

Policy brief

#2

19 April, 2007

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The presented *Policy Brief* is produced in the framework of one of CIPDD's latest initiatives, which aims to create effective mechanisms for the assessment and analysis of ongoing political processes. The project is supported by the Open Society Institute – Think Tank Fund (Budapest).

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The president's new initiative for South Ossetia: what will it bring about for Georgia in the future?

Description of the problem

The conflict in the former South Ossetian autonomous region, some 100 kilometres away from the capital Tbilisi, is a major challenge to the state-building process in Georgia. There are two main tasks the government and the entire society must accomplish: the conflict should be settled once and for all, and the settlement must be achieved by peaceful means only. It should be noted, at the same time, that neither the Georgian leadership nor the overwhelming majority of the Georgian population will agree to concede any part of the country's territory in the foreseeable future.

The format of the negotiations on the South Ossetian problem, which was applied until recently, appeared unacceptable for Georgia for the following two reasons: 1. Georgia's representatives are in the minority both in the Coordination Committee and in the peacekeeping mission the format of which was defined by the 1992 Russian-Georgian agreement. The Georgian delegation at the negotiations is confronted by a three-party coalition: North Ossetia, South Ossetia, and Russia. The same is true of the structure of the joint peacekeeping force in South Ossetia. 2. The separatist authorities of South Ossetia backed by their allies in the above-mentioned coalition have refused to negotiate any solutions to the conflict that do not violate Georgia's territorial integrity. The OSCE is a mediator rather than a party in the negotiations, and Russia makes consistent efforts to diminish its role. At its best, Russia wants to establish full control over the processes in the region, while at worst it wants to impede Georgia's reunification and rebuilding.

The central government's new approach

Under such circumstances, trying to break the deadlock is one of the top priorities for the Georgian government. By mounting a massive humanitarian operation in the conflict zone in the spring-summer 2004 the government hoped to mend fences and win hearts and minds of the local population. Simultaneously, the Georgian authorities launched a vigorous crackdown on smuggling and contraband trade in the region. Due to widespread distrust and suspicion, however, both tactics proved rather controversial and failed to achieve the goal.

The self-proclaimed South Ossetian republic held presidential elections in the autumn 2006, which were followed by an alternative poll conducted on the Georgian-controlled territory of the former South Ossetian autonomous region. A new actor emerged in the conflict zone as a result: Dmitry Sanakoyev's government, which stated that it would seek to settle the issue of South Ossetia's status without violat-

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Development

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ing Georgia's territorial integrity.

The Tbilisi government would like to cooperate with Sanakoyev, but it views Sanakoyev's group as a mere public-political movement, which does not have any political status. Quite understandably, Tbilisi cannot recognise Sanakoyev as president. Besides, Sanakoyev still faces a difficult task – to build a critical mass of support in both the Georgian and Ossetian communities of the region. Abandoning Sanakoyev altogether, however, would be a wrong step for Tbilisi. In order to pave the way for cooperation with Sanakoyev and his government, the Georgian authorities have decided to give him some sort of legitimacy. This is the underlying reason of the new law on measures to facilitate the peace process in the former autonomous region of South Ossetia, which was brought in by the president and approved by the parliament in the first reading on April 5, 2007. The law declared the creation of a provisional administrative-territorial entity, under the Georgian jurisdiction, on the entire territory of South Ossetia.

What is new in the new law?

1. Public-political circles in the conflict zone are invited to participate in the conflict resolution process and the defining of the final status of the former autonomous region.
2. The Georgian leadership signals that it is willing and prepared to temporarily delegate its powers to local public and political groups, which will make up the administration of the "provisional administrative-territorial entity".
3. Apart from the implementation of the delegated functions and responsibilities, and participation in the conflict resolution process, the provisional administration has to coordinate international and humanitarian programs in the region.
4. The law gives legitimacy to the idea of restoring the autonomous South Ossetian region and paves the way for a reasonable and mutually acceptable compromise on the autonomy's name.

In a nutshell, the law creates legitimate preconditions for cooperation between the Georgian government and the forces that favour the Georgian-Ossetian political unity and gives the local public a voice in the conflict resolution process. If the goal is achieved successfully, powerful integrated Georgian-Ossetian groups of stakeholders may emerge in the region, eliminating, or at least weakening, the ethnic dimension of the conflict. Subsequently, this will help create social, political and economic preconditions for a final settlement of the conflict. Finally, the phenomenon of Sanakoyev and the president's new initiative tend to demonstrate that the conflict zone is not clearly divided along ethnic lines. In fact, the picture is much more complex and requires respective approaches from the international community.

The likely risks of the new initiative

1. As the law intends to alter the current dynamic in the conflict zone in favour of Georgia, its implementation may meet stiff opposition from the other conflicting party, Tskhinvali, and Moscow, which strives to gain a monopolistic hold on the situation in the region. As a result, tensions may escalate in the conflict zone.
2. The Sanakoyev government's initial steps may not go beyond setting up a couple of administrative offices in the Georgian-controlled territory of South Ossetia. The provisional administration's budget is also likely to be largely funded by the central Georgian government, giving opponents a chance to claim that Sanakoyev's legitimisation is a Georgian-designed project rather than the will of a considerable proportion of the local population.
3. It also cannot be ruled out outright that at some point in the future Sanakoyev's

group may change its stance and turn against Tbilisi.

4. The president's initiative may come under fierce attack from Georgian ultra-nationalist groups, which regard any attempt to legitimise even the term "South Ossetia" as blasphemy.

5. The West does not seem very enthusiastic about the new initiative or Sanakoyev himself. International governmental and non-governmental organisations involved in the conflict settlement in South Ossetia may be critical of the idea for the following reasons: 1) They can see the initiative as an attempt by Tbilisi to create a puppet government in South Ossetia

2) They may be wary of tensions with Russia, which will break out for certain in case of their cooperation with Sanakoyev's group.



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New opportunities

1. New realities: the emergence of an alternative local government with a certain level of legitimacy in the conflict zone can encourage a dialogue between the conflicting parties and, not less importantly, public debate within the Georgian and Ossetian societies themselves. This, in turn, can help find new solutions to the conflict.

2. There have been regular attempts to stir up tensions in the conflict zone in the last three years. If the law-enforcement structures of Sanakoyev's government include ethnic Ossetian personnel, Kokoyty's paramilitary forces may be reluctant to attack them and the level of violence will drop in the conflict zone as a result.

3. If Sanakoyev's administration is efficient and manages to establish a lasting and positive relationship with Tbilisi, an increasing number of local residents, both ethnic Georgians and Ossetians, will become aware of the benefits of the Georgian-Ossetian cooperation and more confident of the prospects of the peaceful settlement of the conflict.

Recommendations

1. There is a broad consensus across the Georgian political spectrum on the new initiative - it is no doubt a positive sign. Proponents of the idea must make every effort to head off likely attacks from ultra-nationalist, albeit marginal so far, elements of the Georgian society.

2. Whether the new initiative will prove a success story depends, above all, on how it improves the citizens' security and living conditions in the respective areas of the conflict zone. It is obvious, however, that access to these territories will be restricted for security reasons. International and Georgian organisations need stable and predictable working conditions to implement confidence-building programs and other essential projects. To ensure such a working environment, it is important to study the best international practices of civil-military relations and apply them in the peace process. Such measures will make the Ossetian community more confident and will open the door to the participation of international institutions in the peace process under the OSCE or EU aegis, with the new reality in mind. Consequently, the international community's approach to the conflict settlement will become more efficient.

3. The central Georgian government and the provisional administration must be as benevolent and tolerant as possible towards the Ossetian population of the separatist-controlled territory. Legitimate social and economic interests of the Ossetian residents should be adapted, to the greatest possible extent, to the requirements of Georgia's economic security.

4. The government should step up its measures for the restitution of private property in the conflict-affected areas.