

## **Russia's Participation in the CIS Peacekeeping Operations**

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Among the broad range of conflicts which splashed out on the geopolitical space of the New Independent States, conflict resolution in Tajikistan, Georgia/South Ossetia, Georgia/Abkhazia, Azerbaijan/Nagorny Karabakh, Moldova/Transdnestria, could qualify as international peace support operations.

The operation in Nagorny Karabakh, however, was never defacto implemented. This is an example of a failed attempt of a regional peace support operation under the CSCE/OSCE aegis (in 1993 CSCE agreed on the mandate of the operation).

Two relatively successful operations, i.e. in South Ossetia and Transdnestria, which for the most part achieved their goals, have the biggest problems gaining international recognition of their political and legal status. Both operations lack mandates from the UN or even regional organizations (OSCE and CIS).

Russia's legitimate interference in the Georgia/South Ossetia and Moldova/Transdnestria conflicts — which was undertaken in compliance with interstate agreements — could qualify as international peace support operations, as the political/diplomatic and military actions of the Russian side, were actions of a neutral "third force", equally distanced from both sides of the conflict. At the start of the operations, all sides involved in the conflicts (i.e. the Georgian government and the political leadership of South Ossetia; the President of Moldova and the leaders of Transdnestria) co-signed the agreement to invite Russian peacekeeping forces, thus providing these operations with the key features of international peacekeeping.

However, one should now consider from a political viewpoint, whether these two operations qualify as peace support operations (N.B. many Western experts do not consider them to be peacekeeping operations) or rather as *legitimate interference*, with the consent of the government of the inviting country, to provide support in combating separatism and unauthorized political and military formations on the territory of the country concerned.

At the same time, the 1992 operation to separate parties at war in the course of the Ingush-Ossetian conflict, should be treated as a unique example of an "*internal*" *peace support operation*, implemented by the Interior troops using their special tactics. In military (e.g. separation of forces, disarmament, control of migration, etc.), as well as in organizational terms, this operation should be qualified as a peacekeeping operation, aimed at separating conflicting parties and at stopping ethnically motivated violence.

In terms of their status, operations in Tajikistan and Georgia/Abkhazia are full-scale *CIS peace support operations*. Both are being carried out at the request of the CIS Heads of State, and have a CIS mandate, which has been repeatedly updated and specified. The joint military command of these operations is being exercised by an international military force, i.e. by the Staff for c00rdination of Military Co-operation of the CIS Member States

In parallel, in each of the regions mentioned above, a UN monitoring mission involving military observers has been operating, i.e. — UNMOT in Tajikistan and UNOMIG in Georgia/Abkhazia. So one should talk not about two, but about four peace support operations — two international peace support operations under a UN mandate with monitoring functions, and two regional CIS peace support operations — to separate parties at war and to stabilize the situation in the regions of conflict.

## Tajikistan

From a political and legal point of view, the actions of the CIS States in Tajikistan since 1992 should be viewed not as a single peace support operation, but rather as a series of different types of operations:

- **Operations (a series of actions) by the Russian Border Guard troops and other forces assigned to protect the state border between Tajikistan, Afghanistan and China.** This action was not legally authorized until May 1993. From that point it was carried out on the basis of a bilateral inter-state agreement signed between Russia and Tajikistan on May 25, 1993. Consequently, it was not considered as an international peace support operation.
- **Additional collective border protection actions by the CIS Member States.** These actions were carried out to stabilize the situation on the Tajik-Afghan border in 1993-1994, and were regulated by the decisions of the CIS Heads of State on January 22, 1993, December 24, 1993 and April 15, 1994<sup>1</sup>. Originally these actions did not qualify as peacekeeping, in terms of a regional peace support operation, but later on, when the Mandate of the CIS Collective Peacekeeping Forces was amended to include the point of necessity to stabilize the situation in the border region, they were treated as peacekeeping actions.
- **The operation of the CIS Collective Peacekeeping Forces, mandated by the CIS Heads of State.** This was completed in 2000. The CIS Collective Security Forces were originally made up of forces from 5, and then 4 states — i.e. Russia, Kazakhstan, Uzbekistan, and Kyrgyzstan. At first, military forces from Tajikistan formed part of the Collective Peacekeeping Forces, but they were then excluded, in order to more adequately match the criteria of international peacekeeping. Other CIS countries did not take part in the shaping and/or financing of the Collective Peacekeeping Forces. In this instance, one could utilize existing UN terminology and talk about an *ad hoc coalition*, to which was delegated the practical responsibility to undertake a peace support operation by the regional organization, i.e. by the CIS. This would more adequately define the status of the operation, rather than suggesting that the operation in Tajikistan has been implemented by the Collective Security Treaty as a whole. This is even more true because the configuration of the CIS itself has been changing

<sup>1</sup> It is worth noting that, while being discussed and adopted, these decisions were not being considered as part of a peace support operation, but were linked to the CIS Member States Agreement on securing the situation on the external borders of the Commonwealth of October 9, 1992, which is clearly stated in the text of the CIS Heads of State Decision of January 22, 1993.

during the course of the operation, and certain states insisted that their non-participation in the operation is a matter of principle.

- **Actions by the military forces of the Russian Federation located on the territory of Tajikistan, in order to support the government of Tajikistan in stabilizing the situation there.** Additional responsibilities included pursuing other state goals, as defined by the Treaty of Friendship, Co-operation and Mutual Assistance between the Russian Federation and the Republic of Tajikistan, and by other bilateral agreements. Russian actions to support the government of Tajikistan should not be defined as collective peacekeeping operations, otherwise the status of the operation by the coalition of the CIS Member States could be questioned, especially in view of the fact that the actions, as mentioned, have involved all components of the Russian military forces in Tajikistan, which are not included in the CIS Collective Peacekeeping Forces.
- **Political and diplomatic mediation of the CIS Member States to peacefully resolve the inter-Tajik conflict.** The Council of the CIS Heads of State, the CIS Council of Foreign Ministers, the CIS Council of Defense Ministers, the Commission on Political Settlement, the CIS Special Representative on conflict resolution in Tajikistan, etc., were all involved in these actions at different stages. These types of actions looked like a really "classic" peacekeeping mediation in 1995–1997, during the talks between the government of Tajikistan and the Unified Tajik Opposition, which resulted in the conclusion of the Tajik Peace Agreements in 1997. To this extent, political and diplomatic actions, as mentioned, could be defined as the *CIS non-military operation of mediation and peace support*, which was implemented in co-ordination with the UN and OSCE, whose delegation were also stationed in the region during this period.
- And, finally, the **UNMOT operation by UN military observers in Tajikistan** (involving military observers from 13 countries).

With these points in mind, it is much easier to justify the status of an international peace support operation for those actions, as mentioned, which match the general peacekeeping criteria of the UN and regional organizations. Within this context, the peace support operation by the coalition of the CIS Member States consists of two components: military actions of the CIS Collective

Peacekeeping Forces, on the one hand, and the political/diplomatic mediation of the Tajik conflict, on the other.

## Georgia

Despite their relative geographic proximity, the operations in South Ossetia and in Abkhazia differ substantially. In South Ossetia the Russian military and diplomats act on the basis of the bilateral agreement between Russia and Georgia, and in the presence of the OSCE monitoring mission. While in Abkhazia there is a combination of the two peace support operations: the peace support operation of the regional organization (CIS), mandated by the decision of the CIS Heads of State, and the UN peace support operation (monitoring mission), mandated by the UN Security Council. The result of the operation in South Ossetia could be labeled as successful, while the result of the efforts in Abkhazia did not meet expectations of those involved.

One could mention certain features of the operation in Abkhazia/Georgia, which have complicated both its implementation and international recognition:

- Actions by the Russian military in Abkhazia included elements of peace enforcement, as specified by the UN Charter. This included forcing military groups out of the Kodori Gorge, Russia's military involvement in the shelling of Sukhumi, and later, the participation of the Russian Navy in the blockade of the Abkhazia sea coast. As the signing of the operation mandate and the ratification of Russian military participation in the operation, by the Federation Council of the Russian Federal Assembly, were formally delayed, the operation to move in military contingents in the summer of 1994, in fact started earlier than its proper legal justification has been finished.
- The operation failed to become a collective operation of the CIS Member States. The basic military contingent was represented by no other CIS Member States than Russia. According to UN standards, any national participation in an international peacekeeping contingent should not be more than the one third of its size (although in other operations under US leadership, i.e. on Haiti or in Somalia, these criteria were actually also not met).

- International multilateral command of the operation was not set up, and the command and control was exercised by the Russian General Staff. Not all of the Russian military units in Georgia participate in the CIS Collective Security Forces, which results in the accidental confusion of functions of Russian military bases in Georgia (these were set up as a result of the 1994 agreements), and the peacekeeping contingent.
- The attitude of the parties at war to the operation has been rather complicated. Despite a formal show of support, the Abkhazian side has repeatedly broken the ceasefire, and delayed the return of refugees. In Georgia, the opposition forces represented by the Popular Front, and leaders of the Republican Party, National Democratic Party, Union of Liberation of Abkhazia, etc., confronted the operation. The Union of Liberation of Abkhazia demanded troops not to be moved in, claiming it could result in "the loss of Abkhazia". At the same time, the operation was supported by the Union of Citizens of Georgia, the Social Democratic Party, and other centrist political forces in Georgia.
- The decision to extend the UN mandate for the operation to include other functions, as it was suggested by the CIS, did not happen, and the operation remained as a monitoring operation. The UN approval of the CIS operation was also not easy, and the CIS peacekeeping forces did not obtain the status of the "Blue Helmets".

Despite the difficulties, mentioned above, the successful aspects of the operation include:

- Overall stop of the bloodshed, as well as a substantial limitation of armed clashes between the Georgian and Abkhazian sides.
- Creation of political structure out of the conflict settlement. Rounds of negotiations, with UN and Russian mediation, now take place on a regular basis, and the interaction between the political and military aspects of the settlement do exist.
- Positive co-operation between the peacekeeping forces of the CIS (Russia) and the UN military observers. The UN Security Council and the Secretary General are satisfied at the way they are being informed about the CIS peacekeepers' activities. Like in Tajikistan, the "division of labor" between the operation by the regional organization (CIS), and the UN operation, is a positive experience worth interpretation and replication.

- As a result of the peace support operation, transport communications (bridges), railroad communication, etc. have been restored, and a series of infrastructure sites in the region have been cleared of mines and put back into order.
- Partial return of refugees to the places of their original location. At the same time, difficulties with the return of the refugees, and the inability of the peacekeeping force to give security guarantees to all of the refugees has been one of the basic reasons of the delay of the conflict settlement.

In general, the operation proved its necessity and delivered certain positive/immediate results, although it is still the least successful of all the peace support operations in the CIS territory. A decision to put a stop to the operation at this point in time would most probably result in military clashes beginning again. The problem is not the military weakness of the operation (the military side of the operation is quite functional, and the Russian forces cope with their tasks), but rather the presence of political will from those involved in the conflict — especially the Abkhazian side — to continue the confrontation until the final victory and until their political goals have been achieved.

In view of the trends of the UN's attitude towards this conflict, one cannot expect that the Russian/CIS peacekeepers will be replaced by the UN "Blue Helmets" in the foreseeable future. With the Chechen conflict unresolved so far, Russia still needs to maintain its influence in Georgia and continue "loyal" interaction with the Georgian authorities, in order to prevent a new hotspot of military conflict on Russia's southern borders. This means that Russia would keep its military contingent in Abkhazia, and would continue the operation and its consistent political mediation towards the conflict resolution.

Despite the rather delayed operation in Abkhazia, conflict resolution in **South Ossetia** has been rather successful. But, unlike operations in Abkhazia and Tajikistan, *the operation in South Ossetia was not mandated by the CIS Heads of State, and thus cannot be considered as a peace support operation conducted by the regional organization.* The operation was legally based on the trilateral agreement between Russia and both sides of the conflict.

Russia still remains a guarantor of the agreements between Georgia and Ossetia. In the context of International Law, Russia's participation in the Georgian/Ossetian settlement is a legitimate interference in the affairs of another State, as agreed by its political leadership. The actions of all three parties involved in the conflict could be given the status of peace support operations if only by analogy or association. The association, however, is quite justified, and some aspects of the organization and tactics of this operation make it really close to an international peace support operation.

However, one should make a clear distinction here, like in Tajikistan and Abkhazia, about the Russian involvement in the conflict before the parties at war agreed on a ceasefire, and the status and role of Russia after they did. Russian troops (engineer and helicopter regiments) stationed in South Ossetia before the agreement was concluded, cannot be regarded as peacekeeping forces. They were not engaged in the trilateral peacekeeping force after their formation, and were consequently moved out from Georgia.

The forces, which joined the trilateral contingent (tasked to separate parties at war), performed typically peacekeeping functions, i.e. controlling the security zone along the line of engagement of the hostile parties; disarmament and demobilization of illegal military formations; disarmament of civil population, etc. However, involvement of the parties at war in the activities, mentioned above, was not typical. In parallel, the same practice was implemented in the course of the creation of the trilateral peacekeeping forces in Transdnestria.

## **Moldova/Transdnestria**

From the analysis of the conflict resolution in Moldova/Transdnestria, the following conclusions can be drawn:

- International Law criteria aside, the preventive deployment of Russian troops and the subsequent formation of the trilateral military contingent, to exercise control over the "buffer zone" between the locations of the parties at war, generally corresponds



to the objectives and tactics of international peacekeeping and peace enforcement operations.

- In political and practical terms, the emerging mechanism of the CIS collective peacekeeping, failed to be utilized, despite the request of Moldova.
- In legal terms, the operation was based on the bilateral inter-state agreement, and thus it was a legitimate interference by the Russian Federation into the affairs of the Republic of Moldova, upon the request of its legitimate political leadership.
- The transformation of the bilateral agreement to deploy the Russian troops in the conflict zone, into a trilateral one (with the participation of the leaders of Transdnestria in the drafting and the discussion of the agreement, and their participation in the Joint Control Commission), has made the operation even more legitimate and politically balanced.
- The process of the settlement was shaped to meet "international standards", including the creation of the multilateral political body, in which Foreign Ministries of the parties involved were represented, and which exercised formal control over military peacekeeping contingents, as well as involving the OSCE observers in the process. This has made the operation not only formally, but in real terms, very similar to international peacekeeping.
- The exclusion of the units of the Russian 14<sup>th</sup> Army from the peacekeeping contingent (despite the Transdnestrian requests), as "non-objective", as well as the inclusion, in the course of the unit rotation, of other military units from remote parts of Russia, demonstrates the desire of both Russia and Moldova to maintain the peacekeeping status of the operation. It also prevents an unfair portrayal of Russia as an actor supporting only one side of the conflict.
- The inclusion into the peacekeeping contingents of the forces of the parties at war, violates the formal norms and principles of peacekeeping, and would not have been possible at all if the operation was conducted under the CIS or the OSCE aegis. But in terms of the current legal status of the operation, the trilateral structure of the peacekeeping contingent proved feasible and even effective. Moreover, the practical success of the scheme, in which the forces of the parties at war "loyal" to political reconciliation are helping to neutralize actions of the "non-loyal" forces — which are tending to continue hostile activities — justify the con-

clusion that these tactics, which were successfully tried and tested in South Ossetia and Moldova, demonstrate a successful experiment in international peacekeeping.

- Russia, in its geo-political interests and current national security strategy and military doctrine does not intend to keep its military forces in the territory of other states, if Russia's national security interests are not affected. In this context, the withdrawal of the remnants of the 14<sup>th</sup> Army from the territory of the Republic of Moldova, seems politically logical and inevitable, although it faces certain economic and technical difficulties. At the same time, there is no direct legal link between the move of the 14<sup>th</sup> Army from the territory of Moldova and the withdrawal of the Russian component from the peacekeeping contingent. The Russian component in the trilateral peacekeeping contingent could stay in Moldova/Transnistria until the final political settlement is achieved, to represent Russian interests in the region, alongside Russian political and diplomatic participation in the joint control body. The status of such a representation, despite the presence of the 14<sup>th</sup> Army does not cause any political or legal objections on the side of the international community.

To conclude, the actions of the Russian military in Moldova/Transdnestria can be separated into two periods. During the first period, which lasted until the conclusion of the trilateral agreement of July 21, 1992, the units of the 14<sup>th</sup> Army performed (not legally approved) peace enforcement actions, i.e. carrying out preventive deployment and the demonstration of force. During the second period, after the conclusion of political agreements on the principles of the conflict resolution, the trilateral operation per se started. This includes certain essential characteristics of a typical peace support operation. The status, structure and substance of the components involved have been changed, and, despite the absence of the legal status of a peace support operation, conducted by the UN or a regional organization, the actions of the trilateral forces were in compliance with the norms and standards of peace support operations. This particular operation, alongside the structurally similar operation in Georgia/South Ossetia, could well be defined as a special type of international peacekeeping.