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Humanitarian Agenda 2015: Politics and Humanitarian Action in the Georgia Conflicts

by Greg Hansen



Tufts
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Cover photo: Josef Stalin gazes over Italian Red Cross trucks in the direction of an IDP camp in Gori in September 2008, soon after the departure of Russian Forces. In the background, a giant television screen flashes a nationalist message from the Georgian government. Photo by the author.

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Note on Nomenclature

As in many conflicts the spelling of place names in a particular way is viewed as choosing up sides in a given dispute, eliciting strong reactions. This is particularly true in the Caucasus. Accordingly, in this report, multiple spellings are used such as Gal/i, Tskhinval/i or Sukhum/i.



DRC	Danish Refugee Council
ECHO	European Community Humanitarian Office
EMERCOM	Emergency Situations Ministry, Russian Federation
EU	European Union
EUMM	European Union Monitoring Mission
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
HDRs	Humanitarian Daily Rations (US military)
ICRC	International Committee of the Red Cross
IDMC	Internal Displacement Monitoring Centre
IDPs	Internally Displaced Persons
MREs	Meals Ready-to-Eat
NRC	Norwegian Refugee Council
OCHA	(UN) Office for the Coordination of Humanitarian Affairs
OSCE	Organization for Security and Cooperation in Europe
PKF	Peacekeeping Force
TI	Transparency International
USAID	United States Agency for International Development
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOMIG	United Nations Observer Mission in Georgia
UNOSAT	Operational Satellite Applications Programme of the United Nations, Institute for Training and Research (UNITAR)
WFP	World Food Programme

Executive Summary

The Humanitarian Agenda 2015 project of the Feinstein International Center undertook field research in September 2008 and August 2009 to examine the humanitarian situation in Georgia, South Ossetia, and Abkhazia and the responses to it. The research was prompted by renewed fighting over South Ossetia in August 2008 and was informed by the author's extensive previous research in the region. This Case Study assesses the humanitarian landscape, updating previous findings also gleaned from field-based research.² It culminates in a series of recommendations for operational humanitarian agencies, donors, the UN, the EU, and Russian, Georgian, Abkhaz, and Ossetian authorities.

Based on extensive field interviews and background research, the following major findings emerge:

Although in human terms the humanitarian fallout from the August 2008 war has caused great suffering and hardship for those directly affected, it has been a relatively small part of a much broader and protracted crisis of violence and insecurity faced by many Georgians, Abkhaz, and South Ossetians for nearly two decades. At the heart of this insecurity is the continuing political failure of authorities in Georgia, Abkhazia, South Ossetia, and Russia to assert law and order responsibly in contested areas and a failure of international political authorities, including the UN, OSCE, and EU, to press for this. Poorly-disciplined militias, paramilitary forces, and self-styled partisans constitute enduring conflict resources for all parties. Civilians in contested areas continue to pay the price for cynical power politics in threats to their safety and welfare;

Georgia has decisively lost its wars with South Ossetia and Abkhazia both militarily and politically. Contrary to most western media coverage in August 2008, this was due largely to the misconduct and poor judgement of its current government. Georgia has forfeited the possibility of regaining either territory for the foreseeable future and, as a consequence, the prospect of returning home has evaporated for most of the people who have been displaced from secessionist areas. Absent massive new-found goodwill from all parties to the conflicts, there is little to no possibility that ethnic Georgians will be able

to return to Abkhazia north of the Gal/i Region or to most of South Ossetia. This underscores anew the need to fully integrate most of Georgia's remaining displaced population;

Whether or not Russia's reassertion of political influence and military power in the contested areas is regarded as legitimate or illegitimate, its de facto occupation and ensuing responsibilities under international humanitarian law offer the best chance in years that instability will end for people living in or returning to contested areas in and around Abkhazia and South Ossetia. This will depend on Russia's willingness to deliver on its responsibilities under International Humanitarian Law and use its new disposition to enforce law and order in a responsible way in the areas it now effectively controls. In light of IHL and agreements reached between Moscow and the secessionist areas, Russia must now institute a meaningful and professional policing presence that enhances, rather than detracts from, the safety and welfare of all civilians living in these areas;

The EU Monitoring Mission has failed to fulfill important aspects of its mandate and is largely impotent and irrelevant for securing contested areas. With deployments only on the Georgian side of conflict lines, the operational modality of the EUMM has effectively become partial and adversarial and is counterproductive to building confidence between protagonists. Increasingly, the EUMM is seen by Abkhaz, South Ossetians, and Russians as an instrument of the Georgian side in the conflict with which the EU has been aligned politically;

The humanitarian response was demonstrably more political than humanitarian. Although operational agencies delivered a timely and effective response and averted large-scale loss of life, the behavior of donors in response to the August 2008 war was, by their own accounts, generally inconsistent with the principles of Good Humanitarian Donorship. Needs emerging from the 2008 war, including humanitarian needs, were ultimately oversubscribed by western donors, most of whom took the Georgian side in the conflict;

The humanitarian response was skewed toward the Georgian side of the conflict. Real and perceived access constraints imposed by Georgian and South Ossetian authorities, and reticence among humanitarian actors, donors, and

the diplomatic community to push back against these constraints inhibited responses to needs inside South Ossetia. Accordingly, the aid response effectively mirrored the divisions of the conflict itself. This prevailing partiality and resulting isolation of persons in contested areas echoes earlier humanitarian responses in the 1990s that undermined livelihoods and hardened resentments in Abkhazia and South Ossetia, confounding conflict resolution and the easing of tensions;

The evidence suggests that western military forces attempted to lay a “humanitarian tripwire” in Georgia through injudicious military “humanitarian” missions so as to repel a further Russian advance into Georgia. This occurred in spite of ample humanitarian capacity on the ground and in reserve. Military involvement in the humanitarian response was not needed on humanitarian grounds. In fact, the approach taken undermined the accepted principles of civilian management of humanitarian resources and transparency in humanitarian action;

The UN’s lead role in the humanitarian response suffered from lackluster management from the UN’s Humanitarian Coordinator in Tbilisi. The UN performed poorly in providing stewardship of the donor response, managing the civil-military interface, safeguarding humanitarian principles, and asserting access with authorities and combatants. UN OCHA and UNHCR acquitted themselves effectively in humanitarian response, but the OCHA role was ended prematurely;

Positive innovations have helped to make humanitarian action more accountable, responsive, and timely. These innovations included: initiatives by UNOSAT to provide satellite imagery of limited access areas almost in real time; independent oversight of donor and recipient behavior by Transparency International (Georgia); and assistance to and advocacy for beneficiary access to aid resources by the Georgian Young Lawyers Association. These initiatives are worthy of wider discussion and replication elsewhere.

1. Introduction

The humanitarian fallout from the August 2008 war over South Ossetia is just one part of a much larger and much longer story that continues to unfold more than a year after the official ceasefire between Georgia and Russia. Threats to the safety, welfare, and dignity of many thousands of Georgians, Ossetians, and Abkhaz have festered like old wounds since the earlier wars over Abkhazia and South Ossetia in the early 1990s that occurred amid the political, social, and economic tumult that followed the collapse of the Soviet Union. The longstanding failure of local and international politics, diplomacy, and conflict resolution continues to result in violence, and the threat of it, for tens of thousands of vulnerable people in Georgia, South Ossetia, and Abkhazia. Although assistance needs persist on a limited scale, there is no humanitarian solution to the enduring protection gap. Rather, what is needed most is political stability and, in particular, a reassertion of law and order to rid the region of militias, self-styled partisans, and paramilitary groups.

Many of the estimated 233,000 internally displaced persons (IDPs) who fled their homes during these earlier conflicts³ have been maintained in deplorable conditions since then. In the absence of political settlements and real political will to stabilize contested areas, many IDPs have been unable or unwilling to return, often because of persistent dangers from undisciplined militias, paramilitaries, and partisans that have been tolerated and, at times, nurtured by Abkhaz, Georgian, Russian, and South Ossetian authorities. Other IDPs who have returned, notably the some 45,000 that have gone back to Gal/i Region of Abkhazia, live under constant threat of new violence and harassment. For more than fifteen years, protracted law and order gaps in places of return have remained unfilled by any of the protagonists or by the former UNOMIG and OSCE missions. Some displaced persons have returned only to be displaced again by new violence or the threat of it. Needs among other war-affected Abkhaz, Ossetians, and Georgians were only partially addressed in the years that the two conflicts remained unresolved.

It was in this context that new assistance and protection needs and a renewed humanitarian response emerged during and after the sharp escalation of armed

hostilities in and around South Ossetia in August of 2008. This Case Study examines the humanitarian landscape prevailing in Georgia, South Ossetia, and Abkhazia since hostilities flared in 2008. It assesses actual and forthcoming changes to the humanitarian context that have resulted—or are likely to result—from the new war and related political events.

The *first section* of the paper describes the research methodology and scope. Highlighting positive innovations as well as shortcomings, the *second section* summarizes the events that preceded the August 2008 war, then examines the politically-charged humanitarian response that ensued. Informed by what has been learned about conflict and humanitarian action in the region over nearly two decades, the *third section* ruminates on likely developments in the humanitarian landscape and posits a series of recommendations for operational humanitarian agencies, donors, the UN system, and political authorities. A more thorough accounting of the background to the Georgia/South Ossetia and Georgia/Abkhazia conflicts, which may be of particular interest to donors and operational agencies concerned with conflict-sensitive programming, is presented in Annexes A and B. A companion timeline of events in the South Ossetian and Abkhazia conflicts and significant humanitarian developments is included as Annex C.

Consistent with other reports of the Humanitarian Agenda 2015 project, the Case Study aims to contribute to the efforts of operational agencies, donors, and policymakers to discern the major trends in the humanitarian system by identifying threats and opportunities emerging in four inter-related issue areas, or “petals,” of research: the thrust toward *coherence* between humanitarian, political, and military agendas; the effects on humanitarian action from *terrorism and counter-terror* efforts; the *universality* of humanitarian action; and the *security of beneficiaries and aid workers*. These are summarized in the box on page 19. As with many HA2015 reports, this one also delves into the various ways that aid and humanitarianism has been instrumentalized or conditioned by political and military actors, and casts a particularly critical eye upon the behavior of donors in the region. It underscores the four issue areas as posing generic challenges in settings of internal armed conflict, at the

same time identifying the particular permutations of these challenges in the Georgia setting.

In short, findings drawn from our earlier studies in other humanitarian contexts were synthesized in our final report, *The State of the Humanitarian Enterprise*, issued in 2008.⁴ Many of the findings from this study echo and reinforce this earlier work. In particular, the humanitarian response during and after the August 2008 war over South Ossetia confirms our view that the humanitarian system is under threat. As with all Tufts/FIC research work, we value comments and suggestions. These can be sent to the author at ghansen@islandnet.com or to Antonio Donini, the HA2015 team leader, at antonio.donini@tufts.edu.

Methodology

Original field-based research was conducted during two visits to the region in September 2008 and July 2009. The first visit, which preceded the deployment of the European Union Monitoring Mission (EUMM), was limited to Tbilisi and Gori, where many displaced persons and aid agencies were concentrated at the time. The second visit, which followed the closure of the Organization for Security and Cooperation in Europe (OSCE) mission in Georgia/South Ossetia and coincided with the end of the United Nations Observer Mission in Georgia (UNOMIG) in and around Abkhazia, involved interviews and more extensive exposure to conditions in the areas immediately adjacent to South Ossetia and in Western Georgia and Abkhazia. Operational humanitarian organizations assisted the author with gaining access to beneficiary communities in difficult-to-reach areas.

Some 55 interviews were conducted among aid beneficiaries and other affected people, aid agency staff, donors, government and de facto authorities, current and former members of the EUMM, and others. Due to time and logistics constraints – and to obstacles put in place by the Government of Georgia and South Ossetian authorities barring access from Georgia proper – South Ossetia itself was not visited. Instead, information on humanitarian conditions and response there was gathered and carefully triangulated from three different sources on the ground and further cross-checked with information drawn from secondary sources. The paper is further informed by previous work in the region by the author and by others affiliated with the Humanitarian Agenda 2015 project of the Feinstein Center, and by the Center's Humanitarianism and War Project (based earlier at Brown University).⁵ A number of additional secondary sources were consulted for the research, notably recent surveys compiled by the ICRC and CARE International on perceptions among aid recipients and others.

2. Conflict and Humanitarian Action

Background to the Conflicts⁶

The outbreak of war in August 2008 had its origins in geopolitical and local factors. Political tensions between Georgia and Russia had been increasing steadily over a four-year period prior to Tbilisi's failed attempt to reassert its authority in Tskhinval/i by force. To the chagrin of Russia, Georgia under President Saakashvili invested heavily in realigning Georgia out of the orbit of post-Soviet Russia and toward Europe and the United States. Georgia engaged with the North Atlantic Treaty Alliance (NATO) through the Partnership for Peace program beginning in 1994, but Saakashvili lobbied hard for membership in NATO when he came to power in 2004. At the Brussels NATO Summit in 2008, the hopes of Georgia for NATO membership were dealt a setback from NATO members Germany, the UK, and France, despite strong lobbying from the US in whose Iraq coalition Georgia had the third largest contingent of troops.⁷ NATO did confirm its intention to confer membership on Georgia later, however, eliciting continued strong resistance from Moscow.⁸ Georgia's military spending had also increased sharply since 2004, funding arms purchases from the US, Ukraine, Israel, and other countries.

Georgia's positioning of itself in relation to the West has taken ostentatious forms since the Rose Revolution. Public buildings and government offices in Georgia have both the Georgian and the EU flag on display. Georgian President Saakashvili ordered that the road between the airport and Tbilisi centre be renamed "George W. Bush Street." Saakashvili has often criticized the Russian leadership in taunting and insulting tones, eliciting equally personal insults in return from Vladimir Putin and Dmitri Medvedev.

Russia's stance toward Georgia was also conditioned by events in Kosovo. From Moscow's perspective, the US-led "humanitarian intervention" there and the subsequent US and European drive to recognize Kosovo's independence from Serbia negated American and European objections to its own subsequent intervention in Georgia and, further, provided a precedent for Moscow's formal recognition of Abkhaz and South Ossetian independence.

Against this geopolitical backdrop of *realpolitik*, historical and contemporary local grievances between Georgia and South Ossetia, and between Georgia and Abkhazia, have a long history. These originated before the formation of the Soviet Union but took on new forms as a result of Soviet management of its regions and by events surrounding the collapse of the Soviet Union in 1989. Resurgent nationalism and ethnic chauvinism, combined with an enduring distrust of Tbilisi's motives in and allocation of resources to the two regions, erupted in armed conflict in both Abkhazia and South Ossetia in the early 1990s, characterized by brutality and ethnic cleansing on all sides and, in South Ossetia, the shelling of Tskhinval/i by Georgian forces (see Annexes A and B for detailed background on the South Ossetia and Abkhazia conflicts).

Notably, shortly after Saakashvili's "Rose Revolution" in late 2003, the new government in Tbilisi embarked on a high-profile campaign to rein in smuggling activity and other aspects of the underground economy in Georgia. Just outside South Ossetia, the sprawling illicit market at Ergneti was a lightning rod. Since the mid-1990s, the market and the commerce related to it had provided many thousands of Ossetians and Georgians with scarce jobs and income related to procuring, transporting, and selling all manner of fuel, food, and other goods. The buying, selling, and related activity contributed to interdependence and no small measure of normalization of relations between the two ethnicities. When Georgian authorities began clamping down on Ergneti in mid-June 2004 by arresting traders and blowing up roads providing access to the market, the effect was to deprive South Ossetians (and nearby Georgians) of perhaps the most important source of their livelihoods.⁹

Tensions between Tbilisi and Tskhinval/i rose considerably. Much of the progress that had been made toward reconciliation and normalization since 1992/3 was negated. South Ossetians, many of whom held Russian passports, thus had their last remaining ties with Georgia severed. The Russian government stepped in to fill the gap with aid to South Ossetia. South Ossetians gravitated increasingly toward Russia and the more stable economic possibilities it offered. Clashes between South Ossetian and Georgian fighters became steadily more frequent.

Open Warfare

Rancorous debate persists between Russia and Georgia over the circumstances surrounding the beginning of the war, but the preponderance of evidence indicates that Georgia initiated military operations that were then responded to by Russian forces that were already poised to move. Close to midnight on 7 August 2008, hours after Georgian President Saakashvili decreed a unilateral cease-fire following several months of escalating tensions and low-level violence, Georgian forces unleashed artillery and multiple rocket launcher bombardment on the South Ossetian capital of Tskhinval/i that lasted until the morning of 8 August. Georgian shelling destroyed some three hundred homes and several public buildings. Casualty figures are a matter of politicized debate, but aid agency estimates put the number of dead in Tskhinval/i at around 300 persons.¹⁰ Some thirteen Russian peacekeeping troops were also killed at a garrison on the edge of Tskhinval/i. One aid worker noted that when news of the Georgian military offensive against Tskhinval/i reached the streets of Tbilisi, the reaction was jubilant: “Thousands and thousands of cars filled the streets of the capital, honking their horns and with their passengers waving Georgian flags....It was as if Georgia had won the World Cup and was celebrating.”¹¹

Russia’s response was swift, facilitated by a large presence of more-or-less combat-ready Russian military forces already in the North Caucasus for a major annual military exercise. Georgian ground forces initially gained control of Tskhinval/i, but after three days and nights of fierce fighting, which involved more use by Georgia forces of artillery and rocket fire, sufficient Russian forces had crossed into South Ossetia through the Roki Tunnel to force Georgian troops out of the city, with help from South Ossetian militia and volunteers. Russia continued a military advance through Gori towards Tbilisi, also launching air and ground actions in other parts of Georgia aimed at disrupting Georgia’s communications and military infrastructure. Russian forces halted their southeastward advance at the village of Igoeti, scarcely 35 kilometers from the Georgian capital. The east-west highway that traverses Georgia was closed for several days during the Russian operation, effectively cutting Tbilisi off from its sources of supplies from the port at Poti, which fell temporarily under Russian control. Meanwhile, South Ossetian militias rampaged through ethnic Georgian villages inside South Ossetia, burning many homes and forcing inhabitants to flee.

Meanwhile, Abkhaz militia ejected Georgian forces from the disputed Kodori Valley in Abkhazia. Russian forces took positions in Poti, Zugdidi, and Senaki in the western part of Georgia proper, entering through Abkhazia.



Staff of Russian EMERCOM assist a resident of Tskhinval/i following the Georgian withdrawal. EMERCOM travelled into South Ossetia embedded in Russian military convoys, and quickly mobilized an operational group in Tskhinval/i. The group’s main tasks were provision of medical assistance to victims, conducting of search-and-rescue operations, provision of essential foodstuffs, as well as restoration of vital functions of human settlements in South Ossetia. Later, EMERCOM carried out extensive clearance of unexploded munitions and helped to establish a South Ossetian EMERCOM. EMERCOM emerged out of Soviet civil defense structures and provides a formidable first response capacity for the Russian government. It is organized as a quasi-military organization.

Photo by EMERCOM of Russia, www.mchs.gov.ru.



One of the new settlements of some 18,000 cottages built by the Georgian government after the August 2008 war to house people displaced from South Ossetia. Western donor pledges included substantial budgetary support to the Georgian government, allowing ministries flexibility to implement such initiatives quickly. Aid agencies and inhabitants criticize the settlements for their lack of planning and shoddy construction. They are often situated far from economic and social infrastructure on land that could not be sold during Georgia's privatization schemes because it was of poor quality.

Photo by the author, July 2009.

Humanitarian Fallout

In and around South Ossetia, Ossetians and Georgians were forced to flee their homes and there was substantial damage to civilian housing and infrastructure. An estimated 36,000 South Ossetians fled across the internationally recognized border into Russia, most to North Ossetia. The vast majority of these returned home quickly after the cease-fire.

“Thousands of refugees, mostly women and children headed to the territory of the Russian Federation. The situation in South Ossetia, was on the verge of humanitarian catastrophe. As a result of military aggression by Georgia in South Ossetia, 2,522 residential homes were destroyed. Social infrastructure and housing, communal services were practically destroyed; the life conditions of tens of thousands of people were violated. In particular, 29 educational objects, 17 health care objects, 10 transport objects as well as utilities and energy networks were destroyed.”¹²

EMERCOM of Russia,
“South Ossetia, How it Was,” 2008.

The Russian invasion and the resultant fighting that quickly followed the Georgian attack, as well as reprisals against Georgian villagers in and around South Ossetia by ill-disciplined Ossetian militias, produced the sudden displacement of an estimated 128,000 people to Georgia proper,¹³ many to Tbilisi. Most were housed temporarily in collective centers and tent camps in urban areas, but were able to return to their homes adjacent to South Ossetia or in Gori within weeks or months of the short war. Within four months of the cease-fire, some 18,000 ethnic Georgians displaced from within South Ossetia were provided with cottages built hastily by the Georgian government in a tacit recognition that there was little likelihood of their return home. The remaining 12,000 IDPs were housed in collective centers or with host families.

In sum, UNHCR estimated that a total of 163,000 people were forced to flee their homes as a result of the conflict.¹⁴ In Georgia proper, the humanitarian consequences of displacement caused by the August 2008 fighting were for the most part dealt with quickly and effectively. According to aid agencies in the region, there was no known loss of life resulting from displacement.¹⁵

“The quality of construction in the new settlements [for IDPs from the recent war with Russia] is quite poor. They didn’t respect technical standards. By comparison, the homes being built by GTZ near Gori are up to very good standards and the settlement is economically sustainable.”

Interview with Georgian aid worker, Gori area, July 2009.

“The settlements built by the Ministry of Interior were rushed and poorly planned: they often have poor drainage, lack adequate water and sanitation infrastructure, no decent land for gardens or not enough, and no schools. Some of them became a sea of mud in the rain. They were often sited on state-owned land that no-one was interested in buying when the state privatized land in past years.”

Interview with representative of INGO, Gori, July 2009.

“The government pushed for quick solutions to the new displaced, and had the feeling that the international agencies would be too slow. It was partly political – they needed to be seen to be doing something. And their response was quick. Maybe too quick. Why else would people be returning to such abysmal conditions in their home areas?”

Interview with INGO representative in Gori, July 2009.

“Government compensation was used by many families to meet their basic survival needs or to buy agricultural equipment. So now they have a burnt-out house and a poorly built cottage.”

Interview with international aid worker in Tbilisi, July 2009.

Dominant Features of the Conflict

The 2008 war bore many of the hallmarks of armed conflict in the post-Soviet Caucasus:¹⁶

- great-power politics and its cross-fertilization with fragile domestic politics;
- moribund international diplomacy;
- ongoing posturing, provocations, and promotion of insecurity both locally and internationally;
- ill-disciplined military and paramilitary forces;
- indiscriminate use of heavy weapons in urban areas, and;
- systematic ethnic cleansing, including destruction of homes and civilian infrastructure, in order to render areas uninhabitable.

Behavior of Combatants

Both the Russian and Georgian sides were found by Human Rights Watch to have used cluster munitions in the 2008 war.¹⁷ More seriously, however, at the outset of the war Georgian forces unleashed a barrage on Tskhinval/i using imprecise heavy weapons including multiple rocket launchers and artillery. The effects of using such weapons in urban areas are entirely predictable since they are known to be lethal within a large radius. This raises serious questions about the legality of Georgian actions under the Laws of Armed Conflict as these refer to proportionality and the need to discriminate between military and civilian targets. Moreover, these weapons were used on populated areas despite the Georgian military having received several years of military assistance and training from the US and NATO under bilateral military agreements and NATO’s Partnership for Peace program. The ICRC had also undertaken concerted efforts for many years to disseminate International Humanitarian Law in the Georgian military.

Spinning the War

“Ever since Georgia invaded its break-away province of South Ossetia earlier this month, there has been a concerted attempt by both Georgia and its allies to portray its subsequent fight with Russia as a conflict between “David and Goliath”. Georgia is the small David fighting the Goliath of the ruthless Russian army.”

Andy Rowell, Spinwatch, 26 August 2008.

Vigorous public relations and lobbying by Georgia in the US and Europe helped ensure that the attention of media and policymakers quickly turned from Georgia’s attack and its use of heavy weapons in Tskhinval/i to the Russian incursion.¹⁸ At the outset of the war, Georgia mounted an aggressive media campaign in the US and Europe to promote its version of events and the notion of an imperialist aggressor (Russia) bullying its tiny neighbor (Georgia). Spin paid for by the Georgian government tended to emphasize graphic images of the human impacts of the Russian incursion, while Russian spin efforts tended to be somewhat more muted.

“Russia continues to attack civilian population.” The capital Tbilisi [sic] was “intensively” bombed. A downed Russian plane turned out to be “nuclear”. European “energy supplies” were threatened as Russia dropped bombs near oil pipelines. A “humanitarian wheat shipment” was blocked. Later, “invading Russian forces” began “the occupation of Georgia”. Saakashvili’s government filed allegations of ethnic cleansing to The Hague. Note the use of terms that trigger western media interest: civilian victims, nuclear, humanitarian, occupation, ethnic cleansing.”¹⁹

Peter Wilby, Georgia has won the PR war, The Guardian, 18 August 2008.

Focused on the Russian advance toward Tbilisi, most western media outlets were slow to question the official Georgian line. A *New York Times* report of the observations of OSCE monitors that called into question the Georgian account of the start of the war appeared fully two months after the attack on Tskhinval/i.²⁰ Arguably, given the enthusiasm with which western donors pledged an embarrassment of riches, including budgetary support,²¹ to Georgia, the campaign was hugely successful.

By most authoritative accounts, including interviews with aid agency staff with firsthand exposure to Russian forces before, during, and after the war, the behavior of Russian military forces during their 2008 invasion of Georgia was markedly improved (at least from a humanitarian perspective) compared with their conduct in the North and South Caucasus in the mid-1990s. Then, Russian military conduct was characterized by a lack of military professionalism. Poor fire control, training, discipline, and leadership, inadequate supply

lines leading soldiers to loot for subsistence, weak chain-of-command, and prolific drunkenness were all major recurring problems that resulted in increased threats to the safety of the civilian population, and greater insecurity and access difficulties for humanitarian actors.

Evidenced by reports of Russian military behavior during the Russian incursion in August 2008 and by the behavior of Russian troops in Abkhazia since then, the conduct of Russian forces has improved considerably. In interviews, aid agencies reported that their interactions with Russian military forces were generally professional, unthreatening and, in some cases, constructive. According to one large humanitarian organization with access throughout the conflict-affected areas, Russian forces were careful to target military objects, although there was some damage to civilian objects that were adjacent to military targets. Russian forces were also criticized in interviews for not doing more in the first days of the conflict to rein in South Ossetian militias when it became clear that the latter were rampaging through Georgian villages, evicting ethnic Georgians and burning homes.

Further, as in the past, it remains difficult for aid agencies to discern the relevant points of contact in the Russian military needed for establishing liaison arrangements on questions of access, de-confliction of military and humanitarian operations, and so on. When approached by aid agencies on such operational matters, Russian forces have directed humanitarian agencies to de facto authorities in Tskhinval/i or Sukhum/i, who themselves experience a lack of clarity in their dealings with Russian forces at the operational level. The situation recalls similar dilemmas faced by aid agencies in establishing liaison arrangements with Russian forces in Chechnya.²²

Since their deployment in 1994, Russian peacekeepers had occasionally mitigated some of the excesses of Abkhaz militia and Georgian partisans in Gal/i Region on behalf of civilians who complained of ill-treatment, but such assistance was episodic and unreliable and occurred in combination with abuses of civilians (such as looting) by the peacekeepers themselves. The conduct in 2009 of newly-deployed Russian border guards in Abkhazia contrasted with that of Russian peacekeeping troops deployed since the early 1990s in both conflict-affected areas under the now-defunct cease-fire agreements. The PKF has vacated outposts and garrisons in southern Gal/i Region and Zugdidi. As is the trend in western military forces, Russian border guards have reportedly engaged in ad hoc civil affairs assistance efforts among the population in the vicinity of their new bases along the de facto border with Georgia, including school repair and medical clinics for inhabitants.

Partisans, Militias, Paramilitary Forces: an Enduring Threat to Safety and Welfare

What remains as a serious threat to the safety of civilians and to aid agencies is the behavior of irregular forces and armed groups. As before in the Caucasus, criminality and politics are often allowed to cross-fertilize when it serves the interests of political actors to destabilize an area or to keep adversaries on edge.²³ According to an aid agency active in the border areas of South Ossetia in September 2008, South Ossetian irregulars or militia members engaged in looting and fired on civilians and their homes.²⁴



A house east of Ochamchire in Abkhazia, destroyed during ethnic cleansing in the early 1990s. Photo by the author, July 2009.

The international aid presence in Gal/i Region is thin on the ground. Although a few international NGOs, the ICRC, and UNHCR are nominally present, the region is large and the aid presence is small. Some organizations are restricted by security rules from entering particularly volatile parts of lower Gal/i, further reducing international eyes and ears on the ground that might serve to deter some abuses or to make abuses known through international channels. As a result of the waning international presence over the years, local inhabitants who have borne the brunt of events and the ebb and flow of international support have become accustomed to going it alone, and often express a certain contempt for the usefulness of international actors ranging from aid agencies to the former UNOMIG mission.

As of August 2009, there were no indications that the more robust and professional Russian military presence in the region was yet assuming a policing role in order to fill the protection gap. Nor was there any indication that the Sukhum/i or Russian authorities were attempting to rein in the behavior of Abkhaz militiamen. Residents of the region reported that harassment and violence was continuing, including extortion of payments by Abkhaz border guards and militia manning the unpredictable crossing points into Georgia proper. Threats of physical violence have been made against at least one INGO working in the region by an Abkhaz *gamgabeli*.

BOX 1

THE ENDURING LAW AND ORDER GAP IN GAL/I REGION

The author toured parts of Gal/i Region in southern Abkhazia in July 2009 after a prolonged absence. In the intervening decade-and-a-half since he first worked in the region, little has changed for the better and much has gotten worse. Roads and infrastructure have fallen further into disrepair, making it more difficult for people in outlying villages to bring their produce to market or to visit clinics, obtain needed medicines, collect pensions, or conduct other business. Schools that had been rehabilitated in lower Gal/i in 1995 have fallen into an even deeper state of decrepitude than years ago, and it remains a challenge to find sufficient teachers willing to live and work in the area's schools. As in 1995, many inhabitants of the region are elderly, isolated, and unable to access aid resources.

Most seriously, however, is the palpable and enduring insecurity resulting from ill-disciplined and often drunk or drugged quasi-official Abkhaz militiamen and Georgian partisans who continue to be tolerated and used by the authorities in Sukhum/i and Tbilisi as conflict resources. People in Gal/i Region live in fear of violence and arbitrary mistreatment. This has gotten worse now that the UNOMIG patrols have stopped and since Russia vacated the garrisons formerly used by its peacekeeping troops. Moreover, some *gamgabelis* (mayors) of Mingrelian²⁵ villages in lower Gal/i have been replaced by ethnic Abkhaz installed by Sukhum/i, leaving few possibilities of redress for Mingrelians when Abkhaz militiamen behave badly.

Humanitarian Action

The humanitarian consequences of displacement caused by the August 2008 fighting were for the most part dealt with quickly and effectively. The Russian Emergency Situations Ministry (EMERCOM) was credited during interviews with aid agency staff with responding to urgent needs in South Ossetia quickly and reasonably effectively. The ICRC is the only international humanitarian organization that is currently operational in South Ossetia, with an international and local staff. It suspended operations for two weeks in early August 2008, re-entering Tskhinval/i from North Ossetia on 20 August with a war-wounded kit, more or less simultaneously with distributions in North Ossetia in southern Russia and Kutaisi in Georgia. An ICRC office was opened in Gori on 21 August. At least one

European NGO has recently opened an office in Tskhinval/i and is currently seeking donor support, with others exploring the possibility of doing so. Danish Refugee Council (DRC) has made a two-day visit to South Ossetia from Russia. UN High Commissioner for Refugees Antonio Guterres visited South Ossetia from the north in Russia on 22 August 2008, followed by a joint needs assessment mission led by UN OCHA in September 2008.

“In January 2009 the government gave its assent to international programs helping first generation IDPs to integrate. This was a tacit acceptance of the idea that those IDPs, or most of them, would not be going home. The government is giving ownership to IDPs of their flats.”

Interview with UNHCR official in Tbilisi,
July 2009.

BOX 2

SATELLITE IMAGERY TO INFORM HUMANITARIAN RESPONSE: UNOSAT²⁶

Soon after the outbreak of conflict on 7 August, made-to-order satellite imagery of stricken areas in and around South Ossetia was procured, processed, and delivered to humanitarian agencies on the ground by UNOSAT in Geneva. The imagery provided aid agencies such as UNICEF, UNHCR, OCHA, the ICRC, Halo Trust, and Human Rights Watch with objective information almost in real time for compiling damage assessments and projecting likely humanitarian needs in a limited-access environment.

UNOSAT is a function of the UN Institute for Training and Research (UNITAR), comparable to a UN common service. Imagery is free for UN agencies and most other humanitarian organizations. The imagery it can procure allows for time-stamped objective information on developments on the ground (e.g., a building was standing on this date, but not two days later). The process for requesting imagery from UNOSAT is informal to save time: UN field staff can typically make a request with an e-mail, after which UNOSAT takes care of the formal requests for imagery from its stable of providers. Due to standing agreements between UNOSAT and a number of civilian providers of imagery (including national space agencies and commercial satellite operators), turnaround time is usually very fast. In the last few years, there has been an exponential growth in the demand for satellite imagery in humanitarian crises, largely a result of greater awareness of its value in responses to large-scale disasters such as the Pakistan earthquake and Myanmar cyclone. UNOSAT was also activated to provide imagery in support of responses to the recent Lebanon and Gaza conflicts.

“Old” and “New” Displaced

“There were over 1000 collective centers for the old IDPs [in Georgia, from the previous conflicts]. Many of these were in terrible condition. And by definition, collective centers are isolating the people who live in them. Economic and social isolation, like unemployment, are huge problems among the old IDPs.”

Interview with aid worker in Gori, July 2009.

The 2008 war heightened the need to find durable solutions for people displaced by war in the 1990s. The unfinished business from the earlier conflicts complicated responses to the new one. Donors and operational agencies alike were rightly concerned about the bulk of attention and assistance going to the newly displaced, while the so-called “old displaced” caseload had largely languished since the mid-1990s, many of them enduring deplorable conditions in communal shelters with little or no integration into surrounding communities. In a long-overdue step forward, the Georgian government had adopted the new “State Strategy on IDPs” in February 2007. The strategy addressed housing, employment, education, health, legal status, and other issues of the displaced community, and stressed that efforts toward integration need not rule out future return. An action plan for implementing the strategy was revised following the 2008 war, but was only adopted in May 2009, and has yet to be acted upon.²⁷

“By January [2009] the settlements for new IDPs were built, and the government was planning a privatization scheme to raise the conditions of the old displaced. But the problem is that there is huge variation between collective centers: some are ok, some are terrible.”

Interview with aid worker in Gori, July 2009.

There has been a concerted thrust from UNHCR and several donors to move the strategy forward. Coordination between Georgian ministries has been a recurring issue, according to aid agencies. A renewed donor focus on the plight of the old displaced is likely to mean better prospects for their integration within Georgia proper as the new reality sinks in among IDPs themselves – and among politicians claiming to represent their interests – that most of the displaced will not be going home, perhaps ever. The 2008 war also served to weaken the ability of successive Georgian governments to use the original displaced population as a pawn – maintaining this population in poor conditions as a means of reminding Georgia’s friends of the imperative to facilitate their return by reasserting Georgian control in Abkhazia and South Ossetia. The usefulness of this tactic to Georgia has been overtaken by events since August 2008, a positive development.

“Some of the donors were very clear with the government: they wanted old and new IDPs to have their needs addressed. The war actually helped the situation of the old IDPs: attention to their needs is moving better now than before the war.”

Interview with UN agency in Tbilisi, July 2009.

However, INGOs spoke consistently of the need for governmental and international programs to equalize levels of assistance going to old and new displaced populations. The need for caution and sensitivity in addressing the needs of the earlier displaced population came up repeatedly in interviews. Many among the remaining “first generation” displaced were seen as unable to navigate through government and aid agency programs put in place to help them. As one agency observed, “Most of the people that remain in collective centers are quite old.”

For some IDPs who have returned and others in Georgia proper waiting to do so, the new reality of the Russian stance in contested areas contains the possibility for an improvement in conditions. Russia’s changed military role and much-enhanced presence in Abkhazia and South Ossetia mean at least the theoretical possibility of years of lawlessness and impunity in and around the secessionist areas coming to an end. This is conditional, of course, on Russia’s willingness to perform a policing role in its new protectorates, as it is arguably compelled to do under international law (regardless of whether Russian forces are regarded as guarantors of security by virtue of agreements reached between sovereign states, as Russia now argues, or as an occupying power, as Georgia currently argues). If an assertion of law and order happens, from a humanitarian perspective it represents the best possibility in years that the serious and ongoing protection problems that have prevailed for so long in Gal/i Region of Abkhazia and in some areas in and around South Ossetia will end: quasi-official militias and criminals and hybrids of the two will no longer be able to inflict fear, hardship, and violence on tens of thousands of Georgians, Mingrelians, and others who have been caught in the low-level back-and-forth violence that has characterized life in contested areas.

FOUR INTER-RELATED THEMES

Case studies and other research conducted by the Humanitarian Agenda 2015 project have been organized around four cross-cutting themes. On most counts, the case of Georgia resonates strongly with findings in other settings:

In regards to **universality**, there has been an evident improvement since the mid-1990s in the familiarity of combatants, authorities, and beneficiary communities with the means and motives of humanitarian action. However, as indicated by the prevailing difficulties of establishing liaison arrangements with Russian forces in Abkhazia, gaps and suspicions remain. Further, the greater familiarity of actors in the region with the workings of international assistance seems to have led to more sophisticated attempts to instrumentalize humanitarian action for political or military purposes, as evidenced by the humanitarian thrust of Georgian public relations efforts undertaken during and after the war.

The **impacts of terrorism and counter-terrorism** on humanitarian action – so prominent elsewhere – do not figure prominently in the Georgia/South Ossetia/Abkhazia case. Georgian forces received counter-terrorism training from the US beginning in 2004 in order to exert greater control over alleged Chechen fighters sheltering in the Pankisi Gorge area. Georgia was a main troop-contributing member of the US-led coalition in Iraq (and will soon be dispatching troops to Afghanistan to fight alongside US forces there). However, links between the “Global War on Terror” and humanitarian action are tenuous.

The prevailing **thrust toward coherence** between political, military, and humanitarian agendas in the international humanitarian “system” is a recurring issue in the Georgia case. The responses to the crisis of western donors were, by their own account, heavily politicized. Political authorities in the West were quick to mount militarized “humanitarian” responses to Georgia in August and September 2008 in spite of these not being needed on humanitarian grounds, lending credence to the notion that the implicit purpose was to lay a “humanitarian tripwire” to deter a further Russian advance into Georgia. There is no evidence of pushback against these developments from the UN’s humanitarian apparatus. Further, the role of international political actors in pressing for humanitarian access at the Geneva Talks has raised questions in the humanitarian community about the wisdom of joining humanitarian fortunes to political processes that are fragile and perhaps partial. A reluctance of some donor agencies to fund activity in secessionist areas for fear of angering Tbilisi reflects a continuing subjugation of humanitarian to political agendas.

Finally, regarding **security** of aid operations and beneficiary communities, the law-and-order gap faced by tens of thousands of people in and around the secessionist areas has continued unaddressed since the early 1990s. This may well change if Russian forces begin asserting a policing function for the benefit of civilians of all ethnicities in the areas under their effective control. In general, the operating environment for humanitarian actors has improved markedly in the southern Caucasus since the early-to-mid-1990s, but there is a possibility that operating space could contract in Georgia and the secessionist regions if relations with local communities deteriorate in response to political developments of if real or perceived affiliations with out-of-favor donors or home governments are not effectively managed.

The Response Measured Against Accepted Norms and Standards

Unlike in the early-to-mid-1990s, when the Caucasus was largely new and uncharted territory for humanitarian actors, donors, and policymakers, by mid-2008 the various actors had accumulated more than a decade of experience in the region. As a result, they were well-positioned to anticipate renewed hostilities, assert the humanitarian agenda with combatants and authorities, gain access to affected populations, and mount effective needs-based humanitarian responses that avoided mirroring or reinforcing the divisions caused by conflict.

Nevertheless, the performance of the international humanitarian system in 2008 in Georgia left much to be desired. To the consternation of experienced aid actors on the ground, a sudden influx of new and inexperienced aid actors arrived on the scene while political and diplomatic actors – who often used donor agencies as their proxies – seemed to use their greater awareness and understanding of the Caucasus more for instrumentalizing humanitarian action in the service of political agendas than for facilitating an effective humanitarian response.

“We responded quickly; it was a political decision. There was very little conversation among donors and in embassy circles in Tbilisi about how Georgia intervened or the dangers of rewarding bad behavior... The West took the side of Georgia.”

Representative of a major European donor,
Tbilisi, September 2008.

The research reveals that the aid response to a humanitarian crisis that was relatively limited in scale was far more political than humanitarian. In contrast to humanitarian crises elsewhere that were underfunded at the time of a February 2009 donor conference in Brussels, donor responses to a joint needs assessment for post-war Georgia, organized by the UN and World Bank, resulted in a remarkable US\$1 billion over-subscription in pledges of scarce donor resources. Donors pledged a total of US\$4.5 billion for post-war assistance to Georgia. This amount included allocations for direct budget support to the Georgian government, infrastructure repair, development assistance, and humanitarian action. The amount allocated to humanitarian action represented only a fraction of pledges. However, although some spoke of needing to tap into their own resources in the early days of the humanitarian response in August 2008, most aid agencies interviewed for this research reported an overabundance of resources available to humanitarian agencies and, in the words of one interviewee, “acute pressure to spend and spend quickly.”²⁸

“The August events changed donor interests dramatically. Huge resources were made available for a relatively small case-load. Compare the situation in Georgia with that in Congo. Before the August war donor support in Georgia was low and declining. Our own budget doubled almost immediately, and the government received a lot of budget support.”

Interview with manager of an established INGO
in Tbilisi, July 2009.

In general, donors and operational actors largely failed to respond in a neutral, impartial, and independent manner. Good Humanitarian Donorship²⁹ was largely ignored by donor governments, and there is no evidence that the UN’s humanitarian apparatus attempted to mitigate donor excesses. Military assets were used injudiciously for aid delivery (see below), and the donor response was not commensurate with needs. Likewise, INGO behavior was often inconsistent with the Red Cross/NGO Code of Conduct.³⁰ Aid agencies for the most part effectively took sides in the conflict by acquiescing in the political and geopolitical divisions and machinations that prevailed at the time and continue to dominate the humanitarian landscape. Few systematic attempts were made to assert humanitarian access across conflict lines. Little diplomatic energy was expended on pushing back against obstructions of access by combatants and authorities such as the controversial Georgian Law on Occupied Territories³¹ or the barring of access to Tskhinval/i from Georgia proper by South Ossetian authorities. (See “Real and Imagined Barriers to Humanitarian Access” on page 24.)

The relationship between INGOs, the UN, donors, and the Government of Georgia (GoG) is far more open and cooperative than the majority of other countries. Lots of time and effort has been spent building the capacity of the GoG, an inordinate number of GoG staff and ministers are previous employees of INGOs/UN/donors, and most of them know the inner workings of the humanitarian and development community quite well. This turned out not to be such a great advantage when it came time to hold the GoG accountable—there were too many past and future bridges to risk burning. In addition, the GoG in many cases was able to anticipate many of our arguments and objections, and dealt over our heads with donors by pre-empting our own positions. There was a very difficult line to discern between wanting the GoG to succeed and prove the truth of our efforts, and the need to hold them accountable when they pursued political rather than purely humanitarian ends.

Feedback from INGO Head of Office,
Tbilisi, September 2009.

Coordination

“There was a huge number of agencies for the geographic area and number of people affected.”

INGO Emergencies Manager.

There was a delay of several weeks from the onset of the war in appointing a UN Humanitarian Coordinator, and it likewise took several weeks for the UN to send in sufficient experienced personnel to handle the workload effectively. UNHCR’s representative in Tbilisi was the preferred choice for the HC role among many operational actors, but eventually the appointment went to the UN Resident Coordinator (in keeping with standard UN practice).

In interviews, aid agencies expressed misgivings about the appointment. Although he came from a strong humanitarian background, the Resident Coordinator was felt by some to have displayed a lack of dynamism in the HC role: indeed, he had done little to press access to South Ossetia from Georgia proper with Ossetian and Georgian authorities, and deferred to UN Headquarters in New York on questions of assessing needs inside South Ossetia. Nor did he attempt to visit Tskhinval/i, (which was fully considered by the UN system to be part of Georgia), despite it having been targeted with heavy weapons by Georgian forces. He also opted not to field a civil-military coordination officer for liaison purposes with combatants or with US and other outside military forces who were engaged in sizeable “humanitarian” operations.

This was a stark example of the UN’s utter reliance on donor priorities. Having limited resources of its own, even if the response community – led by the UN – had gained access to South Ossetia, donor funds would unlikely have been made available to address needs there anyway. But that failure also speaks to the general ambivalence in regards relationships with the GoG. If it had been a government with whom we were used to disagreeing, and confronting openly and regularly, and with whom there was no love lost for future activities anyway, the response might have been quite different.

Feedback from Senior NGO Head of Office,
Tbilisi, September 2009.

This staffing gap contributed to a number of shortcomings in the response, including a Georgian government decision to feed IDPs with military rations airlifted from the US and other countries, rather than with food aid available from humanitarian agencies as would be consistent with the UN’s Oslo Guidelines on the Use of Military and Civil Defense Assets (MCDA) Guidelines.³² As one INGO worker observed, “...only once the HDRs and MREs were exhausted did [the government] start to let proper food be released. In collective centers, MREs and HDRs were literally scattered all over, with people not wanting to eat them.”

INGO representatives interviewed for this report indicated that the UN was quick to set up an informal cluster system but slow to resource it: a UNICEF protection officer, for example, was initially designated as cluster lead on water and sanitation. By most accounts, the HC was less than fully supportive of OCHA’s coordinating function in Tbilisi. An OCHA office in Tbilisi was re-opened soon after the onset of the crisis, and staff were eventually placed in the field in Gori in order to facilitate field coordination. There was a sense among some OCHA field staff that the HC was too restrained by his Resident Coordinator role and the possibility of offending Georgian and other authorities by being more assertive on pressing humanitarian matters.

“I remember one WASH³ meeting where about six of us were present. Collectively we had up to 100 years of first response experience, but we still could not find a way to push the sector and coordination forward. We probably stayed with the UN for way too long and didn’t go independent soon enough – but eventually all agencies did go off alone or in mini consortiums.”

Interview with senior INGO staff,
Tbilisi, November 2008.

On a more strategic level, the closure of the OCHA office in Tbilisi and the turnover of some of its key functions to UNDP in December 2004 was highly questionable on several counts. First, OCHA initiatives in the mid-to-late 1990s were instrumental among the UN family, the NGO community, and donors in calling attention to – and mobilizing resources to address – inadequately-met needs prevailing in and around the conflict areas at the time. Second, OCHA’s downsizing and eventual closure in Georgia was ill-advised in a country with such a large population of displaced people and with two unresolved “frozen” conflicts whose consequences were still weighing heavily – and which the mounting evidence suggested were threatening to again become hot. There was a continuing need for an OCHA presence to coordinate humanitarian action among the population affected by past conflicts, and a preparedness role to play in anticipation of further violence. For example, no database on the housing reconstruction efforts in Gal/i Region (dating back to the inception of those efforts in 1994) could be consulted by agencies undertaking reconstruction in the same areas, often with the same families. More importantly, the absence of OCHA led over the years, as in the early-to-mid-1990s, to a certain blindness to needs in Abkhazia and South Ossetia among Tbilisi -based agencies. Closing the OCHA office in March 2009 was similarly ill-advised, with so much remaining to be done: access, military-humanitarian interactions, maps, databases (such as for home reconstruction efforts in Gal/i Region as well as in the areas affected by the August 2008 war).

COORDINATION – MIXED REVIEWS

“We want more coordination with the government and with international NGOs. Things are coming, but not quickly enough. We’re grateful for the assistance we get, but it’s not enough. We’re not getting enough information about the government’s housing reconstruction scheme. We went to the Georgian Young Lawyers Association (GYLA) for information about the compensation payments from the government. We didn’t know what the \$15,000 payments were for. We’re looking for lasting solutions. Maybe things are being centrally planned somewhere but it is better to do things individually. Sometimes we receive things so late that we don’t need them anymore. And lots of barriers are being erected between us and the local administration. The Gangeoba’s office (Governor’s office) is like a fortress. They’ve got guards standing at the entrance and when we have a problem, we can’t get past them. From what we’re seeing on the TV we know that the money is there but it either comes too late or it’s a lot less than we expect. Maybe our perceptions are wrong but this is our reality. Why isn’t there more monitoring over this help? Even journalists come to visit and promise they’ll write about us, but either that doesn’t happen or it comes too late to help. Our suggestions are: we want to choose our representatives to deal with the NGOs, instead of the NGOs dealing with the municipality. We don’t trust the government. We would rather go through the Patriarchate. When we were living in camps and shelters the Patriarchate did a lot. We need an emphasis on jobs and self-sufficiency.

Discussion with ethnic Georgian villagers north of Gori, adjacent to South Ossetia, July 2009.

“There were too many coordination meetings. We would have needed a full-time liaison person to attend all that were relevant to our work.”

Interview with INGO representative in Tbilisi, September 2008.

“The cluster leads meetings worked very well, because they were closed meetings. OCHA insisted that the heads of clusters attend.”

Interview with former OCHA staffer, Tbilisi, July 2009.

“OCHA’s closure was too abrupt. We made arrangements to have two Georgian staff continue in the HC’s office [to provide some continuity], and funding was in place for this. But it didn’t happen.”

Interview with former OCHA staffer, Tbilisi, July 2009.

“Only the ICRC and CARE assessed conditions in the ‘buffer zone’ before October 10 2008.”

Interview with donor representative, Tbilisi 2009.

“Coordination between agencies in Gori happens fairly effectively in an informal way—it is a small city and the staff of organizations interact fairly regularly.”

Interview with INGO representative, Gori, July 2009.

“The government’s response was very quick, but not well coordinated between ministries or down to the implementation level. It took [INGOs] a month to discover that the government intended to build settlements, for example. It was very difficult to assess the different information we were getting from different parts of the government. We had been dealing with the Ministry for Refugees and IDPs, but the announcement of the settlements came from the Ministry of Interior.”

Interview with INGO representative in Gori, July 2009.

FACILITATING ACCESS TO ASSISTANCE AND MONITORING PERFORMANCE OF LOCAL AUTHORITIES: THE WORK OF THE GEORGIAN YOUNG LAWYERS ASSOCIATION³⁴

Difficulties experienced by beneficiaries in gaining access to aid, government compensation, and other entitlements were widespread in areas near Gori and adjacent to South Ossetia. These difficulties provided the motivation behind an innovative project implemented by the Georgian Young Lawyers Association (GYLA), a national NGO started in 1994. The project, operated through GYLA's legal assistance clinic in Gori, aimed to clarify for potential beneficiaries what they were entitled to by way of government compensation and to see redress on their behalf when difficulties were encountered. GYLA staff visited "all 152 villages of Shida Kartli" and others close to the administrative boundary with South Ossetia to hear complaints and guide those in need through the process of receiving the assistance due to them.

Along a second track, GYLA staff actively monitors how local administrations distribute humanitarian assistance and compensation, observing that there are no clearly defined criteria for government distributions of compensation for damaged or destroyed housing, food, or cash assistance. GYLA hosts a monthly roundtable meeting to present its observations and suggestions for improvement to local officials.

A third track involves publishing GYLA's observations about corruption problems in assistance activities in local newspapers.

Security for Aid Operations and Personnel

When Russian forces were advancing towards Tbilisi in the few days following the start of the war, a number of embassy staffs and donor representatives were evacuated to Yerevan and other locales or were put on notice to be prepared for evacuation.³⁵ Rumors were spread by SMS message among the international community in Tbilisi that the US was sending troops, heightening fears of a full-on military confrontation in Tbilisi and adding to a climate of confusion. In the views of one donor, the uncertainty led to several days of response time being lost to the prevailing confusion.

As it transpired, the Russian advance stopped short of Tbilisi and the main security problems identified by most of those interviewed related to "wrong place – wrong time" incidents and traffic accidents. Still, agency behaviors reflected vastly different staff security rules and procedures, ranging along a spectrum from an irresponsible "none" on one extreme to over-the-top risk aversion on the other. Virtually all operational organizations reported in interviews that their staff had

withdrawn or hibernated temporarily during and immediately after the fighting in and around South Ossetia, while in Abkhazia several NGOs took a similar approach of temporarily suspending operations or adopting very low profile modalities. A major US-based NGO, which was funded by USAID, permanently withdrew its staff from Abkhazia within days of the conflict's escalation, and did not return. This was interpreted by authorities in Sukhum/i as a punitive measure,³⁶ but in an interview NGO staff explained that its projects were ending at the time anyway. Other NGOs, such as NRC, scaled down programming and movements for about a month but resumed activity when things calmed down.

One telling example of different approaches to security, related in an interview with an international NGO, was the way that UN security rules prevented WFP from being operational in the Svaneti area of western Georgia above Zugdidi (which had absorbed some IDPs from the Kodori Valley). International NGOs, however, were able and willing to implement programs there with no difficulty.

Real and Imagined Barriers to Humanitarian Access

“If you call the Russians the day before, you will have access to Russian-controlled areas.”

Interview with major donor representative in Tbilisi, September 2008, commenting on purported access difficulties claimed by the UN agencies.

“Once again, the Commission calls upon all concerned parties to allow free and unhindered access for international organizations to all the conflict-affected areas (including those which were indirectly affected), from all directions, at all times, so that the population can be provided with all the necessary humanitarian assistance and human rights support and the work of confidence-building can proceed. The region and its people must not continue to be isolated; they are part of Europe and are bound to have a European future once an appropriate settlement is reached.”

Thomas Hammarberg, Council of Europe Human Rights Commissioner.³⁷

Political and, regrettably, self-imposed barriers to access were far more evident than security-related barriers to access. First, the bifurcation of the relief effort on geographic lines that mirrored the conflict was nearly complete. On the ground, this bisection took on some surreal dimensions: at a UN-led health coordination meeting at the Gori tent camp for IDPs, attended by the author in September 2008, not a single mention was made throughout the ninety-minute meeting of health needs or responses in shell-shattered Tskhinval/i, a mere

eighteen kilometers down the road. Only those few agencies with regional operational presence (i.e., in southern Russia and Georgia, or Abkhazia and Georgia proper) had a theoretical and, in even fewer cases, a real comparative advantage for gaining access to all areas. For example, the ICRC was present with delegations in Tbilisi and Moscow and a subdelegation in North Ossetia, enabling it to reopen operations and an office in Tskhinval/i very quickly. On the other hand, the UN did not gain access to Tskhinval/i until 22 September 2008 – and then only for an assessment mission – despite having an unparalleled political capacity to push for it and aid staff and resources on the ground in all key locations.

Second, access to Tskhinval/i and other parts of South Ossetia from the direction of Georgia proper has been officially barred from both sides. Only the ICRC was able to cross the conflict line between Tbilisi and Tskhinval/i, and then only for specific purposes such as prisoner exchange and family reunification. Georgia’s Minister for Reunification Jakobashvili circulated a letter (see Box below) soon after the war’s onset putting humanitarian agencies on notice that if they sought to assist Tbilisi’s adversaries in Abkhazia and South Ossetia, this would be regarded as an “unfriendly act,” and warning of legal consequences. Following up on this sentiment, the Georgian Parliament passed the “Law on Occupied Territories” on 28 October 2008, stipulating that foreigners could only enter the contested areas from within Georgia.

BOX 6

GEORGIAN GOVERNMENT PUTS AID AGENCIES ON NOTICE

“We would like to implicitly [sic] underscore that any attempt from international governmental and/or non-governmental organisations, State and private companies to legitimize criminal regimes in Sokhumi and Tskhinval/i through cooperation and engagement with them by avoiding the Georgian Government will be considered as an utmost unfriendly step and will bear consequences according to Georgian legislation and international law. The Government of Georgia under no circumstances will accept that regimes which committed ethnic cleansing and war crimes will enjoy recognition from [the] international community.”

Excerpt from a letter to international NGO signed by Dimitri Manjavidze, Georgian Deputy State Minister on Reintegration, 3 September 2008.

Aid agencies and others have been critical of the law for impeding their free movement into secessionist areas. At the request of the Georgian government, the Council of Europe's Venice Commission issued an opinion on the law, finding fault with it for, among other things, not explicitly exempting humanitarian aid from its provisions, legislating against economic activity needed for livelihoods in Abkhazia and South Ossetia, and observing that questions of the international responsibilities of Russia could only be regulated on the basis of international law.³⁸ Although the law bans economic and related activity in these areas, the wording of the law does stipulate exemptions for humanitarian purposes. Likewise, exemptions for humanitarian purposes are mentioned in the case of foreigners entering the secessionist areas at other-than-approved crossings (from Georgia proper). The problem appears to be: a) a lack of clarity among humanitarian agencies about what the law actually says; b) lack of concerted effort by the humanitarian community to respond to the law and seek clarity about procedures for receiving exemptions; and c) lack of streamlined and transparent procedures to receive exemptions in a timely and efficient manner from the Georgian government.

For their part, South Ossetian authorities (as they did in 1993/4) have stated consistently that humanitarian agencies are "welcome" in South Ossetia, but only if they enter from Russia in the north, rather than through Georgia proper. This stipulation places an undue logistics burden on humanitarian agencies: Tskhinval/i is a mere 80 km from Tbilisi where the vast majority of aid agencies in the region are headquartered. Relatively few international organizations have any sizeable presence in southern Russia, and the programming thrust of most of those is Chechnya.

Several agencies interviewed during this research felt that the issue of access to South Ossetia had not been pressed as assertively as it could have been by the INGO community, the UN, and donors. Indeed, the aid response has been effectively bisected, mirroring the conflict itself.

The UN stumbled badly in its early attempts to gain access to the stricken areas in and around South Ossetia. The UN Secretary General's spokesperson Michele Montas claimed in the UN Daily Briefing on 9 September 2008 that a humanitarian assessment mission from WFP had been denied access at the town of Karaleti to the Russian-controlled frontier region around South Ossetia by the Russian military, prompting a sharp rebuttal the next day from Russia's Ambassador to the UN, who rightly pointed out that UN humanitarian officials had failed to contact either the Russian Foreign Ministry or any other Russian agencies about their planned aid activities. The Ambassador also alluded to

"disinformation" about Russia's activities in Georgia being spread by the UN Secretariat, and slammed a perceived anti-Russian bias in western reporting on the conflict.³⁹

The incident reflected more an appalling lack of planning, basic humanitarian skills, and ignorance of UN procedure at several levels than a genuine failure to gain access after pursuing systematic efforts to achieve it. Notably, the UN Humanitarian Coordinator for Georgia had not asked for deployment of a UN Civil Military Coordination (CMCoord) Officer to identify military points of contact among combatants and to take charge of relatively routine negotiations for humanitarian access, even though military forces deployed in the theatre on both combat and "humanitarian" missions included troops from two key members of the UN Security Council: neither did UN OCHA in New York or Geneva take the initiative to staff such a key role at such a critical time in the UN's efforts to scale up aid activity in the affected areas.

However, Russia's government used the incident to underscore that humanitarian access to South Ossetia would be facilitated by Russia through North Ossetia along the Vladikavkaz-Tskhinval/i route, validating statements by the de facto South Ossetian leader Kokoity that South Ossetia welcomed international assistance, provided that it did not enter through Georgia.

Humanitarian access was highlighted as a priority by the Council of Europe's Human Rights Commissioner following successive fact-finding missions to the region. The Commissioner has stressed the need to de-link political discussions occurring under the auspices of the Geneva Talks from "efforts to address the very considerable and urgent humanitarian problems."⁴⁰

Some aid workers interviewed during the research expressed concern that humanitarian access had become an issue in the Geneva Talks. Although they felt that it was generally positive to have questions of humanitarian access raised at a political level, (and presumably pressed for by international political authorities at the Geneva Talks), there was a perceived danger that such discussions could replace – or reduce the space for – assertions of access by humanitarian agencies themselves. Some aid workers worried that a number of humanitarian organizations had evidently decided to defer to political actors in the UN, EU, OSCE, or home governments to make access decisions on their behalf, rather than asserting access independently and directly with combatants and authorities.

Different forms and degrees of unease with this coherence between humanitarian and political agendas were expressed in interviews. First, from the somewhat

dogmatic perspective of humanitarian principles, it was seen as an unnecessary subordination of humanitarian actors to political actors and an unacceptable compromise of the humanitarian community's independence. Second, out of concern for how their affiliations could be perceived, some aid workers saw it as a potentially dangerous development given UN, EU, and OSCE stewardship of the talks, antagonistic Russia-EU relations, and Russia's recent rejection of UN, EU, and OSCE attempts to intercede in the conflict. Third, there was an expressed fear that humanitarian access could become another pawn in the chess game of political talks that could be negotiated away or sacrificed to what political negotiators regarded as more important issues. And fourth, some aid workers felt that it was foolhardy to join the humanitarian community's fortunes to a political process that was demonstrably fragile and prone to disruption or even failure.

Although it was not raised by those interviewed for this study, it bears mention that a much earlier attempt at such coherence ended badly.⁴¹ The 1994 Quadripartite Commission, consisting of Russia, Georgia, Abkhazia, and UNHCR, became a venue for political pressures on UNHCR to facilitate a dangerously premature return of IDPs to Gal/i.

Opinions were mixed as to whether the humanitarian space available for operational agencies would shrink in response to political developments. Some agencies expressed the concern that organizations known to be affiliated with the EU or USAID could experience a contraction if relations between Moscow and the EU and Washington worsened. As one INGO worker in Sukhum/i cogently put it,

"Everything here is saturated in a political stupor. You have local agencies willing to politicize assistance by rejecting it, and political authorities ready to menace or threaten us. The Abkhaz have facilitated our work in ways that they wouldn't do if they didn't want us here. We've seen good faith from the authorities. But it's totally conceivable that we could be used as stooges. The EC could pull our funding, or we could be kicked out by the Abkhaz as a protest vote against the EU's political position. If a point was to be made about politics they would toss us out. Or Georgia could penalize us for working with the Abkhaz. We're being laid siege to from all sides, but everyone has a vested interest in keeping us around. I don't know how to read the tea leaves in this place. It's labyrinthian: bizarre."⁴²

Whither the EU Monitoring Mission?

"The EUMM has no mandate to share humanitarian information with the humanitarian community, but they sometimes do it informally. We've heard that EUMM wants to start doing civil affairs projects."⁴²

Interview with INGO staff in Gori, July 2009.

On 1 October 2008, the European Union Monitoring Mission (EUMM) began deploying international monitors to provide oversight of the implementation of the cease-fire agreement brokered earlier by French President Sarkozy between Moscow and Tbilisi. The mission, initially comprised of 200 unarmed monitors and later expanded to some 350 monitors, consisted primarily of police officers and military personnel, with only a handful of civilian human rights specialists and humanitarian professionals. The EUMM is based in Tbilisi, but regional field offices operate out of Tbilisi/Mtskheta, Khashuri, Gori, and Zugdidi. Its monitors compile reports based on their field observations which are sent to the mission's headquarters in Tbilisi, which then compiles reports for Brussels, which reports to the foreign ministries of EU member states. Observations from the field are not made public, nor shared with aid agencies, reflecting the essentially political purpose and non-executive nature of the mission.

The EUMM was intended to provide a patrolling presence on both sides of the lines of conflict in and around both South Ossetia and Abkhazia. However, the execution of the EUMM's mandate has been dealt a seemingly fatal blow by the refusal of Russian, Ossetian, and Abkhaz authorities to allow it to enter the secessionist territories. Accordingly, the mission is unable to execute essential parts of its normalization and confidence-building mandate.

A former EUMM observer with extensive experience in other observer missions was intensely critical of the mission for failing to anticipate its lack of access to both sides of conflict lines, and its consequent inability to carry out its mandate.⁴³ In his view, the mission's mandate had been gutted by lack of access to the secessionist areas, and this warranted consideration of an early downsizing of the mission while holding in reserve the possibility of expansion should access to South Ossetia and Abkhazia be granted.

However, it is far from clear what the mission would actually do if it were able to cross the lines of conflict. The performance of UNOMIG in Abkhazia in its mandated role as bystander and report-taker on combatant misconduct did little to deter abuses or improve behavior. Worse, the EUMM's disposition solely on only one side of the lines of conflict has predictably led to a counterproductive operational modality where EUMM monitors gaze at Russian troops and positions through binoculars and quiz those with direct access to the secessionist areas about events there. The mission gives every appearance of being an intelligence-gathering organ of the EU, which has a pro-Georgian political stance.

Donor Excesses and Militarization of the Humanitarian Response

"There were many new INGO arrivals in August 2008. Those that had been here for a long time were quite unhappy with the behavior of many of the new arrivals. Before, there was a very stable INGO community with a clear division of labor between them. That changed in August 2008. The number of agencies increased several hundred percent within a week or two. Some of the programs they engaged in could be activated quickly, like food and non-food item distributions. But others, like psycho-social or education programs, we and a few others were already deeply involved in this and we were very unhappy with the careless way some of the newcomer INGOs got involved in this. We ended up fighting with each other to get meetings with the government, and this I think hampered the government in its own response. The government didn't want to say 'no' to any new money."

Interview with head of large INGO present in Georgia since mid-1990s, Tbilisi, July 2009.

On 18 August the UN issued a Flash Appeal for US\$59.6 million for needs outside of South Ossetia. Aid activities inside South Ossetia (or Abkhazia) did not figure in the appeal. USAID transitioned from a regionally-led operation to a Washington DC-led operation on 13 August. The USAID DART team deployed to Tbilisi on 15 August. On 3 September, the US government pledged \$1 billion to support Georgia's humanitarian needs and economic recovery. The European Commission announced a pledge of €500 million on 15 September, covering a three-year period and including humanitarian, reconstruction, and economic assistance.

"Donors displayed a double standard: on one hand they gave funding to UNHCR and its partners and wanted high standards for their work with IDPs. On the other hand they gave budget support to the [Georgian] government and didn't ask for similar accountability. The government took over responsibility for several hundred collective centers and these are not meeting high enough standards."

Interview with INGO worker in Gori, July 2009.

"There seems to be a good connection between ECHO and the EU: ECHO is able to provide good info to the EU on partner capacities. But there's a bigger disconnect between USAID and OFDA [USAID's Office of Foreign Disaster Assistance]. When it came time for USAID to elaborate a strategy for 6 months or 12 months they had no clear sense of whether they should plan as if it were an emergency, post-emergency, reconstruction, or development phase."

Interview with INGO Head of Office, Tbilisi, July 2009.

"In Chad we provided income generation kits that cost \$50. In Georgia it's \$1000."

Interview with INGO staff, Gal/i, July 2009.

Assured by Asst. Sec. of State Daniel Fried that the US warned Georgia against an attack, Rep. Brad Sherman, (D) of California, asked, "Then why is Georgia going to get a huge amount of funding [from the United States for damage it suffered by] ignoring the loudest and most specific warnings from the United States?"

From a report by Dan Catchpole, Christian Science Monitor, 3 October 2008.

Donor largesse was not extended to the secessionist areas, however. INGOs reported in interviews that USAID grants for work in Abkhazia "disappeared" in the wake of August 2008. In the opinion of one veteran aid worker, this was interpreted as a punitive move against the Abkhaz that "...reinforced their historical experience" of dealing with Tbilisi-based agencies making decisions on resource allocations to the regions.

The US Department of Defense had operated a Civil Affairs program in Georgia for several years before the events of August 2008, providing medicines, hospital equipment, and other goods in various parts of Georgia. USAID transitioned from a regionally-led operation to a Washington DC-led operation on 13 August. The USAID DART team deployed to Tbilisi on 15 August. The US military airlift of Humanitarian Daily Rations (HDRs) and Meals Ready to Eat (MREs) concluded on 29 August. Seven USAID partners participated in distributing the goods brought in by the military: Counterpart, World Vision International, Samaritan's Purse, Save the Children, Care International, United Methodist Committee on Relief (UMCOR), and Mercy Corps International.

NGO OVERSIGHT OF DONORS AND RECIPIENTS: TRANSPARENCY INTERNATIONAL

The independent Georgia branch of Transparency International has undertaken two projects to monitor donor behavior and government stewardship of donor funding. The TI work was credited by aid workers and donors interviewed for this report for ensuring a much higher degree of transparency in donor decisions and in the Georgian government's use of donor funds. Also, TI conducted field visits to IDP concentrations to gauge the degree to which donor funding was reaching its intended beneficiaries. Two specific outcomes of TI's work are especially worthy of note. The Georgian Ministry of Finance now publishes donor contributions on its website. Also, a UN-led donor meeting was opened to NGO observation as a result of TI entreaties that closed-door meetings were incompatible with transparency and accountability.

This independent monitoring, oversight, and watchdog role has been a valuable device for ensuring that donor decisions are responsible and that their funds are used judiciously. It should be replicated in other highly politicized contexts where the state is fragile and where donors bring a wealth of riches to bear – Iraq, Afghanistan, and Pakistan particularly come to mind.

On 15 August 2008, the Bush Administration instructed USAID to dispatch a DART team. A senior USAID staffer in Tbilisi indicated that the Tbilisi mission of USAID was not consulted in the decision and felt strongly that it should have been the mission's call. "DC said, 'You are getting a DART Team'".⁴⁴ By some accounts, US military civil affairs personnel were embedded into USAID DART teams in plain clothes. Some European NGOs objected to the apparent close affiliation of USAID and the US military and denied a USAID request to have military officials accompany them in humanitarian coordination meetings.

USAID's DART teams, meanwhile, were unaware of what was or would be arriving on US military flights into Tbilisi (these goods were dispatched by the US DoD, evidently without consultation with USAID). One senior staffer with a US-based NGO indicated in an interview that he felt that efforts by NGOs to stand up to US military involvement in humanitarian response would be "welcomed" by USAID, whom he said would be "happy for the help."⁴⁵ In his view, "Myanmar or anyone else can now legitimately claim that humanitarian aid is not humanitarian," when aid is provided to further political or military objectives. "We lose credibility," he said, "in places where people push back." Disenchantment among US-based NGOs was sufficient for their umbrella organization, InterAction, to issue a blunt press release in early September criticizing the decision to involve the US military.

An experienced senior manager of USAID in Tbilisi interviewed in September 2008 felt strongly that the Georgia AID mission had been thoroughly bypassed and co-opted by the Bush administration and, secondarily, by the DoD. "The moral imperative still runs very strong in USAID. We're culturally and organizationally very different from DoD. Disaster assistance is one of the things that USAID does best. When Americans understand what we actually do, the public supports [us taking the lead role]. We're supposed to be the lead agency [on disaster relief] according to legislation, our mandate, our funding. But when there's a military and political overlay, we're marginalized."⁴⁶

INTERACTION ON US DECISION TO ASSIGN LEAD HUMANITARIAN ROLE IN GEORGIA TO US MILITARY

(excerpted from InterAction Press Release, “*Humanitarian Principles at Stake in Georgia*,” 3 September 2009)⁴⁷

“The 170 member alliance of international development and humanitarian organizations that comprise *InterAction* believes that it was wrong to put the US military in charge of the American government’s humanitarian response in Georgia. Despite the insistence of senior U.S. officials that the U.S. Agency for International Development (USAID) is leading the humanitarian response, the reality on the ground continues to be influenced by President Bush’s statement that it is a U.S. military-led humanitarian operation. *InterAction* members’ ability to stay true to their humanitarian mission to provide assistance to people in need without distinction of any kind, without political criteria, and without support for a particular government or political movement is at risk.

First, the U.S. military is not set up to know the needs of populations in distress or work with them on a daily basis to address those needs. It is providing assistance that is not appropriate to the situation and does not facilitate the local population’s ability to care for itself.

Second, a military-led humanitarian response in a conflict zone tends to favor one side. If international relief agencies work with the military in this environment, their impartiality and ability to obtain access to all people in need are compromised. Linking the military with assistance in a conflict zone also lends credence to charges by some governments and non-state actors who claim the humanitarian action is being undertaken to further political and strategic objectives.

Finally, military-led U.S. humanitarian assistance hurts America’s image abroad. It gives the impression that the United States does not care about the well-being of all people affected by conflict and that it is not particularly concerned about the development of vibrant civil societies capable of caring for themselves if given the opportunity. The Georgian government actually has considerable experience in disaster relief. It, and the numerous civilian humanitarian organizations working in Georgia, has the ability to involve the local population in those projects from which they will most benefit.

InterAction members believe this situation can be remedied by ensuring that the military stick with its mandate while the U.S. government agency best equipped to support humanitarian responses around the world, USAID, is the leader during the next phase of the official U.S. response in Georgia – and in future relief efforts around the world. Independent relief agencies working in partnership with USAID and other civilian U.S. Government agencies, U.N. organizations, and the Red Cross have the expertise, credibility, and impartiality to lead the recovery and reconstruction phases of the response. While the U.S. military has a valuable role to play in humanitarian response, it is most effective when supplementing assistance available from civilian agencies rather than supplanting it....”

A “Humanitarian Tripwire?”

“Why is this aid being delivered with warships armed with modern missile systems?”⁴⁸

Vladimir Putin, 2 September 2008.

“Back-office program officers at some big NGOs in the US didn’t really see anything wrong in the military taking a lead role in an emergency.”

Interview with US-based INGO representative
in Sukum/i, July 2009.

Military forces, notably from the US and other NATO countries, were dispatched on high profile “humanitarian” missions shortly after the beginning of the August 2008 war. Given that there was ample humanitarian capacity already on the ground at the time, as well as considerable surge capacity among major humanitarian actors such as the ICRC, USAID/OFDA, the UN agencies, and several INGOs, it is difficult to dismiss suggestions that the US and NATO intent was to lay a “humanitarian tripwire”⁴⁹ in order to deter a deeper Russian advance into Georgia.

A high-profile US military air and sealift of relief items was initiated to the Georgian port of Poti and to the main airport in Tbilisi. Within hours of Bush’s announcement, Saakashvili called the US decision a “turning point” in the war, describing the US intervention as a “military-humanitarian mission” to place the port and airport under US military control.⁵⁰ Saakashvili’s claim was quickly denied by the Pentagon, but Bush’s decision to have the US military lead the US response effectively created a “humanitarian tripwire” which, if triggered, could have led to an explosive expansion of the conflict, pitting US forces against Russian troops.

“We didn’t know until October that Bush had issued an executive order making the response the purview of the DoD. However, many donors and the GoG clearly did. This meant that much of our effort to hold the GoG accountable was utterly misdirected – they and others knew that they held cards that we didn’t realize existed.”

Feedback from Senior NGO Head of Office,
Tbilisi, September 2009.



The US guided missile destroyer USS McFaul arrives in Batumi, Georgia on 24 August 2008, carrying 80 tons of humanitarian supplies from the US Department of Defense. The ship was part of a US military sea and air operation ordered by George W. Bush.

Photo by US military.

3. Conclusions and Recommendations



The bridge over the Inguri River, which forms the present de facto border between Abkhazia and Georgia, viewed from the Abkhaz side. Russian border troops with armored vehicles are based just to the left, not visible in the photo, while Abkhaz militia and “customs” officers man a control point just to the right. Georgian police man a checkpoint at the far end of the bridge, which is as close to Abkhazia as EUMM monitors can get.

Photo by the author, July 2009.

What Does the Humanitarian Future Hold?

At a macro level, the humanitarian response to the August 2008 events highlighted that the humanitarian system is largely ineffective at pushing back against blatant and dangerous politicization of humanitarian responses when donor undertakings to Good Humanitarian Donorship are disregarded. There was a dearth of effective stewardship of donor behavior from the UN and other actors in the international community. The response was ultimately far more political than humanitarian.

Perhaps even more seriously in a world of scarce donor resources for humanitarian action, donor response was far out of proportion to assessed needs but still suffered from distribution problems that left some organizations with strong field presence with underfunded programs. On a more positive note, shortcomings in transparency and accountability among donors and the Georgian government were confronted head-on through the efforts of Transparency International (TI) Georgia. The TI initiative merits replication in other contexts where donor behavior is wanting. Iraq, Pakistan, and Afghanistan come to mind.

What does the future hold for humanitarian action in Georgia, South Ossetia, and Abkhazia? In terms of the context, domestic political instability in Georgia continues to pose threats of a downward spiral into factional violence that would be likely to produce humanitarian fallout.⁵¹ Against this backdrop, however, three factors combine to create a vastly changed humanitarian landscape. First, Georgia has now decisively lost the wars in South Ossetia and Abkhazia politically (for the first time) and militarily (for the second time). Second, there is a new Russian imperative to stabilize the Caucasus region along its southern border, particularly as the Sochi Olympics approach. Third, Russia is robustly reasserting its military power and political influence in the region – including its recognition and facilitation of Abkhaz and South Ossetian independence – as a pushback against NATO and EU expansion.

“There’s a very distinct difference in Russian stewardship of Abkhazia vs. South Ossetia. In the former, Russia seems to be investing more heavily in permanent military and civilian infrastructure and Russian investment is being encouraged.”

Interview with INGO Head of Mission in Sukhum/i, July 2009.

“UNOMIG’s departure will have a big economic effect. Maybe people will seek income in other ways.”

Interview with INGO staff active in Abkhazia, Tbilisi, July 2009.

Looking to the humanitarian future, the new political realities on the ground are likely to yield a mix of good and bad outcomes for the people in and around Abkhazia and South Ossetia. If past is prelude, a number of developments are plausible:

1. Over the past 15 years it may have served Russian interests to promote instability in Abkhazia and South Ossetia by allowing a degree of lawlessness and impunity for militias and criminal activity. It no longer does so. Regardless of whether Georgia, the EU, and US agree or disagree with Russia’s new posture in Abkhazia and South Ossetia, the strengthened Russian presence is now a durable fact on the ground that has potential to deliver long-awaited improvements in the daily lives of the people who live there. Russia’s decision to bolster its military presence, border security, and financial investments in the two regions promises to bring welcome stability and normalization to their populations, chief among them the Georgian/Mingrelian inhabitants of Gal/i Region. However, this will be contingent on Russia taking responsibility for a long-overdue assertion of law and order for the benefit of the civilian population. In particular, it is now entirely within Russia’s capabilities in the near term to put an end to the protracted protection
2. Although it now seems inconceivable that Abkhazia and Russia will someday opt to see Abkhazia back within Georgia, it is more conceivable that the Gal/i Region, with its overwhelmingly Georgian/Mingrelian population, is eventually ceded to Georgia. Russia’s installation of a new naval facility at Ochamchire (slightly northwest of Gal/i) lends credence to this possibility. However, the disposition of Gal/i Region is likely to remain in limbo at least until after the Sochi Olympics and a change of regime in Tbilisi. Accordingly, it falls to Russia and Sukhum/i to stabilize Gal/i and make it a more livable place for its current inhabitants and returnees from across the Inguri River.
3. Now that Georgia has definitively lost the wars over Abkhazia and South Ossetia both militarily and politically, the current Georgian government may be tempted to mimic previous Georgian regimes in tolerating, if not encouraging and facilitating, the re-emergence of militia and partisan activity as a means of foiling Russian efforts by fomenting continued instability in and around the two regions. This possibility will be more likely if EU and US influence is insufficient to rein in Georgian behavior, perhaps following a regime change in Tbilisi, or if the current regime becomes disaffected with the EU as a result of the EU’s report on culpability for the 2008 war. In the past, militia and partisan activity and the predictable Russian responses to it have perpetuated serious threats to the safety and welfare of people in and around the contested areas. If there are more instigations of violence, more displacement is inevitable: needs will persist for humanitarian assistance and protection.
4. The EU has institutionalized its pro-Georgian stance and is increasingly seen by Russia, Abkhazia, and South Ossetia as adversarial. Present only on the Georgian side of the conflict lines and with slim hopes that it will be allowed to enter either Abkhazia or South Ossetia, the EUMM is a dangerous expression of this: EU monitors now gaze at Russian military positions in Abkhazia and South Ossetia through binoculars, fishing for information from people who cross into Georgia from the two regions and reporting in secret to European capitals. The first efforts to get an incident prevention

mechanism in operation for Abkhazia only took place between the EUMM, Russians, Georgians, and Abkhaz in July 2009, nearly an entire year after the South Ossetia war. The EUMM is failing badly at its mission to mitigate conflict and risks becoming a counterproductive presence. This will have growing implications for humanitarian action, especially that pursued by operational agencies affiliated with the EU.

5. Whatever the merits of their claims to independence, humanitarian efforts that are visibly affiliated with the EU are likely to experience a contraction of operational space in Abkhazia and South Ossetia for as long as the EU is seen as adversarial in the secessionist areas. This may extend to security difficulties if Abkhaz or Ossetian militias are not reined in.
6. Conversely, humanitarian efforts by European organizations in Georgia proper may experience a similar backlash in response to the publication of findings from the EU's assessment of culpability for the August 2008 war.
7. Political and military developments in Abkhazia and South Ossetia have effectively ruled out the possibility of return for many Georgians who fled these areas in the 1990s. The "new reality" has already given impetus to efforts to more fully integrate Georgia's uprooted population into communities in Georgia proper. This will remain a major thrust of recovery efforts for the next several years, alongside efforts to facilitate return of people who have fled from areas adjacent to South Ossetia and from Gal/i Region.

Recommendations

Core principles of humanitarian action were violated with aplomb by a range of actors in Georgia. The strategies put into place were formulated largely without reference to prior experience by actors in the region and beyond. The result was a humanitarian crisis superimposed atop an earlier humanitarian crisis, but with the underlying issues in neither situation effectively addressed. Moreover, the scaling-down of the aid presence and donor support for a number of years, only to be reactivated after the latest upsurge of violence, confirms the need for continued struggling with root causes and longer-term questions during a crisis and in the apparent lull thereafter.

Given the documented abdication of their undertakings by donor governments, governments in the region, and humanitarian agencies to the core principles of humanitarian action and International Humanitarian Law, it seems highly anticlimactic for recommendations to focus on bureaucratic and organizational improvements in the UN and other systems. While there is clearly room for improvement in the implementation of humanitarian activities in this crisis, the response to the recent violence in the Caucasus underscores first and foremost the need for a renewed commitment of political and humanitarian actors of all stripes to humanitarian principles, IHL, and undertakings to Good Humanitarian Donorship and UN Guidelines on the use of military forces in humanitarian response.

The absence of lessons learned and applied suggests that in this instance at least, there may be an inverse correlation between the integrity of humanitarian action and the willingness to identify relevant lessons, on the one hand, and the political profile of the conflict on the other.

The following recommendations to specific actors emerge from the field research conducted for this report. They are further informed by a retrospective on humanitarian responses to earlier conflicts in the region. They seek to inform policy and operational choices likely to re-emerge in the future:

1. The UN's Emergency Relief Coordinator (ERC) should appoint UN Humanitarian Coordinators without delay at the onset of a humanitarian emergency or when a political crisis threatens to escalate into serious violence.

2. When appointing Humanitarian Coordinators, the ERC should take into account that Resident Coordinators might not be suitable choices for the HC role in states affected by internal conflicts, where the HC's real and perceived neutrality and his or her perspectives and access might be compromised by the Resident Representative's pre-existing relationship with the host government.
 3. The ERC should work more closely with UN Resident Representatives, donors, and the Secretariat to prevent the premature closure of OCHA offices before humanitarian work is completed or coordination responsibilities are handed over to other capable actors. OCHA presence is essential in fragile contexts such as situations of pre-conflict, post-conflict, and frozen conflict to ensure adequate levels of humanitarian advocacy, conflict early-warning, and preparedness. OCHA presence can also ensure that operational UN agencies give due regard to humanitarian needs in recovery or development contexts.
 4. Using the 23 Principles of Good Humanitarian Donorship as benchmarks, Humanitarian Coordinators and the ERC should be empowered and encouraged by the Inter-Agency Standing Committee (IASC) to more forcefully advocate and act against harmful donor practices such as blatantly politicized donor decisions.
 5. The Executive Committee on Humanitarian Affairs should ensure that steps are taken to more fully acquaint UN Country Teams and Humanitarian Coordinators with procedures and methods for asserting humanitarian access in conflict environments, including experience-based learning about how to negotiate access with different forms of combatants. There is an evident need to review the basics. In addition to a lack of basic skills, another impediment appears to be an institutional reluctance in the UN system to expend political capital for asserting access. However, no other entity has the political clout and reach of the UN system for doing so. (See also Item 10 below).
 6. In cooperation with the ERC, OCHA headquarters, and the UN Department of Political Affairs (DPA), Humanitarian Coordinators should more closely monitor, report on, and, if necessary, advocate against the injudicious use of military forces in humanitarian responses, in accordance with the UN Guidelines on the Use of Military and Civil Defense Assets in Complex Emergencies.
 7. The ERC should ensure that it is standard procedure for UN OCHA to deploy a UN Civil Military Coordination Officer whenever military forces are involved in assistance operations. A situation like that in Georgia, which directly involved the armed forces of two permanent members of the Security Council and several others, merits the appointment of at least one senior CMCoord Officer to assert humanitarian interests with military forces, in support of the Humanitarian Coordinator.
 8. The Humanitarian Coordinator for Georgia should take the lead in getting the Georgian Law on Occupied Territories clarified without delay. Specifically, the HC should press the Georgian government to institute streamlined and transparent procedures for obtaining humanitarian exemptions from the law. The HC should similarly assert the need with de facto authorities in Tskhinval/i to allow unfettered humanitarian access from within Georgia.
 9. OCHA should reopen its Tbilisi office and, in light of current protection problems and gaps in assistance activity, should establish sub-offices in Abkhazia and South Ossetia under whatever institutional arrangements are practical, given the prevailing political sensitivities.
- Priority tasks in Tbilisi should include ongoing advocacy with state and non-state actors, monitoring of ongoing assistance and protection needs especially in conflict-affected areas, conflict early-warning, and humanitarian preparedness.
- Priority tasks in Abkhazia should include provision of coordination services to the operational humanitarian community, active monitoring of protection and assistance needs in Gal/i Region, creation and maintenance of an assistance database detailing activities since 1993, conflict early warning, and humanitarian advocacy with de facto authorities in Sukhum/i and Gal/i (e.g., encouraging more constructive engagement of Abkhaz authorities and Russian forces on the protection needs of returnees in Gal/i Region).
- Priority tasks in South Ossetia should similarly focus on active monitoring of protection and assistance needs, conflict early warning, and advocacy with de facto authorities and Russian forces with the aim of encouraging greater restraint among Ossetian irregulars and ensuring that humanitarian gaps are adequately filled by local or international actors.

10. UN Agencies, INGOs, and other humanitarian actors should collectively revisit the question of humanitarian access at the Inter-Agency Standing Committee level. For those who have deferred to political actors involved in the Geneva Talks to make access decisions for them, the risks of this approach need to be taken on board. There is a need for most humanitarian actors in the context to assert humanitarian access more independently, creatively, and professionally.
11. The US Department of State should undertake a review of what went wrong in the US “humanitarian” response in Georgia with a view to briefing the Obama administration on the need for firewalls between humanitarian action, on one hand, and military or political action, on the other. The review should incorporate the views of InterAction and its members, expressed by InterAction in the aftermath of the conflict.
12. The ICRC should step up its International Humanitarian Law dissemination efforts among Georgian, Russian, Abkhaz, and Ossetian arms bearers, and among NATO training officers deployed to the Caucasus.
13. As an essentially political mission already viewed in the region as partial, the EUMM should not engage in civil affairs or quick-impact projects. Humanitarian action should be performed by humanitarian organizations. EUMM reporting officers at the local and headquarters level should continue to share information relevant to humanitarian agencies with aid actors, and should be actively encouraged to do so by EUMM management.
14. The US Department of Defense should incorporate mandatory IHL-based training on distinction and the proportionate use of force into all of its military assistance programs.

Annex A

Precursors to the Conflict between Georgia and South Ossetia⁵²

Ossetians are a distinct ethnic and linguistic group on either side of the north Caucasus mountains, straddling a strategic pass through the mountains that form the present internationally recognized border between Georgia and Russia. Their location conferred special importance, and at times favorable status, under Russian colonial interests. Ossetians generally sided with Czarist forces, deepening a historical cleft between ethnic Ossetians and Georgians. Under the Soviet system, South Ossetia had the status of an autonomous region within Georgia. Urban centers had mixed Ossetian, Georgian, and Russian populations, while rural villages were either mixed or monoethnic. Nationalist sentiments emerged simultaneously among Ossetians and Georgians with perestroika in the late 1980s. Demonstrations in the South Ossetian administrative center of Tskhinval/i, sparked by a typhoid outbreak and discontent over the decrepit state of the city's water system, led in early 1988 to a Georgian assertion of political control. Protests and strikes turned into violent ethnic clashes which became worse with the involvement of loose-knit Georgian gangs in 1989.

A decree issued by the Georgian Supreme Soviet stipulating Georgian and Russian as the official languages of the region helped crystallize secessionist rumblings in South Ossetia, ultimately leading to a proclamation of independence – from Georgia but still within the Soviet Union – in September of 1990. Georgia dispatched interior ministry troops to Tskhinval/i and surrounding areas, counter to Moscow's wishes. Clashes escalated as the ragtag Georgian National Guard and paramilitaries imposed a sporadic economic blockade on Ossetians, which included preventing the passage of essential goods from North Ossetia through the Roki Tunnel at the Russian-Georgian border. With the collapse of the Soviet Union and Georgia's 1991 declaration of independence, the internationalization of the Russian-Georgian border effectively bisected the Ossetian population into North and South Ossetia.

Coincident with a series of earthquakes that inflicted serious damage on housing and infrastructure in and around Tskhinval/i and Djava, violence and hostage-taking continued sporadically for much of 1991, peaking with the prolonged shelling of Tskhinval/i by Georgian forces. An estimated 500 people were killed. Approximately 100,000 ethnic Ossetians fled from South Ossetia and other parts of Georgia, mainly to North Ossetia in the Russian Federation, while an estimated 11,000 ethnic Georgians fled as IDPs to other parts of Georgia. Armed hostilities waned as Georgian fighters gravitated towards conflict in Tbilisi and eventually Western Georgia and Abkhazia, but South Ossetia proclaimed sovereignty in May of 1992. A Georgian-Russian-Ossetian peace-keeping force was established under the Joint Control Commission (JCC) in June of 1992. The OSCE became involved in promoting political negotiations in December 1992 and later responded with an expanded unarmed observer mission to monitor the peacekeeping force. Low-level, back-and-forth violence, much of it with criminal overtones, continued for several years.

As in Abkhazia, most pressing humanitarian needs in South Ossetia were met by the ICRC and a small number of international NGOs, but the region did not receive anywhere near the same level of assistance from western and multilateral donors provided in Georgia proper and was more severely affected by economic collapse when the Soviet system disintegrated. For several years, major donors and UN agencies tended to steer clear of assistance to South Ossetia, fearing that their relations with the Georgian government would be jeopardized and the region's claims to independence legitimized. This led to perceptions among many Ossetians, clearly and repeatedly voiced by their leadership in Tskhinval/i, that aid was being withheld as punishment. Donor attitudes shifted in 1997 and limited funds were made available for reconstruction and rehabilitation of damaged infrastructure.

The depth of intercommunal tensions resulting from this earlier war in South Ossetia was difficult to gauge. Although there was no doubt that some of those who were directly affected by the war continued to harbor animosities, the bigger picture was more encouraging.

As early as 1994, Georgian and Ossetian villagers traded freely together at a market north of Tskhinval/i, under the watchful eye of Russian troops who extorted protection money from market vendors, customers, and suppliers. The market at Ergneti, just outside Tskhinval/i, emerged in 1996 and similarly provided an important and rare, albeit illicit, venue for interaction between the ethnic groups.

By early 1998, Georgian president Shevardnadze had visited Tskhinval/i. Private Georgian and Ossetian cars could traverse the front lines with little difficulty. A substantial warming of political relations between South Ossetian and Georgian authorities in 1997 increased the space for both aid and peacebuilding and enabled the long-awaited repatriation of Ossetian refugees and Georgian IDPs to begin. Donor support for reconstruction and economic recovery programs in and around South Ossetia reflected a growing optimism that the OSCE-brokered peace process was making good headway, although mafia activity connected to the raw alcohol trade, as well as banditry, continued to threaten the consolidation of peace.

Annex B

Precursors to the Conflict between Georgia and Abkhazia⁵³

Abkhazia is a fertile area sandwiched between the Black Sea and the Caucasus mountainrange. The area has significant economic potential from agriculture and tourism and in Soviet times was a major rail and communications link between Russia and the southern Caucasus. War and ethnic cleansing in Abkhazia between mid-1992 and late 1993 resulted in an estimated 10,000 deaths, the displacement of some 250,000 (predominantly Mingrelian) Georgians and an unknown number of Abkhaz and smaller minorities. Widespread destruction was inflicted on residential areas throughout Abkhazia south of Sukhum/i. Although a formal cease-fire came into effect in May 1994, lawlessness, low-level violence, and insecurity has prevailed ever since, particularly in Gal/i Region, precluding an organized return of those who had fled their homes and allowing animosities to fester and flare.

The conflict over the autonomy of Abkhazia is typical in the region because, in the event of the mass return of the ethnic Georgian (or Mingrelian) population, ethnic Abkhaz will again comprise a small minority relative to other ethnic groups. Before the war, Abkhaz-Georgian tensions evolved in ways that tended to be localized and variable, but were rooted in historical fears, ethnic demographics, real and perceived injustices, and Soviet social engineering.

Language, a highly personalized and central feature of national identities, has played a key and frequent role as a flashpoint. Amid a growing ethnic Georgian majority, the Abkhaz had long been a minority along with Russians, Armenians, Greeks, and others. An Abkhaz alphabet based on Cyrillic was created in 1862. Some Abkhaz had adopted Islam under Ottoman influence during Czarist times, in the seventeenth and eighteenth centuries, leading to Russian-imposed deportations of many Abkhaz to Turkey and elsewhere in the Ottoman Empire. Abkhazia was restive under Russian rule, but primarily sided with Bolshevik forces against independent Georgia early this century. Latin script was adopted by the Abkhaz in 1918. After Bolshevik forces consolidated control over the Caucasus, Georgia was absorbed into the Soviet Union. Following a brief period as a Union

Republic, Abkhazia was placed in late 1921 as a titular Abkhaz region within Georgian borders. By 1926, ethnic Abkhaz constituted less than one-third of the population of Abkhazia, and steadily diminished in relative numbers as the “Georgianization” policies of Stalin’s intelligence chief Lavrenty Beria, himself a Georgian, encouraged settlement of ethnic Georgians and others in Abkhazia. An edict in 1938 replaced Latin script with Georgian characters as the basis of the Abkhaz language. Abkhaz generally resented subjugation of their culture and identity to growing Georgian influences.

The death of Stalin led to attempts to right some of the wrongs of his rule. Abkhaz were allowed to make greater use of their own language in education and publications. Cyrillic script was once again officially adopted. Demographic changes were accelerated by the development of resort areas on the Black Sea coast, however, and by 1959 the Abkhaz made up only 15.1 percent of Abkhazia’s population. Sporadic ethnic riots surfaced in the 1950s through the 1970s. A growing sense among the Abkhaz that their identity was being threatened was fueled by increasing settlement of Armenians in Abkhazia and subtle Georgian Communist Party policies of assimilation. Moscow responded to Abkhaz fears in the 1970s by granting increased cultural autonomy and economic benefits to the Abkhaz, who also had autonomous political institutions. These factors in turn led to resentments among the ethnic Georgian majority that the Abkhaz were unfairly advantaged.

The advent of *perestroika* loosed repressed ethnic tensions in Abkhazia and Georgia proper. Encroaching systemic collapse paved the way for extremist ethnic chauvinism to take hold amongst the populace. Zviad Gamsakhurdia, an intellectual later to become independent Georgia’s first president, took an openly chauvinistic approach to ethnic questions, which effectively mobilized minority fears and eventually led in Abkhazia, Adjara, and South Ossetia to closer identification with Russia and nascent secessionist movements. In mid-1989, as the Soviet system fell deeper into disarray, serious intercommunal violence ensued, following the language-centered decision taken in Tbilisi to bolster educational opportunities for Georgians at the Abkhaz State University in Sukhum/i. Meanwhile, Tbilisi took

increasingly strident measures to marginalize minority-led political structures in Georgia's autonomous regions, leading first to civil war with South Ossetia. Abkhazia's Supreme Soviet issued a declaration of Abkhaz sovereignty in August 1990, within the faltering USSR.

At the end of 1991, another civil war broke out in Georgia, between followers and opponents of Gamsakhurdia and quickly moved from Tbilisi to the Samegrelo district in Western Georgia. As fighting abated in South Ossetia, self-styled warlords threw their weight behind Eduard Shevardnadze, former Soviet foreign minister and the new de facto head of the Georgian government. Shevardnadze, keen to distance himself from his Soviet past, ceded to Georgian nationalist pressures by abolishing Abkhaz autonomy and annulling an ethnic compromise between the Abkhaz and Georgian parliaments. As fighting continued in West Georgia, "Zviadists" were forced closer to and eventually into the southern reaches of Abkhazia. A hostage-taking of Georgian government officials served as a pretext for fighters aligned with Tbilisi to enter Abkhazia in August 1992. Encountering little resistance, they continued to Sukhum/i, seizing the Abkhaz capital and forcing the leadership to flee. Full-scale civil war ensued, with atrocities on both sides well-documented by human rights organizations.

Aided by Russian forces based in Abkhazia and volunteers from the nearby northern Caucasus, the Abkhaz eventually recaptured Sukhum/i and the remainder of Abkhazia in September 1993, expelling Georgian fighters in a humiliating defeat. During the war, the brutal nature of the violence was characterized on both sides by ethnic sweep operations, terror, expulsions, extensive looting, and rape inflicted on civilians of the "other" ethnic group. Taking on an increasingly ethnic imprint, violence extended into villages and even families where Abkhaz and Georgians had previously found a modus vivendi. Deeply personal experiences of ethnically-based violence led to cycles of retribution and vengeance attacks, many of which were interrupted – but by no means finished – when an official cease-fire was instituted in May 1994. The outcome of the war was an almost complete separation of Abkhaz and Georgians, many of whom now harbored deep mutual hostility. A Separation of Forces Agreement established a security zone in Gal/i and Samegrelo (Zugdidi) Regions, patrolled by a nominally Commonwealth of Independent States (CIS) peacekeeping force of Russian troops and monitored by the small, unarmed UN Observer Mission in Georgia (UNOMIG). The Quadripartite Agreement (QPA) was also signed by representatives of Russia, Georgia, Abkhazia, and UNHCR, stipulating mechanisms for political negotiations and the repatriation of IDPs.

A large-scale repatriation effort to the Gal/i Region under UNHCR auspices, regarded by many in the humanitarian community as dangerously premature, failed in September 1994, due to the absence of security for returnees and Abkhaz attempts to screen returnees for alleged participation in the war. Most Georgian IDPs were maintained in displacement status by international and government assistance, and the IDP community became highly politicized. Since 1995, tens of thousands of predominantly Mingrelian IDPs have spontaneously returned to their homes in Gal/i Region and, more recently, to areas slightly north of Gal/i that are outside of the security zone. Spontaneous returnees received UNHCR and other assistance to rebuild homes and community infrastructure, but serious deficits in protection – a result of the reluctance of the Commonwealth of Independent States Peacekeeping Force (CISPKF) to adopt a policing role – contributed to recurring abuses of returnees by Abkhaz police, paramilitaries, and Georgian partisan groups. Although most pressing humanitarian needs were being met elsewhere in Abkhazia by the ICRC and a handful of international NGOs, UN and U.S. donor policies proscribed significant assistance to insurgent-held areas until relatively recently. The rationale for this was that withholding aid would help to affirm Georgia's territorial integrity and exert pressure on the Abkhaz leadership to adopt a more moderate stance in political negotiations. As in South Ossetia, Abkhaz felt they were being punished through the withholding of essential aid.

In 1997, there was significant movement in the official peace process, including the establishment of a Coordinating Council with working groups for refugees and IDPs, and socioeconomic problems. These developments, along with renewed donor interest in funding humanitarian and post-war recovery programs in Abkhazia, led to growing recognition among aid agencies of the need to think ahead to the programming implications of an eventual return for at least some of Georgia's remaining 250,000 displaced people. However, growing militancy among some elements of the IDP population (the so-called "White Legion" and "Forest Brothers" partisan groups), a deterioration in the situation for spontaneous returnees within the security zone, and more frequent targeted and random attacks against civilians in Abkhazia and Western Georgia posed mounting threats to this progress. Security of aid operations and personnel in these areas deteriorated steadily since 1995. These conditions formed the backdrop for renewed violence in and around the security zone in May of 1998, resulting in more than 100 deaths and the extensive burning of returnee homes. An estimated 35,000 people fled to Zugdidi from Gal/i Region, many for the second or third time.

Annex C

Conflict, Geopolitics, and Humanitarian Action in Georgia, South Ossetia, and Abkhazia

Chronology of Events⁵⁴

- 1801 Georgia annexed by Russia.
- 1918 Georgia declares independence from Russia.
- 1922 Bolsheviks consolidate control over Caucasus.
- 1985 Gorbachev comes to power in USSR.
- 1987 Perestroika introduced.
- 1988 Rising interethnic tensions, Georgian nationalism, and secessionist rumblings in Abkhazia and South Ossetia.
- 1989 April: demonstrators killed in clash with Soviet troops in Tbilisi. July: ethnic riots in Abkhazia kill 17, martial law declared. November: violent clashes between Georgian nationalist fighters and Ossetians in Tskhinval/i, continuing until January 1990.
- 1990 Growing lawlessness throughout Caucasus. January: Soviet troops deploy in South Ossetia. March: Georgia declares sovereignty. August: Abkhaz Supreme Soviet adopts declaration of sovereignty of Abkhaz Soviet Socialist Republic. September: South Ossetia declares independence from Georgia but within USSR. Georgia dispatches interior ministry troops to Tskhinval/i and surrounding areas, counter to Moscow's wishes. Clashes escalate, and Georgia imposes sporadic economic embargo on Tskhinval/i which periodically cuts the city off from essential goods passing through Roki tunnel from Russia.
- 1991 April: Georgia declares independence from USSR. December 8: USSR ceases to exist. Internationalization of Georgia/Russia border effectively bisects Ossetian population between south and north. An earthquake strikes Tskhinval/i and Djava in South Ossetia, resulting in widespread damage to housing and infrastructure. Violence and hostage-taking continues between Georgians and Ossetians, culminating in the prolonged shelling of Tskhinval/i by Georgian fighters, killing an estimated 500 persons. Some 100,000 Ossetians flee from South Ossetia and other parts of Georgia to North Ossetia, while approximately 11,000 ethnic Georgians flee as IDPs to other parts of Georgia. Earthquake and war damage and the effects of collapsed infrastructure will go largely unaddressed by international aid agencies for several years, with donors only beginning to engage there in 1995. Few international humanitarian organizations apart from the ICRC and a few INGOs seek to be present until several years later.
- 1992 Georgian President Gamsakhurdia toppled after battle in downtown Tbilisi: fighting wanes in South Ossetia as open warfare escalates in Western Georgia between Zviadists and loose-knit paramilitaries comprising "Georgian National Guard," continuing into March. May: South Ossetia proclaims sovereignty. June: Joint Control Commission and Georgian/Russian/Ossetian Peacekeeping Force established in South Ossetia. August: loose-knit Georgian fighters invade Abkhazia and open warfare ensues, with Georgian fighters taking Sukhum/i. December: OSCE mission opens in Georgia, beginning diplomatic efforts to stabilize the situation and later dispatching unarmed international monitors in and around South Ossetia.

- 1993 September: Georgian fighters expelled from Abkhazia; renewed fighting ensues in Western Georgia, continues to November.
- 1994 Georgians and Ossetians trading freely together at a joint market near Tskhinval/i. May: Georgia and Abkhazia sign Separation of Forces Agreement, Quadripartite Accord instituted. CIS Peacekeeping Force deployed. July: UNOMIG mandate and mission expanded by UNSC. September: large-scale spontaneous return of some 35,000 IDPs to Gal/i Region of Abkhazia. Georgia engages with NATO Partnership for Peace Programme for the first time.
- 1995 November: Georgian President Shevardnadze survives assassination attempt in Tbilisi.
- 1996 Continued low-level back-and-forth violence between Georgian irregulars and Abkhaz, particularly in Gal/i Region. This will persist for many years.
- 1997 Increased intercommunal contact begins between Georgians and South Ossetians in and around South Ossetia, amid increasing normalization and cooperation over fuel and alcohol smuggling, but also against a backdrop of low-level back-and-forth violence. August: Abkhaz leader Arzinba travels to Tbilisi for direct talks with Shevardnadze. Aid from agencies based in Tbilisi increases, along with UNDP-, EU-, and OSCE- administered peacebuilding funding. Donor support for reconstruction and economic recovery programs in and around South Ossetia reflect growing optimism that OSCE-brokered peace process is progressing.
- 1998 Shevardnadze visits Tskhinval/i for direct talks with Ossetian leadership. Continued militancy among elements of Georgian IDP population from Abkhazia. February: UNOMIG observers taken hostage by Zviadists near Zugdidi. May: outbreak of violence in Gal/i Region of Abkhazia, many rebuilt homes burned for the second time. Abkhaz militia undertake ethnic sweep operation, resulting in new displacement of some 35,000 to Zugdidi area, most for the second time. Organized crime in and around South Ossetia involving Georgian and Ossetian smuggling and banditry poses continuing threats to stability, often resulting in armed clashes with ethnic overtones.
- 2002 March: US expands Global War on Terror to southern Caucasus on Russia's border, dispatching 180 US military advisers to provide training to four Georgian army battalions with the intent of asserting Georgian control over Chechens in Pankisi Gorge. The US believed at the time that al-Qaeda remnants had fled to the Pankisi among some 2000 Chechen fighters.
- Nov 2003 Mikhail Saakashvili spearheads "Rose Revolution" in Tbilisi, ousting Georgian President Eduard Shevardnadze.
- 2004 Saakashvili becomes Georgian President through "Rose Revolution" on a platform of anti-corruption, restoring Georgia's territorial integrity, and building relations with the West, including the EU and NATO. Concerted efforts begin to qualify Georgia for membership in both organizations, to the consternation of Russia. Saakashvili's anti-Russian rhetoric, often including personal insults directed at Russian leadership, becomes increasingly strident. In mid-June, the Georgian government begins clamping down on the Ergneti market outside of Tskhinval/i, effectively depriving thousands of Ossetians and nearby Georgians of their livelihoods and severing perhaps the only remaining ties of interdependence between Ossetians and Georgians. South Ossetians gravitate increasingly toward ties with Russia, which increases aid to Tskhinval/i. Tensions increase sharply between Tskhinval/i and Tbilisi.
- 2005 UN OCHA office in Tbilisi dissolved. Two national staff absorbed into UNDP, then subsequently laid off.
- 2006 Russian imposes trade and transport restrictions on Georgia in a climate of worsening relations between Tbilisi and Moscow.

- 2007 May: South Ossetian Provisional Administration formed as a shadow government by Saakashvili. October: clash between Georgian police and Russian PKF in Ganmukhuri adjacent to Abkhazia, resulting in the arrest of four Georgian policemen and the arrival on the scene of Saakashvili, his defense and interior ministers. Surrounded by television crews, Saakashvili upbraids commander of PKF and accuses PKF and UNOMIG of abrogating their mandates to protect civilian population.
- 17 Feb 08 Kosovo declares independence from Serbia.
- 15 May 08 Russia, China, and India reject Kosovo independence.
- Jun/Jul 08 Skirmishes between Georgian and South Ossetian fighters. Tensions increase. Russian military overflight of Georgian territory coincides with visit to Tbilisi of US Secretary of State Rice, who pledges US support for Georgia's bid for NATO membership. Georgian military trains with US and other western forces in joint NATO exercise within Georgia that coincides with a major Russian military exercise in the North Caucasus.
- 07 Aug 08 After a week of increasingly intense skirmishes which caused thousands of South Ossetians to leave Tskhinval/i and Djava, Georgian President Saakashvili declares unilateral cease-fire with South Ossetia. Georgian military begins bombardment of Tskhinval/i with heavy weapons at approximately 11:30 pm "to restore constitutional order." Members of Russian PKF killed in the attack. An OSCE monitor describes the Georgian attack as "absolutely disproportionate." Jubilant demonstrations on the streets of Tbilisi when news of attack is announced.
- 08 Aug 08 Russian Forces enter Georgia through Roki tunnel.
- 09 Aug 08 Russian forces take control of Tskhinval/i.
- 09 Aug 08 Abkhaz forces clash with Georgian forces in Kodori Valley. Russian forces in Abkhazia are bolstered.
- 10 Aug 08 Russian forces enter Zugdidi and Senaki.
- 11 Aug 08 ICRC issues preliminary emergency appeal for \$7.4 million for the needs of around 50,000 war-affected persons.
- 12 Aug 08 Russian forces take effective control of Georgian port of Poti. Cease-fire agreement advanced by French President Sarkozy.
- 13 Aug 08 Russian armor and troops enter Gori, taking control of military bases, and proceed toward Tbilisi along the major east-west highway, effectively bisecting Georgia. Sarkozy pushes peace plan with Saakashvili in Tbilisi. US President Bush announces a military-led humanitarian mission to Georgia. USAID transitioned from regional to Washington DC-led operation. Saakashvili lauds the US decision as a "turning point," wrongly assuming that the US meant to secure Georgian air and seaports.
- 14 Aug 08 US and Poland sign agreement on missile defense system. First shipments of US aid arrive in Georgia by military airlift.
- 15 Aug 08 Russian forces halt advance at Igoeti, 35 km from Tbilisi. Saakashvili signs EU-sponsored peace plan. US Secretary of State Rice visits Tbilisi. USAID DART team deploys to Georgia.
- 16 Aug 08 Russian President Medvedev signs EU-sponsored peace plan.
- 18 Aug 08 UN issues Flash Appeal for \$59.6 million for Georgia, not including South Ossetia or Abkhazia. Aid activities in the two contested regions are not reflected in the appeal.

- 20 Aug 08 ICRC re-establishes presence in Tskhinval/i with seven expats and ten national staff.
- 21 Aug 08 OSCE deploys additional 20 monitors, bolstering a skeleton staff. ICRC teams enter buffer zone around South Ossetia and other affected villages near Gori. Family reunifications begin shortly after. ICRC office opens in Gori. Two US Navy ships and one US Coast Guard cutter en route to Georgia through Black Sea. Human Rights Watch reports that cluster munitions had been used in the South Ossetia conflict.
- 22 Aug 08 Russian forces begin withdrawal, exiting Gori. UNHCR head Guterres visits Tskhinval/i from north, entering through Russia.
- 24 Aug 08 Georgian government organizes 400 buses to take IDPs to Gori from Tbilisi.
- 26 Aug 08 Medvedev recognizes independence of South Ossetia and Abkhazia.
- 29 Aug 08 US military concludes airlift of Humanitarian Daily Rations and other commodities to Georgia.
- 01 Sep 08 EU emergency summit agrees on dispatch of unarmed EU monitoring mission to Georgia. Tensions remain high in areas adjacent to South Ossetia and Abkhazia, with numerous low-level attacks and skirmishes throughout September and October.
- 02 Sep 08 Russian Prime Minister Putin queries why US humanitarian aid is being delivered to Georgia “with warships armed with modern missile systems.”
- 03 Sep 08 US announces \$1 billion in aid to support Georgia’s humanitarian needs and economic recovery. InterAction issues press release entitled “Humanitarian Principles at Stake in Georgia,” condemning military leadership of the US aid response. Georgia severs diplomatic relations with Russia.
- 04 Sep 08 US Vice President Dick Cheney visits Georgia, Azerbaijan, and Ukraine, again pledging US support for Saakashvili and Georgia’s accession to NATO.
- 08 Sep 08 “Joint Needs Assessment” begins in Georgia by World Bank, EC, and UN. The report from the JNA was not made public. Accord reached on implementing terms of cease-fire agreement.
- 09 Sep 08 UNSG Ban Ki Moon’s spokesperson Michele Montas claims in UN daily briefing that a UN humanitarian assessment mission had been barred access into “buffer zone” on 09 September by Russian troops.
- 10 Sep 08 Russian ambassador to UN issues sharp rebuttal to UN claim of denied access, saying that the UN had not contacted Russian Foreign Ministry or other Russian authorities.
- 11 Sep 08 First UN humanitarian convoy “allowed to enter Russian-controlled areas north of Gori,” crossing Karaleti checkpoint.
- 13 Sep 08 Russian forces withdraw from Poti, Senaki, and Khobi.
- 15 Sep 08 EU decides to deploy EUMM with a mandate covering all of Georgia.
- 17-20 Sep 08 OCHA leads humanitarian assessment mission to South Ossetia and adjacent areas with the intent of feeding results into revised Flash Appeal.
- 1 Oct 08 EUMM deploys 200 monitors from 22 countries to Georgian areas adjacent to South Ossetia and Abkhazia, based in Tbilisi with regional field offices in Tbilisi/Mtskheta, Khashuri, Gori, and Zugdidi. The mission is not granted access to the secessionist areas as stipulated in its mandate.

- 15 Oct 08 Commonwealth of Independent States Peacekeeping Force (CISPKF) officially terminated after 14 years. Geneva Talks open first session, drawing together representatives of Georgia, Russia, South Ossetia, and Abkhazia with facilitation from UN, EU, and OSCE. US participates as observer.
- 22 Oct 08 EC and World Bank cohost donor conference for Georgia, raising up to €500 million in pledges from the EC alone for 2008–2010. The conference raises \$4.5 billion in total pledges from 67 nations and financial institutions, \$1.25 billion more than a “Joint Needs Assessment” deemed necessary to rebuild Georgia. The US and Japan are other major donors. Transparency International Georgia is critical of the lack of transparency surrounding the donor conference.
- 23 Oct 08 Georgian parliament passes “Law on Occupied Territories.”
- 4 Nov 08 Russian parliament ratifies agreements with South Ossetia and Abkhazia on friendship, cooperation, and mutual assistance upon which presence of Russian troops would be based.
- 11 Dec 08 TI Georgia publishes results of survey on Georgian Perspectives on International Aid, highlighting public perceptions of international aid.
- 22 Dec 08 Georgian Finance Ministry publishes breakdown of international aid to Georgia on its website, under pressure from Transparency International Georgia and others.
- 20 Jan 09 Georgia and EU sign joint statement on framework for increased EC financial assistance, reaffirming Georgia’s territorial integrity and pledging transparency, accountability, and sound management of public finances. Giorgi Baramidze, Georgian State Minister for European and Euro-Atlantic Integration, pledges that EC funding will not be used for military purposes and that Georgia’s “Law on Occupied Territories” will not preclude EU humanitarian and confidence-building efforts.
- 17 Feb 09 Agreement at Geneva Talks to form Joint Incident Prevention Mechanism.
- 26 Feb 09 Transparency International Georgia calls on UN and donors to grant open access to a meeting in Tbilisi to discuss spending of \$1 billion in donor funding. Mar 09: OCHA office closed in Tbilisi.
- 23 Apr 09 First incident prevention response mechanism meeting for South Ossetia/Georgia conflict occurs at Ergneti, some eight months after the cease-fire, facilitated by EUMM and OSCE.
- 30 Apr 09 Russia signs border protection agreements with Abkhazia and South Ossetia.
- May 09 Talks with Russia collapse over extension of mandate for OSCE mission in and around South Ossetia.
- 15 Jun 09 Russia vetoes extension of UNOMIG mandate in UNSC.
- 18 Jun 09 Parliamentary Assembly of Council of Europe (PACE) warns of “human rights black hole” in Abkhazia without UNOMIG.
- 21 Jun 09 Vehicle in EUMM convoy destroyed in bomb attack. Civilian medical employees killed.
- Jul 09 First meetings of Joint Incident Prevention Mechanism occur in Abkhazia under UN/EUMM auspices.
- 30 Jun 09 OSCE shuts Georgia mission that began in 1992 due to lack of consensus from Russia over extension of mandate.

- 15 Jul 09 UNOMIG completes withdrawal of observers from Abkhazia/Western Georgia.
- 11 Aug 09 Third incident prevention and response mechanism meeting held in Gal/i with Georgian, Russian, and Abkhaz participation, facilitated by EUMM and UN.
- 12 Aug 09 Putin announces \$500 million in military spending in Abkhazia, including a Russian navy facility at Ochamchire and additional funding for Russian border guards. Russia reiterates that its recognition of Abkhaz and South Ossetian independence will not be rescinded.

- 1 Greg Hansen is a Canadian aid worker and independent researcher. Hansen is the author of the HA2015 country study on Iraq. He has worked in conflicts throughout the Caucasus and in 1998 authored *Humanitarian Action in the Caucasus: A Guide for Practitioners* for the Humanitarianism and War Project and Local Capacities for Peace Project of the Collaborative for Development Action.
- 2 See S. Neil MacFarlane, Larry Minear, and Stephen D. Shenfield, *Armed Conflict in Georgia: A Case Study in Humanitarian Action and Peacekeeping*, Humanitarianism and War Project Occasional Paper No. 21, Thomas J. Watson Jr. Institute for International Studies, Brown University, 1996; and Greg Hansen, *Humanitarian Action in the Caucasus: A Guide for Practitioners*, Humanitarianism and War Project and Local Capacities for Peace Project (LCPP), Occasional Paper No. 32, Thomas J. Watson Jr. Institute for International Studies, Brown University, 1998, <http://www.watsoninstitute.org/pub/OP32.pdf>; and Greg Hansen and Larry Minear, "Waiting for Peace: Perspectives from Action-Oriented Research on the Humanitarian Impasse in the Caucasus," in *Disasters*, Vol. 23 Issue 3, pp. 257-270, September 1999.
- 3 UNHCR, Georgia Global Needs Assessment, <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48d2e6>, last accessed November 2009.
- 4 <https://wikis.uit.tufts.edu/confluence/display/FIC/Humanitarian+Agenda+2015--The+State+of+the+Humanitarian+Enterprise>.
- 5 See footnote 2 above
- 6 See Annexes A & B for more extensive background on the evolution of the Georgia/ South Ossetia and Georgia/Abkhazia conflicts, and Annex C for a timeline. The European Union commissioned an exhaustive international investigation into the circumstances leading up to the August 2008 war, led by Swiss diplomat Heidi Tagliavini. "The aim of the fact-finding mission shall be to investigate the origins and the course of the conflict in Georgia, including with regard to international law (1), humanitarian law and human rights, and the accusations made in that context (2). The geographical scope and time span of the investigation will be sufficiently broad to determine all the possible causes of the conflict. The results of the investigation will be presented to the parties to the conflict, and to the Council, the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations (UN), in the form of a report." European Union, *Council Decision 2008/901/CFSP of 2 December 2008 concerning an independent international fact-finding mission on the conflict in Georgia*, December 2008. The report was released in late September 2009 as this study was concluding.
- 7 The US airlifted the Georgian troops home from Iraq as soon as Russian forces crossed into Georgia, although these particular troops did not engage in any fighting at the time. The Georgian government recently announced that it would bolster its troop contribution to the NATO-led war in Afghanistan, and that its forces there would be deployed alongside the American contingent.
- 8 Georgian troops were involved in a military exercise with NATO troops in Georgia days before the attack on Tskhinvali.
- 9 See Theresa Freese, *Smuggling to Survive*, Eurasianet, date unknown, <http://www.eurasianet.org/georgia/shida/story.html>. Market activity where South Ossetians traded with Georgians was evident as early as the mid-1990s, during a visit by the author, and occurred under the eye of Russian peacekeeping troops who themselves benefited from the trade by extorting payments from buyers and sellers.
- 10 Interviews with aid agency staff, September 2008, July 2009.
- 11 Tony Karon, *Has Georgia overreached in Ossetia?* Time, 9 August, 2008.
- 12 EMERCOM of Russia, *South Ossetia, How it Was*, 2008, <http://www.mchs.gov.ru/new/news/detail.php?ID=22843&lang=eng>. EMERCOM is the Emergency Situations Ministry of the Russian Federation.
- 13 Estimates of IDPs and returnees are taken from IDMC, *Georgia: IDPs in Georgia still need attention*, 9 July 2009.
- 14 UNHCR distributes first aid in Georgia-South Ossetia "buffer zone," UNHCR, 18 September 2008, <http://www.unhcr.org/48d276bc2.html>.
- 15 Interview with UNHCR official in Tbilisi, July 2009, corroborated by other aid agencies.
- 16 See Box 2 entitled "The Nature of Warfare in the Caucasus" in Hansen, *Humanitarian Action in the Caucasus...*, op. cit., p. 11.
- 17 Human Rights Watch, *A dying practice: Use of Cluster Munitions by Russian and Georgia in August 2008*, 2009. http://www.hrw.org/sites/default/files/reports/georgia0409webwcover_0.pdf.

- 18 Both Russia and Georgia have had western public relations firms and media consultants on the payroll since before the August 2008 war to help manage perceptions in western capitals and media. Russia, for example, used a PR firm to promote its image during its presidency of the G8. Georgia engaged PR firms to promote its case for NATO and EU membership. See Andy Rowell, *Who is on the Side of the Angels?*, Spinwatch, 26 August 2008, <http://www.spinwatch.org/-articles-by-category-mainmenu-8/62-international-politics/5153-who-is-on-the-side-of-the-angels>.
- 19 Peter Wilby, *Georgia has won the PR war*, *The Guardian*, 18 August 2008, <http://www.guardian.co.uk/media/2008/aug/18/pressandpublishing.georgia>.
- 20 C.J. Chivers and Ellen Barry, *Georgia Claims on Russia War Called Into Question*, *New York Times*, 7 November 2008, www.nytimes.com/2008/11/07/world/europe/07georgia.html.
- 21 The EU and the Georgian government signed an agreement in early 2009 in which Georgia pledged not to use EU funding for military purposes. In interviews in Tbilisi in September 2008 and July 2009, donor representatives and the UN Humanitarian Coordinator indicated that there had been no attempts to raise or discuss the substitution effect in the donor community, by which donor support to the Georgian government could free up government resources to be applied to military purposes. For further explanation of the substitution effect, see Mary B. Anderson, *Do No Harm: How Aid Can Support Peace – or War*, Lynne Rienner Publishers, USA, 1999.
- 22 In a 1996 study by the Humanitarianism and War Project on humanitarian action in Chechnya, the authors noted this about Russian forces and their problematic interactions with humanitarian actors: “In a climate of suspicion, the absence of even a minimal understanding of humanitarian and NGO activity made negotiations for humanitarian access or appeals on behalf of civilians an extremely laborious process, with outcomes never assured. Blurred chains of command among combatants and a lack of accountability among military and civilian authorities complicated such efforts further. Authorities at all levels repeatedly demonstrated a propensity for entering into agreements and understandings with humanitarian agencies or to establish procedures that were then ignored or used to impede humanitarian activity further. The ‘Catch-22’ scenario was familiar. An officer at the command headquarters of Russian forces in Chechnya, for example, had liaison duties with humanitarian organizations. However, to see the officer, agencies required a letter from the commanding general. To see the commanding general, however, arrangements could only be made by the liaison officer.” Greg Hansen and Robert Seeley, *War and Humanitarian Action in Chechnya*, Occasional Paper No. 26, Thomas J. Watson Jr. Institute for International Studies, Brown University, 1996, p. 66.
- 23 See Annexes A and B for further background.
- 24 Interview in Tbilisi, September 2008.
- 25 Mingrelians are an ethnic sub-group of Georgians in Western Georgia. They comprise the majority of the returnee population in southern Abkhazia. Their language is a Georgian dialect.
- 26 Based on a telephone interview with Einar Bjorgo, Head, Rapid Mapping, Applications and User Relations, UNOSAT - Operational Satellite Applications Programme, UNITAR, Geneva. See also UNOSAT’s website at <http://www.unitar.org/unosat/org>.
- 27 IDMC and NRC, Georgia: IDPs in Georgia still need attention, 9 July 2009, www.internal-displacement.org.
- 28 Interviews in Tbilisi and Gori, July 2009.
- 29 See *Principles and Good Practice of Humanitarian Donorship*, www.goodhumanitarianism.org/.
- 30 See *Principles of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes*, www.ifrc.org/publicat/conduct/index.asp.
- 31 The Law on Occupied Territories was adopted by the Georgian parliament on October 23 2008. http://www.parliament.ge/files/69_18768_820796_Law-Occupation.doc.
- 32 See *Guidelines On The Use of Military and Civil Defence Assets In Disaster Relief – “Oslo Guidelines,”* updated November 2006, <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1111316>, and *Guidelines On The Use of Military and Civil Defence Assets To Support United Nations Humanitarian Activities in Complex Emergencies*, March 2003 (revised January 2006, <http://ocha.unog.ch/drptoolkit/PreparednessTools/Normative%20and%20legal%20instruments/Normative%20Guidance%20on%20specific%20issues/MCDAGuidelines%202003%20RevJan06.doc>).
- 33 Water, Sanitation, and Hygiene.
- 34 Interview in Tbilisi, August 2009.
- 35 Interview with major donor in Tbilisi, September 2008.
- 36 Interview with de facto Abkhaz Foreign Ministry staff, Sukhum’i, July 2009.
- 37 Hammarberg, Report on Human Rights Issues Following the August 2008 Armed Conflict, Council of Europe Commissioner on Human Rights, 15 May 2009, p. 16.

- 38 European Commission for Democracy Through Law (Venice Commission), *Opinion on the Law on Occupied Territories of Georgia*, Opinion No. 516/2009, CDL-AD (2009) 015, March 2009.
- 39 Reuters, UN aid officials in Georgia lacked paperwork-Russia; Reuters Foundation, 10 September 2008.
- 40 Hammarberg, op. cit., p. 12.
- 41 See S. Neil Macfarlane, Larry Minear, and Stephen D. Shenfield, *Armed Conflict in Georgia: A Case Study in Humanitarian Action and Peacekeeping*, Occasional Paper No. 21, Thomas J. Watson Jr. Institute for International Studies, Brown University, 1996: "The fact that [the UN's] lead humanitarian agency, UNHCR, was also a participant in the political process (it was represented at the political talks and chaired the Quadripartite Commission on Repatriation) gave it an interest in promoting resettlement and in rapid movement toward political settlement. Had UNHCR not been involved in the negotiations, it might have been freer, as noted by one UN staff person, to voice humanitarian assistance and protection concerns" (p.44). Ultimately, the authors conclude, "The UN, centerpiece of the international response to the crisis, proceeded in a manner [that] situated humanitarian activities firmly within a political rubric. Reflecting a now-familiar structural bias toward UN member governments in its political support of the Georgian authorities, the UN displayed questionable judgment in promoting the rapid return of refugees. Facilitating their return reflected the imperatives of the political process, to which the UNHCR through its role on the Quadripartite Commission lent its institutional weight, to the detriment of their safety and protection" (p.90).
- 42 Interview in Sukhum/i, July 2009.
- 43 Private communication with former EUMM observer and veteran of other observer missions, August 2009.
- 44 Interview in Tbilisi, September 2008.
- 45 Interview in Tbilisi, September 2008.
- 46 Interview in Tbilisi, September 2008.
- 47 InterAction, *Humanitarian Principles at Stake in Georgia*, Press Release, 3 September 2009.
- 48 Cited in Civil Georgia Daily News, Putin on Georgia's Humanitarian Aid, NATO Ships in Black Sea, 2 September 2008. <http://www.civil.ge/eng/article.php?id=19377>.
- 49 See Elana Schor, *Bush says US military will deliver humanitarian aid to Georgia*. Guardian.co.uk, 13 August 2008. www.guardian.co.uk/world/2008/aug/13/georgebush.georgia. See also Stratfor, *Georgia and the US Tripwire*, 13 August 2008. www.stratfor.com/analysis/georgia_saakashvili_and_u_s_tripwire, and American Forces Press Service, *Ships to deploy to support Georgia humanitarian assistance mission*, 21 August 2008. <http://www.reliefweb.int/rw/rwb.nsf/db900sid/EDIS-7HQQ7X?OpenDocument>.
- 50 Reuters, "US to take control of Georgian ports: Saakashvili," 13 August 2008. <http://www.reuters.com/article/politicsNews/idUSLD49893320080813>.
- 51 Center-periphery relations remain a highly-charged issue in Georgia, where allocation of resources to the regions confounds pre-existing sentiments of alienation from the central government. Within Georgia proper there are persistent cleavages between Tbilisi and Western Georgia, Samstkhe-Javakheti and Adjara. The insistence by Georgian opposition parties that President Saakashvili resign and government use of force to quell demonstrators serve as reminders of the fragile state of domestic Georgian politics. The armed hostilities between Tbilisi and Gamsakurdist fighters in Western Georgia in 1994 and the lawlessness that prevailed for several years compel further caution about the ability of Georgia to weather political storms in ways that avoid bloodshed.
- 52 Excerpted from Hansen, *Humanitarian Action in the Caucasus*, op. cit.
- 53 Excerpted from Hansen, *Humanitarian Action in the Caucasus*, op. cit.
- 54 Drawn from a number of sources, including news reports, context analysis reports from humanitarian organizations, field interviews, and Greg Hansen, *Humanitarian Action in the Caucasus: A Guide for Practitioners*, Humanitarianism and War Project and Local Capacities for Peace Project, Thomas J. Watson Jr. Institute for International Studies, Occasional Paper No. 32, Brown University, 1998.



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