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The OSCE Mission to Georgia¹

Introduction

The mandate of the OSCE Mission to Georgia embraces all dimensions of the Organization's work: the politico-military, the human and the economic-environmental. While the Mission has been in existence since 1992, its mandate has been expanded repeatedly in recent years, specifically in 1999, 2001 and in December 2002 to include the Border Monitoring Operation (BMO) on the Georgian-Russian border.²

In 1999, the Mission had fewer than 20 international members – in 2003, there are over 160. It can be said that the Mission has grown to meet the complexity of the political, economic and human situation in Georgia and in the entire region.

Interrelations between all the OSCE dimensions and the interaction of all the Mission's activities make working in the Mission to Georgia an extraordinarily interesting experience.

Casting an eye back on the last three and a half years, it is clear that the expansion of the Mission's mandate to include border monitoring has brought the greatest change, tasking the Mission with new responsibilities in a further extremely sensitive area. The Mission also remains committed to its long-established role in attempting to find a peaceful and lasting solution to the Georgian-South Ossetian conflict. Besides this, the Mission supports the United Nations' efforts to reach a peaceful settlement of the Georgian-Abkhaz conflict and performs human-dimension tasks, including support for

1 The opinions expressed in this article are exclusively the personal views of the author. The article covers developments up to August 2003.

2 With its Decision of 15 December 1999, the Permanent Council supplemented the Mission's original mandate by charging it to "observe and report on movement across the border between Georgia and the Chechen Republic of the Russian Federation, both by vehicle and on foot [...]" (OSCE, Permanent Council, Decision No. 334, PC.DEC/334 of 15 December 1999). To this mandate was added two years later, on 13 December 2001, the task "to observe and report on movement across the border between Georgia and the Ingush Republic of the Russian Federation, both by vehicle and on foot [...]" (OSCE, Permanent Council, Decision No. 450, Geographical Expansion of the Border Monitoring Operation of the OSCE Mission to Georgia, PC.DEC/450 of 13 December 2001). Another year later, on 19 December 2002, the Permanent Council decided to expand the mandate again "to include observation and reporting on movement across the border between Georgia and the Dagestan Republic of the Russian Federation, both by vehicle and on foot [...]" (OSCE, Permanent Council, Decision No. 523, Border Monitoring Operation of the OSCE Mission to Georgia, PC.DEC/523 of 19 December 2002). Furthermore, it was decided to "enhance the operational efficiency of the Border Monitoring Operation (BMO) of the OSCE Mission to Georgia within the existing Area of Operation [...] on the Ingush and Chechen segments of the Georgian-Russian border [...]" (ibid.).

democratic institution building, the rule of law, respect for human rights, freedom of the media and gender equality.

It is tempting to deal separately with each of these apparently so very diverse aspects of the Mission's mandate. However, it has become increasingly obvious within the Mission itself that the closely interwoven nature of all the areas of the Mission's mandate and all its activities – their interdependence – may generate synergies. Active integration of all aspects of the mandate can be seen as one of the Mission's key challenges.

What does this mean concretely? All Mission tasks have to do – directly or indirectly – with the relationship between Georgia and the Russian Federation. They must therefore be seen not only in a regional but also partly in a supraregional context. In addition, all Mission tasks touch upon the question of democratization as a prerequisite for good governance in the broadest sense. These two elements must be taken into account in all the various areas of the Mission's activity – both when performing analysis and when attempting to find solutions.

Georgia and the Russian Federation – or the Consensus Principle and the Principle of Territorial Integrity

A key reference point for many Georgian politicians with regard to the Georgian-South Ossetian and Georgian-Abkhaz conflicts and to the importance for Georgia of the war in Chechnya is the alleged imperial aspirations of Georgia's northern neighbour. These are made responsible for a number of Georgia's problems and for the country's struggle to prevent violations of its territorial integrity.

Georgian politicians also stress the country's orientation towards the West, its close ties with the United States of America in particular, its desire to join NATO and its closeness to the European Union. Georgians like to contrast their country's Western-friendly stance to the imperial policies of the Russian Federation and link this with an appeal to Western donor countries not to abandon Georgia but to be patient with an emerging democracy.

As mentioned above, Georgian-Russian relations are relevant to three aspects of the Mission's mandate, in particular: the Georgian-South Ossetian conflict, the Georgian-Abkhaz conflict and the BMO.

Russia is often accused of supporting the separatist entities of South Ossetia and Abkhazia. For example, Russia first waived visa requirements for inhabitants of those regions and then issued them with Russian passports. The Russians – repeating views often heard from the Abkhaz and South Ossetians – have accused Georgia of doing nothing to change the status quo, which limits the basic right to freedom of movement in the separatist entities.

On the question of the Pankisi valley, Russia has repeatedly alleged that the Georgian government has not taken adequate measures to combat terror-

ism, claiming, in addition, that there are Al-Qaida fighters located in the valley. Russia has regularly blamed Georgia for Chechen fighters crossing the border. Georgia, for its part, has denied the allegation, arguing that the war in Chechnya is the cause of the Pankisi valley problem and blaming the imperial tendencies of its northern neighbour for other problems, such as the crisis in the summer of the year 2002.

The relevance of these issues for the OSCE Mission to Georgia is obvious. Regardless of the rights and wrongs in individual matters, this dispute and its staging is central to all the activities of the Mission. Two relatively trivial facts are here of fundamental importance: the consensus principle of the OSCE, in which Georgia and the Russian Federation are participating States, and the principle of the territorial integrity of all participating States.

When considering (and attempting to resolve) the Georgian-South Ossetian conflict, it is impossible to get away from these two fundamental components of OSCE identity. The OSCE has the task of promoting negotiations on a peaceful settlement of the conflict, while, at the same time, defending the principle of Georgia's territorial integrity. This sounds like an attempt to square the circle, but at the operational level is not a contradiction in terms, as careful observation of the negotiations confirms.

There is a tendency to underestimate the successes of the Mission in the negotiations and to gauge the temperature of this frozen conflict as colder than it really is. However, the fact that a number of meetings of the Joint Control Commission – the quadripartite negotiations body in which Georgia, Russia and North and South Ossetia are represented – took place in 2002 and 2003 is in itself an achievement, and one which would have seemed inconceivable three years ago. The above-mentioned basic principles do, to a certain extent, place the Mission in a fundamental dilemma, which certainly limits its ability to take action in various respects. However, it is able to maintain ongoing dialogue between the conflict parties, which has meant that efforts to curb escalation over the last ten years have been successful.

At the Eighth Experts' Group meeting in Castelo Branco (Portugal) in October 2002, the conflict parties agreed to continue the discussions on the status of South Ossetia. In view of the less than hopeful starting position, this must be considered a success in itself. A rapid breakthrough in the negotiations cannot, however, be expected.

While, with regard to the BMO, the events of the summer of 2002 – including the bombardment of Georgian territory³ and intensive Russian pressure on Georgia to finally solve the problem of the Pankisi valley to Russia's satisfaction – have indeed shed light on the limits of the Mission's ability to intervene, the Mission did succeed in reducing tensions between the two

3 The then Chairman-in-Office of the OSCE, the Portuguese Foreign Minister Antonio Martins da Cruz, publicized two press statements expressing his concern about the events; see: http://www.osce.org/news/show_news.php?id=2665 and http://www.osce.org/news/show_news.php?id=2636.

OSCE participating States decisively during the autumn and the winter. In December 2002, the mandate of the OSCE was then expanded “to include observation and reporting on movement across the border between Georgia and the Dagestan Republic of the Russian Federation, both by vehicle and on foot”, and simultaneously it was decided to “enhance the operational efficiency of the Border Monitoring Operation (BMO) of the OSCE Mission to Georgia within the existing Area of Operation [...] on the Ingush and Chechen segments of the Georgian-Russian border [...]”.⁴

Negotiations on the Status of Russian Military Bases

A further aspect of the regional and supraregional context is evident with regard to the implementation of the agreements drafted in the Joint Statement of the Russian Federation and Georgia of 17 November 1999. During 2000, the two sides were due to “complete negotiations regarding the duration and modalities of the functioning of the Russian military bases at Batumi und Akhalkalaki”.⁵ However, because of differences over the schedule for decommissioning the bases, this process ground to a halt.

It is clearly not possible for the Mission to simply take sides on this matter. Its role is rather to offer the OSCE participating States a forum for dialogue and to accompany the decommissioning and withdrawal of Russian military bases with projects in areas such as environmental rehabilitation. The “Melange” project, within the scope of which 500 tons of liquid rocket fuel was neutralized in the past year, proves that the Mission can play a positive role. This year, it has already been able to complete the first and second phases of a follow-up project whose goal is to recycle or ensure secure storage of ammunition and bombs at a warehouse in Dedoplistskaro. At present, the third phase of this project is being prepared and further projects are planned.

Democratization as a Precondition for Good Governance

Democratization is perhaps the most broadly defined term among the tasks of the OSCE’s human dimension. Good governance can and should be understood as a result of democratization. Democracy, in turn, is supported by good governance. The institutions of civil society play an important role in the democratization process: Every attempt to make progress at the level of government must be accompanied and supported by activities aimed at

4 OSCE, Permanent Council, Decision No. 523, cited above (Note 2).

5 Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe, Annex 14: Joint Statement of the Russian Federation and Georgia, Istanbul, 17 November 1999, CFE.DOC/2/99, at: <http://www.osce.org/docs/english/1990-1999/cfe/cfeinact99e.htm>.

strengthening civil society and the interaction of both sectors. To ensure success, therefore, a long-term strategy is required that pays attention to both areas. In the case of Georgia, while the first important steps in the direction of developing such a strategy have been made, they are far from exhausting the full range of opportunities offered by the OSCE.

The Small Arms Programme in the Zone of the Georgian-South Ossetian Conflict

A good example of the Mission's work in the area of small-arms control is the Rapid Reaction Programme in the zone of the Georgian-South Ossetian conflict. Micro-projects in the areas of the environment and economic development are financed specifically as compensation for weapons handed over voluntarily to the joint Georgian-Ossetian-Russian peacekeeping troops. The goals of these projects may include, for example, cleaning an irrigation canal, repairing a street, putting up electric wiring or providing a school with computers. The core of this programme is to create sufficient incentives for handing over weapons to be destroyed.⁶ Another key aim is to persuade the Georgian and South Ossetian municipalities to co-operate in implementing the kinds of projects mentioned.

Support for non-governmental organizations throughout Georgia, including the separatist entities, is of cardinal importance for developing a democratic public that can effectively become involved in a meaningful dialogue with the authorities. In fact, the exchange between members of non-governmental organizations involved in confidence-building projects and on the grass-roots level has progressed much farther than the official Track-1 negotiations. The OSCE should also take this development into account and should work towards increasing civil society involvement in official negotiations and maximizing the transparency of these processes, which too often take place behind closed doors. The great challenge for the Mission in this is to find out how much openness is possible given the Mission's precisely defined mandate and the fact that the political process remains tense and volatile.

It is unrealistic to expect lasting solutions to be found to the region's many major and minor conflicts if democracy and the values and structures of civil society do not become more deeply rooted in the societies involved than is currently the case. Hence a vast range of support is provided by donors and international organizations – including the OSCE – for the diverse activities of non-governmental organizations, including those that are not or are not yet engaged in peace work. The OSCE's expenditure on programmes and projects relating to civil society has increased continuously in recent

6 Collective compensation prevents the funds received as a reward for handing over old weapons from being used to buy new ones.

years. The instrument of voluntary contributions by OSCE participating States has proved particularly effective and important in this connection.

The Fight against Trafficking in Human Beings

In co-operation with the Georgian National Security Council, whose initiative the project was, the Mission created a project to develop consistent and comprehensive legislation on combating trafficking in human beings. This project brings together all relevant actors, non-governmental organizations, representatives of relevant ministries and international experts, to achieve a broad social and government-approved consensus on this important question. This kind of consensus-building activity is one of the key areas where the OSCE can make a contribution.

Elections

Parliamentary elections are due to be held in Georgia in November 2003. Georgia's Foreign Minister Irakli Menagarishvili has labelled these elections a "test of maturity" for Georgia.⁷ As well as playing a role in the election monitoring activities of OSCE/ODIHR, the Mission's work concerning these elections has concentrated on facilitating co-operation between international organizations and diplomatic representations. This has aimed at ensuring that the international community speaks with *one voice*, something that is rarely achieved, and yet is so important in the complex transition process that Georgia is currently going through.⁸

In the run-up to the elections planned for November 2003, a working group was formed at the end of 2002 composed of thirteen ambassadors and the heads of missions to Georgia of various international organizations. The *Ambassadorial Working Group* (AWG) is being supported by the *Technical Working Group* (TWG), composed of working-level staff from embassies and international organizations and election experts. The TWG is chaired by the OSCE Mission. Regular meetings are held to analyse the latest developments, discuss concrete actions and projects, co-ordinate project proposals to avoid duplication, define priorities and analyse legislative, political and technical developments in order to identify questions for taking up in ongoing dialogue with the government.

7 Statement by Menagarishvili during the visit of a high-ranking OSCE delegation in Georgia in March/April 2003.

8 This concept of "speaking with one voice" would be desirable in other areas as well. International co-ordination, or at least reciprocal information exchange, is one of the basic prerequisites for successful intervention; another is the effective and sustainable management and control of project funds.

By means of this concerted and often laborious activity, the international community has succeeded in conveying its major concerns to the Georgian government with clarity and in a way that takes into account the realities of the country. To what extent this can and will be taken into consideration in the run-up to and during the elections is a different question. Following the elections in Armenia in 2003, there is room for doubt. It is important that a realistic assessment is made of the extent to which the international community can influence the situation in contemporary Georgia.

A lot is at stake in the election for Georgia's political elites. It is possible that passing the "test of maturity" is not the key priority for all of them.

In the long term, free and democratic elections have an important effect on the peace process in the entire Caucasus region. For governments, they represent the elixir of legitimacy. But before this can be achieved, it is essential to create a social consensus that election fraud is inherently illegitimate. Unfortunately, it is unlikely that this consensus exists to a sufficient degree (at least at present) in Georgia and the other Caucasus republics or that it is shared by all interest groups. Under these circumstances, elections cannot endow the victors with sufficient legitimacy. This reveals the intimate relationship between, for example, the official negotiations in both of Georgia's conflicts and the question of democratization: A government whose fundamental illegitimacy makes it insecure and which therefore feels constant pressure to maintain its hold on power is in no position to conclude peace with or make extensive concessions to a separatist entity. The options for the OSCE to intervene in such a case are limited by the fact that its presence in the country is at the invitation of the government. Moreover, authorities whose illegitimacy places them under pressure are fond of blaming third parties for all their troubles, which establishes the link to Georgian-Russian relations.

Once again, the solution is to strengthen the structures of civil society and the interaction between them to create a counterweight to illegitimate authorities. While this may involve a certain amount of subversion, it is vital that it be carried out impartially. However, the need to co-operate with the other interest groups involved in the conflicts – including the authorities – creates the appearance of a paradox: On the one hand, the existing state structures are strengthened by international recognition. At the same time, however, work continues to develop and implement a sustainable long-term strategy to strengthen the structures of civil society so that they can play an equal and legitimate role in the construction of the Georgian state. Incidentally, it is not only the OSCE that is seeking a strategic balance between these orientations; there are a number of donors who are just as perplexed by the dynamics in the Caucasus and are also seeking to develop policies and strategies capable of promoting the effective and sustainable democratization and stabilization of Georgia.

Outlook

The mandate of the OSCE Mission to Georgia has been continually expanded since 1992. To some extent, this expansion and increasing complexity simply reflect the complexity of Georgian society and the South Caucasus as a whole. This provides the Mission with a vast array of opportunities to offer assistance and support in all the processes mentioned above. Taking advantage of them requires an integrated approach encompassing all OSCE dimensions. There is room for the Organization to pay more attention to the role of civil society in building the Georgian state. At the end of the day, state building and democratization are indeed the most important fundamental prerequisites for solving the conflicts in the country's territory.