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## Foreword

“Not Frozen but Red Hot: Conflict Resolution in Georgia Following the Change of Government” – that was the title of Marietta König’s contribution to the OSCE Yearbook 2006, in which she already gave urgent warning of an imminent escalation of the territorial conflicts in Georgia that had been “frozen” since the mid-1990s.<sup>1</sup> The restoration of territorial integrity became a matter of the highest priority for Mikheil Saakashvili, who had succeeded Eduard Shevardnadze as president in January 2004. In seeking to achieve this, the Georgian leadership often used “police and quasi-military operations [...] contributing to worrying escalations in both conflict zones”, i.e. South Ossetia and Abkhazia.<sup>2</sup>

Four conflicts on the territory of the former Soviet Union have been considered “frozen” since the mid-1990s: The dispute between Armenia and Azerbaijan over Nagorno-Karabakh, the conflicts over the Georgian breakaway provinces of South Ossetia and Abkhazia, and the Transdnistria conflict in Moldova. The OSCE Yearbook has continually kept its readers informed of all these theatres.<sup>3</sup> Most recently, in 2007, König pointed out that Kosovo’s expected unilateral declaration of independence and its international recognition could have serious consequences for the secession conflicts in the post-Soviet space.<sup>4</sup> That contribution appeared in the section on “Burning Issues”. In the current Yearbook, for obvious and tragic reasons, the conflict in South Ossetia takes up an entire section and has four contributions devoted to it.

After months of escalating provocation and armed clashes between the conflict parties, Georgian troops marched into the breakaway province on 8 August 2008, the day of the opening ceremony of the Beijing Olympics. There was heavy fighting with South Ossetian militia before the Georgian army occupied the South Ossetian capital Tskhinvali. When Russian forces launched a counter-offensive and – following the recapture of Tskhinvali – advanced into Georgian territory proper, the conflict broadened into a war between Georgia and Russia. At the same time, this previously regional con-

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1 Marietta S. König, Not Frozen but Red Hot: Conflict Resolution in Georgia Following the Change of Government, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFHS (ed.), *OSCE Yearbook 2006*, Baden-Baden 2007, pp. 85-96.

2 Ibid., p. 85.

3 See, in particular, the special focus section on “The Caucasus” in the OSCE Yearbook 2004, in which leading experts analyse the conflicts in detail and place them in their regional context.

4 Cf. Marietta S. König, The Effects of the Kosovo Status Negotiations on the Relationship between Russian and the EU and on the De Facto States in the Post-Soviet Space, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFHS (ed.), *OSCE Yearbook 2007*, Baden-Baden 2008, pp. 37-50.

flict took on supra-regional and even global significance: For the first time since the collapse of the Soviet Union, Russia was applying military force outside its own territory.

Although there had been increasing evidence of imminent escalation not only in South Ossetia and Abkhazia (Azerbaijan, too, was no longer ruling out the military option in the case of Nagorno-Karabakh, a view it lent support to by sharply increasing its defence budget, facilitated by soaring oil prices<sup>5</sup>) since 2004 at the latest, all efforts to mediate between the conflict parties and prevent the escalation proved futile. Did the international community fail in the case of Georgia's unresolved conflicts? Did it underestimate these conflicts' escalation potential and explosive power? Had the "frozen conflicts" become, as the IFSH concluded in a recent study, "synonymous with vanishing public interest and political inaction"? The study goes on to describe how the war in South Ossetia illustrated how a fire that is in reality still "smouldering [...] can suddenly blaze up again when the international environment changes". The study claims that the international community omitted "to keep a close enough eye on conflict hotspots in the region between the Black and Caspian Seas, merely because the flames of violence appeared to have been extinguished".<sup>6</sup>

Against this background, S. Neil MacFarlane's comprehensive and acute analysis of the Georgian-South Ossetian conflict shines a light on its complexity and contexts by attempting to answer the questions of why it has so far proved impossible to resolve the territorial conflicts in the post-Soviet space; under what conditions they flare up again; what interests inform the actions of the various actors; what implications the war in Georgia has for regional security in the Caucasus, and for international security policy; and, in particular, what it tells us about Russia's future role in the European security system.

International organizations have been monitoring the secession conflicts in Georgia since the cessation of direct hostilities in the early 1990s. In this regard, the South Ossetia conflict was largely the preserve of the OSCE. The Organization has maintained a long-term mission in Georgia since December 1992, one of whose mandated tasks is to conduct mediation between the conflict parties. The OSCE Mission also has the task of supporting the United Nations in attempting to resolve the Georgian-Abkhazian conflict, as well as

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5 Cf., for example, Rexane Dehdashti-Rasmussen, The Conflict over Nagorno-Karabakh: Causes, the Status of Negotiations, and Prospects, in: *OSCE Yearbook 2006*, cited above (Note 1), pp. 189-210, here: p. 201.

6 Michael Brzoska et al., *Der Kaukasuskrieg 2008. Ein regionaler Konflikt mit internationalen Folgen, eine Stellungnahme des IFSH* [The 2008 Caucasus War. A Regional Conflict with International Repercussions, an IFSH Position Paper], *Hamburger Informationen zur Friedensforschung und Sicherheitspolitik* No. 45/2008, Hamburg (forthcoming), p. 9. In 2006, Marietta König had already drawn attention to the fact that "in the last instance [...] the term 'frozen' is misleading – at least when applied to the conflicts themselves. In truth, armed clashes between the conflict parties were and remain commonplace. What was frozen [...] were the various conflict resolution processes [...]" König, cited above (Note 1), pp. 85-86.

to promote democracy, human rights, and the rule of law throughout Georgia. Before the fighting started in August, the mission had 200 local and international members, including eight unarmed military observers. The contribution that international missions can make to the resolution of secession conflicts, in particular, depends not only on the activities and competencies with which they are endowed, but also on the willingness to co-operate on the part of the conflict parties. If the parties to a conflict are unwilling to compromise and do not desire to achieve a settlement, but instead hold on to maximalist positions, success is impossible. Equally negative outcomes can, however, be the result of ineffective regional strategies, an absence of political and economic incentives, and a lack of engagement on the part of the international community. In Georgia, the OSCE mission ultimately failed to be recognized by the conflict parties as an impartial mediator and to win the trust of, in particular, the secessionist South Ossetian side (something similar can be said of the United Nations mission in Abkhazia). The reasons for this are explored by Hansjörg Eiff, one of the first heads of the OSCE Mission to Georgia, in his contribution on the mediation process, its early successes, and the great promise it held.

The events in Georgia were perceived quite differently in Russia and in the West. What Russia considers necessary and appropriate is criticized by the West as unacceptable and disproportionate. Russian security interests and concerns regarding the phases of NATO enlargement that have already taken place, but particularly a further round of enlargement that would see CIS members Georgia and Ukraine join; plans to station anti-missile systems in Poland and the Czech Republic; and the increasing engagement of the West in a region that Russia sees as its sphere of special interest were largely played down in recent years. Evidence of Russia's growing dissatisfaction and an increasing need to demonstrate its new strength – something not entirely without an economic and political basis – were ignored. Against this backdrop, Elena Kropatcheva examines the way the conflict was presented in the Russian media and the perception of the Russian public.

Georgia's campaign in South Ossetia ultimately did the country no favours: The restoration of Georgian territorial integrity – the declared goal of President Saakashvili – has receded into the distance. The economic consequences of the war are an enormous burden. The result is a serious danger of destabilization. David Aprasidze describes the developments in Georgia between the parliamentary election in January 2008 and the outbreak of hostilities in August – events that followed a seeming return to domestic political peace following the major crisis that had reached its peak in November 2007.

The war in Georgia showed just how quickly and with what penetrating power apparently limited regional conflicts can bring about a drastic deterioration in international relations. Despite our horror at events in the South Caucasus and the apparent inability of international organizations to successfully deal with such conflicts, resignation is not the appropriate reaction. Instead,

we must observe and evaluate international relations and the conditions necessary for success in international conflict prevention realistically. In this regard, the current volume contains two contributions devoted to detailed analysis of European security as a whole – before and after the war in Georgia: P. Terrence Hopmann takes as his subject the future of the OSCE in the European security architecture, while Michael Merlingen, Manuel Mireanu, and Elena B. Stavrevska deal with the state of European security as a whole.

As in the OSCE Yearbook 2007, we are again highlighting a second topic that stands in the spotlight of European security concerns: Kosovo's now successfully concluded declaration of independence. This event cannot be considered in isolation from the secession conflicts in the former Soviet Union, as most recently demonstrated by Russia's recognition of South Ossetia and Abkhazia. Bernhard Knoll subjects the Kosovan declaration to a comprehensive and exceptionally detailed analysis from the perspective of international law.

With regard to the interests and commitment of individual OSCE participating States, the United States Permanent Representative to the OSCE, Ambassador Julie Finley, grants an insight into her country's view of the Organization and highlights the tasks it considers a priority, while Margit Hellwig-Böttle describes the lengthy and suspenseful process leading up to the decision on Kazakhstan's 2010 OSCE Chairmanship and the tangible effect it is already having on both that country and the Organization.

It would be amiss not to pay due attention to the intensive and frequently beneficial efforts the OSCE makes in the many problem areas of European security. In this year's section on the long-term missions and other OSCE field presences, Solveig Richter undertakes a comparative analysis of the effectiveness of OSCE democratization strategies in Croatia, Serbia, and Bosnia and Herzegovina; Alice Ackermann and Christian Loda describe the strategy behind the closure of the OSCE Mission to Croatia and its replacement by the new OSCE Office in Zagreb; Sebastian Dworack analyses the tense political situation in Macedonia before and after the elections held in the summer of 2008; and Ambassador Vladimir Pryakhin details the activities of the OSCE Office in Tajikistan.

Another expert in international law, Hans-Joachim Heintze, explores the question of whether the OSCE can consider itself a "club of dyed-in-the-wool democrats", an expression that has become "a cliché that is wheeled out whenever anyone wants to criticize Moscow". Eva Biaudet, OSCE Special Representative and Co-ordinator on Combating Trafficking in Human Beings describes the ongoing shortcomings in dealing with this major human-rights issue and appeals to the OSCE and its participating States to increase their efforts in this area. In the field of politico-military security, Jan Kantorczyk and Walter Schweizer examine the role of the OSCE Forum for Security Cooperation, which is – alongside the Permanent Council – one of the OSCE's two permanent consulting and decision-making bodies. Two contributions

focus on the OSCE's economic and environmental dimension: Gabriel Leonte and Saba Nordström describe the conflict and co-operation potential associated with water resources in selected regions of the OSCE area. And Kilian Strauss emphasizes the future role of the OSCE's second dimension.

Two of the OSCE's most important institutions are the focus of the chapter on organizational aspects: The OSCE High Commissioner on National Minorities, Knut Vollebæk, looks back, 15 years after the creation of his office, on one of the most successful of all conflict-prevention instruments. Similarly, Arnaud Amouroux reviews ten years of the OSCE Representative on Freedom of the Media. Kurt P. Tudyka carries out a detailed appraisal of the 2007 Spanish OSCE Chairmanship and Anna Kreikemeyer presents the training given to Kazakh diplomats by the Centre for OSCE Research (CORE) at the IFSH in preparation for Kazakhstan's 2010 Chairmanship.

Last but by no means least, OSCE Secretary General Marc Perrin de Brichambaut focuses on the fascinating discussion of the current and – above all – future engagement of the OSCE in Afghanistan, while Frank Evers explores the prospects for co-operation between the OSCE and China.

We would like to thank the Finnish Foreign Minister and OSCE Chairman-in-Office, Alexander Stubb, for providing the preface to this year's OSCE Yearbook.

The editorial board and the editors would also like to express their gratitude to our authors, whose extraordinary dedication and expertise have made the production of this OSCE Yearbook possible.

With the help of international mediation, the war in Georgia was ended after only a few days. On 15 and 16 August, respectively, Georgia and Russia signed a ceasefire agreement that had been jointly drafted by the EU and the OSCE and negotiated under the overall guidance of the French President and Chairman of the European Commission, Nicolas Sarkozy – the “six-point plan”. On 19 August, the Permanent Council of the OSCE passed a decision to raise the number of military observers in the OSCE Mission to Georgia to 100. Twenty of them were immediately deployed “in the areas adjacent to South Ossetia”. The Organization's constructive involvement in efforts to defuse the conflict thus began at a relatively early stage. The negotiations on the modalities for the deployment of the remaining observers, however, collapsed as a result of differences of opinion with Russia over the location of their future deployment. On 15 September, the EU resolved to send its own mission of around 200 civil observers, who were tasked with monitoring the ceasefire and compliance with the six-point plan. The EU observer mission took up its work on 1 October 2008.

Overall, the war has had a devastating effect, with several hundred people killed, many more injured, and the creation of over 200,000 refugees, not to mention numerous atrocities. The questions of whether the ceasefire

agreement will last and what opportunities remain to find a sustainable, long-term solution to the conflict remain no closer to being answered.

In spite of everything, this situation contains an opportunity for the OSCE, in particular, to prove its value and undergo a revival: Given the undeniable economic, political, and security interests of the EU and NATO – not only in the Caucasus region – and the resulting dissonance with Russia, voices are increasingly being raised in favour of strengthening the OSCE's role – including the voice of Gernot Erler, Minister of State at the German Federal Foreign Office. In November 2008, France's President Sarkozy even proposed that an OSCE Summit should be held in the summer of 2009, a call that was initially welcomed by Russia's President Medvedev, in particular.<sup>7</sup> Even if it already appears clear that no such meeting will take place, the proposal remains worthy of consideration and represents a step in the right direction. With a body of participating States encompassing Russia, the USA and Canada, as well as the states of the South Caucasus and all the members of the EU and NATO, the OSCE is by far the most suitable institution for the continuation and reorientation of the dialogue on European security.

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7 Cf. also Solveig Richter/Wolfgang Zellner, *Ein neues Helsinki für die OSZE? Chancen für eine Wiederbelebung des europäischen Sicherheitsdialogs* [A new Helsinki for the OSCE? Opportunities for a Revival of the European Security Dialogue], SWP-Aktuell 2008/A 81, November 2008.