

THE CONFLICT BETWEEN RUSSIA AND GEORGIA

Jean-Rodrigue Paré Legal and Legislative Affairs Division

13 February 2009

PARLIAMENTARY INFORMATION AND RESEARCH SERVICE SERVICE D'INFORMATION ET DE RECHERCHE PARLEMENTAIRES The Parliamentary Information and Research Service of the Library of Parliament works exclusively for Parliament, conducting research and providing information for Committees and Members of the Senate and the House of Commons. This service is extended without partisan bias in such forms as Reports, Background Papers and Issue Reviews. Analysts in the Service are also available for personal consultation in their respective fields of expertise.

CE DOCUMENT EST AUSSI PUBLIÉ EN FRANÇAIS

CONTENTS

	Page
INTRODUCTION	1
HISTORICAL BACKGROUND	2
A. South Ossetia	2
B. Abkhazia	3
C. Adjaria	4
THE SEQUENCE OF EVENTS	4
MAIN ISSUES IN THE CONFLICT	8
A. Territorial Integrity	8
B. Control of the Movement of Energy Resources	9
C. Expansion of NATO	9
POSITIONS OF GEORGIA, RUSSIA AND CANADA	10
A. Georgia	10
B. Russia	11
C. Canada	12
INTERNATIONAL ORGANIZATIONS	12
A. United Nations	12
B. North Atlantic Treaty Organization	12
C. World Trade Organization	13
D. Organization for Security and Co-operation in Europe	13



LIBRARY OF PARLIAMENT BIBLIOTHÈQUE DU PARLEMENT

THE CONFLICT BETWEEN RUSSIA AND GEORGIA

INTRODUCTION

The conflict between Russia and Georgia over the status of the separatist republics of South Ossetia and Abkhazia is a tragic reminder that Europe is not immune to armed confrontations. It had seemed that the threats posed by the reorganization of the republics of the former Soviet Union, while serious, could be mitigated by the process of democratization in the region and the increased economic cooperation between eastern and western Europe. It was hoped that the more traditional forms of conflict, the so-called "frozen conflicts," (1) would remain just that through diplomatic efforts and that hostilities would be limited to a few isolated skirmishes.

However, in an international environment where the need to redefine security seems constant, the conflict between Russia and Georgia required the West to once again ask itself these questions:

- How do you resolve the tug-of-war between a state's desire to maintain its territorial integrity and the desire of national minorities to oversee the decisions that concern them in the state they live in?
- How can Russia legitimately maintain a sphere of geopolitical influence without clashing with western Europe or North America and without doing so at the expense of people in less powerful states?

Failing answers to these questions that were satisfactory to Russia, Georgia and the populations of South Ossetia and Abkhazia, deep-seated tensions turned into armed conflict. This intense fighting lasted only about four days, but it placed the combatants, their allies, their

^{(1) &}quot;Frozen conflicts" can occur when the division of states does not correspond with the ethnic, religious or linguistic reality, leading to independence movements and armed conflicts. These conflicts can become "frozen" or protracted if they are resolved (through such means as ceasefires or defeat) without satisfying independence sentiment. The conflicts in question in this paper have their immediate origins in the dismantling of the Soviet Union, the subsequent armed conflicts and the ceasefires signed during the 1990s.

economic partners and even many international organizations in a difficult situation, some say even a true impasse that will be difficult to break without raising the threat of renewed military operations.

This document presents the history of tensions in the region since 1922, the sequence of events from the beginning of August to the end of 2008; the main issues in the conflict; the official positions of Georgia, Russia and Canada; and the role of international organizations.

Railroad 📥 Airport Road The 2008 South Ossetia war Georgian offensive (August 7-10) Russian counteroffensive (August 8-16) Krasnodar Mineralnyye Area shelled by the Georgian artillery Russian air attacks Territory controlled by the breawakay republics of yatigorsk Adygea Abkhazia and South Ossetia prior to the wa Abkazian and South Ossetian territory loyal to the Georgian government that was lost to the sepparatists and Russian forces Ust Dzhegutinsk RU Karachay-Prokhladny Georgian territory (outside Abkhazia and South Ossetia) occupied by the Russian army Cherkessia Nalchik Georgian defensive position after August 11 Kabardino-Abkhazia Balkaria Russian Nazran Groznyy 58th Army Shali Russian Sukhu ^OLenetekhi Dagestan Black Sea Taibuli South Ossetia Kutais Russian blockade Borjomi Kobuleti TBILIS Guriaa Ajaria Keda Khule GEORGIA Bolnisi Kazreti Trabzon TURKEY OVUZAZERBALJAN ARMENIA

Figure 1

Source: Andrei Nacu, University of California, Davis campus, 2008.

HISTORICAL BACKGROUND

A. South Ossetia

In 1922, following the entry of the Red Army into Georgian territory, South Ossetia was declared an autonomous region and included in the Transcaucasian Soviet Federative Socialist Republic, which included the Soviet Socialist Republics of Georgia, Armenia and Azerbaijan. As for North Ossetia, it at first became an autonomous region and then

in 1936 an Autonomous Soviet Socialist Republic within the Russian Federation of Soviet Socialist Republics, because the separation caused by the Caucasus Mountains made common administration difficult. The Ossetians had been seeking unification of the two regions since 1925 without success, which suggests that the reason for their separation had more to do with the application by the Soviet authorities of the "divide and rule" principle than with administration issues. The Transcaucasian Federation broke up in 1936, and its members were formed into the three federated republics of Armenia, Azerbaijan and Georgia.

Following the breakup of the Soviet Union and the election of Georgian President Zviad Gamsakhurdia in 1990, South Ossetia claimed its independence from Georgia, and tried to join Russia. This led to an intense war, which caused about a thousand deaths, but produced no victor. A ceasefire was achieved through the mediation of Russian President Boris Yeltsin in June 1992. A Joint Control Commission including Georgia, Russia, North Ossetia and South Ossetia was set up to coordinate the deployment of peacekeepers and to serve as a negotiation mechanism. The Organization for Security and Co-operation in Europe (OSCE) was charged with the mediation and supervision of these operations. The situation deteriorated after the "Rose Revolution" of November 2003, which displaced Georgian President Eduard Shevardnadze and led to the election of Mikheil Saakashvili in January 2004. As soon as he came to power, the Georgian president announced he would re-establish his country's territorial integrity and declared that the four-party peacekeeping force served merely to isolate Georgia, since the three other parties effectively represented Russia. In 2007, Georgia's proposal that the Commission be replaced by a transitional administration was rejected, and the work of the Commission has been virtually paralyzed since that time.

B. Abkhazia

Abkhazia enjoyed broad autonomy when it was integrated as a republic into the Transcaucasian Federation in the 1920s. However, Stalin – who was a Georgian – restricted its autonomy in the 1930s. A number of settlement campaigns were designed to reduce the numbers of the Abkhazians relative to those of Georgians. Demonstrations by the Abkhazians against what they denounced as systematic attempts at assimilation were to continue throughout the 20th century. In 1989, Georgia sought to obtain its independence from the USSR, and asked for the full integration of Abkhazia. Conflict broke out in 1991–1992, and most Georgians were forced to leave the region. A ceasefire agreement was mediated by the United Nations (UN) in 1994, calling for the presence of peacekeeping forces, again under the supervision of the OSCE. Georgia maintains that these forces are in fact dominated by Russia, and prevent any possibility of resolving the conflict.

4

C. Adjaria

A third contested region, Adjaria, returned to Georgian control in May 2004, but Russia maintained a military base there until November 2007, at the port of Batumi.

THE SEQUENCE OF EVENTS

In July and during the first week of August 2008, a number of confrontations took place in South Ossetia after attacks by Ossetian separatists on Georgian positions. During the night of 7–8 August, the Georgian army attacked the Ossetian positions and seized control of Tskhinvali, the regional capital. The next day, Russia, which supports the independence of South Ossetia, responded with a large-scale offensive over a large portion of Georgia's territory. Fighting rapidly spread to Georgia's other separatist region, Abkhazia.

On 12 August, Russia agreed to a ceasefire agreement proposed by Georgia through the mediation of French President Nicolas Sarkozy, on behalf of the European Union. The agreement included six points:

- 1. Avoidance of the use of force.
- 2. A permanent cessation of hostilities.
- 3. Unrestricted access for humanitarian aid.
- 4. Withdrawal of Georgian forces to their customary bases.
- 5. Withdrawal of Russian military forces to the positions they hold before the outbreak of hostilities. Pending an international mechanism, Russian peacekeepers would implement additional security measures.
- 6. Opening of international discussions on measures to ensure security and stability in Abkhazia and South Ossetia. (2)

The terms of the agreement notwithstanding, the Russian army continued to advance into Georgian territory for several days, meeting only slight resistance. On 19 August, Russian troops attacked the Black Sea port of Poti, and blew up the largest vessel in the Georgian fleet.

⁽²⁾ A copy of the original agreement, in French, is available on the EurActiv media website. http://www.euractiv.com/29/images/cf_text_w_sig_tcm29-174978.pdf.

During the following weeks, there were a number of newspaper reports of roadblocks and military incursions into Georgian territory outside the contested areas. The Georgian village of Perevi, just west of South Ossetia, was still under Russian control in mid-December 2008.⁽³⁾

Russian military personnel justified this presence by invoking the need to establish sentry posts to prevent Georgian attacks, which they said was consistent with the "additional security measures" referred to in the six-point agreement.

The actual withdrawal of Russian troops has been the subject of a number of contradictory statements. The misunderstanding seems to arise from Russia's interpretation of the original 1992 agreement between Russia and Georgia concerning South Ossetia, giving Russian peacekeepers access to a "security corridor" inside Georgian territory of about 12 km. (4) This interpretation is contradicted by the fact that in the past Russian troops have never in fact been deployed in the security corridor. Moreover, Georgia withdrew from this bilateral agreement in March 2008. The reference to "additional security measures" in the six-point agreement has been invoked by Russia to explain the presence of its troops outside the security corridor, and on highways leading from Abkhazia to the port of Poti in western Georgia. Some of its forces seemed to have been withdrawn by 22 August, but what constitutes complete withdrawal remains a subject of dispute. Georgia, the United States, Great Britain and France felt that the withdrawal did not comply with the terms of the agreement.

On 25 August, the Russian Duma unanimously called upon Russian President Dmitry Medvedev to recognize the independence of Abkhazia and South Ossetia, and he signed a decree to that effect on the following day, declaring that the prospect of a new cold war was nothing to fear. On 27 August, European heads of state unanimously condemned this decision, and the G7 foreign ministers, including Canada's, published a joint communiqué condemning Russia's recognition of the independence of the two enclaves as a violation of Georgia's territorial integrity and sovereignty, and deploring "Russia's excessive use of military force in Georgia and its continued occupation of parts of Georgia." (5)

⁽³⁾ Ellen Barry, "Russia cedes village to Georgia, but briefly," *The New York Times*, 13 December 2008.

⁽⁴⁾ The text of the agreement is available on the Regionalism Research Center (Georgia) website. http://www.rrc.ge/law/xels 1992 06 24 e.htm?lawid=368&lng 3=en.

⁽⁵⁾ Foreign Affairs and International Trade, "Statement on Georgia by G7 Foreign Ministers," News release, No. 185, 27 August 2008, http://w01.international.gc.ca/minpub/Publication.aspx?isRedirect=True&publication_id=386473&Language=E&docnumber=185.

The US president did not react immediately, but a US Coast Guard vessel arrived in the port of Batumi on 27 August to deliver humanitarian aid, under the watchful eye of a destroyer armed with Tomahawk missiles anchored farther off. The Russian president declared that the Americans were delivering arms to Georgia, and ordered three of its naval vessels to take position off Sukhumi, in Abkhazia.

Apart from Russia, only Nicaragua has recognized the independence of the two enclaves. The Shanghai Cooperation Organization, which includes Russia, China, Kazakhstan, Kirghizistan, Tadjikistan and Uzbekistan, went no further than a neutral declaration supporting Russia's active role in ensuring peace and cooperation in the region, but at the same time reaffirming its member presidents' commitment to efforts designed to preserve the unity of a state and its territorial integrity.⁽⁶⁾

Georgia officially broke off diplomatic relations with Russia on 29 August. Russia immediately responded in kind.

On 1 September, the heads of state of the European Union held an emergency meeting in Brussels, their first since the events of 11 September 2001, to work out a common position on the dispute. The EU reaffirmed its support for Georgia and condemned Russia's "disproportionate response," threatening it with suspension of negotiations on the strategic partnership agreement if it did not comply fully with the terms of the six-point agreement and did not withdraw from the positions it was occupying on uncontested Georgian territory. The heads of state said that the "additional security measures" invoked by Russia to explain its presence on the territory of Georgia should be replaced forthwith by the "international mechanism" referred to in the six-point agreement. French Foreign Minister Bernard Kouchner stated that only two, or perhaps three, of the six points in the agreement had so far been complied with.⁽⁷⁾

On 4 September, US Vice-President Dick Cheney travelled to Tbilisi to demonstrate his government's unconditional support for Georgia's cause. While the US did not take any unilateral military action against Russia, it suspended a civilian nuclear pact and passed a \$1 billion aid package to help Georgia rebuild its economy.

⁽⁶⁾ David L. Stern, "Regional Security Group Takes a Neutral Stance on Russia's Actions in Georgia," *The New York Times*, 29 August 2008, p. 10.

⁽⁷⁾ Steven Erlanger, "Europe to Send Mission to Moscow, Without High Hopes," *The New York Times*, 8 September 2008, p. 9.

7

On 8 September, the president of France announced that he had secured Russia's agreement to withdraw its troops from uncontested Georgian territory around Abkhazia and the port of Poti by 15 September and by 11 October from around South Ossetia. Georgian forces were also to return to their respective bases by 1 October. In Abkhazia, the 200 Russian soldiers stationed in Poti were withdrawn, but about 600 were to be posted around Abkhazia. In South Ossetia, checkpoints were dismantled and Russian troops in buffer zones had withdrawn by 8 October. The six-point agreement provided for their withdrawal to the pre-conflict positions, that is, to Russia, or at the very least to the Ossetian or Abkhazian bases where they had been stationed prior to the conflict. The Kremlin announced that 7,600 Russian soldiers would remain stationed in South Ossetia and Abkhazia. There are plans for a military base in Akhalgori, 60 km from Tbilisi, and for a naval base in Abkhazia.

The European Union sent 200 observers to the region to monitor compliance with the agreement. Initially, this group was to join a small number of OSCE observers already posted in South Ossetia as part of a mission in operation since 1992. However, the mandate of the observers remained vague, and Russia tried to restrict their operations to areas around the buffer zones bordering South Ossetia and Abkhazia. The EU observers were able to penetrate the buffer zones in early October, but access to the interior, including to the two enclaves, was blocked. Under the six-point plan, international debate on the "status of South Ossetia and Abkhazia and ways to ensure their lasting security" was to begin in Geneva on 15 October. The discussions were postponed because of disagreements over the status of representatives from South Ossetia and Abkhazia. Talks resumed on 14 November during the EU–Russia summit, when French president Nicolas Sarkozy declared that Moscow had "largely fulfilled" its commitments under the six-point agreement. (9) According to the United States, however, "Russia is far from fulfilling its commitments." (10)

It remains difficult to determine exactly what happened during the conflict. On 6 September, the European foreign affairs ministers called for an international investigation,

⁽⁸⁾ The Associated Press, "Russia: Abkhazia Base Planned," *The New York Times*, 27 January 2009, p. 10.

⁽⁹⁾ Marie Jégo, "Dégel dans les relations de la Russie avec les Occidentaux," *Le Monde*, 24 November 2008, p. 6.

⁽¹⁰⁾ Natalie Nougayrède, "La Russie est loin de respecter ses engagements," *Le Monde*, 6 December 2008, p. 8.

which was launched officially on 2 December; the report is scheduled for release on 31 July 2009. In the meantime, Amnesty International and Human Rights Watch have both released reports finding fault with all sides.⁽¹¹⁾

It is also very difficult to estimate how many lives were lost, and the countries involved have made conflicting statements. After putting forward a figure of 1,600 civilian deaths, Russia produced a revised fatality figure of 133 Ossetians and 64 Russian soldiers. Georgia estimated its losses at 215, including 69 civilians, then at 400, half of them civilians. According to the Office of the United Nations High Commissioner for Refugees, 30,000 Ossetians and 128,000 Georgians have been displaced.

MAIN ISSUES IN THE CONFLICT

A. Territorial Integrity

Since the admission of Georgia to the United Nations in July 1992, numerous resolutions of the United Nations Security Council, signed by Russia, have reaffirmed the territorial integrity of Georgia, which includes the contested territories of Abkhazia and South Ossetia. The most recent of them was adopted, with Moscow's support, on 15 April 2008. Russia's Foreign Minister, Sergei Lavrov, has stated that it was the actions of the Georgian government that put an end to the territorial integrity of Georgia. The Abkhazian and Ossetian presidents, Sergei Bagapsh and Eduard Kokoity, have said that their republics will "forever" be

⁽¹¹⁾ Amnesty International, *Civilians in the Line of Fire: The Georgia–Russia Conflict*, London, 2008, http://www.amnesty.org/en/library/info/EUR04/005/2008/en, and Human Rights Watch, *Up in Flames: Humanitarian Law Violations and Civilian Victims in the Conflict over South Ossetia*, New York, 2009, http://www.hrw.org/en/reports/2009/01/22/flames-0.

⁽¹²⁾ Tara Bahrampour, "An Uncertain Death Toll in Georgia-Russia War," *The Washington Post*, 25 August 2008, p. A1.

⁽¹³⁾ Tara Bahrampour, "Russian Intentions Unclear: Some Troops May Stay For 'Additional Security," *The Washington Post*, 20 August 2008, p. A8.

⁽¹⁴⁾ Bahrampour (25 August 2008).

⁽¹⁵⁾ Office of the United Nations High Commissioner for Refugees, *Georgia Crisis*, "Georgia: Focus shifting to returnees in both South Ossetia and Georgia," http://www.unhcr.org/georgia.html?page=briefing&id=48b3d4564.

⁽¹⁶⁾ The first such resolution is United Nations Security Council Resolution 876 of 19 October 1993, S/RES/876 (1993).

⁽¹⁷⁾ See United Nations Security Council, Resolution 1808 (2008), 15 April 2008.

with Russia.⁽¹⁸⁾ For his part, Georgian President Mikheil Saakashvili has stated that the two enclaves will remain under Georgian control now and forever.⁽¹⁹⁾

These statements must be placed in a broader context. The independence of Kosovo and the "responsibility to protect" concept were not well received by Russia; both notions raise the issue of territorial integrity and can blur its meaning. It has thus been relatively easy for Russia to show its frustration in this regard by reminding its Western detractors of their own contradictions concerning the concept of territorial integrity.

B. Control of the Movement of Energy Resources

Georgia's territory and its infrastructure are important for the transport of oil and gas from the Caspian Sea. Now that Russia's monopoly has been broken by the coming on stream of the Baku-Tbilisi-Ceyhan oil pipeline, the country is anxious at any cost to avoid having Georgia so integrated into Europe that it can ignore the federation, thus making Russia's strategic use of the territory more difficult. If Russia can maintain sufficient control over Georgia, it can more easily prolong European dependence on Russia and ensure a high price for its energy resources by reining in Georgia's efforts to help Europe develop alternative routes. Russian intervention in the separatist enclaves could thus constitute a reminder to Georgian authorities that they cannot afford to ignore Russia without incurring risks against which they have little protection, given the West's failure to act in concert, and Europe's energy dependency. It may be that President Saakashvili counted too heavily on Western support, which, while unconditional in words, proved to be modest in deeds.

C. Expansion of NATO

Russia has had to resign itself to the expansion of NATO into former Warsaw Pact countries and the Baltic republics. With the recovery of its economic strength and its political clout, Russia now claims to be able to demand a halt to NATO's expansion.

On 3 April 2008, NATO officially declared that Georgia and Ukraine would become members of the alliance, although without specifying the procedures that would bring

⁽¹⁸⁾ Nabi Abdullaev, "Russia Adds 2 New Countries to Its Map," The Moscow Times, 27 August 2008.

⁽¹⁹⁾ C. J. Chivers and Michael Schwirtz, "Georgian President Vows to Rebuild Army and Pursue Control of Enclaves," *The New York Times*, 25 August 2008, p. 5.

them to membership. Membership in NATO offers Georgia another way of counterbalancing Russian influence. However, the lack of a concrete plan for its attainment of NATO membership may have been interpreted as demonstrating a wavering desire on the part of the allies to continue expanding NATO. It remains to be seen whether firm words and actions on the part of the Russians will diminish the strength of the West's desire to pursue the expansion of its military alliance. For the time being, Georgia's army has been virtually annihilated, and the peacekeeping forces that patrolled Abkhazia and South Ossetia have been replaced by Russian forces protecting the independence of the two enclaves. Neither the European Union observers nor the OSCE observers have had access to these two regions. Since the events of August 2008, South Ossetia and Abkhazia appear to have been part of Georgia on paper only.

POSITIONS OF GEORGIA, RUSSIA AND CANADA

A. Georgia

Shortly after the Russian president's recognition of the independence of Abkhazia and South Ossetia, Georgian President Saakashvili issued a communiqué setting out his government's position on the conflict. In Georgia's view, Russia's actions constitute an attempt at annexation by force and the ethnic cleansing of the territory of an independent state. It claims that this challenges the international system of security in force for the last 60 years, and demonstrates Russia's desire to redraw the map of Europe. According to the Georgian authorities, this is the same strategy that led Russia to expel Georgians from Abkhazia in 1993. At that time, there were more than half a million people in Abkhazia, whereas now only about 150,000 remain. The communiqué asks whether it is "moral or legal for an ethnically cleansed area to be rewarded with independence by a neighbour." It asserts, "If intervention in Kosovo was about stopping ethnic cleansing, today's decision by the Russian Federation is about rewarding and legalizing ethnic cleansing." It concludes with a call for the collective solidarity of "free peoples."

⁽²⁰⁾ The complete text issued by the office of the President of Georgia is available at "Text: Saakashvili's statement on Russia's action," *International Herald Tribune*, 27 August 2008, http://ihtco.com/articles/2008/08/27/europe/27saakashvili.php.

B. Russia

In announcing recognition of the independence of Abkhazia and South Ossetia, Russian President Dmitry Medvedev explained his view of the conflict at a press conference. (21) Russia accused Georgia of "night-time execution-style bombing," resulting in the deaths of hundreds of civilians and peacekeeping troops, in violation of the UN Charter and "contrary to the voice of reason." President Medvedev asserted that his country had made every effort since 1991 to achieve a political resolution of the conflict, and "in doing so (was) invariably guided by the recognition of Georgia's territorial integrity." He claimed that recognition was thwarted by Georgia, with the support of its foreign protectors, and in violation of the regime established in conflict zones by the UN and the OSCE. The president said that Russia had not deviated from its moderate position, "even after the unilateral proclamation of Kosovo's independence," and unfortunately its calls for mediation were ignored by Georgia and by NATO and the UN. He added that during the night of 8 August 2008, "Saakashvili opted for genocide to accomplish his political objectives." According to Medvedev, after several referenda, this final affront makes the right of South Ossetia and Abkhazia "to decide their destiny by themselves" all the more Invoking the UN Charter, the CSCE Helsinki Final Act of 1975 and other international instruments, the president recognized the independence of the two enclaves.

On 1 September 2008, the Russian president set out five principles of his foreign policy:

- 1. Observance of international law.
- 2. Rejection of US dominance of world affairs and the resulting "unipolar" world.
- 3. A search for friendly relations with other countries.
- 4. Defence of Russian citizens and business interests abroad.
- 5. Reclaiming of its sphere of influence in the world. (22)

⁽²¹⁾ The complete version, as translated by the Kremlin, is available at "Medvedev's Statement on South Ossetia and Abkhazia," *The New York Times*, 26 August 2008, http://www.nytimes.com/2008/08/27/world/europe/27medvedev.html.

⁽²²⁾ Andrew E. Kramer, "Russia Claims Its Sphere of Influence in the World," *The New York Times*, 1 September 2008, p. 6.

C. Canada

Canada's position is summarized in the following points:

- Canada strongly supports the territorial integrity and sovereignty of Georgia and its democratically elected government.
- Canada remains gravely concerned by Russia's recognition of the independence of South Ossetia and Abkhazia and its continued military presence in parts of Georgia.
- Canada is prepared to assist, together with our international partners, in efforts to achieve lasting peace and stability. It has provided humanitarian assistance and is reviewing Georgia's needs.
- Canada stands behind the statement made by NATO leaders at the April 2008 Bucharest Summit that Ukraine and Georgia will become members of NATO. (23)

INTERNATIONAL ORGANIZATIONS

A. United Nations

The United Nations Security Council was unable to agree on a resolution concerning the events in Georgia, with Moscow using its veto to block any attempt to recognize the territorial integrity of Georgia. (24)

On 8 September, Georgia sought an injunction from the International Court of Justice instructing Russia to cease "terrorizing" ethnic Georgians and to allow refugees to return to their homes. In their testimony, Georgia's representatives accused Russia of a "systematic campaign of ethnic cleansing."⁽²⁵⁾

B. North Atlantic Treaty Organization

On 19 August, the European members of NATO rejected the United States' call to suspend diplomatic relations with Russia in protest against Russia's occupation of Georgia. The

⁽²³⁾ Excerpt from briefing notes prepared for members of the Canadian delegation to the Fall Meeting of the Parliamentary Assembly of the OSCE in Toronto, September 2008.

⁽²⁴⁾ Philippe Bolopion, Thomas Ferenczi, and Marie Jégo, "À Bruxelles, l'Alliance atlantique durcit le ton à l'égard de la Russie," *Le Monde*, 21 August 2008, p. 6.

⁽²⁵⁾ Marlise Simons, "International Court Hears Georgian Case," The New York Times, 9 September 2008.

organization chose a more moderate approach whereby it expressed grave concern and said it was prepared to seriously re-examine its relationship with Russia. Russia responded with a declaration that it would be terminating all cooperation with the alliance until further notice. Relations resumed in early December, and were termed by NATO a "conditional and graduated re-engagement" with Russia. This happened just before the opening of a new round of discussions on the membership in NATO of Georgia and Ukraine, following the creation in August of a NATO–Georgia Commission to facilitate that membership. No specific timetable was adopted.

C. World Trade Organization

Russia applied to join the WTO in 1995. Without announcing total withdrawal from the negotiations, Prime Minister Vladimir Putin stated that Russia was withdrawing from commitments it had entered into in the course of the negotiations. However, Russian negotiator Maxime Medvedkov said on 22 September that Russia's membership in the WTO remained a priority. Negotiations between the WTO and Russia resumed in November 2008.

D. Organization for Security and Co-operation in Europe

The OSCE has been very much involved in mediating the conflict between Russia and Georgia since its mission to Georgia was established in 1992, and it was a member of the Joint Control Commission. Its role was to supervise the Joint Peacekeeping Force in South Ossetia. On 19 August 2008, the OSCE decided to add, over the subsequent six months, up to 100 military observers to the existing eight. Their mandate is to monitor compliance with the terms of the six-point agreement. Twenty new military observers have been deployed around Tskhinvali, but Russia has blocked access to the conflict zones for the 80 new observers.

⁽²⁶⁾ Adrian Blomfield, "NATO is divided over policy on Russia: European nations reject American proposals for tough line over Georgia," *The Daily Telegraph*, 20 August 2008, p. 16.

⁽²⁷⁾ Andrew E. Kramer, "In Georgia, a Claim Russia Is Making More Advances," *The New York Times*, 22 August 2008, p. 8.

⁽²⁸⁾ Steven Erlanger, "NATO Chief Defends Engaging With Russia," *The New York Times*, 4 December 2008, p. 8.

⁽²⁹⁾ Adrian Blomfield, "Russia mocks West over its action on Georgia," *The Daily Telegraph*, 26 August 2008, p. 13.

LIBRARY OF PARLIAMENT BIBLIOTHÈQUE DU PARLEMENT

14

Negotiations with Russia on the ability of observers to enter the territory were suspended on 18 September. With the support of the EU, the OSCE has agreed to extend the military observers' mandate for six months, but the OSCE Mission to Georgia itself ended on 31 December 2008, as the result of a disagreement between the OSCE and Russia over the recognition of South Ossetia as an independent state. (30)

The Parliamentary Assembly of the OSCE has also been very active, particularly through its Ad Hoc Committee on Abkhazia. The Assembly's President Emeritus, Göran Lennmarker, was appointed Special Envoy to Georgia, and reported on his trip to the Caucasus at the Fall Meeting, held in Toronto in September 2008.

⁽³⁰⁾ Associated Press, "OSCE extends the mandate of its observers in Georgia," 12 February 2009.