

Kosovo No Precedent for Abkhazia—Putin should respect Georgia's Sovereignty, Human Rights

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On the last day of January, Russian President Vladimir Putin confirmed that Moscow is set to twist the United Nations talks on the final status of Kosovo to serve its own aims in the Caucasus, particularly in Abkhazia. "If someone thinks that Kosovo can be granted full independence, then why should we refuse this to the Abkhazians...we need commonly recognized universal principles," Putin said. But Kosovo is unique, and whatever develops there cannot and should not yield the neat universal principle the ex-KGB man seeks. The international community should tell him so now, at the outset of the Kosovo negotiations.

The UN sponsored talks had been set to begin by the end of January, but the death of Kosovo President Ibrahim Rugova forced a one month delay. Now UN envoy Martti Ahtisaari, former President of Finland, appears set on February 20 as the new opening day for the talks. After nearly seven years of UN administration backed by NATO force, western countries are understandably anxious to find a solution. Most western diplomats are already speaking of some kind of "conditional independence" for Kosovo to be agreed during 2006.

This is a unique, and uniquely awkward situation because Kosovo is legally part of Serbia. Indeed, it has taken eight tortuous years for the international community to reach this point. Today's attitudes and positions cannot be abstracted away from the history, not only of Serb aggression against Albanian Muslims who comprise a 90% majority in Kosovo, but also of the NATO and UN reaction to it. Like the massacres backed by Slobodan Milosevic's army and the flight of hundreds of thousands of people, NATO's 1999 bombing campaign and subsequent UN administration of the province are part of history. It is in this unique context that the UN Security Council launched the Kosovo final status talks.

Despite initial optimism expressed by some western diplomats, these will be tough negotiations. Albanian Kosovars are fixed on independence. The Serb minority, backed by Belgrade, stands firmly against it. The negotiators' task is not only to find a formula that can gain Security Council approval, but one that is just, viable and stable, protecting the rights of all.

This challenge is wildly complicated onto itself, but attitudes and positions will also be affected by other centrifugal forces tugging at what remains of the former Yugoslavia. In neighboring Montenegro, President Filip Vujanovic may ask Parliament later this month to set an April date for a referendum on Montenegrin independence. But the prospect of independence is just about the only similarity between Montenegro and Kosovo.

The European Union and the Council of Europe's Venice Commission are trying to mediate a set of rules to govern the Montenegrin vote. They have a hard job to do, but they hardly face the kind of standoff seen in Kosovo. Unlike Kosovo, Montenegrin attitudes on independence are more evenly divided—41% for and 32% against. Montenegro is a constituent republic of Serbia-Montenegro; Kosovo a province of Serbia. Montenegro does not share Kosovo's brutal history or its administration by the UN. Montenegro's government will call a vote according to a 2003 constitutional arrangement to allow a referendum in three years. Kosovo's status will be decided by a UN brokered negotiation.

One need not go further to establish that the situations in these two neighboring bits of the former Yugoslavia are radically different. If the situation in two adjoining lands can be so different, then it is hard to see how any universal principle drawn from Kosovo can be applied

further afield. Of course, there are some principles of international law. And the diplomats involved in the Kosovo process will no doubt glean some procedural techniques that may be useful in settling conflicts elsewhere. But only those still afflicted with notions of scientific communism will fail to see that such conflicts are vastly complex and unique—that is why they are so hard to solve.

Can one imagine an eventual Kosovo formula neatly applied in Cyprus? Kurdistan? Northern Ireland? How about Quebec? All silly, of course, if only because Putin was careful to say that his universal principles would apply only in the former Soviet space. Leaving aside that this reservation would render the universal principles less than universal, the Russian President was careless to overlook that Russia is part of the former Soviet space! Shall the principles drawn from Kosovo be applied to Chechnya? Ingushetia, Dagestan? Surely Putin would shriek that these are autonomous republics of Russia, different from Kosovo, different from Abkhazia. There is the rub!

In reality, the Kremlin's latest contribution to conflict resolution is neither universal nor is it a principle. It is simply Moscow's latest gambit in the creeping annexation of Abkhazia. Russia has read the diplomatic tea leaves on Kosovo and decided to offer only a perfunctory defense of its Serbian ally, meanwhile cashing in on what it has concluded will be the inevitable outcome of some kind of independence for Kosovo. Sergei Markov, an analyst with close Kremlin Ties explains.

“On the one hand, we are against Kosovo independence, as Serbia is an ally. On the other hand, we are ready to recognize Kosovo independence, should it come about, as an international precedent applicable to the unrecognized states in the post Soviet space.”

Markov's use of the word “recognize” is significant because any solution will have to be approved by the UN Security Council, in which Moscow wields a veto. Impotent to alter the course of diplomatic events, Moscow is again using its lone vote to extract concessions from the west. In effect, Russia wants to barter letting the west have its way in the Balkans for its own free reign in the Caucasus.

The international community is already alert to the Kremlin's latest scam. To illustrate, western countries in the Contact Group for Kosovo—France, Germany, Italy, United Kingdom, United States—sought to insert into a January 31 declaration on the principles that should govern the Kosovo talks a statement that an emergent solution in Kosovo “will not create a precedent for other conflicts in different regions.” Russia blocked it. “We did not agree with this,” said a gloating Russian Foreign Minister Sergei Lavrov, “and as a result this kind of position is not included in the document.”

Looking ahead, the danger for Georgia is not that western diplomats misunderstand the situation, but that they may be worn down by tenacious and truculent Russian negotiators. Weary from tough talks that may well take longer than anyone thinks, a Kosovo solution within their grasp, some may be tempted to sweep the precedent issue under the carpet. This prospect, along with Putin's words, gives Georgia a stake in the Kosovo final status negotiations.

Georgia need not, indeed should not, take positions on Kosovo independence, or on whatever conditions may be placed on it. This could alienate some participants in the final status talks. Moreover, it is unlikely that Georgia can affect the outcome of a diplomatic process that even Russia has concluded will run its own course. However, the international community will accept Georgia's standing to weigh in on the precedent issue. Therefore, Georgia's immediate diplomatic objective should be to garner broad international support for the view that an

emergent Kosovo solution sets no precedent for Abkhazia or elsewhere. In particular, any document sent to the UN Security Council for a vote must include a provision to that effect, such as the one Russia blocked in the January 31 Contact Group statement.

Such a diplomatic effort would be reinforced by explaining how very different Abkhazia is from Kosovo. Abkhazia is a legal part of Georgia, a fact recognized by the international community, including Russia. And, like Kosovo, the current conflict is rooted in ethnic violence. Any similarity stops there.

In Serbia, the Serb majority, though a minority in Kosovo, oppressed the Albanian minority, although it was a majority in Kosovo. In Georgia, the Abkhaz minority, also a minority in Abkhazia, chased out the Georgian majority. In Kosovo today, thanks at least in part to NATO intervention, it is possible to speak of the will of the majority. No such discussion is possible in Abkhazia without taking into account the hundreds of thousands who were forced to flee their homes.

In Kosovo a sovereign government oppressed its own people. In Abkhazia a foreign power joined in the aggression for its own geopolitical purposes. Very different, too, has been world reaction. Although the international community was initially reluctant to intervene in Serbia's internal affairs, evidence of massacres led to a massive NATO bombing campaign that began in March 1999. Then the UN stepped in with over 5,000 people to administer every aspect of the province's governance. Order is maintained by a NATO force that includes Georgian troops.

In contrast, the tale of Abkhazia is yet to be effectively told in the west. The place is misgoverned by a self declared regime propped up by Moscow. Criminality and human rights abuses run rampant. And the UN has sub-contracted the peacekeeping job to Russia, itself an instigator and propagator of the conflict. Without denigrating for a moment the work of the UN Observer Mission in Georgia, one can say that UNOMIG is a mere shadow of the UN operation in Kosovo.

Because of heavy international commitment and visibility, any solution agreed for Kosovo will no doubt include some kind of UN human rights monitoring as well as a provision that an independent Kosovo may not unite with neighboring Albania. Under the current situation in Abkhazia, human rights will continue to be trampled as Moscow proceeds with creeping annexation.

The contrast between the international community's heavy involvement in Kosovo and its virtual neglect of Abkhazia is key. Frankly, if the world had shown one tenth the interest in Abkhazia that it has invested in Kosovo, things would now be very different.

All this leads to what should be Georgia's broader diplomatic objective in the Kosovo final status talks. Georgia should use the convergence of these talks with the approach of the July 1 deadline set by its Parliament for reevaluation and possible withdrawal of the so called Russian peacekeepers from Abkhazia to focus world attention on the conflict there.

Abkhazia does not need NATO military intervention or a massive influx of UN administrators. It does need a vigorous diplomatic alternative to the flaccid "Group of Friends" that has become more part of the landscape of the conflict rather than a solution to it. The world needs to tell Putin that respect for human rights and the sovereignty of a neighboring country are the only universal principles he needs.

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