POLICY RECOMMENDATIONS[1]
Study Group Regional Stability in the South Caucasus (RSSC SG)

"Concrete Steps to Break the Deadlocks in the South Caucasus"

20th RSSC SG Workshop
7-10 November 2019
Reichenau/Rax, Austria

DOC RESEARCH INSTITUTE

PfP Consortium of Defense Academies and Security Studies Institutes

Executive Summary:

The PfP Consortium Study Group for Regional Stability in the South Caucasus held its 20th workshop in Reichenau/ Rax, Austria, from November 7-10, 2019. The aim of the workshop was to achieve a series of constructive and concrete roadmaps for each of the major unresolved conflicts in the South Caucasus. It was expected that by exploring particular aspects of conflict resolution, such as the commitment of all parties to the non-use of force and good neighborly relations, conditions might be created to tackle thorny issues, such as that of status definition, and thereby breaking the current deadlocks.

Targeted recommendations:

1) Update, renew or create the institutional, legal and doctrinal parameters for conflict resolution in the South Caucasus. Regional net-works and platforms for exchange should be promoted, or created, for example Women's Associations, South Caucasus Public Cham-bers, etc. and should remain apolitical and project based.
2) Focus on commonly-agreed status-free risks and threats, which can be tackled technically and administratively, without identity-based impediments.
3) Commit to seeing proposals through (including older ones), focusing on inclusive (grass roots and gender sensitive) track 2 and track 3 approaches.
4) De-link administrative and technical concerns from identity markers.
5) Ensure that international organizations review their *modus operandi* to reinforce local ownership of the peace process and remain engaged until trust is assured among parties. ~~process and remain engaged until trust is assured among parties.~~

Introduction

"Out of the box thinking" was on the agenda of the 20th Regional Stability in the South Caucasus Study Group (RSSC SG) workshop. After several workshops dealing with geopolitical issues, and a stock-taking workshop in 2018, the co-chairs re-directed attention to the need for practical, ground-based initiatives to foster greater stability at the grass-roots and community levels.

The co-chairs attempted to propel and support thinking "out of the box" in providing concrete and constructive temporary or permanent solutions and to stimulate people-to-people exchanges within the region. While the results have not been those we have been aiming for, the discussions and the end product are substantial.

What follows are brief summaries of the presentations in each panel, followed by summaries of the report of breakout group discussions which fed policy recommendations.

Contemporary and Historical Examples

Much of the regional stability enjoyed in South Caucasus has been purchased at the expense of conflict freezing. Measures meant to pause fighting temporarily have adopted a frustratingly permanent character. But it was not always so. Sometimes, objective conditions make breakthroughs possible. Even so, technical, administrative measures need to be implemented to make the deals stick. Such was the situation in the Saarland, between Germany and France after the Second World War, and also between the two Germanies during the Cold War. Technically complicated solutions require step-by-step rapprochement backed by mediators willing to make the sacrifices necessary to help bring the parties to agreement. The population must also be prepared for the change in relations. Such mediators include Belarus, whose role in Eastern Ukraine/Donbas conflict mediation is defined by the lack of understanding between parties.

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The Minsk process is designed to flesh out solutions, but it is never easy. The South Caucasus is a region of predominant importance to Russian interests, so if the prospects of European or Eurasian integration do not meet with unanimity, then the parties must show restraint and be pragmatic. Putting the status question aside temporarily therefore becomes *sine qua non* to prevent new outbursts of violence on the lines of contact.

Other speakers believed that there had been too little constructive discussion on status. The involvement of Western powers in conflict resolution has always been predicated upon the democratic development in the South Caucasus. If this is so, then track 2 and track 3 diplomacy initiatives would need to be elaborated to facilitate discussions on status. Otherwise, the presence of (a) powerful mediator(s), such as was the case for the drafting and agreement of the Kars Treaty, would be the model to follow. If international law cannot be of any succor to the resolution of status, then developing a structure of cooperation around commonly agreed status-free risks and threats affecting populations on either side of contact lines would be a step in the right direction.

Scenarios for Conflict Resolution
for Armenia, Azerbaijan and Georgia

Scenarios are not predictive images; they are hypotheses to cope with change and uncertainty. This approach was tested in this panel and yielded rich exchanges among participants. For instance, it was argued (although not all agreed) that national diasporas could be leveraged for the benefit of structured track 2 diplomacy efforts in the region. The aim would be to shape new narratives, mobilize resources and the business community. In other words, participation in conflict stabilization would be individualized. This level of participation would require ways to mitigate the potential unease in official circles in the South Caucasus. Another speaker also argued that the "no peace no war" conditions that prevail demanded new structures. What is more, such structures should be inclusive (especially of enabling gender neutral participation in the conflict resolution process, as per UN Resolution 1325).

Projects under consideration should be depoliticized (or non-identity based) in nature. Community-based dialogue spaces should be created, such as a South Caucasus Women's Peace Association. Such structures, it was argued, could work hand in hand with official circles, but not to the detriment of the "localization" of conflict resolution participation. Under such a view, ad hoc or informal solutions are quite acceptable tools of confidence building.

Scenarios for Settling Status Issues

This panel yielded more on the consequences and impact of unsettled status issues on the populations living under such uncertainty. For instance, it was revealed that some Georgian diaspora organizations in Russia have their reputation tarnished as a consequence of Russia-Georgia tensions. Discrimination and prejudice hinder diaspora organizations from being an effective bridge between communities in dispute. At an individual level, lack of resolution of status issues produce problems for people from Abkhazia, Nagorno-Karabakh and South Ossetia. For instance, inhabitants from Sukhum/i may see their chances to attend school overseas diminished because of extraterritorial doctrines of non-recognition. Similarly, certain documents may not be recognized because foreign institutions are told not to endorse them because of political identity markers. Inversely, political considerations of donor countries affect the likelihood that a partially-recognized region will be able to attract the talent it needs to facilitate socioeconomic development.

The positions of Armenia and Azerbaijan relative to the status of Nagorno-Karabakh have not changed. Yet even the clash of positions during presentations and subsequent discussions produced useful ideas. For instance, the idea of a free trade area straddling the region in dispute between Armenia and Azerbaijan manifested itself once again. Other ideas, needless to say, such as the reunification of Nagorno-Karabakh with Armenia (Miatsum), were not received favorably by many workshop participants. On the other hand, resorting to international law to resolve the incongruities between self-determination and territorial integrity seems to hold very little promise. Even the equality of rights offered to both ethnic groups, as declared by the conflicting parties, is suspect in absence of workable guarantees that these rights will be respected.

Following the three panels, and the first interactive discussion, the participants broke into two breakout groups whose evocative names were meant to stimulate ideas; Da Vinci and Edison. What follows are the reports of discussions within each group, and which help compose the policy recommendations for this 20th RSSC SG workshop.

Da Vinci Breakout Group

What outcomes and conditions were required for reaching peace? And how to meet them? The plan was to construct a roadmap for reaching peace in 2025-2030 leading into a scenario that would outline a win-win solution for Armenia, NK and Azerbaijan. It was noted that this was a difficult endeavour, as the timing of undertaking concrete steps mattered a lot and developing a full roadmap would take more than the two hours available for discussion. Therefore, it was proposed to discuss only the win-win scenario and some key elements for the roadmap leading into that scenario.

Scenario-Matrix for the Status of Nagorno-Karabakh, 2025-2030
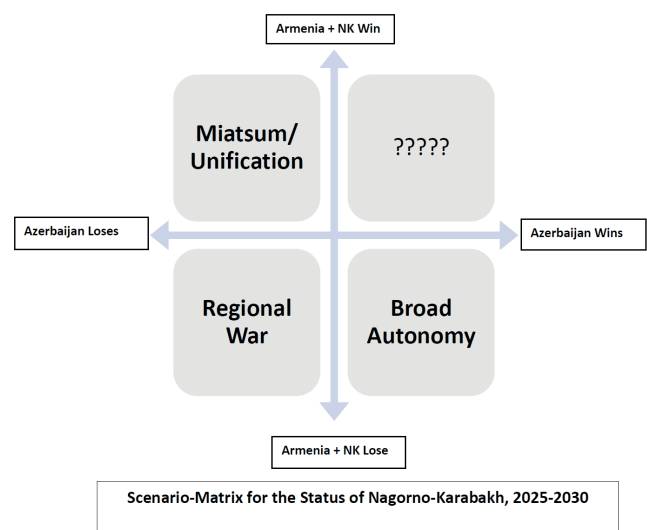
The discussion on the win-win scenario started with an attempt to identify which of the Madrid+ 3 principles (Non-Use of Force, Territorial Integrity, and Equal Rights and Self-Determination of Peoples) and 6 elements (return of the territories surrounding Nagorno-Karabakh to Azerbaijani control; an interim status for Nagorno-Karabakh providing guarantees for security and self-governance; a corridor linking Armenia to Nagorno-Karabakh; future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will; the right of all internally displaced persons and refugees to return to their former places of residence; and international security guarantees that would include a peacekeeping operation) could be associated with the win-win scenario. After an exchange of statements describing the well-known differences among the positions of the parties, participants concluded that the discussion on the Madrid+ was not leading to breaking the deadlock.

Therefore, it was suggested to define the win-win scenario by recalling the Brussels Consensus on Post-conflict Regional Integration Scenarios in the South Caucasus developed several years ago by a group of experts gathered by the European Geopolitical Forum:
• the right of all people to live in an environment of peace and security;
• a shift in government strategy from preparing for war to building enduring peace and fostering economic development;
• good neighbourly relations as a basis for peace building;
• the right of all people to strive for economic prosperity, and;
• the right of all IDPs and refugees to voluntary return to their homes and/or lands and live there in peace and security.

This Brussels Consensus was the minimum description of the win-win scenario that met the consensual approval of all participants.

Then the discussion shifted to the roadmap leading into this scenario. In terms of implementation of the roadmap, the moderator asked whether a "step by step" or a "package deal" approach would better work for the rapprochement and the post-conflict phases of the conflict resolution process, respectively. Participants agreed that "step by step" was more appropriate for the rapprochement phase, and "package deal" for the post-conflict phase. However, the parties could not agree on whether the rapprochement should be linked/dependent on

concrete progress on Track 1 negotiations or not. This was a relevant caveat for both confidence-building measures, and peace-building initiatives that have been agreed here below. Applying peace-building initiatives including those, which had been previously agreed within this Study Group: the SC Energy Community, and a SC Strategic Peacebuilding Group under the Eastern Partnership (EU) was further considered. However, such initiatives were seen by one party exclusively as part of the post-conflict phase of conflict resolution.

In addition, the following elements of the roadmap to the win-win scenario were suggested:
• creation of Deadlock-Breaking Teams comprising problem solving experts from both sides. They should provide advice to decision makers on how to move forward towards overcoming the deadlock and moving closer to an agreement.
• free economic/trade zones in and around Nagorno-Karabakh;
• a deal to fully de-politicize the issues addressed by peace-building initiatives, and;
• develop dialogue and concrete projects on human security, health care, education, youth exchanges, agriculture, and role of women in society.

The issues of demining territories and deployment of peace-keeping force were also discussed but it was noted that they needed to be implemented after the peace agreement was signed (i.e. in the post-conflict phase of conflict resolution).

One participant also noted that the society in his country did not really feel local ownership of the conflict-resolution process. The OSCE Minsk Group *modus operandi* should be reviewed to reinforce the feeling of the civil society that the local people were involved in solving the conflict, and not the external actors. In response, another participant suggested that it might be a good idea to enhance the effectiveness of the NK conflict resolution process by adding to the existing top-down approach a new bottom-up dimension that would facilitate the involvement of citizens as well as CSO groups in breaking the current deadlock.

One participant suggested, as another possible way to break the current deadlock in conflict resolution, to start building common security interests that might, in time, alleviate the current conflicting positions stemming from the security dilemma. This would require developing experts' dialogue on opportunities for cooperation in responding against common risks and threats from the neighbouring Middle East.

Edison Breakout Group
Discussions yielded the following: that an alternative mode of coexistence between levels of government (whether fully recognized, official, or not) was already in operation, and thus, that discussions on "guided autonomy" should be shelved. Interestingly, the talks suggested that neither societies in Sukhum/i and Tbilisi, were ready for a final and irremediable divorce.

Rather, an apparent incongruity emerged from the discussions. It seemed that for some, obtaining recognition was more important than obtaining independence in the internationally-agreed sense of the word. When this statement was made later in interactive discussion, it did not raise eyebrows, much to the surprise of the co-chairs.

All agreed that the current low-key interdependence enjoyed by the parties in dispute could be adversely impacted the more attention was showered upon status issues. On the contrary, communication between communities should be facilitated by not linking (or tainting) exchanges with identity markers. Technical issues should not become identity issues. Regardless of format, it was agreed, practical administrative issues could be dealt with as long as issues of common interest, like environment, academic and health mobility, water management issues were de-linked from identity considerations.

A proposal was put forward in which Georgia may recognize Abkhazia and then (or on the condition of) in short order, implement a process of re-integration. The exact nature of that integration remained to be determined. Although counter-intuitive, this proposal is aided by the fact that the Georgian constitution already recognizes the specific character of Abkhazian statehood. In-depth discussions on this proposal were not possible for lack of time.

Another proposal, heavily reminiscent of previous RSSC SG recommendations, was made to the effect that a South Caucasus Public Chamber could be set up. This institution would be apolitical and administrative in nature. Its role would be to represent grass-root organizations and communities from the South Caucasus, uniting them as an awareness-raising, lobbying and multinational yet regional public administration tool. This idea was predicated upon the acceptance of the general populations of the South Caucasus and their appetite for such devices.

Finally, it was emphasised that although new ideas are welcome, fully implementing older ideas was also a solution in its own right. With this in view, it was recommended that a policy review of the EU's Engagement without Recognition policy be undertaken, in parallel with legislative updating of various laws on Occupied Territories currently in force in the South Caucasus. Throughout, and as long as mutual trust cannot be guaranteed among the parties, the engagement of international institutions should be sustained.

Policy Recommendations

The following ideas sprang forth from the breakout group discussions. They are synthesized here by theme.

- Institutional renewal; structures and mechanisms for coop-eration, such as Deadlock-Breaking Teams, (between Armenia and Azerbaijan, notably), institutions devoted to energy security, peacebuilding/peacekeeping and other commonly-held interests, need to be established.

- Commonly held interests should be defined and leveraged as confidence building to facilitate rapprochement and eventually lead to conflict resolution as, for example, environmental issues, water management, academic/education and health mobility, agriculture, youth exchange, free economic/trade zones, professional and commercial exchange facilitation.

- In particular a South Caucasus Public Chamber, dealing with exclusively technical matters, was proposed, as well as a South Caucasus Women's Peace organization.

- Emphasis on track 2 and track 3, but in connection with track 1 process, should be maintained, to guarantee public ownership and acceptance of conflict resolution initiatives.

- Review appropriate legislation and policy initiatives to make them consistent with the changing international relations paradigm.

- Maintain administrative and identity issues cleanly separated.

- Agree to fully de-politicize the issues addressed by peace-building initiatives.