

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

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

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Analysis

A Russian Perspective: Forging Peace in the Caucasus

By Sergei Markedonov, Moscow

Abstract

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

Unfreezing Frozen Conflicts

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

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

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

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

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

The Impact of Kosovo

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

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

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

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

Georgia Takes Action in South Ossetia

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

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

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

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

Russia’s Increasing Role

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

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

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

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

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

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

Alternatives to Russia’s Current Policy

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

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

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

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

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

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

New Approach Needed

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

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

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

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

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

Translated from the Russian by Robert Ortung

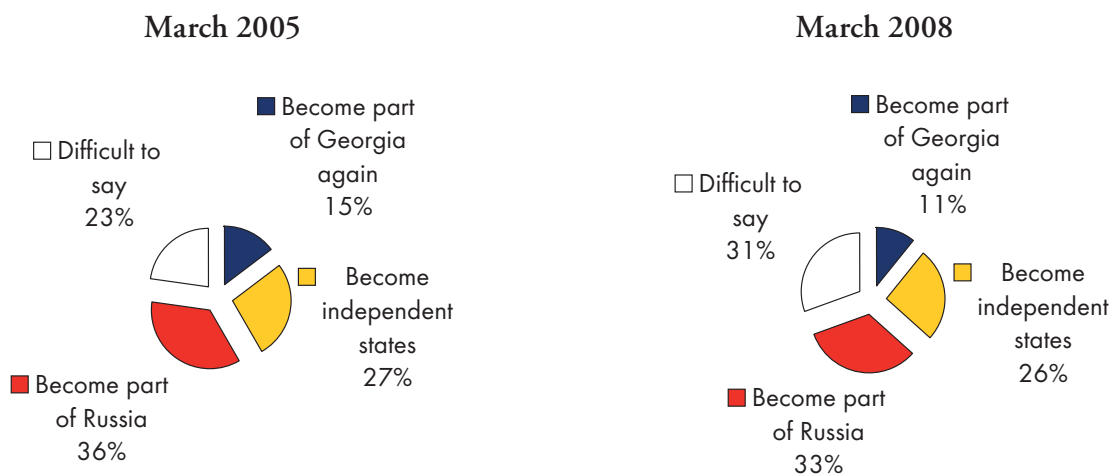
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Opinion Poll

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

Graph 1: Abkhazia and South Ossetia should ...



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