



South Ossetian and Russian flags fly over the main checkpoint at the South Ossetia conflict line.

A More Proactive U.S. Approach to the Georgia Conflicts

Samuel Charap and Cory Welt February 2011



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Map legend

* South Ossetia Autonomous Region was abolished by the Georgian government in the late Soviet period

- Conflict lines
- Administrative boundaries between regions
- Railroad lines
- Rivers
- International borders
- District administrative boundaries of South Ossetia
- District administrative boundaries of Abkhazia

Georgia

AREA: 26,911 sq. mi., or slightly larger than West Virginia

POPULATION: excluding Abkhazia and South Ossetia: 4.371 million (2002)

Source: Georgian State Statistics Service, Georgian government census

INTERNALLY DISPLACED PEOPLE: ≈ 248,000 as of August 2010, or about 5.7 percent of Georgia's 2002 population.

Source: Amnesty International



Abkhazia Autonomous Republic

AREA: 3,359 sq. mi., 12.5 percent of Georgia's total area

POPULATION: ≈ 214,000 (2003)

Source: Population estimate released by Abkhazian authorities

South Ossetia Autonomous Region

AREA: 1,467 sq. mi., 5.4 percent of Georgia's total area

POPULATION: ≈ 30,000 (2010)

Source: International Crisis Group



Introduction and summary¹

Georgia faces a stark choice between two mutually exclusive futures.

The first depicts Georgia as a modern-day divided Berlin and envisions the conflicts it currently faces as a Cold War in the Caucasus—a long-term and largely bloodless division between sides whom outside forces have divided so profoundly that compromise is ruled out *a priori*.² The conflicts are resolved when the other side surrenders, its own residents tear down the artificially imposed division, and its government implodes due to the weakening of its patron.

Such a scenario invokes the artificiality of Berlin's division, the perceived inevitability of communism's collapse, and the nobility of West Berliners as they constructed a thriving market democracy on the frontlines of the Cold War. It therefore strikes a chord with many in the West.

Unfortunately, an outcome like Berlin 1989 is highly unlikely for the Georgia conflicts even in the long term. Residents of Abkhazia and South Ossetia—self-governing entities currently recognized as independent states by Russia and three other countries—would have to magically “get over” their grievances—some of which originate from conflicts fought with Georgians in the 1990s while others are a product of more recent hostilities. But they would also have to embrace the Georgian government as their own and renounce their longstanding ambitions for self-government. In other words, the divisions among peoples in Georgia are anything but artificial.

Further, Russia would have to suddenly and drastically reverse its policies, undo its decision to recognize Abkhazia and South Ossetia as independent states, cut off its economic support, and withdraw its military presence. All paths to that outcome are far from inevitable: Russia's leadership being coerced into a radical policy shift or instantaneously realizing the error of its ways, a new leadership coming to power that is willing to do something deeply unpopular with the Russian public and elite, or Russia's collapsing like the Soviet Union.

Finally, Georgia would have to stand stoically on the frontlines awaiting its inevitable victory for Berlin 1989 to repeat itself in the Caucasus. But we have learned from the past two and a half years that there is nothing noble about the status quo: Neither the Georgian elite nor the public can simply focus on the country's development with the conflicts unresolved. Georgia as a barracks state is unlikely to develop its economy successfully or complete its democratic transformation, remaining indefinitely on the global periphery. It could also eventually face diplomatic scorn as its Western friends tire of Georgia's using all international settings to raise the conflicts and continuously being at loggerheads with Russia.

This first scenario—Georgia as divided Berlin—is thus a recipe for perpetual conflict. It will lead to Georgia's continued dismemberment; Abkhazia and South Ossetia's remaining as isolated, impoverished, and militarized Russian protectorates; and unending Georgia-Russia confrontation. In this scenario, Georgia's membership in Euro-Atlantic institutions will therefore remain an aspirational talking point.

The second scenario envisions a process of conflict transformation that reduces tensions, brings people together across the conflict lines, creates trust, builds trade links, and normalizes contacts among authorities. Through this process, the

Georgian army officers in civilian clothing raise their country's flag in the Senaki army base just after Russian troops, which controlled the area for more than ten days, left it in late August 2008.

Source: AP Photo



parties not only cease to antagonize each other, but they also come to a shared understanding of the way forward. Over the course of years or even decades such a process would result in a peaceful and just resolution of the conflicts within Georgia's internationally recognized borders: The full restoration of Georgia's territorial integrity,³ reconciliation among peoples, constitutional arrangements that guarantee self-government for Abkhazia and South Ossetia, the withdrawal of foreign troops from Georgia that do not have the government's consent to be there, and a complete normalization of Russia-Georgia relations.

Under this scenario, Georgia also benefits from increased regional trade links and a likely massive bump in foreign investment due to its increased stability. Further, it could rapidly progress toward full membership in Euro-Atlantic structures, which have proven centrally important in successful transitions in post-Communist Europe.

The second scenario is clearly preferable for U.S. national interests for a number of reasons. First, the United States has made a commitment to resolving Georgia's conflicts within its internationally recognized borders. If it does not find ways to make further progress on that commitment it will face erosion of its credibility. Second, a divided Georgia is an unstable Georgia, with the potential to lead to new bouts of violent conflict and upheaval in this fragile region. Third, the status quo is the source of major tensions in the international system and prevents progress on other major U.S. goals. And fourth, since 1991 the United States has consistently held that its fundamental aim in the region is to facilitate the political and economic transformation of the post-Soviet states. A failure to resolve these conflicts would be an impediment to both Georgia's *and* Russia's transformations.

But the first scenario—Georgia as divided Berlin—is in fact the one implicitly privileged by much of the rhetoric that has come out of Washington since the August 2008 Russia-Georgia war. The Obama administration, following a policy pattern set in place more than a decade before, has yet to make conflict transformation a central priority of its approach to the region. Much effort is spent behind the scenes to convince the parties to avoid provocative behavior and peacefully work out their differences. This approach is incomplete and it needs to change.

The U.S. government has helped facilitate important steps forward since August 2008 despite the parties' ongoing mutual suspicions and often hostile rhetoric. Conditions today are more favorable than any time since the war for a more proactive U.S. approach to the Georgia conflicts to have an even greater impact. Indeed,

for a variety of reasons, early 2011 might represent a unique window of opportunity —not for resolving the conflicts but for short-term progress that could facilitate resolution in the long term. To take advantage of it, the Obama administration should begin by urging all sides to adopt a plan for short-term progress focused on conflict prevention and confidence building. This plan has three interlinked components, the details of which we will elaborate upon in this report:

- A Russian commitment to the nonuse of force against Georgia
- The conclusion of bilateral agreements between the government of Georgia and authorities in Abkhazia and South Ossetia to address humanitarian and human security concerns
- Modification of existing Georgian and Russian policies that impede progress

This plan is in the interests of all sides. And implementing it does not entail any party reconsidering its positions on the issues that divide them.

The actions outlined in the plan are also the necessary first steps toward achieving a peaceful and just resolution of the conflicts within Georgia's internationally recognized borders. They may not inevitably lead to that outcome but without them that outcome is impossible.

In order to facilitate progress on these steps in the near term, the Obama administration should modify U.S. policies to focus on conflict resolution. Specifically, the United States should:

- Rhetorically make conflict resolution and the normalization of the Russia-Georgia relationship a centerpiece of the U.S. approach to the region
- Promote a narrative of the August 2008 war that focuses not on the parties' intentions but on the fact that all sides took actions that created a highly volatile security environment that ultimately led to the outbreak of hostilities
- Facilitate normalization of Russia-Georgia ties
- Minimize the extent to which disagreements in international forums on matters of principle impede progress on conflict resolution
- Develop a coherent policy on defensive arms provision that is consistent with conflict resolution
- Make any future engagement with Abkhazia and South Ossetia part of a conflict resolution strategy and work with the European Union to ensure it does the same

We should say at the outset that this report does not offer comprehensive political solutions to the conflicts. We believe there is little purpose in focusing on that until considerable forward movement on the conflict resolution process has taken place. But we do preview the more challenging subsequent steps that will also need to be part of the conflict resolution process prior to or as part of political settlements. These are issues that cannot be viably addressed now but they will need to be considered after other advances have been made:

- Full freedom of movement in and out of Abkhazia and South Ossetia
- The establishment of weapons-restricted zones in Abkhazia and South Ossetia and an eventual drawdown of military forces there to pre-August 2008 levels, in line with Russia's ceasefire commitments.
- The return of internally displaced persons to South Ossetia together with intensified discussions on practically implementing the rights of IDPs from Abkhazia
- Investigation of war crimes

While not diminishing the importance of these objectives, our focus in this report is on the mutually beneficial steps all sides can take now without forcing reconsideration of their positions on the issues that fundamentally divide them.

We'll start with a brief review of Washington debates about the conflicts and a description of current U.S. policy. We'll then explain why the time is right for a more proactive U.S. approach to the Georgia conflicts and detail the important but often overlooked progress that has been achieved since the war. The policy recommendations follow.

The Georgia conflicts: What you need to know

Today's South Ossetian and Abkhazian conflicts have their roots in Georgia's pursuit of independence in the late 1980s and the collapse of the Soviet Union in 1991.

Under the Soviet Union's esoteric federal structure, Abkhazia and South Ossetia had been quasi-autonomous subunits of the Georgian Soviet Socialist Republic (1989 population: 5.4 million, according to the Soviet census that year), itself one of the 15 constituent republics of the Soviet Union. For much of the Soviet period this arrangement was only occasionally a source of ethnic and inter-elite friction. But the Soviet Union began to fray in the late 1980s and Tbilisi pursued ever-greater sovereignty for Georgia, especially after Soviet troops violently suppressed peaceful demonstrators on April 9, 1989, resulting in 19 deaths. A zero-sum dynamic between the Georgian drive for independence and the Abkhaz and South Ossetian preference for maintaining a reformed Soviet Union, coupled with demagogic politics on all sides, led to rising insecurities and perceptions of ethnic victimization.

Georgians increasingly identified Abkhaz and Ossetians as pro-Soviet "fifth columns" as Abkhaz and South Ossetians worked to remain part of a crumbling Soviet Union. Until 1991 their dispute manifested itself through a "war of laws" (with the autonomies and Tbilisi passing laws to countermand each other's), public protest, and occasional bouts of low-level conflict. A tragic example of this conflict came in July 1989 when a dispute over dividing the Abkhazian State University led to ethnic clashes that killed at least 16.

Armed conflict broke out in South Ossetia (population: 98,500; 66 percent ethnic Ossetian, according to the 1989 Soviet census) in January 1991, a year before the Soviet Union's collapse. The month before, the first post-Communist Georgian government under Zviad Gamsakhurdia abolished South Ossetia's status as an "autonomous region" of Georgia in response to South Ossetia's own declaration of "sovereignty" from the independence-leaning authorities in Tbilisi. War broke out when Tbilisi sent armed forces to reassert control in South Ossetia.

The South Ossetian conflict was really a series of intermittent battles largely among informal militia. It stretched past the Soviet Union's final days and through Georgia's short-lived civil war that saw the demise of Gamsakhurdia and the return to power of Eduard Shevard-

nadze, Georgia's former first party secretary. The fighting escalated in 1992 and tensions spread to North Ossetia in the Russian Federation. Russian President Boris Yeltsin pressed Shevardnadze to conclude a peace agreement with the South Ossetians in June 1992. Approximately 1,000 died as a consequence of the war and many more fled their homes, including Ossetians living in other parts of Georgia.

The conflict in Abkhazia (population: 525,000, according to the 1989 Soviet census) was entirely a postindependence war, in contrast to the conflict in South Ossetia. After the July 1989 violence, tensions between Georgians and Abkhaz were partially alleviated by a power-sharing deal struck under Gamsakhurdia. It provided for disproportionate representation in Abkhazia's political institutions to the Abkhaz, who according to the 1989 census were 18 percent of Abkhazia's population compared to 46 percent who were ethnic Georgians, many of whom had settled in Abkhazia during czarist and Soviet rule.

Upon Georgia's independence the Abkhaz sought a loose confederal arrangement. Tbilisi failed to consider it and Abkhazia's power-sharing arrangement broke down as the Abkhaz prepared to unilaterally implement their plan.

The war itself began in August 1992 in confused circumstances. Georgian forces crossed into Abkhazia to free Georgian officials taken hostage by Gamsakhurdia supporters, who had launched their own insurgency in the region of Mingrelia, which abuts Abkhazia. The troops were tempted to settle two problems at once: free the officials and reestablish control over Abkhazia. They pushed on toward Sukhumi but met armed Abkhaz resistance.

Georgian forces controlled Sukhumi during much of the war while resisting Abkhaz forces and allies from Russia who sought to retake the city from the north. The Abkhaz finally retook Sukhumi in September 1993. As the Georgian army retreated, virtually all of Abkhazia's ethnic Georgian population (approximately 220,000) were forced to flee in its wake. Threatened with further destabilization in Mingrelia, Georgia reluctantly joined the Russia-initiated Commonwealth of Independent States, or CIS. A ceasefire agreement was signed under Russian auspices in May 1994.

Russia subsequently dominated the peacekeeping structures responsible for preventing a renewed outbreak of hostilities. The South Ossetian ceasefire agreement introduced a joint peacekeeping force of 1,500 Russians, Georgians, and Ossetians. In Abkhazia a predominantly Russian CIS peacekeeping force implemented the agreement. These were joined by two small international missions of the Organization for Security and Cooperation in Europe, or OSCE (in South Ossetia), and the United Nations (in Abkhazia).

This approach to conflict resolution characterized by Russian-dominated peacekeeping forces with some international observers made sense in early years. The structures that emerged, however, led to stalemates instead of progress toward resolution, earning these conflicts the “frozen” label. Within this context the sides largely avoided further bloodshed and occasionally reached agreement in the spheres of trade, transport, and the return of a small number of internally displaced persons. However, Georgia denounced as “creeping annexation” the issuing of Russian passports to residents of Abkhazia and South Ossetia, the practice of “seconding” Russian officials to their governments, and increasing Russian investment in both.

Georgia’s Rose Revolution of 2003, which brought President Mikheil Saakashvili to power, marked a new phase in the conflicts. President Saakashvili made clear upon assuming office that he intended to peacefully restore Georgia’s territorial integrity. His statements were accompanied by a soft power offensive, including new conflict resolution proposals. But his summer 2004 antimuggling operation in South Ossetia convinced many there and in Moscow that his intention was actually to achieve reunification by deposing the local authorities.

The low-level conflict that resulted ended with all the ethnic Georgian-populated villages in the region under Georgian government control. But it

also raised fears of new war, restricted trade and social interaction across conflict lines and among communities, and increased the South Ossetian and Abkhazian authorities’ suspicions about the Georgian government’s intentions. It also generated an acceleration of Moscow’s efforts to prevent Georgia from imposing its writ over the two regions.

This shift in the status quo was followed two years later by Georgia’s seizure of Abkhazia’s remote and ungoverned Upper Kodori Gorge, which led to a halt in conflict resolution talks between the government and the Abkhazian authorities. Tbilisi also established an “alternative” South Ossetian-led government in the villages under its control. The Georgian government further demanded internationalization of the peacekeeping forces.

The escalation of the two conflicts was not the only source of tension between Moscow and Tbilisi, however. Prior to 2004 many irritants already existed in Russia-Georgia relations. These included Georgian participation in the construction of the Baku-Tbilisi-Ceyhan oil pipeline, which created the first means for Caspian oil to reach the Black Sea without passing through Russia; Russian allegations of Chechen terrorists finding safe haven on Georgian territory; and increased U.S. military support to the Georgian armed forces. Georgia also accelerated its



AP PHOTO



AP PHOTO

▲ Pictured (from left to right) are Abkhaz leader Vladislav Ardzinba, Russian President Boris Yeltsin, and Georgian President Eduard Shevardnadze after talks in Moscow in September 1992.



AP PHOTO

▲ Deported Georgians disembark from a Russian Emergency Situations Ministry plane on arrival in Tbilisi.

Timeline of the Georgia Conflicts

1989

Ethnic Abkhaz convene a forum advocating formation of an Abkhazian Soviet republic separate from Soviet Georgia. Georgians counterprotest and are forcibly dispersed by Soviet forces.

1990

The South Ossetian legislature forms a separate South Ossetian Soviet republic. Georgia’s legislature abolishes South Ossetia’s autonomous status in response.

1991–1992

As the Soviet Union collapses, clashes between Georgians and South Ossetians ensue with 1,000 lives lost. A ceasefire agreement allows for Russian peacekeepers in the region.

1992–1993

War between Abkhaz and Georgians claims at least 8,000 lives and the displacement of more than 200,000. A ceasefire agreement allows for a mainly Russian contingent of peacekeepers.

May–August 2004

Newly elected Georgian President Mikheil Saakashvili launches an antimuggling operation in South Ossetia. The worst fighting in the region in 12 years ensues.

2006

Moscow bans import of Georgian wine and mineral water. After the Georgian government announces the arrest of four Russian officers accused of spying, Russia suspends all transportation links with Georgia and deports migrant workers amidst what appeared to be a campaign of intimidation against ethnic Georgians in Russia.

August 7–8, 2008

Following several days of firefights between Georgian and South Ossetian forces, the August war formally begins with the Georgian shelling of Tskhinvali and Russia's invasion of Georgia.

**August 12, 2008**

A ceasefire agreement is signed in Moscow by Russian President Dmitri Medvedev and French President Nicolas Sarkozy.

August 26, 2008

Russia recognizes Abkhazia and South Ossetia as independent states.

**August 2009**

After year-long procedures, Georgia leaves the Commonwealth of Independent States

January 27, 2010

Georgia releases a strategy for peaceful engagement with Abkhazia and South Ossetia.

March 1, 2010

The Russia-Georgia land border reopens.

August 23, 2010

Direct Moscow-Tbilisi commercial flights resume.

November 23, 2010

President Saakashvili renounces the use of force in a speech to the European Parliament. Abkhazian and South Ossetian authorities subsequently issue their own statements on the nonuse of force.



integration with NATO after the Rose Revolution and it sought greater commitments for a clear path to membership against Russia's strong objections.

The relationship was further strained in the following years. The Georgian government accused Russia of sabotaging gas and electricity transit to Georgia, and of engaging in other acts of violence. Russia banned Georgian wine and mineral

water on "phytosanitary" grounds in the spring in 2006. And Georgian authorities arrested four Russian military officers on charges of espionage in September. Moscow responded by severing transportation links between the two countries and deporting Georgian migrant workers amidst what appeared to be a campaign of intimidation against ethnic Georgians in Russia.

Tensions were building in and around Abkhazia and South Ossetia as well. But in 2008 shootouts and roadside bombs in South Ossetia throughout the summer heightened frictions to a degree unseen since 2004. When Georgian forces newly occupied certain strategic heights South Ossetian leader Eduard Kokoity promised to "clean

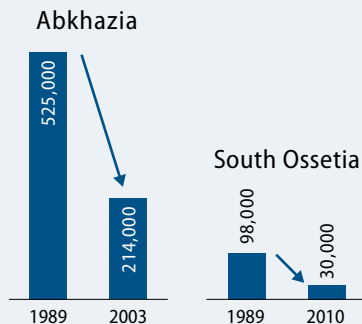
them out"—a promise followed by heavy fighting. On the night of August 7, Georgian artillery began shelling the regional capital, Tskhinvali, and the next morning Georgian troops and tanks began a ground assault that took the city.

That same day Russian tanks entered Tskhinvali and Russian aircraft launched a four-day bombing campaign. Georgian and Russian forces—along with the South Ossetian militia—fought for control of Tskhinvali for two days but the Georgian troops were ultimately overwhelmed. They retreated on August 10 and were pursued by the Russian troops. More than 20,000 ethnic Georgians fled their homes and villages, many of which were subsequently destroyed. Meanwhile, Abkhaz and Russian forces opened a second front in Abkhazia, driving Georgian forces and some 2,000 residents from Upper Kodori. Russian troops also crossed from Abkhazia into Mingrelia, occupying Georgia's main port at Poti. Georgian forces abandoned Gori, a large town south of Tskhinvali, on August 11. The Russian advance halted on the road to Tbilisi.

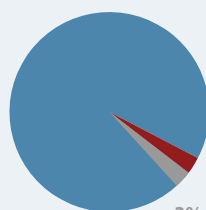
French President Nicolas Sarkozy, holding the rotating EU presidency at the time, flew to Moscow on August 12 to negotiate a ceasefire. The agreement was signed in slightly different forms by all the parties and the Russian command announced the beginning of troop withdrawal on August 18. President Dmitri Medvedev declared Russia's recognition of Abkhazia and South Ossetia as independent states on August 26.

The conflicts have had a major impact on the demography of Abkhazia and South Ossetia.

Populations have declined significantly since the late Soviet period largely due to the displacement of ethnic Georgians.¹



The Georgian population favors a long-term, peaceful resolution to the conflicts with Abkhazia and South Ossetia.²



94%

Percentage of Georgians who support negotiations and peaceful means to resolve the conflicts with Abkhazia and South Ossetia

3%

Percentage of Georgians who support the use of force

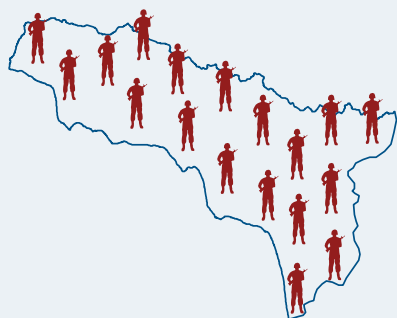
28%

Percentage of Georgians who believe reintegration with Abkhazia and South Ossetia is possible in 10 years or less.³

Russia has significantly increased its military presence in Abkhazia and South Ossetia since the 2008 conflict

Abkhazia before 2008 conflict:

As many as 1,800 Russian CIS peacekeepers⁴



Abkhazia in 2010:

As many as 3,700 troops⁵



South Ossetia before 2008 conflict:

500 peacekeepers



South Ossetia in 2010:

As many as 3,700 troops⁶



The details of Russia's deployments have not been made public.

?

Number of border guards

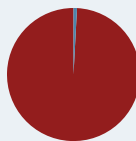
?

Quantity of military equipment

?

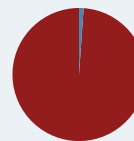
Number of intelligence officials

Abkhazia's and South Ossetia's economies are completely dependent on Russian support.



99%

of foreign investment in Abkhazia is from Russia⁷



98.7%

of the South Ossetia authorities' budget was financed by Russia in 2009⁸

1 Source for 1989 numbers: Soviet Union census data

2 Georgian National Study, October 5, 2009

3 Survey conducted by Greenberg Quinlan Rosner for the United National Movement, July 7-15, 2010, based on 1200 interviews.

4 International Crisis Group

5 Ministry of Foreign Affairs of the Russian Federation

6 Ministry of Foreign Affairs of the Russian Federation

7 International Crisis Group

8 International Crisis Group

The United States needs a comprehensive policy on the Georgia conflicts

A comprehensive U.S. policy on the Georgia conflicts should have five key objectives:

- Preventing a future outbreak of violence
- Improving the humanitarian situation on the ground
- Demilitarizing the conflict zone
- Reducing the conflicts' role as a roadblock to international security cooperation
- Facilitating over the long term a normalization of Russia-Georgia relations and a peaceful and just resolution of the Georgian-Abkhaz and Georgian-South Ossetian conflicts within the context of Georgia's internationally recognized borders

Discussions in Washington on the conflicts unfortunately often do not even address these objectives. Reading the debate, one would think there was a stark choice between “selling out the Georgians” and “arming” them. Analysts and commentators are arguing about the merits of “taking a stand” and “showing support” for Georgia, and how to pressure Russia into changing its ways. These are positions that the Georgian government desires and actively inserts into the U.S. domestic foreign policy debate. But they won't change the situation on the ground.

U.S. support for Georgia—military, diplomatic, economic, or otherwise—cannot alone resolve the conflicts. And even robust U.S. support for Georgia combined with heightened antagonism toward Russia because of its actions cannot resolve the conflicts. That is unless we operate on the far-fetched assumption that resolution will come when Russia suddenly realizes the error of its ways or is forced to change them. Those who do take that leap, however, must recognize that even if the Russians withdrew tomorrow the conflicts wouldn't be resolved—or at least that such a “resolution” might well entail use of force and more bloodshed.

Indeed, Washington discussions often seem to ignore the fact that while there is a Russia-Georgia conflict there are also Georgian conflicts with the Abkhaz and the South Ossetians. This is not to cleanly separate the external and secessionist con-

flicts conceptually or practically. But we should acknowledge that there are three Georgia conflicts (with Russia, the Abkhaz, and the South Ossetians) that exist on two levels (interstate and internal).

The August 2008 war and Russia's recognition of Abkhazia and South Ossetia clearly made progress more difficult. Some in Washington seem to have concluded that progress is now impossible and effectively thrown in the towel completely on conflict resolution. To be sure, we shouldn't expect the conflicts to be resolved in the next few years. But this doesn't imply that Abkhazia and South Ossetia are forever "lost" to Georgia. It also doesn't mean that the choice is between permanent dismemberment and the immediate restoration of territorial integrity. Short-term progress is possible and indeed necessary to solve long-term problems.

Those discussing the conflicts often assume Russia cannot change its policies on this issue—that what it says is what it means, or that what it says today is an unalterable position. In fact, Moscow has softened its positions since the war in significant ways, as we will describe below. And Russian policymakers say lots of things. Prime Minister Vladimir Putin on September 6, 2010, even suggested the eventual reintegration of Abkhazia and South Ossetia with Georgia is not out of the question.⁴

Many also often assume the status quo enjoys uniform support among senior Russian decision makers and ministries. They're wrong. To give just one example, there is a public, fierce interagency dispute about the misuse of reconstruction funds in South Ossetia. It pits the Ministry of Regional Development, which manages reconstruction funds, against the Prosecutor General's Office, the Audit Chamber, and the Security Council.⁵

There are some in Washington who argue that Russian hostility to Georgia is innate and unalterable. But even those who are convinced that Russia launched its military operation in 2008 to overthrow the Georgian government and is still looking for a way to finish the job should recognize that Russia could have done so at any moment over the past two and a half years. It has not.

The Georgian government's own assertion that Russia intends "to compel Georgia by force to return to Russia's orbit" seems irrelevant in light of the impact of President Saakashvili's former political allies' recent outreach to the Russian leadership: Their approval rankings quickly sank to the single digits.⁶ In other words, any "pro-Russian" leader would have to be installed against the will of the Georgian people, which would likely foment sustained resistance.

Moscow has
softened its
positions since
the war in
significant ways.

Paradoxically, some in Washington also assume Georgia is incapable or unwilling to take forward-leaning steps on conflict resolution or that asking it to do so somehow constitutes “betrayal.” In fact, Tbilisi is doing or has committed to many forward-leaning conflict resolution steps. Suggesting that a friend do something to further its stated goals is hardly betrayal, either. It’s called advice. There seems to be a drive to be “more Georgian than the Georgians” in Washington, which ends up producing suboptimal U.S. policies.

Further, the fact that conflict resolution is not on the Georgian government’s agenda in conversations with U.S. interlocutors does not mean they are not interested in pursuing it. Indeed, the Georgian government has two policy goals relevant to the conflicts that can seem contradictory to each other.

The first is to reinforce international—and particularly Western—support for nonrecognition of Abkhazia and South Ossetia and solidify its view of its borders, which is currently shared by all but four countries. Some in Tbilisi fear that over time the current Western position will erode on Abkhazia due to either signs of incipient viability of Abkhazian statehood or through momentum created by future successful Russian attempts to convince non-Western countries to recognize it. South Ossetia has no chance at viable statehood so the worry there is more about annexation.

This first goal is where the Georgian emphasis on Russian “occupation” comes from when they describe the conflicts since Georgian land that is occupied cannot be an independent state. The attempts to undermine the perception of or possibility for the viability of Abkhazian independence also stem from this goal.

Its second goal is to pursue peaceful conflict resolution both with Abkhazia and South Ossetia and with Russia. This is demonstrated by its engagement strategy (described in detail below) and President Saakashvili’s recently stated interest in reestablishing dialogue with Moscow.

The dilemma the Georgian government and its international partners including the United States face is that the first goal can undermine the second if it is done wrongly or done exclusively. Taken to the extreme, support for nonrecognition isolates Abkhazia and South Ossetia, which prevents their reintegration with Georgia. Respectful engagement with people considered “occupied” and reestablishing dialogue with a country deemed an “occupier” are seeming oxymorons.

It is not surprising that the Georgians look to Washington for assistance on the first goal only. The United States does not have much of a track record of activities relevant to the second goal in Georgia. But the United States should support the second goal as much as it already supports the first (see below). And while Georgia might continue to push harder for U.S. “support” in traditional ways in Tbilisi there is in fact a willingness to countenance a more nuanced U.S. policy.

Finally, we should not assume that a policy on the conflicts that is more demonstrably “proactive” than the status quo will end the Obama administration’s reset of U.S.-Russia relations. Pursuing conflict resolution in Georgia does not necessitate antagonizing Moscow. In fact, as described below, all sides can take a wide number of incremental steps in the short term that do not force any of them to alter their positions on the fundamental disagreements that divide them.

U.S. policy on the conflicts since August 2008

“We remain committed to the achievement of a long-term, peaceful resolution to the conflict.”⁷

Midlevel U.S. officials occasionally include lines like the one above in statements issued at international forums. But in fact the United States has never clearly prioritized conflict resolution in its approach either to Georgia (since its independence) or to the post-August 2008 Russia-Georgia conflict.

Take, for example, the U.S.-Georgia Charter on Strategic Partnership, the framework document for the bilateral relationship.⁸ It lists seven “Principles of Partnership,” not one of which is achieving a resolution of the conflicts through a negotiated, peaceful settlement or normalizing relations with Russia. In fact, the word “conflict” does not even appear in that document. The only hint comes in the final clause under the heading “Increasing People-to-People and Cultural Exchanges.” It reads: “In Georgia’s post-war environment, the United States and Georgia intend to restore damaged cultural-heritage sites and media outlets, and to foster continued contacts between the residents of Abkhazia and Tskhinvali Region/South Ossetia and the rest of Georgia.”⁹

Not only does conflict resolution come as an afterthought but the language used is needlessly derogatory or unintentionally insensitive toward the Abkhazian authorities and the people of South Ossetia, who reject Tbilisi’s diminution of their status to the “Tskhinvali region” in the 1990s. Moreover, this passage com-

pletely ignores the reality of “Georgia’s post-war environment,” especially along the South Ossetia conflict line, which makes the idea of “foster[ing] continued contacts” seem farcical.

The charter was signed in the Bush administration’s final days. But the Obama administration has also failed to prioritize resolution of Georgia’s internal conflicts. Since January 20, 2009, the White House has issued seven statements regarding either President Obama’s or Vice President Biden’s conversations or meetings with Georgian President Saakashvili. While Georgia’s participation in the International Security Assistance Force, or ISAF, the NATO-led security mission in Afghanistan, is praised several times, not once do these statements suggest the United States is invested in a long-term process that would transform the conflicts.¹⁰

Besides a consistent reiteration of support for Georgia’s sovereignty and territorial integrity, the closest any of the statements comes to discussing the conflict is urging avoidance of “provocative actions” and calling for steps “to build stability in the region.”¹¹

At the same time, the U.S. government sternly repeats to Russia the mantra of “abide by your international commitments,” which in this case means the cease-fire agreements that ended the August 2008 war. Case in point: The U.S. chargé d’affaires to the OSCE said in September 2009:

*We once again call on Russia to meet its commitments under the August 12 and September 8 agreements. Russia committed not only to withdraw its troops to positions held prior to the start of hostilities, but also to provide free and unhindered humanitarian access to the South Ossetia and Abkhazia regions of Georgia. Russia’s characterization of these regions as independent does not relieve it of these high-level commitments.*¹²

In other words, the interstate conflict is a regular subject of bilateral dialogue between the United States and Russia. Washington, however, mostly reminds Moscow of its misbehavior and urges it to change its ways. Georgia, too, gets its share of finger wagging: Avoid poking the bear, its officials are told. The results of this approach have not been overwhelming.

The U.S. government provided a massive amount of financial assistance to Georgia after the war through a \$1 billion aid package passed overwhelmingly by both houses of Congress in September 2008. It has also been a regular



U.S. Secretary of State Hillary Clinton toasts with Georgia's President Mikheil Saakashvili in downtown Tbilisi in July 2010.

Source: AP Photo

participant in multilateral consultations in Geneva that were established by the ceasefire agreements as a forum for discussion of issues related to postwar “security and stability.”

As far as Georgia’s internal conflicts are concerned, the Obama administration, like the Bush and Clinton administrations before it, counsels “strategic patience”—the notion that Georgia will entice Abkhazia and South Ossetia into closer association and eventually incorporation through comparatively attractive political, social, and economic development. As Assistant Secretary of State for Europe and Eurasia Phillip Gordon said in September 2009, “The best way forward would be one of strategic patience whereby Georgia shows itself to be an attractive place, a stronger, democratic [country].”¹³

This is as close as the U.S. government comes to describing how the Georgia conflicts will be resolved. The United States invests senior-level time and international political capital in conflict resolution in other settings, such as the Middle East or Bosnia. For the Georgia conflicts, however, the expectation appears to be that a process is unnecessary.

Strategic patience is conflict resolution by osmosis. Somehow the authorities in and residents of Abkhazia and South Ossetia will miraculously come to the conclusion at some unspecified point in the future that they want to reintegrate with Georgia. The desire to partake of the latter’s success will be so overwhelming as to make them forget their grievances, fears, and aspirations.

Strategic patience thus implies neither interethnic reconciliation nor a negotiated settlement resulting in the delegation of powers of self-government to Abkhazia and South Ossetia. Nor does it give any indication of a process that brings the people together, which makes the notion of “progress” toward resolution abstract if not nonsensical.

Moreover, strategic patience neglects Russia as an actor in the process. Prior to the war a reasonable case might have been made for such a posture. After all, Russia was formally fulfilling a peacekeeping function with the (begrudging) consent of the Georgian government. If Abkhazia and South Ossetia were so compelled by Georgia’s attractiveness as to reach political settlements, Russian troops presumably would be told their services were no longer needed.

After the war, strategic patience—even combined with the Geneva discussions where Russia is present—does not adequately address Russia’s new role and what its officials often call the “new reality” on the ground. It simply assumes Russia will someday realize that its intervention in August 2008, recognition decision, and militarization of Abkhazia and South Ossetia were mistaken. Russia repents and withdraws in this scenario, cursing its prior policy errors and thanking the triumphant Georgians for having been right all along and having the courage of their convictions.

This scenario seems highly unlikely given the strong support for the war across Russia’s political spectrum. A July 2010 opinion poll showed that 54 percent of Russians support keeping troops in South Ossetia and only 26 percent support withdrawal. These numbers are statistically identical to those from the same survey the month after the war.¹⁴

An effective conflict policy must thus begin by acknowledging that Russian cooperation is necessary for progress. In other words, Russia needs to be a willing partner in conflict resolution if that resolution is to succeed. Russia is certainly part of the problem. But it is equally part of the solution.

Making Russia a partner does not imply a change in U.S. support for Georgia or dropping demands that Russia fully comply with its international commitments. It does, however, mean doing more than treating Moscow as exclusively a norm-violator.

Why the time is right for a more proactive U.S. approach to the Georgia conflicts

Conditions are more favorable today than any time since the war for a more proactive U.S. approach to the Georgia conflicts. Indeed, for a variety of reasons, early 2011 might represent a unique window of opportunity.

Two views on the Georgia conflicts have crystallized since the August 2008 war. One is held by the U.S. government, the Georgian government, the European Union, and the rest of the international community. The other is held by Russia, Abkhazia, and South Ossetia, together with Nauru, Venezuela, and Nicaragua. The positions of these camps on the issues of the status of Abkhazia and South Ossetia, the location of Georgia's borders, and the nature of the ceasefire agreement—specifically, Russia's compliance with it—differ significantly. The divergent views' substance and the number of actors who subscribe to each are clear and highly unlikely to change in the short to medium term.

The first group sees Abkhazia and South Ossetia as lying within Georgia's international borders. They also contend that Russia, as a signatory to a ceasefire agreement, is obliged to withdraw its troops to prewar positions and numbers and provide unhindered humanitarian access to Abkhazia and South Ossetia (regardless of their status). They see the extent of Russia's military presence in Abkhazia and South Ossetia as a violation of the principle of host-nation consent and thus illegal.

The Georgian government goes further in both its legal posture and rhetoric, implying that any Russian military presence is unacceptable, but it also is ready to consider interim solutions in the context of a conflict resolution process.

The second group sees Abkhazia and South Ossetia as independent states and contends that Georgia's international borders begin at the conflict lines.

Russian officials make three points regarding the ceasefire. First, they object to the fact that the text they had initially agreed to was altered at Georgian President Saakashvili's insistence. Language about international discussion of the



Giorgi Bokeria, left, then Georgia's Deputy Foreign Minister exchanges a wary greeting with Russia's Deputy Foreign Minister Grigori Karasin, right, prior to a press conference after the sixth session of the Geneva talks in July 2009.

Source: AP Photo

future status of Abkhazia and South Ossetia was removed (forcing their hand on recognition, they claim), as was a preamble stating that the actions outlined in the ceasefire should be taken by “the respective sides,” which they interpret as proof that Russia never agreed to be considered a party to the conflict. Second, they claim they have fully fulfilled the agreement. The forces that fought *did* withdraw—it’s just that new ones took their place. And finally, they say the document was signed in a world where the “independent states” of Abkhazia and South Ossetia, which now have basing agreements with Russia, didn’t exist. That world, they assert, is no more.¹⁵

Immediately after the Russian government’s decision to recognize Abkhazia and South Ossetia, Moscow launched a global effort to recruit other states to do the same. The Georgian government quickly took steps to counteract this push, which has been dubbed “sovereign diplomacy.”¹⁶ It enacted the Law on Occupied Territories, which was intended in part to make recognition less attractive an option to other states.

But Georgia also sought reassurance from its partners and friends that their support for its position was not subject to change. The U.S. government provided strong diplomatic backing to Georgia in this effort. It both publicly reiterated its intent never to recognize Abkhazia and South Ossetia as independent states and urged its partners to do the same. And it made clear that recognition by other states would damage their relations with Washington.

Russia’s effort spectacularly failed. It could not even convince its allies to follow suit. But making matters worse was the fact that the distinctly unimpressive list of countries it could recruit to this cause was an embarrassment for Moscow. Various sources report Russia has largely given up on the sovereign diplomacy project.

This failure, combined with Georgia’s greater confidence about international resolve to resist such requests, establishes a framework for feasible progress in the short term. Though we would have preferred that the second group adopt the first

group's views, it seems clear this is not going to happen soon no matter what the U.S. government says or does. It is equally clear, though, that this is now a stalemate. The second group is highly unlikely to grow in numbers anytime soon, either.

Additionally, all sides have incentives to take constructive steps. Many in Moscow have come to the conclusion that the status quo is causing problems for Russia. This is true even among those who think military intervention in August 2008 was necessary.

Their reasons vary. Some recognize the damage it is doing to Russia's capacity to make progress on its foreign policy agenda. The status quo is also a sticking point in bilateral relations with the United States, the European Union, and its member states. As a consequence, it prevents Russia from achieving its goals on issues ranging from OSCE reform—the recent summit almost failed to produce a final document thanks to debate over the Georgia conflicts—to its vision for a European security treaty.

As a result, when the issue is raised in Moscow, there is a palpable sense of fatigue combined with frustration about perceived Georgian attempts to sully Russia's reputation.

Even some Russians who do not particularly care about this fallout are concerned that postwar reconstruction projects have transformed South Ossetia into a black hole for the Russian budget despite numerous high-level visits, installation of Russian citizens in the local government, decrees banning middlemen, and other budgetary oversight measures. There are ongoing criminal investigations and audits of both Russian and South Ossetian entities (governmental and commercial) accused of stealing millions of rubles that Moscow committed for reconstruction.¹⁷

Elites in Abkhazia are also increasingly entering into conflicts with Moscow. Historically, the Abkhaz never had any love lost for Russia. Around half their population was chased out by the armies of the Russian Empire in the 19th century. Their current leadership was hoping for genuine independence after August 2008, not vassalage.

One recent dispute has been over restitution for Russians who claim their property was expropriated by Abkhazian authorities. A group of these Russians actually sued the Russian Ministry of Foreign Affairs for its failure to defend their

property rights.¹⁸ Following an initial dismissal, the group appealed and threatened to take the case to the European Court of Human Rights if the Russian legal system did not provide them justice.

The Russian “ambassador” in Abkhazia has also been embroiled in public disputes with local media. One widely circulated article complained that Abkhazia was “importing” Russia’s domestic problems, such as corruption. It described “the coexistence of Abkhazia and Russia as akin to sexual intercourse with an infected partner.”¹⁹

These strains create incentives for Moscow to alter the status quo. And they also give the Abkhazian authorities greater motivation to reach out to external actors and even Georgia itself—if not for a political settlement then at least to hedge against Russia. The authors heard several stories in Tbilisi about Abkhazian officials informally reaching out to their Georgian counterparts due to growing resentment of Russia’s heavy hand.

At the same time, the Russian military presence paradoxically puts authorities in both places in a better position to engage in conflict resolution since it has eliminated any insecurity about the prospect that Georgia would launch an attack against either.

The tone appears different in Tbilisi as well. The Georgian government adopted a comprehensive policy of peaceful engagement with Abkhazia and South Ossetia in 2010. It contains a wide range of initiatives divorced from the dispute over status and Russia’s military presence. President Saakashvili on November 23, 2010, declared that “Georgia will never use force to restore its territorial integrity and sovereignty.”²⁰ He also has made statements indicating his willingness to restart dialogue with Russia: “If Russia shows goodwill and expresses willingness to start talks, Georgia is ready for dialogue at any moment and at any level.”²¹

The war and ongoing Russian military presence has shattered any possible Georgian delusions about retaking Abkhazia and South Ossetia by force. At the same time, public support for President Saakashvili and his United National Movement has strongly rebounded following a drop in late 2008 and into 2009. The president enjoys high job-approval numbers and the UNM has established itself as the dominant political party in Georgia both in terms of its large parliamentary majority and the strong lead it enjoys over its rivals in opinion polls.²²

Plus, Georgian officials say they no longer believe the Russian military intends to cross the conflict lines again in the short term even in the face of repeated provocative announcements by Russia concerning its military deployments in Abkhazia and South Ossetia.

In both Russia and Georgia, the passage of time has also reduced the understandable irrationality and hostility that followed the August 2008 war. According to Georgian officials, for example, Russian nongovernmental experts who provide analysis for the Russian Presidential Administration visited Tbilisi last year for a two-day tutorial from the Ministry of Internal Affairs on Georgia's successful police reforms. (Russian President Medvedev has embarked upon a major reform of the police in recent months.) Georgia's police reforms have also been widely praised in the Russian media, including some state-owned media.²³

An entire issue of a Russian auto-enthusiast magazine was devoted to the positive impact of Georgia's administrative reforms for drivers, including well-managed border crossings, lack of corruption in the road police, and the Georgian Ministry of Internal Affairs' efficiency in issuing driver's licenses.²⁴ The article features an illustrated sidebar entitled, "How I Got My Georgian Driver's License," which remarks on how pleasant it was not to have to pay a bribe.²⁵

In the next section we turn to the significant progress on the ground since the war.



Buildings in Tskhinvali as seen from a village on the Georgian government-controlled side of the conflict line. Despite billions of rubles spent by the Russian government on post-war reconstruction, much of the town remains in disrepair.

Photo by authors

Postwar progress

A more proactive U.S. approach to the Georgia conflicts will build on the significant progress since the war. The situation in Georgia has moved substantially beyond the immediate postwar status quo in the two and a half years since August 2008.

Limited Russian withdrawal

First, Russia engaged in a limited withdrawal of virtually all its forces from outside South Ossetia and Abkhazia two months after the war in compliance with one of its ceasefire commitments. Most significantly, this allowed for more than 100,000 temporarily displaced Georgian residents from regions near South Ossetia to return to their homes. That was nearly 80 percent of the total displaced as a result of the war.²⁶

For another two years Russia retained an outpost in the remote village of Perevi on the northwest edge of the South Ossetian conflict line. The village is a cross-roads for surrounding Ossetian settlements. Russia withdrew its troops from Perevi in October 2010 after stating that construction of a bypass road connecting the Ossetian villages was complete.

European Union Monitoring Mission

The October 2008 Russian withdrawal also allowed for the deployment that month of a European Union Monitoring Mission, or EUMM. The August 12 six-point ceasefire agreement mandated the establishment of “international mechanisms” to replace Russian peacekeeping forces that were at that time engaged in “additional security measures.”²⁷

Transboundary populations

The particular circumstances of the Georgia conflict add an additional layer of complexity to the task of conflict prevention. For a prevention regime to be effective it must address the human security needs of what can be called transboundary populations.

Not all conflict zones are home to transboundary populations. In the Korean demilitarized zone, for example, just one village is authorized on either side of the military demarcation line. Even then, the one in the north is most likely depopulated while the approximately 200 inhabitants of the southern town have neither means nor motive to wander close to the line.

By contrast, the areas along the Abkhazian and South Ossetian conflict lines are home to three distinct populations that cross these lines regularly.

First are the predominantly ethnic Georgian residents of Abkhazia's Gali district who number at least 40,000 and vitally depend on economic and social linkages with the neighboring region of Mingrelia, especially during the harvest season. Many former residents of Gali

have since settled in Mingrelia but maintain close links to homes and families in Gali.

A second transboundary population consists of most of the 7,000 residents of and IDPs from Akhalgori, a district currently under the control of authorities in South Ossetia but separated from Tskhinvali by a virtually impassable mountain range until the Russian military constructed a road in recent months. Akhalgori was populated mostly by ethnic Georgians and administered by Tbilisi under Georgian law before the August 2008 war, though it was part of South Ossetia in Soviet times. Most residents now reside in IDP camps outside the district but many return frequently to tend to their homes and property.

Finally, residents of villages and rural communities that abut both sides of the South Ossetian conflict line and who would often cross that line in the course of their day-to-day activities constitute a third transboundary population.²⁸ There are more than 30 roads or paths in and out of South Ossetia. Other points of entry are virtually limitless along the southernmost part of the conflict line.

These security measures were later specified in a note of clarification from President Sarkozy to President Saakashvili as temporary deployments outside South Ossetia and Abkhazia. The subsequent implementing agreement of September 12 stated that such “international mechanisms” constituted the insertion of a European Union observer mission “in zones adjacent to” South Ossetia and Abkhazia, as well as establishment of the European Union as “guarantor of the principle of non-use of force.”²⁹

Where it is deployed the EUMM engages in monitoring the ceasefire. Following the Russian withdrawal from Perevi, the EUMM patrolled the area for two weeks, 24 hours per day.³⁰ Its other responsibilities include observing the humanitarian situation of internally displaced persons, or IDPs, from the August 2008 war and the conflicts of the 1990s as well as residents near



Children in the village of Ergneti play alongside the South Ossetia conflict line.

Photo by authors

the conflict lines. The EUMM reports the needs of these communities to the Georgian government and donor community, and it participates in a variety of other humanitarian activities.

For instance, it convenes monthly meetings of local and international humanitarian NGOs (a task the United Nations Observer Mission in Georgia, or UNOMIG, used to fulfill before Russia's insistence on changing the name of the mission, which had operated in Abkhazia, forced its closure). It also organizes school activities, including lessons on peaceful conflict resolution, and broadcasts a weekly radio show in Zugdidi.

The EUMM has three field offices in Gori (near South Ossetia), Zugdidi (near Abkhazia), and Mtskheta (near Tbilisi, for IDP settlements) in addition to its Tbilisi headquarters. It employs some 250 unarmed monitors (as of December 2010).³¹

What the EUMM does not do, however, is provide for international monitoring within Abkhazia and South Ossetia. There remains a vacuum in monitoring the ceasefires and the humanitarian situation in Abkhazia and South Ossetia given the closure of UNOMIG and a corresponding observer mission of the OSCE in South Ossetia.

Conflict-prevention measures

Based on the ceasefire agreements there have been 14 rounds of talks on the Georgia conflicts in Geneva. These included representatives from Georgia, Abkhazia, South Ossetia, Russia, the United States, and the European Union together with officials from the OSCE and the United Nations. The meetings were reportedly tiresome but they have produced some progress particularly on conflict-prevention measures.

Indeed, the EUMM chief of mission Hansjörg Haber describes the situation along the conflict lines as “extremely stable” when compared to the initial post-war period.³² Agreements struck in Geneva created the Incident Prevention and Response Mechanisms, or IPRMs, which bring together Georgian, Russian, and Abkhazian or South Ossetian security officials along both conflict lines. They now meet regularly following initial hiccups. And a hotline connecting the EUMM, the Georgian Ministry of Defense and Ministry of Internal Affairs, security officials from Abkhazia and South Ossetia, and the Russian commanders on the ground is also active, which has been helpful in defusing tensions.

The introduction of Russian border guards in the early summer of 2009 on both conflict lines has had both positive and negative impacts on the situation on the ground. The Russian border guards are there in accordance with agreements between the Russian government and the Abkhazian and South Ossetian authorities.³³ They are supposed to be there until locals are trained to replace them according to the agreements.

Their arrival, according to the EUMM, tangibly boosted border area security: They are professionals, unlike their local counterparts. Violent incidents, crime, and detentions decreased significantly. Gali and Akhagori residents also report the Russian border guards are generally not abusive, which is something they don't say about the Abkhazian and South Ossetian border personnel.

The professionalism that boosted border security and human security for trans-boundary populations has had clearly negative effects as well, however. The Russian border guards are, as per their instructions, carrying out their responsibilities as if the conflict lines were interstate borders. Their strict enforcement of “border-crossing procedures” for the conflict lines has the capacity to restrict freedom of movement and small-scale trade.

According to Haber, it has also caused security problems: “The more closed the boundaries are, the more dangerous. It's naive to think that checkpoints are a security fix.”³⁴ They are occasionally “demarcating” the line, too, which previously had been nonexistent outside of the main boundary crossings except on maps. The “demarcation” is especially galling to Georgians. It's one thing to hear diplomats speak of “new realities” but quite another to see armed, uniformed personnel of another state enforce it on the ground.

All this could be addressed through the formalization of a well-enforced but liberal crossing regime staffed by well-trained professionals.

Nonuse of force commitments

Another advance has been a renewed commitment to the nonuse of force by Georgian, South Ossetian, and Abkhazian parties. Such a commitment has a long pedigree in both conflicts. Georgian and Abkhazian parties expressed, reaffirmed, and formalized a nonuse of force pledge in a package of three documents that were part of the ceasefire settlement ending the Abkhazian conflict of 1992-93. Georgian and South Ossetian parties signed their own nonuse of force pledge in 1996.

Abkhazian and South Ossetian authorities, together with Russia, sought a formal Georgian reaffirmation of the nonuse of force after Georgia's Rose Revolution. This was prompted by Tbilisi's establishment of control over Ajara, Georgia's autonomous republic that borders Turkey and had previously been dominated by a local strongman, and parts of South Ossetia in 2004 as well as Abkhazia's remote Kodori Gorge in 2006. These moves raised concerns among the Abkhaz and South Ossetians that the new Georgian government might be reconsidering military solutions to the conflicts.

The Georgian government was reluctant to make such reaffirmations without reaching agreement on IDP return to Abkhazia or, barring that, the deployment of an international peacekeeping or police mission in both. Georgia seemed prepared to decouple these objectives from the nonuse of force for at least Abkhazia a few months before the August 2008 war upon the urging of U.S. and European governments and Georgia's own special negotiator for the Abkhazian conflict, Irakly Alasania. But President Saakashvili ultimately maintained Georgia's conditions.

The termination of the August 2008 war led to another round of nonuse of force commitments. Such a commitment was initially enshrined as the first of six points in the August 8 ceasefire agreement. The September 12 implementation agreement further noted that Russia had received from Georgia "legally binding documents guaranteeing non-aggression against Abkhazia and South Ossetia."

Soon after, Georgia institutionalized this commitment unilaterally via two memorandums of understanding between the EUMM and Georgia's Ministries of Internal Affairs and Defense. The two ministries agreed to limit the kind and number of forces and equipment Georgia would deploy within 15 kilometers of the conflict lines (or less in certain areas around South Ossetia), provide notification of nonrestricted (police) deployments and military exercises greater than battalion strength, and open defense and police facilities for EUMM inspections.

Despite these steps, Russia, South Ossetia, and Abkhazia pressed Georgia to further elaborate on its commitment to the nonuse of force in a separate form from its ceasefire obligations. Specifically, they wanted these commitments to be made in bilateral agreements with South Ossetia and Abkhazia—something Georgia found unacceptable. It insisted it would sign such a bilateral agreement only with Russia—the party whose use of force concerned Georgia the most.

To break this deadlock, Russia proposed in March 2010 that Georgia, South Ossetia, and Abkhazia issue “unilateral obligations” committing themselves to the nonuse of force that would be submitted to the United Nations. This was reported at the time as an acceptable solution to all parties.³⁵

Such unilateral commitments arrived by the end of the year. President Saakashvili delivered an elaborate speech in November 2010 to the European Parliament reasserting Georgia’s commitment to the nonuse of force and noting that Georgia “only retain[s] the right to self-defense in the case of new attacks and invasion of the 80% of the Georgian territory that remains under control of the Georgian government.”³⁶ The next month, he reiterated this pledge at the OSCE Summit in Astana, Kazakhstan, and he dispatched letters recording Georgia’s commitment to the leadership of the United Nations, OSCE, NATO, the European Union, and the United States.³⁷

The leadership of Abkhazia and South Ossetia issued similar, more succinct reaffirmations of their own commitment to the nonuse of force two weeks after President Saakashvili’s pledge. Afterwards, the Russian Foreign Ministry noted with approval that the three pledges “create a new situation in the region.”³⁸

Georgia’s state strategy

Another foundation for progress is Georgia’s introduction in January 2010 of an official state strategy toward South Ossetia and Abkhazia.³⁹ The strategy aims to facilitate the reintegration of South Ossetia and Abkhazia through a policy of engagement. That engagement includes the promotion of movement of goods and people, the provision of health care and education, the preservation of cultural heritage and identity, and the free flow of information. Georgia is also developing “neutral” (noncitizen) travel documents to provide residents of Abkhazia and South Ossetia who refuse to accept Georgian passports opportunities for legal international travel.

The strategy also seeks to promote reconciliation through the development of common approaches to recent history and conflict. And it explicitly provides for cooperation with the “authorities in control” of Abkhazia and South Ossetia through the development of a “status-neutral framework for interaction.”

A more detailed Action Plan for the strategy was introduced in July 2010. It outlines the variety of specific projects to which the Georgian government will lend its support and the measures it intends to pursue. The plan will be reviewed biannually and updated as needed. A third document outlining the “modalities” for engagement clarified that the Georgia government reserves the right to reject projects it deems not consonant with the state strategy.

Many observers, including EUMM chief of mission Haber, have correctly noted that the state strategy coexists somewhat uneasily with the Law on Occupied Territories that Georgia introduced in October 2010 to clarify the legality or lack thereof of travel, commerce, and legislation in Abkhazia and South Ossetia.⁴⁰ The government has, however, amended the law in accordance with recommendations put forward by the Venice Commission, the Council of Europe’s law advisory body, in order to clarify spheres of legal and illegal activity and procedures necessary to avoid criminal liability.⁴¹

Limited freedom of movement

Parties have also begun to allow for limited freedom of movement across the conflict lines. Georgian regulations technically allow for the crossing of individuals who possess documents that establish residency anywhere “within Georgia,” including by definition Abkhazia and South Ossetia. Georgian Interior Ministry personnel lightly man posts alongside the only currently functioning crossing point to and from Gali—the Rukhi Bridge across the Inguri river.

As of December 2010 the Georgian government was permitting the transit of vehicles with Abkhazian license plates at least as far as Zugdidi—Mingrelia’s administrative center, a few kilometers away from the conflict line—and the cross-boundary transport of limited quantities of personal and agricultural goods.⁴² The Georgian government-controlled side of the Akhgori district crossing near the village of Odzisi is similarly open. Tbilisi, however, places stricter though not formalized limits on the quantity of goods entering the gorge.

Georgian officials say they are prepared to immediately open more crossing points along both conflict lines. The government does not see security risks associated with greater freedom of movement.⁴³

Abkhazian and South Ossetian authorities have also committed to freedom of movement for at least the Gali and Akhgori populations. Crossing points at the Rukhi Bridge and Odzisi are open to individuals that can document residency in Gali and



Minibuses with Abkhazian license plates in a depot in Zugdidi, Georgia. These vehicles regularly take residents of the Gali district back and forth across the conflict line.

Photo by authors

Akhalgori respectively. Authorities in Abkhazia and more recently South Ossetia, however, regulate their freedom of movement by requiring individuals to obtain special permits to cross.⁴⁴

They have also allowed occasional pre-arranged crossings of ethnic Abkhaz and Ossetian residents north of Gali or outside Akhalgori typically for emergency health care. The International Committee of the Red Cross, or ICRC, organized 11 medevacs to Gori from Tskhinvali in the first six months of 2010.⁴⁵ Representatives from South Ossetia have also reiterated their readiness to accommodate the return of displaced Akhalgori residents.⁴⁶

Russia, too, has promoted freedom of movement. In a statement issued following the December 16 Geneva meeting, the Russian Ministry of Foreign Affairs noted a “positive dynamic” in the region overall, including with regard to “border crossings by local populations.”⁴⁷

Transboundary activity

In another positive sign, transboundary economic activity across conflict lines goes beyond small-scale shuttle trade—at least in the case of Abkhazia. The Georgian state-owned Inguri hydroelectric power station, or HPS, straddles the conflict line,

with the dam on the Georgian-government controlled side and the main generation station on the other, in Gali. The station also includes four substations, three of which have been in disrepair since the mid-1990s.

Georgia shares the electricity the Inguri HPS produces with Abkhazia just like it did before the August 2008 war. Approximately one-third of all electricity produced at Inguri goes to Abkhazia, which does not pay for it. Inguri personnel say the station provides 40 percent of Georgia's total consumption (excluding Abkhazia).

The several hundred employees that work at the station are primarily Gali residents. Additionally, some 20 senior managers and engineers commute daily across the conflict line from Zugdidi to the station. Georgia pays the salaries of all employees.

The European Bank for Reconstruction and Development, or EBRD, agreed to lend Georgia €20 million in January 2011 for rehabilitation of the plant. This complemented an existing loan by the European Investment Bank and a €5 million grant by the European Union.⁴⁸ A preliminary agreement has also been reached to allow the OSCE to rebuild the Zonkari dam in South Ossetia with the help of Tbilisi-based specialists.

The Inguri hydroelectric power station, a complex that straddles the Abkhazia conflict line and provides electricity to all.

Photo by authors



In the aftermath of war, civil society dialogue wound down considerably. But small-scale opportunities for cross-border dialogue have since reemerged, albeit at foreign sites. These have been facilitated mostly by EU and other European donors and implemented by international NGOs that engaged in such activities prior to the war: Conciliation Resources, International Alert, IKV Pax Christi, and the Berghof Foundation.

In December 2008 a civil society dialogue organized by George Mason University developed into ongoing workshops providing a forum for unofficial discussions among Georgian and South Ossetian civil society and authorities. The Toledo International Center for Peace, or CITpax, also convened a set of workshops spanning the war that was oriented toward Georgian and Abkhaz efforts to devise policy solutions to common problems. Such efforts are occasionally spearheaded by local NGOs, for example Kartlosi, which seeks to promote dialogue across the South Ossetian conflict line.⁴⁹

Georgia-Russia thaw

The bilateral Russia-Georgia relationship shows some signs of improvement despite the lack of formal diplomatic ties and ongoing tensions.

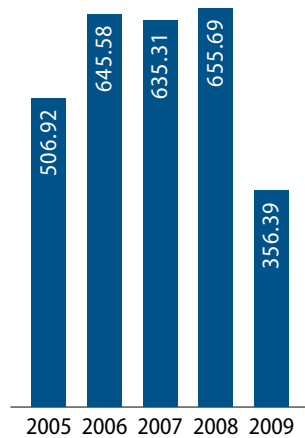
President Saakashvili, in the same speech declaring nonuse of force, reiterated a new Georgian emphasis on restoring dialogue with Moscow, including at the most senior levels. As he said, “I am, ladies and gentlemen, ready for a deep and comprehensive dialogue with my Russian counterpart.”⁵⁰ Given that he himself had formally cut diplomatic ties just more than two years earlier following the war, this statement was extraordinary.

Regular commercial flights were barred by Russia in October 2006 but restored three months before the war. They ceased again with the outbreak of hostilities. But after several months of charter flights, S7, a private Russian carrier, and Georgian Airlines, also privately owned, resumed regular, scheduled Moscow-Tbilisi direct flights in August 2010. The only passable land crossing between Russia and Georgia outside of Abkhazia and South Ossetia at Verkhny Lars-Kazbegi opened in March 2010 for the first time since July 2006.

Georgian citizens must obtain visas through the Russian interests section in the Swiss Embassy in Tbilisi. This is a cumbersome, costly, and time-consuming procedure. Russian travelers to Georgia, by contrast, can obtain visas for \$10 upon

Total bilateral trade volume between Russia and Georgia

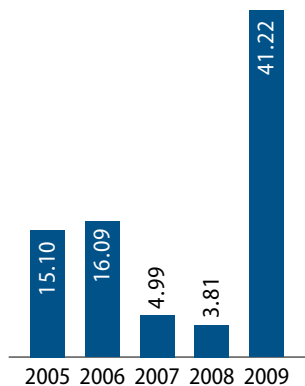
In millions of U.S. dollars



Source: International Monetary Fund

Russian foreign direct investment in Georgia

In millions of U.S. dollars



Source: Russian Federal State Statistics Service

arrival at the Tbilisi airport or at main Georgia-Azerbaijan and Georgia-Armenia land border crossings. The Georgian government does not issue visas at the Verkhny Lars-Kazbegi crossing,⁵¹ however, so initially even Russians who lived nearby had to have a visa from prior entry or go to the Georgian interests section in the Swiss Embassy in Moscow to obtain one (if travelling from Verkhny Lars, a journey of more than 1,100 miles, as opposed to the approximately 65 miles from Kazbegi to Tbilisi).

Georgia changed its policy to allow residents of Russia's seven North Caucasus regions—the closest to the Georgian border—to cross the land border visa free (without having to first travel to Moscow or elsewhere to obtain a visa) in October 2010.

The Russia-Georgia economic relationship remains vibrant if in some ways still weaker than before political ties began their downhill slide in 2006 (particularly in trade). Russia remained Georgia's fifth-largest source of imports, ninth-largest destination of exports, and fifth-largest trading partner overall in 2009.⁵² Russia in December 2009 agreed to implement CIS trade regulations despite their formal nullification to address the legal lacunae created when Georgia withdrew from the CIS. (CIS frameworks had governed the bilateral trading relationship since 1994.)⁵³

2009 even set a record for Russian foreign direct investment in Georgia. Russian companies seem to find Georgia as welcoming an environment to do business as their Western counterparts. Georgia's Beeline, owned by the Russian-based Vimpelcom, is the third-largest cell phone provider in Georgia.⁵⁴ VTB, the state-controlled Russian bank formerly known as Vneshtorgbank, holds an 84.68 percent stake in JSC VTB Bank Georgia, the fifth-largest Georgian bank in terms of assets. Its branch network consists of more than 25 outlets across the country, including in Gori, which was heavily bombed in August 2008.⁵⁵

The August 2008 war also posed no interference to Russian-Georgian energy cooperation. Since 1996 Inter RAO UES, or Inter RAO, has been a major player in Georgia's electricity market. Inter RAO was formerly the international division of the Russian electricity monopoly RAO UES but since the latter's breakup in 2008 it is an autonomous joint-stock company with a variety of assets and an esoteric ownership structure: Rosatom, the state corporation mostly engaged in nuclear energy, owns 42.5 percent; Rosenergoatom, one of Rosatom's wholly owned subsidiaries, has 14.9 percent; state-controlled Gazprom has 8.3 percent; and the remainder is publicly traded on Russian exchanges.

Inter RAO's Georgian assets include generation, distribution, and transit. It has a 50 percent stake of Sakrusenergo—the Georgian Ministry of Energy has the other 50 percent—which is the owner of Georgia's 500-kilovolt power transmission lines that are mostly used for transit and export.⁵⁶ Inter RAO also has 75 percent of shares of Telasi, which accounts for 33.6 percent of electricity distribution in Georgia including most of Tbilisi; 100 percent of Mtkvari, Georgia's largest thermal power plant; and 25-year management rights to two hydroelectric power stations.⁵⁷

According to one calculation these assets comprise more than 20 percent of Georgia's generating capacity, serving 35 percent of end-users.⁵⁸ Inter RAO also both purchases electricity from Georgia (17 percent of its total imports for 2009) and sells electricity to it (2 percent of its total exports in 2009, or \$14.67 million).⁵⁹

After the war the Georgian government signed a confidential memorandum of understanding with Inter RAO allegedly providing for joint management of the Inguri hydropower plant as well. The deal would have had Inter RAO take responsibility for payments and investing in rehabilitation of the plant. Public uproar, however, both from the Georgian opposition—who accused the government of “selling out” to Russia—and from authorities in Abkhazia—who resented Inter RAO's presumption that Abkhazia had no say over the operation of the plant—led to a halt to the deal.⁶⁰

Russian companies' role in developing Georgia's economic potential has been so unaffected by the war that international financial institutions have seen fit to provide financing to them for their work there. The European Bank for Reconstruction and Development gave Telasi a \$25 million loan and a \$250,000 technical assistance grant for the rehabilitation and expansion of the electricity distribution network in Tbilisi in late 2010.⁶¹ The EBRD also gave VTB Georgia a \$7 million loan to “assist VTB Georgia to further develop and expand its lending activities to private sector Georgian entrepreneurs and farmers, particularly outside of the capital.”⁶²

There are also smaller joint initiatives such as a website co-operated by RIA Novosti, a major state-owned Russian wire service, and the News Georgia wire service to give equal space to the divergent perspectives.⁶³

A plan for short-term progress

Parties to the Georgia conflict have fundamentally different understandings on matters of principle. These range from the location of Georgia's borders and the status of Abkhazia and South Ossetia to the terms of the Medvedev-Sarkozy ceasefire agreement, the legitimacy of the Russian military presence, and even the definition of "parties to conflict." Their interests relating to many aspects of the conflict therefore diverge significantly.

Judging by their public statements, however, they all share at least one common interest: avoiding renewed armed conflict in the region. Indeed, renewed violence would have terrible consequences both on the ground and internationally. Establishing effective conflict-prevention mechanisms should thus be a top priority for all parties.

Specifically, the Obama administration should urge the parties to adopt a plan for short-term progress focused on conflict prevention and confidence building—goals that are in the interest of all. At the same time, implementing the plan does not entail any party reconsidering its positions on the issues that divide them.

This plan, which builds on postwar progress, has three interlinked components, the details of which we elaborate upon below:

- A Russian commitment to the nonuse of force against Georgia
- The conclusion of bilateral agreements between the government of Georgia and authorities in Abkhazia and South Ossetia to address humanitarian and human security concerns
- Modification of existing Georgian and Russian policies that impede progress

We now detail each of these elements in turn.

Russian nonuse of force

The U.S. government should urge Russia to issue a unilateral statement to mirror President Saakashvili's November nonuse of force statement. This would assure all parties that Russia has no intention of using force against Georgia again. Russia can take this modest step without having to reverse its positions on South Ossetia and Abkhazia's status and Georgia's borders, or even admitting to being a party to the conflict.

It can do so by reaffirming its existing obligations to nonuse of force against other states such as those contained in the provisions of the 1990 Charter of Paris for a New Europe to which Russia and Georgia are party: "In accordance with our obligations under the Charter of the United Nations and commitments under the Helsinki Final Act, we renew our pledge to refrain from the threat or use of force against the territorial integrity or political independence of any State."⁶⁴ The Georgians are likely to object to the language but appear ready to accept such a statement as progress.

In the context of such a statement, the United States should encourage the Russians to modify their force posture in South Ossetia accordingly. The most obvious contributing factor to Georgian insecurity is the deployment in South Ossetia of long-range missile systems (Smerch and Tochka-U) that can strike Tbilisi at any time. Georgian officials also emphasize the threat that comes from a Russian buildup of units and hardware in South Ossetia that are highly mobile and therefore could only be used for a rapid forward assault.

The United States should ask Russia to lower the numbers of rapid-assault vehicles, tanks, and drivers stationed at forward outposts in South Ossetia or at least move them to the main base in the north of South Ossetia, which would not diminish Russia's capacity to defend it. In the future Moscow should consider replacing some of the combat troops stationed there with noncombat personnel.

The positioning of long-range artillery in South Ossetia only increases Georgian insecurity without enhancing South Ossetian security. The U.S. government should push for removal of such weapons from South Ossetia. But in the interim greater transparency about the nature of the buildup in South Ossetia would be an important step forward.

Bilateral agreements

Bilateral agreements on the nonuse of force would be redundant at this point and of questionable effectiveness. After all, they haven't prevented outbreaks of violence before. The existing unilateral pledges should be considered sufficient as preconditions for progress especially given that Russia proposed them. That Abkhazia and South Ossetia still call for bilateral agreements suggests they are looking for either a document that conveys tacit acceptance of their independence or—knowing of the unacceptability of such documents to Tbilisi—an excuse not to engage with Georgia in anything more than the currently restricted fashion.

But there is another reason why Abkhazian and South Ossetian authorities might seek bilateral agreements with the government of Georgia: Such agreements would signal Georgia's willingness to recognize Abkhazia and South Ossetia not as independent states but as genuine political entities and actors. The point of bilateral agreements in guaranteeing the nonuse of force is not in the promises the agreements would make but that Georgia would sign such agreements at all.

Bilateral agreements are possible in principle. They are easily constructed in ways that do not imply recognition of Abkhazian and South Ossetian independence, and the Georgian government should have nothing against signing agreements with what they would consider under normal circumstances to be regional autonomous authorities. Indeed, Georgian officials told us they do not exclude, in the proper context, signing agreements with Abkhazian and South Ossetian authorities. Georgia's state strategy toward South Ossetia and Abkhazia also underlines the need to communicate and interact with authorities in control.

There are obstacles to bilateral agreements, of course. Georgia's Law on Occupied Territories deems South Ossetian and Abkhaz authorities as they are currently composed illegal and their acts invalid and without legal consequence. Agreements will have to sidestep this point.

A bilateral agreement with South Ossetia is particularly challenging. The reasons for this are many: "bad blood" surrounding the August 2008 war and Georgia's shelling of Tskhinvali; the postceasefire ethnic cleansing and destruction of Georgian villages; the vastly more restrictive interaction across the conflict line; the Georgian perception that South Ossetia is far more under the control of Russian state organs than is Abkhazia; and the fact that Georgian legislation still does not officially recognize South Ossetia as a unit of self-government. (Its status was abolished in December 1990 prior to Georgia's independence.)

These points are not insurmountable, however, and both documents may nonetheless share similar structures and objectives. The documents would acknowledge existing commitments to the nonuse of force without being nonuse of force agreements. They would also be status neutral and without the force of international law: “bilateral declarations” signed below the level of head of state, perhaps at the prime ministerial level.

Their specific objectives would differ. For Abkhazia, the document would focus on a commitment to formalize and ease the boundary crossing regime at least for Gali residents. It would also signal a mutual willingness to deploy international humanitarian monitors to Gali in a way that does not prejudice the parties’ different interpretations of the six-point ceasefire agreement and the EUMM’s existing mandate.

For South Ossetia, the document would focus primarily but not exclusively on Akhagori. It would include a commitment to further ease the boundary crossing regime for Akhagori residents and specifically to generate the conditions necessary for the permanent return of the gorge’s population, including the deployment of international humanitarian monitors. It would also address other elementary transboundary humanitarian issues, including a “no-detention” policy on restricted boundary crossings, water management and sharing, and health care provision.

For Abkhazia and South Ossetia, such documents will confirm Georgia’s recognition of local authorities as political actors and practical partners regardless of their status in Georgian law, and they will set a precedent for formal dialogue. They can also reassure Abkhazia and South Ossetia residents that Georgia is genuinely committed to a peaceful process of conflict resolution and engagement. Finally, they provide both with an opportunity to establish credentials as guarantors of the human rights of populations under their control.

For Georgia, such documents will provide further evidence of sincerity and goodwill about its engagement strategy as well as a practical foundation for deeper engagement in the future. They will also help improve the living conditions and security of residents of the Gali and Akhagori regions and lay a basis for addressing broader issues regarding freedom of movement and IDP return.

The human security needs of transboundary populations are particularly important and will need to be addressed to make progress. We will look at these in more detail before moving to recommendations for the documents that would address them.

Human security needs of transboundary populations

The current crossing regime in all three areas that are home to transboundary populations and the administrative arrangements in Gali and Akhagori leave the populations vulnerable and insecure even with limited freedom of movement. For both districts, interaction of residents with Russian, Abkhaz, and South Ossetian guards at the conflict lines has somewhat stabilized but still contains the potential for violence and abuse.

Travel to the main crossing at the Rukhi bridge across the Inguri river is difficult for many Gali residents so many end up crossing at other points along the line. This is illegal from the point of view of authorities in Abkhazia and the Russian border guards to whom they—along with their South Ossetian counterparts—have delegated authority to administer the crossings. Those who do so thus risk harassment, detention, arrest, shakedowns, and fines.

Local authorities have reportedly not made adequate efforts to ensure all Gali residents receive a crossing permit, which adds to the residents' insecurity. Locals say guaranteed safe passage across the line is the most important thing for them. Even at the one formal crossing point, the customs regulations themselves reportedly are not formal, which leaves the door open to arbitrary implementation and enforcement. Four additional crossings, two on either side of the Rukhi bridge, have been promised but there is no date set for their opening.

The one open crossing point in Akhagori is at the only entrance to the gorge. But regulations are reportedly equally nontransparent as those at the crossing at the Rukhi bridge as well as arbitrary and costly. And the Georgian side has yet to formalize restrictions on goods that can be brought into the gorge.

Lastly, residents of the villages that abut the South Ossetian conflict line risk daily detention to tend to their property, fields, and livestock. They also are traumatized by live-fire exercises on the other side of the line that regularly occur within earshot.⁶⁵ In all areas, violent “incidents” along the conflict lines continue, if less frequently than before. They range from property thefts to abductions to explosions, including some involving mines.

Conflicts involving local populations can turn violent and lead to pressures for armed escalation. In the past, targeted attacks in Gali have led to Abkhaz accusations of Georgian-engineered sabotage—a concern that could theoretically be

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replicated in Akhgori. Georgia, in turn, accuses Abkhazian authorities of perpetrating acts of violence in Gali to intimidate local residents. The Georgian government arrested at least one Gali resident in December 2010 and started searching for two more on the grounds that they collaborated with a locally stationed Russian military officer to conduct acts of sabotage in Tbilisi.

So while the parties' willingness to grant limited freedom of movement is laudable, this principle's implementation leaves much to be desired. The resulting situation has the potential to lead to incidents and conflicts that could easily snowball. Arbitrary restrictions on movement, nontransparent interactions between locals and authorities whom they do not trust, and transboundary crime can lead to violence that can escalate and ultimately lead to pressures for the overt use of force or to subversive actions.⁶⁶

Moreover, residents remain vulnerable even if they cross the lines without incident or remain in their home territories. They face harassment from local authorities in Gali and Akhgori, uncertainty about their property rights, and economic deprivation. Residents in both regions lack trust in local authorities to uphold their basic human rights and Gali residents are explicitly deprived of political rights. (Authorities deny their right to vote.) One IDP from Akhgori told the authors that the authorities there seized her apartment for their own use.

Homes in Akhgori also suffer from a lack of gas supplies, which makes the prospect of permanently returning home even less attractive to IDPs from the region. This is the result of a complex provisioning arrangement involving both private and Russian businesses. It is also a problem that the government of Georgia has exhibited either little incentive or capacity to resolve.

Finally, Georgian populations adjacent to the South Ossetian conflict line have had water supplies cut off by authorities in South Ossetia who originally wanted to sell the water to Georgia but have since demanded only that it reciprocate and "provide" gas to Akhgori.⁶⁷

Humanitarian monitoring

There is an ongoing dispute over whether the EUMM should be able to deploy in Abkhazia and South Ossetia. The European Union interprets the EUMM's responsibilities—per the implementing measures for the ceasefire agreement, which



An EUMM monitor speaks with a Georgian IDP from Akhgori in Duisi, a village approximately 25 miles northwest of Tbilisi, in October 2008.

Source: AP Photo

considers the European Union as a guarantor of the nonuse of force—to include monitoring within South Ossetia and Abkhazia. The EUMM’s formal mandate thus provides for “civilian monitoring of Parties’ actions, including full compliance with the six-point Agreement and subsequent implementing measures *throughout Georgia*” (emphasis added).⁶⁸

Russia, along with South Ossetian and Abkhazian authorities, refuses to allow an EUMM observer mission in South Ossetia and Abkhazia. They maintain that the ceasefire agreements explicitly mandate an EU presence only on the Georgian government-controlled side of the conflict lines.⁶⁹

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Regardless of this dispute, however, all sides have an interest in an impartial monitor to verify both protection of human rights and human security of transboundary populations and to help avoid security provocations or low-level conflicts that might escalate. None of them are capable of achieving these goals by themselves.

Bilateral agreements should thus allow the EUMM access to Gali and Akhagori. But they should do so in ways that do not invoke parties’ differences regarding the mission’s existing mandate. These will be new tasks for an existing impartial monitor—one that is currently fulfilling similar functions on the other side of the conflict lines.

The introduction of such access is most likely to gain the full confidence of all parties if it is phased. Single monitoring visits to both Gali and Akhagori—possibly by monitors flown directly from Europe for this task—could be followed by periodically scheduled visits, regular monitoring access, and eventually the establishment of local liaison offices.

It is highly unlikely that the Russian military and border guards stationed in Gali and Akhagori would allow the EUMM access to their facilities. So the agreements could note that unarmed monitors would be in those areas explicitly to look out for local residents, not inspect military facilities. They could also recommend that memorandums of understanding between the EUMM and Russian commanders on the ground be signed before deployment. These would be similar to those the EUMM has concluded with the Georgian Ministries of Internal Affairs and Defense delineating the precise rights of the monitors.

Crucially, the EUMM appears to have gained the confidence of the Russian military after two years of impartiality and transparency. This is significant because the Russian military is traditionally wary of Westerners in uniform, particularly near Russia’s borders.

Recommendations for the bilateral agreements

The United States should urge relevant parties to adopt bilateral agreements to address the transboundary population and humanitarian monitoring issues outlined above. Washington should push for inclusion of the following provisions:

- Parties will allow all residents of Gali and Akhagori to freely traverse crossing points. Permits, if issued, will be free of charge and easy to obtain—not only in the towns of Gali and Akhagori but also at crossing points
- Parties will develop coordinated “duty-free” regimes for transporting agricultural goods and goods for personal consumption and use in specified quantities in and out of Gali and Akhagori
- Regulations on crossing procedures will be formalized and posted prominently at crossing points and in population centers
- Residents of designated villages along both sides of the conflict lines who inadvertently stray across them will be allowed to return to their place of origin without detention or fines
- More frequent meetings of the Incident Prevention and Response Mechanisms will be held both for conflict prevention and confidence building
- Abkhazian and South Ossetian authorities will refrain from live-fire military exercises close to the conflict lines
- EUMM will be granted access to Gali and Akhagori for humanitarian missions. The introduction of monitors will come in phases, beginning with monitors flying in from Europe. In the final phase, liaison offices will be established in both districts.

Abkhazia

- Additional crossing points will be established for entry in and out of Gali

South Ossetia

- Occasional supervised crossings for weddings, funerals, and other social occasions will be permitted as well as routine crossings for emergency health care
- South Ossetian authorities will restore water supplies to Georgian populations adjacent to the conflict line. Rehabilitation of the Zonkari dam in South Ossetia will move forward with international assistance
- The Georgian government will prioritize a deal to provide gas for Akhagori residences
- Property rights in Akhagori will be respected

Later bilateral agreements

The above outlines short-term recommendations for easing the humanitarian situation and maintaining and developing limited linkages across the conflict lines. But these recommendations are targeted primarily at the mainly Georgian-populated Gali and Akhagori regions. Further expansion of freedom of movement and facilitation of trade across conflict lines will eventually be necessary.

At a minimum, freedom of movement for all current residents of Abkhazia and South Ossetia should be guaranteed. For Abkhazia, this will involve local authorities granting freedom to all residents to cross the conflict lines and not just those from Gali or occasional exceptions. For South Ossetia, the expansion of freedom of movement will require opening crossing points outside Akhagori.

The Georgian government, for its part, is prepared to open additional checkpoints, including the main entry point into Tskhinvali at Ergneti as well as two others. For both Abkhazia and South Ossetia, Georgia would have to provide assurances that the right of populations to travel freely will be respected.

In the postwar environment it is likely that few South Ossetians will seek to regularly cross the conflict line. To encourage contact and economic linkages, therefore, the parties could reconsider the establishment of an open-air market at the South Ossetian conflict line.

This would be a reboot of the infamous Ergneti market that was shut down by Georgian authorities in 2004 as a conduit for illegal wholesale trade. But this time it would function as a legal, regulated market for agricultural and limited consumer goods. South Ossetians' quality of life is reportedly now poorer as a result of the trade cutoff so they should be in favor of reopening the market. Georgian residents living along the conflict line would welcome this as well.

Refining the Georgian government's policies

Engagement with Abkhazia and South Ossetia

The Georgian state strategy offers a promising basis for reestablishing ties with Abkhazia and South Ossetia. But its implementation faces a number of problems.

One is that it requires the cooperation of authorities in Abkhazia and South Ossetia, who, together with Russia, have publicly dismissed the state strategy out of hand.⁷⁰ There are numerous reasons for this:

- First, they object that the state strategy—the official title is “State Strategy on Occupied Territories: Engagement through Cooperation”—is premised on the notion of Abkhazia and South Ossetia as occupied territories of Georgia—something they emphatically reject and which deprives them of agency.
- Second, the state strategy emphasizes “divided communities,” which they argue means it intends to implement activities only if they benefit the ethnic Georgian communities of Abkhazia and South Ossetia (residents or IDPs).
- Third, even if Georgia is promising benefits to nonethnic Georgian residents, they perceive this to be a bluff meant solely to burnish Georgia’s credentials with the international community.
- Fourth, even if Georgia really intends to provide state-sponsored benefits, authorities object to them and any other activities that threaten to diminish Abkhazian and South Ossetian efforts at separation from Georgia. An example is the anticipated introduction of Georgian-issued neutral travel documents, which the Georgian government will ask countries to accept as valid documents for international travel in lieu of the Russian passports that most residents of Abkhazia and South Ossetia have obtained.
- Finally, NGOs in particular have voiced strong objection to the Georgian government’s insistence on “clearing” all activities that nonstate actors intend to engage in within Abkhazia or South Ossetia.⁷¹

Some of these objections remain to be tested or are grounded in political concerns. At least one clear concern, however, regards the Law on Occupied Territories. This law affirms the illegality of economic activities in Abkhazia and South Ossetia that require a “license, permit, authorization or registration” under nine separate

Georgian laws or any other economic activities that require an “agreement” under Georgian legislation if such permissions are not obtained. Exceptions may only be granted by special government permit when such activity is deemed to serve the “national interests of Georgia, the purposes of peaceful conflict resolution, de-occupation, confidence building or humanitarian purposes.” Many of the activities the state strategy envisions are economic, so they must receive approval in line with the Law on Occupied Territories as well as undergo review by the State Ministry for Reintegration, which also retains the right of objection to projects that do not fall within the scope of the state strategy. By the end of 2008, the Georgian government had approved economic activity in Abkhazia for 24 companies in the energy sector, as well as the Central Hospital of Gali; an association of those who were injured during the Abkhazia conflict in the 1990s; and a Center for Infective Pathology, AIDS and Clinical Immunology.⁷² It is not apparent, however, whether any exceptions have been issued since or if the government has approved of any activity that was not already underway.

The law also is ambiguous enough to contradict freedom of movement for residents of Abkhazia and South Ossetia. This is both a key principle of engagement as well as a necessary condition for providing many promised social services. The law provides for legal travel to Abkhazia and South Ossetia by “citizens of foreign countries and persons without citizenship” only through primary land crossings from within Georgia. And it criminalizes travel by land borders with Russia—as well as by sea, air, or rail, and peripheral entry points within Georgia—though exceptions may be granted.

Most residents of Abkhazia and South Ossetia do not consider themselves Georgian citizens, and they have taken Russian citizenship. The Law on Occupied Territories, then, could readily be invoked to fine or arrest any such residents who have previously traveled into Abkhazia and South Ossetia from Russia. This ambiguity could lead to misuse of the law even though the Georgian government might consider them both de facto Georgian citizens and not legally Russian ones and hence not subject to the law. At the very least the law could deter such residents from crossing the conflict lines for engagement purposes.

Not all the nonpolitical objections and challenges to the state strategy can be addressed head on. The Georgian government as a rule is unlikely to support residents of Abkhazia and South Ossetia traveling using Russian passports. It is also to be expected that the government will want to be notified of donor-sponsored projects in Abkhazia and South Ossetia and to reserve the right to issue

objections to these projects. The strategy's true test will be whether the Georgian government consistently withholds objection to projects that clearly lie within the strategy's framework. This remains to be seen.

The United States should work with the Georgian government to modify its policies to improve the prospects for conflict resolution. Specifically, Washington should recommend Tbilisi to:

- Acknowledge that while the August 2008 war led to a new focus on the Russian-Georgian conflict, it did not eliminate and in fact exacerbated South Ossetian and Abkhaz concerns regarding physical security and Georgia's commitment to their self-rule.
- Treat all steps forward, no matter how small, as progress toward conflict resolution rather than insubstantial and/or scoring points.
- Clarify that Abkhazia and South Ossetia residents, whom Georgia considers citizens, are exempt from the border-crossing restrictions outlined in the Law on Occupied Territories.
- Regularly encourage the donor community and NGOs to engage with South Ossetian and Abkhazian authorities and residents to determine valuable and viable projects in line with the state strategy.
- Continue to publicly state a commitment to approving economic activities in Abkhazia and South Ossetia in line with the state strategy. Publicize the rules and make the approval process transparent, providing the public with online access to information on successful applicants, pending applications, and justifications for approval or objection.
- Make efforts to show goodwill and maintain constructive relations with actors involved in activities in Abkhazia and South Ossetia. An adversarial relationship with NGOs (domestic or international), donor organizations, and major state donors on these issues will complicate implementation of Georgia's stated policy aims.
- Cheerleading projects that meet the criteria is as important as regulating those that don't. As former Georgian diplomat Zurab Abashidze put it, "The strategy should be a state of mind, not just a piece of paper."⁷³

The strategy should be a state of mind, not just a piece of paper.

- Consider developing a supplementary engagement strategy for Abkhazia that avoids the language of “occupied territories,” doesn’t refer to the authorities as “proxies,” and involves the appointment of a special envoy for Abkhazia whom the Abkhaz trust and respect.
- Restructure the Tbilisi-based Government of the Autonomous Republic of Abkhazia, which represents itself as the legitimate government of Abkhazia, into an elected “Council of Displaced Residents of Abkhazia” that could serve as a representative voice for Abkhazia’s IDP community—including disenfranchised Gali residents—both with the Georgian government and Abkhazian authorities and also contribute to the implementation of state strategy activities.
- Encourage and foster Track 1.5 discussions—meetings involving both government officials and nongovernmental experts—in third countries (Europe and Turkey) between Georgians and Abkhaz and South Ossetians that focus on the younger generation to lay groundwork for future reintegration and restoring trust.

Engagement with Russia’s North Caucasus regions

Since the August 2008 war, the Georgian government arguably has engaged more with residents of the North Caucasus in the Russian Federation than residents of Abkhazia and South Ossetia.⁷⁴ Georgian officials insist, reasonably enough, that the conflicts over Abkhazia and South Ossetia have poisoned Georgia’s relationship with the various peoples of the North Caucasus. And they claim that a polarized media environment and barriers to trade and transport have cultivated misunderstandings. Consequently, they say Georgia needs to build close relations with its North Caucasian neighbors now more than ever.

The policies they have adopted in pursuit of this goal are seemingly not that problematic in and of themselves. As mentioned above, Georgia now allows residents of Russia’s North Caucasus regions to enter Georgia at its land border crossing visa free, so they do not have to trek to Moscow or elsewhere to first get a visa. The Georgian government and the state-owned university system have also promoted interest in historical Circassia, in the western North Caucasus and along the Black Sea coast, which is home to populations ethnically related to the Abkhaz and possessed of a tragic history of depopulation in Russian imperial times.

The government also launched a Russian-language television channel, First Caucasus, which is primarily designed for North Caucasus audiences. The government outsourced management of the channel to a British media firm after the first effort to get the channel a regular European satellite feed failed. The firm rebranded the station and its website—now called First Caucasus News—to embrace the entire Caucasus and the broader region. They had secured a new satellite feed by the end of January 2011.⁷⁵

The problem with Georgia's North Caucasus outreach is that this policy is being conducted unilaterally, in the absence of normal diplomatic relations, and to a part of Russia that is the locus of its greatest internal security threat—a violent and growing Islamist insurgency—and adjacent to the site of the Russian state's greatest prestige project, the 2014 Sochi Winter Olympics. Regardless of the Georgian government's motives, this policy is inevitably seen in Moscow as designed to stoke instability. Georgia's motives are in fact irrelevant.

Further, some of the Georgian government's steps appear to have nothing to do with engagement. Official calls for issuing a recognition of the 19th century Circassian genocide and of an international boycott of the Sochi Olympics, which will be located just across the Psou River from Abkhazia, seem designed to stir the pot.⁷⁶ The Olympics face increasing criticism by many in the Circassian community, especially in the diaspora, for being held on the site of historical ethnic cleansing or genocide without acknowledgment of the location's Circassian history. At the same time, some Circassians are mobilizing for a unified ethnic republic in the northwest Caucasus where they are currently divided into three separate federal units.

Official rhetoric on engagement also occasionally sounds more like calls for liberation of all the peoples of the Caucasus—Georgian and Russian citizens alike—from “subjugation, assimilation or annexation” at the hands of outside oppressors. President Saakashvili, in a speech to the U.N. General Assembly in September 2010, called for “a united Caucasus” having “in common a deep, essential and undefeated aspiration for freedom” and asserted that this “one Caucasus... will one day join the European family of free nations, following the Georgian path.”⁷⁷

While Saakashvili underlined that this vision did not involve “changing borders,” his words clearly invoked the North Caucasus' subjugation by the Russian Empire, Soviet-era oppression, the post-Soviet Chechen war, and the ongoing socio-economic inequalities of the North Caucasus regions of the Russian Federation vis-

à-vis the rest of Russia. President Saakashvili thus equated his own government's interstate conflict with Russia to these struggles that are now manifest in terrorist bombs that result in the deaths of dozens of innocent civilians in the heart of Moscow. This was a deeply provocative statement despite the lofty but largely meaningless and/or false rhetoric.

In this context, then, Georgia's engagement policy appears to Moscow to endorse lax cross-border security, promote separatism and possibly terrorism, cause grave international embarrassment to Russia and purposefully add to existing tensions between Georgia and Russia. All of this directly complicates the Georgian government's stated goals of restoring dialogue with Russia and creating an environment conducive to conflict resolution.

The United States should recommend the Georgian government to take the following steps to avoid this pitfall:

- Clarify that individuals who enter Georgia visa free are subject to standard border-security procedures, which have won high marks from outside observers.
- Avoid discriminating among Russian citizens by adopting uniform visa issuance regulations at all Georgian land crossings. Georgia enables Russian citizens to acquire visas at its other main land borders. It should do the same for its Russian crossing.
- Consider instituting a "free visa" policy for all Russian citizens. In other words, Russians would still need to obtain visas, a process that would boost the perception that Georgia is acting responsibly on border security. But they would not be charged a fee. In so doing, the Georgian government could continue to accomplish its stated goal of North Caucasus "outreach" while expanding that "outreach" to other populations within Russia. Moreover, Georgia only stands to gain through increased tourism revenue and more cross-border business if the number of Russians visiting Georgia increases.
- Declare that while Georgia encourages the study and debate of Circassian and all local regional histories, it does not intend to officially recognize any people's past tragedies. And it calls on the Georgian Parliament to also not do so.

- Declare that while Georgia reserves the right not to participate in the Sochi Olympics, it will not pursue or endorse an international boycott of the games.
- Ensure that the First Caucasus News channel and website maintains its all-regional focus and does not become a propaganda machine.
- Encourage, or at least do not hinder or criticize, Track II—only nongovernmental representatives—or Track 1.5 meetings of Georgian and Russian representatives, including in Russia and Georgia.
- Avoid rhetoric that depicts Russia as an enemy and Georgia as in a state of continued war.

Modifying Russia's Georgia policy

Russia should reassure Georgians and the international community that it does not intend to use force against Georgia again. But it should also consider other ways to ease tensions on the ground and with Tbilisi and begin reconciliation with the Georgian people. All of the following steps are clearly in Russia's interests and none of them would force Moscow to change its positions on matters of principle.

The senior Russian leadership has made clear that it wants nothing to do with Georgian President Saakashvili. That is unconstructive but this “red line” does not seem likely to change in the short to medium term based on the number of times it has been repeated. It is one thing, however, to refuse an official dialogue with Saakashvili. It is quite another to treat the Georgian government as the illegitimate leadership of a rogue state, which is more or less Moscow's current posture both in words and deeds.

There are obvious reasons why such an approach was adopted immediately following the war when emotions were high. But now this posture makes *Russia* seem rogue-like given that Georgian officials are not subjected to such treatment by any other state. A meeting between the presidents and/or a restoration of diplomatic relations may be a bridge too far but Moscow could certainly modify its harsh rhetoric and begin regular working-level consultations to reduce tensions and decrease the likelihood of renewed violence. It would be the first step in accepting the Georgian government as a full-fledged partner in a conflict-resolution process.

Certainly welcome are the Russian leadership's consistent expressions of friendship between the Georgian and Russian peoples such as that made by Prime Minister Putin in December 2010: "The future belongs to neighborly, truly equal partner relations between Russia and Georgia. This is Russia's sincere desire."⁷⁸ But it is exceedingly difficult right now for Georgians to travel to Russia, which renders Prime Minister Putin's words declarations of intent—not policy.

The Russian Ministry of Foreign Affairs, or MFA, expedited processing of Georgians' visas who were heading to Moscow for a Track II event in November 2010 through its consular officials in the Swiss Embassy in Tbilisi. Similar one-off events, however, will not allow the kind of back-and-forth needed for the two societies to bridge the current divide.

Finally, the Russian Federal Service on Consumer Protection, or Rospotrebnadzor, should reconsider its 2006 decisions regarding the sanitary quality of Georgian wine and mineral water. These decisions ended up making it essentially illegal for Russia to import what were once staples of bilateral trade. True, the timing of that decision—it came as the political relationship was deteriorating—made it suspect. But even Georgian officials say that some of what was marketed in Russia as Georgian wine and mineral water then was indeed far from the best their country has to offer.

Both industries in Georgia have been forced to find new markets in the years since then, and in the process they have vastly improved quality standards. Perhaps the time has come for Russians to taste the results.

The United States should recommend the Russian government to consider taking the following steps:

- Soften the rhetoric used when referring to the Georgian leadership in statements by senior officials and ministries and begin regular working-level consultations
- Find mechanisms within existing legislation to ease visa procedures for Georgians who want to visit Russia such as lowering fees
- Explicitly and publicly encourage travel to Russia and make clear the procedures for obtaining a visa
- Reconsider the sanitary quality of Georgian wine and mineral water. If up to existing legal standards the ban should be lifted

Next we will turn to how the Obama administration can change U.S. policy to facilitate conflict resolution.

Changes to U.S. policy to facilitate conflict resolution

In order to facilitate progress on these steps in the near term, the Obama administration should modify U.S. policies to focus on conflict resolution. Specifically, the United States should:

- Rhetorically make conflict resolution and the normalization of the Russia-Georgia relationship a centerpiece of the U.S. approach to the region
- Promote a narrative of the August 2008 war that focuses not on the parties' intentions but on the fact that all sides took actions that created a highly volatile security environment that ultimately led to the outbreak of hostilities
- Facilitate normalization of Russia-Georgia ties
- Minimize the extent to which disagreements in international forums on matters of principle impede progress on conflict resolution
- Develop a coherent policy on defensive arms provision that is consistent with conflict resolution
- Make any future engagement with Abkhazia and South Ossetia part of a conflict-resolution strategy and work with the European Union to ensure it does the same

A new vocabulary for the conflicts

The United States can and should be an effective broker for conflict resolution. To do so, the U.S. government must use rhetoric that is consistent with resolution and makes it clear that it is a central U.S. objective.

What U.S. officials say in public is critically important. Their words communicate to the parties and their publics what U.S. interests, objectives, and priorities are. Most importantly, until senior officials begin to say otherwise—consistently and on the record—some will continue to think that the U.S. government values only a radical shift whereby those who do not currently share the U.S. positions on the matters of principled disagreement adopt them immediately. Requests for incremental steps are rebuffed in part because some believe the United States asks for them exclusively as concessions to achieve this outcome.

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Currently, however, the language used by U.S. officials often suggests irreconcilable differences between the parties that would rule out any progress, leading to a Cyprus-style, long-term stalemate. This needs to change.

In relevant speeches and policy documents, the United States should emphasize that a peaceful and just resolution to the conflicts within Georgia's internationally recognized borders is a central priority for U.S. policy. The administration should also endorse incremental progress acceptable to all sides as necessary first steps toward achieving this goal. Officials should be vocally supportive of the Georgian government's commitment to peaceful engagement with Abkhazia and South Ossetia.

The United States should continue to push for full Russian compliance with the ceasefire and push back against any attempts to revive sovereign diplomacy. But officials should also note the progress that has already been made, stress the potential for further progress despite ongoing disagreements, and emphasize the need for Russia to be a partner in the long-term conflict-resolution process.

Additionally, Washington should make normalization of the Russia-Georgia relationship a U.S. priority as part of the emphasis on conflict resolution.

U.S. rhetoric on the conflicts is also often needlessly dismissive of some of the parties. At times it is even inconsistent with the Georgian government's own policies. A 2009 U.S. Agency for International Development map, for example, put the words "Abkhazia" and "South Ossetia" in quotation marks, which suggests the U.S. government questions their existence entirely.⁷⁹ The U.S. desire to be supportive of Georgia is understandable but this over-the-top approach is unfortunate for both governments. It deprives the United States of the credibility it needs with other parties to be effective in helping the Georgian government achieve its goals.

U.S. officials should consistently emphasize that a resolution to the conflicts entails wide powers of self-government for Abkhazia and South Ossetia—and that this is consistent with longstanding Georgian government policy. Accordingly, the U.S. government should refrain as much as possible from referring to Abkhazia and South Ossetia in ways that suggest they are merely "regions," "areas," or "territories" of a unitary Georgian state.

This does not imply a change in U.S. policy on Georgia's borders or the status of Abkhazia and South Ossetia. Repeated use of these terms, however, does imply that the U.S. vision of a resolution to the conflicts does not entail the provision of self-government (autonomy or federalism) for them.

A new narrative for the August 2008 war

The August 2008 war may no longer evoke as great an emotional response from the parties to it with the possible exception of South Ossetia's population, which experienced the brunt of the hostilities. But the views on "who started it" still diverge dramatically. It is appealing to set aside these differences for the sake of progress and reconciliation. But the fact is that divergent narratives themselves impose limits on progress. And they're not consistent with the facts as we know them.

For one, setting aside differences stands a chance only if all parties agree to it. At present, only various external actors ever advocate such an approach. Further, even if parties "agreed to disagree," the limitations of this achievement would eventually become apparent. Compromise and confidence building are difficult if not impossible when parties to a conflict still believe the others to be at fault, inherently aggressive, and unrepentant.

The Russian government and South Ossetian and Abkhazian authorities still believe—or say they believe—that President Saakashvili launched a *reconquista* war with no regard for or to intentionally trample on the physical security of the South Ossetian population. They thus perceive all the steps they took and continue to take since August 7 as both justifiable and necessary. Indeed, in every setting where Russian actions might be called into question, officials from President Medvedev on down are sure to "remind" their audience that President Saakashvili alone is guilty for starting the war. This assertion is used to justify both Russia's current policy toward South Ossetia and Abkhazia and its refusal to engage with Saakashvili's "regime."

By contrast, the Georgian government and many of its supporters insist that Russia wrote the script for this war. It did this either by executing a long-planned invasion or—as the explanation more commonly goes in the West—by more deviously "provoking" the Georgian government into taking hostile action that would justify intervention.

The Georgian government, by repeatedly referring to the war as "Russian aggression against Georgia," makes it difficult to engage Russia as a partner in a conflict-resolution process or agree to proposals for short-term progress, but which delay full rectification of the war's negative consequences.

This narrative also fits in with the “Berlin Wall” scenario for Georgia’s future described in the introduction. If August 2008 simply revealed to the world Russia’s innate hostility to Georgia, Georgia should logically then hunker down behind Tbilisi’s side of the Caucasus’s Berlin Wall with vast stores of military hardware to keep the insatiable enemy at bay as best as possible and wait it out for as long as it takes. In this view, working with Russia, Abkhazia, and South Ossetia on a resolution to the conflicts is pointless at best and traitorous at worst.

Both of these polarized narratives contain true elements. But neither is fully accurate. They assume an unproven link between the hostility, mutual suspicions, and war plans that existed before those fateful days in August 2008 and the outbreak of war.

There were those on both sides who did harbor bellicose intentions. Many also suspected the other side might be preparing to launch a war, had drawn up contingency plans for such eventualities including ones involving preemptive action, and had begun to believe that war was likely and even acted accordingly.

But it was not aggressive intentions, war plans, or reactions to perceived threats that directly led to the outbreak of hostilities in August 2008. Rather, in the months leading up to the war, all these factors created a highly tense and precarious security environment in the region. And hostilities began when this environment teetered over the brink, causing an accidental war that triggered a series of contingent, unfortunate, and often tragic consequences.

Neither Georgia nor Russia—nor, for that matter, authorities in South Ossetia—plotted and hatched the August 2008 war. And they certainly did not launch it in order to conquer South Ossetia, conquer Georgia, or ethnically cleanse Georgians from South Ossetia. It was essentially an unintended war by all sides.

This narrative does not blame all parties equally, “whitewash” alleged crimes, or sweep differences under the rug. Instead, it most accurately reflects the facts as we know them—not our deductive conclusions about stated or unstated intentions.

This is the narrative the U.S. government and other actors interested in conflict resolution need to adopt and emphasize publicly and privately. They also need to persuade the parties to the conflict, and Russia and Georgia in particular, to adopt this narrative. By clinging to their own polarized narratives, all sides make conflict resolution far more difficult than it would otherwise be.

Facilitate normalization of Russia-Georgia ties

The U.S. government should do more than rhetorically commit to the importance of restoring Russia-Georgia ties. It should dedicate resources to making that restoration happen. The State Department's Office of the Coordinator of U.S. Assistance to Europe and Eurasia and USAID should redirect funds to facilitate Track II meetings between Russians and Georgians.

Such efforts are not particularly expensive and local NGOs in both countries are already engaged in this work. For instance, the Moscow School of Political Studies, one of Russia's oldest civil-society groups, brought a group of Georgian nongovernmental experts to a retreat outside of Moscow in late November 2010 to meet with their Russian counterparts for a Russian-Georgian forum on shared socioeconomic challenges.

The U.S. government should urge recipients of assistance funds such as the National Democratic Institute and the International Republican Institute to pursue this approach.

Minimize the extent to which disagreements on matters of principle impede progress

The United States should not alter its position on Georgia's borders, the status of Abkhazia and South Ossetia, or the nature of the ceasefire agreement. The U.S. government, however, can and should avoid scenarios in which disagreements over these issues needlessly prevent tangible progress. Status-laden issues and multilateral forums where the parties are present are likely to bring these disagreements to the fore, which also will exacerbate tensions between them and the supporters of their respective positions.

Specifically, the United States should focus its efforts on extending the EUMM's role in Georgia and not on achieving agreement to establish a new international monitoring mission in a different international organization. Achieving agreement in the United Nations or the OSCE—the obvious alternatives to the EUMM—will likely prove impossible because the process will inevitably involve status-related issues, which will likely spark disputes that will scupper the effort.

Extending the EUMM into Abkhazia and South Ossetia, if deployed through the mechanism suggested above, would not create this roadblock. Moreover, the EUMM is on the ground now doing the work on the Georgian government-controlled side of the conflict lines. And it has the trust of all parties. Further, many associate either the United Nations and/or the OSCE with the ineffectual conflict-resolution and prevention attempts of the past. They are viewed with either suspicion or scorn by one or more parties as a result.

The Geneva talks...
were not designed
to be a conflict
resolution process

Additionally, the United States should separately approach Russia and Georgia to obtain agreement to refrain from raising status-laden issues at the Geneva talks. These talks, which were not designed to be a conflict resolution process, should focus on practical issues of conflict prevention, humanitarian concerns, and freedom of movement that do not invoke the fundamental disagreements that divide the parties. Washington should request that Moscow ask the same of Sukhumi and Tskhinvali, though the latter have less incentive than all other parties to do so.

Develop a coherent policy on arms sales

The current discussion on U.S. policy toward Georgia immediately raises the question of defensive arms sales. Georgian officials have consistently reiterated their requests for such hardware from any and all U.S. interlocutors, including nongovernmental experts, members of Congress, and senior executive-branch officials since soon after the war. And the issue does strike a particular chord in Washington. This is more a function of U.S. instinctual reactions to Russian bullying, however, than the insistent requests from the Georgians.

The Georgian Ministry of Defense makes the case for antiair and antitank hardware on the grounds that it would slow down any potential Russian incursion past the conflict lines long enough for the international community to react and put pressure on Moscow to pull back. Other senior officials have cited different reasons, most of which center on the political message of support and solidarity that such a delivery would send, especially if it were a government-to-government transaction.⁸⁰

U.S. policy on this issue is deliberately ambiguous. On the one hand, since the war there have been no government-to-government deliveries of any military hardware or export licenses granted for commercial sales. (It should be noted that the U.S. government has never provided or sold Georgia major military hardware on a

government-to-government basis.)⁸¹ Senior officials have cited the Georgian military's need for training, and U.S. nonhardware-related military assistance nearly doubled after the war on the principle of "brains before brawn."⁸²

On the other hand, senior officials insist there is no formal "embargo" against Georgia and note its right to self-defense. As Assistant Secretary of State Philip Gordon has said:

*We don't have an arms embargo on Georgia. We are pursuing security cooperation with Georgia. Georgia is making a very significant contribution in Afghanistan, which we value. ... and we are helping them with training for that mission.... Georgia's a sovereign, independent country.... we've said that all sovereign, independent countries in Europe and elsewhere have the right to self-defense.*⁸³

It should go without saying that Georgia has the right to self-defense as a sovereign state. It can purchase whatever equipment it deems necessary for these purposes. This is not a question relevant for U.S. policy. But U.S. officials seem intent on restating Georgia's right to self-defense in part because the Russian government has taken actions—such as threatening sanctions—to deny Georgia this right. Senior Russian officials have publicly suggested that improved relations with Moscow are contingent on Washington not providing Georgia weapons while simultaneously alleging that the United States is already doing so.

Prime Minister Putin said in an August 2010 interview:

*I really want to believe in the reset.... I see the intentions of the U.S. administration to improve relations with Russia are being followed through on. But there are other things happening. For example, Georgia is being rearmed. Why? ... if they hadn't been rearmed two years ago, there would have been neither the aggression nor the bloodshed [that resulted].*⁸⁴

The debate about U.S. policy seems less driven by U.S. priorities than by reactions to these sorts of statements and Russia's policy of discouraging arms sales. Clearly, Russia's stance on this issue is at best unconstructive if not downright hypocritical. Rather than taking steps to reduce the possibility of renewed violence, its senior leadership regularly makes false allegations about U.S. involvement in Georgia's past and current arms provision, assigns exclusive blame for the events of August

2008 to the Georgian government, suggests that this “fact” has so deprived this government of legitimacy that it no longer has the right to self-defense, and threatens to punish both it (militarily) and any potential suppliers (diplomatically) if they pretend otherwise.

Meanwhile, the extent of Russia’s own deployments in Abkhazia and South Ossetia cannot even be justified on defensive grounds. And Moscow not only stations equipment like the Tochka-U in South Ossetia but does so with no transparency. It announces such steps through anonymous leaks to wire services, which only amplifies Georgian anxieties and destabilizes the situation on the ground.⁸⁵

But providing or authorizing the sale of defensive weapons to Georgia in response to this behavior would only make it harder to achieve a peaceful resolution that restores Georgia’s territorial integrity. U.S. policy should be guided by the central goal of a peaceful resolution of the conflict within Georgia’s internationally recognized borders. And for these purposes arms sales are at best irrelevant and at this juncture likely a major hindrance.⁸⁶

Arms sales would send the message that the United States is more interested in defending one of the sides from the others as opposed to bringing all sides together. They would also further militarize the conflict zone, which could well prove destabilizing. There are other ways of addressing Russia’s unconstructive behavior—particularly through the improved bilateral relationship and the incentives it creates—that would not have that kind of negative impact on conflict resolution.

Worse, the rhetoric employed by advocates of arms sales in Washington is often consistent with the first scenario for Georgia’s future—divided Berlin—described in the introduction: The United States should help its friends dig in on their side of Georgia’s Berlin Wall and let them sit it out until the enemy implodes.

The importance placed on arms sales—as well as the Georgian ISAF contribution and our broader bilateral security relationship—has resulted in the perception of a lopsided “defense” component of the U.S.-Georgia relationship.⁸⁷ The United States should be invested in a process that will lead to a peaceful resolution of the conflicts in the long term that restores Georgia’s territorial integrity. The utility of steps intended as support for Georgia should be gauged according to their impact on this investment—be they arms sales or the embrace of an outsized Georgian ISAF participation.

Following a successful transformation of the conflicts, the side effects of the U.S.-Georgia defense relationship need not be a concern. Until then the United States needs to acknowledge that Georgia is not just a strategic partner—it is a strategic partner involved in multiple internal and external conflicts.

Tie any future engagement with Abkhazia and South Ossetia to conflict resolution

Within the European Union, and to a certain extent the U.S. government, there has been an understanding that external engagement with Abkhazia and South Ossetia will be beneficial to conflict resolution in the long term.⁸⁸ Some external assistance to Georgia was directed to Abkhazia and South Ossetia even before the August 2008 war. It was primarily for rehabilitation of infrastructure near or across the conflict lines but also for humanitarian assistance and confidence-building activities.

The European Union, in fact, was the largest external donor after Russia in Abkhazia and South Ossetia before the war. While apolitical in nature, prewar EU assistance in Abkhazia and South Ossetia was expressly linked to “the prevention and settlement of internal conflicts.”⁸⁹

The European Union has remained a significant donor in Abkhazia since the war. Its assistance in South Ossetia has almost entirely ceased, though progress was made toward restarting assistance on the rehabilitation of waterworks in late 2010.⁹⁰

The aim of EU assistance before the war was to build bridges across conflict lines—both literally by way of infrastructure and figuratively through civil-society linkages. A policy of “non-recognition and engagement” that took shape at the end of 2009 has been motivated by the more modest ambition of “mak[ing] sure that the door remains open,” as EU Special Representative for the South Caucasus Peter Semneby said in March 2010. The policy seeks to provide a “vision [to Abkhaz and South Ossetians] that goes beyond the very confined situation that they find themselves today.”⁹¹

A debate concerning the European Union’s “non-recognition and engagement policy” toward Abkhazia and South Ossetia has concerned the extent to which it should coincide with the Georgian government’s state strategy as opposed to also considering engagement that falls outside the strategy and, by extension,



Catherine Ashton, European Union High Representative for Foreign Affairs and Security Policy, with an EUMM monitor in Odzisi, near the crossing into the Akhagori district.

Source: European Union, 2011

the Georgian government's comfort zone. To date, EU public statements have appeared to suggest a close alignment of "non-recognition and engagement" with the state strategy. EU High Representative for Foreign Affairs and Security Policy Catherine Ashton issued a statement in July 2010 calling the state strategy's Action Plan "a significant step forward," declaring the EU's readiness "to contribute to these efforts in line with its non-recognition and engagement policy," and expressing full support for "the approach based on confidence building and facilitation of people to people contacts as well as freedom of movement."⁹²

Such external support for the state strategy is probably crucial to its success. But the general framework for assistance and engagement with Abkhazia and South Ossetia is more critical: The European Union and—to the extent that it develops—U.S. assistance policy toward Abkhazia and South Ossetia should remain explicitly directed toward conflict resolution.

This does not mean external assistance should necessarily be tied solely to Georgia's state strategy. External donors and implementers might conceive of projects beyond what the strategy envisions—in which case the strategy itself could be expected to evolve to match donor expectations. But donors should be careful to ensure that engagement with Abkhazia and South Ossetia retains its purpose of conflict resolution and does not devolve into an inertia-driven policy of engagement for engagement's sake.

This also does not mean, however, that projects must be limited to those that explicitly build infrastructure or other connections across conflict lines. Donors might consider assistance and engagement projects that benefit communities throughout Abkhazia and South Ossetia. In this case, however, they should propose such projects with the clear expectation that they will encourage authorities in Abkhazia and South Ossetia to open up avenues of communication and interaction across conflict lines.

For instance, donors could condition engagement not directly tied to projects of mutual benefit on authorities formally accepting full freedom of movement across conflict lines for residents of Abkhazia and South Ossetia.

The future agenda for conflict resolution

Subsequent steps toward political settlements

This report has not offered comprehensive political solutions to the conflicts. We believe there is little purpose in focusing on that until considerable forward movement on the conflict-resolution process has taken place. But it is important to note the more challenging subsequent steps that will also need to be part of the conflict-resolution process prior to or as part of political settlements. These are issues that cannot be viably addressed now but they will need to be considered after other advances have been made:

- Full freedom of movement in and out of Abkhazia and South Ossetia (and not just for residents of Abkhazia and South Ossetia).
- The reciprocal establishment of weapons-restricted zones in Abkhazia and South Ossetia that mirror the existing zones on the Georgian government-controlled side of the conflict lines and a drawdown of military forces in Abkhazia and South Ossetia to pre-August 2008 levels, in line with Russia's ceasefire commitments.
- The reconstruction of Georgian villages and homes in South Ossetia and the return of internally displaced persons to them, together with intensified discussions on practically implementing the rights of internally displaced persons from Abkhazia. IDP return to Abkhazia, in particular, is a much larger and protracted issue likely to be only fully resolved in the context of a political settlement rather than prior to it.
- Investigation of war crimes: those that took place both during the August 2008 war and the conflicts of 1991–1993.⁹³

In this August 12, 2008 photo, a Georgian man stands in front of a destroyed building in the village Ruisi near South Ossetia.

Source: AP Photo



Conflict resolution and Georgia's Euro-Atlantic future

Another important point to make is that it will likely be impossible for the conflicts to be fully resolved within the context of Georgia's internationally recognized borders so long as the Russian elite continues to perceive a unified Georgia in NATO as a threat to Russian national security. While maintaining Georgia's course toward Euro-Atlantic integration, the Georgian government and its friends in the West should thus welcome recent improvements in NATO-Russia relations. More practical cooperation between Russia and NATO is the only way Russian elite perceptions of NATO's presence on its borders will change.

At the same time Georgia is highly unlikely to ever become a member of a consensus decision-making-based organization—let alone a collective security organization—without either resolving the conflicts or acquiescing to its own dismemberment. EU member states would be loathe to admit a country with territorial disputes involving another neighbor after the bitter experience of Cyprus's role in complicating engagement with Turkey.

Those in the United States who are focused on Georgia's Euro-Atlantic aspirations should recognize that these aspirations cannot be fully realized until the conflicts are resolved. And when Washington downplays the conflicts, it only incentivizes Tbilisi to do the same.

Conclusion

The time has come for a more proactive U.S. approach to the Georgia conflicts. Diplomatic, economic, and military support are all welcome components of a U.S.-Georgia policy aimed at undergirding Georgia's sovereignty, prosperity, and democratic transformation. But they do not constitute a policy on conflict resolution. In fact, they are largely irrelevant to that goal.

Pushing a conflict-resolution process immediately after the war would have been inappropriate and Georgia's very existence seemed threatened. Neither Tbilisi nor Washington were sure the Russian offensive would not resume again—either overtly or covertly—soon or that the Georgian economy would be able to overcome the devastation of war. Therefore strong direct support that was visible enough to serve as a message to Moscow made sense.

In February 2011, however, the case that there is an immediate existential threat to Georgia's survival is no longer compelling. Russia's intentions could always change but there is no reason to think that the Russian military has plans to again use force in the imminent future. What's more, Georgia has bounced back economically, diplomatically, and even mentally—in the sense of a renewed civic pride—thanks in part to extraordinary financial support from the United States and the European Union after the war. As the *Economist* noted in August 2010:

Today Georgia has reinvented itself as the star of the Caucasus. It is less corrupt than most former Soviet republics and one of the easiest places in the world to do business, according to the World Bank. Its liberalised economy has weathered Russian embargoes, and the state held together during the war with Russia. Its police do not take bribes and electricity is no longer a luxury. Most important, people are no longer surprised by such success. The biggest transformation is in their minds.⁹⁴



Georgian police lightly man a checkpoint on the Rukhi bridge over the Inguri river, currently the only open crossing on the Abkhazia conflict line. Limited freedom of movement for local populations is permitted.

Photo by authors

That is not to suggest Georgia does not have problems. On the contrary it has many, of which its conflicts with Russia, Abkhazia, and South Ossetia are arguably its most severe. Current U.S. policies that emphasize support valuable mostly as a message to Moscow are no longer necessary. Moreover, they do not do anything to resolve the conflicts. Indeed, they could conceivably even set back conflict resolution given the way in which such support is perceived in the region.

The United States should develop a strategy that builds on postwar progress to achieve a long-term transformation of the conflicts. Conditions today are in fact more favorable than any time since the war for a more proactive U.S. approach to the Georgia conflicts to have an impact. Indeed, for a variety of reasons, early 2011 might represent a unique window of opportunity—not for resolving the conflicts but for short-term progress that could facilitate resolution in the long term. To take advantage of it the Obama administration should begin by urging the parties to adopt a plan for short-term progress focused on conflict prevention and confidence building. These goals are in the interest of all parties.

This plan has three interlinked components, which we elaborated upon in this report:

- A Russian commitment to the nonuse of force against Georgia.
- The conclusion of bilateral agreements between the government of Georgia and authorities in Abkhazia and South Ossetia to address humanitarian and human security concerns.
- Modification of existing Georgian and Russian policies that impede progress.

This plan is in the interests of all sides. And implementing it does not entail any party reconsidering its positions on the issues that divide them.

The actions outlined in the plan are also the necessary first steps toward achieving a peaceful and just resolution of the conflicts within Georgia's internationally recognized borders. By reducing tensions, bringing people together across the conflict lines, creating trust, building trade links, and normalizing contacts among authorities, these steps represent the foundational building blocks for achieving a reunification of Abkhazia and South Ossetia with Georgia, as well as a rapprochement between Russia and Georgia. They may not inevitably lead to that outcome. But without them that outcome is impossible.

In order to facilitate progress on these steps in the near term, the Obama administration should also modify U.S. policies to focus on conflict resolution. Specifically, the United States should:

- Rhetorically make conflict resolution and the normalization of the Russia-Georgia relationship a centerpiece of the U.S. approach to the region.
- Promote a narrative of the August 2008 war that focuses not on the parties' intentions but on the fact that all sides took actions that created a highly volatile security environment that ultimately led to the outbreak of hostilities.
- Facilitate normalization of Russia-Georgia ties.
- Minimize the extent to which disagreements in international forums on matters of principle impede progress on conflict resolution.
- Develop a coherent policy on defensive arms provision that is consistent with conflict resolution.
- Make any future engagement with Abkhazia and South Ossetia part of a conflict-resolution strategy and work with the European Union to ensure it does the same.

The Obama administration has the opportunity to utilize the vastly improved bilateral dialogue with Moscow that resulted from the “reset” for these purposes. Whether the reset is viewed as a cyclical upswing or a permanent paradigm shift will be a function of progress on the most difficult issues in the relationship.

Endnotes

- 1 This report draws from interviews conducted by the authors in Moscow and several places in Georgia during a research trip in December 2010. In the respective capitals, interlocutors included government officials and their advisers, independent experts, and U.S. Embassy officials. In Tbilisi, the authors also met with parliamentarians, international nongovernmental organization representatives, and the head of the EUMM. The authors also visited the Georgian government-controlled side of both conflict lines, met with the EUMM field offices there, and spoke with a number of local officials and residents, including some displaced by the conflicts.
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- 3 Territorial integrity has associations in the region not well-understood by Westerners. In light of those associations, we should note that endorsing Georgia's territorial integrity does not mean endorsing the use of force to achieve it. Nor does it imply diminished self-government for Abkhazia and South Ossetia under a future political settlement. (Swiss territorial integrity isn't vitiated by the powers of the Cantons.)
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 - 70 So, too, many domestic and international NGOs, while applauding the Georgian government's stated intent, have voiced doubts about the strategy's effectiveness and/or good intentions.
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- 86 The one argument for defensive arms sales that has focused on its potential positive impact on conflict resolution is made in Sen. Lugar's report to the Foreign Relations Committee. In it, he warns that if the United States does not provide such weapons, an "excessive nationalization of Georgian defense policy" and, "in the longer-term," Georgian "susceptibility to the internal strife and external manipulation that often accompany ... national insecurity" could result. This argument is not compelling. See: Lugar, "Striking the Balance."
- 87 Some see steps such as arms sales and ISAF participation as more than symbolism; rather, they see the former as a component of a "deterrent" and the latter as part of Georgia's NATO membership path. But for these measures to be anything but symbolic, they must be part of a strategy for achieving a realistic goal. And neither deterring Russia nor achieving NATO membership for Georgia without first resolving the conflicts is a realistic goal.
- 88 Cooley and Mitchell, "Engagement without Recognition"; Lincoln Mitchell and Alexander Cooley, "After the August War: A New Strategy for U.S. Engagement with Georgia," *The Harriman Review* 17 (3-4), (2010): 23-34; Sabine Fischer, "How to Engage with Abkhazia?" (Paris: EU Institute for Strategic Studies Analysis, 2010), available at http://www.iss.europa.eu/uploads/media/How_to_engage_with_Abkhazia.pdf.
- 89 "Commission Decision C (2008) 3516 of 15 July 2008 on the ENPI Annual Action Programme 2008 in favour of Georgia to be financed under Article 19 08 01 03 of the general budget of the European Communities," available at http://ec.europa.eu/europeaid/documents/aap/2008/ec_aap-2008_ge_en.pdf.
- 90 European Union Delegation to Georgia, "Overview of EC Assistance to People Affected by Conflict in Georgia," December 2010, available at http://ec.europa.eu/delegations/georgia/documents/projects/overview_post_conflict_ec_assistance_dec2010_en.pdf.
- 91 "EU Diplomat: Less Tensions, More Substance in Run Up to Elections," Civil.ge, May 15, 2010, available at <http://www.civil.ge/eng/article.php?id=22302>.
- 92 "Statement by the spokesperson of HR Catherine Ashton on the adoption of the Georgian Action Plan for Engagement for Abkhazia and South Ossetia," July 8, 2010, available at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/115731.pdf.
- 93 The Prosecutor's Office of the International Criminal Court began an investigation soon after the 2008 war and its officials have visited Russia and Georgia. See: "Georgia," available at <http://www.icc-cpi.int/Menus/ICC/Structure+of+the+Court/Office+of+the+Prosecutor/Comm+and+Ref/Georgia/>; Open Society Georgia Foundation, "August Ruins: Report of the Georgian Non-Governmental Organizations on Violation of Fundamental Human Rights & International Humanitarian Law during the August 2008 War" (2010), available at http://www.osgf.ge/files/publications/2010/Etnikuri_cmenda_English_WEB_version.pdf.
- 94 "Georgia's mental revolution," *The Economist*, August 19, 2010, available at <http://www.economist.com/node/16847798>.

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