

## ABKHAZIA AND THE GEORGIAN-ABKHAZ CONFLICT: AUTUMN 2009

The 2008 Russia-Georgia war and Russia's subsequent recognition of the breakaway regions of Abkhazia and South Ossetia have widened the gulf between the two entities and Tbilisi. On 12 December 2009 - almost one and a half years later - presidential elections will take place in Abkhazia. The incumbent, President Sergey Bagapsh, is likely to remain in office.

This Analysis offers insights into the domestic situation in Abkhazia in the pre-election period and links it to the current state of the Georgian-Abkhaz conflict and international mediation efforts.

### The domestic situation in Abkhazia

In the past, Abkhaz domestic politics was shaped by so-called 'political movements'. But according to a law adopted in March 2009, those loose political groupings were required to be transformed into political parties by 1 September 2009. Three movements or groups met this deadline:

- United Abkhazia (UA), which is the 'party of power' and supports the incumbent, President Sergey Bagapsh;
- The People's Unity Forum of Abkhazia (PUF), which gathers the supporters of Raul Khadzhimba, Sergey Bagapsh's main opponent in the deeply polarising 2004 presidential elections who subsequently became Vice-President before resigning



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A child waving the Abkhaz flag in front of the Council of Ministers of the Abkhaz ASSR building which was destroyed during the 1993 war

in May 2009. The PUF has been supporting the candidacy of Raul Ardzinba (see below) since the end of October.

- The Economic Development Party, founded in 2007 and headed by Abkhaz businessman Beslan Butba, a former MP and one of Abkhazia's richest businessmen. Butba built up his business in Moscow throughout the 1990s before he returned to Abkhazia. He owns several newspapers and a TV channel.

Following an amendment to the electoral law approved on 7 October by the parliament, the registration of all presidential candidates based on the support of either a political party or an initiative group was required by 2 November. The list of candidates published by the

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central electoral commission on 9 November contains the following names:

- *Sergey Bagapsh*, the incumbent president. His running mate is Aleksandr Ankvab, who until recently held the post of prime minister;
- *Beslan Butba*, running with former Interior Minister Almasbey Kchabach;
- *Raul Khadzhimba*, until recently Vice-President, together with university professor and Director of the Abkhaz Institute for Humanities, Vasili Avidzba;
- *Zaur Ardzinba*, Director of the state shipping company (*Abkhazkoe morskoye parokhodstvo*) and the Sukhumi port, who runs together with the former Head of Administration of the Ochamchira district, Khrips Dzhopua.
- *Vitali Bganba*, a university professor of philosophy, together with historian David Dasaniya.

Vitali Bganba is clearly the weakest candidate. Sergey Bagapsh's candidacy is supported by United Abkhazia and Beslan Butba runs for his Economic Development Party. Until a few weeks ago, PUF and the influential Veterans' Union Aruaa appeared to provide joint backing for Raul Khadzhimba as the presidential candidate with Zaur Ardzinba as his running mate. However, this alliance split the day before the nomination of the candidates was due for proclamation at a party convention on 29 October. Instead, two separate initiative groups consisting of representatives of PUF, Aruaa and other social groups put forward the individual candidacies of Raul Khadzhimba and Zaur Ardzinba.<sup>1</sup> Consequently, the PUF will need to explain to the electorate the reasons for its support of two candidates simultaneously. The prospects for the opposition of mounting a serious challenge against Sergey Bagapsh appear to have lessened as a result.

None of the political parties has yet to put forward a clearly formulated political agenda for domestic political and economic issues, and ideas as to how and in what direction Abkhazia should develop are scarce. The opposition demands free and fair elections and cautions against attempts by the government to use administrative resources in the run-up to the elections to manipulate the ballot. Political actors are slowly starting to articulate positions regarding the most pressing problems such as the stagnation of reform processes in crucial areas and corruption, although it remains to be seen if these deliberations will lead to programmatic debates within and between the political parties.

<sup>1</sup> *Chegemskaya Pravda*, 3 November 2009, p.2.

With respect to external relations, all parties emphasise the definitive nature of Abkhazia's independence - reflecting the existing broad consensus within the Abkhaz community - and affirm the importance of Abkhazia's strategic partnership with Russia.

Beyond a rather general commitment to democracy and Abkhaz independence however, there is little proactive thinking with respect to the expected evolution of Abkhaz statehood.

Until recently, only slight differences were observed between the positions of the UA and the PUF on foreign policy. Sergey Bagapsh and foreign minister Sergey Shamba both continued to advocate a so-called 'multi-vector' foreign policy, with a view to establishing good relations with as many countries and organisations as possible. Before the 2008 war, the EU played an important role in these discussions. An interest in maintaining contacts with the EU has remained despite the post-war criticism that was levelled against it by Sukhumi, who perceived it as having a partisan involvement in the conflict between Georgia and Russia/South Ossetia. In contrast, the opposition appears to have an even greater focus on Russia.

Against this backdrop, it came as a surprise that the opposition fiercely criticised the 30 April agreement with Russia on border support, which entitles Russian soldiers deployed along the administrative boundary to purchase land in Abkhazia. The opposition argued that this violates the Abkhaz constitution - which prevents non-Abkhazians from owning property in Abkhazia - and censured the government for selling out Abkhazia to the Russians. Recognising that such recriminations put it in an uncomfortable position both *vis-à-vis* Russia and the Abkhaz public - who is generally well-disposed towards Russia - a group of opposition leaders revoked their criticism shortly afterwards in a letter to the Russian government. Nonetheless, the PUF continues to criticise the administration for not doing enough to protect Abkhaz sovereignty.

In the electoral campaign the UA leadership seems to have placed its rhetoric on 'multi-vector' foreign policy on the backburner, and has now joined the other parties in their exclusive focus on Russia as Abkhazia's principal external partner. It remains to be seen if this is a temporary adjustment or if a second Bagapsh presidency will yield a different set of foreign policy priorities.

All parties seem to be inclined to accept the rules of the game and focus on elections in order to gain or maintain power. However, attempts by all parties in-

involved to manipulate the poll or to second-guess its result cannot be ruled out. Problems - such as the abuse of administrative resources or the media - have already emerged and have been criticised by the 'Voters' League for Fair Elections', an association of 10 Abkhaz NGOs that also monitored the 2004 presidential elections.<sup>2</sup>

Abkhaz civil society continues to be lively and relatively independent. Some NGO representatives have a strong voice in public debates, particularly on the citizenship law (see below) and electoral legislation. The Voters' League was actively involved in the preparation of the amendments of the election law for the presidential elections, one example of which foresees the monitoring of the elections by civil society. It does not appear that the Abkhaz Public Chamber - founded in early 2008 along the lines of the Russian model - is being deliberately used by the state to control civil society.

At the same time, many civil society actors have close ties with the current leadership and are in principle supportive of Bagapsh's re-election, not least because they fear a deterioration in their situation should the opposition seize power. This may - at least temporarily - pose some limitations to their independence. Nevertheless, it would be incorrect to give those organisations the tag of 'GONGOs' (Government-Operated Non-Governmental Organisations) since they have emerged within the sphere of civil society independently of the state, and are free to voice positions in opposition to the political leadership.

The media landscape in Abkhazia has undergone some recent changes. The main TV channels covering all of Abkhazia have always been under the control of the *de facto* authorities. Beslan Butba was denied in his attempts to obtain a licence for his TV channel to broadcast beyond Sukhumi to the Abkhaz provinces. A decrease in the number of Abkhaz print media outlets has been observed, and the independent newspapers that remain have, with a few exceptions, become dependent on funding from opposition parties and other political groupings and are generally not distributed beyond Sukhumi. They also face other pressures such as restricted access to publishing houses. Independent journalists have repeatedly received threats.

<sup>2</sup> See Voters' League for Fair Elections, 'Preliminary report on the results of the of the electoral campaign in the run-up to the election of the President of the Republic of Abkhazia (3-23 November 2009)', *Apsnypress* No. 578-579, 1 December 2009, [www.apsnypress.info](http://www.apsnypress.info).

## Gali and the question of citizenship

The question of Abkhaz citizenship is another issue that has stirred tensions among the political forces in Abkhazia. This concerns first and foremost the 40,000 to 50,000 Georgian-Mingrelian returnees in the Gali district on the administrative boundary with Georgia, but also other national minorities.<sup>3</sup>

The vast majority of Gali Georgians do not yet possess Abkhaz passports.<sup>4</sup> Without Abkhaz citizenship, they have no right to vote and have limited or no access to property, salaries and pensions.<sup>5</sup> Abkhaz passports would provide them with those basic rights and also give them the opportunity to obtain dual Russian-Abkhaz citizenship, to receive Russian pensions or to travel to Russia unrestricted.

However, Gali Georgians face a dilemma. Since the Abkhaz constitution allows for Russian-Abkhaz dual citizenship only, to receive an Abkhaz passport, individuals must confirm in writing the renunciation of their Georgian citizenship. Practice indicates that so far they have been able to keep their Georgian documents and there have been no reports of forced confiscations of Georgian documents. However, this pragmatic attitude may change in response to the rapid increase in the number of Georgians applying for Abkhaz passports.

A concept or strategy on how to integrate the Georgian population in Gali has not yet been articulated by any of the political forces in Abkhazia. Many fear that not only would a full integration of the Gali population change the ethnic composition of Abkhazia, but that it would also upset the political balance. At the same time however, the 40,000 to 50,000 Gali Georgians represent a significant proportion of the electorate and are therefore a major voting bloc. In 2004, approximately 14,000 Georgians were admitted to the polls with a majority voting for Sergey Bagapsh who generally takes softer positions on the 'Gali issue'. In addition, he is well known among older Georgians from his time in leading positions in the neighbouring district of Ochamchira before the 1992-93 war. Bagapsh's popularity among Georgians is also enhanced by the fact

<sup>3</sup> No reliable figures on the composition of the population in Abkhazia are available. The Abkhaz represent the biggest ethnic group among the 180,000 to 200,000 inhabitants. Large ethnic minorities are the Georgians in Gali, Russians and Armenians. In October, the Interior Ministry announced that 141,245 Abkhaz passports had been distributed throughout Abkhazia between 2006 and 2009. *Apsnypress*, 15 October 2009, see [www.apsnypress.info](http://www.apsnypress.info).

<sup>4</sup> According to the same source, 3522 passports have been issued to Gali Georgians. *Ibid.*

<sup>5</sup> However, the situation in practice is unclear: apparently there are more Georgians in Gali who receive pensions than there are holders of Abkhaz passports.

that his wife is Georgian, which gives rise to an assumption that his attitudes towards them are friendlier compared to those of the other Abkhaz politicians. At the same time, however, there has been no significant improvement in the situation of the Gali Georgians during his term in office. The disappointment over the fact that the Bagapsh administration did not live up to the expectations of Georgian-Mingrelians may undermine their support for the UA party in the upcoming elections.

The status of the Gali population re-emerged as an issue during the Abkhaz political debate in spring and summer 2009. On 31 July, after having pushed through three readings in one day, the parliament approved an amendment to the citizenship law which “affirmed the right to Abkhaz citizenship to those former Georgian residents of Gali who fled during the 1992-93 war and who prior to the passage of the 2005 citizenship law accepted the Abkhaz authorities’ 1999 invitation to return”.<sup>6</sup> That this would have included practically all Gali Georgians provoked an outcry among opposition parties. Notably, the People’s Unity Forum, the influential Veterans’ Union Aruaa and other smaller groupings denounced the amendment as an imposition by the executive and its supporters in the parliament. Apart from fearing an uncritical and overly accommodating attitude towards the Georgians in Gali, they saw it as an attempt to increase the number of potential votes for Bagapsh.

After several days of fierce debate, Sergey Bagapsh did not sign the amending legislation and returned it to Parliament. The distribution of passports to residents of the Gali district stopped altogether on 1 October, a move that was heavily criticised by the Voters’ League as a violation of Abkhaz citizenship law.

These developments highlight several factors:

- There is substantial disagreement among political parties in Abkhazia on how to approach the ‘Gali question’. Although no political force has articulated a political strategy to meet this challenge, Sergey Bagapsh and his supporters seem to take a more open position *vis-à-vis* the Mingrelian population in Gali, while parts of the opposition favour a more restrictive approach. In the course of the debate about the amendments to the citizenship law, opposition parties argued that Gali Georgians should be obliged to show a clear commitment towards becoming Abkhazian before obtaining Abkhaz citizenship. In the absence of such commitments - which would include the renunciation

of their Georgian citizenship and learning Abkhaz and Russian - they should only be accorded residency rights and not citizenship.

- The intensity of the debate surrounding the ‘Gali question’ highlights the polarising effect it has not only on political elites but also on Abkhaz society at large. In Abkhazia, Gali Georgians are still very much perceived simply as a Georgian ‘fifth column’ and potential vehicles for Georgian colonisation. There is little consideration for their predicament, or for the approximately 150,000 internally displaced Georgians (IDPs) who remain on undisputed Georgian territory. This public sentiment makes it easy – and tempting – for political parties to exploit the issue in their struggle for power. Such an attitude is also highly problematic with respect to the other ethnic minorities, notably Russians and Armenians, who observe these developments with concern.
- There is however a nascent debate within civil society on how to approach the ‘Gali issue’. Civil society actors have raised the question of the legal status of the Gali Georgians and have displayed an awareness of their precarious situation. The most recent example is the Voters’ League, who in its preliminary report on the electoral campaign criticises the new election legislation on the basis of its one-document rule. While increasing the transparency of the electoral process, the rule has the effect of excluding and discriminating against those Gali Georgians who are entitled to, but have not yet managed to receive Abkhaz passports. Cooperative links exist also between NGOs in Gali and Sukhumi.
- The dispute over the status of the Gali Georgians can also be interpreted as a rather cynical ‘tug of war’ for votes. The current leadership has favoured a more open approach towards the citizenship issue because of its potential to win votes, although it appears less likely to occur in the current election given the disillusionment of the Gali Georgians. This is precisely what the opposition has tried to prevent.

Sergey Bagapsh’s eventual remittance of the amended citizenship legislation demonstrates the inability of the Abkhaz leadership to maintain enough pressure on Parliament in order to overcome its outspoken opposition. While it highlights Bagapsh’s current weakness, it also demonstrates - ironically - that the checks and balances within the Abkhazian political system are functioning to a certain extent.

<sup>6</sup> For a good summary of the events see ‘Amendments To Citizenship Law Compound Political Tensions in Abkhazia’, *Radio Free Europe/Radio Liberty*, 7 August 2009, [www.rferl.org](http://www.rferl.org).

## The pre-election mood

One year on, the enthusiasm which characterised the public mood in Abkhazia after Russia recognised its independence seems to have vanished, having given way to disillusionment with the political leadership on many levels.

Although the pro-independence consensus remains in place, for which the government was initially credited, many people now criticise the policies that it has adopted over the last five years. The most urgent issues have been neglected, political institutions are paralysed, the administration is corrupt and often acts in an arbitrary manner and no reforms have been conducted to strengthen the rule of law. This is even more lamentable considering that corruption appears to be on the rise as more Russian money flows into Abkhazia. Against this backdrop, the election resembles an insider competition for access to resources. The deficiencies in political concepts and programmes only serve to underline this perception.

Abkhaz politics is highly personalised. Political parties are little more than weak organisational structures in support of personalities and interest groups, not political programmes. Accordingly, it is more the personalities and biographies of the candidates, and the extent to which they are embedded in Abkhaz society that will finally shape the voters' decision. Raul Khadzhimba's credibility is seriously damaged by his KGB and security forces background and, particularly, his ties with former president Vladislav Ardzinba. Beslan Butba has spent many years outside Abkhazia and could suffer from his association with the Russian oligarchy. It remains to be seen if voters consider Zaur Ardzinba - who has close links to Turkish business through his key position as a Director of the State shipping company and Sukhumi port - a sufficiently new addition to the political landscape and thus deserving of their support. By now it appears that the only way the opposition candidates could seriously challenge the incumbent president would be through joining forces in - should this occur - a second round of voting. Recent negotiations between Raul Khadzhimba, Zaur Ardzinba and Beslan Butba point in this direction.

In a nutshell, it is unlikely that Sergey Bagapsh will lose power in the upcoming elections. Many people will vote for him for lack of a viable alternative. Given the political developments of the past year, however, Bagapsh may emerge from the elections in a relatively weakened position. It remains to be seen if he will be able to maintain his political course towards more autonomy and independence, also *vis-à-vis* Russia.

## The Russia factor

Russian influence in Abkhazia has rapidly increased since recognition. In 2009, Russia has pledged approximately \$70 million in budget support for Abkhazia. Dozens of agreements in various areas such as political, economic and military cooperation, social and educational support, free movement, and dual citizenship are under negotiation in order to lend substance to the 2008 framework agreement. There is active Russian investment in Abkhazia's beach resorts and beyond, although the overall volume of investments is apparently failing to meet initial expectations due to the impact of the global economic crisis on the Russian economy.

Russian Prime Minister Vladimir Putin visited Abkhazia in August and met the current Abkhaz leadership as well as representatives of the opposition including Raul Khadzhimba, whom Moscow supported in his challenge to acting president Sergey Bagapsh in 2004.

It is difficult to predict whether Russia will try to actively influence the upcoming presidential elections in Abkhazia. As in other parts of the former Soviet Union, attempts to directly shape the outcome of elections to serve Russian interests failed embarrassingly in Abkhazia in 2004. On that basis, many observers in Abkhazia are sceptical that Moscow will try to interfere. Moreover, the current Abkhaz leadership is already very dependent on Russian financial and political support. A renewed but weaker Bagapsh presidency may serve Russian interests sufficiently, thereby reducing the need for Moscow to interfere directly.

## The Georgian-Abkhaz conflict

In relation to the Georgian-Abkhaz conflict, it is unlikely that the *status quo* will change in the foreseeable future. Abkhazia will continue to build up state structures with the help of Russia, and its dependence on Russia will grow concomitantly. It would be unrealistic to believe that Russia's already overwhelming economic presence in Abkhazia could be counterbalanced by another external actor. The build-up - with Russian support - of a tight border along the administrative boundary will only serve to reinforce this situation. Even if Russia were to change its position and seek to reduce its involvement in Abkhazia, it is very unlikely - given the pro-independence consensus in Abkhazia - that it would lead to a re-unification with Georgia.

At the same time, some of the factors affecting the context of the conflict are showing signs of progress.

Following months of opposition protests in Tbilisi, the domestic situation in Georgia became calmer over summer and autumn. The opposition is now undergoing a process of re-organisation.

Irakli Alasania now appears to be established as a significant opposition leader. He is known for moderate positions both in domestic politics and with respect to the conflicts. The party coalition Alliance for Georgia, which has formed in his support, is now focusing on the local elections in May 2010, and aims to have Alasania elected as the mayor of Tbilisi. This presents an opportunity for him to represent a serious alternative to Saakashvili in the 2013 presidential elections, and for the opposition to improve their political programmes and strengthen their position. However, the realisation of such a scenario depends on numerous factors. Firstly, the opposition coalition must avoid in-fighting and instead engage in serious political debates. Secondly, Alasania will have to align himself with a programme in order to obtain and develop a distinct political profile. Finally, the local elections need to be free of manipulation. This is not obvious given the great significance of the elections in Tbilisi. In Georgia, candidates need a majority of only 30% to win municipal elections, minimising the chances of any opposition candidate. At present, negotiations about the municipal election law between the government and the opposition are not progressing in an encouraging direction. Therefore it will be difficult for the opposition to win in Tbilisi, as well as in other cities and towns. The domestic situation in Georgia remains fragile.

The State Ministry for Reintegration has launched a new initiative with a view to devising a strategy on Abkhazia and South Ossetia. The timetable foresees consultations with domestic and international state and non-state actors, the drafting of a framework strategy paper by the end of 2009, the elaboration of an action plan outlining concrete measures by early 2010, and a donors' conference to implement it. This could be the starting point for a new debate, but not without serious caveats. To begin with, this is a nascent initiative, and it remains to be seen if there will be consensus-building within the Georgian government in the interests of charting a genuinely new, more constructive political course with respect to the conflict regions. Secondly, the search for a more constructive strategy does not seem to coincide with the rhetoric that is widely used by Georgian officials across the board. It will be very difficult for Georgia to engage and build trust with the political leaderships and populations of Abkhazia and South Ossetia so long as its language suggests that

it has not abandoned the use of force as a possible means of resolving the disputes.

The ongoing – albeit cautious – improvement in US-Russian relations can have a positive impact if it allows for a 'depolarisation' of the international environment of the conflicts. The Geneva Talks - the continuation of which remained in question until summer 2009 - now seem to be firmly established as the new format in which the parties to the conflicts meet. Negotiations within the framework of the Geneva Process are difficult and protracted, and little progress is to be expected in the foreseeable future on the underlying issues at the heart of the conflicts. Nevertheless, it is essential that they are continued because - following the dissolution of the OSCE and UN-led peace processes - they constitute the only format in which the parties to the conflicts interact. The same goes for the Incident Prevention and Response Mechanism in the conflict zones supervised by the EUMM.

In a nutshell, the general parameters of the Georgian-Abkhazian conflict are unlikely to change in the short term. Nevertheless, there are pressing issues that need to be addressed, the most urgent being the situation of the Georgian population in Gali.

***From an EU point of view, the following should be done:***

- Close attention should be paid to the predicament of the Georgian population in Gali. This is a humanitarian issue which must not be kept hostage to broader – and currently irresolvable – political issues. While it will be difficult to address the question of integration, a lot can be done to improve the living situation of the Gali Georgians. The EU Commission conducts projects in Gali in the fields of post-conflict reconstruction, economic development, health care and education. This engagement should continue and expand in the future. International NGOs working in Gali and Abkhazia in general should receive more financial support to intensify their efforts. Given the Gali Georgians' ambiguous legal and security situation, the EU and other international actors should work towards a re-deployment of international observers after the pullout of UNOMIG. This could be linked to UN efforts to maintain a presence in Abkhazia, and could be implemented, for instance, by the United Nations Volunteers (UNV). The presence of international observers would also ensure reliable reporting about developments in Gali. The EU should urge Russia and the Abkhaz authorities not to close the administrative boundary. The

mobility of the Gali Georgians between Abkhazia and undisputed Georgian territory must be preserved. Last but not least, dialogue-oriented actors on all sides who are aware of the situation in Gali and seek to find solutions need to be empowered. Both Abkhazia and Georgia should be discouraged from obstructing international efforts to improve the situation of the Gali Georgians.

**Regarding the context of the conflicts, the EU should pay attention to:**

- *Domestic developments in Georgia.* As outlined above, the situation now looks slightly more promising than it did in spring 2009, but further developments need to be monitored closely. All political actors should be encouraged to obey democratic rules. It goes without saying that the EU will continue close consultations with the Georgian government. At the same time, serious efforts by the opposition to present a political alternative should be encouraged and supported. A consolidated democracy in Georgia needs a pluralist party system and functioning checks and balances. This is also a precondition for any realistic solution to the conflicts.
- *The Georgian search for a new strategy towards the unresolved conflicts.* Any initiative in this direction deserves strong EU support. At the same time, however, a critical eye needs to be kept on the substance and the rhetoric used by Georgian government representatives, as well as on those individuals who will be involved in this initiative. Actors with more moderate positions vis-à-vis Abkhazia and South Ossetia have been systematically marginalised in the Georgian political debate in the last few years, some of whom have been participating in confidence-building measures and Track Two diplomacy. EU actors dealing with the conflicts should argue in favour of the involvement

of these moderate actors, who can bring to the debate their knowledge, ideas and experience in interacting with the Abkhaz and the South Ossetian sides. It is also crucial to preserve the space for the Commission as well as international NGOs to continue their activities in Abkhazia.

- *The continuation of the Geneva Talks.* After a difficult start, the parties appear to have accepted the Geneva Talks as a legitimate platform for interaction. The EU - along with the UN and the OSCE - has assumed responsibility for preserving this process. Even if no breakthrough can be expected in the near future, the channels must be kept open for future developments. Over time, changes and adaptations to the process could be considered to take into account the peculiarities of the conflicts and increase the format's efficiency. Furthermore, US engagement in Georgia and in the former Soviet Union in general has slightly diminished in the past few months. The EU should be prepared to take the lead and to engage with the US in the search for solutions to the pressing problems of the region, particularly the unresolved conflicts.

The EU is committed to the preservation of Georgia's sovereignty and territorial integrity within its internationally recognised borders. Any EU policy towards the Georgian-Abkhaz conflict must be based on those principles. However, the EU emphasises peaceful conflict resolution and political dialogue rather than the use of force and isolation. It is in this sense that the EU's policy of non-recognition of Abkhazia and also South Ossetia needs to be met with substance.

The 2008 Russia-Georgia war complicated the situation tremendously. The EU should support all relevant actors in their desire to move forward and, as far as possible, leave the door open for dialogue.