

Chapter 6

Successes and Failures of International Observer Missions in Georgia

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After the breakdown of the Soviet Union, Georgia attained independence but had to carry the heavy burden of separatist movements within its borders in different locations. To solve this problem the international community became heavily involved in Georgia. The nature of different institutions' involvement is specified below.

Abkhazia

During Soviet rule, Abkhazia was an Autonomous Republic within the Socialist Soviet Republic of Georgia, a constituent part of the former Soviet Union. The pre-war population of Abkhazia amounted to some 530,000 people, of which only some 18 per cent were ethnic Abkhaz. Ethnic Georgians comprised nearly half of the population; Armenian and Russians were the other two most numerous groups.

As the Soviet Union began to crumble, members of the leadership of Abkhazia launched an escalating series of demands for independence from Georgia. Open conflict began on August 14, 1992, when Georgian troops marched into Sukhumi, the capital of Abkhazia, driving the Abkhaz leadership north to Gudauta and launching a year-long armed struggle.

During the course of fighting, much of which was highly localised and personal in nature, at least half of the population of Abkhazia was displaced to other parts of Georgia and abroad. In all, approximately 300,000 people were displaced. In September 1993, the Abkhaz side won the war, with external assistance, by taking back Sukhumi and driving the remaining Georgian forces across the Inguri River out of Abkhazia. The former Autonomous Republic declared its independence. However, the independence of post-war Abkhazia is not recognized by the international community.

United Nations Involvement

Shortly after the cessation of hostilities, efforts began by the United Nations and the Russian Federation to produce a cease fire agreement. This was achieved, with the signing of the "Agreement on a Ceasefire and Separation of Forces" on May 14, 1994.

The UN plays a dual role in the post-conflict situation. The Special Representative of the Secretary-General for Georgia (SRSG) is simultaneously the chairman of the political peace process and the head of the United Nations Observer Force in Georgia (UNOMIG), which monitors the cease-fire on the ground. These activities are based on the premise that the military operations support the overall political effort.

UN engagement rests upon two basic principles for the comprehensive settlement of the conflict: firstly, Georgian sovereignty, independence and territorial integrity; secondly, the safe, secure and dignified return of refugees and Internally Displaced Persons (IDPs) to their places of previous permanent residence in Abkhazia.

For several years after the signing of the cease-fire agreement in May 1994, the UN and the Russian Federation led parallel tracks of negotiations, aimed at achieving a full political settlement. Despite many draft documents, these efforts produced no tangible results. At a meeting held in Geneva in November 1997, all existing peace process efforts were brought together under the umbrella of the United Nations. The UN assumed the chairmanship of the 'Geneva Peace Process' and the Russian Federation the role of "facilitator". The Group of Friends of the Secretary-General, including its Coordinator, France, Germany, the Russian Federation, the United Kingdom and the United States, have observer status, as well as the OSCE.

The Concluding Statement of the 1997 Geneva meeting set in place several ongoing mechanisms for negotiations and contacts between the two sides. Firstly, a Coordinating Council and three Working Groups, respectively address security issues, the return of IDPs and social and economic issues. The Council meets regularly, at prime ministerial level, under the chairmanship of the SRSG. Secondly, in the field of Confidence-Building Measures (CBMs), concrete cooperation projects are underway in wide varieties of fields, which are carried out with the support of the leadership of the two sides. Thirdly, a further element of the peace process is human rights protection. Experience has shown that human rights monitoring can play a crucial part in limiting conflict and creating the trust necessary for the sides to engage in dialogue.

Guided by this conviction, since 1997 the UN Human Rights Office in Abkhazia, Georgia (HROAG), with participation of the OSCE, has been functioning as an integral part of UNOMIG in Sukhumi. The day-to-day work of the Office includes visiting inmates in prison and assessing their conditions; capacity-building among local NGOs; monitoring criminal trials and conducting training seminars for officials. These efforts had a setback when the contracted local lawyer was shot dead opposite the UNOMIG HQ in Sukhumi in 2001.

The ultimate goal of the UN-led peace process is a comprehensive political settlement that includes defining the status of Abkhazia within the state of Georgia and bringing about the safe, secure and dignified return of refugees and IDPs. Despite all efforts, no such settlement has as yet been achieved.

UNOMIG's Role

UNOMIG was originally established in August 1993 by Security Council Resolution 858 (93). Its mandate was revised following the signing, on May 14, 1994, of the Moscow Agreement, which established the ceasefire and separation of forces in Abkhazia. In accordance with this Agreement, a Security Zone (SZ) of roughly 12 km was created on either side of the Inguri river cease-fire line. Military units are forbidden in this zone. Only personal weapons, (including RPGs) may be carried. On either side of the Security Zone is a broader Restricted Weapons Zone, in which tanks, armoured transport vehicles and artillery and mortars with calibres over 81 mm are prohibited.

UNOMIG consists of 103 to 110 military observers (UNMOs) from twenty two different countries. Its mandate is reviewed every six months by the UN Security Council. UNOMIG maintains mission headquarters in Sukhumi and sector headquarters in Zugdidi and Gali, on the Georgian and Abkhaz side of the cease-fire line respectively. Its primary tools for ensuring compliance with the Moscow Agreement are observation and patrolling, reporting, investigation and close and continuous contact with both sides at all levels. UNOMIG patrolling teams not only observe and conduct liaison; they also promote dialogue between CIS Peacekeeping Forces (CIS-PKF), heads of local administration, security personnel and local residents. A patrol usually consists of four UN military observers (UNMOs) and one interpreter.

The safety and security of unarmed military observers figure high on the list of the mission's concerns. Within the UNOMIG Area of Responsibility (AOR) UNOMIG personnel face both indirect and direct threats. Indirect threats occur due to mines left over from the war. Insurgents and bandits constitute a direct threat. There have been cases where UNOMIG patrols came under direct fire or were made the target of ambushes. The most common direct threat, however, is hostage taking. There have been seven hostage taking incidents since the beginning of UNOMIG operations. On all of these occasions the release of UNOMIG military observers taken was arranged after active intervention by the Georgian government.

The local inhabitants, the Svan, have mostly been responsible for these incidents. They could all be solved without casualties but created a hostile situation between themselves and UNOMIG. Without confidence building by a routine and secure UNOMIG presence, no NGOs have projects running in the valley the Svan inhabit.

These incidents created concern about the actions of some troop contributing countries. Whilst most were thoroughly supportive and contributed to the overall positive outcome, others avoided the normal channels of communication with UNOMIG to enter the negotiations from a different angle. This at times immensely complicated an already fraught situation and could have endangered the individuals caught up in these incidents. Support from UN-HQ, sending on requests for a professional negotiator from UN-Vienna within hours to Sukhumi, was crucial.

There have been several attempts by the Georgian government to query UNOMIG's authority in the Kodori Valley and the Kulevi training area, causing considerable disquiet in the mission, and which, if left unresolved, could have led to a spiralling negative effect on the authority and legality exercised by UNOMIG.

The most serious incident UNOMIG suffered from was when a UN helicopter was downed October 2001 in Kodori Valley by a rocket with the Deputy Chief Military Observer, four UNMOs, the Ukrainian flight-crew and a local interpreter killed.

UNOMIG, with its unarmed observers, has a deserved reputation in the area for impartiality. The mission's ability to intercede and resolve problems is fully recognised and the UNMOs on the ground are generally held in high regard. In short, UNOMIG's credibility is high. A stable environment has been provided signs of an improving security situation in the Area of Responsibility. The general security situation is as good as can be expected under the prevailing circumstances. The locally brokered separation of forces agreement has proved effective. Concerning the local police and militia there is to state that the area would need an effective law enforcement presence to prevent illegal crossings and to exchange information. It is apparent to all parties that the criminal element, operating freely in the Security Zone, is the common enemy.

UNOMIG established a Joint Fact-Finding Group to investigate all criminal incidents with a political connection. This group, consisting of personnel from UNOMIG, CIS-PKF, local militia, and lawyers from both sides, plays an increasingly important part in the administration of local justice. Their activities formalise investigations and encourages mutual confidence through greater bilateral contacts across the cease fire line and amongst local commanders.

The mandate tasks UNOMIG to monitor and verify compliance with the Moscow Agreement and to observe the operations of the CIS-PKF as stipulated in the Moscow Agreement.

The CIS Peace-Keeping Force (CIS-PKF)

The CIS-PKF maintains stationary checkpoints along both sides of the cease-fire line. CIS-PKF comprise of some 1,500 officers and soldiers from the Russian Federation.

The relationship between UNOMIG and the CIS PKF is excellent. In the area of formal liaison and on a more personal basis at the checkpoints, cooperation has been remarkably good. The CIS PKF has involved itself in local assistance projects and in providing security assistance to UNOMIG and NGOs.

They share information of mutual interest and have shown a willingness to involve themselves in joint investigations. However, CIS PKF could be involved even more actively in allaying local concerns and in gaining locals' confidence, especially with the Georgians.

The strongest weapon of UNOMIG is the fact that the officers are unarmed which implies that they are in no way a threat to the local population. CIS PKF soldiers are armed so they could provide security

assistance to UNOMIG on special missions. Since both organisations commenced their duties, UNOMIG has lost nine members in action, the CIS PKF more than 100.

However, their performance as peacekeepers is linked to their mandate. Whenever they have a current mandate from the Executive Council of the CIS States, it is clear that their motivation is much stronger than at times when they lack one. Understandably, in view of their casualty toll, their role is at times cautious and reactive. It is essential for their political credibility that a real CIS orientation is given to the structure of the force by the inclusion of other participating countries. Their effectiveness would also be considerably enhanced if their manning levels were raised to the mandated 3,000 with commensurate resource support and backing by the CIS members.

Additionally, the Russians have military bases in Georgia in Gudauta (in Abkhazia), in Batumi, Akhalkalaki and an airfield in Vaziani totalling approximately 1,500 soldiers.

Challenges to the Peace Process

UNOMIG's work is based on one of the most extensive mandates of all UN peace missions ranging from the observation of the ceasefire to a comprehensive political settlement of the conflict. Indisputably, there has been progress in some areas. The situation on the ground has become more stable over time despite recurrent incidents in the area of responsibility. This has helped to lay the groundwork for a solid peace process. On the other hand, there is little significant progress on the central political issue of defining the future status of Abkhazia within the state of Georgia.

The major challenges to UNOMIG's work are the following. First, further stabilisation of the situation in the conflict zone on both sides of the cease-fire line remains a prerequisite for any serious effort in the political arena. Both sides have committed themselves to the non-use of force. Within the Coordinating Council framework a network of security arrangements has been worked out. The full implementation of these agreements is most urgently needed, along with visibly improved cooperation between the law enforcement bodies of both sides.

Second, the safe, secure and dignified return of all refugees and IDPs to their places of origin is one of the basic goals of the peace process. This applies, as a matter of priority, to those IDPs who have already returned to the Gali district. The Gali district, located along the northern side of the cease-fire line, is the southernmost region of Abkhazia. Almost all of its 90,000 residents before the war were ethnic Georgians. The majority have chosen to return to their home villages, where they continue to live in precarious security conditions. Seeking mechanisms to ensure their security is a still unresolved component of the peace settlement efforts.

Third, the deepening and widening of an atmosphere of mutual confidence and reconciliation between the Georgian and Abkhaz sides is of utmost importance. Without mutual trust any lasting peace effort is bound to fail. The Conferences of Confidence Building Measures have

produced a number of concrete recommendations which have now to be implemented.

Fourth, as the peace process moves forward, economic cooperation between the two sides should be enhanced. Following the war of 1992 – 1993 much of the housing and physical infrastructure of Abkhazia remains in shatters. It is in the interest of both sides to reconstruct war damages.

Lastly but most importantly, unless meaningful negotiations between the two sides on the issue of the future status of Abkhazia within the state of Georgia are opened, the entire peace process remains in jeopardy. To this end, the UN Mission has worked out a political framework document which, after consultation with the Group of Friends, is designed to be submitted to both sides.

All major components of the peace process, including the status issue, should be pursued in parallel. Despite shortcomings the peace process has evolved. Specifically, the two sides now communicate directly and frequently at all levels and concerning a wide variety of issues. This was not the case several years ago. Furthermore, all the necessary mechanisms to affect change are at hand. What is now required is sufficient political will on the part of the two sides to make the best use of these instruments and to move toward a full settlement of the conflict.

Problems to be Addressed

UNOMIG finds itself in a situation where both sides have been content to ignore their obligation to move forward in the peace process. Both believe that time is on their side. Georgia does so on the basis that provided they adopt a pro-western and particularly a pro US stance; their new-found friends will help them out. The Abkhazians, of course, are content with the status quo as it enables their quasi- independence to gain greater legitimacy. Certain key players involved in the region also have reason to consider a stalemate an advantage as it aids their particular geo-strategic or geo-political preferences. Their proper influence is sometimes not felt where it should be and their approach to resolving Georgia's problems is very low key.

There have been attempts to take away or even 'hijack' the management of the peace process from the UN's auspices have occurred, particularly by Russia and the OSCE. Troop contributing countries have also constrained UNOMIG's effectiveness by limiting the amount of time spent on the ground by UNMOs. The lack of continuity that this creates is a considerable concern. One year should be the minimum tour for all UNMOs. Additionally, some countries have at times applied pressure on the CMO to employ their officers in a particular manner, affecting UNOMIG's cohesion.

There is also an apparent disconnect in communication between the representatives of the troop contributors in New York, their diplomatic representatives in Tbilisi and their own UNMOs in the mission. Occasionally it could be seen that the national views of some participants, particularly the nations in the Group of Friends of the

Secretary General, varied due to parallel channels of reporting and lack of sharing information (however, it should be noted that the mission has successfully brought together professional officers of armies from around the world).

The single greatest destabilizing influence in the UNOMIG Area of Responsibility is the Abkhazian Government-in-Exile. They have political and partisan links (with or without Georgian blessing). As long as this group remain a militant force on the Georgian side it is unlikely that a scaling down of violent incidents will occur. Their existence is necessary for the internal politics of Georgia only, not for an overall settlement of the conflict.

There are also enduring humanitarian concerns. In the Gali region which is the main focus of UNOMIG operations there is a correlation of expectation between the humanitarian organisations and UNOMIG amongst the local people. IDPs are in a difficult situation and have a dependency on external assistance and reassurance. It makes no difference to them whether they are making demands on UNHCR or UNOMIG. While UNHCR has funding UNOMIG has no money to help the locals. That endangers the situation for the military. Frustration and resentment from poor people, and, from their perspective, unrecognised situation leads to an attitude of blame, which tends to focus on the frontline internationals represented by UNOMIG patrols. The situation created is a risk to the security of the patrols. This issue is not only demoralising for the UNMOs, it also creates conditions ideal for exploitation by extreme elements.

The respect in which UNOMIG is held in and around the ceasefire line has occasionally led to higher expectations than the mandate allows. But the UNMOs have capitalised on their status, have adequately filled the vacuum of responsible security activity and government left by both parties.

It would be naïve hope for a quick end to the mission. All the confrontational elements remain and small military successes do not make a solution. Hopes for progress still lie on the shoulders of the Abkhaz administration and the new Georgian President.