

The Main Principles of Peace Support and the Role of the UN/UNOMIG in Resolving the Conflict in Abkhazia/Georgia

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Nowadays it is almost impossible to talk about peace support without mentioning the UN. Perhaps the main difficulty lies in the fact that, in our eyes, the stability of world order since the Second World War has undergone significant changes which inevitably has had an influence on the essence, role and meaning of the UN throughout the world. However, the actual actions of the UN speak for themselves.

On the 20th May 2002, the United Nations successfully completed its transitional administration of East Timor and handed power over to the first democratically elected President of East Timor. The UN Mission to Kosovo fully implemented its mandate and handed power over to the democratically elected Skupshina in March 2002. The UN Mission to Bosnia and Herzegovina successfully implemented its mandate with regards to the reform and reorganisation of the police. In Afghanistan many plans outlined in the Bonn Agreement, reached in December 2001, were realised by the UN Assistance Mission. Since the beginning of 2002 more than 1 million refugees have already returned to their homes in Afghanistan.

Leaving aside the achievements and tragedies (for example, the atrocious act of terrorism against the UN Mission in Iraq), regardless of the difficult geopolitical situation and arguments, the UN continues to play a significant role in the international arena, as there are no alternatives to the principles on which its actions are based.

The Main Principles for Carrying Out a Peace Support Operation

There are not any detailed accounts of peace support techniques in the UN Charter; it is, instead, formulated as a practical tool for use in pragmatic diplomacy in our world, which is still beset by problems of separation, conflict and enmity. The practice of UN peace support activities was developed with the aim of securing and fulfilling the following principles.

One of the most important components of a peace support operation is its legitimacy. An operation must be based on the understanding that it is justified, reflects the will of the international community as a whole and isn't carried out for biased reasons. The legitimacy of an operation will ensure that it warrants and receives a mandate from the UN Security Council, which in accordance with the UN Charter takes responsibility for the maintenance of international peace and stability. Through the continuous and active support of an operation by the UN Security Council and its departments the necessary conditions for its successful execution are ensured.

Even though the 'Cold War' has been over for some time and a new era of cooperation among the permanent members of the UN Security Council has rapidly developed, it would be incorrect to say that in all cases they share the same views as those of the CIS Member States.

Another important point is clarity; of great significance is the intrinsic lack of contradiction in the mandate and how realistic it is, as the possibility of dual interpretation of a mandate can present insurmountable difficulties when carrying out an operation.

In the future the legitimacy of an operation will strengthen the road to the inclusion of a wide spectrum of governments as representatives of peace support missions. However, in practice this is not always easy, especially in cases when there is a significantly high risk to UN personnel in the conflict zone.

Last of all, the steady implementation of a mandate in addition to impartiality and objectiveness in the course of carrying out the operation is also in itself an important element of its legitimacy.

As opposed to peace enforcement operations, peace support operations are by their very nature non-violent. Therefore their successful implementation is impossible without the agreement of the conflicting parties and close cooperation with them. In fact, the lack of political will by the conflicting parties is usually the reason for a lack of progress in conflict resolution.

The main tendency of peace support in recent times has been the widening of cooperation by the UN with other international organisations such as the OSCE, the European Union, NATO and others. In this context one can refer favourably to the experience of cooperation between the UN Observer Mission in Georgia and the peacekeeping forces of the CIS.

The Methods of Conflict Resolution

The UN uses various methods and approaches dependent on the type of conflict. Among them are usually found the following:

- **Preventive Diplomacy** — that is to say affirmative actions in order to prevent arguments between sides, the escalation of growing arguments and their development into a conflict, and also to diffuse any potential conflicts;
- **Peace Making** — affirmative diplomatic efforts to conclude agreements between warring parties leading to peace talks as set out in Chapter VI of the UN Charter;
- **Peacekeeping** — the presence of military and civilian personnel of the UN in the area of conflict under agreement by the warring parties to oversee the implementation of agreements relating to control over the conflict, such as ceasefires and the separation of forces and also the peaceful resolution of a conflict;
- **Peace Enforcement** — this can be used only when all other efforts have failed. The right to order peace enforcement lies solely with the UN Security Council on the basis of Chapter VII of UN Charter and provides for the use of armed forces for the establishment and maintenance of international peace and security;
- **Peace-building** — is a key element in overcoming the consequences of a conflict. It uses a complex system of measures to establish trust and the strengthening of the peace between former fighters with the aim of avoiding renewed conflict.

Of course, defining these approaches as such is conditional and, in practice, various methods are usually used in conjunction with one-another. Nowadays the main efforts of the UN have changed from that of a 'culture of resolution' to that of a 'culture of prevention' of conflicts and preventive diplomacy. Kofi Anan made a fundamental report by on this topic to the General Assembly and UN Security Council in June 2001.

These general principles were practically applied by the UN in Abkhaz/Georgian conflict resolution.

The Conflict in Abkhazia, Georgia: the History of the UN Involvement

The UN began efforts to resolve the conflict in Abkhazia, Georgia at the beginning of September 1992 after the warring parties signed a cooperation agreement requesting that the UN start taking peace support measures in the conflict zone. By the middle of September the UN Mission to study the situation was in place and by October a permanent UN group began work in Georgia.

In May 1993 Ambassador Edward Brunner was nominated the Special Envoy to Georgia. A month later, in June 1993, a new ceasefire agreement was signed, envisaging the disengagement of military factions under the observation of the UN.

In August 1993 an advance party of military observers set up headquarters in Sukhumi and the UN Observer Mission in Georgia (UNOMIG) in accordance with the Security Council Resolution began work guaranteeing the fulfilment of the conditions set out in the agreement and investigations into violations of the ceasefire.

However, in September 1993, renewed fighting broke out. The result was that hundreds of thousands of peaceful citizens were forced to abandon their homes and became internal displaced persons and refugees or sought refuge in other countries including the Russian Federation.

On the 14th May 1994, in Moscow, a new ceasefire and separation of forces agreement was signed, which is still in place

today and is one of the foundations for the resolution of the conflict. Included in this document was the idea of cooperation between UNOMIG and CIS peacekeeping forces, which was later reflected in UN Security Council Resolutions.

Since then the question of extending UNOMIG's mandate has been reviewed by the Security Council every six months and the status of talks is discussed every three months on the basis of a report by the Secretary-General.

UNOMIG's role and mandate in Abkhazia

UNOMIG has a double mandate: to monitor implementation of the 1994 ceasefire agreement, and to bring the two parties to the conflict to a comprehensive political settlement. UNOMIG's engagement is based on two fundamental principles: to stabilize the situation and facilitate a comprehensive settlement based on Georgian sovereignty and territorial integrity; and to facilitate the right of refugees and IDPs to a safe, secure and dignified return to their places of permanent residence.

UNOMIG's search for a comprehensive political solution is based on these two key principles, and involves close consultations with the Georgian and Abkhaz sides, and coordination with the Russian Federation and with the Group of Friends of the Secretary-General, who were brought into the process with the launch of the "Geneva Peace Process" in 1997. UNOMIG's practical working instruments within this framework are the Coordinating Council and its three Working Groups (on security matters, IDPs and refugees, and socio-economic rehabilitation), as well as regular conferences on Confidence-Building Measures (CBMs). Working Group I has met and continues to meet on a regular basis, and in 2002 new impetus was given to Working Groups II (chaired by UNHCR) and III (chaired by UNDP), whose activity had been interrupted.

The Coordinating Council itself, however, has not convened since January 2001 due to the position taken by the Abkhaz side linking its participation with other issues, in particular with the Georgian armed presence in the Upper Kodori Valley.

UNOMIG's observer mandate also includes regular patrols in the Gali and Zugdidi sectors, as well as in the Kodori Valley. UNOMIG currently consists of 114 unarmed military observers from 23 different countries that fulfill patrolling tasks. In a unique arrangement, UNOMIG cooperates closely with the CIS-PKF.

UNOMIG's mandate in Abkhazia, Georgia is governed by Chapter VI of the UN Charter, which deals with the facilitation of discussions and dialogue between the parties. It is not to force them into action or to impose conditions on them, as is covered under Chapter VII of the UN Charter. UNOMIG is limited to making recommendations to the parties, not giving them instructions, and the greatest difficulty is in creating the will on both sides for them to accept and follow our recommendations. It is important to understand that progress can only be achieved with the consent and cooperation of both parties. UNOMIG is there to assist the parties to come to a mutually satisfactory solution.

After almost 10 years, the results achieved may not look impressive, but the UN's activities have laid a certain solid basis for a comprehensive political solution: observance 'in principle' of the ceasefire regime; the 'Boden document'; and direct contacts between the parties, including through the QPMs.

Political Process in Abkhazia

In the past, repeated criticism has been directed at the UN, among others, that ten years after the end of the war, the conflict remains unresolved politically. One must recall, however, that the UN is an organization of member states committed to supporting the territorial integrity of its members, and that it can only do as much as its Security Council members mandate it to do. Besides, as it was noted earlier, UNOMIG is governed by Chapter VI of the Charter.

From the outset, the UN Security Council has consistently stated that the ultimate political solution must include Abkhazia "within the state of Georgia". The Abkhaz leadership, however, continues to insist on its "independence" from Georgia, making it impossible to begin negotiations on future "state-legal relations between Georgia and Abkhazia".

UNOMIG's largest challenge is that its political mandate is unacceptable to one of the two conflicting parties, and has made political dialogue very difficult to progress.

As it was noted earlier, in the mechanics of the peace process, there is the support of the Group of Friends of the Secretary-General, who report comprehensively to their capitals and provide a useful channel for the UN.

The political stalemate at the end of last year led the Under-Secretary General of Peacekeeping Operations to convene a High Level meeting in Geneva in February with the Group of Friends, to UN Secretary General which resulted in new initiatives to move the peace process forward. The "Friends" agreed to recommend to the sides the establishment of three task forces — on economic matters, on the return of IDPs/refugees, and on political and security matters, to be pursued in parallel as one package. A review conference is due to take place next month to assess the progress made in each of these task forces, as well as the balance between them. The meeting also showed that the international community was interested in working towards a peaceful settlement of the Georgian-Abkhaz conflict, and the recommendations that came out of this meeting now form the framework through which the international community is assisting in resolving this conflict.

The Geneva meeting of the "Friends" was quickly followed by a bilateral meeting in Sochi between Presidents Putin and Shevardnadze, in March. The Sochi meeting gave an important impetus to the peace process, and the two sides agreed to the formation of trilateral Russian-Georgian-Abkhaz commissions that would deal with the peace process, including economic issues and IDP returns. The Sochi agreement, however, did not touch upon the political or security agendas, which remains central to any lasting peaceful political settlement of the conflict.

Further progress in the areas of confidence building and reconciliation is needed if UNOMIG's political work is to progress. UN mission continues to identify and promote initiatives in an effort to meet both its mandate requirements and practical needs of the local population. Increased criminal activity within UNOMIG's

area of operation is a significant challenge, and has a negative impact on the refugees' return process. Despite increased efforts on both sides of the cease-fire line, a lack of law and order still remains.

In response, UNOMIG undertook a Security Assessment Mission (SAM) to the Gali-Zugdidi areas in 2002. The SAM aims to provide a safe and secure environment for returnees and those already residing in the Gali district by determining the level of professionalism and competence of local Law Enforcement Agencies (LEAs) in the Gali/Zugdidi sectors, and their organizational capacity, training and resource needs. The SAM recommendations were fully supported at the recent UN Security Council consultations in New York, and include:

- provision basic police and human rights training;
- provision of basic equipment, vehicles, communications and databases to facilitate crime pattern detection and analysis;
- establishing mechanisms for improving exchanges of information with other LEAs throughout Georgia;
- establishing in Gali a branch of the UN Human Rights Office; and
- establishing a mechanism by which LEAs in the Gali and Zugdidi districts could discuss police issues of mutual concern.

UNOMIG expects the SAM to be adopted by the Security Council in the coming months, and a small number of police advisers and trainers to arrive shortly after.

Another initiative was to develop a constructive relationship with members of the population among whom UNOMIG works, and help relieve the on-going misery of daily life in the post-conflict setting, particularly for returnees in the Gali district. This is now being done through UNOMIG Quick Impact Fund projects, which funds restoration of basic public service, social rehabilitation and income generating programs on a small, but important, scale.

In leading the peace process in Abkhazia, Georgia, UNOMIG serves a very useful purpose and, despite the slow pace of progress in some areas, has made a number of significant achievements, including:

- maintaining a cease-fire, with few interruptions, in a markedly unstable environment;
- organizing a series of meetings on the Kodori Valley, which have resulted in a dramatic decrease of tensions there;
- establishing mechanisms for frequent interaction and exchanges between the two sides;
- presenting the conflicting parties with a framework and tools with which to solve the problem (the traditional role of the UN); and
- convening a number of important meetings, including the High Level meeting in Geneva, which resulted in a series of recommendations that set the direction for the peace process and UNOMIG's future activities.

UNOMIG continues to push for a peaceful resolution of the conflict. The UN can provide the mechanisms needed to facilitate dialogue, but it is up to the parties to the conflict to demonstrate political will to implement a peaceful solution, and they will be the ones to account to future generations.