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# Moscow Backtracking in WTO Negotiations with Georgia

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Georgian President Mikheil Saakashvili's February 21-22 Moscow visit, nominally for a multilateral CIS summit, centered on carefully prepared bilateral talks by the Georgian delegation with outgoing president Vladimir Putin and their ministerial counterparts. The visit seemingly succeeded in ameliorating the atmosphere of Georgia's relations with Russia at least for the duration of the presidential transition in the Kremlin. The Georgian delegation brought home Russian promises to reopen air routes between the two countries and to take steps toward lifting Russia's embargos on Georgian products. Such Russian measures would begin to reverse the economic warfare that Russia has openly conducted since 2006 against Georgia.

In the wake of the visit, however, Moscow seems to backtrack on the main understanding reached during those talks. It is an agreement in principle to discuss joint control of the border crossing and customs stations on the Psou River and Roki Tunnel, both located on the internationally recognized Georgia-Russia border. Russia controls both sides of each of those border sectors, directly and through its local clients. The Psou River (with the Gantiadi-Adler border and customs stations) separates Russia's territory from de facto Abkhaz-controlled Georgian territory. The Roki Tunnel similarly separates Russian territory from what is legally Georgian territory in South Ossetia. On either side of both sectors, Russian border troops and 'peacekeepers' are in control together with Russian-supported secessionist forces.

This situation exists since the secession wars of the early 1990s there. Russia's customs authorities, military, and other force structures actively or passively underwrite contraband and other forms of illegal trafficking, including arms transfers. With Russia now aspiring to join the World Trade Organization (WTO), Georgia is well placed as a WTO member to demand Russian compliance with the organization's norms and standards in terms of customs and border controls in these sectors of the Russia-Georgia border.

Bilateral negotiations on this issue have been ongoing, mainly in Geneva toward Russian fulfillment of WTO criteria, which would enable Georgia to lift its objections to Russia's WTO accession. At the February 21-22 high-level talks in Moscow, the Russian side agreed to discuss specific formats of joint control of those border sectors. The Moscow discussions --- as those ongoing in Geneva --- have treated this issue as a bilateral one among the sovereign states, not involving the unrecognized Abkhaz and South Ossetian authorities.

However, on February 27 Russia's Ministry of Foreign Affairs issued a statement disputing Georgia's 'interpretation' of the prerequisites and format for joint control. The Russian MFA now claims that joint control would depend on the resolution of what Moscow terms the Georgian-Abkhaz and Georgian-South Ossetian conflicts as well as on the consent of the Sukhumi and Tskhinvali authorities. The Russian MFA disclaims any intention to

bypass Sukhumi and Tskhinvali in negotiating with Tbilisi about border control (Interfax, February 27-28).

On cue, those Abkhaz and South Ossetian authorities issued statements of their own, repeating that the issue will not be resolved without their consent, 'behind [their] backs,' and unless the authorities in Sukhumi and Tskhinvali are treated as 'independent' players. The two sets of authorities insist that any solution, such as joint checkpoints, cannot be treated as a bilateral Russia-Georgia issue, but must also include the Abkhaz and South Ossetian authorities (Apsnypress, South Ossetia Press and Information Committee, February 28, 29; Georgia Today, February 29).

In the wake of the Moscow talks, Russia's MFA seeks to maintain a degree of ambiguity regarding the hypothetical possibility of Russian recognition of Abkhazia's and South Ossetia's 'independence.' On one hand, it gives assurances that Moscow would not 'copy' the 'illegal' recognition of Kosova's independence by most Western countries. On the other hand, Moscow denies having offered Georgia any 'assurances' in that regard; and it insists that Sukhumi's and Tskhinvali's views must be 'taken into account' regarding border control and a full range of other issues. Such formulations reflect the insolvency of Moscow's earlier threats to recognize the secessionist authorities in retaliation to international recognition of Kosova (see EDM, February 19, 22).

Publicly, Moscow denies any link between the issue of Russia-Georgia border control and the accession of Russia to the WTO. In practice, however, the two issues are linked in the ongoing Russia-Georgia negotiations (Interfax, February 27-28).

For its part, Tbilisi cites the Russian proposals made during the Moscow talks as a basis for further bilateral negotiations. According to Georgian Minister of Foreign Affairs Davit Bakradze, no mention is made there of any Abkhaz or South Ossetian participation in negotiations on the issue of border control. Thus, Moscow's revised position seems to be either the result of internal differences within the Russian government or a calculated attempt to cancel what looked like an advance in Moscow's negotiations with Tbilisi. Either possibility means another Russian step back in the overall relations with Georgia (Civil Georgia, Rustavi-2 Television, February 28).

As a new Russian president takes office, the Russian government can choose between continuing to breach international norms on the border with Georgia or correcting such breaches as a prerequisite to joining the WTO.

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