



SOUTH OSSETIA AND ABKHAZIA: PLACING THE CONFLICT IN CONTEXT

EKATERINA STEPANOVA

With several months lapsed since the escalation into full-scale fighting in South Ossetia, the main focus of international attention has shifted to the global financial crisis and the outcome of the US presidential elections. Ironically, this distraction may have had a healthy impact on the policy approaches to the armed conflict in and around South Ossetia in August—especially as more first-hand and less-biased information from the region becomes available. In view of the second round of the international talks on Abkhazia and South Ossetia, scheduled for 18 November in Geneva, the ‘fog of war’ has dissipated enough for some observations to be made about the local, regional and international implications of the crisis.

In early August 2008, Russia rebuffed Georgia’s efforts to regain control of South Ossetia. The escalation followed months of gradually intensifying tensions between Georgia and the breakaway republics of Abkhazia and South Ossetia. Later in August, Russia recognized the independence of the two republics, both of which had effectively been out of Georgia’s control since the early 1990s. The expansion of Russia’s military operation beyond Abkhazia and South Ossetia into undisputed Georgian territory ended in early October under the conditions of a ceasefire mediated by French President Nicolas Sarkozy and the European Union. Originally scheduled for 15 October, internationally mediated talks on the political process were postponed for over a month. Provided that the format of the talks—especially the participation of representatives of Abkhazia and South Ossetia as full parties, in addition to Georgia and Russia—can be agreed on, the prospects for discussing continued international presence and security arrangements are moderately good, while any shifts on differing positions on the republics’ status are unlikely.

Despite sharp political differences between Russia and the West on Abkhazia and South Ossetia—especially on the sovereignty of the two republics—two themes have come to dominate the political and media discourse in both Moscow and Western capitals.

THE KOSOVO PARALLELS

The first theme is the preoccupation with the similarities and differences between Kosovo and developments in Abkhazia and South Ossetia. At bottom, those who emphasize the exceptional (i.e. non-precedent setting) nature of Kosovo’s independence ignore the fact that any situation is context-specific and unique in some ways. The justification for stretching the limits of international law in one case on the grounds of the unique circumstances is itself precedent-setting. Nevertheless, there are both important similar-

SUMMARY

● Since early August 2008 much of the international political and media discourse on the six-day conflict in and around South Ossetia has been dominated by comparisons between Kosovo and South Ossetia and the Russia–West ‘strategic rivalry’ framework. Serious analysis needs to go beyond these simplistic frameworks.

Attention must be paid to some of the less publicized but no less important local, regional and broader international developments related to the conflict. These include the role of the North Caucasian context in Russia’s decision to intervene in support of South Ossetia; the unexpected implications for the frozen conflicts in the Caucasus and the Black Sea region, where the preference for political solutions was strongly reaffirmed; and Turkey’s growing mediation role in the region. At the international level, special attention must be paid to the failure of the August conflict to escalate into a broader confrontation and the limited impact on the rest of the world of the Russia–Georgia tensions and related Russia–West disagreements.

Dr Ekaterina Stepanova (Russia) is a Senior Fellow and Programme Leader of the SIPRI Armed Conflicts and Conflict Management



ities and differences between the cases, and the balance between the two tends to depend on the political interests and affiliation of the interpreter.

While the main comparisons between Kosovo and Abkhazia and South Ossetia have been made in terms of the right to self-determination (as opposed to the territorial integrity of states), the cases are comparable in other ways. For instance, the Uppsala Conflict Data Program (UCDP)—which provides the

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world's leading data set on conflicts—codes both the 1999 Kosovo and the 2008 South Ossetia crises as conflicts over territory (separatist conflicts). For Abkhazia and South Ossetia, the events of 2008 are seen as a revival of the armed conflicts with Georgia of the early 1990s. Neither the NATO military intervention against Yugoslavia in support of the Kosovar Albanians nor the Russian intervention in support of the South Ossetians against Georgia are categorized by the UCDP as conflicts between states (interstate conflicts). Instead, both are classed as 'intra-state conflicts with foreign military involvement'.

There are also numerous distinctions between the conflicts—for instance, the difference in intensity. With the number of battle-related deaths exceeding 1000 in a year, the 1999 Kosovo conflict is categorized as a major armed conflict by the UCDP, while the conflicts in South Ossetia in the 1990s and in 2008 never exceeded the intensity of what the UCDP defines as a minor conflict. (In contrast, Abkhazia saw little fighting this time but was the scene of a major armed conflict in 1993–94.) Other areas of distinction, specifically the scale of one-sided violence against civilians and other human costs to civilians, are more difficult and will take longer to assess. However, a preliminary assessment by Human Rights Watch suggests that 300–400 civilians were killed in South Ossetia, and data from the UN High Commissioner for Refugees (UNHCR) allows for absolute and relative comparison of displacement. In Georgia proper (i.e. outside the breakaway republics), 127 000 people—approximately 2.7 per cent of Georgia's population—were 'newly displaced' since early August. In contrast, according to South Ossetian estimates, 65 000 people—90 per cent of the total population of South Ossetia—were displaced, most of them ethnic Ossetians. According to the UNHCR, 30 000 people were displaced within South Ossetia and 35 000 more South Ossetians fled to neighbouring North Ossetia in Russia. This figure increases when it includes ethnic Georgians, whose numbers in South Ossetia before early August are disputed and most of whom fled to Georgia proper. The extremely high level of displacement in South Ossetia makes it comparable to—and worse in relative terms than—the large-scale displacement in Kosovo in 1999, which effected about 963 000 people (nearly 46 per cent of Kosovo's population).

THE STRATEGIC RIVALRY FRAMEWORK

The second theme involves the discourse's tendency to fall back on the 'strategic rivalry' framework, limiting the conflict's context to familiar binaries: Russia–West, Russia–NATO and Russia–USA. This simplistic approach has largely overshadowed any analysis of the multiple domestic, regional and international dynamics at play. While the strategic rivalry framework should not be ignored and did play an important role, it is only part of the more complex overall picture.

In the domestic context, the strategic rivalry framework assumes that Russia—in its decisions regarding South Ossetia—had no interests beyond those directly related to its relations with the West. This view ignores, among



other things, the domestic political considerations that have motivated the Georgian and Russian leaderships. It also ignores the complex dynamics of Russia–Georgia relations over the past decade, which cannot be reduced to the NATO issue alone. Above all, this view ignores the influence of the North Caucasian context on Russia’s decision to support South Ossetia militarily. Given the continued fragile and unstable situation in parts of Russia’s North Caucasus, both options—action or inaction—in a conflict between neighbouring South Ossetia and Georgia carried serious political risks for Russia.

The main risk of action was the clarification of Russia’s position on the status of Abkhazia and South Ossetia—something that Russia has tried to avoid for years, primarily due to its own experience with Chechen separatism and other potential separatism. Following the armed confrontation with Georgia, Russia’s rapid decision to recognize the independence of Abkhazia and South Ossetia appears to have been dictated at least as much by pragmatic considerations—in view of Russia’s inability to guarantee their security by a token ‘peacekeeping’ presence—as by any broader strategic considerations. Any larger and longer-term military arrangements with Abkhazia and South Ossetia could only be framed on the basis of bilateral agreements with independent states (i.e. recognized as independent by Russia).

The political risk of inaction would have been nearly as high, especially for the internal situation in the North Caucasus. Among other things, with most ethnic Ossetians living in Russia, a lack of decisive action in support of South Ossetia would have almost certainly led to the eventual displacement of most South Ossetians to Russia’s North Ossetia. This would have risked the loyalty of one of Russia’s most reliable and loyal peoples in the North Caucasus and could have created a domino effect in other parts of the region. So far, contrary to what could be expected, Russia’s recent moves on Abkhazia and South Ossetia—including recognition of independence—have been most broadly supported in those parts of the North Caucasus that have not been known for major separatist trends, including the Ossetians and peoples of the Chircassian-Adygh group (who are generally supportive of the Abkhaz).

Some interesting developments at the regional level also require special attention. The crisis vividly demonstrated the perils of keeping the so-called frozen conflicts in and beyond the region unresolved and showed their capacity to sharply escalate into military confrontation. An understanding of these perils had unexpected political effects in other potential hotspots in the region. While, for instance, the situation in Nagorno-Karabakh tended to escalate earlier in the year, a military solution is now completely out of the question. Furthermore, on 2 November the presidents of Armenia, Azerbaijan and Russia signed a joint statement on Nagorno-Karabakh at their meeting in Moscow, reaffirming their commitment to resolve the dispute through political means. The prospects for reaching a negotiated solution in Trans-Dniester have also improved, with the Moldovan Government reaffirming its full support for a non-violent, negotiated solution that offers Trans-Dniester the broadest possible autonomy, including the right to legal secession. It is in Russia’s best interest to push in the same direction, including by exerting greater pressure on the Trans-Dniestrian leadership to accept the compromise, and this is what Russia is trying to do, driven by the need to show that its actions regarding Abkhazia and South Ossetia were exceptions.

Ironically, the security implications for Ukraine, which has not been involved in separatist armed conflicts, are more precarious—and, apparently,

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STOCKHOLM INTERNATIONAL PEACE RESEARCH INSTITUTE

Signalistgatan 9
SE-169 70 Solna, Sweden
Telephone: +46 8 655 97 00
Fax: +46 8 655 97 33
Email: sipri@sipri.org
Internet: www.sipri.org

are not only related to Crimea. Much depends on the ability of the Ukrainian leadership to keep the country together—a priority of key importance for regional, European and Russian security. Among other things, this implies the need to avoid any foreign and security policy decisions that could seriously polarize its divided society—a major test for Ukrainian democracy. Another regional development is the role of Turkey as a major stakeholder and potential mediator in the South Caucasus. A NATO member, Turkey has shown a markedly nuanced approach in its diplomatic activity, including the Caucasus Stability and Cooperation Pact initiative proposed as early as 11 August, the subsequent tour of the Caucasian capitals by the Turkish Prime Minister, Recep Tayyip Erdogan, and President Abdullah Gul's historic trip to Armenia. Turkey also exercised its right to regulate traffic through the Bosphorus in a way that helped prevent the escalation of the military situation beyond Georgia.

Some of the broader international implications of the recent crisis show that the era of systemic and all-encompassing cold war-style confrontations is past. Deterioration of Russia's relations with the West over Abkhazia and South Ossetia could—and should—have been expected. However, a less noticed but equally remarkable and generally positive revelation has been the very limited impact on the rest of the world of the Russia–West disagreements. The conflict remained localized and confined to the two breakaway republics and limited to the Georgia–Russia context. Most other states—including all other members of the Commonwealth of Independent States—have effectively stood aside from the current Russia–West dispute.

On the legal front, while most attention was paid to the endless debates on separation (or self-determination), the relevance and application of international humanitarian law to the developments in the South Caucasus is often overlooked. While Georgia is unlikely to directly request International Criminal Court (ICC) involvement (as this would also raise questions about Georgia's own actions in South Ossetia), Russia does not have this opportunity since it has not yet ratified the ICC statute. However, both Georgia and Russia were quick to publicly appeal to and provide information to the court. The South Ossetians have explored using the 'Article 15 communication' clause to directly request the ICC Prosecutor's involvement, bypassing the Georgian Government. The conflict areas are to be monitored by the ICC, and on 15 October the International Court of Justice ordered both Georgia and Russia to protect civilians from ethnic violence.

CONCLUSIONS

There is far more nuance to the crisis in the South Caucasus and to its domestic, regional and international implications than has been suggested by much of surrounding debate. Attempts to reduce this complexity to the Russia–West or, even more narrowly, to the Russia–NATO or Russia–USA contexts and to see everything through the outdated lens of 'strategic rivalry' are, at best, not constructive, and at worst, misleading. To be effective, international talks on Abkhazia and South Ossetia, including the next rounds of Geneva talks, should go beyond the simplistic 'Kosovo–South Ossetia' and 'Russia versus the West' paradigms and take into account the full range of diverse perspectives on—and multi-sided implications of—the crisis.