well as Russia in conflict-related discussions in the framework of the Geneva process and at official international meetings at the Council of Europe, the European Parliament and the United Nations.

Regional partnerships are increasingly important in today's environment, as since the August war the South Caucasus has realised that events in one country in the region affect processes in the others and has paradoxically started to feel itself to be a defined region. Good contacts have been established between civil society representatives of all six countries of the South Caucasus, which have been supported for years by INGOs working in the region. However, at the same time, relatively large-scale EU and USAID initiatives and major programmes were also organised, in which only representatives from Armenia, Azerbaijan and Georgia were invited to participate, thus not promoting cooperation among all parties in the South Caucasus nor supporting the complex internal development of countries not yet recognised by Western states.

The continued support of democratisation in society is of immediate concern. Given the current state of democratic institutions in Georgia, strengthening democratic processes there should be a priority for international organisations.

Although they currently do not recognise Abkhaz independence, the West should not let this be an excuse for non-cooperation with Abkhazia in various spheres, whether economic, educational or social, etc. Providing expert support to the democratic process in Abkhazia is also a priority.

Efforts to support sustainable democratic development in all states in the South Caucasus could significantly contribute to long-term security in the region.

Part II – The Georgian Papers

International Engagement in the Georgian-Abkhaz
Conflict Resolution Process

Introduction

The international community has long been engaged in the Georgian-Abkhaz conflict since the active phase of the war in the early 1990s. The statement by the president of the UN Security Council on 10th September 1992 can be considered as the initial reference point for the international community's engagement in the resolution of the conflict. However, at that time, this geographical corner of the post-Soviet space – the Southern Caucasus – was not at the centre of world attention, especially given the bloody confrontation that was gaining momentum in the Balkans, and therefore international engagement and its contribution towards peacebuilding was sluggish.

Over time, however, the scale and dimension of engagement by international inter-governmental and non-governmental organisations began to expand and grow. At the beginning the main efforts were channelled into ensuring talks on a ceasefire and the non-resumption of hostilities. The agenda of the talks also encompassed the status of Abkhazia and the return of persons internally displaced as a result of the conflict. Of note is that both international organisations (UN, OSCE, CIS) and the Russian Federation were involved in resolving these problems. The latter, guided by imperial interests in the former Soviet space, and due to the passivity of the rest of the international community, was able to secure for itself a special intermediary role, including in peacekeeping operations, formally held under the auspices of the CIS. As a result, over a long period until August 2008, Russia was able to successfully manipulate the negotiations in order to maintain leverage over the Georgian and Abkhaz sides through the freezing of the settlement process.

Since the second half of the 1990s, international non-governmental organisations, research centres and universities gradually stepped up their activities. These organisations focused their efforts mainly on restoring confidence and building mechanisms for dialogue between the Georgian and Abkhaz societies. A separate group of organisations focused on providing humanitarian assistance to displaced persons and resolving their social problems. One organisation specialised in mine clearance in the areas where the fighting had taken place.

In general, the peace process had varying levels of success. International actors largely succeeded in maintaining stability, and sometimes even in bringing the positions of the parties closer to each other, but not to an extent to be able to find a compromise solution acceptable to both sides. However, there were occasional outbreaks of violence and other crises. Each time the negotiation process was stalled, international mediators had to make considerable efforts to restore it. However, dialogue and cooperation between the various representatives of Georgian and Abkhaz civil society never stopped. Against the backdrop of an unsuccessful search for a political settlement at the official level (including the return of displaced persons), the continuity of public diplomacy channels and contacts within the framework of confidence-building projects appeared to be almost the only achievement of international engagement.

The Georgian-Russian war of August 2008 has proved the most difficult challenge for Georgian-Abkhaz relations and, consequently, for international engagement in resolving the conflict. All negotiating and peacekeeping mechanisms and formats for maintaining stability collapsed overnight. Of particular note in relation to this is the termination of the UN Observer Mission in Georgia (UNOMIG). The resulting new realities complicated the work of many international non-governmental organisations, some of which are even in the process of closing down their projects in the region.

Since August 2008, the European Union has become significantly more active, having previously preferred to remain in the shadows and limit itself to the modest role of sponsoring post-conflict reconstruction projects. Having secured a truce between Georgia and Russia, the EU sent 200 monitors

to Georgia as part of a special observer mission. The mission's mandate included monitoring the situation on both sides of the Inguri River, but Russian and Abkhaz authorities prevented the observers from working on the territory of Abkhazia. Shortly afterwards, in accordance with the August ceasefire agreements, the Geneva discussions on security and the return of displaced persons were launched with the participation of all stakeholders. In addition to the EU, the facilitators are the UN, OSCE and the United States. In this new phase of talks, Russia is presented as a party to the conflict. An Incident Prevention and Response Mechanism (IPRM) has been established within the framework of the Geneva negotiations. This mechanism is complemented by a "hotline" that provides a permanent channel of communication among all parties. At the time of writing, 10 rounds of discussions have been held in Geneva and 15 meetings in the framework of IPRM.

Many consider that unlike the pre-August period, motivations for international engagement in resolving the conflict have grown. Despite the fact that the results are modest, international actors remain highly motivated. The reason for this is the change in the nature of the conflict which, in addition to the Georgian-Abkhaz aspect, has a pronounced Georgian-Russian dimension.

The purpose of this study was to identify the characteristics of the dynamics of international engagement in resolving the Georgian-Abkhaz conflict since the beginning. In particular, the authors attempted to identify factors contributing to and impeding the effectiveness of international mediation as the conflict context evolved, and to assess its prospects.

The study consists of four articles and two annexes, each article written by a different author. Experts were surveyed for individual articles. Contributing authors include Vakhtang Kolbaia, Archil Gegeshidze, Nodar Sarjveladze and Ivlian Haindrava. The surveys were conducted and processed by Elena Chomakhidze and Marina Baliashvili. Archil Gegeshidze coordinated the research.

Chapter 1

A Retrospective Analysis of Factors Impeding and/or Contributing to Effective International Engagement in the Resolution of the Georgian-Abkhaz Conflict

VAKHTANG KOLBAIA

International engagement in the resolution of the Georgian-Abkhaz Conflict has its political and humanitarian dimensions as well as aspects of restoring confidence and dialogue. This chapter outlines a brief review of the activities of different international organisations in these fields.

1. Political aspects

1.1. The United Nations and the UN Observer Mission in Georgia (UNOMIG)

The first statements on the situation in Abkhazia were made by the UN Security Council on 10th September and 8th October 1992,⁹⁰ but the international community's reaction to the events in Georgia was rather weak since at that time its attention was focused on the Balkans. Many experts felt that there were real opportunities at the initial stages of the conflict for its resolution, or at least to steer it onto a more peaceful course, but this would have required the active and dynamic involvement of the international community and of Russia itself. However, the first official report on Abkhazia was only presented by the UN Secretary-General *five* months after the fighting began, on 28th January 1993. After the Concluding document of the Moscow meeting of 3rd September 1992⁹¹ was violated (the implementation of this document was not in the Kremlin's interests, as a transient resolution to the conflict allowed Russia manoeuvring room to address its long-term geopolitical interests in relation to Georgia), the UN Secretary-General in a letter of 5th May 1993, expressed his 'serious concerns over the further deterioration of the situation in Abkhazia' and called on all sides to 'immediately cease hostilities and honestly observe and comply with the terms of the Moscow Agreement of 3rd September 1992'. A UN Special Representative for Georgia was appointed in May 1993.

On 27th July 1993 in Sochi the parties signed the Agreement on a Ceasefire in Abkhazia and Arrangements to Monitor its Observance, with Russia as a guarantor. An implementation mechanism was defined, 'on disarmament and a peaceful solution to the crisis', involving a process of demilitarisation of the conflict zone and the withdrawal of all heavy armoured vehicles and artillery of both sides. The UN Security Council Resolution 858 of 24th August 1993 established the UN Observer Mission in Georgia (UNOMIG) to monitor compliance with this agreement. In late September Georgia withdrew its artillery and troops from the conflict zone by sea, in the presence of Abkhaz observers. The Abkhaz managed to avoid Georgian observers witnessing the withdrawal of Abkhaz artillery and heavy armoured vehicles to Russian territory. UN mission representatives protested about this but the Russian side refused to take responsibility for the security of observers and suggested they would film the process and give the video to the UN as evidence. As a result, when in September 1993 the Abkhaz side began their final attack using its armoured vehicles and artillery, the Georgian side was left with almost no defence. As a result, the military phase of the conflict ended with the expulsion of 'representatives of defeated ethnic

90 UN Documents S/24542 (10th September 1992) and S/24637 (8th October 1992).

91 Concluding statement of the Moscow meeting of Russian President B. Yeltsin and Chairman of the State Council of the Republic of Georgia Eduard Shevardnadze on 3rd September 1992.

groups',⁹² and over 200,000 persons internally displaced in Georgia alone. This was hardly a successful “debut” for UNOMIG.

In his report of 27th October 1993 the UN Secretary-General noted that due to the resumption of hostilities between parties on 26th–27th September, UNOMIG's mandate was invalidated (five military observers remained), but offered to leave them for another three months with a temporary mandate.

UN Security Council Resolution number 892 of 22nd December 1993 authorised the deployment of up to 50 additional United Nations military observers to the UNOMIG to monitor the implementation of the ceasefire. But this mandate soon lost its relevance because of continuing armed incidents in the conflict zone.

Only after an agreement was reached ‘On Ceasefire and Separation of Forces’ on 14th May 1994, did the UN Security Council adopt resolution 937 of 21st July 1994, which defined the UNOMIG mission until its expiration at midnight 15th June 2009, after Russia finally vetoed the renewal of the mission's mandate at the UN Security Council. The UNOMIG mandate foresaw:

- Observation of the ‘operation of the CIS peacekeeping forces’ (actually the CIS peacekeeping force was entirely composed of Russian soldiers);
- Observation of the storage areas for heavy military equipment withdrawn from the security zone;
- Regular patrols of the Kodori Valley;
- The promotion of the safe and orderly return of refugees and displaced persons.

In this way, the UNOMIG mandate was based on the Moscow agreements, which allowed the ceasefire to be maintained after the 1992-93 conflicts. UNOMIG was guardian of the Moscow agreements, striving to be objective and criticising both the Georgian and Abkhaz sides for non-compliance with the agreements.

Ultimately, the UN failed to accomplish its main objective of preventing the resumption of hostilities. As a result, the conflict resolution process was heading towards a dead end while the parties were not getting any nearer to resolving the conflict and on the contrary were living in “parallel worlds”.⁹³

From 1993-2009 the UN Security Council adopted 90 different documents, including 56 Security Council resolutions, but no progress was made towards the resolution of the conflict. The conflict was merely “frozen”, and in these conditions there was always the danger of a resumption of violence, as the events of 2008 proved. Nevertheless, overall the UN played a positive role in ensuring security and non-resumption of hostilities.

It is only fair to note that the potential of the UN, where Russia has the right of veto, is limited: it could not (and cannot) take decisions that oppose Russia's strategic interests. The Georgian-Abkhaz conflict was “frozen” until the impulsive and deficient political actions of the Georgian authorities gave Russia the opportunity to turn the situation around. President Medvedev said ‘there are regions ... in which Russia has privileged interests’.⁹⁴ It is obvious that this undefined geographical area includes Georgia. Western countries, including NATO members, criticised Russia for its actions in South Ossetia in August 2008, accusing it of using disproportionate force against Georgia. However, a few months later some European politicians actually acknowledged

92 S. Markedonov. ‘Rasputaetsia Abkhazskii Putok?’ [Can the Abkhaz knot be untangled?] *Politcom.ru*, 14th August 2006. Available at www.politcom.ru/3223.html

93 Available at <http://www.newskaz.ru/comment/20090714/253157.html>. ‘Spiritcheskii Séance s Gruzinskimi Diplomatami’ [A Séance with Georgian Diplomats] Valentin Rakhmanov, *Ria Novosti*, 14th July 2009.

94 Interview with Dmitry Medvedev, Russian TV, 31st August 2008. See <http://www.kremlin.ru/transcripts/1276>

that Georgia was responsible for the escalation of the situation in the region. Following the recognition of Abkhaz and South Ossetian independence (and the signing of related agreements with them), Russia secured the long-term presence of its armed forces there, and in doing so protected its own interests in the region.

The International Crisis Group (report 195 of 22nd August 2008) notes that, ‘At the broader level, the crisis raises significant questions about the capacity of the EU, the UN and NATO to address fundamental issues. While European leaders stepped forward to achieve the ceasefire agreement, their inability to put forward a forceful response to the Russian action reflects a lowest common denominator approach that discourages stronger and more innovative policies. Similarly, the UN Security Council, divided by whether to include references to Georgia’s territorial integrity in either a resolution or statement, has issued nothing on the conflict since it began to boil over on 7th August. In an unhappy reminder of the Cold War years, the conflict has called into question the council’s capacity to address any issue over which P5 members have significantly different interests’.⁹⁵

The Moscow Agreements on the ceasefire and separation of Georgian and Abkhaz forces, which defined the nature of peacekeeping missions, their composition, objectives, tasks and resources, are no longer in force. ‘The removal of this legal basis had a domino effect on the activities of international organisations (OSCE and the UN) in the Caucasus region’.⁹⁶ Therefore the question as to whether all the key players agree on cooperation on security in the South Caucasus, or whether the region will remain an arena of confrontation, remains open.

1.2. The Organisation for Security and Cooperation in Europe and the Parliamentary Assembly of the Organisation for Security and Cooperation in Europe

The Organisation for Security and Cooperation in Europe (OSCE) mission in Georgia was established in December 1992 to ensure international participation in peaceful conflict resolution. Official OSCE documents state the main purpose of the mission as to help ‘the government of Georgia in the field of conflict resolution, democratisation, human rights and the rule of law’. According to the original mission mandate, adopted 13th December 1992, it was to ‘promote negotiations between the conflicting parties in Georgia aimed at reaching a peaceful political settlement’. The mission’s mandate was then extended. It included items on the Georgian-Ossetian and Georgian-Abkhaz conflict, Georgia in general, and the monitoring of the Russo-Georgian border. But the main focus was on conflicts, particularly the Georgian-Ossetian conflict, as the Georgian-Abkhazian confrontation was the priority of UNOMIG.

This period was one of busiest for the Georgian Ministry of Foreign Affairs, resulting in various condemnations of the events in Abkhazia at the OSCE Summits in Budapest (1994), Lisbon (1996) and Istanbul (1999): ‘Against the background of recent refugee tragedies in the OSCE region and taking into account the issue of forced migration, we again condemn and pledge to refrain from any policy of “ethnic cleansing” or mass expulsion ... We condemn the “ethnic cleansing” resulting in mass destruction and forcible expulsion of predominantly Georgian population in Abkhazia’.⁹⁷

As a result, Sukhumi saw the OSCE as biased and, with its credibility undermined, the OSCE lost any real potential impact on the process.

The OSCE Parliamentary Assembly also tried to influence the resolution of the Abkhaz conflict. In February 2001 a special commission was established with deputies from Russia, Turkey, Germany and Sweden. The aim was for the commission to help create a political mechanism to facilitate reconciliation and conflict resolution, including through direct contacts between the commission

⁹⁵ Available at <http://www.crisisgroup.org/home/index.cfm?id=5636&ndl=3>

⁹⁶ Available at <http://www.hotoffer.pp.ua/fundament-3/vozmozhen-li-mir-na-kavkaze-321.html>

⁹⁷ Lisbon Document 1996, p 8, para 20. Other references included in the Istanbul Document, 1999, pp. 51,52 paras 15,16,17; and the Budapest Document, 1994, pp.7,8. All available at <http://www.osce.org/mc/13017.html>

and Abkhaz representatives. The decision-making structure of the OSCE meant that the Russian delegation was not able to influence internal processes. At the Berlin Assembly (2002), deputies of the OSCE PA condemned the Russian authorities for granting Russian nationality to the inhabitants of Abkhazia, foreseeing far-reaching consequences. After the adoption by the OSCE PA in Washington of the resolution 'On the situation in Abkhazia, Georgia', the commission renewed its efforts and its members, along with the chairman and vice-chairman of the Assembly, visited Moscow and Tbilisi.

As time would tell, the OSCE and OSCE PA decisions did not have a positive impact on the conflict in Abkhazia. There were no tangible results in Tskhinvali. On a number of occasions, their assessment of escalations was inadequate. A prime example of this were the well-known events in Tskhinvali in the summer of 2004 when the Georgian authorities tried and failed to solve the problem by force, and the OSCE pretended that nothing had happened. Initially Tbilisi ignored proposals for the Tskhinvali region to implement joint programmes approved by the European Community (ministerial OSCE in Ljubljana, December 2005) aiming for the resumption of dialogue, conflict transformation and the establishment of a real peace process. Subsequently, Tbilisi established parallel authorities in the Tskhinvali region.⁹⁸

1.3 European Union; Council of Europe

Since the late 1990s the EU has actively supported various economic rehabilitation projects and confidence-building measures in the Georgian-Abkhazian and Georgian-Ossetian conflict zones. The European Union funded projects aimed at improving the living conditions of populations affected by conflict, creating conditions for the return of IDPs and promoting constructive dialogue between conflicting groups. The EU is the largest donor in South Ossetia and Abkhazia and since the August war began, the EU has been the only organisation to really engage with conflict-related problems in Georgia. For various reasons including the present situation and differences in opinion between new and old member states on Russia, the EU was unable to force through implementation of the Sarkozy-Medvedev-Saakashvili agreements.⁹⁹ However, the EU has allocated considerable funds to Georgia's post-war rehabilitation. The presence of EU observers on the perimeters of the conflict zone in South Ossetia and Abkhazia has not reduced the tension and the situation remains complex. The head of the EU mission to Georgia, Hans Jorg Haber, personally intervened to settle numerous incidents that arose due to tension between parties, making shuttle trips to the conflict zone.

Georgia became the 41th Member State of the Council of Europe on 27th April 1999. However, in September of that year the Council of Europe adopted its first paper on Georgia regarding the problems of refugees and IDPs. In total, the Parliamentary Assembly of the Council of Europe (PACE) adopted 97 documents on Georgia, individually and in the context of the South Caucasus. They repeatedly called on the Russian Federation to make a real contribution to the ongoing UN-facilitated peace process. Resolutions adopted by the Council of Europe were in essence an attempt to involve international organisations in conflict resolution in Georgia.

Documents of the European institutions played an important role in the conflict resolution process. However, the intervention of the EU and the Council of Europe was naturally limited and they were unable to influence the process significantly. As it turned out most states did not really understand the origins of the conflict and therefore lacked the motivation for effective engagement. Instead of encouraging Georgia to search for ways to resolve the conflict, the EU

⁹⁸ Presidential Decree No 296 of 10th May 2007. 'On creation of the temporary administrative unit on the territory of the former South Ossetian district'.

⁹⁹ Ceasefire plan for the war in Georgia in August 2008, adopted at a meeting of the presidents of Russia and France, Dmitry Medvedev and Nicolas Sarkozy, during talks in Moscow on 12th August 2008. On 14th August, the plan was signed in the Kremlin by the presidents of Abkhazia and South Ossetia at a meeting with Medvedev. On 15th August, Georgian President Mikhail Saakashvili signed the plan, and on 16th August Russian President Dmitry Medvedev signed.

contented itself with Georgia's aspirations to join the EU. The European Community has indeed made a large contribution towards strengthening democratic processes (for example, by including Georgia, Armenia and Azerbaijan in the European Neighbourhood policy – as a response to the “Rose Revolution” and later in the Eastern Partnership initiative), but it has stopped halfway, believing that the authorities would continue the journey independently. The EU is not using the significant leverage it has in Georgia to stabilise the situation through democratisation, human rights, media freedom, and so forth.

Democratisation in Georgia is key to effective international engagement in conflict resolution. From a historical perspective, experience shows that responsibility for maintaining peace in Europe lies with the EU.

1.4. Russia and the conflicts

Following the conflict in Abkhazia, the first agreement on a ceasefire and the non-resumption of hostilities was drawn up in Moscow on 3rd September 1992.¹⁰⁰ Later, the Georgian government attempted to involve international structures in the conflict resolution process. The parties agreed to admit representatives of the two sides, as well as Russia, the UN and the Conference on Security and Cooperation in Europe (CSCE) to the expert working group to make recommendations on the political status of Abkhazia. The Russian Federation then quickly circulated an unofficial document within the UN with a proposal for the deployment of a peacekeeping operation in Abkhazia. Despite the fact that in his report of 25th January 1994 the UN Secretary-General referred to multinational peacekeeping forces, Russia indicated its intention to seize control of the conflict. Two options were on the table regarding proposed peacekeeping forces: either a traditional force under the command of the UN, or one sanctioned by the UN. However, documents that had been adopted through multilateral negotiations in the UN and the OSCE were simply ignored.

The European Parliament expressed serious concerns about Russia and urged it to refrain from any action that might jeopardise the process of securing stability through political negotiations. Attitudes to Russia's actions have not changed since August 2008. The European Parliament clearly reminded Russia of its obligations on the withdrawal of troops from Georgian territory. In its resolution of 3rd September 2008 the European Parliament called on Russia to respect its commitments to withdraw its troops from Georgia, and also supported the decision of the European Council (summit of state representatives and member states of the EU) to postpone negotiations with Russia on a new agreement until it moved its troops back to positions they occupied prior to 7th August of that year.¹⁰¹

Georgia and some Western countries believe that Russia's attitude and actions are the main obstacles to effective international engagement in conflict resolution. After the “Rose Revolution”, Moscow lost control over Ajaria. Georgia confronted Russia, accusing it of organising and supporting conflicts in the country. The Kremlin watched warily as the influence of the West and the US grew in the South Caucasus, especially in Georgia. Russia's mistrust of Georgia was strengthened by factors including the 1999 Istanbul agreements on the withdrawal of Russian military bases, Georgia's failure to sign the agreement extending its presence in the country, as well as other conflicts of interests (pipelines, aspirations to join NATO, American instructors in the army, participation in operations in Iraq, Guam, etc). Today, the Russian Federation has done everything in its power to put an end to the activities of international organisations in conflict zones, has built military bases on Abkhaz and South Ossetian territory and even air and naval bases in Abkhazia in order to strengthen the administrative border.

100 Concluding statement of the Moscow meeting of Russian President Boris Yeltsin and President of the State Council of the Republic of Georgia Eduard Shevardnadze on 3rd September 1992.

101 Available at <http://www.europarl.europa.eu/sides/getDoc.do?type=IM-PRESS&reference=20080901BRI35767&secondRef=ITEM-004-EN&format=XML&language=EN>

Gradually the international community has come to believe that European security depends on a peaceful political solution being found to the conflicts in the South Caucasus. Western states believe the Geneva process should minimise Russia's role in conflict resolution. The EU is moving towards finding ways of mutually beneficial cooperation with Russia, and at the same time cautiously vying with Russia for influence over its neighbours, seeking to establish a foothold there by reducing the requirements for democracy. Meanwhile, according to Russian foreign ministry official Semen Grigoryev, Russia should soon ensure that its economic and social projects in Abkhazia match its military-political initiatives. Russian big business has arrived in Abkhazia. In order to respond to this adequately, the West must seek pragmatic solutions to Abkhazia that could become a new precedent in international legal practice: to persuade the Georgian authorities to promote different types of cooperation between Abkhazia and different international bodies. This plan will require specific detail and the various international bodies will need to include Abkhazia in international education programmes and in research projects on important aspects of life in modern society.

1.5. The Commonwealth of Independent States and the Collective Peacekeeping Force

Georgia joined the CIS on 3rd December 1993 and this was ratified by parliament on 1st March 1994. The Georgian leadership consciously supported a more significant role for the CIS in conflict resolution, in which Russia's military and political domination was evident. This came about mainly due to the weakness of the international community and, according to some experts, its insufficient involvement and interest as well as the lack of real mechanisms to make a positive impact on processes in Georgia. The result was the adoption by the Council of Heads of State of the Commonwealth of a document on the use of collective peacekeeping forces in the Georgian-Abkhaz conflict. CIS peacekeeping forces were deployed with the agreement of the parties to the conflict and the approval of the UN (22nd August 1994). The forces were composed of Russian soldiers.

The Council of Heads of State of the CIS and other forums took dozens of seemingly important decisions (1994 Statement on Measures for the political settlement of the Georgian-Abkhaz conflict; and Decision on measures for resolution of the conflict in Abkhazia, Georgia; on 19th January 1996), but it was clear that these documents were to "pacify" the Georgian side, as they were never implemented in reality.

The CIS is an artificial structure by nature and by character because of the divergent goals, values, attitudes and visions of its member states. Most likely this is the reason why often its decisions were not implemented and why a number of states did not sign documents on Georgia (Azerbaijan, Kazakhstan, Moldova, Turkmenistan, Ukraine, and Belarus). In fact, Russia assumed the role of peacekeeper, and the CIS did not manage to gain Tbilisi's confidence or trust.

2. Humanitarian aspects: problems of IDPs and refugees

Even at the beginning of the Abkhaz conflict the UN set the problem of refugees and IDPs as a priority, and called on parties to facilitate conditions for their voluntary, safe and swift return to their place of permanent residence in Abkhazia.¹⁰² As a result of UN efforts in April 1994 the parties signed an Agreement on the Voluntary Return of Refugees and Displaced Persons, which recognised their right to return peacefully and without risk of arrest, detention, imprisonment or criminal prosecution.

All international institutions stipulated that the main condition for the presence of Russian peacekeeping forces on Abkhaz territory was not only to guarantee peace in the conflict zone, but also to allow the unconditional return of Georgian refugees to their former homes in Abkhazia.

¹⁰² Security Council Resolutions No 849 of 9th July 1993, No 854 of 6th August 1993, No 858 of 24th August 1993, No 876 of 19th October 1993, No 881 of 4th November 1993, No 892 of 22nd December 1993, 896 of 31st January 1994, 901 and 906 of 4th March and 25th March respectively.

In April-May 1994 representatives of the Office of the High Commissioner for Refugees visited the region in order to assess the possibilities for voluntary return of IDPs. Earlier, in February 1994, the UN hosted another round of negotiations in Geneva on recommendations on the political status of Abkhazia, which fed into the Declaration on Measures for a Political Settlement of the Georgian-Abkhaz conflict (4th April 1994, Moscow). As a result of UN efforts it was agreed that a special commission would be established to oversee the phased return of refugees and IDPs, with the first stage taking place in the Gali district. Unfortunately, serious progress in this direction has not yet been achieved.

During this time 311 IDPs were returned to the Gali region with the assistance of UNHCR. Unfortunately, they were not able to settle there as the UNHCR had begun the return process hastily – without fully evaluating the mood of the Abkhaz people, who were not ready for this process. Although fighting had not actually occurred in this mono-ethnic region, over 1200 inhabitants had been killed during the conflict and the presence of a number of official and unofficial armed militias made it difficult for the local authorities to assert control over the situation. Furthermore, bad memories of bloodshed and the loss of friends and loved ones were still fresh in people's minds.

The process of spontaneous returns to the Gali district continued without noteworthy incident until 26th May 1998, when local people and representatives of the Georgian authorities staged a demonstration in honour of a holiday,¹⁰³ which sparked an armed clash between the sides.

As the international community had no real leverage over the return of IDPs, it limited itself to making political statements. In the end not even the issue of IDP registration was solved. It should be noted, however, that according to some estimates between 35–50,000 Georgians have returned to the Gali region (within the old borders).

International organisations played an important role in arranging for technical assistance to limit the effects of armed conflict. Of particular note were the UNHCR and the Norwegian Refugee Council, the Danish Refugee Council, the International Committee of the Red Cross, and Médecins Sans Frontières [Doctors Without Borders], whose efforts helped to save many thousands of lives and to reduce the scale of the humanitarian catastrophe.

The problem of IDP return to Abkhazia is one of the main outstanding political issues. UN documents could not really address the issue, as the UN was not able to find adequate arguments or mechanisms to counterbalance the extreme politicisation of the issue. Several complicating factors were at play, including the relative political instability and social crisis in Georgia as well as Abkhaz fears about a mass return of IDPs which they see as a security threat. 'After the difficult war with Georgia we took in some 55,000 refugees. Return of the remaining refugees would be difficult and today we cannot agree to this'.¹⁰⁴ Recent concrete steps taken by civil society and non-governmental organisations to facilitate the gradual integration of the Gali population into Abkhaz society is one of the main successes of international organisations in this regard.

The HALO Trust: The use of anti-personnel mines during the open stage of the conflict left much mined territory to be cleared afterwards. In 1996 Georgia voted for all UN Security Council resolutions prohibiting the use of anti-personnel mines and declared a moratorium on their use. Since 1997 the British humanitarian organisation HALO Trust has provided technical assistance for mine clearance. By 2005 the organisation had completed the work in the Gali district and the Gumista river valley, near Sukhumi. The HALO Trust cleared and destroyed up to 7,000 mines and the same number of shells. In 1999 the organisation established the Anti-Mine Centre of Abkhazia, to oversee information, planning and operational coordination. From 2006-2007, the

¹⁰³ 26th May is the Independence Day of Georgia, a national holiday.

¹⁰⁴ Available in Russian at <http://apsnypress.info/news2010/January/28.htm>

HALO Trust continued to work on mine clearance in the Ochamchira and Sukhumi regions. In the 15 years after the war some 500 civilians were blown up by landmines and seven staff of the Halo Trust were injured during mine-clearing.

There is no doubt that the work of the HALO Trust in the conflict zone was very important for the civilian population and the future of the region. According to estimates, some 20,000 mines were laid in Abkhazia, so the resumption of this organisation's work could save many lives on both sides.

3. Organisations helping restore trust and dialogue between the parties

3.1 Conciliation Resources

The London-based international organisation Conciliation Resources, together with the Berghof Research Centre for Constructive Conflict Management in Berlin, ran a series of 20 seminars and dialogues on the Georgian-Abkhaz conflict. The first was held in the town of Stadtschlaining, Austria, thus giving the process the name "Schlaining Process". The seminars were organised with assistance from the Austrian Centre for Peace Studies and Conflict Resolution (H. Stadtschlaining) and were supported by the Austrian Development Agency, the Dutch Ministry of Foreign Affairs and the Global Conflict Prevention Fund of the UK Government. Seminars were followed by meetings for participants with the OSCE's Centre for Conflict Prevention and with OSCE delegations, the British Foreign Office and others.

The efforts of Conciliation Resources to include representatives of all sectors of society in the peace process made it possible to involve people who were not already part of the established group of participants. Over 80 people from Abkhazia and Georgia participated in these meetings. Many of them are now working for the authorities in Sukhumi and Tbilisi and have a real influence on decision-making processes.

Other projects by CR working with different levels of society also had a strong resonance, including the much in-demand discussion materials on the Georgian-Abkhaz conflict, published by the Berghof Centre. In particular, the True Stories project was very popular. Journalists from Abkhazia and Georgia participated in the recording of audio diaries, allowing people to talk to the world about their lives thus influencing public opinion in societies divided by conflict. The CD *Abkhazia – a view from within* was particularly well received. It portrayed life in Abkhazia, and included documentary films by journalists on the realities of life in post-war Abkhazia.¹⁰⁵

Educational materials and training resources were useful and informative for people working in areas affected by conflict, and they are being used for work with youth groups in different societies. Articles published in the journal *Accord* reflect on accumulated experiences and are popular with a wide range of readers.

Conciliation Resources' initiatives for conflict transformation were clearly effective, as they brought issues of tolerance and respect for different views into mainstream society. In addition to the formal peace process, the organisation began an informal dialogue between parties to the conflict based on civil initiatives that has continued since 1996. This aims to create a free discussion forum where participants can discuss factors and possible ways to rebuild the lost confidence between parties that has so destabilised the peace process. These meetings were attended by high-ranking officials, politicians, representatives of civil society organisations and experts. Only Abkhaz and Georgians took part, meaning there was no pressure or influence from third parties.

¹⁰⁵ See <http://www.c-r.org/our-work/caucasus/caucasus-resources.php>

3.2. International Alert

Since 1997, International Alert has been working with representatives of Georgian and Abkhaz civil society on confidence-building between the two societies with the participation of the Caucasus NGO Forum. Alert's activities focus on conflict transformation. The organisation has played a particularly prominent role in partnerships with local civil society organisations in this field. A significant achievement between the leaders of civil society in Georgia and Abkhazia was a joint project to build confidence on issues of human security. A study conducted in 2005 by both parties determined the willingness of partners and communities to begin a new stage of conceptualisation of peacekeeping through the provision of human security. The fundamental causes of conflict are the various threats to human security. The safety of the population on one side of the conflict is in the interests of the opposite side, regardless of the problems of trust and the mutually exclusive political positions of the parties to the conflict. Partners developed a joint peacebuilding programme entitled 'Advocating for Human Security through Civic Initiatives', which agreed upon tasks and coordination mechanisms for future cooperation. The project helped to increase people's participation in promoting human security at different levels. It conducted a series of studies on human rights legislation and the activities of relevant institutions, and published recommendations based on the results. It organised a series of training sessions on advocacy, human rights protection and training on human rights for journalists and judges.

An interesting and effective contribution to peacebuilding has been the economic initiative, the Caucasus Business and Development Network (CBDN), which aims to support business contacts and regular economic cooperation between opposing sides in order to promote the peacebuilding processes in the South Caucasus. People in the network are united in a joint search for the optimal balance of interests, exchange and interdependence as the key to resolving conflicts in the South Caucasus. Practice has shown that dialogue can contribute to systemic change in contexts previously dominated by zero-sum principles and where the political conjuncture perpetuates enemy images, self-righteousness, and creates obstacles to greater openness and bridge-building between societies. Therefore the CBDN concentrates on lobbying initiatives and working at different political levels, as well as promoting the idea within society of peacebuilding through economic contacts. The network successfully lobbies for the maximum exploitation of economic factors in conflict resolution, at both local and international levels. The projects and activities resulted in the creation of Caucasian brands such as: "Caucasian tea", "Caucasian cheese", "Caucasian wine" and so on, bringing economic benefit as well as having a peacebuilding effect. Developing and popularising Caucasian brands help people to perceive the Caucasus as a single, unique, economic space with great business potential and an ancient culture, and not to see it only in terms of being one of the world's hotspots.

International Alert is one of the few organisations that is actively involved in conflict resolution. Its focused and systematic work has proved the potential and capacity of civil society on both sides of the conflict. It has contributed to broadening the dialogue within societies on opposite sides of the conflict, and between them. International Alert has no position on the final outcome of the conflict, and therefore it succeeds in achieving the most important thing: winning the confidence of society without calling out the rules of the game from the sidelines. This allows for the transformation of the process in such a way that whichever final settlement is reached, it will be acceptable to both parties. For the first time, collaborative research on topics perceived differently by different sides to the conflict was instrumental in the communication process between the two communities.

3.3. Center for Citizen Peacebuilding at the University of California, Irvine

Another successful civic initiative includes a project implemented by the University of California, Irvine, Center for Citizen Peacebuilding with the participation of the South Caucasus regional office of the Heinrich Böll Foundation (Germany). The project organised workshops and conferences and published the transcripts of the conferences on different aspects of the Georgian-Abkhaz conflict. The themes of meetings were diverse and sensitive to both sides. Theme examples included 'The role of unofficial diplomacy in the peacebuilding process', 'Civil society, refugees,

and state structures’, ‘Cultural continuity in the context of state-building’, ‘A time of change’, ‘Russia’s role: realities and myths’, and ‘Georgian NATO accession and potential impacts on the Georgian-Abkhaz peace process’. Also discussed was the Caucasus Stability Pact as well as peacebuilding strategies and analysis of the basic interests and interests of the sides in developing models of cooperation.

Conference organisers provided Georgian and Abkhaz partners with a forum where they could openly discuss topical issues, both among themselves and with international experts. Of course, resolution of the main disagreements and conflicts was not to be expected, but reports and discussions at the conferences helped to clarify issues and deepen understanding of the motivations and interests that lay behind certain positions. The conference participants, including international experts, representatives of NATO, the EU and various European and American research centres and universities and NGOs, believed it was more useful to talk to each other than ignore opposite points of view. The value of these meetings, according to several observers, was the openness and accessibility of these dialogues.

The publication of conference materials ensured the process was fully transparent, and the organised discussions within each community allowed a wide range of people to participate in the dialogue. A 14-volume collection was published which allowed interested readers to learn about the bold statements of participants as well as the outspoken and sometimes controversial evaluations of past events, including pre-war events.¹⁰⁶

3.4 The Heinrich Böll Foundation

The Heinrich Böll Foundation has contributed to increasing citizen participation in public and political life and been particularly active in facilitating debate on topical issues. For example, it facilitated discussion of the ‘Concept for special status of Abkhazia within the Georgian state’ developed by an independent group of Georgian experts from non-governmental organisations. The concept paper and comparison between the Abkhaz and Karabakh conflicts stimulated substantial discussion in Georgian society.

3.5. Berghof Centre for the Constructive Conflict Management

The Berghof Centre organised study visits of Abkhaz and Georgian civil society representatives to Cyprus. Beyond doubt, learning about the Cyprus peacebuilding experience and of cooperation between the conflict parties at both government and non-government levels was an important positive element in building up mutual trust and strengthening mutual understanding between the Georgian and Abkhaz parties. Further study of the Cyprus model and its application to Georgian-Abkhaz context, building on the UN’s experience in Cyprus, could bring positive results.

3.6. Individual countries

Individual countries have also tried to directly influence the conflict settlement process. The US, France and Germany have been especially active. Ukraine, Turkey and Greece demonstrated a particular interest in the process since the well-known “confidence-building” meetings¹⁰⁷ took place in these countries. Western ambassadors accredited to Georgia made several joint and individual visits to Sukhumi, and presented their country’s views on conflict settlement. The Group of Friends of the UN Secretary-General on Georgia were naturally actively involved (i.e. Germany, France, the Russian Federation, the UK and US). The “Steinmeier plan”¹⁰⁸ – a plan

¹⁰⁶ Available in Russian and English on the Center for Citizen Peacebuilding website: www.socsci.uci.edu/~cpb/progs/projpubs.htm

¹⁰⁷ Meetings with representatives of civil society and government structures from both sides, organised by the UN, in Athens (8th November 1998), Istanbul (7th-9th June 1999) and Yalta (15th-16th March 2001). These meetings became part of the Geneva process. The sides agreed that progress in building trust, understanding and cooperation between them could be achieved through direct bilateral contacts and other means.

¹⁰⁸ Prepared by UN experts on the Georgian-Abkhaz conflict and named after one of the initiators, German Foreign Affairs Minister Frank-Walter Steinmeier. The plan included three phases: during the first 12 months, an agreement on non-use of force between the parties would be developed, discussed and signed. The second phase foresaw active assistance of donor countries for reconstruction efforts and programmes of economic assistance, and the process of refugee return to Abkhazia would begin. The final phase foresaw discussion of the political status of Abkhazia. Kavkazsky Uzel [Caucasian Knot], 17th June 2008. Available at www.kavkaz-uzel.ru/articles/139345.

for resolution of the Georgian-Abkhaz conflict proposed before the 2008 war by the German minister of foreign affairs (but developed by the Group of Friends as a whole) has been called the ‘golden mean of German diplomacy’, and was a significant political event at the time.

UK proved to be one of the most active members of the Group of Friends. It is fair to say that some of the most successful international non-governmental organisations that have the parties’ confidence are organisations supported by Westminster. According to observers, the most effective and productive has been the Global Conflict Prevention Fund, which supports NGOs engaged in peacebuilding activities. Some experts say that it would have been possible to put the fund to better use to enhance the capacity of government institutions, including the security sector, to manage, resolve and prevent conflicts, and to strengthen the international community’s role in resolving conflicts and preventing their recurrence. The separate efforts of the British Embassy to improve the social and economic conditions of people living in conflict zones also deserve mention.

Many of these projects continue successfully today. However, they did not always find (and do not always find) support and understanding amongst some groups of IDPs, as well as in some governmental circles in Georgia.

The US government, in addition to its active participation in political and peace processes, has initiated projects to bring IDPs and Abkhaz residents closer together. Educational programmes promoting communication between students and schoolchildren from Abkhazia and Georgia were particularly successful and lay the foundations for friendship between young people whose parents were on opposing sides during the conflict. Other projects aimed to facilitate informal contacts between parties and to provide humanitarian support.

Instead of a conclusion

In general, the role of international institutions in ensuring security and non-resumption of hostilities can be evaluated as positive and stabilising. UNOMIG’s presence in the conflict zone certainly had a restraining effect on the informal Abkhaz and Georgian armed forces, thus providing a mechanism for the control and prevention of armed clashes. This helped to maintain a relative peace in the region, reduce tension, stabilise the situation and start identifying peaceful solutions to the conflict.

International organisations, especially the Office of the UN High Commissioner for Refugees, the Norwegian Refugee Council, the Danish Refugee Council, the International Committee of the Red Cross, and Médecins Sans Frontières, have played an important role in providing technical assistance to mitigate the effects of armed conflict, saving many thousands of lives and preventing a humanitarian catastrophe.

Thanks to the efforts of international organisations to restore confidence through bilateral contacts, the two sides have reached a mutual understanding of the potential of joint activities on issues such as foreign policy and foreign economic relations, border and customs services, energy, transport, communications, environment and disaster management, human rights and rights of national minorities. Understanding the need to punish war crimes and crimes against humanity, the sides agreed to intensify efforts to investigate crimes and bring their perpetrators to justice. Although it turned out not to be possible to implement this agreement, it was a good example of a possible development towards mutually acceptable decisions.

From Moscow’s perspective, Georgia has long been regarded by the West as the link to its long-term interests in the region. The inability of the UN to resolve the conflict and also global geopolitical and geo-strategic contradictions between Russia and the West – including the military, political,

financial and economic advances of the West in the Caucasus, Central Asia and Eastern Europe; Europe's dependence on Russian energy supplies; and Georgia's aspirations to join NATO and the EU – all became major impediments to effective international engagement in conflict resolution in the region. A contributing factor to the effectiveness of the international community in conflict resolution has been the EU's decision to diversify energy supply routes to foreign markets, forcing the West to become more active in this regard. Severe problems in Iraq, Afghanistan and Iran have also led the West to rethink the unresolved conflicts in Georgia and reckon with the fears and expectations of Sukhumi.

There is no doubt that both sides of the conflict as well as Russia, the US and Europe, are each in their own way interested in the presence of international structures. 'For some it is an opportunity to defend new realities in a cooperative rather than confrontational way, and for others to avoid the region becoming the geopolitical property of the Kremlin. Naturally Georgia, the US and the EU are willing to internationalise the conflict settlement, but the West is not ready for a direct confrontation with Russia or for it to become isolated ... All key actors understand the need for such a presence, but the details and nuances require long-term harmonisation of interests'.¹⁰⁹ 'In any case, the US, despite the "changed milestones" and "rebooting", will never leave the South Caucasus. This fact must be reckoned with in order to find ways to build cooperation, competition and civilised rivalry'.¹¹⁰ Can all the key players agree on cooperation on security matters in the South Caucasus, or will the region remain an area of confrontation?

Meanwhile, peacebuilding experience elsewhere suggests that the successful resolution of the conflict is impossible without the parties' commitment to maintaining an atmosphere of trust, and to refraining from actions that could be subject to misinterpretation. As long as prospects for a comprehensive settlement of the core political issues are not within reach, the parties and international mediators should focus their efforts on building trust and identifying areas where there are real possibilities for practical cooperation.

109 Available at <http://www.hotoffer.pp.ua/fundament-3/vozmozhen-li-mir-na-kavkaze-321.html>

110 S. Markedonov (2009). 'Filipp Gordon na Yuzhnom Kavkaze: Znakomstvo s Regionom' [Philip Gordon in the South Caucasus: familiarity with the region]. 17th June. Available in Russian at <http://www.politcom.ru/8343.html>

Chapter 2

Expert Assessment of the Closure of the UN and OSCE Peacekeeping Missions in Georgia

N. SARJVELADZE, M. BALIASHVILI, N. JAPARIDZE, E. MUJIRI

The expert community plays an important role in developing societies. The functions of expert and researcher are significantly different. Researchers create knowledge through the research process and draw conclusions which lead to subsequent research objectives. In contrast, an expert is a connoisseur in a certain area, who uses the existing knowledge, provides an expert assessment, establishes and implements standards and draws conclusions. A researcher often has doubts, questions, and puts forwards hypotheses. An expert has no doubts, tries to provide ready answers rather than questions, is decisive, avoids hypotheses and provides arguments drawing on existing research. Here, we are not talking about individuals who can combine these roles but about the specifics of the roles themselves.

The expert community has significantly more influence than the research community in defining and shaping public opinion with its assessments, judgements and conclusions, especially in this information age. Therefore it is important that expert opinion on issues of peacebuilding and conflict resolution is reported clearly and in an unbiased way. The opinion of experts can reveal the essence of social consciousness and explain the actions of the ruling circles. We have therefore tried to summarise a broad range of expert opinion on the closure of the UN and OSCE peacekeeping missions in Georgia. We refrain from putting forward our views on these opinions, in order to preserve the reflective nature of the qualitative research. In this case we are in the role of researcher and refrain from making expert assessments of the experts' opinions.

Bearing in mind that the majority of experts participating in the study are Georgians, it is worth mentioning briefly the specifics of Georgian society as a whole. Today, Georgia is an occupied country and is in deep crisis, which has permeated people's consciousness, and a process of redefining reality is underway. Before the August 2008 war Russia was seen as a source of serious problems and tension in the region through its imperialist policies, but the possibility of a military intervention in Georgia was ruled out. Now, however, there is an expectation and fear that Russia is capable of attacking Georgia a second time and further annexing the country. Previously it was thought that Georgia's pro-Western orientation would ensure its security, but it is now clear that the West has limited resources to influence the aggressor and guarantee the security of the country whose pro-Western efforts it supports. Before the war, attitudes towards Western international organisations were unequivocally positive. After the war this attitude was shaken up and instead scepticism permeated discussions about international organisations. This can be seen in the in-depth interviews with experts that form the basis of this empirical study.

The main aim of this study was to investigate the views of experts on the consequences of the closure of UNOMIG and OSCE as well as the effect this would have on the political and economic stability of Georgia. Qualitative analysis was carried out, using an open questionnaire of 10 points, in order to create a full mosaic of all the views of different experts. In this article, we present the opinions of the experts as 'fact', rather than analyse how those opinions were formed or the realities behind them. That was not the purpose of our analysis, and would have required a different kind of study on a different scale. Since the conflict dynamic is dependent on the perceptions and understandings of the parties, we restricted ourselves to the modest goal of researching opinions. This article is therefore a free representation of opinions, sometimes peppered with quotations, which do not necessarily reflect the opinions of the authors. Only in the concluding remarks have the authors expressed some thoughts, in this way retaining their

objectivity. Readers may not agree with some of the opinions expressed, but this study does not pretend to try to reconcile those differences of opinion.

Apart from the purely informative aspect of such research, it may in addition be of practical value in stimulating new thinking and developing new approaches to conflict transformation. First, a fuller picture of the variety of opinions from each side of the conflict divide, along with a better understanding of how events are perceived, can help inform the sides' strategies *vis-à-vis* each other. If both sides adopt such an approach, then the parties can become partners and build a constructive relationship based on differences rather than similarities. Secondly, expert communities may become more open to new approaches to conflict transformation, understanding that such an exchange of views can bring new insights into the diversity of visions of the parties.

A total of 26 experts from different Georgian non-governmental and government agencies participated in this study, as well as representatives of international organisations. Of these, there were seven from government agencies, 17 from Georgian non-governmental organisations or independent experts, and two from international organisations. All experts, including the independent ones and the NGO representatives, are not only familiar with the issues in the survey but work directly on them. For example, two interviewed experts work specifically on the Gali region of Abkhazia, and others (including one of the authors) work with the parliamentary committee and senior government officials on Gali issues, some of which are described below.

Independent experts view the withdrawal of the UNOMIG and OSCE peacekeeping missions from Georgia as a negative development, and as a 'Russian victory'. They note that while the mission had positive aspects, they 'ultimately failed to fulfil their core mission – to prevent renewal of the conflict'. Moreover, during the events of August 2008, the OSCE mission left the area immediately, leaving the local population behind. This is explained as being due to the fact that the OSCE is a cumbersome bureaucratic organisation, which hinders it from adapting and responding to difficulties as they arise. The same thing can be said about the UNOMIG mission, which has spent huge sums and yet failed to prevent war.

Almost all those interviewed agreed that although the work of international missions has not always been very productive, their presence in the conflict zones has been important in terms of maintaining monitoring mechanisms and ensuring communication with the outside world. 'These missions symbolised the global community's engagement in these processes'. The withdrawal of peacekeepers from the conflict zones was perceived negatively by government respondents as well. They felt that the presence of peacekeepers provided a moral and psychological guarantee for people living in the conflict zone. 'The man on the street could look sceptically at their activities, but in political terms they undoubtedly played a positive role'.

Strengths of the UN mission

Most respondents considered that one of the main strengths of the peacekeepers' activities was the deterrent effect they had on local troublesome forces – meaning either the Russian peacekeepers or the various informal Abkhaz and Georgian armed groups. Playing a stabilising role in the conflict zones contributed in a modest way to their main purpose, that of bringing the parties closer. 'Their presence was preferable to their absence' and most importantly 'it was a platform. Information gathered by the mission was used in analytical documents which were read out in plenary at the UN'.

Experts also saw the transparency, publicity and regularity of the UNOMIG mission as strengths. In addition, the Friends of the UN Secretary-General countries were involved and busy looking for a solution. 'The latest document – the Steinmeier plan – was inspired by them [UN]. Although Germany took the initiative on this, as the most acceptable country for Russia, this document was really a UN document'.

The UN Coordinating Council worked successfully to bring the parties together. However, according to official respondents, ‘the Geneva process was initiated under the auspices of the UN and documents were adopted but not implemented’. Many of the respondents lamented that ‘good documents’ were not put into practice, for example the Boden document.¹¹¹ Furthermore, ‘it is difficult to talk about the strengths of a mission, whose activities did not produce concrete results’, and most importantly, ‘right from the start, the format of the UNOMIG mission was inadequate to resolve the conflict’.

Weaknesses of the UN mission

‘The mission closed when Russia wanted it closed’.

Independent experts feel the main weakness was the very limited format of the mission. ‘Firstly, Russian forces were brought in under the auspices of the CIS. They were the main actor. In addition, the mandate does not oblige the UN to take risks if Georgians were being harassed, and every effort was made to avoid such risk-taking’. One independent expert went further to say that the peacekeeping process itself had been discredited ‘and this is especially bad because, after the recognition of Kosovan independence, the world order has been shattered and we are now in a legal vacuum’.

Non-governmental experts also blame the UNOMIG’s weakness on the lack of qualifications and integrity of its staff. ‘For many, working on the mission was just an opportunity to improve their socio-economic situation and often they did not focus on resolving, but on conserving the conflict’. This did not go unnoticed amongst refugees, who thought that mission staff ‘went off on jollies’ in Abkhazia, and enjoyed high salaries they did not want to lose, which is what would happen if the conflict was resolved. ‘Even though their mandate was limited, they did even less than they could have. The UN mission recorded violations but did nothing to prevent them. In short, they didn’t complicate life for themselves’.

‘This mission in no way provided a counterbalance to Russia in the conflict zones, as their withdrawal proved’.

Independent experts see the highly bureaucratic nature of the UNOMIG as its main weak point, with the comment that ‘Russia would block any Security Council UN initiative’ and ‘has great influence on the decisions taken there’. ‘Documents had a Russian flavour’. However, the weakness of the UN mission is most clearly illustrated by the fact that 2000 people were killed in the conflict zone during the mission’s lifetime. ‘One got the impression that the mission did not have specific goals – i.e. to solve a specific problem within a certain time frame – but rather that its presence was merely a formality’. However, it was noted that ‘although the UN has nothing to boast about in terms of conflict resolution, it was effective in protecting human rights’. Experts feel another negative aspect of UNOMIG work was that its mission reports were not made public and were only for official use.

One official believes that ‘despite the fact that globally the United Nations is a strong organisation, it cannot solve complex problems in conflict zones. For 17 years it has done nothing except produce documents and resolutions’.

‘The UN has not yet managed to set up an Office for the Protection of Human Rights in Gali, although the need for one is constantly mentioned in its official reports’.

‘The observers acted as extras, not investigators: they recorded facts, but did not investigate the causes’.

111 D. Boden, ‘The principles for division of competences between Tbilisi and Sukhumi’. 2001. Available at http://smr.gov.ge/en/abkhazia/documents/bodens_document

Strengths of the OSCE mission

The OSCE mission lasted from 1998 to 2009. Despite its comparatively small size in relation to the UNOMIG, independent experts evaluate its activities as generally more effective, proactive and principled than the activities of the UN mission, especially the OSCE's economic projects aimed at improving Georgian-Ossetian relations and institutional development. In contrast to the UN mission, the OSCE was closer to the local population. The OSCE mission was working on a document on the resolution of the Georgian-Ossetian conflict, which, like the UN mission document, was based on the principle of Georgian territorial integrity.

Regarding the strengths of the OSCE, experts from official bodies point to the documents adopted at the Budapest, Lisbon, and Istanbul summits that were the first to indicate elements of ethnic cleansing – 'changing the demographic situation by force',¹¹² but unfortunately, these did not lead anywhere. At the OSCE Parliamentary Assembly a special commission was established on Abkhazia, which read out a statement on the situation in the conflict zone. This should have worked in Georgia's favour, but the Abkhaz side was no less keen than us for the world to learn about the conflict. The internationalisation of the conflict gave Abkhazia the opportunity to manipulate the image of being 'a small, oppressed country'.

Weaknesses of the OSCE mission

Experts attribute the weaknesses of the OSCE mission to its limited format. Furthermore, different OSCE missions in the Caucasus did not have a common regional policy, and therefore their work was not coordinated. According to one independent expert, the OSCE made the catastrophic mistake of not adequately defining the boundaries of the conflict. 'The boundaries of the conflict and the armed conflict are different things, but their mandate only covered the area of the armed conflict'. Experts identified a lack of transparency as a major shortcoming of the work of the mission: the OSCE mission was silent about the numerous kidnappings and terrorist acts and did nothing, which meant destructive forces acted more freely and caused the conflict to escalate. 'The OSCE mission did not act on principle and did not demand the implementation of its initial document, *The Road Map*, adopted at the ministerial council in Ljubljana in 2005'.

Another shortcoming of the OSCE mission, according to one independent expert, was that its projects often failed to meet the main objective. One example is the project to confiscate and purchase weapons from armed combatants. 'It is naive to assume that if you confiscate weapons, the Russians will stop supplying them. The OSCE wasted its money on these kinds of projects'.

But the main drawback of the mission's work was that it missed the most important thing – the beginning of the war. 'How can you describe as anything other than poor performance on the part of the OSCE, the fact that the war began and the OSCE failed to react, because it had no information'?

Consequences of the withdrawal of the UNOMIG and OSCE missions

Independent experts examine the withdrawal of the UN observer mission from a political and economic perspective as well as from the perspective of national security and conflict transformation (resolution). Opinions were divided. Some believe that there will be no significant political consequences: 'Everyone, including Georgia, will have to reflect on the new reality'.

¹¹² OSCE ministerial councils held in Budapest (1994), Lisbon (1996) and Istanbul (1999). Documents from these summits are all available at <http://www.osce.org/mc/13017.html>

One independent expert posed the rhetorical question: 'Did anyone notice them leaving, apart from the families of people who were employed there?'

'This mission did not interfere in politics, it was neutral'.

'We should not forget that Russia has never especially worried about international law. It has already suspended several international agreements including the CFE Treaty and Russia could station a million-strong army in Tskhinvali if it wanted, as there are no mechanisms to stop it'. The representatives of official structures share the view that the political consequences of the closure of the mission 'won't cause Georgia great harm'.

Other independent experts believe that the political situation will deteriorate, and not only for Georgia, because 'the parties are left face to face' and when they are not able to compromise 'a third party will benefit'. There is an increased likelihood of renewed hostilities.

The main negative consequence of the withdrawal of the UN mission is the fact that Russia's occupying forces have full control of Abkhazia and see no further barriers in their way. According to one official, 'the prospect of conflict settlement under UNOMIG auspices has gone. From their reports it was clear that one way or another Abkhazia is part of Georgia. In addition there was the negotiation process, meetings, and other work on different issues. There was also the "Geneva process", which discussed political and economic issues and the return of refugees. Now all this will cease'.

Some independent experts believe that the withdrawal of UNOMIG will have serious political consequences because in the Gali district of Abkhazia to this day there are many more Georgian inhabitants than Abkhaz. They are concerned that the rights of the Georgians, already limited by the Abkhaz constitution, will be further infringed upon. 'The establishment of Russian military bases artificially alters the demographic pattern in violation of all international standards: Russian citizens and members of military families are settling in the border areas and Georgians are being expelled from their old neighbourhoods in total violation of their human rights'.

The curtailment of the OSCE mission will have the political consequence of increasing Russia's influence in the Tskhinvali region. Experts from official bodies believe that 'Russia will organise elections, a political elite will come to power, which Russia has even more control over, and a military regime will be established'.

Despite the curtailment of the UNOMIG and OSCE missions, discussion on the Georgian-Abkhaz and Georgian-Ossetian conflicts has not ceased. It seems at first that 'the multilateral format of the negotiations, i.e. the internationalisation of the conflict that Georgia has sought for so long has been achieved'. But this format can no longer be effective 'because the political reality today is quite different'.

The withdrawal of peacekeeping missions can be viewed from a different perspective: now all conditions are ripe to begin identifying new conflict resolution mechanisms, something which is in the interests of the conflicting parties. 'A new phase of repositioning is beginning between conflicting parties, which will bring new opportunities. But for the moment this is still a high-risk zone, where provocations are possible any minute'.

Regarding the economic consequences of the withdrawal of the UNOMIG mission, experts mentioned primarily the ending of mission-supported economic projects in the border zone in Gali district and the town of Zugdidi. The mission attracted various donor organisations that financed projects such as the repairs of water and sewage pipes, the building of social housing, police stations and training of police officers. Both governmental and independent respondents commented that these projects were aimed at small business development but have now been

suspended, while the residents of the Gali district are not allowed to cross to the other side of the Inguri where they had established commercial trade with the people. This undoubtedly has a negative impact on their economic situation. 'Another important factor is that in the UNOMIG long-term plan, assistance was foreseen for a railway in the South Caucasus (of interest not only to conflicting parties but also to other countries), and without UN participation it is unlikely that this issue will be addressed in the near future'. Experts from official structures feel that although these economic projects addressed small, local problems this was done in an equal way and created prospects for an economic breakthrough through economic cooperation.

Some independent experts, however, believe that economic development in the conflict zones has not ceased after the withdrawal of the peacekeeping missions. On the contrary, by recognising the independence of these countries, Russia has undertaken the responsibility to defend the borders and provide certain security guarantees. 'As a result, business is developing and investments are being made especially in Abkhazia, which is progressing well in economic terms'.

Experts from official structures noted that 'whatever the Abkhaz say about living in peace at last and establishment of their state, the situation there is psychologically very difficult'.

It was felt that the Law on Occupied Territories had complicated humanitarian missions' access to some extent, but the Georgian parliament subsequently developed a new draft to address this. One official noted that 'although the law on the occupied territories must be revised, it must not be forgotten that the Abkhaz have always managed to use small concessions made by the Georgian side to promote the recognition of their independence. It is precisely for this reason the Georgian side did not sign the agreement on the non-resumption of hostilities, as this implies an element of Abkhaz independence. And now the admission to Abkhazia of the European Union mission can be used for political ends. Therefore, this issue must be well thought-out in relation to prospects for conflict settlement'.

All experts agreed that organisations providing technical assistance will not be significantly affected by the withdrawal of the peacekeeping missions as these organisations have clear mechanisms of their own.

On security, independent experts say that UNOMIG provided the necessary minimum security for Georgian residents in the Gali district and the Kodori Valley. 'The mission allowed them to move about in safety'. Now this international control has gone and the probability of incidents has increased. One expert said, 'for security it is a complete disaster – Georgians are completely powerless and defenceless'.

'A total militarisation has begun, weapons forbidden under international conventions are being stockpiled in large numbers, and there are rumours that the territory of Abkhazia will be protected from Georgia by barbed wire'.

Experts from official bodies note that the UN observer mission was an institution and instrument respected by both the Abkhaz and the Russians. Also, some IDPs had returned to the conflict zone relying on the peacekeepers. Weekly meetings were held in the village of Chuburhindzh, serving as a permanent response mechanism that facilitated avoiding serious incidents and observing agreements on the non-renewal of hostilities.

Prospects for conflict transformation and resolution are now unclear: the Abkhaz and the Georgians are becoming increasingly alienated and the border marked by the river Inguri that is defended by Russia's border troops could become a de facto border between Georgia and Abkhazia. This would certainly be a serious obstacle for the peaceful transformation and resolution of the conflict.

Independent expert opinions vary on the impact of the closure of the OSCE mission. Those who evaluated the work of the mission positively believe its closure will have negative political and other consequences, and those who rated its work negatively do not foresee any further negative consequences. From a political point of view the conflict in South Ossetia was definitely moving towards a solution up to 2004, until certain mistakes were made by the Georgian leadership. Of all the conflicts in the Caucasus this was the one closest to reaching a solution, for which the OSCE was involved in creating the conditions. 'At present South Ossetia is still in a post-war situation, the perimeter boundary is huge and uneven "like a chessboard" and the risks, including political risks, are high'. Therefore, the closure of the OSCE mission is unacceptable. 'Taking into the consideration the negative post-war dynamics, the closure of the mission could further complicate the situation'.

Experts from official structures note that the OSCE missed the opportunity to ensure the active participation of civil society in the conflict resolution process.

A few independent experts believe that the OSCE mission was impotent in promoting conflict resolution and that 'it was good that it was withdrawn'. Official respondents note that in 1999 the OSCE took a decision on the withdrawal from the Gudauta military base but failed to inspect it as they were not allowed access. The OSCE became isolated from the political process.

According to the experts, the end of the OSCE mission will affect the activities of international humanitarian organisations working in the conflict zone, in the following way. The reduction in international humanitarian organisations' activity, according to one respondent, is likely because 'The conflict is resolved. The people they provided assistance to don't live there anymore because they have become refugees'. 'The assistance given to humanitarian organisations by the peacekeeping contingent was limited to ensuring their safe movement'.

Experts from official bodies comment that humanitarian agencies were preparing the ground for conflict transformation. 'Georgia in good faith allowed humanitarian missions into Abkhazia and psychologically this was a positive factor'.

'The peacekeeping mission provided a "security framework" allowing international organisations to operate. This work will not stop but the organisations will be forced to find new and additional resources for it'.

Experts believe that the withdrawal of the UNOMIG and OSCE will immediately affect the activities of international organisations working on conflict resolution as they rely on reliable information that is more difficult to obtain now that the peacekeeping missions have left. These organisations collect information themselves, moving independently along the de facto border and attempting to act in a coordinated manner. International Alert and other international organisations continue to visit Abkhazia.

The withdrawal of the missions will affect the work of international organisations providing technical assistance, at least by significantly complicating it and forcing them to develop new approaches. The Law on Occupied Territories complicates things for these organisations. International organisations providing technical assistance will have to find a new way of operating and adapt their activities and mandates to the new circumstances. 'These organisations can only strengthen the peace process; they cannot create it themselves'.

'When the large organisations leave, smaller organisations only have one option – to switch to relatively small projects'.

In addition to expert opinion, it is worth drawing attention to the attitude of the local population to the withdrawal of the peacekeeping mission who, 'viewed peacekeepers with scepticism, to put it mildly, from the very beginning'. The fact that they limited their activities to documenting the

harassment of the Georgian population by taking photos annoyed them, as did the high salaries of UNOMIG employees; ‘...therefore the closure of missions was only regretted by those who worked there’. This attitude of the local people may be attributed to their different expectations of the peacekeepers, rather than the poor performance of the peacekeepers in itself.

The EU Monitoring Mission’s (EUMM) ability to assume the functions of the UN and OSCE missions

Expert opinion is divided on this matter also. Some note that in order to fulfil these functions the EUMM requires access to the conflict zones and needs to establish direct contacts with the Abkhaz, Ossetian and Georgian sides to the conflict. ‘Russia won’t let anyone onto the territory’. Even if this were to happen, it would take time. The EUMM will also take time to understand the situation on the ground, and some experts said that although over a year has passed since it was set up, this EU mission has not achieved anything concrete.

Others disagreed, noting that the international context is shifting so that the role of the EU is increasing, especially in such a politically and strategically important geographical region as the conflict-torn Caucasus. Independent experts, who expressed scepticism about the potential of the EU in this matter, think that the EUMM cannot replace the UN mission and the OSCE, as it has a limited format and does not have the same level of influence on the parties to the conflict. The only thing the EU can do is to prepare declarations for the European Parliamentary Assembly.

‘The EU should improve old mechanisms and develop new ones for efficient action, and in parallel with monitoring, exert political pressure on Russia to cease its provocative actions’.

In other words, the EU mission should not only take over the missions of the UN and OSCE, but also expand the format, ‘especially in the villages in the lower part of the Gali district, where uncertainty now reigns’. Experts hope that, despite the limited resources of the EU mission for conflict resolution in Georgia, a compromise will be found by the EU acting as mediator between the Georgian and Abkhaz, and Georgian and Ossetian sides at governmental level, not only at the NGO level. “We have lost Abkhazia”; ‘We have lost Ossetia!’ – are the wrong formulations. This is simply a new phase of the conflict, which brings with it new opportunities’.

Experts from government agencies note that ‘EU structures are fairly active, motivated and prepared. The EU is less bureaucratic and more reliant on diplomacy. All this stems from the EU mandate, its membership and leadership’.

One official commented that ‘it is desirable for both missions to return to the conflict regions, as well as the EUMM and the peacekeeping contingent with political and military components. The EU has the resources and the relevant experience – and has a rapid deployment force at its disposal as well as political departments on the conflict regions’.

Experts from official structures think that its functions should be extended as much as possible and eventually handed over to an international police force. If the mandate is restored, it is necessary that the territorial integrity of Georgia is emphasised by calling it ‘the peacekeeping mission in Georgia’, not in Abkhazia or Ossetia. ‘Today Russia is waging a diplomatic campaign against Georgia, torpedoing its interests in international organisations in which it has the power of veto’.

Representatives of official structures express satisfaction with the EUMM, taking into consideration its limited possibilities. In current conditions, the EUMM cannot replace the UN mission and the OSCE. One of the respondents expressed an unusual view on the EU policy for a government official. ‘As time goes by, more countries will recognise the separatist regions. The fact that the EU is trying

to speed up the process of recognition of Abkhaz independence can be read between the lines in all of its documents’.

Authors’ remarks

Therefore, the opinions of Georgian experts on the departure of UNOMIG and the OSCE mission are varied. Their judgements are based on the well-known principle of ‘yes, but...’, and this principle is evident everywhere in both their assessment of the work of the UNOMIG or OSCE, and of the consequences of their departure. Judgements are made along the lines of ‘the UNOMIG was positive in this and that respect, but was negative in this other respect’. Such a divided and ambiguous evaluation could be attributed to the fact that Georgian expert thinking is undergoing a reassessment of values and change of paradigm and priorities. Unequivocal answers were not given to any of the questions apart from the question on the role of Russia towards Georgia, where Russia was usually seen as the occupier. After the Georgian-Russian war in August 2008 Georgia was finally convinced that the main party in the protracted conflict is Russia. ‘By their fruits ye shall know them’, says the Bible. As a result of the August 2008 war, 20 percent of Georgian territory is occupied by Russian forces, territories which Russia has recognised as the independent states of Abkhazia and South Ossetia, and where Russia now is placing its military bases. It is clear today that Russia has been striving for this outcome since the collapse of the Soviet Union and now it has succeeded. It is possible that Russia has still more ambitious plans, but one can only guess and speculate about these. There is a sense of a deep crisis in Georgia with three main features:

- 1) A feeling of helplessness stemming from the occupation of the country by Russian forces, and the conviction that nothing can be done to improve Russia-Georgian relations;
- 2) A sense of “dead end” due to economic poverty coupled with a lack of confidence in futile government efforts to address unemployment and economic underdevelopment; and
- 3) A feeling of the need for a change of leadership while at the same time acknowledging the meaninglessness of accelerating such a change.

In this context of general crisis, unconditional trust in international organisations is declining and people justifiably have expressed scepticism about the West even though they are indignant towards Russia. In such a situation it is understandable that the inefficiencies of the UNOMIG and OSCE are highlighted, because their powerlessness and limitations in terms of conflict resolution are in tune with the mood of helplessness and stalemate in Georgian society.

A study of this type usually begs the question: to what extent are these data presented objectively? To what extent do these expert judgments and their assessment of social reality reflect the real situation? Such questions themselves deserve to be examined and doubts raised about their legitimacy, especially if they relate to judgments pertaining to social reality. The social world is itself a social construct and social cognition in social processes must be built on principles of constructivism. However, the way people construct their judgments based on selective issues and phenomena is in itself a sociological fact.

This whole article then is composed of facts which, in this sense, are objective. For example, one of the experts quoted above says that the refugees believe that UNOMIG employees “went off on jollies” in Abkhazia, have high salaries and were not interested in losing them, which inevitably would have happened had the conflict been resolved. The question could be asked: is this statement by refugees correct? Or, what do refugees mean by “a jolly”? Others might ask: how do employees of the mission understand “jolly”? Or, how do refugees correlate the wish to continue earning high salaries with an interest in prolonging the conflict?

However many questions we ask, their number will only increase and our understanding of the situation will not improve at all, and may even worsen. It is important to note that the perception

of refugees, as reflected in the mind of a local expert, are constructs, just as the perceptions and instructions of UNOMIG workers are also particular types of constructs. Instead of asking endless questions or worrying about why refugees or experts think in a certain way, existing opinions should simply be taken into account. They are many and very diverse. This is the limit of objective fact. Thus the value of this article is in the whole range of expert evaluations and interpretations that it presents.

Chapter 3

'The Geneva Process': Fears, Opportunities and Prospects

ARCHIL GEGESHIDZE

The Russo-Georgian war of 2008 severely shook peace and tranquillity in the region. The negotiating and peacekeeping mechanisms designed to maintain stability collapsed overnight. Sensing a threat to its long-term interests in the former Soviet space, the Western international community rushed to extinguish the flames. Having mobilised hitherto unprecedented political and diplomatic resources, the US and particularly the EU were able to address the problem quite quickly – the war was ended. On 12th August 2008 the presidents of France (which then held the EU presidency), the Russian Federation and Georgia signed the *Protocole d'accord*. This six-point protocol obliged Georgia and Russia to cease hostilities and the use of force, and included a provision on 'beginning international discussions on conditions for stability and security in Abkhazia and South Ossetia'.¹¹³ An additional agreement followed soon after on 8th September that outlined the process for the withdrawal of Russian troops from the so-called "buffer zone" and the stationing of the EU Monitoring Mission (EUMM).¹¹⁴ Between the signing of the two protocols, Russia had recognised Abkhaz and South Ossetian independence and in so doing had created "a new reality", which complicated the implementation of some of the principled dispositions contained in the six-point agreement. Nevertheless, as stipulated by the agreement, "international discussions" began in Geneva on 15th October 2008 (hereafter the Geneva process). And two weeks before this the EU deployed over 200 monitors from 22 member countries. The EUMM's objective was to monitor implementation of the 12th August and 8th September peace accords and to promote the stabilisation and the normalisation of the post-conflict situation in Georgia. At the time of writing 10 rounds of discussions had been held under the Geneva process.

Context and format

Political context

Following the signing of the ceasefire agreement on 12th August, Russia decided that the requirement to withdraw troops from Georgian territory to their pre-deployment positions was categorically unacceptable, because implementing it would mean the loss of the strategic positions conquered by the aggression. In fact, the only effective obstacle to Georgia joining NATO was the presence on its territory of Russian armed forces. It is worthwhile to recall that after the withdrawal of military bases from Georgia at the end of 2006 under the Istanbul Agreements, Russia lost the legal basis for its military presence on Georgian territory. Therefore, Russia needed to create new conditions which would lead to arguments in favour of "retention" of the Georgian territory occupied during the August war. After some reflection, Russia made a decision which was to prove harmful to its own long-term national interests – to recognise the independence of Abkhazia and South Ossetia.

The emergence of the "sovereignty" of Abkhazia and South Ossetia created "new realities" which were immediately instrumentalised: within a month, cooperation agreements on defence policy

¹¹³ See copy of original document: www.smr.gov.ge/uploads/file/cf_text_w__sig.pdf

¹¹⁴ 'Dopolnitelnoe soglashenie mezhdru Medvedevem i Sarkozy' [An additional agreement between Medvedev and Sarkozy]. *Civil Georgia*, 9th September 2008. Available at www.civil.ge/rus/article.php?id=17642

were prepared and signed between Russia and the “states” it had recognised, providing legal grounds for the establishment of two Russian bases in Gudauta and Tskhinvali.

Under this agreement, Russian forces will be stationed there for at least 49 years. Automatic five-year extensions are also foreseen. In short, provided Russian relations with South Ossetia and Abkhazia do not run into difficulties, which Moscow, Sukhumi and Tskhinvali clearly do not expect, Russian troops will be present in the Caucasus for decades. Judging by the increased scepticism of certain NATO countries towards the desirability of Georgia joining NATO in the context of the “new realities” in the Caucasus, Russia’s calculation proved quite accurate.

Apart from fulfilling these strategic objectives Russia’s actions were aimed at consolidating the results of ethnic cleansing and de-facto annexing of the Georgian territories. The EU, US, and even the UN and the OSCE did not recognise the “new realities”, instead recognising the territorial integrity of Georgia and insisting on the strict implementation of the 12th August and 8th September agreements.

These contradictory positions formed the backdrop for the Geneva process, which accounts for the tense atmosphere of the talks and generally poor results.

Format

On 25th September 2008 the EU appointed experienced diplomat Pierre Morel as its Special Representative on the crisis in Georgia. His mandate was primarily to facilitate preparation of the negotiations in Geneva.¹¹⁵ Immediately after the appointment, Morel and UN and OSCE colleagues began to engage in shuttle diplomacy, meeting with all interested parties with the aim of obtaining assurances of participation in the first Geneva meeting planned for 15th October. The OSCE, presumably acting with the agreement of the other organisations, issued a press release on 13th October announcing that the OSCE, EU and the UN would be the ‘co-hosts’¹¹⁶ [read: facilitators – A.G.] in Geneva, and that Russia, Georgia and the US would be invited as participants in the discussions. It also stated that representatives from Abkhazia and South Ossetia would take part in the discussions. Presumably this composition of the talks was negotiated in one way or other with the parties in preparation of the meeting, but the apparent lack of clarity of the status of the participants led to uncertainty about the very format of the discussions, allowing opposing parties to interpret the status of the Abkhaz and South Ossetian representatives in their own way. Before leaving for Geneva, the Georgian minister of foreign affairs announced that the Abkhaz and South Ossetian sides would not be permitted to participate in the negotiations at all ‘because firstly, the Georgian side will not allow it and secondly, it is not foreseen in the discussion format’.¹¹⁷

Meanwhile, the most senior UN, OSCE and EU representatives met on the eve of the Geneva discussions to demonstrate their full commitment to co-chairing the process.¹¹⁸ The first meeting of participants was extremely difficult. It was not possible to meet in plenary because the parties failed to agree on the status of Abkhaz and South Ossetian representatives. After lengthy consultations with the mediators a model format was agreed upon in order to allow the discussions to proceed. Two working groups would be established, one on security and stability and a second one on internally displaced persons/refugees. Representatives of the parties (experts and ambassadors) would participate in an individual capacity. At a press conference after the meeting the co-chairs noted that important progress had been made despite “procedural difficulties”. The UN Secretary-General Ban Ki-moon said, ‘It may be very difficult at the first initial stage, but as we progress

115 See information regarding the mandate of EU Special Representative for the crisis in Georgia on the EUMM site: http://eumm.eu/ru/eu_in_georgia/eu_special_representative_for_the_crisis_in_georgia

116 English documents refer to “co-hosts”.

117 *Civil Georgia*, 14 October, 2008, <http://www.civil.ge/eng/article.php?id=19755>

118 This meeting was between the OSCE chairman-in-office, Finnish Foreign Minister Alexander Stubb, French Foreign Minister Bernard Kouchner, whose country held the EU presidency, EU Foreign Policy Chief Javier Solana, EU Commissioner for External Relations Benita Ferrero-Waldner and UN Secretary-General Ban Ki-moon.

through this expert, envoy-level consultation, I am sure that we will be able to level up this dialogue at a ministerial and higher level'.¹¹⁹ Georgian Deputy Minister of Foreign Affairs Giga Bokeria gave the following assessment of the first meeting in Geneva: 'The most important thing is that for the first time we have a format, wherein Georgia is no longer in a minority, wherein Russia has no false role as mediator ... That was our objective for many years and its realisation started today'.¹²⁰

Aims and expectations of the parties

Given that Russia, Abkhazia and South Ossetia on the one hand, and Georgia, the UN, OSCE, EU and the US on the other have diametrically opposed perceptions of the post-August 2008 "new realities"; their aims for the Geneva discussions do not coincide either.

From the outset Russia intended to use the Geneva format to consolidate its "territorial gains" of the war, further undermining the sovereignty of Georgia and using the Geneva platform for anti-Georgian propaganda. Prior to the Geneva talks, Foreign Minister Sergey Lavrov explained what Russia expected from the Geneva process:

1. Georgia must sign legally binding agreements with Abkhazia and South Ossetia on the non-use of force, and establish "normal relations" with the authorities in Sukhumi and Tskhinvali. (This first point can be explained in such a way: the Kremlin calculated that the proposed agreements and the "normalisation of relations", would lead to the recognition of the separation of two areas, which was Russia's aim.)
2. Pending the conclusion of these agreements the EU must "guarantee" security in the "zones" adjacent to Abkhazia and South Ossetia, and in connection with this, coordination mechanisms with the de facto authorities and Russia would need to be established.
3. An international embargo should be imposed on the sale of "heavy" and "offensive" weapons to Georgia.

This last point is clearly a pure propaganda ploy aiming to portray Georgia as the "aggressor", in order to impose international sanctions. At the same time Russia repeatedly refuses to allow Georgia to obtain defensive weapons, including anti-tank and anti-aircraft systems, the lack of which facilitated Russia's invasion on 7th August 2008.¹²¹

The Abkhaz and South Ossetian sides were primarily interested in the Geneva process leading eventually to their international recognition and the consolidation of the "newly acquired" territory (the Kodori and Ksani Gorges in Abkhazia and South Ossetia respectively). As Sukhumi and Tskhinvali authorities do not have the resources to achieve these goals, they rely on Russia.

Georgia also outlined its goals before the discussions began. The minister of foreign affairs announced that Georgia intended to include the following issues in the agenda of the negotiations: a) the full implementation of the 12th August and 8th September 2008 agreements; b) the return of internally displaced persons; and c) the restoration of the territorial integrity of the country.¹²² The EU and the US, respecting the principle of territorial integrity of Georgia and pursuing a policy of non-recognition, have an interest in maintaining stability and preventing an escalation of the situation. To this day they insist that Russia fulfil all obligations under the aforementioned

119 From author's archive. Highlights of press conference after first session of international discussions on Georgia in Geneva, 15th October 2008. Available at www.civil.ge/eng/article.php?id=19759

120 *Civil Georgia*, 15th October 2008: available at www.civil.ge/eng/article.php?id=19765

121 'Talks start in Geneva', *Civil Georgia*, 15th October 2008: available at www.civil.ge/eng/article.php?id=19759

122 *Civil Georgia*, 14th October, 2008. Available at <http://www.civil.ge/eng/article.php?id=19755>

agreements, hoping to at least partially curtail Russia's continued military presence in Georgia. The importance was therefore emphasised of implementing the fifth paragraph of the 12th August 2008 agreement ('Russia will withdraw in full its troops to the positions where they were stationed before the start of hostilities'). For the UN and the OSCE, the Geneva talks were an opportunity to prove their effectiveness.

Clearly, with such different views of the Geneva process as a tool to achieve strategic objectives, rapid results were not to be expected. Indeed, after 10 rounds of negotiations, it is generally agreed that the results are very modest.

What has been accomplished and what has not?

Lessons were learnt from the breakdown of the first round of talks and the facilitators managed to re-instil enthusiasm in the participants. The second round of talks of 19th November 2008 was successful and all participants felt they were constructive and well-prepared. It became clear that procedural disputes had begun to give way to discussion of practical issues.¹²³ Agreement was even reached on the feasibility of establishing an Incident Prevention and Response Mechanism (IPRM). As noted above, there have been 10 rounds of negotiations to date. It is safe to say that the Geneva process is underway. The following can be noted in summarising the results:

1. Despite irreconcilable differences on Russia's military presence and the status of Abkhazia and South Ossetia, a regular dialogue has been established on many important security and humanitarian issues. In particular, work has begun in the working group on Internally Displaced Persons (IDPs).
2. The main result of the Geneva process was the decision, adopted at the fourth round of talks (18th February 2009), to establish an Incident Prevention and Response Mechanism. This provides for regular meetings in the Georgian-Abkhaz and Georgia-South Ossetian conflict zones amongst all those responsible for security along the administrative border. This format is complemented by a "hotline" mechanism, which provides a permanent channel of communication between all parties.¹²⁴ More than 10 meetings have already taken place using this mechanism. These meetings often take place in tense conditions, but they have already proven their worth as the parties have always found the ongoing discussions useful in some respect.
3. International mediators and the EUMM report that the situation along the confrontation lines remains 'relatively stable'. Despite occasional incidents of explosions, shootings and kidnappings, security in general prevails. An improvement in security was observed in the confrontation zone after the signing of the Memorandum on Mutual Understanding between the Georgian Ministry of Internal Affairs and EUMM on 10th October 2008.¹²⁵ On 26th January 2009, the Georgian Ministry of Defence and EUMM signed a memorandum, in which Georgia agreed to establish unilateral restricted weapon zones in the territories adjacent to Abkhazia and South Ossetia.¹²⁶ This put an end to mutual accusations in spring 2009, especially from the Russian and Abkhaz sides, on the ongoing preparations for provocation by the Georgian authorities.

¹²³ *Civil Georgia*, 20th November 2008. Available at http://www.civil.ge/eng/_print.php?id=19991

¹²⁴ 'Abkhazia: Deepening Dependence', ICG Europe Report # 202, 26th February 2010, p. 14.

¹²⁵ The memorandum sets out certain limitations for the deployment of Georgian police and special forces in adjacent territories near the administrative border without advance notice, and authorises the EUMM in cooperation with the interior ministry to guarantee control over the markings on vehicles and uniformed police officers.

¹²⁶ The Georgian Ministry of Defence has agreed not to station more than one battalion within 15 kilometres of the administrative borders of Abkhazia and South Ossetia. Concerning South Ossetia, the restricted weapon zone stretches about 15 kilometres from the administrative boundary in some areas, mostly in the south, and in other areas less than 15 kilometres. The Georgian defence ministry has also agreed not to place weapons over 120 calibres in those areas, nor to place more than five combat systems and armoured vehicles with weapons of 60 to 119 mm calibres.

Key problems which have not yet been successfully addressed include:

1. Russia has not been persuaded to fully implement commitments made under the ceasefire agreements of 12th August and 8th September. The fifth paragraph of the August agreement, providing for the withdrawal of troops to pre-war positions, is particularly important.
2. Free access to humanitarian assistance as described in international law remains a top priority. Facilitators particularly regretted the failure to reach agreement on the simultaneous passage of humanitarian assistance into South Ossetia from both the north and the south.
3. No agreement has been reached on the non-resumption of hostilities. “Elements of the agreement” prepared by mediators were discussed during the last three rounds of negotiations. The stumbling block remains the issue of who should sign the document: Georgia with Russia or with the authorities of Sukhumi and Tskhinvali.
4. The question of the free movement of local residents across the administrative borders remains unaddressed. Despite constructive discussions on the subject, including within the IPRM framework, the parties have not been able to agree on border-crossing procedures.
5. EUMM has not been able to establish a constructive information exchange with the occupying authorities on the operational environment along the demarcation line, despite the Abkhaz authorities expressing their interest during IPRM discussions on stabilising the situation.

The Geneva process has gradually moved into a second phase with the aim of developing security and humanitarian protection procedures.¹²⁷ This is a clear objective, the importance of which is recognised by all parties. If agreement can be reached on key elements for a framework agreement on the non-use of force, the foundations for resolving this issue will have been laid.

Risks and limitations

Although the Geneva discussions became more constructive from the second round onwards, not everyone felt that the process was sustainable. After the successful fourth round, where parties agreed on the establishment of IPRM and the hotline, few could have predicted that the next round would be on the verge of failure. The problem was the UN Secretary-General report on Georgia, to be published on the eve of the fifth round of talks (scheduled for 18th–19th May 2009), and the fact that the Abkhaz side did not want wording used that implied Abkhazia was a part of Georgia. The release of the report was delayed until 19th May; the Abkhaz side did not go to Geneva and out of solidarity with them, the Russian and South Ossetian delegations boycotted the meeting.

The meeting only took place once the Abkhaz side was convinced that there was no direct mention of the territorial integrity of Georgia in the new report, unlike previous reports.¹²⁸ This demonstrates the fragility of the process and its vulnerability to the fundamental differences between those who accept the prevailing “new realities” in the region and those who do not.

Over a year after the talks began, there is no doubt that the process has certain limitations and is constantly subjected to risks. These limitations and risk factors include:

¹²⁷ Pierre Morel, ‘Geneva, one year later: which peace for Georgia?’, *The Guardian*, 15th October 2009. Available at <http://www.guardian.co.uk/commentisfree/2009/oct/15/dialogue-georgia-geneva>

¹²⁸ US State Department spokesman Ian Kelly called the act of Russian, South Ossetian and Abkhazian delegations ‘a coordinated effort to undermine the Geneva talks’. See ‘Abkhazia says may join Geneva talks after revised UN report’, *Ria Novosti*, 19th May 2009. Available at <http://en.rian.ru/world/20090519/155041598-print.html>

1. *Fundamental differences and lack of trust between the parties.* This is the main obstacle, as parties strive towards mutually exclusive strategic objectives. This demands great diplomatic effort by the facilitators to reach agreement on tactical and relatively less important issues, and also threatens to stretch the process out indefinitely. The lack of political results and further delays may result in “fatigue” amongst participants, and may discredit the whole Geneva process.
2. *The potential failure of dialogue on new security architecture in Europe.* The overall collaborative nature of relations between Washington/Brussels and Moscow has been shaped on the one hand by Russia’s initiative to discuss new “rules of the game” for security on the European continent, and on the other hand by the new US administration’s “reset policy” regarding Russian relations. Largely due to the atmosphere of dialogue and consultation with the West on different issues,¹²⁹ Russia continues to observe the ceasefire along the administrative borders with the conflict zones in Georgia and participate in the Geneva talks in the rather uncomfortable and unfamiliar role of a party to the conflict. There is little doubt that should such “collaboration” fail, Russia will either cease to participate in the Geneva process or will attempt to sabotage it.
3. *Ongoing incidents along the confrontation lines.* Despite a decrease in incidents, largely thanks to EUMM, they have not ceased completely. The situation in the territory adjacent to South Ossetia remains relatively dangerous and requires special attention. One explanation for this is that the war took place just a year and a half ago, both sides have fresh memories of the horrors, and wounds have not yet healed. On the other hand, another reason is the lack of complete loyalty of the South Ossetians to the IPRM format agreed upon in Geneva.¹³⁰ Of course, the increase in the number and intensity of incidents has a negative effect on the talks.
4. *Potential for escalation of the internal political situation in Georgia and/or Russia.* The instability of the Georgian internal political situation first became evident in autumn 2007. The forceful suppression of mass demonstrations, the disputed outcomes of presidential and parliamentary elections, along with a military adventure with extremely grave consequences, have significantly shaken the position of authorities in the country and damaged their international reputation. Mass protests in spring 2009 once again confirmed the fragile internal stability of Georgia. A serious deterioration of the political situation could affect the situation on the confrontation lines in the vicinity of Abkhazia and South Ossetia, which will adversely affect the Geneva talks; Russian federal authorities are also finding it increasingly difficult to ensure stability in the North Caucasus. Should there be a critical escalation in the situation, the possibility that Russia may try to find scapegoats to disguise the real reasons for the failure of its policies in the region cannot be excluded. If this happens, Georgia would be an easy target for the Kremlin’s “hawks” as it is situated adjacent to the North Caucasus. A new conflict (or war) between the two countries would have a seriously adverse effect on the Geneva talks.

129 In addition to issues directly related to security in Europe, these include problems of strategic arms reduction, combating international terrorism, non-proliferation of weapons of mass destruction, and cooperation on Afghanistan.

130 Interview with Head of EUMM H. Haber. Available at http://www.eumm.eu/ru/press_and_public_information/articles/1813/?year=2009&month=12

Prospects for the Geneva process

The limitations and risks listed above could theoretically reduce the “life expectancy” of the Geneva talks or result in their suspension at any moment. Meanwhile, a survey of expert opinion conducted for this research shows that the majority of respondents envisage a long life for the process, despite its poor efficiency.¹³¹ Experts point to the fact that there has been too much political investment in the format by the facilitators whose reputations are at stake. Therefore, the UN, OSCE and the EU will make every effort to save the Geneva process, especially in the context of the bitter experience of the closure of the UN and OSCE missions in Georgia. Another group of experts believe that, theoretically, the format may survive indefinitely, but as soon as the situation changes and/or parties grow tired of participating in this “meaningless exercise”, it will cease to exist. However, all agree that given the current lack of results, the Geneva process will lose credibility and significance as time goes on.

Despite the fact that in general experts foresee the Geneva negotiations as a lengthy process, in fact it is not clear whether they will have a long life or not. The only guarantee for any process is its effectiveness, and in this case the main criteria for assessing this should be the stability of the general political situation in the conflict region and the spirit of cooperation between participants. In other words, in order to have an impact, the process must evolve and move from the current format to one of conflict management and resolution. For this to occur, expert observers say the following conditions are needed:

- (a) Reliable channels of communication and rational dialogue must be maintained between the parties to the conflict;
- (b) Strict compliance with procedures for dialogue and consultation mechanisms; and
- (c) Solid security guarantees on the ground, especially along confrontation lines.¹³²

The Tagliavini Commission report provides a sobering reminder of what could follow the breakdown of these instruments and increased provocation.

Once stable conditions are in place for military, political and human security, it will be possible to move on to discuss more sensitive issues. For example, how can direct links be established between the once-warring factions, despite their remaining fundamental differences? How can progress be made on the complex issue of the legal status of individuals living in the disputed territories? How can contacts necessary for facilitating everyday life be established?¹³³

Recent history provides numerous examples of pragmatic solutions to all these questions. The political process has begun. It is important that the motivation and enthusiasm of participants is maintained, as the Geneva process is the only forum in which all parties participate.

¹³¹ See Annex 2

¹³² Pierre Morel, *op.cit.*

¹³³ *Ibid.*

Chapter 4

Prospects for international participation in the Georgian-Abkhaz conflict resolution process

IVLIAN HAINDRAVA

For a realistic assessment of the prospects for a resumption of international involvement in the Georgian-Abkhaz conflict resolution process, it is worth analysing the parties' reactions to the withdrawal of the UN Observer mission in Georgia (UNOMIG). Indeed, it was this mission, together with the activities of the Group of Friends of the UN Secretary-General, which has shown no sign of life since August 2008, that was the main instrument of the international community in resolving the Georgian-Abkhaz conflict.

The Georgian reaction

On 16th June 2009, the day after Russia vetoed the UN Security Council decision to extend the mission, Georgian Minister of Foreign Affairs Grigol Vashadze announced at a press conference in Tbilisi that the Georgian leadership regretted this negative development. 'We and our partners were prepared to accept a mandate, that was well-balanced and would have helped to address existing problems adequately', said Vashadze, before blaming the Russians for putting an end to the mission and noting 'Russia does not want an international mission in Georgia because its actions are contrary to international law. This was its aim when it "killed off" the OSCE mission in Georgia and vetoed the extension of the UN mission'.¹³⁴ The Minister for Reintegration, Temuri Yakobashvili, expressed regret at the termination of the UNOMIG mission, stressing that it could have been of great benefit to both local populations and to attain peace in the region.¹³⁵ The Georgian Ministry of Foreign Affairs made a similar statement on 16th June.¹³⁶

In general, the position of the Georgian authorities on this matter was reflected in the mood of society. Below are the results of a survey¹³⁷ conducted in early October 2009. Answers to the question, 'Do you support the deployment of international peacekeeping forces in Georgia?' were as follows; data from previous surveys are included for comparison:

Date	YES %	NO %	Don't know %
10.2009	57	25	18
06.2009	70	19	11
02.2009	74	16	10
09.2008	80	13	7

The significant (and consistent) decrease over one year in the number of supporters of the peacekeeping forces (from 80 percent to 57 percent) and almost twofold growth in the number of

¹³⁴ Available at http://www.mfa.gov.ge/index.php?lang_id=GE0andsec_id=58andinfo_id=10521 [author's translation from Georgian]

¹³⁵ Available at http://smr.gov.ge/en/press_office/all_news

¹³⁶ Available at http://www.mfa.gov.ge/index.php?lang_id=ENGandsec_id=30andinfo_id=10485

¹³⁷ A representative survey was conducted on 29th September to 5th October, 2009 through personal interviews of 1500 inhabitants of Georgia over the age of 18 years (error - 3%). The survey was conducted for the International Republican Institute (IRI) funded by USAID. The survey method was developed and the results analysed by Baltic Surveys / The Gallup Organisation, while IPM (Institute for Polling and Marketing) carried out the fieldwork. Available in Georgian at <http://republicans.ge/index.php?module=%E1%83%AC%E1%83%94%E1%83%A0%E1%83%98%E1%83%9A%E1%83%94%E1%83%91%E1%83%98&func=display&sid=77>

opponents (from 13% to 25%) is striking. This is easily explained by two main factors. Firstly, the automatism with which Russian “peacekeepers” deployed in the conflict zone under the CIS mandate since 1994 had transformed into an integral part of the invading enemy army, in particular in the upper Kodori Valley. Secondly, UNOMIG’s inability (due to mandate restrictions, which ordinary citizens find difficult to understand) to prevent the events of August 2008. The Tagliavini mission¹³⁸ came to the unequivocal conclusion that Abkhazia’s use of force and Russia’s support for it were illegal and contrary to international law, given that Georgia had not conducted military operations or any other hostile acts towards Abkhazia in August 2008.

However, even with the decrease in support for the deployment of international peacekeeping forces, its supporters still outnumber opponents two to one. The general mood clearly supports peaceful approaches to solving the issues related to Abkhazia and South Ossetia. The responses in the table below answer the question of how the problem of Abkhazia and South Ossetia should be addressed (in percentages):

	10.09	06.09	09.08	02.08	09.07	02.07	04.06	10.05	06.05	10.04
Peaceful means/ negotiations	94	92	95	93	91	92	90	89	86	88
Use of force if necessary	3	4	4	5	7	6	8	9	10	9
Don’t know/ no answer	3	4	1	2	1	2	2	3	4	3

Respondents who support the peacekeeping forces gave interesting answers to the question ‘Which country or international organisation should provide the peacekeeping force?’:

NATO	USA	EU	UN	Ukraine	France	Other	Don’t know/ no answer
30%	28 %	24%	4%	3%	1%	1%	10%

Disappointment at the UN’s capabilities (as mentioned above) is evident here and there is a focus on Western, not simply *international*, structures.

Returning to the official position of Tbilisi, it should be noted that although they deplore the closure of UNOMIG, the Georgian authorities are themselves creating problems for international presence in Abkhazia. For example, Article 4 of the October 2008 Law on Occupied Territories established rules of entry into Abkhazia (and South Ossetia) which pose formidable obstacles for foreigners. Although the law provides that Georgian authorities can issue permits in special circumstances (Article 4 paragraph 3 ‘in the public interest of Georgia, for purposes of peaceful resolution of conflict or humanitarian reasons’), the new rules are a barrier not only for individuals but for various organisations, especially NGOs. In this sense Article 7.2 of the law is hard to understand, as Georgian executive authorities are now obliged to periodically provide information to relevant international organisations on human rights violations in the occupied territories. Common practice, though, works the other way round; it is the international organisations that provide information on human rights issues.

Following the Venice Commission recommendations, the Georgian parliament has begun to amend the law in order to mitigate these difficulties, and the ‘State Strategy on Occupied Territories’, adopted in January 2010, states that it is aimed at reducing the isolation of Abkhazia and South Ossetia. However, this strategy was published after this article was written and deserves separate analysis.

¹³⁸ An independent international fact-finding mission on the Georgian conflict. ‘Use of force in Abkhazia’, Vol. II, part 5, pp. 290-294. Available at <http://www.ceiiig.ch/Report.html>

Abkhazia's reaction

On one hand the Abkhaz authorities seem to support the presence of the UN mission, and on the other, it appears that its termination came about on their request, or so the Sergei Bagapsh interview with Echo Moskva Radio implies.¹³⁹ He talks about the importance of the mission and the fact that the Abkhaz authorities support its continued presence, and at the same time says, 'We asked Russia to use its veto on this issue' (that is, to use its veto in the UN Security Council on the prolongation of the mission, which Russia did). For Sukhumi, the mission title posed an insurmountable obstacle because of the word 'Georgia', and the UN referring to 'Abkhazia, Georgia' and 'de-facto Abkhazia' in its official documents. In the same interview in response to the presenter's question, 'So it turns out that today there is not one international organisation left in Abkhazia?', Sergei Shamba replies: 'None, apart from humanitarian ones'. In this situation it is surprising that the Abkhaz authorities impose such strict requirements on international organisations wishing to resume their activities.

Foreign Policy Adviser to the Abkhaz President, Vyacheslav Chirikba, said of the international presence in Abkhazia: '... recently Abkhazia has faced significant challenges in cooperating with the largest and most important international organisations. Thus, the withdrawal of the UN mission in Abkhazia was a great disappointment. It came about due to the rigid ideological positions adopted by some Security Council members, despite compromise wording being suggested by Russia in particular that would have satisfied all parties'.¹⁴⁰

On the issue of expanding the EU mission (EUMM) to Abkhazia, Sergei Shamba unequivocally summarised Sukhumi's official position: 'If the EU recognises Abkhazia as a subject of international law then we may even be interested in their presence in our state'.¹⁴¹

In general terms, the Abkhaz position on international presence in the territory controlled by Sukhumi is outlined by a group of Abkhaz experts in the publication *Dialogue on security guarantees in the context of the Georgian-Abkhaz conflict*.¹⁴² Page 16 of this dialogue reads: 'The Abkhaz were also interested in having an international presence in their territory and repeatedly stated that they had no objection to the UN mission remaining with a new mission title and mandate amended to reflect new political realities'. It continues on page 20: 'The most effective method to guarantee the non-resumption of hostilities to date has been the military presence of the Russian Federation in the territory of Abkhazia, the presence of the UN mission (which requires a new name and mandate) on both sides of the border, and also the EU observation mission in Georgia'.

The Russian position

To clarify, posing the question of "Russia's reaction" is incorrect, as it was the Russian veto at the UN Security Council that led to the termination of UNOMIG. Therefore it is more accurate to discuss Russia's *position* on an international presence in Abkhazia, which they have repeatedly made clear. The Russian Ministry of Foreign Affairs issued a statement on 6th August 2009 saying 'Attempts to continue as if nothing had happened, to completely ignore the independence of South Ossetia and Abkhazia led to the termination of international presence in these countries and Georgia, which had in general provided useful support to the people of the region. This was not our choice. Russia is not responsible for the departure of the international mission, even if some may try to present it that way'.¹⁴³

139 Available at <http://www.echo.msk.ru/programs/beseda/605593-echo>

140 Alert's translation, which is also available in English at <http://www.abkhaziagov.org/en/news/detail.php?ID=20768>

141 Available at <http://www.kavkaz-uzel.ru/articles/158300>

142 September 2009, London: International Alert. Available at <http://www.international-alert.org/publications/pub.php?p=409>

143 Statement of the Russian Ministry of Foreign Affairs: 1231-6th August 2009. Available at www.mid.ru/Brp_4.nsf/arh/268F169842FCB98CC325760A0034A816?OpenDocument

On 25th August, in a statement on the anniversary of Russian recognition of Abkhaz (and South Ossetian) independence, this theme was repeated: ‘It is clear though that without recognition of the new politico-military and legal realities in Transcaucasia it will be impossible to deploy and expand any forms of international presence within South Ossetia and Abkhazia’.¹⁴⁴

It is difficult to say how the public or expert discussion in Russia handles the question of international presence in Abkhazia (and South Ossetia), since such discussion is practically non-existent. We can only refer to the Russian expert on the Caucasus, Sergei Markedonov, who says: ‘If the Kremlin’s policy towards Abkhazia continues only through soldiers and border guards and there is a continued reluctance to allow the republic to open up to others, sooner or later people will start to oppose such kind of “self-determination”’.

The international community’s reaction

The reaction of international organisations and Western countries to terminating UNOMIG was unanimously negative. The day after the Security Council vote, the UN Secretary-General’s Group of Friends on Georgia (with the exception of Russia) issued a joint statement saying, ‘We deeply regret Russia’s decision to veto a resolution on the United Nations Observer Mission in Georgia (UNOMIG), which has resulted in the termination of the mission after 15 years of valuable service ... Termination of the work of the UN mission, and the OSCE mission, will lead to a weakening of international efforts to resolve the conflict (in the Caucasus)’.¹⁴⁵

US Deputy Secretary of State for Eurasia, Philip Gordon, regretted Russia’s position and said he believed that the presence of international observers helps obtain important first-hand information and reduces tensions in the conflict zone.¹⁴⁶

European Union President Carl Bildt also complained that Russia’s position meant the UN (and OSCE) observer missions had to wind up their activities and leave the region, thus complicating the situation. ‘In fact, we do not know what is really going on in South Ossetia and Abkhazia. They are closed to us. This is not normal in a civilised world. We only hear scraps of information from people who have been there’, he said.¹⁴⁷

Secretary General of the Council of Europe Thorbjørn Jagland echoed these concerns: ‘We have clearly said that there should be no black holes in Europe in the field of human rights. Therefore, we demand access to the breakaway regions of Abkhazia and South Ossetia’.¹⁴⁸

The Tagliavini mission report also discusses this, stating ‘There is a need for more timely and more determined efforts to control an emerging crisis situation, and in such situations a more sustained engagement is needed from the international community and especially the UN Security Council, as well as by important regional and non-regional actors’. And later: ‘There is as yet no adequate replacement for the dismantled international presence and namely its main pillars UNOMIG and the OSCE mission to Georgia, and while EUMM (European Union Monitoring Mission) should continue its duties, further efforts should be made to provide for an independent, neutral and effective international presence for the purpose of peacekeeping in the conflict area’.¹⁴⁹

144 Statement of the Russian Ministry of Foreign Affairs: 1269–25th August 2009. Available at http://www.mid.ru/Brp_4.nsf/arh/96BCEA765874A5E2C325761D0035B874?OpenDocument

145 Available at <http://www.newsgeorgia.ru/monitoring/20090617/151181587.html>

146 Available at <http://rus.postimees.ee/?id=152330>

147 Available at <http://www.interfax.ru/txt.asp?sec=1483&andid=92800>.

148 Available at <http://www.echo.msk.ru/programs/personalno/642495-echo/>

149 Tagliavini Mission report, op.cit. Vol. 1, pp. 33 and 35.

The International Crisis Group (ICG) report provides an example of the attitude towards this issue by international non-governmental organisations working in conflict areas. ‘Its [Moscow’s] 15th June Security Council veto of an extension of the 16-year-old UN observer mission mandate in Georgia and Abkhazia and its apparent intention to require the removal of the mission of the Organisation for Security and Cooperation in Europe (OSCE) by the end of the month are blows to regional security that will further fuel tensions. Most of the on-the-ground conflict resolution machinery is thus being dismantled. Moscow should review its counterproductive position and work for a reasonable compromise allowing the UN and OSCE monitors to continue their important work’.¹⁵⁰

Finally, the expert Oksana Antonenko claims a vacuum has emerged in and around the conflict zones, and believes that the failure of the UN to extend its mission in Abkhazia (as well as the OSCE in South Ossetia) is a considerable setback for confidence-building processes.¹⁵¹

In concluding this overview of the reactions to the termination of UNOMIG activities in the Georgian-Abkhaz conflict zone by various parties to the conflict, it should be noted that *presence is a form of engagement*. Consequently, full international engagement in conflict resolution is impossible without an international presence in the conflict zone. The situation prevailing at the time of writing is truly surprising: the parties to the conflict, and all who are involved in its settlement in one way or another, express regret at terminating UNOMIG activities; no one questions the feasibility in principle of an international presence in Abkhazia; the need for international engagement in resolving the Georgian-Abkhaz conflict is recognised by all (as evidenced by the format of the periodic Geneva meetings) but we cannot speak of international participation in the conflict resolution process (or of an actual resolution process itself) at the moment. EUMM cannot fulfil this role as it does not have access to Abkhaz-controlled territory and its official mandate only allows it to carry out some of the functions necessary. In fact it does not even have half the necessary mandate as EUMM cannot promote confidence-building measures between parties¹⁵² to the conflict without being present on the Abkhaz side. This is a necessary step towards conflict *resolution* rather just preventing renewed hostilities. It can therefore be concluded that *an international presence must be restored in the conflict zone to ensure international engagement in resolving the Georgian-Abkhaz conflict*.

Ways to restore international presence

As the analysis of Abkhaz and Russian positions shows, an important obstacle to the restoration of an international presence is the official title of the mission (whether that UN mission be UNOMIG or something else). It is likely that the Georgian side is also not indifferent to this issue (international actors will accept any mission title that is mutually agreeable to the parties to the conflict). The contradiction lies in the fact that Georgia refers to its internationally recognised territorial integrity as enshrined in UN resolutions, and considers it inadmissible to equalise its status with that of Abkhazia, even if only in the context of the title of the mission in the conflict zone. The Abkhaz-Russian position is based on ‘new military-political and legal realities’ which require appropriate reflection on the mission title. It would seem, however, that this obstacle is not insurmountable and with political will on all three sides and *international mediation* a name could be formulated which does not slight anyone. Nowadays there is a wealth of new names for new phenomena and for this case something suitable will no doubt be found.

¹⁵⁰ ‘Georgia-Russia: Still insecure and dangerous’. Crisis Group Europe Briefing number 53, 22nd June 2009. Available at <http://www.crisisgroup.org/en/regions/europe/caucasus/georgia/b053-georgia-russia-still-insecure-and-dangerous.aspx>

¹⁵¹ O. Antonenko. ‘Grim Expectations’, *New York Times*, 13th August 2009. Available at <http://www.nytimes.com/2009/08/14/opinion/14iht-edantonenko.html>

¹⁵² See EUMM mandate http://www.eumm.eu/en/about_eumm/eumms_mandate

The mandate of the international mission is objectively more complicated. Ideally, the Georgian side would like an international mission with a mandate to focus on the resolution of conflict based on the territorial integrity of Georgia. A minimum option might be a mandate which would ensure the safety and rights of ethnic Georgians in the Gali district.

The preferred option for the Abkhaz side would be an international mission with a mandate that doesn't preclude a full and legitimate secession of Abkhazia from Georgia in the future. The minimum option would be a mandate that guarantees the protection of Abkhazia from abuse of power by Georgia.

Thomas de Waal believes that the minimum options of the Georgian and Abkhaz sides could be achieved and that the situation requires the neutral intervention of the international community. According to de Waal, international presence in Abkhazia (and South Ossetia) under an ambiguous title would serve as a guardian of vulnerable groups, as well as a sort of early warning system against potential trouble causes by either side.¹⁵³

It is harder to identify Russian preferences for the mandate of an international mission, because it can hardly be in complete agreement with Abkhaz aspirations. It is likely that Russia would like to have as free a hand as possible, to take advantage of the unlimited possibilities for action, depending on the situation.

The international community's view on the possible mandate of an international mission is seemingly similar to the Tagliavini mission's conclusions: 'As the needs on the ground may change with new developments, the international community must be prepared to reassess, readjust and reinforce the stabilising arrangements and institutions which were put in place during or immediately after a crisis situation'.¹⁵⁴

The issue of an international organisation creating a mission, and the issue of its composition will presumably not be easy to agree upon (refer to the above data on the preferences of Georgian society on this issue). Here guidance could be taken from Tagliavini mission conclusions: 'No party to the conflict or party which is considered to be strongly supportive of any of the sides should assume a position of command, or chair, or arbiter, nor exercise any other control of an operation which rests on the notion of impartiality and even-handedness in order to be effective'.¹⁵⁵ Such an approach can hardly be questioned, but differences can be expected on who meets the above criteria. It would be possible to deploy a full-scale mission based on the imperfect format of the EUMM. In this regard, we should remember Russian President D. Medvedev's comments that the 2008 Russian-Georgian conflict is a *European* conflict.¹⁵⁶ A logical extension of this statement would be that the European conflict should be dealt with by Europeans (EU, OSCE). However, the Abkhaz would clearly take a negative view of this (as mentioned above in the Sergei Shamba interview). It is likely that they will turn to the UN again, whose members – Georgia and Russia – don't have to question its impartiality, and Abkhazia has no reason to reject the services of an organisation that it hopes to become a member of someday.

The political will to restore an international presence should result from the specific interests of both conflicting countries and other parties involved. Georgia's interest is not to remain face-to-face with Russia in Abkhazia (and South Ossetia) with forces unmatched in strength and incompatible objectives.

153 A. Hug (Ed.) (2009). *Spotlight on Georgia*, London: Foreign Policy Centre. Available at <http://fpc.org.uk/publications/SpotlightonGeorgia>

154 Tagliavini report, *op.cit.*, p. 34.

155 *Ibid.*

156 Interview with President Medvedev in *Der Spiegel*, 7th November 2009. Also available in English at: http://eng.kremlin.ru/speeches/2009/11/07/1230_type82916_222598.shtml

Restoring the international presence seems to be the only way of transferring conflict-related problems to the field of international law and seeking internationally legitimate solutions and appropriate safeguards.

For various reasons it is not in Abkhaz interests to remain alone with Russia for an indefinite (long) time. This would increase the risks associated with exclusively Russian influence in the political, economic, cultural and informational spheres. The Abkhaz expert Inal-Ipa believes, 'Of course if Russia is the only country that is in contact with Abkhazia then there will be cause for serious concern. The alliance with Russia is necessary in order to survive and remain ourselves. If this results in Abkhazia losing its individuality, other threats could appear for us and society understands this'.¹⁵⁷ It is more advantageous for Abkhazia to position itself as an entity directly interacting with international organisations, able to take *independent* decisions. It will be difficult for Abkhazia to expect access to countries and organisations that are not allowed access to Abkhazia.

From its actual policies, it is difficult to ascertain Russia's interest in an international presence being restored in Abkhazia. Providing Moscow does not have future expansionist plans for Georgia, it should not be troubled by the restoration of a mission such as UNOMIG (with a modified name and format), and this could even "justify" the Russian border guards along the separation line ensuring the stability of the situation. This may become more important in light of security arrangements for the Olympic Games in Sochi 2014.

There are several reasons why the international community wants to be present in the Georgian-Abkhaz conflict zones. Firstly, to reassert its authority, which was somewhat undermined by the actions of all parties during the war of August 2008, and some parties' actions after it (as well as during the 2004 events in South Ossetia and 2006 in the Kodori Valley). The Tagliavini mission report on the use of force in Abkhazia states, 'On the morning of 9th August 2008 Abkhaz authorities demanded UNOMIG leave Upper Abkhazia: UNOMIG left the area. This was a clear indication that a military operation in the Kodori Valley was imminent'.¹⁵⁸ Such treatment of UNOMIG did not of course enhance the authority of the organisation under which the mission operated. The subsequent de facto expulsion of UNOMIG (and the OSCE from South Ossetia and Georgia) as a result of Russia's unilateral actions, made the situation even more unpleasant for international organisations.

Secondly, a presence in potentially hazardous areas can help to reduce the risk of military excesses, even if experience shows it cannot always prevent them from occurring. A flow of first-hand information directly from the surveillance zone (which, if lacking, causes complaints from international actors) is a prerequisite for the objective assessment of a situation, for developing preventative measures and determining the extent of liability the parties face. Thirdly, peacekeeping efforts cost less in the long run than addressing the consequences of war, and international organisations that aim to maintain peace and stability are obliged to use all means at their disposal for this purpose.

From presence to resolution

Oksana Antonenko rightly notes that the main outcome of the Russian-Georgian war was the complete cessation of the conflict resolution process. She suggests a number of approaches to the international community as alternatives to Russia establishing a monopoly in Abkhazia (and South Ossetia), which would also allow for conflict transformation through Europeanisation.¹⁵⁹ The

¹⁵⁷ Available at <http://www.svobodanews.ru/content/article/1904567.html>

¹⁵⁸ Tagliavini report, op cit. vol. V, part 2, p. 290.

¹⁵⁹ O. Antonenko, 'Grim Expectations', *New York Times*, 14th August 2009. Available at <http://www.nytimes.com/2009/08/14/opinion/14iht-edantonenko.html>

transition from international presence to transformation and resolution will be difficult and lengthy if only because, as Sergei Markedonov says, by recognising the independence of Abkhazia (and South Ossetia), Russia has moved from being a mediator and peacemaker to being the guarantor of their secession from Georgia.¹⁶⁰ Considering that Russia is a permanent member of UN Security Council with veto power (which it has already used in the present context) and is a member of the nuclear club, and bearing in mind that its military presence in Abkhazia (and South Ossetia) is not purely symbolic (Tbilisi with good reason refers to it as “occupation”), the political make-up of the Georgian-Abkhaz conflict has radically changed. Firstly, the conflict between Russia and Georgia was “superimposed” on the Georgian-Abkhaz conflict. The deepening crisis over recent years in bilateral relations eventually led to the August war, the cessation of diplomatic relations, and mutual mistrust between the authorities of the two states. Secondly, Russia and Western countries found it possible to cooperate, if not always fruitfully, through the UN Secretary-General’s Group of Friends, and at least they formally (in Russia’s case) agreed to the principle of the internationally recognised territorial integrity of Georgia – whereas now there is no such common principle.

Consequently two separate camps with diametrically opposed visions on the basic concept of conflict resolution now exist. Abkhazia and Russia proceed from the irreversible separation of Abkhazia from Georgia – the ‘new military-political and legal realities’ referred to by the foreign minister. Georgia and the West see the separation of Abkhazia as illegitimate.¹⁶¹

Russia is therefore building its policy on expanding the group of states that recognise Abkhaz independence, and the West has declared a policy of non-recognition, which it promises to stick to no less consistently than Russia does to its own policy. This of course greatly reduces possibilities for cooperation on resolving the Georgian-Abkhaz conflict and finding common political formulas, especially as Russia has practically turned itself into a *party to the conflict*. However, while one can assume that there are nuanced differences in approaches to certain issues within the abovementioned camps, one cannot exclude the possibility that these differences may grow into more serious disagreements further down the line.

In any case, a wide range of issues remain that need to be solved regardless of each actor’s long-term vision and which they cannot themselves afford to reject. There are security problems at different levels, extensive humanitarian problems and economic issues, including those that go beyond economics, such as communication and transportation projects. Interest in addressing these matters is not limited to the sides of the conflict and clearly extends beyond the region. In this situation various kinds of international participation, including the renewal of different NGO activities in Abkhazia, are needed to address these problems successfully. The solution of the multiple and diverse issues stemming from the Georgian-Abkhaz conflict will directly contribute to efforts towards building mutual trust and conflict transformation and thus leading to the settlement of the conflict in the long term. Hence it is maybe not even necessary to call the process Georgian-Abkhaz Conflict Resolution, though essentially that is what it is.

Conclusions

1. Restoration of an international presence in the Georgian-Abkhaz conflict zone is realistic even in the short term.
2. The resumption of the Georgian-Abkhaz conflict resolution process and of international participation in the process is possible and perhaps inevitable.
3. Resolution as such seems a distant prospect, but that does not preclude the need for permanent multilateral efforts to that purpose.

160 S. Markedonov (2010). *Turbulentnaya Evrasia [Turbulent Eurasia]*, Moscow: Academia. p. 21.

161 See the Tagliavini mission report, p. 17.

Part II Annex 1

Expert Assessment of the Effectiveness of International Engagement in the Resolution of the Georgian-Abkhaz Conflict

(RESULTS OF QUALITATIVE RESEARCH)

Research objectives

The aim of the research was to obtain an expert evaluation of the role of international organisations in the resolution of the Georgian-Abkhaz conflict and to establish factors determining effectiveness.

Research methods

The method of individual-focused interviews was used for this study (rather than the focus group method, which is not as suitable for the study of complex questions requiring a degree of in-depth examination). The questionnaire was composed of six questions. (See below.)

Selection procedure

Fourteen independent experts working in the relevant sphere were chosen for this research.

Results

1. The role of international organisations in security provision and prevention of the resumption of hostilities

Noting that the UN mission in Georgia (UNOMIG) has played a leading role amongst international organisations in resolving the Georgian-Abkhaz conflict, experts generally had a positive view of its role in ensuring security and the non-resumption of hostilities. UNOMIG's presence in the conflict zone had a restraining effect on Abkhaz and Georgian informal armed groups, and served to control and prevent armed clashes and maintain relative peace in the region. This helped to reduce tension and stabilise the situation to allow the search for a peaceful solution to the conflict to begin. The Geneva consultations were established as a regular negotiation process, during which over 100 bilateral and multilateral meetings were held, including some in the conflict zone itself. The Group of Friends of the UN Secretary-General on Georgia was formed to aid the peaceful resolution of the Georgian-Abkhaz conflict and included the UK, Germany, Russia, the US and France. At the Georgian-Abkhaz meeting in November 1997 it was agreed to establish a coordinating council with three working groups on: a) security issues and the non-resumption of hostilities; b) issues of IDPs and refugees; and c) economic and social problems.

However, these efforts only resulted in freezing the conflict, meaning there is always a danger of renewed violence, and experts believe this was demonstrated by the events of August 2008. They therefore feel that international organisations, in particular the UN and OSCE, ultimately failed to accomplish their primary mission – to prevent a resumption of hostilities – even though there was clearly a concentration of both Russian and Georgian armed forces and military equipment around Tskhinvali. According to experts this should have provoked an immediate international reaction and efforts should have been made for the parties to sign an agreement on the non-resumption of hostilities before the war broke out in summer 2008. The experts are hopeful that conclusions will be drawn from this bitter lesson and effective mechanisms put in place to prevent such developments in the future. They believe that the Tagliavini Commission report should have political outcomes for all parties involved – the authorities of Georgia, Russia, Abkhazia and South Ossetia.

2. The role of international organisations in addressing the problem of IDPs

Little progress has been made in this area despite the fact that UN efforts led to an agreement signed in 1994 on the voluntary return of refugees and internally displaced persons (IDPs), which recognised their right to return peacefully without risk of arrest, detention, imprisonment or prosecution. Although experts note some progress before the escalation of the situation in the Gali district in May 1998, when Georgian authorities staged a military parade on 26th May 1998, they are referring to spontaneous returns to the Gali district. The international community proved to have no real leverage over the process of IDP return and was forced to limit itself to making political statements. In the end headway was not even made on the issue of IDP registration.

Experts stress the important role of international organisations in addressing the negative consequences of armed conflict – the UNHCR, the Norwegian Refugee Council, the Danish Refugee Council, the International Committee of the Red Cross, and Médecins Sans Frontières [Doctors Without Borders] – which have been responsible for saving many thousands of lives and averting a human catastrophe.

3. The role of international organisations in restoring trust and dialogue between the sides

Experts positively evaluated the effectiveness of international organisations that had helped lay the foundations for the peace process on the basis of civil initiatives, in terms of conflict transformation, and the mainstreaming of tolerance and respect for the others' views (NGOs such as Conciliation Resources and International Alert). Regular meetings between parties consisted of an open forum in which they were able to discuss problems of mutual interest, and analyse positive and detrimental factors to the process of peaceful conflict resolution. International Alert's economic peacebuilding initiative, aimed at sustaining business contacts and regular economic cooperation between parties, was particularly highly rated.

4. The role of international organisations in resolving political issues

Experts agree that the ability of international organisations to influence political issues is very limited, in contrast to humanitarian ones. When evaluating the role of the main political actor regarding the conflict – the UN – experts note that the possibilities for an organisation in which Russia has the power of veto are very limited as it is unable to take decisions that contradict Russia's strategic interests. According to experts, the Georgian-Abkhaz conflict remained frozen until the unbalanced political actions of the Georgian authorities prompted Russia to upset the status quo; otherwise Russia would not have achieved its strategic objective of domination in the South Caucasus.

In pursuing its interests, Russia managed to provoke the Georgian authorities in August 2008. Its recognition of the independence of Abkhazia and South Ossetia has ensured that its armed forces will remain on these territories for a long time.

Questionnaire

The purpose of this questionnaire is to assess how Georgian experts evaluate the role of international organisations in the resolution of the Georgia-Abkhaz conflict. Thank you for your help!

1. **Political issues in the resolution of the Georgian-Abkhaz conflict:**
 - a. Which international organisations work in this area?
 - b. Which international organisations achieved the most and why?
 - c. What is the main achievement of the resolution process?
 - d. What has not been done? Which factors (political, financial, economic, etc.) influenced this?
 - e. Were there factors which could have helped address these issues that were not used?
 - f. What else could have been done?
 - g. Is there still a chance of settling these issues and what should be done to achieve this?
2. **Efforts to identify different formulas for conflict resolution:**
 - a. Which international organisations worked in this area?
 - b. Which international organisations were the most effective in this area and why?
 - c. What was the main achievement in addressing these issues?
 - d. What has not been done? Which factors (political, financial, economic, etc.) influence this?
 - e. Were there factors which could have helped address these issues that were not used?
 - f. What else could have been done?
 - g. Is there still a chance of settling these issues and what should be done to achieve this?
3. **Implementation of existing agreements:**
 - a. Which international organisations worked in this area?
 - b. Which international organisations were the most effective in this area and why?
 - c. What was the main achievement in addressing these issues?
 - d. What has not been done? Which factors (political, financial, economic, etc.) influence this?
 - e. Were there factors which could have helped address these issues that were not used?
 - f. What else could have been done?
 - g. Is there still a chance of settling these issues and what should be done to achieve this?
4. **Return of refugees:**
 - a. Which international organisations worked in this area?
 - b. Which international organisations were the most effective in this area and why?
 - c. What was the main achievement in addressing these issues?
 - d. What has not been done? Which factors (political, financial, economic, etc.) influence this?

- e. Were there factors which could have helped address these issues that were not used?
- f. What else could have been done?
- g. Is there still a chance of settling these issues and what should be done to achieve this?

5. Restoring trust:

- a. Which international organisations worked in this area?
- b. Which international organisations were the most effective in this area and why?
- c. What was the main achievement in addressing these issues?
- d. What has not been done? Which factors (political, financial, economic, etc.) influence this?
- e. Were there factors which could have helped address these issues that were not used?
- f. What else could have been done?
- g. Is there still a chance of settling these issues and what should be done to achieve this?

6. Human security:

- a. Which international organisations worked in this area?
- b. Which international organisations were the most effective in this area and why?
- c. What was the main achievement in addressing these issues?
- d. What has not been done? Which factors (political, financial, economic, etc.) influenced this?
- e. Were there factors which could have helped address these issues that were not used?
- f. What else could have been done?
- g. Is there still a chance of settling these issues and what should be done to achieve this?

Part II Annex 2

An Expert Analysis of the Role and Effectiveness of the Geneva talks

(RESULTS OF QUALITATIVE RESEARCH)

Research objectives: The study aimed to provide an expert evaluation of the role and effectiveness of the Geneva talks.

Research methods: Individual-focused interviews were used for the qualitative study. This method was chosen as the focus group method is not suitable for the study of complex issues that require interviewees to disclose a lot about themselves. The interview questionnaire was composed of 10 questions. (See below.)

Sampling: Fourteen independent experts who had worked in relevant field were interviewed.

Results

1. Were the Geneva talks justified in general and what do you see as their main purpose?

All experts interviewed agreed that the Geneva talks were not only justified but absolutely necessary. They are needed because no other format for talks exists and because any format which promotes dialogue and contacts is better than none, especially as the Geneva talks take place at international level with the participation of all parties to the conflict.

However, without exception all the experts surveyed believe that the goals stated in the concept for the Geneva talks – which include the prevention of conflicts, ensuring peace, return of internally displaced persons (IDPs) and restoration of trust between parties – had in fact not been achieved. Some experts said that the main aim of these talks was to start a process ‘because in conflict resolution the most important thing is opportunities for dialogue, and it is unlikely that these meetings were meant to be result-orientated’.

It is noted that the Geneva talks now act as a platform where the parties state their positions without necessarily looking for points of consensus. Therefore, at this stage, the goal of the Geneva talks is essentially to preserve dialogue, with a focus on preventing possible excesses. Experts stress that this is, of course, not sufficient and that a broader and more detailed approach is needed, although they note that even the slightest opportunities must be used in order to solve humanitarian and security issues in the conflict zones.

Without exception, experts believe that the process should not be curtailed, even if its results are practically non-existent, because as soon as dialogue ends, there will be nothing left and the whole process will have to start again from scratch as was the case in August 2008.

2. What positive outcomes of the Geneva talks can there be for Georgia?

In answer to this question, all experts agree that currently the main positive result is the existence of a process which provides at least a channel of communication between the parties. According to

one expert, ‘the most pragmatic result is there is a negotiation process, which would otherwise not be the case, and the guns are silent’. The only positive result so far has been in reducing the risk of renewed violence along the administrative borders. Meetings between the parties allow for discussion of security issues affecting the population living in these areas. It is hoped that it will be possible to conclude an agreement on a prevention mechanism and to stabilise the situation in the buffer zone.

Through the talks, Georgia is demonstrating its willingness to negotiate and its commitment to a peaceful resolution of the conflict, which in turn reduces the likelihood of Russian aggression.

The Geneva talks provide the Georgian authorities with direct contact with the de facto authorities of Abkhazia and South Ossetia, as well as the Kremlin, which can help to reduce the tension and the likelihood of provocations since there is a chance of developing prevention mechanisms, thus diminishing the potential for a new armed confrontation.

However, experts believe that at best the Geneva talks will only address certain specific issues, while the more extensive and serious issues cannot be solved by this process, even as far as prevention is concerned.

Therefore, the Geneva talks may prove useful, but certainly not to the extent expected of them.

All experts emphasise that the Geneva talks should be used to create a new and more productive format. Ideally a structure for effective management and conflict resolution should be established. However, experts say that this is unlikely to be achieved in the near future, and an unchanged format will result in a process of largely insubstantial meetings.

3. What negative outcomes may there be for Georgia from the Geneva talks?

Experts ruled out the possibility of the Geneva talks having negative consequences for Georgia. They say that the most negative outcome would be the lack of results. Theoretically, decisions could be taken which Georgia does not like, but if the Georgian side remains vigilant and responsible, negative consequences are unlikely. The fact that the Georgian participants are qualified and have a responsible approach to business will prevent any hypothetically negative effects.

Some experts feared that the Geneva talks could help legitimise Abkhaz and South Ossetian independence, increasing international recognition of the de facto authorities and unrecognised republics, but others believe that this is unlikely. Some also argue that the existence of these talks to some extent reduces the chances of establishing a new, more efficient format for negotiations.

4. Geneva talks: Interested Parties and their Aims

Interested parties in the Geneva talks include Georgia, Abkhazia, Russia, South Ossetia, the European Union and the US; that is, all parties involved in the process. In general, there are as many stakeholders and aims as there are participants in a process. However, the interests and objectives can be divided into two main groups or camps. In general, the goals of Georgia and the international facilitators fall into one group and the aims of Russia, Abkhazia and South Ossetia into the other. It is also true, of course, that the participants of each group have their own individual goals and interests. The political interests of these two groups are not only radically different, but completely opposite and mutually exclusive.

Russia, Abkhazia and South Ossetia are trying to obtain international legitimisation of Abkhazia and South Ossetia, while Georgia and the West will not allow this.

Since the EU, the US and the international community are pursuing a policy of non-recognition, they are interested in preserving the negotiation process in order to prevent the situation from deteriorating further. For the UN, this is a chance to prove its effectiveness, even if this will be less so than when the UN was working in Gali. The US and the EU are trying to create a working format so that the situation becomes more stable and predictable.

For the EU, the Geneva talks are a format for dialogue between the opposing sides: Georgia, Russia, Abkhazia and South Ossetia. The EU and US aim to prevent the resumption of military confrontation through the continuation of dialogue. At present they are trying to freeze the conflict, so that the official status of Georgia and its territorial integrity does not change. The EU's ultimate objective is to find a solution suitable for all sides, allowing the conflict to be resolved and eliminating this problem, while at the same time preserving the role of the "soft power" leadership of which the European Union is so proud.

At present Georgia is aiming for the withdrawal of occupying forces from the country, to prevent incidents in the administrative border zone, and to ensure the safety of the population living here. Georgia's aim is to gradually begin solving some of the issues, at least the humanitarian ones. A longer-term goal is to create preconditions for conflict settlement and the restoration of territorial integrity.

Abkhazia and South Ossetia are trying to strengthen their positions in order to maintain the post-war status quo, ensure the safety of their people and achieve international legitimacy in the future. For them, participation in the Geneva talks provides an element of acknowledgement of them as independent states participating in international processes, as well as an opportunity to mend relations with a neighbouring state, Georgia, through international mediation. For the Abkhaz and South Ossetian sides, the Geneva talks have served as a platform where they are independent players, which lends them weight in their own eyes and those of their communities.

Russia is trying to prove itself a constructive player to demonstrate its peaceful intentions – but in fact it is striving to achieve the international recognition of Abkhazia and South Ossetia and to gain influence over Georgia. Russia's primary goal is to maintain control over the processes. For Russia, the Geneva talks provide an opportunity to control the Abkhaz and South Ossetian sides and to avoid direct talks with the Georgian side. Russia is striving to maintain the post-August 2008 situation and to prove to the international community that the best path is to accept the existing reality.

Some experts believe that shared goals are the provision of security and prevention of war, although they expressed doubts about the peaceful intentions in Russia, especially in the event of what it would consider to be unfavourable developments.

5. The Geneva talks: effectiveness and main achievements

All experts interviewed unanimously emphasised the ineffectiveness of the Geneva talks. Effectiveness is measured by concrete results, and there are almost no positive results. It is true that the situation along the confrontation line has not deteriorated, but neither has it improved. It is still complicated to move between Zugdidi and Gali, although military excesses and kidnappings no longer occur. The situation along the administrative border with South Ossetia remains critical as there are frequent incidents of kidnappings on both sides. Concrete issues are not resolved. Russia is successfully fulfilling its strategic objectives. The primary concrete achievement is the establishment of a procedure for the prevention of border incidents. The consultation process is an important accomplishment in itself. Some suggest it was conceived as a platform where the parties could express their fears and concerns, trying to convince the world of the truth by words, instead of guns.

6. Effectiveness of the incident prevention and response mechanism

All experts interviewed believe the incident prevention mechanism to be ineffective. One person said that it more or less works between Georgia and Abkhazia, but it is unlikely the process can be credited for that. It is more likely a tradition formed over years of opposition, a familiar reality: both sides more or less try to abide by the informal rules of the game which have been established over the years. As far as South Ossetia is concerned, the situation remains sensitive because only one-and-a-half years have passed since the war and memories of the horror of war are still fresh for both sides. A status quo has not yet been established, meaning the situation is much more acute than in Abkhazia, with greater threats to the population. Experts point to the numerous kidnappings and illegally detained citizens on both sides as clear evidence of the ineffectiveness of the conflict prevention mechanism. There are many incidents and they take a long time to resolve.

The majority of experts believe that one of the reasons for the ineffectiveness of the existing mechanism is its inflexibility. Some argue that the Georgian side has no leverage for prevention, meaning that 'it is not prevention but an assessment of ongoing excesses'. Nevertheless, all experts see the conflict prevention mechanism as positive, because without it the situation would be completely uncontrolled.

7. Factors influencing the effectiveness of the Geneva talks

Many experts believe that in the present format the Geneva talks have no future potential. This potential is entirely dependent on global politics and the balance of power, the position of the West, and Turkey's position in relation to Russia; it also depends on the development of political processes of inter-governmental relations and on how far the process of recognising the independence of Abkhazia or South Ossetia proceeds, as well as how relations between Georgia and Russia develop. One factor which would make the Geneva talks more productive would be a clear European position, but at present there is not one. Another factor would be the rapid development of the economy and democracy in Georgia, which would make it a more attractive country, but again the majority of experts thinks this is unlikely. Some experts say that a disaster could occur that would radically change the balance of power, Russia's position and have a positive impact on the effectiveness of the Talks, but again the likelihood of this is very small. Some experts maintain that the key to effective negotiations lies with Russia.

Consequently, experts say the only factor which could improve the effectiveness of the Geneva talks is that none of the parties involved maintain an interest in further destabilisation of the situation at the moment.

8. Factors hindering the effectiveness of the Geneva talks

According to experts interviewed, one of the main factors hindering the effectiveness of the Geneva talks in their present format are the opposing political interests, the parties' mutually exclusive aims, and the very narrow window of opportunity for adopting agreements. Experts believe that in such circumstances it is better to focus on making decisions on concrete, local tasks aimed at providing security for the population in border regions and to postpone addressing political aims until later.

Factors contributing to the inefficiency of the Geneva talks include inflexibility, the lack of a clear EU position, the tough line adopted by Russia and its possible intention to control the Abkhaz and South Ossetian sides. Experts believe that direct contacts between the Georgian, Abkhaz and South Ossetian sides does not suit Russia as this is a critical factor in moving towards a settlement of the

conflict. The format of the Geneva talks allows Russia to obstruct undesirable developments. Other inhibiting factors include the Georgian authorities' position, which, according to one expert, can be described as 'obsessive' because it excludes possibilities for manoeuvre. The lack of a Georgian strategy¹⁶² is also noted, and the lack of possibilities for compromise, including on issues which need to be put before the international community. Up until now, the Georgian side has not tried to find ways to cooperate with the Abkhaz and South Ossetian sides at an official level, claiming that they are puppets and that talks cannot be carried out with them but only directly with Russia. This, naturally, has had an extremely negative effect on Abkhaz and South Ossetian positions. One expert said that fortunately, this attitude in Georgia is slowly changing.

According to one expert, the main impediment is Russia's imperial intentions. He maintains that the Geneva talks are primarily a format for negotiations with Russia. Because the territory of Georgia is occupied by Russia, Russia is now a major player in the process. In addition Russia is self-sufficient and tries to impose its own rules on everyone, including the EU and the US. Georgia is not able to achieve its aims on its own, lacks the necessary leverage and requires external assistance from the West.

By conducting this aggressive policy, Russia loses authority in the eyes of the world on the one hand, but on the other it gains strength, which allows it to freely pursue its interests – as was the case in August 2008. The West and international organisations demanded that the status quo be restored, but only *post-factum*. Russia will now play for time and it will take years to change the status quo again. The only solution is for Georgia to build up its political and financial strength through a stronger economy and democracy so that it is able to participate as a strong player that can influence the process in its favour.

Another factor identified by experts as hampering the effectiveness of the Geneva talks is distrust between the Georgian, Abkhaz, and the South Ossetian sides, which has increased since August 2008.

9. The future of the Geneva talks: how long will they survive in the current format?

Experts interviewed were unanimous that the Geneva talks could continue in the present format for an extremely long time. The format has been set up, financed and has the participation of all interested parties, so at first glance it seems a perfectly viable option. The Geneva talks will be permanently supported by the UN and Russia, who are interested in maintaining control over the Abkhaz and South Ossetian sides and not allowing direct negotiations between the Abkhaz, Ossetian and Georgian sides. Georgia cannot refuse to participate in the Geneva talks for fear of appearing to the international community to be obstructing the process. The talks provide a high-level platform for the Abkhaz and South Ossetian sides which they will not refuse. Therefore, pointless meetings could carry on for years, through sheer inertia, despite the lack of results. The credibility and the value of the Geneva talks are gradually decreasing, but the process will nevertheless continue for a long time. Experts believe that the only thing that would prevent this is a serious deterioration of the situation. One expert said, 'the current format will survive indefinitely, unless the situation changes or the parties tire of being involved in such a senseless exercise. By the way, such a precedent already exists: when the Georgian side tired of participating in the Joint Control Commission it refused to continue, although this, in my view, was a mistake'.

As one expert noted, global policy today is fundamentally changing. US influence has diminished, including in this region. Today there is no single global centre determining the global order. The

¹⁶² The strategy was not published at the time interviews were conducted.

system of international relations is becoming more chaotic and the role of international law is being reduced. In such a situation, improvements are unlikely – at least in the near future.

Some say that the future of the Geneva talks and changes to the current format depend on restoring international missions in Abkhazia (i.e. the UN observer mission) and South Ossetia because EU monitors are not able to enter these territories. The international community is rightly concerned about what is happening in these territories that are effectively closed. There is a lack of objective firsthand information about what is happening. Many people commented on this issue.

It is therefore important that an international presence be restored in these territories. A subsequent task will be the transition from the current format to a format of conflict management and resolution, but this will not be possible until local post-war problems have been addressed. According to one expert, 'these two tasks really are on the agenda and I am sure that progress will be made in both directions, because international organisations will not tolerate the presence of closed areas within Europe where they are not able to follow events or processes'.

Another strategic aim is moving towards conflict settlement to prevent a repetition of August 2008, which damaged the reputation of international organisations: the UN was literally kicked out from Abkhazia and the OSCE from South Ossetia; clearly unacceptable for organisations of their size, status and authority. Therefore, they will put their efforts into re-establishing their presence on these territories in some way with one mandate or other. They will also try to change the format of the current Geneva talks to one of conflict management and resolution. However, experts here add with regret that all this will take time and therefore positive changes in the near future are unlikely.

One expert believes that since the current form is ineffective, it will change sooner or later.

Some believe that Russia's role needs to be balanced by a stronger EU position. The West should seriously negotiate with Russia on relations with Georgia. A thaw in Georgian-Russian relations would allow progress to take place on all fronts, including the Geneva talks.

In relation to the question of the future of the Geneva talks and possible improvements in development of events in Georgia, one expert said, 'a small country with an ambitious president is doomed to failure'. The rapid development of the economy and democracy is the only way to restore confidence in Georgian politics.

The future of the Geneva talks and possible changes depend on the development of events in Russia. If today's political climate does not change it is unrealistic to expect any positive changes from the Geneva talks.

Questionnaire

1. Are the Geneva talks justified in general? What do you see as the main objective of the Geneva talks?
2. What positive outcomes can Georgia expect from the Geneva talks?
3. What negative outcomes can Georgia expect from the Geneva talks?
4. How many stakeholders/interested parties are there in the Geneva talks?
5. What are the objectives of the interested parties? How do they complement or contradict each other?
6. How effective are the Geneva talks? What do you consider to be the main achievement of the Geneva talks?
7. How effective is the Incident Prevention and Response Mechanism?
8. Which factors determine the effectiveness of the Geneva talks?
9. Which factors hinder the effectiveness of the Geneva talks?
10. How do you see the future of the Geneva talks? How long can they continue in the current format? How could the current format be changed?

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