

VISION

Of the State Minister for Reconciliation and Civic Equality on the normalisation of the Georgian-Abkhaz and Georgian-Ossetian Bilateral relations

July 2014

Introduction

For almost three decades unresolved conflicts have stood in the way of the peaceful coexistence of the Georgian, Abkhaz and Ossetian peoples, their mutually beneficial cooperation and development. Over the past decades, all of the parties to the conflicts have made mistakes, and Georgia is paying a high price for its own mistakes as well as occasionally, for those of the others. It is very important to properly understand these mistakes, although present document has a different purpose. It is focused on the present and the future, and its objective is to examine the existing problems and to look for potential solutions, regardless of whether the problems originated in the distant or near past.

For nearly two years now a new political force has been in power in Georgia. A change of leadership usually entails a critical reappraisal of some approaches, assessments and policies, and, if necessary, their change. The government agency dealing with the conflicts in Georgia has changed its name in the meantime, which is not just a simple formality, as evidenced by the present vision, which:

- reflects the views of the State Minister for Reconciliation and Civic Equality on the Abkhaz and South Ossetian conflicts;
- contains an interpretation of the past developments and the current situation, as well as describes and explains the governmental policies and approaches in this area;
- outlines a set of principles to act upon, in conjunction with the future actions;
- takes into account the existing strategic documents and legislation of Georgia, as well as the provisions of international agreements signed by Georgia and of the relevant section of the Association Agreement with the European Union;
- takes into account all still relevant ideas and approaches contained in the conceptual documents developed at different times by representatives of the parties to the conflict and the international community.

The document: 1) describes the key tenets of the government policy on the conflicts, outlines their rationale; 2) provides analysis of the context, namely, the specific features of the conflicts, their similarities and differences; 3) sets out a few innovative approaches to the resolution of the conflicts and suggests the probable direction of their transformation; 4) proposes some new approaches and actions that could contribute to conflict resolution and, at the same time, ensure the rights, security and well-being of the conflict-affected populations.

The document fulfils a number of functions: a) it presents the position of the state agency and its leadership on conflict-related issues to the Georgian society, the populations of Abkhazia and

South Ossetia, and the international community; b) it is intended to serve as a basis for broad public and expert discussions on these topics, which could result in a potential review of the existing strategic documents, or the development of new ones.

Reconciliation is the key concept being used in the document, and it must become the universal conceptual foundation for identification of the ways to resolve conflicts; in its turn, the main guiding principle for action is the recognition of the Georgian state's equal responsibility and care of all people legally residing on its territory, including residents of Abkhazia and South Ossetia, as well as the people who were forcefully displaced from there. Lastly, its conflict resolution policy is considered an inherent component of Georgia's European integration process that implies a purposeful convergence with the political space which emerged as a result of a broad process of reconciliation in Europe after World War II. and which offers the contemporary world the best standards and practices of democracy, human rights, safeguarding and development of identity for smaller nations and minorities.

Principles

The Russian-Georgian war in August 2008 and its aftermath created additional challenges for the settlement of conflicts in Georgia. The conflict between Russia and Georgia has eclipsed, both politically and emotionally, the conflicts in Abkhazia and South Ossetia. At the same time, the overwhelming dimension of the Russian-Georgian conflict does not mean that the Georgian-Abkhaz and the Georgian-Ossetian conflicts can simply "wait" for the normalisation of Russian-Georgian relations, following which they would be resolved in a speedy and straightforward fashion. Each of these conflicts has different roots, genesis, dynamics and characteristics; resolution in each case must involve consideration of sometimes similar and sometimes differing factors, despite the undisputed close interrelation of these two conflicts. **Reconciliation** between the parties to the conflicts is the basis for conflict resolution and building a sustainable peace.

Identifying ways and means to reconcile the Georgians and the Abkhaz, the Georgians and the Ossetians, must form part of three parallel, and complementary, processes:

- direct dialogue between Georgian, Abkhaz and Ossetian societies;
- intensification of Georgia's European integration;
- improving and putting in order Georgian-Russian relations.

The latter process goes far beyond the bilateral format and forms a part of the redefinition of relationship agenda between Russia and the West. Without the effective support from Brussels and Washington, Georgia will be unable to put in order its relations with Russia and secure its own fundamental and legitimate interests; while Brussels and Washington will find it difficult to support Georgia, if it does not fully fit into the Western value system that entails, among other things, progress towards conflict resolution through **dialogue, rebuilding mutual trust and reconciliation**.

The above-mentioned three processes may advance at different pace and with different outcomes; although a temporary loss of momentum of any of these will not hinder Georgia's efforts to progress along the other two.

Europeanisation is seen as the underlying value basis for reconciliation with the Abkhaz and the Ossetians, while **European integration** is seen as the institutional foundation for this process. This essentially means transforming Georgia into a state founded on the

principles of liberal democracy and the rule of law, political pluralism and civic equality, oriented at freedom, security and socio-economic and cultural progress of its citizens. Such a goal cannot be achieved by way of a single act; it requires time and concerted and sustained efforts.

Attempts to stop the clock and preserve the status quo are meaningless. Equally pointless are attempts to portray a whole nation with whom you have to live not just side by side, but *together*, as your enemy; Attempts to keep society in thrall to stereotypes, illusions and fears, depriving it of any development potential, have no future; It is essential to get rid of continuous confrontation and the enemy image, to bring about practices of peaceful coexistence, engagement and cooperation. There is no alternative to dialogue that creates the necessary ground for the rebuilding of mutual trust and reconciliation. *The Georgian authorities are ready to hold direct dialogue with representatives of Abkhaz and South Ossetian societies - at different levels and in different formats.*

Concord between parties to the conflicts is a prerequisite for sustainable peace. For the populations on either side of the divides, a common aspiration is to live in a space where freedom, security, safeguarding of identity and improvement of socio-economic conditions are key priorities. Achieving this will create a solid foundation for reconciliation.

It is impossible to imagine a **peaceful resolution of conflict** without reconciliation. No conflict can be deemed resolved until its parties have found a political and legal formula that allows them to consider the conflict settled and that enjoys international legitimacy. The international community would accept any formula that is agreed by the parties, and that can ensure a sustainable stability. For this formula to acquire internal legitimacy, neither party should perceive it as their own defeat. The final formula should, therefore, be based on making civil, political and cultural rights of all ethnic groups a priority; on the recognition of and respect for diversity, on elimination of all types of discrimination; on the up-to-date principles of subsidiarity, asymmetric regionalism and federalism.

Conflicts in Abkhazia and South Ossetia

The two conflicts have certain things in common, yet there are significant differences between them that need to be taken into account when implementing relevant policies.

Similarities: Both conflicts erupted in the autonomous units of the then Georgian Soviet Socialist Republic (the Abkhaz Autonomous Soviet Socialist Republic and the South Ossetian Autonomous Region) and escalated at the beginning of the 1990s; together with the political, both conflicts are also characterised by one of ethnic confrontation that resulted in the expulsion of the vast majority of ethnic Georgians from Abkhazia and South Ossetia, but also of some ethnic Ossetians living in other parts of Georgia; Russia played a significant covert or overt role in the development of both conflicts, including military involvement; in both cases military action was stopped with Russia's participation. Its peace-keeping forces (in various arrangements) were deployed along the dividing lines. After the Russian-Georgian war of August 2008, Russia (and subsequently, several other countries) recognised the independence of both Abkhazia and South Ossetia, and deployed military bases there. Abkhazia and South Ossetia's budgets, year on year, are financed to a large extent by Russia. This latter fact, together with other parameters, typologically places Abkhazia and South Ossetia alongside the North

Caucasus subjects of the Russian Federation. There are parts of the territory of both Abkhazia and South Ossetia with a predominantly ethnic Georgian population. Lastly, there are many mixed Georgian-Ossetian and Georgian-Abkhaz marriages, resulting from the cultural closeness of these nations.

There are no precise statistical data, but according to the experts the population of South Ossetia at the moment should not exceed a quarter of those who lived there before the 1989 census (and the population drain continues). The population of Abkhazia is unlikely to exceed 40% of the original numbers in the same census. Thus, the populations that remained in place after conflicts are not capable of properly developing the respective territory and resources, which negatively impacts on their prosperity.

Among the key differences one should mention:

1. The ethnic composition of the population. The overwhelming majority of South Ossetia's current population is made up of ethnic Ossetians, some two thousand ethnic Georgians residing in the Akhagori district (along with the members of mixed families in various localities), as well as small numbers of other nationalities (Russians, Armenians etc.). The ethnic composition of Abkhazia's population is a lot more diverse. According to experts, the number of ethnic Abkhaz slightly exceeds the number of ethnic Armenians, or ethnic Georgians, whilst the Russian community, although notably less numerous, has increasing potential for societal influence.

2. Physical and economic geography. The location of Abkhazia by the Black Sea gives it the opportunity to preserve contacts with the outside world, and its favourable climate creates opportunities for developing tourism and sub-tropical agriculture. The share of urban population and of university graduates among the workforce is relatively large. As a consequence, it has potential for economic development, even though currently the Abkhaz economy is largely dependent on Russian financial and technical assistance.

The dividing line between South Ossetia and the rest of Georgia forms around 75% of the South Ossetian perimeter. Its only link to Russia (its North Ossetian Autonomous Republic) is via the Roki mountain tunnel, running through the Greater Caucasus Ridge. Economically, South Ossetia is fully dependent on Russian financial assistance; the only sources of its own, rather meagre, income are inefficient agriculture, mining (mainly mineral water extraction) and servicing the Russian military base. The development of other economic sectors (for example, copper ore extraction) requires major investments and considerable human resources, and cannot become viable unless South Ossetia restores its communications with the rest of Georgia.

3. The North Caucasus factor manifests differently in Abkhazia and South Ossetia. From an ethnic point of view the population of the latter is practically the same as the title population of the Russian Federation's subject – the Autonomous Republic of North Ossetia – Alania. Despite a certain distance between them, Ossetians from both territories enjoy the full support of each other in crisis situations. At the same time, migration from South Ossetia is predominantly to North Ossetia, which exacerbates not only social problems there, but also the unresolved conflict with the neighbouring Ingush. Furthermore, in contrast to the predominantly Muslim population of other ethnic autonomies of the North Caucasus, the majority of Ossetians are Christian, which is a factor in the alienation between them and the North Caucasus neighbouring nations.

The Abkhaz though (the majority consider themselves Orthodox Christians too, a small proportion are Muslim, and local traditional faiths are also strong) are culturally and linguistically related to the indigenous North Caucasian Adyg (Cherkess) ethnos. Additionally, in Adyg (Cherkess) discourse Abkhazia is viewed as an indivisible part of their living space irrespective of what the Abkhaz themselves think in this regard. The Abkhaz enjoy the support of the Cherkess-Abkhaz (Muslim) Diaspora, living predominantly in Turkey (which has some political clout there. At the same time any hopes that the repatriation of ethnic Abkhaz from Turkey will sway the ethnic balance in Abkhazia towards the Abkhaz, has not met expectations due to cultural and religious differences, and due to the difficult social and political situation in Abkhazia.

4. Political situation. Whilst the space for civil society and independent media is extremely limited in South Ossetia, where they experience strong pressure from the authorities, both civil society and the independent media are relatively well-developed and autonomous in Abkhazia. In South Ossetia one ruling group has been replaced by another, accompanied by the marginalisation and actual expulsion of the previous political leaders. In Abkhazia, on the other hand, despite the ethnocratic nature of power demonstrated by the predominance of ethnic Abkhaz, there are elements of political competition. It should be noted that Western NGOs are allowed to work in Abkhazia (albeit with restrictions), and Western diplomats are occasionally allowed to visit Sukhumi, something that is practically ruled out in the case of Tskhinvali. Part of the Abkhaz society expresses an interest in having relations with the West, and in its civilizational model, whilst South Ossetia is more closed, and its population has totally fallen under Russian influence.

5. The Abkhaz and the South Ossetian national projects are fundamentally different. The ethnic Abkhaz national aspiration is to build an independent Abkhaz state, where politics would be dictated by the national interests of the Abkhaz. There are circumstances, however, other than the Georgian position and that of the international community, which stand in the way of the proper implementation of the Abkhaz national project. These include: a) Russia's true interests that imply complete control over Abkhazia (ruling out true sovereignty); b) mixed attitudes towards the Abkhaz project on the part of various ethnic groups in Abkhazia; c) the existence of numerous IDPs, whose situation has to be resolved.

The main ethnic groups in Abkhazia have different orientations. If the majority of the Abkhaz have set themselves the declared goal of attaining independence, other population groups gravitate towards other centres. The probability of a collision between these divergent interests has increased with Russia's neutralisation of the 'Georgian threat', since, in the absence of an 'external' threat, the level of consolidation in the society is decreasing, and the significance of internal problems has grown (for example, manipulation of the issue of so-called Abkhaz passports to ethnic Georgians, the right of non-citizens of Abkhazia to acquire land and property, unfavourable business conditions for foreigners, migration, etc.). The prolongation of ethnocratic rule in Abkhazia only exacerbates these problems and creates a fertile ground for inter-ethnic tensions.

The South Ossetian national project is irredentist in nature. Among the remaining small population in South Ossetia, there is a prevailing aspiration to unite with North Ossetia within the Russian Federation. The fact that South Ossetia is not a self-sufficient state entity, either politically or economically, is widely recognised, including in Ossetian discourse itself. There is no political or legal basis for the declaration of independence by part of a nation when the self-

determination of a much larger part of the same nation is restricted by its autonomous status within another state. Until recently Kremlin had held the leadership of South Ossetia back from formalising its irredentist aspirations, and even forced it to disavow its own statements, in order to prevent the events of 2008 from being packaged as Russia's annexation of a neighbouring state's (Georgia's) territory. Nevertheless, since the incorporation of Crimea into the Russian Federation, the likelihood of the 'Crimea scenario' being applied in South Ossetia has increased,

* * *

Thus, a clear asymmetry can be observed between conflicts in Abkhazia, on the one hand, and in South Ossetia, on the other. Any attempts to resolve these conflicts by applying identical instruments and models will not yield the required results. General strategic principles should assume the form of individual approaches, taking into account respective specifics, and both the processes and the final resolution formulae may vary. For example, valuable factor with potential peace resource could be the Ossetian community living in the rest of territory of Georgia (mainly in Kartli and Kakheti), which at present is about the same number as the population of South Ossetia). Similar potential can be noticed in the society of Northern Ossetia, which is interested in normalization of the Georgian-Osetian relations.

- Moscow – Tbilisi- Sukhumi- Tskhinvali knot

Russia pursued its own interests at all stages of the build-up to and the development of the conflicts in Abkhazia and South Ossetia. Illusions regarding Russia's impartial 'mediation' were finally dispelled by its actions in August 2008 that proved it being in fact a *party* to the conflict. It is worth noting that there was military action in Abkhazia in August 2008, with the exception of the Russian-Abkhaz military operation in the Kodori Gorge that was classed as unlawful in the Report of the Independent International Fact-finding Mission on the Conflict in Georgia ('The Tagliavini Commission'). This was soon followed by the recognition of Abkhazia's (and South Ossetia's) independence by the Russian Federation, turning Abkhazia into a precedent of breaking away part of a neighboring state without any formal excuse (subsequently, in the case of Crimea, Russia used direct annexation).

It is clear that it is not part of Russia's plan to ensure the *real* independence of Abkhazia and South Ossetia, including independence from Russia itself. Abkhazia and South Ossetia are Russian military strongholds in Georgia (and in the South Caucasus), where it has deployed offensive weapons at its military bases; the military contingent stationed in South Ossetia presents a direct and immediate threat not only to transit routes through Georgia and to pipelines of international importance, but to the Georgian capital as well. Russia has been systematically strengthening its military positions in the South Caucasus, which makes the situation particularly explosive against the background of unresolved conflicts. Russia categorically refuses to commit to the non-use of force against Georgia in the Geneva discussions format; the actions of Russia in Ukraine lay bare the threats Georgia faces. These realities present a difficult political challenge for Georgia and its allies.

The third party factor complicates relations between Tbilisi and Sukhumi and Tbilisi and Tskhinvali. Whilst the Abkhaz-Russian position vis-à-vis Georgia is highly consolidated, there is no such overlap in the Abkhaz and Russian approaches in relation to other – predominantly

internal Abkhaz – processes. These are objective and long-term contradictions (in the case of South Ossetia, this factor is either insignificant or has not yet manifested itself). The disillusionment of the independence-minded Abkhaz (the domination of Russia in Abkhazia is all-encompassing; Russia has not ensured, or could not ensure a wider international recognition of Abkhazia; the Sochi Olympics have not fulfilled the various expectations of the Abkhaz) is compounded by the growing irritation in Moscow (with the attempts of A. Ankvab administration to manage its internal affairs independently, while it is Russia that sustains Abkhazia with its own resources)), which contributes to the growing mutual mistrust of each other's true intentions. This circumstance should be considered as one of the reasons of recent early leadership change in Sukhumi.

At the moment there is no ground for saying that Sukhumi's disappointment could transform the image of Georgia to be seen as an alternative to Russia.. Russian troops have engendered a feeling of security among the Abkhaz and the Ossetians, and despite the changes in the political situation, such sentiments still prevail. Sukhumi and Tskhinvali continue to distance themselves from Tbilisi and practically have no reaction towards any initiative arising from the latter. Russia's discontent with the additional problems Abkhazia and South Ossetia have created for it, expresses itself through the popular call "Stop feeding the Caucasus". However, when the loyalty of dependent regimes is ensured, among other things, by subsidies, the level of loyalty would also to some extent depend on the amount of on those subsidies.

The Russian-Georgian Conflict

This conflict is essentially conflict of values. Georgia, after recovering its independence, has undergone a difficult and damaging period of post- totalitarian (post soviet) transformation, and has now finally found its place in space and time. It has identified its vector of strategic development and entered a stage of modernization and Europeanization. In Georgian consciousness 'being Soviet' is gradually replaced by 'being European', through ongoing process of perceiving itself as a part of the new unity, radically different from the previous one.. Citizens of Georgia understand that Europeanisation/European integration serves, first and foremost, the interests of the Georgian society itself, and is not imposed from outside. This implies a transition to a European-style state that forms the essence of formatting the core of the Georgian national project.

Russian official ideology has emerged within an anti-European, anti-Western and anti-liberal paradigm. Russia's Eurasian Union project, where Russia continues to play the dominant role, is its answer to the idea of a united Europe,

Thus Georgia and Russia have chosen different paths. Their diametrically different attitudes towards the conflicts in Abkhazia and South Ossetia is currently one of the main intractable problems in Georgian-Russian relations, that currently makes impossible restoring diplomatic relations and full-scale cooperation between the two countries.

The European Union supports the aspiration of the current Government of Georgia to reduce its tensions with Russia, while at the same time continuing to pursue its European course. Against the background of events in Ukraine, when European security has come under threat not envisaged since the end of the Cold War, the process of further normalisation of Georgian-Russian relations faces additional challenges. Georgia's population fully supports the country's

consistent progress towards Euro-Atlantic integration, making it impossible to throw Georgia off its course.

The Conflicts and the European Union

Since the 2008 war, the European Union has pursued the ‘non-recognition and engagement policy’ towards Abkhazia and South Ossetia. The ‘non-recognition’ part, which indicates an unequivocal attitude to the political and legal aspects of the Abkhaz and South Ossetian questions, could be extended to encompass Russia’s actions in relation to Georgia in 2008. The “Tagliavini Commission” Report states that *South Ossetia and Abkhazia did not have the right to secede from Georgia and that the recognition of Abkhaz and South Ossetian independence by a third party contravenes international law*. The failure of the Russian Federation to comply with paragraph five, the key point of the Sarkozy-Medvedev peace plan agreed on 12 August 2008, which provided for the withdrawal of Russian troops to their pre-war positions, is one of the grounds to qualify Russia’s actions as the occupation of Abkhazia and South Ossetia. This position is reflected in official EU documents.

Attempts by Sukhumi and Tskhinvali to impose their own terms on relations with the EU are isolationist in nature, since Abkhazia and South Ossetia need Europe more than Europe needs them. The EU aspires to implement the principle of ‘engagement’ whilst at the same time strictly adheres to the principle of ‘non-recognition’. Because redrawing borders by force is inadmissible. This approach is regarded as steadfast and strategic by Georgian society, thus ensures its trust toward the EU policy.

The implementation of the ‘engagement’ part, on the other hand, is running into serious problems. The Kremlin’s policies show once more that it has no plans to open up Abkhazia and South Ossetia to the outside world, and to the West, first and foremost. The EUMM, whose objectives include promoting stability and confidence building in conflict areas, has been denied access to Abkhazia and South Ossetia; The activities of the UN mission (UNOMIG – in Abkhazia) and of OSCE observers in South Ossetia (and in Georgia overall) cease operations after the events of August 2008 .

Approaches

Georgia's policy in relation to the conflicts is based on such e fundamental values as human rights, recognition and respect for diverse interests and aspirations, and reaching agreement through dialogue. Sustainable conflict resolution implies respect for each party's dignity, and regards diversity within the country as a value in its own right.

1. General section

Georgia’s sees the conflict resolution formulae for Abkhazia and South Ossetia within a single state, with guaranteed territorial integrity. It is also acknowledged that other parties and interest groups may hold different views on the issue. However, until one can find mutually acceptable formulas for conflict resolution, people, regardless of their place of residence, should be able to live **safely**, with guaranteed **equality** vis-a-vis other population groups, and have given opportunities to increase their **prosperity**. Georgia recognises its responsibility to all citizens living throughout its territory, including Abkhazia and South Ossetia. It offers people residing on the other side of the divides the same services it provides for the population on the opposite side , counting on the cooperation of local administrations. One of Georgia’s objectives is to improve

the quality of living conditions for all population groups affected by the conflicts residing on both sides of the dividing lines or along them (Georgia has developed *a National Strategy of Socio-economic Development of Populations in Conflict-Affected Regions*); Its successful implementation requires the other parties to the conflicts to partake in this approach. **The policy of reconciliation** with the Abkhaz and the South Ossetian sides, in the short and medium term, is aimed at achieving the above goal, by re-building mutual trust through dialogue and a subsequent transition to engagement/cooperation.

Positive experience has been gained in post-war Russian-Georgian relations in harnessing the potential for engagement in the context of a political conflict. Georgia did not cut communications with Russia, despite the latter's hostile actions, but unilaterally introduced a visa-free regime for citizens of the Russian Federation while the positions Russian businesses had gained in Georgia have not been threatened in any way.

Following the change of government after the 2012 October elections, Georgia took steps towards reducing the existing tensions (e.g. - sent a team to the Olympic Games in Sochi, and contributed towards their security provision), which led to reciprocal steps by Russia (the lifting of the embargo on Georgian exports and the easing of requirements for entry visas to Georgian citizens). Despite the fact that the fundamental political problems have remained unresolved there has been a facilitation of communication and involvement in mutually beneficial business deals for ordinary citizens and businessmen; the parties do not deny the mutual influence of the two cultures, and the need to preserve and develop humanitarian contacts; the flow of Russian tourists to Georgia has increased, while the heat of mutual rhetoric at the official level has noticeably waned.

The Government of Georgia and the Georgian society are even more open for relations with Abkhaz and Ossetian societies and more flexible towards the possible formats of cooperation.. Georgia has been engaged in a process of dealing with the past, is steadfastly moving towards becoming a democratic European state, and is establishing its place and function in the international system. Georgia has become a partner and an ally for the free world and fulfils its obligations under international agreements. The task of finding one's place in the European family through focused institutional reforms requires predictability and commitment to one's pledges. Today Georgia is sincere in its offer of reconciliation and cooperation to the Abkhaz and the Ossetians.

Tbilisi is taking unilateral goodwill steps vis-a-vis Sukhumi and Tskhinvali, in full awareness that reciprocal steps might not follow immediately. For instance, the Georgian authorities are working on harmonising **the Law on Occupied Territories** with the recommendations of the Venice Commission they are guided by the principle that the law should be directed against the occupation itself rather than the people who live in the occupied territories. At the same time Georgia expects that its steps will be interpreted in the right spirit by all, and result in reciprocal steps that will also contribute to freedom, security, equality and prosperity, and the same as the steps taken by Georgian party, and will thus contribute to confidence building and reconciliation, *A return to the multi-vector concept in Abkhaz public discourse, and an expression of interest in this idea in South Ossetia, would outline the contours of a common European future, where preservation and development of national identity is a fundamental value. The alternative prospect would be becoming a part of the North Caucasus realm of the Russian state.*

2. Non-use of force

Georgia admits, as a matter of principle, the necessity of resolving its conflicts solely by peaceful means, and it does everything it can to exclude the use of force. Georgia promptly complied with the requirements of the Sarkozy – Saakashvili 6 point peace plan, and then unilaterally committed itself to the non-use of force against Abkhazia and South Ossetia. This was stated by President M. Saakashvili in his speech before the European Parliament on 23 November 2010; On 7 March 2013, the Georgian Parliament adopted a resolution "On the Main Vectors of Georgia's Foreign Policy", reaffirming this commitment. The Georgian authorities believe that it is the Russian military presence in Abkhazia and South Ossetia that constitutes the main threat to peace. Under such conditions, entering into bilateral agreement on the non-use of force with Abkhazia and South Ossetia, without Russia committing itself to a similar obligation towards Georgia, goes against the logic, Georgia's long-term national security interests, and stability in the Caucasus. The Russian Federation has not complied with the requirement of point 5 of the Medvedev-Sarkozy agreement, has deployed its military bases in the territories of Abkhazia and South Ossetia, and located offensive weapons there, while the *de-facto* governments of Sukhumi and Tskhinvali cannot provide reliable guarantees that these bases will not be used against Georgia, either directly or as a military threat. The question of entering into bilateral agreements on the non-use of force must be considered, therefore, through the prism of real menaces.

Once an agreement on the non-use of force is signed between the Russian Federation and Georgia, a suitable format could be found that would enable appropriate bilateral agreements between the parties to the Georgian-Abkhaz and Georgian-Ossetian conflicts to be forged. These agreements would enter into force upon the withdrawal of the Russian occupying forces from Abkhazia and South Ossetia.

3. Freedom of movement

Georgia is open to the outside world and aspires to extend the similar condition to Abkhazia and South Ossetia. This is impeded by restrictions, faced by the inhabitants of Abkhazia and South Ossetia when travelling either in Georgia or abroad, as well as by foreigners on entering Abkhazia and South Ossetia and trying to work there. This is a matter for concern not only to those directly affected, but also to the Georgian authorities and the international community. It is essential to use all existing means or find new ones, if necessary, in order to solve this complex problem.

Georgia does not favour the isolation of people in Abkhazia and South Ossetia or restricting their freedom of movement to obtain medical treatment, education, or for any other purpose. To undergo the process of Europeanisation, while abandoning the populations of Abkhazia and South Ossetia to Russian domination, goes against Georgia's interests, contradicts European values, and leaves the Abkhaz and the Ossetians facing existential challenges. *Georgia supports the return of international missions and their highest participation in the reconciliation process; with reciprocal goodwill and readiness to discuss these issues, mutually-acceptable formats for solving problems can be found.*

Georgia has an interest in people being able to travel legally and without any restrictions across its entire territory, without the dividing lines that restrict their freedom of movement. The relevant Georgian agencies provide health care to all who need it, regardless of where they live; they help with access to education and so on. The current Georgian authorities provide these services without any political or other preconditions *and are currently considering the matter of*

possible validity of the identity documents issued in Abkhazia and South Ossetia throughout all of the Georgia's territory.

Georgia does not forbid any population group to travel abroad, using legal, universally-recognized documents and after the completion of visa procedures, established by country in question; many people make use of this right on a daily basis. Residents of Abkhazia and South Ossetia have been granted an additional opportunity to travel abroad using the "neutral travel document", already recognised by 12 countries; efforts are being made to increase the number of countries which recognise this document. At the same time the Government of Georgia does not control the parts of its state border with Russian Federation in Abkhazia and South Ossetia, and is concerned with the violation of the rights of people living in Abkhazia and South Ossetia there.

When an individual has the opportunity to travel abroad, but chooses not to use any of the existing options or refuses them, fearing pressure on the part of the local administration and/or radically-minded parts of society, this should not be regarded as isolation of Abkhazia and South Ossetia from the outside world by Georgia, but, rather, as their self-isolation. This state of affairs seriously hinders the implementation of the EU engagement policy, and encourages Russia to implement certain exclusive policies towards Abkhazia and South Ossetia.

Georgia's position on Abkhaz and South Ossetian residents travelling abroad using Russian Federation passports is unequivocal: the presence of Russian Embassies in the occupied territories is illegitimate; accordingly, the issue of Russian passports by consular sections of these embassies contravenes international law. The process of mass issuing of passports to citizens of another country is unlawful (as reflected in the Tagliavini Commission report) and has heavy consequences for Russia's neighbors (the events in Ukraine are a case in point).

According to Georgian legislation there are no restrictions for foreign nationals crossing the dividing lines, provided their stay on Georgian territory is lawful. Foreign nationals (with certain exceptions) are forbidden from entering Abkhazia and South Ossetia from Russian federation under the Law of Georgia on Occupied Territories, due to the absence of any effective control over such movement by the Georgian authorities. The problem of travel documents remains a thorny issue, however, and *Georgia is ready to additionally consider any alternative proposals that would serve to ensure the right of freedom of movement for residents of Abkhazia and South Ossetia – provided these would not compromise Georgia's sovereignty and come into conflict with the EU policy of non-recognition*

It is worth mentioning that the creation of a free trade zone, and Georgia's progress towards visa liberalisation as part of the Association Agreement, creates additional opportunities for all those who make good use of the benefit of the visa liberalisation process. Also, a special programme for providing higher education in European universities for the citizens of the Eastern Partnership countries will commence in 2015. Georgia is keen to see young people of Abkhazia and South Ossetia included in this programme and is already taking the necessary steps, including the legalisation of diplomas and certificates issued in Abkhazia and South Ossetia through legally established procedures.

4. Internally Displaced Persons

One of the major aspects of conflict resolution is the plight of the internally displaced persons (IDPs) from Abkhazia and South Ossetia. The realization of their right to a voluntary and dignified return to their places of permanent abode is an integral part of the reconciliation agenda. This issue remains on the agenda of the Georgian authorities, but is largely a step for the future. Today the government faces other IDP-related challenges. Chief among these is the need for a radical improvement of the IDPs' current socio-economic situation of internally displaced persons (IDPs) and their full integration into Georgian society. The Georgian authorities consider it their priority to make use of all integrational components *of the National IDP Strategy*. Creating the conditions for a dignified life for the IDPs and taking care of their wellbeing are the basis for the full realisation of their individual potential in their current places of residence.

Conflict settlement will not be complete if those IDPs who wish to return, in addition to having the right to return, are not guaranteed conditions for a safe and fulfilling life and work on their return. An integral part of this process is the restitution of their right to property lost as a result of the conflicts, or adequate compensation. The latter problem is particularly urgent due to the fact that the property of many IDPs was destroyed (in South Ossetia, for example, many Georgian villages were razed to the ground), or has been taken over by new owners over the past years.

Ability to exercise the right to voluntary return extends to those individuals (mostly, ethnic Ossetians) who have had to leave their property and homes in other parts of Georgia. Realisation of this right must take place in full compliance with the requirements of equality and security, addressing the issues of restitution or adequate compensation. *Georgia is true to the spirit of the "Law on Property Restitution and Compensation on the Territory of Georgia for the Victims of Conflict in the former South Ossetian Autonomous District " and is ready to consider these issues in a broader legal and geographical context.*

At the moment - with the intensification of the process of Georgia's European integration - there are prospects for considering the question of moral and material compensation for all persons affected by the conflicts, with the aim to follow up with practical steps.

The comprehensive solution of the IDP issue is linked with the legal recognition of the fact of IDP return to the Gali District. The reconciliation policy should include commencing work with the Abkhaz side on drafting a bilateral document to acknowledge return to the Gali District, with guarantees (subject to international monitoring) for returnees that would ensure their human rights, security, and their equality vis-a-vis other population groups, and that would exclude any form of discrimination, including on the basis of their citizenship. The relevant agreement should be based, on the one hand, on guarantees for human security and conditions for development, and on the other - the acknowledgement of the fact of return; a change in the status of returnees should not result in the deterioration of their economic situation.

A document of this kind should also establish the principles and mechanisms for further voluntary, gradual, safe and dignified return of IDPs to other areas of Abkhazia on the basis of bilateral agreements (with international mediation, if required). *The adoption of such a document would remove the need for bilateral or international-level response mechanisms in relation to mass violations of human rights, and would mark a significant breakthrough in moving to restore mutual trust and reconciliation.*

The problem of IDPs return to South Ossetia should be dealt with on the basis of similar principles.

5. Gali and Akhgori

The Georgian authorities are deeply concerned about the situation of residents in the Gali (Abkhazia) and Akhgori (South Ossetia) districts. In the current conditions, ensuring their security and equality constitutes one of the key prerequisites for restoring mutual confidence between the parties to the conflicts. At the same time, the fact that ethnic Georgians continue to live in these areas is evidence of the ability of the Georgians and the Abkhaz, the Georgians and the Ossetians to peacefully co-exist with each other, something that often appears unattainable in the case of other ethno-political conflicts.

The main problems in these areas stem from the ethnocentric practices of segregation and discrimination of populations along ethnic lines. There remain unresolved problems of human security, access to education in one's mother tongue, and the banishment of the Georgian language from the public space. Residents of the Gali and Akhgori districts are particularly affected by concerted steps to tighten regulations for crossing the dividing lines that negatively impact on their access to education, and in the case of emergency deprives them of the ability to receive urgently needed medical care.

The so-called 'borderisation' practices also represent a cause for serious concern. This involves the installation of barbed wire and erection of other artificial barriers along the dividing lines. This practice leads to a sharp deterioration in the social and economic conditions of the populations in the bordering areas. Farmers are cut off from their land, pastures and irrigation facilities; there is a resulting decline in agricultural production and the sale of agricultural products. Such a state of affairs is prejudicial to fundamental human freedoms, because it interferes with family ties and humanitarian contacts, hinders communication between communities, and prevents the rebuilding of mutual trust.

Georgia's policy in relation to the Gali and Akhgori districts is multi-dimensional. The country's authorities constantly draw the attention of the international community to the problems experienced by their residents of these and other areas.

Georgia strives to improve the plight of the residents of these areas, in cooperation with the local administrations, with the assistance of the international community, and under the supervision of international missions.

6. Dialogue

Georgia is open to cooperating with the different stakeholders in its various conflicts. As negotiations with Russia are taking place, there is no moral, legal or other obstacle to stand in the way of conducting talks with the *de-facto* authorities in Abkhazia and South Ossetia. From a political standpoint, there is no point for Georgia on the one hand, or for Abkhazia and South Ossetia on the other, in maintaining a situation whereby Russia talks with Tbilisi not only on its own behalf, but also in the name of Sukhumi and Tskhinvali. Both Sukhumi and Tskhinvali should have the possibility to express their own, distinct, positions in a negotiation process.

The format of the Geneva discussions on security in the South Caucasus was created after the Russian-Georgian war of 2008, and its primary aim is that of mitigating tensions between these two states. The participation of representatives from Sukhumi and Tskhinvali in the discussions (as part of the Russian delegation) cannot be sufficient to enhance the process of normalisation in

Georgian-Abkhaz and Georgian-South Ossetian relations. Moreover, even the Georgian and the Russian sides have found this one platform for official-level dialogue between them to be insufficient, and created an additional format for regular face-to-face meetings of special representatives (Abashidze-Karasin). In light of this, the lack of direct Georgian-Abkhaz and Georgian-South Ossetian contacts is even more apparent.

The Georgian and Abkhazian sides have experience of longstanding and relatively large-scale cooperation through jointly running the Inguri-GES hydroelectric power station. Maintaining and ensuring the technical safety of the Zonkari reservoir, situated in South Ossetia, also requires bilateral efforts. These successful examples are evidence that through bilateral dialogue it is possible to agree concrete steps that are of mutual benefit.

The Georgian authorities consider it important that Georgian-Abkhaz and Georgian-Ossetian civil society level dialogue (track-2) should continue. Much has been done within the current dialogue processes to improve understanding of the conflicts, to identify and understand each other's positions and interests, and to resolve issues although merely of the local scale that may still be as painful. A number of joint projects are successfully being carried out; there is now a tradition of frank exchange of opinions, and of joint research and other work on the most acute aspects of bilateral relations. It is essential to replicate this experience at a higher level, to exchange objective information about reforms made, about problems and achievements, about the discussions taking place in the societies on topical issues.

The Georgian authorities value the initiative by participants in civil society level dialogue to include official representatives of the sides in certain of their events (track 1.5), with international support). After a lengthy hiatus, meetings of officials in an informal setting could prepare the ground for re-establishing ongoing dialogue and mutual trust, and provide the possibility for moving the process to the still higher level, with the creation of special joint working groups that would address specific issues.

* * *

To continue the theme of dialogue we suggest discussing the principles, approaches and ideas contained in this document at a representative international conference. This Vision, and suggestions and ideas arising from the conference, should give a new impetus to the transformation of the conflicts in Abkhazia and South Ossetia, to the process of rebuilding trust, and to reconciliation between the parties to the conflicts.

State Minister for Reconciliation and Civic Equality
Paata Zakareishvili
Tbilisi, July 2014