

GEORGIA'S SOUTH OSSETIA CONFLICT:

MAKE HASTE SLOWLY

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A. PEACEKEEPING

The Georgian, Russian and Ossetian battalions of the JPKF operate under a joint command coordinated by the JPKF commander.¹ The latter is nominated by the Russian defence ministry and appointed by the JCC. Battalion commanders (the senior military representatives) are appointed directly by the sides.² The JPKF statutes provide the force mandate³ but the rules of engagement are weak, and operations are subject to JCC decisions. With the paralysis of that mechanism, the JPKF now receives next to no guidance.⁴

The sides considered the peacekeeping operation a success between 1992 and 2003.⁵ The security situation was indeed relatively stable, with active, local exchanges and trade across the ethnic divide. But then as now, the JPKF manned static positions and did little monitoring or vehicle searches.

The situation changed dramatically with new Georgian leadership in 2003.⁶ The 2004 confrontation showed the JCC and JPKF mechanisms as unable to prevent clashes. The JPKF demonstrated it was not a joint force, but rather separate battalions, more loyal to their respective sides than to the peacekeeping chain of command.⁷ The JPKF commander, however, argues that the force did prevent a full-scale war.⁸ In the aftermath of the 2004 clashes, the JCC and JPKF regained some control and registered “some positive trends, namely, the shooting and number of illegal points reduced”.⁹ The JPKF has generally remained a passive presence, however, giving the local population a sense of security but irritating the Georgians and undermining their confidence in the operation.¹⁰

Since 2004, not a day has passed without shooting or more serious incidents in the conflict zone.¹¹ This supports South Ossetian claims that the PKF is needed. The force registered 1,707 ceasefire violations

¹ The June 1992 agreement created a trilateral JPKF: Georgia, Ossetian and Russian. A common misperception is that it is quadrilateral, including both South and North Ossetian sides but there is only one Ossetian battalion. It is under the command of a North Ossetian officer but most troops as well as officers are from the South Ossetian militia. Each side can also have 300 reservists, who can be deployed to the zone of the conflict in case of escalation. Crisis Group interview, JPKF commander, March 2007. General Kulkhmetov took charge of the JPKF in autumn 2004. International analysts say his performance is very professional and a major improvement over that of General Nabzdorov, his predecessor.

² JCC Protocol #3.

³ Crisis Group Report, *Avoiding War in South Ossetia*, op. cit.

⁴ Crisis Group interview, OSCE official, Tbilisi, April 2007; Crisis Group interview, JPKF commander, Tskhinvali, April 2007. General Kulkhmetov has repeatedly called for more JCC guidance and decisiveness on demilitarisation, law enforcement cooperation, mine clearance etc. Experts say his frustration at not being able to deliver efficient solutions to security problems is mounting.

⁵ “Memorandum on Necessary Measures to be Undertaken in Order to Ensure Security and Strengthening of Mutual Trust between the Parties to the Georgian-Ossetian Conflict of 16 May 1996”.

⁶ It strongly criticised the status quo in the zone of conflict, noting that all parties were profiting from unregulated trade and smuggling through the Roki tunnel and the Ergneti market.

⁷ Crisis Group interview, international expert, May 2007, Tbilisi.

⁸ Crisis Group interview, JPKF commander, Tskhinvali, 2007.

⁹ JCC Protocol #42.

¹⁰ Its sense of vulnerability at the absence of control over the Roki tunnel has led the Georgians to demand redefinition of the JPKF zone of responsibility, in accordance with decisions in JCC Protocol #3. These established the area of peacekeeping operations as the zone of conflict and a security corridor along the former administrative borders of South Ossetia; see Crisis Group Report, *Avoiding War in South Ossetia*, op. cit. Georgia says the security corridor should also include the segment of the border with Russia, which would in effect task the JPKF with control and monitoring of the Roki tunnel. Georgian analysts also intimate that the Russian peacekeepers are engaged in smuggling.

¹¹ Crisis Group interview, head of OSCE Mission, Tbilisi, 2007.

from 1 October 2006 to 1 April 2007 (1,075 by Georgians, 632 by South Ossetians).¹² According to the JPKF commander, “we were here on the brink of war in the period from the beginning of spring to the end of summer of 2006”.

Tbilisi accuses the JPKF of bias. It is particularly angered by the inability to prevent a South Ossetian military presence in the JPKF area of responsibility, including Tskhinvali.¹³ It says the Ossetian battalion is a cover for the South Ossetian de facto defence ministry staff.¹⁴ International observers confirm the Ossetian battalion is, except for a few officers, manned by South Ossetians and “the biggest employer in South Ossetia”.¹⁵ Tbilisi considers this an opportunity for Russia to equip the South Ossetian militia¹⁶ and a link that allows the Ossetians to get advance warning of JPKF or JPKF/OSCE patrols.¹⁷

Tskhinvali has its own grievances. It criticises Russian peacekeepers for not acting decisively on violations¹⁸ and believes Georgia intentionally disrupts the operation to discredit Russia. It continues to back the JPKF, however, and claims it is the sole security guarantor, and police would be ineffective in responding to military threats.¹⁹

Despite the deficiencies and systematic ceasefire violations, the JPKF has improved since the 2004 crisis. Though observers say real cooperation is missing,²⁰ the appointment of Mamuka Kurashvili as senior military representative and commander of the Georgian battalion on 30 December 2006²¹ is assessed as constructive.²² Russian peacekeepers seem to be in control of the situation on the ground, helping prevent escalation to full-scale war. However, violations by both parties have not been addressed effectively. Russians counter the accusations of passivity by saying they prefer to use diplomacy and would act forcefully if certain undefined limits are breached.²³

¹² The bulk of violations were in the Tskhinvali region (559 from the Georgian side, 518 from the Ossetian), data given to Crisis Group by the JPKF commander, Tskhinvali, March 2007. But experts say the JPKF registers every shot as a separate violation.

¹³ A joint JPKF/OSCE patrol on 14 April 2007 confirmed that the de facto defence ministry is in Tskhinvali, in the JPKF area of responsibility, where only the three JPKF battalions and local law enforcement are authorised. “Statement of Press Department”, op. cit. Another case was the 20 August 2005 military parade in Tskhinvali, “parliament resolution”, op. cit., 11 October 2005.

¹⁴ Crisis Group interview, Georgian official, Tbilisi, April 2007.

¹⁵ Crisis Group interviews, international community, Tbilisi, April, May 2007. Salaries are an extra incentive to retain young Ossetian men’s loyalty, but employment is important in a place where jobs are scarce and young males tend to emigrate.

¹⁶ Crisis Group interview, interior ministry, Tbilisi, May 2007.

¹⁷ Crisis Group interview, international military expert, Tbilisi, April 2007.

¹⁸ Crisis Group interview, South Ossetian de facto minister of foreign affairs, Tskhinvali, February 2007.

¹⁹ Crisis Group interview, JCC co-chair for the South Ossetian side, Tskhinvali, 5 March 2007

²⁰ Crisis Group interview, international military expert, Tbilisi, May 2007. “The Georgian side is trying to prove to the outside world that it is playing a full part, but often it acts in ways which are not helpful: giving a commander in the field a 24-hour notice that one of his three battalions is about to be rotated is neither helpful, nor according to the rules”. Several times the Georgian battalion has refused JPKF orders, and there has been poor communication and coordination with Russian peacekeepers.

²¹ “Senior Military Commander appointed in Tskhinvali region”, defence ministry website at www.mod.gov.ge, 4 January 2007.

²² Crisis Group interview, JPKF commander, Tskhinvali, April 2007; Crisis Group interview, representatives of the de facto Ossetian administration, Tskhinvali, April 2007; Crisis Group interview, OSCE Mission, Tbilisi, March and April 2007. Kurashvili has a military background, unlike his predecessor, Paata Bedianashvili from law enforcement, who was declared persona non grata in Tskhinvali as “a criminal with direct responsibility for the 2004 confrontation”. Crisis Group interview, de facto vice prime minister of South Ossetia, Tskhinvali, April 2007.

²³ The JPKF commander said, “we believe that diplomacy works here better than force”. Crisis Group interview, Tskhinvali, March 2007. Russian diplomats cite “a long history of respect to the peacekeeping role of Russia in the Caucasus” and the absence of any politically feasible alternative. Crisis Group interview, Russian embassy official, Tbilisi, March 2007.

Before agreeing on any change of the security arrangements for the zone of conflict, the sides should cooperate in the JPKF. Obstructing it is tantamount to “shooting the messenger”. Curtailing JPKF room for manoeuvre prematurely would create a security vacuum that could be exploited by any party.

The OSCE Mission in Georgia has monitored the peacekeeping operation since 1992.²⁴ Its eight unarmed officers (MMOs), five of whom are based in Tskhinvali, patrol the zone of conflict and visit checkpoints, observation posts and communities.²⁵ The JPKF commander has at times not allowed joint JPKF/OSCE patrols to leave predetermined routes, thus significantly reducing OSCE’s rapid reaction capacity.²⁶ In 2005-2007 MMO activities were repeatedly obstructed by South Ossetian security services.²⁷ In late May 2007, joint patrols were stopped at gunpoint and shots fired to prevent monitoring of strategic, Ossetian-controlled areas.²⁸ South Ossetians deeply distrust the West, which they believe supports Georgia in the conflict.²⁹ This is reflected in anti-OSCE demonstrations, such as 22-23 June 2006 protests in front of its Tskhinvali office.³⁰ The climate of co-operation has partially improved since then, and Tskhinvali probably considers the OSCE as more impartial than the EU.

Improving security arrangements on the ground is critical. The Georgians have lost faith in the JPKF. Since most incidents begin as criminal acts, law enforcement mechanisms may be better suited than a peace keeping mission. The zone of conflict’s small population suggests police may be adequate to address security challenges. But as practical as this might be, it is unacceptable to Tskhinvali. For joint policing to succeed, the sides need to agree on a detailed formula. Both sides’ security concerns must be addressed simultaneously. For this reason, it is crucial to conclude an agreement on non-use of force and establish a joint OSCE/JPKF observation point at Didi Gupta, as well as to develop a mutually acceptable regime for the Roki tunnel.

²⁴ The Mission began with six MMOs in 1992, reduced to four as the situation stabilised. In the summer of 2004 the OSCE’s Permanent Council approved a further increase. Crisis Group interview, OSCE official, Tbilisi, April 2007.

²⁵ The OSCE web site explains: “The officers also accompany JPKF monitoring teams and exchange information with the commander of visited observation posts. During joint patrols, weapons inspections take place to confirm the observation posts are equipped in accordance with JPKF inventory and regulations” at www.osce.org/georgia/22955.html.

²⁶ Crisis Group interview, military adviser, OSCE Mission in Georgia, Tbilisi, March 2007.

²⁷ On 12 May 2007 Ossetian *spetznaz* prevented the OSCE monitors from entering the area of Avnevi, where Ossetian positions had been reinforced. On earlier incidents, “OSCE Condemns Detention of Observers in S.Ossetia”, *Civil Georgia*, 12 July 2006.

²⁸ Crisis Group interview, diplomat, May 2007.

²⁹ Crisis Group interview, South Ossetian de facto official, Tskhinvali, February 2007.

³⁰ See the 29 June 2006 EU Statement on South Ossetia, Georgia, at www.mfa.gov.ge/index.php?lang_id=ENG&sec_id=78&info_id=1711. It notes with concern that “the OSCE Tskhinvali Field Office was under siege by a partly hostile crowd of up to 100 persons from 22 to 23 June 2006. The crowd blocked access to and from the Field Office for most of the time, while tyres of the Mission and European Commission Delegation vehicles were punctured. Some of these incidents occurred within the view of the South Ossetian security guards at the Field Office, who only reappeared after they had been absent for most of the evening”.