In discussions on European security after 1989, the break-up of the Soviet Union is repeatedly described as relatively non-violent. From a distance, this is probably true, but this conclusion does not stand up to closer scrutiny. Beginning in 1992, there was a series of armed local conflicts that stretched from north to south across Europe to the Caspian Sea. The conflicts not only claimed a lot of the war-ravaged population’s blood. They also led to sustained human rights violations, flight and displacement, ethnic cleansing, and, ultimately, continued marginalization, poverty, and youth emigration. The affected conflict zones at the seam between West and East threaten to become the militarily disputed poor houses and old people's homes of Europe.

The OSCE is involved in all local conflicts with various instruments of mediation, crisis prevention, and conflict management. Although the conflicts in Ukraine, the Republic of Moldova, Georgia, and between Azerbaijan and Armenia over Nagorno-Karabakh each have their own specific characteristics, in all four contexts there are also clearly comparable patterns in the dynamics of the conflict and in the methods of dealing with it. Based on my own experience, I will discuss the OSCE’s mediation activities in the South Caucasus below.\(^1\) I will concentrate on the negotiation formats and examine the question of the limits and possibilities of international peace mediation. My conclusions will be combined with a number of recommendations, leaving it to more qualified observers to apply them to the contexts of Ukraine and Moldova not discussed here.\(^2\)

**The Negotiation Format in the Georgia Conflict**

Since the outbreak of the war between Georgia and Abkhazia, which was striving for independence, on 14 August 1992, there have been numerous talks...
and negotiations to bring the civil war in Georgia to an end. However, the short but violent August war in 2008 between Georgia on the one hand and South Ossetia and Russia on the other represented a turning point in peace efforts. The UN and the OSCE had to close their missions in Abkhazia and South Ossetia under pressure from Russia. Russia became the power protecting the two areas and stationed military and border guards in the region. In addition, Moscow subsequently recognized Abkhazia and South Ossetia as independent states with which it entered into strategic partnership agreements. The borders between Georgia and the two regions were fortified, guarded, and increasingly transformed into closed dividing lines that could only be crossed at a few places. The six-point agreement between Russian President Dmitry Medvedev and Nicolas Sarkozy, President of the European Council at the time, ended the five-day war and established the Geneva International Discussions (GID).

The international talks on modalities for security and stability in South Ossetia and Abkhazia began in Geneva on 12 October 2008. The format of the GID, which was supposed to complete its task within a few weeks, would prove to be extremely tough. Since then, 49 rounds have been held to discuss the guarantee of security and stability in the region, the solution to the problem of refugees and displaced persons, and all other open questions by mutual agreement. The contents are set by the six-point plan. The agenda must therefore be strictly adhered to and cannot be changed unless the parties decide to do so by consensus at the highest level. A high-level round of talks is therefore repeatedly brought up for discussion (comparable to the Normandy format in Ukraine), but is not realistic in the foreseeable future. This means that questions regarding Georgia’s sovereignty, the status of the two regions Abkhazia and South Ossetia and, more broadly, a comprehensive peace treaty could not and cannot be discussed.

Representatives of Georgia, Russia, Abkhazia, and South Ossetia participate in the GID in their personal capacity and in their capacity as experts – and not as official delegates. Georgia still does not recognize Abkhazia and South Ossetia as parties to the conflict. This is also the reason that there is no plenary session, apart from the rudimentary plenary during lunch in the UN building in Geneva; the participants from the two areas are not allowed to sit at the plenary table, but have to spread out between other tables. Meetings are conducted in two parallel working groups, which take place at expert level and are facilitated by the three Co-Chairs or Co-Moderators. The primus inter pares is the Co-Chair from the EU, i.e. the organization that made the ceasefire possible and assumed non-use of force guarantees for Georgia. The other two are


4 The agreement and additional agreements can be found at: http://www.civil.ge/Archive.
nominated by the UN and the OSCE respectively, i.e. the two organizations that maintained their missions in Abkhazia or South Ossetia before the August war. In addition, there is the representative of the EU Monitoring Mission (EUMM) in Georgia. The United States takes part in the discussions as an observer and probably also as an ally of Georgia. Russia does not consider itself a party to the conflict, but a mediator or observer too. While the Russians and the Americans sit opposite the three Co-Chairs, the Georgians and Abkhazians/South Ossetians sit to the left and right of the Co-Chairs on both sides of the rectangular table, de facto opposite one another as parties to the conflict. Incidentally, the participation of women at the negotiating table is minimal (also on the part of the international organizations).

The mandate of the Co-Chairs is predefined by the six-point plan and is therefore strictly limited. The conflict parties assume that all participating experts are essentially equal. Nevertheless, the three representatives from the EU, the UN, and the OSCE try to make the best possible use of the given scope, or expand it as far as possible. It is now accepted on all sides that at the beginning of the talks, the Co-Chairs remind the participants of the basic rules that have been adopted by all parties and call for adherence to them. The Co-Chairs are also responsible for ensuring that the predefined agenda can be completed in the two working groups. They also present their own reports on security and stability in the region. These are supplemented by the EUMM on the basis of information from daily patrols. In addition, they endeavour to give substance to the discussions, for example, through regular information sessions on the eve of the GID and by stimulating and moderating technical working meetings or informal talks on the margins or outside Geneva. Topics include: non-use of force, environmental problems in the region, multilingual education, freedom to travel, archives, and cultural heritage. The goal of a joint declaration on the renunciation of violence has been pursued for years and continuously requires the Co-Chairs to act sensitively, mediate resolutions to disputes, and moderate patiently – even in the long corridors of the UN building. The GID, which take place every three months, are prepared relatively intensively with a visit by the Co-Chairs and their teams to Tbilisi, Sukhumi, Tskhinvali, and Moscow. In addition, there are talks in New York and Washington D.C. On the day before the actual GID, bilateral meetings with all participants – including the US – and an informal reception are held in the UN building. The discussions are mostly objective and the atmosphere is generally good. The individual experts certainly find ways of approaching one another on a personal level, even if they represent the position of their respective government or de facto government with toughness and intransigence during the discussions.

As early as 2009, the participants decided to introduce two local crisis mechanisms in addition to the GID: the “Incident Prevention and Response Mechanisms” (IPRM), which usually take place monthly on the “Administrative Boundary Line” (ABL, non-recognized border) between Georgia and Abkhazia or South Ossetia. All sides agree that the IPRM have developed into
key instruments for solving problems at the border or on the ABL and are indispensible – even if some IPRM have been suspended for a longer period of time due to current crises. The IPRM, which are moderated by the UN, or by the OSCE and the EUMM, can last for hours. The agendas are therefore also tightly packed. This applies above all to the IPRM meeting in a tent at the closed Ergneti border crossing (South Ossetia), where considerably more issues are dealt with than at the IRPM in Gali (Abkhazia). In addition to the current security situation, topics such as combating wild fires, water use, cleaning irrigation systems, the exchange of persons arrested at the ABL, persons missing since the war, etc. are discussed in a solution-oriented way. There are repeated heated debates about the violation of “the state border of the Republic of South Ossetia” – a border that does not exist from the Georgian point of view. The representative of the Georgian state security must avoid the Russian border guards’ skilfully presented proposals for marking the border together so that the local population knows where the border is and therefore fewer violations and arrests occur. While militarily relevant violations and confrontations are extremely rare, in recent years, the unexplained deaths of arrested Georgians have led to emotional debates at both IPRMs.

The Negotiation Format in the Nagorno-Karabakh Conflict

The current conflict between Azerbaijan and Armenia over Nagorno-Karabakh also dates back to the end of the Soviet Union in 1991. Nagorno-Karabakh declared its independence from Azerbaijan on 2 September 1991, to which it belongs under international law according to four UN resolutions5 of 1993. Since a bloody war, Nagorno-Karabakh and adjacent areas, and the ceasefire line of 12 May 1994 have been held by the Defence Army of Nagorno-Karabakh (the self-proclaimed “Republic of Artsakh”) and the Armenian Army.6

Diplomatic peace activities remained erratic and without consequences for a long time after the ceasefire. As early as March 1992, the OSCE (then CSCE) established the Minsk Group, originally with 13 participating States. Since the goal of a peace conference was never achieved, the group primarily monitors the course of the conflict. In addition, the OSCE has repeatedly attempted to reduce tensions and make proposals for conflict resolution. Nonetheless, positions remained entrenched and the situation at the line of contact (ceasefire line) and, in part, at the state border between Azerbaijan and Armenia remained strained. Thus, there were regular casualties and gunfights almost

daily, which were repeatedly interpreted by international observers during particularly tense times as signs of a military solution to the conflict by Azerbaijan. Indeed, provocations on both sides of the line of contact or border have come and go. Against the background of an alarming military threat and increasing armament on both sides, the three Co-Chairs, nominated from three members of the Minsk Group (USA, Russia, France), presented a catalogue of principles at the OSCE Ministerial Council Meeting in Madrid in November 2007, which was intended to lead to a comprehensive peace process. The Madrid Principles should serve as a package solution formula for negotiations that are both comprehensive and gradual.\(^7\)

According to the principles, Nagorno-Karabakh would be granted an interim status, including security guarantees and self-governance. This status should remain in force until all other issues have been negotiated and implemented. A legally binding referendum should then be held to determine the will of the people of Nagorno-Karabakh regarding the future status of the region.\(^8\)

Although the Madrid Principles were to form the basis of all future OSCE initiatives as well as Russia’s offers of talks to the conflict parties, there has been no significant change in the status quo since then. Neither the initiatives of Russian Foreign Minister Sergei Lavrov, nor the high-level talks held at the invitation of the Russian Presidents Dmitry Medvedev and Vladimir Putin over the past ten years in Sochi have led to a significant rapprochement between the two presidents or a softening of the polarized positions. Even the demand from Nagorno-Karabakh, which is at the centre of the conflict, to participate in the talks has so far been unsuccessful. Nagorno-Karabakh and the Azerbaijani community expelled from the region are only recognized as “interested parties”.

The format of the Nagorno-Karabakh talks basically consists of various, rather ad hoc individual initiatives and the efforts of the three Co-Chairs of the Minsk Group to bring the parties together. These include the annual or biennial bilateral meetings of the presidents of Azerbaijan and Armenia in Paris, Bern, St. Petersburg, Geneva, etc.\(^9\) While the presidents hold discussions for one or

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\(^7\) As early as March 1996, the Foreign Minister of Switzerland and Chairperson-in-Office of the OSCE, Flavio Cotti, presented the first draft of a comprehensive package solution.


\(^9\) On 8 May 2018, there was a change of power in Yerevan due to continuing protests. The activist and newly elected Prime Minister of Armenia, Nikol Pashinyan, met Azerbaijan’s President Ilham Aliyev on 28 September at a CIS summit in Dushanbe. This was the first conversation between the two, during which they reaffirmed the ceasefire and their will to find a peaceful solution to the conflict. They also agreed on an operational mechanism for establishing prompt contact between relevant authorities on both sides. The proposal put
two hours in private and without an agenda, the foreign ministers meet together with the Co-Chairs in an adjoining room, although they certainly have no concrete negotiating mandate. Sporadic meetings between the foreign ministers at international conferences (such as the Munich Security Conference) complement the talks between the heads of state. In addition, there is the “shuttle diplomacy” of the three Co-Chairs. The OSCE Chairperson’s Personal Representative, who has been in office for over twenty years, plays a special confidence-building role in times of crisis and high tension – for example during and after the military escalation at the line of contact in April 2016. In addition, since the Swiss OSCE Chairmanship in 2014, experts have met repeatedly at an academic level to deepen the analysis of the conflict and concretize the Madrid Principles. The OSCE’s monitoring at the ceasefire line and the state borders, including on the Nakhichevan side, under the leadership of the Personal Representative, is limited to two missions a month, conducted by a total of six monitors. Monitoring requires strict security measures to ensure that OSCE staff do not accidentally fall victim to an exchange of fire. Standardized and precise reporting emphasizes linguistic and factual neutrality so that the mission cannot be attacked or even terminated by one side or the other.

Comparison of the Two Conflict Management Processes

Both unresolved conflicts in the South Caucasus are concerning territories or independence in the post-Soviet space. Both conflicts share comparable patterns: Russia is a key actor in both regions – both in terms of conflict dynamics and peace diplomacy. In each, one state (Georgia and Azerbaijan) insists on restoring territorial integrity and sovereignty under international law over the entire state territory. Secessionist forces in Abkhazia, South Ossetia, and Nagorno-Karabakh claim their independence. From the point of view of Georgia and Azerbaijan, the independence aspirations are untrustworthy, since both assume that the secessions were driven by Russia and Armenia (in the case of Nagorno-Karabakh) respectively.

Despite comparable initial conditions and similar influencing factors, there are major differences in the dynamics and management of the conflicts:

- In Georgia there are neither existing principles for a comprehensive negotiated solution, nor elements of a peace process. It would not occur to anyone today to even think about anything like “definitive solutions”, let alone put them on paper. Questions regarding the status of the territories, which, from the Georgian point of view, are occupied, are excluded from all discussion formats. If one of the Co-Chairs wanted to discuss such

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forward by Pashinyan to involve Nagorno-Karabakh in the peace negotiations in the future was apparently not pursued any further. It remains to be seen whether the dynamics of conflict management will be different under Pashinyan.
issues in Geneva, they would be declared persona non grata the next day. The GID are currently carrying out technical renegotiations on the 2008 ceasefire. There is only a vague six-point plan in place, which is intended to regulate the ceasefire and the measures taken by the parties once it comes into force. The additional measures specify the military steps, the disengagement and return of troops to pre-war positions. For the Nagorno-Karabakh conflict, on the other hand, the Madrid Principles provide a far-reaching proposal that includes both a step-by-step approach and a package solution. The Principles deal centrally with questions regarding the final status of Nagorno-Karabakh and offer the prospect of a referendum to resolve the conflict.

- As far as discussion formats are concerned, it was possible to establish a relatively stable architecture for the Georgia conflict. Although this architecture is constantly at risk of collapse, it has survived for ten years. The GID format forces a pragmatic approach of small steps and technical solutions at the local level. It is successful in aspects concerning individual fates (of detainees) and concrete solutions to problems common to all (water, fire prevention, pest control in agriculture), but less successful when it comes to problems concerning entire groups (internally displaced persons, language groups) or strategic issues (freedom to travel). No comparable format could be established in Nagorno-Karabakh; there is neither anything like the GID, which take place in a regulated framework, nor a crisis mechanism such as the IPRM. Monitoring does not stand up to comparison: In Georgia the EUMM comprises over 400 monitors, in Nagorno-Karabakh there are six OSCE monitors. However, the latter are allowed to observe the line of contact from both sides simultaneously, with the actual focus being on monitoring as a confidence-building measure: The OSCE monitors establish radio contact between commands on both sides, which then communicate directly with each other and provide security guarantees. The EUMM, on the other hand, may only patrol the ABL from the side controlled by Tbilisi, since Russia considers its border patrols on the other side of equal rank to the EUMM.

- The three Co-Chairs were able to develop a reliable role in the GID context. As a rule, their independence and willingness to engage in dialogue are not questioned due to their origin (UN, OSCE, EU). Within the Minsk Group, the three Co-Chairs represent three OSCE participating States: Russia, the US, and France. Their “neutrality” is far less obvious and their role less clearly defined. Much depends on the initiatives of the three representatives and the assigned Personal Representative. It is probably no exaggeration to say that it is thanks to their great commitment that bilateral meetings of presidents and foreign ministers take place at all.

- Finally, as far as conflict dynamics are concerned, the security situation in the Georgian context is relatively calm and stable, while in the context of Nagorno-Karabakh, at least until autumn 2018, there were almost daily
gunfights and dangerous military escalations with numerous victims. Since then, the situation has stabilized.\textsuperscript{10} It is certainly no coincidence that volatility is greater here, i.e. in places where a constitutional solution is emerging, so to speak, at least in principle (referendum), than where talks are still focused almost exclusively on stabilizing the ceasefire. The referendum promised in Nagorno-Karabakh would require the implementation of many individual steps – steps for which no side seems truly prepared so far.

Despite the differences in content and format outlined above, the results of conflict management in the two contexts are again surprisingly similar. A dynamic of persistent lack of movement and results has emerged, which increasingly frustrates the parties involved. It seems that the long-lasting fixation on the status quo with no real change or clearly visible progress is politically desired and follows a certain pattern. While the international community is struggling for solutions and principles, all parties to the conflict – including those not recognized as such – seem to have come to terms with the status quo and settled into it, at least for a lengthy and unclear period of time.

Among observers, it has been established that the status quo above all reflects the interests of Russia, i.e. one of the conflict parties, which plays a dominant and at the same time differentiated role in both contexts. It is by no means the case that the Russian government cannot imagine settling the conflicts in one way or another. Essentially, from the Russian point of view, at least the Georgia conflict has already been resolved through the recognition of Abkhazia and South Ossetia. However, as long as at least one side questions this supposed solution (Georgia) or – in the case of the Nagorno-Karabakh conflict – threatens with violence (Azerbaijan), changes, especially when they are supported by international third parties, are undesirable or unnecessary from Moscow’s point of view. Moscow is aware of its dual role as a conflict party and as a mediator. At the same time, it is aware that its strength lies in the military power to project and assert its interests in the South Caucasus. Its role as facilitator and impartial go-between is apparently limited, as has repeatedly been observed in the various discussion formats. In concrete terms and for both contexts, this means that Russia, for one thing, is interested in a stable peace solution in the Caucasus, but at the same time it is the greatest obstacle to such a solution. In the case of Nagorno-Karabakh, for example, Russia is the largest arms supplier for both parties to the conflict, Azerbaijan and Armenia. This gives Moscow a key role in security policy and military terms, and ultimately a control function too. As long as other powers do not dispute Russia’s influence (USA, NATO, Turkey, Iran), or a popular movement does not try to push Russia back, the insistence on the status quo should prove its worth.

\textsuperscript{10} It appears that the conversation mentioned above has indeed had an impact (see footnote 9).
Georgia and Azerbaijan are not likely to be satisfied with anything less than a maximum solution to the conflict, i.e. the verdict under international law on the right to secession of the breakaway regions and thus the restoration of the territorial integrity of the two states. As long as such a legal solution to the conflicts seems unlikely and distant, both states are also likely to have a keen interest in maintaining the status quo. The fact that the discussion formats and the commitment of the international community constantly focus public attention on the conflicts means that the pressure on Russia can be maintained and the recognition of the breakaway regions can be prevented. At the same time, both Georgia and Azerbaijan have been able to establish themselves over the years as reliable members of the international community and attract considerable interest despite or even because of the conflicts – Azerbaijan because of its economic development and gas and oil reserves, and Georgia because of its democratic reforms and its stable Western orientation. Any change in the status quo would also entail risks: new acts of violence, an enhancement of the status of the breakaway regions, a stronger Russian influence, etc.

Meanwhile, the secessionists in the breakaway regions are fighting tirelessly for their international recognition. Admittedly, they seem to be in a rather hopeless position, since hardly any UN members seem willing to give the entities international status. As long as this goal seems a long way off, de facto governments will be satisfied with the status quo, the expansion of de facto statehood, and protection by either Russia or Armenia. Nagorno-Karabakh was able to develop relatively well within the framework of the status quo, while Abkhazia and South Ossetia were able to push forward a steady expansion of de facto state institutions, not least thanks to the strategic partnership agreements with Russia. Therefore, more can be expected from maintaining the status quo than from peace solutions that would push the breakaway regions back into some form of autonomy within or confederation with one of the three South Caucasian states.

Conclusions and Recommendations

Against this complex backdrop, it is increasingly difficult for the international community and its organizations to propose concrete steps that go beyond humanitarian containment to improve the situation of the population affected by the war. Possible solutions have been outlined for some time without any prospect of success. In view of the polarized international situation, which also has an impact on the discussion formats and tends to have a negative effect on both contexts, interest in far-reaching steps is likely to remain rather low.

In the years to come, if not decades, the status quo is likely to continue to inscribe itself into the fissured geography of the conflicts, with the corresponding “borders”, dividing lines, settlements of displaced persons, human rights
violations, and background military threats or even gunfights. The coming generations, who did not experience the wars, will continue to distance themselves from one another and thus actually widen the dividing lines. Mutual social interest will decline further and influence people’s everyday lives less than in times of war. Lack of interest does not necessarily mean an increased security risk or military activities. On the contrary: Future generations will perhaps regulate status and border issues in a way that is new and different from the approach of today’s rulers and actors.

Against the background outlined above, what are the prospects and possibilities for international conflict management?

It is rather inadvisable to press for rapid or substantial change. First, all actors – for various reasons – are focusing on the status quo. Second, Russia is a key factor in any new scenario for a peace order in the South Caucasus. Since Russia continues to rely on its traditional strength in exercising or projecting military power, Moscow is likely to have a particularly keen interest in maintaining the status quo; the influence of its “soft” or “convening power”, on the other hand, is limited. And third, local conflicts can only be resolved permanently within the framework of a European security and peace architecture. The foundations for this must first be worked out anew within the framework of the OSCE.11

It therefore makes sense not only to take a negative view of the status quo, but also to see it positively as a relatively stable window open for various social and political processes.

For conflict management in Georgia, this could mean strengthening the GID through a combination of improved concrete problem solving, technical agreements, humanitarian and human rights measures, and confidence building (dealing with the past). New ideas for security mechanisms that are less susceptible to crises would have to be developed in the framework of additional working meetings for further consideration by the GID. These include status-neutral steps towards military confidence-building on the one hand, and package solutions to urgent issues such as the return of displaced persons, freedom of travel for all people in the region, and schooling and language education on the other.

If the status quo is accepted by all sides for a longer period as the basis for the talks, then Georgia and Abkhazia and Georgia and South Ossetia can more easily meet for direct informal talks to discuss the aforementioned issues. All parties concerned could also focus more on factors that unite them, both verbally and in the media, than emphasizing the divisive aspects, as is currently the case in press releases.

Instead of wasting time on the same statements and accusations, GID participants should agree to develop a paper on facilitating everyday life and social exchange while preserving the status quo. Such a paper could keep the two

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working groups and expert meetings busy for some time. The product could serve as a basis for an initial meeting at the highest level. Georgia could further strengthen its democratic institutions and thus again become a point of attraction for the de facto governments wishing to expand their de facto statehood.

In the context of Nagorno-Karabakh, the Madrid Principles could be further elaborated, while at the same time a comprehensive peace agreement could certainly be targeted here. The project would have to face the dilemma of simultaneity and parallelism versus sequencing and a step-by-step approach. If the Madrid Document already threatens to fail in implementing the first steps, then little is gained for the future of Nagorno-Karabakh and the surrounding territories. The experiences from various peace processes, which were decided on with a “comprehensive peace agreement”, could be consulted. In the meantime, it should help to stabilize the situation at the line of contact, for example by enabling the parties to agree on a kind of crisis mechanism involving the locally deployed security forces. Increased monitoring together with an investigation mechanism on ceasefire violations, provocations and the like could contribute to relative stability to the advantage of the local agricultural populations on both sides of the line of contact.

The concepts for a structured negotiation architecture put forward by the Swiss and German OSCE Chairmanships would help to use the status quo for discussions that are as productive and technically sound as possible – in the interest of all those who do not currently wish to surrender the status quo.

In short: In the context of Georgia, the actors need more principles and content in order to avoid the death of the established GID format as a result of useless discussions. In the context of Nagorno-Karabakh, the actors need more pragmatism and GID-format structures for the strategic further development of the Madrid Principles at the negotiating table and for stabilizing the situation in the region. As in the Georgian context, ceasefire violations should be dealt with by a serious crisis mechanism and removed from the strategic agenda of the parties to the conflict as quickly as possible.

If the numerous actors in the South Caucasus were to focus more on economic integration and infrastructural communication channels than on identity and territorial issues, then the educated youth, who are still leaving the region in large numbers, would have a good future ahead of them. As a bridge between East and West and North and South, the South Caucasus could become an even more economically and culturally interesting region with an appeal to the neighbouring states of Russia, Turkey, and Iran.