

TIM POTIER: *Conflict in Nagorno-Karabakh, Abkhazia and South Ossetia. A legal appraisal* xvi + 314 pp. The Hague: Kluwer Law International, 2001. ISBN 90-411-1477-7.

This book is essentially the author's 1998 doctoral thesis with additionally a short 'Since Submission' finale to cover the period 1 Sept 1998 to 30 April 2000 and a one-page Preface. The latter informs us that the main text has only been altered 'to improve its syntax/grammar'. Some might wish that more time had been spent on this exercise to purge the work of: the numerous colloquial 'don't'-s and 'doesn't'-s, which should have no place in scholarly writings; excessive use of quotation-marks for often unclear rhetorical purposes; idiosyncratic placement of commas; and an alarming propensity to, quite often at times, split infinitives! Also, the Bibliography should have been designed according to the more usual chronological principle. But readers are advised to strive to overcome initial reservations regarding style, for the content deserves attention.

Just enough history of the relevant conflicts is presented for the uninitiated to put them in context, with supplements on the various attempts at resolution. Since self-determination has been a strong rallying-cry both within and beyond the (Trans)Caucasus in recent years, the significance and usefulness of this concept in such documents as the UN Charter is examined, as is the relevance to the cases in question of various constitutional arrangements that have been devised for other problem-areas around the world (e.g. Åland Islands, Bosnia, Andorra, San Marino). Convinced that no constitutional arrangement thus far tried is the right answer for 'The Three' (sc. conflicts here investigated) and that the present state of negotiations between Nagorno-Karabakh and Azerbaijan, on the one hand, and Abkhazia or South Ossetia and Georgia, on the other, is likely to remain deadlocked, Potier offers his own detailed and carefully considered suggestions to alter the constitutional frameworks of Azerbaijan and Georgia, which he hopes would satisfy the needs of the three territories currently in dispute with these internationally recognised post-Soviet

states. Chapter 8, which consists of the two Potier constitutions, and Chapter 9, which reflects on these ideas, thus represent the main focus of the book.

Potier is the first to admit that his views will obviously not find universal acceptance on any of the relevant sides but reasonably observes that, in such post-war situations, everyone has to be ready at least to consider compromise. He advocates self-government (but not outright independence) for Nagorno-Karabakh, whereas a (con)federal restructuring is his recommendation for Georgia. Within the 'United Republic of Georgia' there would be: the Republic of Abkhazia, the Republic of Ajaria, the Republic of Georgia, the Republic of South Ossetia, plus Regions A and B (being those areas predominantly settled by Armenians and Azerbaijanis, respectively). He feels that the southernmost district of Abkhazia, Gal, which prior to the war of 1992-93 was overwhelmingly populated by Kartvelians (specifically, Mingrelians), should be split from it and reassigned to his new 'Republic of Georgia'. The Abkhazians would manifestly have trouble accepting this northward transfer of the immediate target for terrorist activity from Gal to Ochamchira, when they did, after all, effectively win the war that was inflicted upon them. They would, however, welcome the fact that their (and South Ossetia's) relationship with Tbilisi 'would assume, predominantly, a confederal nature' (p. 175).

However, this is not the place to examine in detail the pros and cons of each individual suggestion, and, in the final analysis, only the players themselves can do this. All I would say is that, if Georgia can be persuaded of the advantages to ALL concerned of restructuring itself along federal lines, why not take an even more radical step and include as one of the separate regions the western province of Mingrelia? Potier does not consider this, but I would deem it essential (a) to head off potential problems for Tbilisi that have threatened to raise their head here more than once over recent years; (b) to help preserve the Mingrelian language; and (c) to give Abkhazia that extra confidence which a revival of the role of buffer-zone historically played by Mingrelia would surely provide.

Despite the above-mentioned omission, Potier does make many extremely pertinent observations on his chosen conflicts and how they have been handled by a largely poorly informed international community. The merit of the book is that it brings fresh ideas for negotiations that are in severe danger of losing momentum. In considering the ideas proposed, interested parties might also like to take account of somewhat parallel views expressed in another new publication devoted exclusively to the Georgian-Abkhazian conflict, namely 'Federal Practice' (edited by Bruno Coppieters, David Darchiashvili, and Natella Akaba, 2000).

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