



# THE UNRECOGNISED POLITICS OF DE FACTO STATES IN THE POST-SOVIET SPACE

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# **THE UNRECOGNISED POLITICS OF DE FACTO STATES IN THE POST-SOVIET SPACE**



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# INTRODUCTION: THE UNRECOGNISED POLITICS OF DE FACTO STATES IN THE POST-SOVIET SPACE

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*By Laurence Broers, Alexander Iskandaryan and Sergey Minasyan*

## THE LIMITS OF ‘LOCAL’

In a world in which we are increasingly told to ‘go local’, there are still limits. As the othering binaries of imperial, ideological and developmental geographies have ceded ground to a hegemonic vision of a global community of equal states, new binaries have emerged. These contrast the state as the sole legitimate arbiter of sovereignty and primary actor in international relations with a host of challenges from above and below. Although generally invisible at the global level of politics, certainly compared to transnational threats, there are nonetheless perhaps few challenges as unsettling to contemporary states as that posed by unrecognised states. Revealing what Harvey and Stansfield (2011, 11) call the “organised hypocrisy” of the sovereign state system, unrecognised states expose the artifice of statehood, as they demonstrate the contingencies, occlusions and more often than not, coercions, on which many, if not most, of today’s recognised states were also built. The legitimacy of locality is therefore relative and can be withheld, as the alternate lexicon of ‘non-place’ – of margins, interstices, shadows, limbos, badlands and black holes – frequently applied to unrecognised states bears witness. ‘Going local’ in these spaces implies an unsavoury tinge of collusion with some of the least welcomed actors on the contemporary international stage.

The anathematization of territorial contestation is of course not new. In an earlier era, this was expressed as “Balkanization”. As Maria Todorova observed, “By the beginning of the twentieth century, Europe had added to its repertoire of *Schimpfwörter*, or disparagements, a new one that, although recently coined, turned out to be more persistent than others with centuries-old tradition. “Balkanization” not only had come to denote the parcelization of

large and viable political units but also had become a synonym for a reversion to the tribal, the backward, the primitive, the barbarian” (Todorova 1997, 3). At the beginning of the twenty-first century, contested territoriality in the post-Soviet space has not shaken off these stereotypes. Furthermore, de facto states in this region are implicated in the eyes of many observers in revanchist desires for another kind of reversion: to a pre-sovereign, neo-colonial politics controlled by a former and distant metropole.

Yet as Harvey and Stansfield (2011, 18) observe, bottom-up splinter group secessionism – separationism – may not necessarily be the starting point of contested territoriality. They point instead to top-down dissolutions in four successive waves of “geopolitical failure” leading to territorial revisionism: decolonisation in Latin America in the nineteenth century, Europe following the First World War, de-colonization in the 1950s-1960s and the dissolution of socialist federalisms in the 1990s. To these a fifth wave, the implosion of Middle Eastern states in the new millennium, can be added, providing a further striking reminder of the precariousness of geopolitical orders. Furthermore, developments in the Middle East have led to the emergence of a new type of de facto statehood. As Mylonas and Ahram observe, what previous de facto states and entities (which they call “bounded”) strive to achieve is “just” international recognition and the acceptance of their territorial claim, whereas new de facto states such as ISIS (which they call “unbounded” de facto states) appear to disrupt the international system, seeking to undo the very foundations of sovereignty (Mylonas and Ahram 2015, 1).

Yet if earlier waves of territorial revisions were ultimately accepted and legitimised in the post-Second World War era, the dissolution 40 years later of federalised socialist states lingers on in the form of contested territorialities in three of the Soviet Union’s successor states, Azerbaijan, Georgia and Moldova. Secessionist challenges claiming sovereignty and statehood have survived in Abkhazia, Nagorny Karabakh, South Ossetia and Transnistria for more than 20 years, despite isolation, exclusion, endemic weakness and chronic securitization. A fifth, Chechnya, was reabsorbed by Russia at devastating cost after two wars.<sup>1</sup> Since 2014 an apparent reprise of these 1990s outcomes in eastern Ukraine, thereby expanding and embedding contested territoriality across the wider post-Soviet space, has revived interest in unrecognised statehood in the post-Soviet space.

Understandings of events and processes within de facto states remain deeply encrypted within predominant geopolitical discourses on the wider course of developments in Eurasia. As John O'Loughlin, Vladimir Kolossov and Gerard Toal observe, a pervasive tendency to homogenise de facto states is evident across tabloid, analytical and political audiences (O'Loughlin, Kolossov and Toal 2015, 3). Metropolitan narratives, whether emanating from Baku, Chisinau, Tbilisi, Kiev, or Moscow, conflate highly variable situations on the ground (Cooley 2015, Ker-Lindsay 2014); narratives emanating from de facto capitals also engage in a discursive project in homogenization, mirroring back to world opinion symbolically resonant frames justifying their presumed quest for recognition (Broers 2014). Outsider stances on de facto states are more often than not read as metonymic cues “revealing” positions on a whole host of issues, many of them unrelated to actual realities in de facto states. Hence beyond non-recognition, both the detractors and advocates of de facto states in the post-Soviet space engage vigorously in a politics of *misrecognition*, inviting audiences to mis-recognise these spaces as something they are not, or are only to partial, arguable and variable extents. The intensity of this meta-conflict and its inseparability from continent-wide narratives competing to define Eurasian politics are specific characteristics of the post-Soviet de facto entities, in turn embroiling scholarship in the “tabloid geopolitics” of unrecognised states (O'Loughlin, Kolossov and Toal 2015, 29).

One of the principal casualties of the meta-conflict surrounding de facto states is knowledge: geographical, contextualised and above all *local* knowledge about de facto states and processes ongoing within them. It is to improved understanding of these small places, and the politics within and surrounding them that we refer to here as “unrecognised politics”, that this volume is dedicated.

The papers collected here originated at a conference held in Sevan, Armenia, on 4-5 September 2014, entitled “De-facto states in the Post-Soviet Space”, organised by the Caucasus Institute and the Academic Swiss Caucasus Net (ASCN), a programme at the Interfaculty Institute for Central and Eastern Europe at Fribourg University aimed at supporting social sciences and humanities development in the Caucasus. The Sevan conference was the first academic event engaging an English-speaking audience in the Caucasus to be dedicated to the various theoretical and practical aspects of de facto states’ development in the post-Soviet space. This collection of articles has

also been published as a special issue (Vol.3, No.3, 2015) of *Caucasus Survey*, a new journal dedicated to the Caucasus region published by Taylor & Francis.<sup>2</sup> The editors would like to warmly thank the ASCN for their support to the Sevan event and their collaboration in publishing this volume, and Taylor & Francis for enabling its dual publication as a special issue of *Caucasus Survey* and a book.

## DEFINING DE FACTO STATES

The terms “unrecognised state” or “de facto state” are far from representing a conceptual consensus (Harvey and Stansfield 2011, 14). This is reflected in the terminological profusion that surrounds de facto states, although this profusion overwhelmingly concerns the qualifier or adjective (de facto, quasi-, unrecognised, para-, pseudo-, shadow-, phantom-, self-proclaimed, -in waiting, -in all but name), rather than the noun *state*.<sup>3</sup> Contributions by Alexander Iskandaryan and Sergey Markedonov explore the definitions of unrecognised statehood. Both authors remind us that there is in fact nothing new in “unrecognised politics” as several major contemporary states existed for some time as unrecognised entities. Alexander Iskandaryan highlights the relevance of unrecognised states to the centre ground of political science by situating the quest for definitions within a core question driving the discipline: what does it mean to be a ‘state’? He draws attention to the inadequacy of linguistic and legalistic idioms in their treatment of unrecognised states. Linguistically he finds hypocrisy in many of the epithets attached to unrecognised states: all states are after all “self-proclaimed”, and most states are also states de facto, as well as de jure. Legalistically, Iskandaryan highlights the invisibility of unrecognised states, effectively rendered unseen by their treatment as “temporary technical errors within the system of international law” – but over time, he warns, the accumulation of exceptions may render legal frameworks meaningless. Invisibility, in Iskandaryan’s view, comes down to ambiguities in the nature of *recognition*, not the entities in question, which may possess all the parameters of statehood except recognition. Like statehood itself, Iskandaryan argues that recognition is a contingent, variable and contextual phenomenon – and a much more recent one. He suggests that non-recognition may be seen as

a phase that many long-established states have passed through, and hence “an unrecognised state is just a state”. Even if the process of new state formation challenges and disrupts the predominant narratives governing international law and international relations, Iskandaryan reminds us that this has almost always been true of the emergence of new states.

Markedonov views the existence of de facto states as evidence of the as yet incomplete process of national self-determination following the collapse of the Soviet Union. Moreover, in the context of “a deep political, juridical and axiological crisis” in the international community, he concludes that the absence of consensus on a new world order will inevitably be reflected in an absence of consensus on what de facto states are, what international law can or should say about them, and ultimately in the continued duality of jurisdictions – de jure and de facto – over the same territory for a long time to come. Recognition may eventually catch up with empirical realities, he argues, yet in the absence of clear legal criteria it remains more a function of *Realpolitik* than the unambiguous confirmation of any external reality. Markedonov offers a typology of de facto formations, including self-proclaimed republics, de facto states and partially recognised states, and suggests, ominously for the de jure states in the region, that until all borders are recognised as legitimate, “it is impossible to speak about the sustainability of post-Soviet countries, their real independence, and the transition to democracy.”

In her contribution Galina Yemelianova provides a survey of the epistemology of de facto statehood in the post-Soviet space in Western social sciences. She charts the analytical tensions inherent in the migration of de facto states over the last decade from the margins of field-based area studies towards the centre ground of Western political science, and provides an overview of the conflicts and nascent nation- and state-building processes in each individual entity, including “aspirant” entities in eastern Ukraine. Yemelianova identifies a number of epistemological costs that seem to have been incurred in this movement: the displacement of grounded case studies by mono-theoretical “grand theories”, the supplanting of inductive research based on primary sources by deductive research based on secondary sources, and the encroachment of (geo-)politically situated policy analysis on self-consciously reflexive scholarship. Yemelianova’s analysis underlines the centrality of de facto states as prisms through which analysis is mustered around familiar Cold War stereotypes and away from an inevitably messier, yet more critical, engagements

with local realities. She argues that two factors contribute to reductionism: the suffusion of some Western academic funding bodies with a neo-liberal research agenda aimed at propagating Western values in the former Soviet space, and the limited nature of fieldwork that is actually carried out by prominent analysts in this area. In conclusion, Yemelianova warns that Western scholarship on de facto states appears vulnerable to reproducing, rather than deconstructing, vying geopolitical discourses.

## REPRESENTATION IN DE FACTO STATES

One of the defining features of the literature about unrecognised entities in the post-Soviet space over the last 20 years is the gradual emergence of a more three-dimensional understanding of their internal politics moving beyond “puppet regime” stereotypes. The potential for an autonomous politics of contestation in such small and supposedly dependent societies has been an enduring source of surprise, driving a research tradition focusing on the relationship between non-recognition and democratization (Casperson 2011, Kolstø and Blakkisrud 2012, Ó Beacháin 2012). In ways that are indeed comparable to the region’s de jure states, unrecognised states have exhibited a bifurcation between a procedural-performative democratization and a more unpredictable power brokering in the aftermath of elections. Studies of electoral processes in these territories allowing a more rigorous comparison of de jure and de facto contestation are nonetheless few on the ground. The case studies here by Donnacha Ó Beacháin and by Karolina Ó Beacháin Stefańczak and Eileen Connolly address this deficit, by providing an analysis of presidential and parliamentary contests in Abkhazia and Nagorny Karabakh and a study of gender representation in Abkhazia respectively.

While noting that elections in de facto entities have been far from predictable outcomes of patron-state domination, Ó Beacháin finds a mixed record. On the one hand he finds that elections in Abkhazia and NK are not free of the influence of higher political goals central to the secessionist project in each case. In both territories electoral processes are founded on exclusion through the forced displacement of communities of the same ethnicity as the central state authority. In Abkhazia, which still has a Georgian population in its

southernmost Gal/i district, he emphasises the centrality of electoral processes to nation-building and an ethnocratic ethos structured to attain and preserve ethnic Abkhaz interests. In Nagorny Karabakh Ó Beacháin tracks efforts to support the entity's democratic image, especially in the iconic Freedom House index, through the fielding of official "also-ran" presidential candidacies with neither intention nor hope of really challenging incumbents. Yet within the parameters set by these political goals, Ó Beacháin finds a degree of contestation that lifts de facto elections out of pure stage management. Competition between ethnic Abkhaz constituencies is fierce and genuine, while the capacity of the Karabakh Armenian electorate to deliver a powerful message through a 31.5% vote for oppositional candidate Vitaly Balasanyan in 2012 shook up a stagnating political scene in NK and appears to have set the stage for a more inclusive National Assembly to be elected in 2015.

Karolina Ó Beacháin Stefańczak and Eileen Connolly address the reasons for the low and declining percentage of women in Abkhazia's National Assembly. This has led to a situation whereby as a result of the 2012 election only 2.8% of Abkhazia's parliamentary deputies were women; if Abkhazia were a widely recognised state, it would rank a disappointing 178<sup>th</sup> out of 186 countries in terms of the parliamentary representation of women. Non-recognition and the consequent withholding of international support to the advancement of women is only part of the story, however. Ó Beacháin Stefańczak and Connolly argue that a heavily presidential system, a majoritarian electoral set-up discouraging party formation, weak political parties unable to challenge embedded patriarchal norms, and a wider post-Soviet ambivalence towards the discourse and practice of gender emancipation have all inhibited the advancement of women in Abkhazian politics. This analysis highlights the need for engagement with local realities, social norms and political choices as the real locus of causality, rather than the ritually cited impacts of non-recognition.

## **RESOURCING DE FACTO STATES**

One aspect of de facto statehood that has remained consistently under-researched is political economy; the contributions here by Laurence Broers and Giulia Prelz Oltramonti address this lacuna. Acknowledging the limita-

tions of accounts rooted in criminalization, Broers offers a typology of de facto political economies drawn from the comparative literature on late, peripheral and post-colonial state-building. He contends that an excessively homogenous concept of the state (even if through the inverted idiom of negatives such as illegality and informality) continues to inform analyses of unrecognised states, which in fact show comparable degrees of variation in their political-economic structure to recognised states. Their resource profiles are shaped by variations in natural endowments, geographical location, the aspiration to separate sovereignty and their roles in the domestic politics of patron or kin-states. Even within the South Caucasus, from which he draws his examples, Broers finds contrasting models of political economy covering a spectrum from the parasitic modalities of Robert Jackson's African quasi-state (Jackson 1990), to the greater indigenous capabilities implied in Scott Pegg's original conception of the de facto state (Pegg 1998). Countering homogenizing, singular and linear narratives of de facto statehood, he finds that Eurasia's de facto jurisdictions exist within an emphatically ambiguous dynamic, shifting between symbolic sovereignty, economic subsidization, security protectorate and tenuous indigenous capability, and the ratios between these different elements vary significantly both case by case, and over time.

Drawing on extensive field interviews with Abkhazian and Georgian interlocutors, Giulia Prelz Oltramonti provides a field study of the evolving political economy of Abkhazia between 1993 and 2008. Her analysis challenges many of the popular structuring narratives emerging from Abkhazia's non-recognition, such as the extent of Abkhazia's isolation and the decisive effect of the Georgian embargo. While economic conditions in the war-afflicted territory were certainly severe, Prelz Oltramonti draws attention to the "re-dimensioning" of Abkhazia's post-socialist and post-war economy by de facto elites in ways that consolidated their power. Her account yields a number of insights. Firstly, through an interrogation of the discourse and realities of the blockade of Abkhazia, her account sees through the 'moral clarity' of sanctions to re-configure de facto elites as neither victims nor criminals, but as purposive agents, pursuing political power through the maximising of their influence and interests and distribution of economic resources. Secondly, Prelz Oltramonti demonstrates the counter-effectual impact of the trade restrictions and hardship of the 1990s, which instead of bringing Abkhazia to its knees "were exploited as a cementing element for the different ethnic groups" in the

territory. Thirdly, she highlights regional differentiation within Abkhazia and the specific circumstances of its southernmost Gal/i district. Although this is usually parsed in terms of ethnic differentiation, Prelz Oltramonti identifies both the economic opportunities and political challenges to the de facto elite in Sukhum/i of a porous borderland useful in times of hardship that has transformed over time into an under-developed periphery and major long-term fault-line in Abkhazian state-building.

## ENGAGING DE FACTO STATES

Perhaps the most salient conundrum that de facto states present to the outside world is what to do about them (Lynch 2004). Western actors have passed through stages of optimistic neglect in the 1990s, where hopes centred on the imminent demise of de facto states, to a more benign neglect by the mid-2000s shaped by comforting notions of “frozen conflict”. The appeal of doing nothing was relatively short-lived, however, as developments in South Ossetia in 2008 showed that it was precisely the scenario considered most soluble that proved the most vulnerable to manipulation. Nino Kereselidze in her contribution examines the engagement strategies post-2008 of the European Union (EU), Russia and Georgia towards Abkhazia. She finds that as the EU and Georgia have struggled to formulate an effective strategy for engaging Abkhazia, Russia has actively embraced the territory to become its gatekeeper for the outside world. Kereselidze acknowledges the difficulties for Tbilisi in developing a viable strategy of engagement consistent with the goal of preserving Georgian territorial integrity. Nonetheless, she presents evidence of critical learning within the Georgian policy establishment that has aimed to rectify prior under-estimations of nascent nation- and state-building processes in Abkhazia. She finds less evidence of change in the EU’s approach, however, and argues that the EU’s “engagement without recognition” policy, announced in 2009, has remained a glass half-empty, without tangible content so far as its engagement component is concerned. Observing that “the EU, as a third party, could allow itself more flexibility in its engagement”, Kereselidze advocates for more flexibility and creativity among European actors in order to counter Russia’s overwhelming and already deeply entrenched influence in Abkhazia.

Iulia Kirnitki's contribution looks at Transnistria as a case study of the emergence and development of a de facto state, which seceded from Moldova when the Soviet Union disintegrated. She reviews the conflict management efforts surrounding Transnistria unfolding within the framework of Moldova's uncertain path towards European integration. Kirnitki looks at the EU's options and constraints with regard to conflict resolution efforts, and the potential for the mechanisms through which Moldova has become associated with the EU, such as participation in the Deep and Comprehensive Free Trade Area (DCFTA) agreement. She highlights the important circumstance that the EU has become the main trade and economic partner of both parties in conflict, Moldova and Transnistria. Rather than Chisinau-Tiraspol integration, however, she argues that, however slowly, Moldova is steadily moving away from its Soviet past – and leaving Transnistria behind with it. This underscores the fact that economic and social integration processes are insufficient, and prospects for resolution must also take into consideration geopolitical factors, such as Russia's political and military presence in Transnistria.

## **WHITHER UNRECOGNISED POLITICS?**

As Hugh Roberts once wrote of trying to make sense of Algerian politics, “information is invaluable but perspective is priceless” (Roberts 2003, 25). The same can be said of trying to make sense of Eurasia’s de facto states. If there is an underlying thread linking these articles together it is that the neglect of local knowledge about de facto states, or indeed the wilful mis-recognition of developments within them, is enacted at the observer’s own risk. Temptations to buy into the tabloid geopolitics of de facto states are strong, perhaps especially so for those traumatized by their violent emergence in the 1990s and who continue to be excluded – whether from a de facto state in which they were born, or from international politics because they live in a de facto state. Stereotypes can also easily become the default option of those unable, for professional reasons or for fear of political sanction, to travel to de facto spaces.

Given the crisis of the post-Yalta international system and what can be referred to as ‘traditional’ international law, where de facto states are concerned it is essential to look at the interplay between the international legal environ-

ment and actual political practices. One of the classics of political science, Raymond Aron, pointed out that the subjects of law are states, whereas “major historical events, those by which the states are born and die, are external to the juridical order” (Aron 2003, 108). However, major historical events have also been known to bring about changes in the world order, including the legal framework governing this order. This may mean that major new global developments can cause new de facto states to emerge, or for existing entities of this kind to definitively change their status by becoming recognised states or part of another recognised state, or by various means to be restored to their pre-secession condition, albeit potentially on re-negotiated terms, within the state from which they have seceded.

While the political imperatives in de jure and de facto capitals to reproduce stereotypes of either teetering failed states or vibrant self-determining ones respectively are clear, as these articles show, the realities are both more varied and less convenient. But if it is axiomatic among policy circles to pronounce these situations to be “unsustainable”, sustainable is precisely what they have been. Can acceptance of the premise of sustainability open up a more diverse and effective set of policy tools vis-à-vis de facto states, precisely in order to shape their evident sustainability in ways leading to their transformation? It would appear that the alternative – the continuation of both the isolation of de facto states and the currency of strongman politics within them, all justified by feats of geopolitical escapism – prolongs the avoidance of a forward-looking politics. In the meantime, it behoves scholarship to pick its way carefully between the caricatures of de facto states and acknowledge the complexity of these enduringly controversial phenomena.

## NOTES

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1 In Caspersen and Stansfield’s 2011 survey, post-Soviet cases accounted for five entities in a wider population of 21 unrecognised states since 1945 (Caspersen and Stansfield 2011, 4). In Adrian Florea’s *De Facto States* dataset, using wider definitional criteria allowing for the inclusion of Gagauzia and Achara, post-Soviet cases accounted for seven cases from a total set of 34 between 1945 and 2011 (Florea 2014, 793).

2 *Caucasus Survey* can be explored at <http://www.tandfonline.com/loi/rcau20#Vf1qD84bZel>

3 An exception is reference to “statelets”, which nonetheless implies a reduction in scale and not essence.

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# IN QUEST OF THE STATE IN UNRECOGNISED STATES

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*By Alexander Iskandaryan*

## INTRODUCTION

Unrecognised and partially recognised states are a controversial topic in public policy, as well as academic, discourses. A vivid and recent illustration is Cyprus' accession to the European Union (EU), a move that many believe to be contrary to the EU accession rules as long as another part of Cyprus, the Turkish Republic of Northern Cyprus, remains unrecognised (or, to be more precise, partially recognised as only Turkey has recognised it).

While the reasons for calling a state “unrecognised” or “partially recognised” are political rather than scholarly, the phenomenon is certainly common across the globe. Despite being widespread, however, the invention or elaboration of a new approach to unrecognised states has so far evaded social and political scientists and they remain reliant on the terminology of politics and propaganda. Given that the range and variation among entities typically referred to as “unrecognised states” in the news headlines is similar to that among recognised states, the first thing a political scientist asks themselves is whether there is a way to apply this (or perhaps another, more accurate) phrase in a consistent fashion. In other words, can one offer a scientifically sound definition of an “unrecognised state”, and if one can, which currently existing and already extinct countries match this definition?

Apart from being a fascinating phenomenon *per se*, with manifold implications for political science, the study of unrecognised entities has scholarly merit because it entails an effort to deepen our understanding of one of the most elementary and defining questions driving the discipline: what it means to be a “state”. It calls for new insights into the nature and origins of statehood, including a contemporary and a historical perspective. What makes a “state”?

How does an entity become a state or cease to be one? Which criteria apply and what are the sources of their legitimacy? The very existence of unrecognised states on the modern political map opens up a whole new avenue to the review of these classical questions.

Needless to say, there are reasons why the concept of an unrecognised state remains without an academic definition. Some of these reasons have to do with the nature of academic research, and some with the external environment in which scholars operate. Amongst the latter is the fact that as a rule, science and academia develop in recognised, well-established nations. Most of what are known as unrecognised or partially recognised states have limited research capacity. Even if there is a university on their territory (often the legacy of a prior imperial presence or an extinct political system), it usually has few or no international-class scholars, and cannot sustain a lively academic community or the healthy circulation of people and ideas needed for science to thrive. In most cases, it is also short of funds. A scholar based in an unrecognised state is usually affiliated with a university or think tank that is in its turn unrecognised by the international academic community. Moreover, it will be the norm in an unrecognised state to politicise everything that has to do with its international status; rather than research the situation, a scholar will be expected to advocate in favour of their home country. Should they fail to do so, they risk losing their jobs or the funding sources for their think tanks, and may well find themselves in the centre of a media smear campaign.

In the patron states of unrecognised states, scholarship on this topic may be slightly less biased than in the unrecognised states themselves, and the need for legitimisation does not prevail. However, much depends on the factor of ethnicity. For example, Russian scholarship on Abkhazia and South Ossetia can often be critical; conversely, it is much harder to find detached studies on Nagorno Karabakh in Armenia or on Northern Cyprus in Turkey. Armenian and Turkish societies perceive the people living in these unrecognised states as members of their ethnic group and include them into their ethnic narratives, which encompass statehood as part of the ethnic project. This leads to greater public pressure on scholars and research bodies to structure their work around these narratives.

What is no less important is that domestic discourses – professional as well as public - in unrecognised states are overwhelmingly introspective, focused upon themselves to the extent that they ignore everything except the specific

issues faced by the state or the specific empirical phenomena involved. For example, in the unrecognised or partially recognised states of the South Caucasus, one may find some mention of unrecognised states in other parts of the world, such as Eastern Timor or South Sudan. However, such mention will be made in a legalistic or political context entirely for the sake of advocacy, usually as an argument in favour of the recognition of unrecognised entities, and will therefore have no analytical merit. There is a clear lack of academic curiosity towards similar cases in other regions. Even when discussed, they are perceived as something remote and schematic, and most people who refer to them have no real knowledge of their context and little incentive to learn more.

In recognised states, we frequently observe that unrecognised states are perceived in a negative light as something less than states, which are illegitimate and often denied the right to exist. It is unusual for unrecognised states to be acknowledged as part of a political reality. One of the reasons is that they challenge the stability of the world order: they are exceptions to international law that are best ignored, so that their aberrational nature does not dent international-legal reality. In many internationally recognised states, it is considered politically incorrect to use the phrase “unrecognised state”, because this might imply that these are, in fact, states, except that a certain authority or authorities fail to recognise this fact. To avoid this connotation, the word “state” is replaced with entity, territory or formation, and “unrecognised”, with self-proclaimed, de facto, secessionist or separatist. Instead of clarity, these euphemistic phrases create more confusion. It should first be pointed out that most de jure states are also de facto states.<sup>1</sup> Most countries on the world map are also self-proclaimed, having been established by the will of the people living there, or their leaders, not by an external power. Almost every state that now exists came to be as a result of seceding, or separating from another state at some point in history, which makes them all secessionist and separatist. Equally, the term ‘de facto state’ carries a connotation of indigenous capability, which is not always true of all unrecognised states (Pegg 1998). Terminological confusion attests to the lack of theoretical elaboration of “unrecognised states” or “partially recognised states”. Apart from a few good papers, little has been written on the topic, and only a handful of scholars work in the field (Lynch 2006, Caspersen and Stansfield 2011, Markedonov 2012). It is still too early to speak of a sound scholarly approach to the issue, or a consistent paradigm in which it can be placed.

## WHEN IS A STATE A STATE?

No doubt the complexity of the subject matter is the main reason why scholarship is a little behind the times here. The emergence of unrecognised states needs to be viewed within a wider context of the emergence of states in general – a theme of endless discussions between political scientists, philosophers and lawyers. The imperfections of international law and practice are illustrated by the fact that the fates of unrecognised states can be so different, ranging from full international recognition for Eastern Timor and Southern Sudan, via the suspended status of Northern Cyprus or Abkhazia and to the complete extinction of the Chechen Republic of Ichkeria and the Republic of Serbian Krajina. The international community has so far failed to elaborate a consistent approach to the results of civil wars. It has acknowledged and recognised the outcome of the civil war in China, and so the communist government of the People's Republic of China became the legitimate leadership of the Chinese nation, whereas, for example, the Taliban government of Afghanistan was liquidated by means of a military intervention. There is an apparent political logic to the decision to recognise communists in China but not the Taliban; there is, however, no legal logic to it.

China is a particularly vivid example of how this works. Mainland China, or the People's Republic of China, remained an unrecognised state until 1971, and a representative of Taiwan, officially called “the Republic of China”, held China's place in the United Nations (UN). In 1971, the situation was reversed by the UN General Assembly Resolution 2758 entitled “Restoration of the lawful rights of the People's Republic of China in the United Nations.” The new resolution recognised the People's Republic of China as “the only legitimate representative of China to the United Nations” and expelled the representative of Taiwan from the place “which they unlawfully occupy at the United Nations”. It was now Taiwan's turn to become an unrecognised (or, in this case, partially recognised) state, whereas the People's Republic of China was given back the “lawful rights” that had never belonged to it in the first place.<sup>2</sup>

Another fairly recent precedent was de-colonisation, the controlled process of the disintegration of particular colonial states and of the entire colonial system. Some states were set up from scratch. Some randomly drawn administrative borders became the borders of the newly established states on the basis of

the *uti possidetis* principle. Political power was transferred to representatives of the ethnically diverse populations of the lands from which colonialists were withdrawing. It would take decades for the populations and groups to become nations, a process which is ongoing to this day. An attempt to revise the results of decolonisation, regardless of how unfair or unwise it may have been, would spell destruction for the entire contemporary system of international law. A key result of decolonisation is that for many decades, there has existed a whole range of states that possess only one of the classical attributes of a nation: international recognition (Jackson 1990). The legitimacy of the states established at that time was entirely based on their recognition by their former parent states. Today's unrecognised states, many of which were formed at the end of the twentieth century as a result of the disintegration of the countries of the former Warsaw Pact, have exactly the opposite problem: they lack the recognition of the former parent states.

Clearly there is an issue of definitions that we are facing when trying to understand unrecognised states. What is a state and what does it mean to be recognised? There are working definitions of a state that fit this context, the Weberian notion that the sovereignty of a state is defined by its right to exercise power and its monopoly on coercion within a certain territory. Projected into the realm of international politics, this means that it is up to a state to decide how to relate to other states, which unions and international alliances to join, and which commitments to make. Of course, in reality the sovereignty of a state is subject to a wide range of constraints, some of which are voluntary and some are not; they range from external economic sanctions to military interventions on the territory of a state. However, in terms of international law, at least in theory, any intervention into the domestic affairs of a state can only be permissible when justified by very special circumstances. The same does not apply to unrecognised states. They cannot appeal to international bodies or to other countries for support, simply because they are not recognised as states. On paper, unrecognised states do not exist at all and are treated as temporary technical errors within the system of international law. The case of partially recognised states is different and more complex; having been recognised by at least some actors, they can interact with them but that still does not put them on a par with the rest of the world, which is mostly composed of recognised states.

In practical terms, an unrecognised state is one that has some (sometimes many or even most) attributes of a regular state, for example its territory, has

a political system in place that may include power branches, a legal system, an army, symbols of statehood and sovereignty (a national anthem, coat of arms and flag), provision of services to a stable population, borders, and so on, but is not recognised by other countries. Indeed, an unrecognised state can have all the known parameters of statehood *except* recognition.

There is, however, no legal definition of “recognition” – neither of the procedure nor of the actors involved. It is assumed that to be able to “recognise” another state, a state needs to be recognised itself, so that the mutual recognition of unrecognised states has no legal force or meaning.<sup>3</sup> To be considered “recognised”, a state must be recognised by a state that, in its turn, is recognised by a recognised state, and so on and so forth. International law does not tell us how long this chain needs to be, or how many states need to recognise an entity in order that it can qualify as a recognised state (Crawford 2007). For example, over 100 states have already recognised Kosovo, and yet its legal status remains the same as that of any other partially recognised state, simply because there is no “recognition threshold” for states in international law or in the practice of the international community. Apparently, partially recognised states are those that are not members of the UN but have been recognised by some of the UN member states. Again, there is the example of Western Sahara, a state recognised by over 60 UN member states, and the partially recognised state of South Ossetia. For a country like this, participation in international relations is restricted to the states that have recognised them – whether one or two, as is the case of Abkhazia and South Ossetia, or dozens, as is the case of Kosovo, Western Sahara and Taiwan.

There are also illustrations to the contrary, when a recognised state is in fact not recognised by some recognised states. Israel thus remains unrecognised by the majority of Arab states. There are even individual anomalies, for example Pakistan does not recognise Armenia.<sup>4</sup> However, both Israel and Armenia are regular recognised states and members of the UN.

Based on the above, membership in the UN sounds like a good criterion, but again, it is not fully consistent. Up to the year 2000, neither the Vatican nor Switzerland were UN members; both had observer status in the UN, but no one ever called the Vatican or Switzerland “unrecognised” or “partially recognised” states. In legal terms, the UN does not have the authority to recognise or not recognise a state. It is the sovereign states with membership in the UN that have the right to decide.<sup>5</sup> A country becomes a member of the

UN by the decision of the General Assembly on the recommendation of the Security Council, which requires the consent of nine out of 15 members of the Security Council. Any of the five permanent members of the Security Council can veto the admission of a state to the UN.

However, while non-members of the UN can still be considered recognised states, membership in the UN usually paves the way to recognition. Once a state becomes a member of the UN, its position in international affairs improves, it can interact with other UN states, enter alliances, and so forth, even though it may still have issues with a particular state or states. But recognition is spatially variable even in relation to sovereign states that recognise each other. Even in the case of states that have UN membership, their sovereignty over a certain territory can be recognised to various extents, depending on the particular situation on the ground. A state may recognise another state, while laying claim to part of that fully recognised state's territory or may consider part of that territory occupied land, or a separatist entity as is the case with unrecognised or partially recognised states. Recognition may apply therefore to only part of the territory claimed by the state being recognised: for example, the USA did not recognise the USSR's sovereignty over the Baltic States. Contemporary Russia recognises Georgia but without Abkhazia and Southern Ossetia. Japan recognises Russia but does not recognise its right to the Kuril Islands. Such examples are extremely numerous.

If we look a little deeper into history, we can observe that many of today's fully recognised states went through a stage of non-recognition. The USA after 1776, French Revolution-era France, and the Dutch Republic between 1581 and 1648, were all unrecognised states. In most cases, these states were established by means of secession from an empire or 'parent state'. They made a declaration of independence, or passed a law establishing their independence, which the parent state refused to recognise. With the exception of cases in which an empire disintegrated overnight and all the new states became sovereign at the same time, it usually took some time before the parent state recognised the sovereignty of the secessionist state. Sometimes it took a very long time.

Advocates of the recognition of today's unrecognised states often cite the above examples as precedents. In the context of international law, the historical examples are in fact not relevant, because until the twentieth century there were no international organisations such as the UN, and therefore no

criteria of recognition except for recognition by other contemporary states. Since there was no overarching authority that could acknowledge the recognition, every state that existed prior to the twentieth century can be considered, in modern terms, to have been only partially recognised. It would be more correct to say that the phenomenon of international recognition versus non-recognition is a modern one, dating back to the twentieth century but not before. Of course, in a wider sense, mutual recognition of states existed on a large scale at least since the mid-seventeenth century Peace of Westphalia.

Recognition/non-recognition in the modern sense is thus a little over a hundred years old, but still undefined in legal terms. There is no legal definition of an internationally recognised state. What does exist is a political consensus between the key players in international politics (which are only key players because other players recognise them as such). The political consensus mechanism is so powerful that it can give recognition to a state that does not really exist, like Somalia, or persistently fail to recognise a state that has existed for many decades and been very successful, like Taiwan. Transitory forms and situations range from the Turkish Republic of the Northern Cyprus to Kosovo and are so numerous and varied that in very many cases it is not even clear how to categorize a particular entity.

While remaining in a legal grey area, the genesis of states is very clear in political terms. Obviously, throughout history, new states sprang up against the will of parent states, which would refuse to recognise the new states, sometimes for a long time, and continued laying claims to the territories they no longer controlled. With the establishment of a more or less formalised international community, a situation of this kind would lead to the emergence of an unrecognised or partially recognised state. On the ground, the genesis of new states has not changed; it is international law that has. For instance, in the seventeenth century, Ethiopia would hardly have cared whether or not China recognised its sovereignty. It is easy to imagine that Ethiopian elites of the time had no idea that China even existed. Nowadays China is a permanent member of the UN Security Council, and its consent is critical for the recognition of a state. Membership in the UN will have direct consequences for the international interactions of a state; we can thus say there is nothing really new about non-recognised states, it is the UN which is new to the scene.

## **DISINTEGRATING EMPIRES: THE CASE OF THE SOVIET UNION**

In the early 1990s, a number of new states emerged as a result of the disintegration of the USSR and Yugoslavia. Both entities fell apart due to the crumbling of the political foundations of what was known as the Yalta System, which had been established for a particular purpose in a particular situation: to sustain balance and prevent a new war in bi-polar Europe after World War II: (WWII) (Iskandaryan 1997). In 1945 in Potsdam, member states of the anti-Germany coalition agreed on the post-war division of Europe into spheres of influence. For Europe to survive under the new conditions, a new set of rules was necessary. Of these, the key rule was the one that prescribed the non-violability of post-war borders. To sustain the military strategic equilibrium, it was essential to thwart any attempt at revision of the post-war borders. A change of borders, even minor, could lead to dramatic consequences, which no one was willing to risk after the two world wars. The documents of the Helsinki Conference on Security and Cooperation in Europe (CSCE) established the military, strategic and political parity in the European continent and the inviolability of European borders. The parity was secured by the juxtaposition of two military blocs: the NATO and the Warsaw Treaty Organisation (WTO).

Once the WTO ceased to exist in the late 1980s – early 1990s, the post-WWII security system lost its balance and began crumbling; the CSCE mechanism could no longer work in the absence of military or political equilibrium. One of the structural changes that followed, which has direct relevance to the topic of this article, is that the Western world could no longer view the Eastern bloc as if it were something whole and indivisible. Over four decades had passed after WWII but the international community had never perceived Yugoslavia or the USSR as genuinely federal states. Their internal borders, that is the ones between their constituent republics, had never been part of international affairs. But now, the West suddenly had a multitude of states to deal with in eastern and southern Europe. Moreover, the USSR and Yugoslavia immediately began to disintegrate. Suddenly, the West had to relate not only to relatively separate and well-defined states such as Bulgaria and Poland, but also to Bosnia, Kazakhstan and Lithuania as separate entities. To do this, it was essential to include them into the international security system.

The problem with the international security system was that it was intended to work for fully formed states with set borders. The system had some issues, exemplified by the Basque, Corsican and Ulster problems, but overall, it worked well in twentieth-century Western Europe. However, the realm of the former Warsaw Treaty turned out to be quite different; in political terms, it was similar to Western Europe between the seventeenth and the nineteenth centuries, when Europe's nation-states were just emerging. The nascent nation-states, or proto-states of post-communist Europe were poorly suited to the security system of the time. Their borders were far from set, and, typically for a time of active nation-building, interethnic and ethno-political conflicts broke out across the former Soviet bloc.

The absence of democratic traditions made it difficult for communities to resolve mutual problems in a peaceful and consensus-based manner; some of the tensions led to violence. Long-term conservation of interethnic tensions under communist rule gave additional impetus to the violent outbreaks. Worse still, communist governments had not just put a lid on demands for minority rights, and often stifled the cultures and languages of all but the ethnic group they proclaimed dominant in every region (what they called the "titular nation"). Even if Soviet borders were much less random vis-à-vis ethnic populations than in Africa, for example, Soviet rule exacerbated some pre-existing problems and created new ones through its drawing of borders, the creation of interethnic hierarchies and the exile of entire ethnic groups (Slezkin 1994, Martin 2001). Given all the facts, it can be surmised that the emergence of unrecognised states in the post-communist realm was a natural consequence of the course that nation-building took under the communists.

Soviet nationbuilding is a classical illustration of a political process that got out of hand and unfolded in exactly those ways that its authors and supporters wished to avoid at any cost (Suny 1993). It is also this process that resulted, decades later, in the emergence of several of today's unrecognised states. The Russian Empire disintegrated overnight; in 1917-1918, its whole territory was already covered in proto-states, some of which would quickly disappear, such as the LitBel confederation of Lithuania and Belorussia, or the Unified State of Mongolia, and some would survive for a few years, such as Armenia or Ukraine, albeit in a state of war, until being annexed by the nascent USSR in the 1920s. What is known in Soviet history as the 1918-1922 Civil War was – and still is – perceived as a war between social groups, whereas in

reality, it was also, and arguably to an even greater extent, a war between ethnic groups, nascent nations, proto-nations, and a variety of other groups brought together by religion, language, culture or a combination thereof.

The political project of the White Army, that of a “unified and indivisible Russia”, in fact stimulated Russia’s disintegration by provoking the hostility of the non-Russian ethnic groups and their elites. In contrast, the Bolsheviks proclaimed the right of ethnic groups to all kinds of freedoms, including “self-determination all the way to secession”, but in reality, at least in the first years of their reign, their ultimate goal was a world revolution that would transcend national borders; as a result, their project served to restore and preserve the empire. The USSR ended up as a continuation of the Russian Empire, albeit quite original in form and ideology; the imperialistic component was later perpetuated under Stalin by means of a whole range of symbols, such as military insignia or the cult of Russian historical characters as “national heroes” for the entire Soviet ‘nation’.

Another empire that disintegrated at the same time, the Ottoman Empire, was unable to reproduce itself because the foundation of the new post-Ottoman project was nationalist, not social. The new Turkish state was led by Kemalists, a group similar to the Bolsheviks in many respects, including in the social and cultural domains, but with a strong nationalist component. It was the Kemalists’ nationalism that obliterated the Ottoman project by aiming to transform Turkey into a country populated by Turkish ethnic groups. This involved murdering, exiling or assimilating the Ottoman Empire’s numerous ethnic minorities; if it had not been for the Kurdish issue, Turkey would have become a nation-state as a result.<sup>6</sup>

Had the White Army’s nationalist project triumphed, Russia would have turned out like Turkey, a country populated by ethnic Russians. However, the Bolsheviks won, and tried to take over as much of the former Russian Empire as they could, and even spilled out of its borders, with ambitions to include more lands. The ethnic elites on the Russian Empire’s territory were too weak to organise effective resistance to the Red Army, and in just a few years, the empire was back in a new format.

Pre-Soviet nation-building in the Russian Empire also happened albeit at varying speeds for different groups. The Russian Empire was probably the most heterogeneous of the continental empires; neither Austro-Hungary nor Ottoman Turkey had the same extent of ethnic diversity. Maritime empires,

such as the British and the French, did, but in contrast to territorial empires, they had no need to establish a single political entity over their entire territory. For the Russian/Soviet Empire during and after the Civil War, the only method of controlling its entire heterogeneous territory was federalization, at least on a formal level and at least in the beginning, before new imperialist forms and technologies of rule were fully set.

The establishment of the USSR is rather well described by historians and political scientists, in all the complexity of the drawing of its external and internal borders, the building of hierarchies between territories and ethnic groups, the merging of some ethnic groups and the cutting up of others into sub-groups (Carr 1950-1978, Motyl 2001). Analysed in detail, every particular instance of the establishment of an administrative division, the drawing of its borders and its placement within the hierarchy is always fascinating, sometimes surreal (e.g. in the case of the Karelian-Finnish and Jewish autonomies), and invariably characterised by a parameter that has relevance to the topic of this article: Soviet territorial administration was based on ethno-cultural principles.

In the first decade and a half of its existence, the USSR was an “affirmative action” empire (Martin 2001) with respect to the ethnic groups that it singled out as its “titular nations”; this policy had weakened by the 1930s, but the overall approach remained. By the time it finally fell apart, the USSR, contrary to the goals set by its creators, succeeded in transforming a number of ethnic groups on its territory into modern political proto-nations. This transformation continued throughout the existence of the USSR and is still unfolding in the independent post-Soviet states.

In the Russian Empire, territorial administration sometimes relied on ethnic divisions and sometimes did not; there was the Great Princedom of Finland but most territories were larger, including territories populated by several or many ethnic groups, such as the Emirate of Bukhara (later broken up between Soviet Uzbekistan, Tajikistan and Turkmenistan). Ethnic division became the Soviet norm and the universal criterion; the entire country was cut up into quasi-ethnic domains. The actual administration, meanwhile, was highly centralised and implemented via Communist Party bodies, which had very little connection to the administrative divisions. However, the political maps were effective in producing the mental maps of people living in the USSR. The ethnic identities of the groups included in the hierarchy – the “titular nations” of the administrative divisions – were reinforced and in some instances built from scratch. Their

languages were codified; grammars, schoolbooks, fiction and non-fiction were produced in these languages, including translations of Russian and European classics. A system of cultural standards was in place, based on the administrative status of a territory. For example, every autonomous republic (the second highest level in the hierarchy) had a drama theatre and a pedagogical institute, whereas a union republic (the top level in the hierarchy) would also get an Academy of Science, university and opera theatre, and so on.

The very term “titular nation” is illustrative: this was not necessarily the majority ethnic group in a territorial division, but the one after which the division was named. The “titular nation” was, in fact, the official owner of the domain, with access to all the privileges that this entailed. As a result, some ethnic groups were more fortunate than others, because their administrative unit was superior; the least fortunate did not become a titular nation in any division, like the Lezgians or the Greeks (of which there were quite a few). The Volga German Autonomous Soviet Socialist Republic was set up in 1918 within the Russian Federation but disbanded in August 1941 after Germany’s invasion of the USSR. A randomised and illogical process, the division of the USSR into ethnic domains created the preconditions for nation-building. In some instances, the Soviet administration even invented new ethnic identities and gave them new names (e.g. the Tajiks and the Moldovans).

It was only logical that the Soviet nations gradually produced elites and nationalistic ideologies, including those of national self-determination. By the 1960s, after Stalin’s death, when the Soviet regime became less restrictive, the first political institutions of the local nationalisms began to emerge. Some of these were subversive dissident groups, and some were less politicised intellectual clubs. What may be more important, nationalism was growing amongst the *priviligentsia* (those members of the educated classes that were loyal to the regime and enjoyed social and economic privileges in the USSR) and even amongst the Communist Party elites. But crucially for the topic of this article, there was no reason why the nation-building process would have to stop at the very top level, that of the union republics. Politicisation of ethnicity was a crosscutting factor that permeated the society, reaching to all the levels in the hierarchy: autonomous republics, autonomous oblasts (‘regions’) and autonomous districts. Regardless of their status, all units in the territorial hierarchy were named after ethnic groups and served as incubators of the corresponding group’s language, culture and identity.

When the USSR began disintegrating in the 1990s, nations were established within the borders of the territorial divisions of the USSR. With the sole exception of Transnistria, ethno-political conflicts broke out along the ethnicised lines on the mental map of the USSR. Today's unrecognised republics in Nagorny Karabakh, South Ossetia and Abkhazia were all autonomies of various levels within the Soviet administrative system. If we take Soviet Georgia as an example, we will see that the numbers of ethnic Armenians and Azerbaijanis that lived in Georgia during the USSR were larger than those of Abkhazians in Abkhazia or Ossetians in South Ossetia. And it is not that Armenians or Azerbaijanis in Georgia were strongly intermingled with other ethnic groups; on the contrary, they lived on particular territories where they formed the majority: the Armenians in Javakheti, Azerbaijanis in Kvemo Kartli. And neither is it the case that there have been no interethnic tensions or issues in Javakheti or Kvemo Kartli. However, those issues have led to nothing even remotely similar to the violent conflicts over Nagorny Karabakh, Ossetia and Abkhazia, because the Soviets had not established Javakheti or Kvemo Kartli as ethnic domains. These two areas had no autonomy, and as a result, when the USSR fell apart, there were no ethnic elites there and no nascent political projects (Cornell 2002).

When Moscow's power weakened, ethno-political projects within the ethno-political domains spiralled. The "affirmative action" of the 1920s and 1930s was radicalised in the 1990s, assuming forms that ranged from legal pressure against ethnic and cultural minorities, as it happened in Latvia and Estonia, to various methods of discrimination used throughout the former Soviet space, from the milder methods used in Kazakhstan (Dave 2007), forced population movements in Armenia, to the most extreme manifestations, such as massacres and deportations in Kyrgyzstan and Azerbaijan. Action against the "non-titular nations" was sometimes aimed at assimilation and sometimes at ethnic cleansing. The goals were the same all over the former USSR: the creation of political entities on ethnic foundations. With the partial exception of Russia, which had preserved the inertia of Soviet nation-building to a greater extent than the others, all the post-Soviet independent states used ethnic narratives, symbols and myths as the cornerstones of their nation-building projects. It did not matter if the majority of people living in the new state at the time of independence did not identify with the "titular nation". In all the new states, the percentage of people iden-

tifying with the titular nation has been growing since independence, because some minority representatives leave and some assimilate. The languages of the “titular nations” have become the state languages of the new states, supported from the budget and protected by state policies.<sup>7</sup> Across the former empire, the new states are still perceived as the ethnic domains of the ethnic group that gave its name to the country.

It is no surprise that the nation-building projects, based as they are on Soviet territorial policies, have not unfolded smoothly. Overlaps were built into the system. Given the “nesting doll” principle of Soviet administrative division, it was inevitable that two or more ethnic groups should claim the same territories as their own. What is surprising is that the conflicts were, in fact, so few, and that dozens of overlaps were handled peacefully. Where the conflicts did spring up, and reached a violent phase, the outcome was the establishment of zones controlled by the secessionist parties in conflict. It was those zones that ended up as unrecognised states.

Wars are efficient statebuilding tools, because they require recruiting and commanding an army, ensuring provisions and supplies, managing people and territories, inventing and propagating ideologies, and the like (King 2001). As a result of wars, the secessionist zones acquired power structures, hierarchies, national symbols and ideology. The quality of all these institutions varied across the post-Soviet realm, but they are in place wherever secessionists succeeded in winning wars and consolidating populations. Chechnya is a good example: it failed to centralise and consolidate during the first war, lost the second war, and failed to become an independent state (Furman 1999, Lieven 1998). However, even there, proto-nation-building is underway, with institutions and ideologies evolving despite the defeat and lack of independence.

Where the wars were won, unrecognised states have sprung up. Ossetia and Karabakh have become ethnically homogeneous territories as a result of population exchange. Abkhazia is an example of ethnocracy in a multi-ethnic state. Transnistria is still trying to set up a new type of identity. None of this is unique for unrecognised states: similar developments, from ethnocracy to ethnic cleansing, can be found in the internationally recognised states of the former USSR. Recognised or not, one characteristic that all these states have in common is the ethno-cultural foundation on which their state-building is based.

## CONCLUSION

In conclusion, an unrecognised state is just a state, at least in the former Soviet Union. It can be more or less successful, or mature, or sustainable. Its domestic legitimacy can vary. In terms of their origins, unrecognised states are the same as recognised states except that they happened to be second-level or third-level in the Soviet hierarchy of administrative divisions. When studying unrecognised states, scholars usually focus on what makes them different from recognised ones. What I have been trying to show here is that it is non-recognition that makes them different, nothing else. In all other respects, the study of unrecognised states is the study of states in general: the way they emerge, consolidate, develop and sometimes fail. When we research the emergence of unrecognised states, we are in fact researching the emergence of states regardless of whether they will be recognised by others at some point in time.

In the light of the above, non-recognition can be viewed as one of the stages in the development of a state. In the event that a parent state refuses to acknowledge the secession of a new state, non-recognition is the automatic outcome for the new state. In such a case, it is the circumstances and the parameters of the parent state and not those of the secessionist state that lead to non-recognition. It is more likely there will be something in common among the parent states involved, not among the unrecognised states. For the latter, non-recognition is no more than a stage of nation-building that they try to put behind them by political means. As a phenomenon, non-recognition stems from the development of international law and the narratives surrounding it, i.e. the principles that states adopt as the basis of international relations. The emergence and developments of the states, meanwhile, remains the way it has been for centuries. States emerge as a result of breaking up, sometimes with mutual consent and sometimes without. Because recognised countries have agreed to maintain the territorial integrity of states, this leads to a situation when some states that exist *de facto* are unrecognised, while some recognised states do not in fact exist by some or even most objective criteria of statehood.

Finally, the multitude of intermediate forms makes it impossible to draw a clear line between recognised and unrecognised states. In each particular case, the criteria for the recognition of a state are, firstly, contextual, and secondly, political rather than legal. In all likelihood, existing discrepancies between law and political reality will lead to the emergence of more and more “exceptions”

such as Kosovo, and sooner or later, to an evolution of the law in the direction of a contextually defined recognition procedure. Failing that, the accumulation of exceptions will make the legal framework meaningless. It is impossible to put a stop to the emergence of new states, but it is possible to elaborate criteria for their recognition. These criteria may need to be extremely complex; the main requirement is that they be practicable, so that their application does not provoke new tensions or bloodshed. As to the research paradigm, it needs to evolve from recognition versus non-recognition to statehood and state-building in a wider sense. The goal of political science, in particular, is to understand the reality, not the norm.

## NOTES

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1 There are, however, some *de jure* states which are not *states de facto*, according to some elementary criteria of statehood. This phenomenon has been explored in Robert Jackson's work on 'quasi-states' (Jackson 1990).

2 We need to bear in mind, though, that both parts of China recognise it as one state and firmly believe in a unified China, considering the current state of affairs a temporary problem. However, this does not prevent them from interacting with each other, despite the fact that they do not recognise each other's legitimacy.

3 There is a procedure for the mutual recognition of unrecognised states and even a Union of Unrecognised States, established in 1992 by the unrecognised states of the former USSR and Yugoslavia. Later, in 1995, following the signing of the Dayton Agreement, the dropout of the Republika Srpska from the Union and the disbandment of the Republic of Serbian Krajina as a result of the Croatian army offensive known as Operation Storm, there were no longer any former Yugoslavian states left in the Union. After a few years of decline, the Union was re-established in 2000 under a new name, the Commonwealth of Unrecognised States (CUS), exclusively comprised of post-Soviet entities: Abkhazia, Nagorny Karabakh, Transnistria and South Ossetia. The Commonwealth even set up a standing committee, called the CUS Committee of Foreign Affairs Ministers. Despite all these efforts, there are few signs this Commonwealth actually operates, and even if it does, its activity has no effect on the rest of the world.

4 The media cite solidarity with Azerbaijan as the reason but on the official level, there does not appear to be an explanation.

5 On UN Membership see the UN website. <http://www.un.org/en/members/about.shtml>

6 For an insightful modern publication on the topic, see Akcam (2004).

7 By contrast some countries in Asia and Africa have retained official status for the language of the former imperial metropole.

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# **DE FACTO STATEHOOD IN EURASIA: A POLITICAL AND SECURITY PHENOMENON**

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*By Sergey Markedonov*

## **INTRODUCTION**

In 1991 the Soviet Union dissolved, leading to the formation of 15 independent states. The Soviet successor states traversed difficult and varied paths toward establishing statehood and international legitimacy. Some of these newly independent states managed to transition from being former Soviet republics to becoming members of NATO and the European Union (i.e., the Baltic states), while others have faced considerable challenges and survived ethno-political conflicts as well as civil wars in some cases (Georgia, Tajikistan, Azerbaijan and Moldova). Ukraine, looking for many years like a “success story” of democratic transformation has been engaged in serious domestic confrontation, and has become of late a competitive arena between the geopolitical interests of neighboring Russia and the West (the United States, NATO and the European Union).

But new internationally recognised states are not the only result of the Soviet Union’s dissolution. Another major consequence was the appearance of new formations also declaring their sovereignty. Known variously as “unrecognised states”, “quasi/pseudo-states” or “breakaway republics”, they play a significant role in geopolitical rivalries, conflict resolution processes and post-Soviet nation-building development despite a lack of formal-juridical recognition. In this article, we use the academically and politically neutral term “de facto states” to describe them.

De facto statehood is not, however, a phenomenon or product exclusively associated with the Soviet (or, to include the former Yugoslavia, socialist) disintegrations. Entities emerging as a result of revolutions, various practices of national self-determination (which was post-factum called liberation), or

foreign policy games, but which did not gain broad or even limited recognition, had existed long before 1991. Even some European countries, such as France (after the French Revolution), the Netherlands, Switzerland, Belgium, and Ireland, were not recognised for some period of time in the past. The Russian Soviet Federative Socialist Republic and the USSR existed for some time without international recognition (for example, the United States recognised the “new realities in Eurasia” only in 1933). The People’s Republic of China had no representation in the United Nations from 1949 to 1971. China’s interests were represented by the Republic of China (Taiwan). The situation changed only after the United Nations (UN) General Assembly passed Resolution 2758 (“Restoration of the Lawful Rights of the People’s Republic of China in the United Nations”) on October 25, 1971.

Nevertheless, the Soviet Union’s disintegration produced an impressive list of entities that exist in reality but lack recognition by UN member countries. At present, there are six such entities: Abkhazia, South Ossetia, the Nagorno-Karabakh Republic, the Transnistrian Moldovan Republic and the two alleged People’s Republics of Donbass (in south-eastern Ukraine). Two of these, Abkhazia and South Ossetia, have received limited recognition by individual countries. These peculiar political entities could not be more different in their socio-economic features (from industrially developed Transnistria and Donbass to the former Soviet “touristic pearl” Abkhazia and agricultural South Ossetia), ethnic composition and political goals (from building a nation-state to realizing an irredentist project). But they share a lack of external recognition as a defining criterion, that is, despite controlling most of the territory they claim, having fought the “parent state” from which they try to secede into a stalemate, and varying degrees of legitimized political order, their sovereignty is denied by the international community or supported only by a minimal number of countries.

Understanding of the nature and characteristics of the unrecognised republics of the former Soviet Union is an urgent task for several reasons, both academic and applied. De facto states are the subject of many books and articles. However, initial research on these entities focused primarily on the realm of ethno-political conflicts and the roots of secessionism (Kolsto and Malgin 1998; Menon 1998; Pegg 1998; Cornell 2002; Lynch 2004). According to political analyst Laurence Broers, Western scholars for many years viewed the situations in these formations as a function of the ethno-political conflicts of the

early 1990s. As a result, “the region’s de facto states have rarely been looked at through the same approaches of transition and democratization applied to the region’s de jure states. Instead of being seen as political environments in their own right, de facto states tend to be seen only in the context of their interactions with external actors and peace processes” (Broers 2005, 68). Some other papers (Kupchan 2005) paid more attention to de facto states as a factor in geopolitical rivalries between Russia and the West. De facto statehood as a phenomenon is also identified with radicalism, the dictatorship of warlords, anarchism destroying the regional and international order (Tamás 1996; Pegg, 1998), as well as “black holes” in the international system (King 2001), leading some authors to locate such statelets analytically close to failed states (Kolstø 2006).

However, the continuing existence of de facto entities, as well as attempts at their wider international legitimization after the recognition of the former Serbian autonomous region of Kosovo, has increased interest in the future perspectives of these entities, as well as in the domestic sources of their development. Thus authors in this field have begun to study aspects of internal sovereignty, electoral procedures, particularities of democratization and other societal processes inside de facto states (Ó Beacháin 2010, 2012; Blakkisrud and Kolstø 2012; Caspersen 2012, Markedonov 2014). As a result, rather oversimplified approaches to Abkhazia and South Ossetia based on the perception of these entities as “temporary”, “artificial” or Russia’s puppet regimes have been seriously re-examined. At the same time emergence of new de facto entities in the Ukrainian south-east has incited a return to the stereotypes attributed to the Caucasian statelets in the 1990s-early 2000s. Thus, the alleged People’s Republics of Donbass are portrayed as an exclusive result of Moscow’s covert military aggression against Ukraine, with little local support. By this view, the two entities look like structures with no grassroots or indigenous capability, being predominantly dependent on Russian intervention (see, for example, the polemical discussion between Andreas Umland and Serhiy Kudelia in Umland 2014 and Kudelia 2014).

In this article we will, first, define the phenomenon of “de facto states.” Second, we will classify certain characteristics of the different formations (regardless of their socio-political and ethno-cultural contexts), and third, analyse the dynamic approaches of the major global players and international actors toward unrecognised states.

## DEFINING UNRECOGNISED STATES: BETWEEN JURIDICAL AND POLITICAL ARGUMENTS

Let us look at the definition of the term “unrecognised state”. In the scholarly literature there is great terminological discord on how to identify these entities in such a way as to distinguish them from internationally recognised states. Usually when answering this question scholars and politicians appeal to the authority of the UN. Yet the UN itself does not give a clear and definite answer to the question of the procedures governing the recognition of a state. The recognition of a new state or government is an act that can be made by other states or governments; usually it means a willingness to establish diplomatic relations. However, the UN is not a government and does not have the prerogative to recognise any state. Being an international organisation the United Nations can accept the credentials of representatives of a newly established state or government. In accordance with Paragraph 1 of Article 4 of the UN Charter, “membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organisation, are able and willing to carry out these obligations”. Paragraph 2 says that “the admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council”.<sup>1</sup>

One of the few documents in international law defining the concept of “state” is the Montevideo Convention, “On the Rights and Duties of States” (adopted 26 December 1933). The first article of this document identifies the state “as a person of international law [which] should possess the following qualifications: a) a permanent population; b) a defined territory; c) government; and d) capacity to enter into relations with the other states. The third article of aforementioned documents explicitly states “the political existence of the state is independent of recognition by the other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts. The exercise of these rights has no other limitation than the exercise of the rights of other states according to international law”.<sup>2</sup>

Although many prominent theorists and practitioners of international law (Brownlie 1998; Shaw 1997) argue that the principles of the Montevideo

Convention are “substantial”, but “not immutable and exclusive”, this definition of state was applied by the Badinter Arbitration Committee on former Yugoslavia (Trifunovska 1996, 1020). Opinion No. 11 of the Committee stated that Croatia had become a state (according to the criteria defined in the Montevideo Convention) on 8 October 1991. This conclusion was based on the fact that by that time the Croatian authorities had control over about 70% of the country, were adopting their own laws and engaging in international negotiations, although the country’s accession to the UN took place only in May 1992. Following these recommendations, the International Tribunal for the Former Yugoslavia accused Slobodan Milosevic of war crimes on the territory of independent Croatia, not the disintegrating Yugoslavia. Thus, lawyers helped politicians to justify the ethno-political self-determination of Croatia by confirming that the central institutions of Yugoslavia ceased to function. This self-determination of the former Federal Yugoslav Republic of Croatia was interpreted not as a project of secession, but as the establishing of a new state on the ruins of the old one.

As a rule the appearance of unrecognised formations is connected with the right to self-determination and the practice of separatism. But international law does not give unambiguous formulas here, and allows for multiple interpretations. The UN Charter articulates the principle of equal rights and the self-determination of peoples in Articles 1 (Chapter I) and 55 (Chapter IX). However, as German lawyer Georg Nolte rightly pointed out, this fundamental UN document does not address the right to self-determination, even in the context of decolonization. According to him, the right of self-determination was recognised as a legally binding effect only after the decolonisation process was complete (Nolte 2009, 53-54).

This was reflected in the Declaration on the Granting of Independence to Colonial Countries and Peoples (adopted December 14, 1960 by United Nations General Assembly Resolution 1514).<sup>3</sup> However, to this day the most important legal sources concerning the right for self-determination do not offer a detailed description of the mechanisms for their implementation. There is no clear definition of who, in fact, can be considered as the “people” having the right to self-determination. On the one hand the first Article of the International Covenant on Civil and Political Rights (ICCPR; adopted on December, 16, 1966) clearly states that “all peoples have the right of self-determination. By virtue of that right they freely determine their political status

and freely pursue their economic, social and cultural development". But on the other hand, Article 27 of the ICCPR, which regulates the rights of ethnic, religious and linguistic minorities, says that persons belonging to such groups should have all they need within an existing State. This implies that not every group that distinguishes itself from the majority of the population of a country is a "people" having the right for self-determination.<sup>4</sup> Moreover, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (adopted October 24, 1970) states that the right to self-determination shall not be construed "as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States".<sup>5</sup> However, the same document recommends to all UN-members to promote principles of civic equality and self-determination in accordance with United Nations principles. Meanwhile, in almost all cases where unrecognised entities have been established, the parent state that had been responsible for protecting ethnic, religious and linguistic diversity did not follow the aforementioned recommendations, thereby provoking secessionist movements.

Legal ambiguity on the parameters of self-determination is evident not only in international law, but also in reports devoted to the investigation of conflicts leading to the establishment of unrecognised states. Thus, the report of the International Independent Fact Finding Mission on the Conflict in Georgia (known as "Tagliavini report", named after Swiss diplomat and Head of Mission, Heidi Tagliavini) concluded that Abkhazia and South Ossetia have the right to self-determination, not only as a minorities, but due to objective characteristics, such as a common language, culture and religion (the latter is more than questionable, in the case of Abkhazia – S.M.), and the expressed "intent to form their own political community." At the same time, this report states that the right to self-determination does not imply the right to secession for Abkhazians and Ossetians (IIFMCG 2009, 144-146).

However, unrecognised states should not be analysed solely as a phenomenon framed by international law categories. As Georg Nolte accurately observed, "the case of South Ossetia, Abkhazia and Kosovo have legal and political dimensions" and "political actors seek to justify their position by referring to the law" (Nolte 2009, 62-63). If the law implies non-recognition by the international community, we should remember that today the interna-

tional community itself, as an institution, is suffering a deep political, juridical and axiological crisis. Both recognised and unrecognised states appeal to the international community and to norms apparently expressed in international law, but they can hardly expect an intelligible answer. After the end of the Cold War, the contours of the new world order are not yet clear; this hinders the development of criteria for the recognition of geopolitical entities as independent states. The biggest problem for the international community is that unrecognised states have been recognised by their residents. One may accuse (and with good reason) the politicians of Nagorny Karabakh, Transnistria, Abkhazia, or South Ossetia of extremism, but their extremism rests on the mass support of their citizens. Any peace-making initiative aimed at settling disputes between recognised and unrecognised states must take this extremism into account, or face grave consequences. Also, using such a criterion as democracy to determine the legitimacy of a regime does not always work against unrecognised entities. Not all unrecognised entities are authoritarian. Many of them have held electoral campaigns and peaceful transfers of power to a member of the opposition (e.g., Abkhazia, Transnistria), or a successor close to the ruling elite (Nagorny Karabakh). In the case of South Ossetia in 2011 an opposition candidate (Alla Dzhioyeva) won presidential elections, but the results were not accepted and Dzhiyoeva was barred from acceding to power. Nevertheless the then South Ossetian president failed to transfer power to his preferred candidate, and a second electoral campaign was organized in 2012. Still, the democratic vector in the context of unrecognised states still needs to contend with the fact that, in most cases, members of rival ethnic groups were often expelled, thus depriving them of their right to participate.

In the epoch of global transformations, which began after the collapse of the Yalta-Potsdam world system, the contours of the new world order remain unclear. What, then, should be taken as the basic principle for an entity to be recognised as an independent state? Is the answer to be found in the criterion of there being a single sovereignty over the given entity's territory? But in that case, Georgia and Azerbaijan should not have been recognised as states because at the time of their official recognition neither exercised a single sovereignty over their entire territory. By 1991, Azerbaijan had actually lost control over the larger part of the territory of its Nagorno-Karabakh Autonomous Region (NKAO), and in 1994 it lost control over another seven (five in their entirety and two partially) of its administrative districts. In 1992, the

Republic of Moldova lost control over the unrecognised Transnistria. In the same year, Georgia lost sovereignty over the larger part of its South-Ossetian Autonomous Region. In September 1993, Abkhazia reached its de facto independence from Georgia. In late 1991-1994 and in 1996-1999, Russian Federation confronted similar problems when Chechnya left Russia's legal and political space.

Yet it is also true that not all of the de facto states can claim a single sovereignty over their territory. The boundaries of these states and those of the former Soviet autonomies (where the unrecognised states emerged) do not always coincide. In 1991, for example, the Nagorno-Karabakh Republic (NKR), in addition to the territory of the former NKAO, included the adjacent Armenian-majority populated Shahumian district. Presently, the NKR Self-Defense Forces do not control this district, as well as parts of the Mardakert and Martuni Districts of the former NKAO; hence the Armenian demands that Azerbaijan stop "the occupation of the territory of Nagorny Karabakh." The unrecognised sovereignty of Abkhazia did not apply to the Kodori gorge (an area of Abkhazia inhabited until 2008 by a Georgian sub-ethnic group, the Svans) between 1993 and 2008, while South Ossetia during sixteen years did not control the Akhalgori district or the so-called Liakhvi corridor (for example, the village of Tamarasheni was visited by former Georgian President Mikhail Saakashvili's wife Sandra Roelofs in 2004). Transnistria to this day only partially controls the city of Bender. After an armed conflict with the central government of Ukraine in 2014, the two alleged People's Republics of Donbass have lost control over many towns, including Mariupol, Slavyansk and Kramatorsk. But this struggle radicalized the rebels and, despite the existing differences among them, seriously complicated their dialogue with Kiev. As of 5 September 2014, when the Minsk Protocol was signed, the two Donbass republics controlled a territory of 16,000 square kilometers with a population of 4.5 million. This territory included the regional capitals of Donetsk and Lugansk, and key towns such as Novoazovsk, Gorlovka and Makeyevka.

In the opinion of German political scientist Stefan Troebst, it is precisely the "credibility" of unrecognised states that is the main obstacle to proclaiming them as bandit enclaves. Bandit enclaves do not need state symbols, pretensions to legitimacy and, most importantly, invocations of mythologies of state history. Yet the ideological systems of unrecognised states in the post-Soviet space are historical (and historicized) through and through (Troebst 2003).

Thus, the absence of formal international recognition of these contentious territories does not prevent them from being important political actors in the post-Soviet space.

## **UNRECOGNISED STATES: *E PLURIBUS UNUM***

Post-Soviet unrecognised states have the following fundamental characteristics. They declared their actual sovereignty and obtained some important attributes of statehood (territory, government, armed forces, and in some cases even a monetary system). Secondly, their sovereignty has no external recognition or at best, an extremely limited one. As a consequence there is an inability to be integrated into international politics and foreign trade. Thirdly, they are always located in territory regarded by the international community as part of the territory of internationally recognised parental state. Hence, they exist in conditions of “stable instability”, in which their very existence is contested and a “sword of Damocles”, in the form of the threatened “restoration of territorial integrity” by the parent state, hangs above them.

The political infrastructures of many de facto states across the world were destroyed by anti-separatist operations; while this also includes cases in the post-Soviet space, it appears as something of an exception. In 1970, the unrecognised state of Biafra was crushed by Nigeria. In 1975 and 1979 the Moroccan authorities occupied most of the territory of Western Sahara claimed by the Sahrawi Arab Democratic Republic. In 1995, the Republic of Serbian Krajina was swept aside by Croatia. In 1999-2001 Russia regained its control over the territory of Chechnya; likewise Sri Lanka in 2009 reasserted control over the territory claimed as unrecognised Tamil Eelam since 1976. Georgia undertook multiple failed attempts to establish its jurisdiction over Abkhazia (1998, 2001, 2006) and South Ossetia (2004, 2008). After defeat in the “five-day war” in August 2008 Georgian President Mikheil Saakashvili signed the “Law On Occupied Territories” on October 23, 2008, which introduced numerous restrictions on foreigners visiting Abkhazia and South Ossetia as well as doing business in these republics without approval of the Georgian government.<sup>6</sup>

In addition to the attentions of their parent states, unrecognised states are also the subjects of the “special care” of international organisations, as

well as external players interested in conflict resolution through the restoration of territorial integrity. It is no coincidence that the US Senate recognised the fact of occupation of Abkhazia and South Ossetia by Russia in July 2011. Unlike the situation in Georgia, for many years the Nagorny Karabakh peace process had been presented almost as a “success story.” Resolution of this conflict was never considered as an arena for competition between Moscow and Washington. Moreover, the three mediator countries (the US, France and Russia) have more than once came to a consensus on what should be the basis for the settlement of the conflict. The presidents of these three countries have even expressed their willingness to support and promote the so-called “Madrid Principles” as a basis for future agreements. However, the West and Russia now find themselves on different sides of a greater Eurasian geopolitical game. The Ukrainian crisis has made them hostages of this geopolitical game, in the sense that even those issues on which they had made significant progress are now being set aside (including Afghanistan, the Middle East, and conflicts in the post-Soviet space). This situation provokes the rise of “war parties” and taking of risks in the hope that Russia and the West, in the critical moment, will have neither the will nor the desire to act in solidarity to prevent, for example, the resumption of large-scale hostilities to alter the current status quo obtaining in Nagorny Karabakh and the de facto republic existing there since 1991.

Russian political scientist Arthur Tsutsiev argues that “the family of the unrecognised [states] has a complex composition” (Tsutsiev 2006, 13-37). We can therefore identify several types of unrecognised states, as follows.

### ***Self-proclaimed republics***

These can exist for as little as a few days or as long as several years, but fail to create effective governing institutions and military structures. For example, the Gagauz Republic was proclaimed on the territory of Moldova in August 1990, even before the establishment of the Transnistrian Moldovan Republic. This territory—with a population of nearly 150,000, 80% of whom were Gagauzians, a Christian Turkic people—pioneered the movement of self-proclaimed republics in the Soviet space. However, ultimately Gagauzia did not secede from the Republic of Moldova. In 1994, the Moldovan Parliament adopted the “Law on the special legal status of Gagauzia (Gagauz-Yeri)”, granting the region considerable autonomy. Today most of the political forces

of Gagauz-Yeri do not demand full independence (with the exception of the People's Front for the Salvation of Gagauzia). At the same time, there is a consensus among Gagauzian politicians and public figures that the Gagauz-Yeri autonomy should be enlarged.

Probably the record holder for the number of self-proclaimed entities is the Russian North Caucasus. Five entities proclaimed themselves on the territory of the Karachay-Cherkessia Republic alone! In 1993, besides Armenian separatism, Azerbaijan encountered Talysh separatism from the Persian-speaking people living in southern Azerbaijan. The Talysh-Mughan Republic, headed by Azerbaijan Army Colonel Alikram Gumbatov, was proclaimed in June 1993 in Lenkoran. However, this experiment failed; in August 1993 Gumbatov was arrested, after which marginalization of the Talysh political movement began. The self-proclaimed Chechen Republic of Ichkeria existed for a longer time. During 1991-1994 and 1996-1999, there were attempts to build a de facto Chechen state. However, in both cases, their state-building experiments failed for a variety of factors including but not limited to Moscow's interference.

The current crisis over Ukraine is far from settled. The situation may swing in either direction, depending on a wide range of problems (energy, Western-Russian confrontation, relations between Kiev and Moscow, differences within the Ukrainian elites, and much more) that exist there now. But if the de-escalation process, launched in Minsk, is implemented, even though with difficulty, the Donetsk and Lugansk republics will have a real chance to build statehood of their own within their present boundaries. There are no guarantees that this process will be successful. There is a consensus among Ukrainian politicians, regardless of their party affiliation, on the territorial integrity of Ukraine. However, apart from the Kiev factor and Western support for Ukraine's territorial integrity, there are internal political realities that are also important. The Donbass breakaway territories are now often compared to Transnistria. But even compared with Crimea, where the movement for joining Russia was headed by leaders who had made successful political or business careers after Ukraine had gained independence (Sergei Aksyonov, Alexei Chaly and Vladimir Konstantinov), Donbass lacks experienced politicians. Thus currently different options, ranging from Chechnya and Serbian Krajina to the Transnistrian experience, may be possible.

### ***De facto states***

These entities possess suspended sovereignty and have managed to implement their projects of state-building (i.e., consolidation of power and establishment of control over a certain territory) within two to three decades. In addition, as a rule, de facto states have managed to develop to some degree their own foreign policies. The Nagorno-Karabakh Republic, for example, has several representations abroad (in Armenia, Russia, France, the United States, Australia, Lebanon, and Central Europe). Although not recognised as full-fledged presidents or heads of government, de facto state representatives (with the exception of Nagorny Karabakh) take part in the negotiating processes for determining their status. In some negotiations, they are considered as independent parties to the conflicts (as in the case of Transnistria). This allows them to take part in authoritative international forums.

### ***Partly recognised states (entities with limited recognition)***

These entities are not UN members and they are not recognised by the majority of UN member states. But they have made serious claims for international legitimacy and have overcome many problems (or ‘disputed’) aspects of sovereignty. The entities of this third type are recognised by a different number of UN member states. The number of recognitions itself can vary from dozens (e.g., the Sahrawi Arab Democratic Republic, Kosovo or Taiwan) to several (e.g., Abkhazia, South Ossetia) to one (e.g., the Turkish Republic of Northern Cyprus, which is recognised only by Turkey, and Free Kashmir, which is recognised only by Pakistan).

Yet purely quantitative indicators are not fundamental to assessing progress in the process of international legitimization. Abkhazia and South Ossetia are recognised by fewer countries than Kosovo (supported politically by the US and most European countries) and the Sahrawi Arab Democratic Republic (which is also a member of the African Union). But the independence of two former Georgian autonomies is recognised by the Russian Federation, a permanent member of the UN Security Council and the “nuclear club.” Unlike de facto states, these partly recognised entities have signed bilateral treaties with states that have recognised them (thus they are considered legitimate as entities lying outside their parent state that disputes their existence). In some cases, diplomatic relations are established between partly recognised entities and UN member states. At the same time, partially recognised status does

not allow any access to the UN. Despite the support for Kosovo's independence by all members of the "Great Seven," two of the permanent members of the UN Security Council, Russia and China, called the full-fledged inclusion of the former Serbian land into the international community impossible (partly due to it joining international security mechanisms). Members of the EU that have refused to recognise Kosovo's independence (Romania, Spain, Slovakia, Greece, and Cyprus) hamper Kosovo's ability to join the European Union and other European structures.

## **EXISTENCE WITHOUT RECOGNITION: AN IMPORTANT POLITICAL FACTOR IN EURASIA**

The problem of de facto states is often reduced to the formal-legal format. But unrecognised states as a phenomenon cannot be studied and understood exclusively in strict terms of formal legality, or its absence. Entities with limited recognition or unrecognised ones, if viewed from a formal-juridical point of view, do not exist for the international community. The presidents of those entities are not invited to international meetings and even ambassadors do not talk to them (maybe on some occasions only the first secretary of an embassy can engage in any kind of dialogue with them). The legislation adopted by unrecognised states is not considered legitimate, and as a result neither are contracts signed in or with de facto states, nor property ownership on territory under their de facto control. As a rule, foreign diplomats arrive in the territory of such entities only with peace initiatives. Any foreign politicians, or even rank-in-file visitors, who visit an unrecognised republic, have every chance of being declared persona non grata in the parent state claiming the contested territory. The very establishing of those entities are facts of great, hence highly divisive, emotional, symbolic, social and cultural import.

De facto states have survived conflicts with the countries from which they broke away. But most importantly, they have received legitimacy from their "unrecognised citizens." As Russian political analyst Dmitry Trenin has written, "the unrecognised republics have acquired all the attributes of statehood – from constitutions and cabinets of ministers to police and armed forces" (Trenin 2002, 4). Most of the post-Soviet unrecognised states have existed

during two decades at least. In 2011 the Nagorno-Karabakh Republic, which is recognised internationally as an integral part of Azerbaijan, celebrated its twentieth anniversary, while Transnistria in 2015 marks 25 years since the proclamation of its independence. In these entities there have been repeated elections and referenda. In Nagorny Karabakh two referenda on independence and the adoption of the Constitution (1991 and 2006) were held. In Abkhazia, the system of presidential elections has undergone a difficult transformation from a closed system to competitive procedure (in the elections of 2004, 2009, 2011 and the extraordinary campaign of 2014 after mass protests leading to the resignation of then president Alexander Ankvab and his consequent replacement). The precedent of a peaceful change of power first took place in Abkhazia in 2005 (Ó Beacháin, 2012). In contrast, in Georgia, recognised by the international community, the first legal constitutional change in power came only in 2013 when Giorgi Margvelashvili replaced his predecessor Mikheil Saakashvili as a result of the presidential elections not “colored revolutions” (the case of Eduard Shevardnadze) or military coup (the case of Zviad Gamsakhurdia) (Markedonov, Tekushev and Shechenko 2013, 56-65). The third Georgian president suffered his first tangible defeat in October 2012 when his United National Movement Party lost the parliamentary election to Georgian Dream, Bidzina Ivanishvili’s coalition. In the following year, Ivanishvili succeeded not only in creating a government of his followers and supporters but also in establishing control over the country’s security forces and diplomatic corps, leaving Saakashvili a lame duck president with curtailed powers. However, the change of power in 2013 was peaceful and Saakashvili recognised his adversary’s victory. During the existence of the Transnistrian Moldovan Republic on the territory under its control seven referendums (not counting the unsuccessful attempts of organisation of these procedures) were held. Thus, it is impossible to believe that the unrecognised republic is simply a temporary phenomenon that will disappear quickly if the international environment changes.

Yet the “virtual” existence of de facto states does not prevent them from being real participants of geopolitical rivalries in the post-Soviet space. Many momentous events in Eurasia are connected in some way with political strategies concerning protracted conflicts. Unrecognised entities emerging as a result of the Soviet Union’s disintegration were “rhymed” with ethno-political confrontations. In 1992, ceasefires were reached in the areas of the Geor-

gian-Ossetian and Moldovan-Transnistrian conflicts. In 1994, the same was achieved in Abkhazia and Nagorny Karabakh, and in 1996, in Chechnya. However, although large-scale military hostilities ended, political solutions were never found. The conflicts (and the status of the unrecognised entities) were frozen – in some cases due to a military-political balance established between the conflicting parties (Nagorny Karabakh); in others there were socio-psychological and legal reasons, along with military ones (as in the case of Chechnya, which had its status deferred for five years). However, the “freezing” of the conflicts could not last long, as the parties that viewed themselves as the losers were interested in changing the balance of power. Desires to change the situation sprang up as those wishing revenge accumulated the necessary resources. Far from all of these entities have built up enough resources to date (Georgia is in the worst position in this respect, and Azerbaijan’s situation is only slightly better). Some of the countries made attempts to change the “frozen state” of the conflicts: Russia in Chechnya in 1999-2000, and Georgia in Abkhazia in 1998 and 2001 and in South Ossetia between 2004 and 2008. Unlike Moscow and Tbilisi, Azerbaijan focused on changing diplomatic formats of peace settlement and achieved good results (by excluding Stepanakert from the Karabakh settlement talks with Yerevan).

However, the “Americanization” and “Europeanization” of the post-Soviet space aside from the discussion on values and democratization was largely caused by the desire of the internationally recognised post-Soviet states (Georgia, Azerbaijan, and Moldova) to regain military and political control over territories they had lost (unrecognised entities). On the contrary the desire of Ukraine to strengthen political and economic ties with the West, thereby opposing Russia and decreasing its role in domestic policy, security and the national economy, provoked a full-scale crisis. It became a trigger of secessionist movements both in Crimea and south-eastern regions (Donetsk and Luhansk), clearly supported by the Kremlin. Currently the Ukrainian leadership, like Georgian and Moldovan leaders before it, seeks Western support as the best chance to restore the territorial integrity of the country (Markedonov 2014).

The case of Azerbaijan is interesting for different reasons. Unlike Georgia and Ukraine the Azerbaijani leadership tries to balance between the West and Russia. In terms of energy security Baku projects the perspective of a pro-Western country engaged in projects bypassing Russia, but in terms of

domestic politics it is interested in Russia's support (especially in legitimating the protracted presidency of Ilham Aliyev). This politics has helped Baku to have both Russian and Western support of its territorial integrity. However, neither Russia nor the West are interested in giving Baku geopolitical carte blanche. Moreover, from Moscow's perspective Armenia is a reliable strategic partner in the South Caucasus, while Western countries (especially France and the USA) are influenced by the Armenian lobby.

Of course, the aspirations of unrecognised republics have been supported by external forces in pursuit of their own interests. Under conditions of direct military-political confrontation between a parent state and territories seeking secession, which can upset the balance of power and status quo in a given region, external interference is inevitable. Incidentally, this practice is not a post-Soviet Russian invention. Take, for example, the Turkish Republic of Northern Cyprus, supported by Ankara, or Kosovo in Serbia, whose independence would have been problematic without direct support from the US and EU.

In August 2008, Russia recognised the independence of Abkhazia and South Ossetia, thus setting a precedent for the revision of borders (turning de facto borders based on autonomous republican or region borders to interstate ones). Further border changes have ensued since then. In March 2014 Moscow unilaterally changed the status of the Crimean peninsula (previously an autonomous region of Ukraine), after the Republic of Crimea had existed as an unrecognised entity for less than a month. The West and Ukraine consider this decision as territorial annexation, a violation of international law and a serious challenge to European security, while Moscow sees it as "reunification" and restoration of historical justice. None of the aforementioned conflicts (including those where parties have gained partial recognition) have been settled politically. Moreover, the armed confrontation in Donbass represents the most serious and dangerous challenge to European security since the collapse of Yugoslavia and the series of ethnic conflicts it gave rise to in the Balkans in the 1990s. This factor naturally evokes concern among foreign actors because disputes over the status and prospects of entities with "contested sovereignty" (Lapidus, 1998) or "suspended sovereignty" (Yannis 2002) may turn them into hotbeds of instability.

Thus, the process of ethnic self-determination accompanying the Soviet collapse is not finished. This stage in history will not be complete until there is successful conflict resolution and all newly established borders are recog-

nised as legitimate. Meanwhile, without the completion of this process, it is impossible to speak about the sustainability of post-Soviet countries, their real independence, and the transition to democracy. In this context the conflicts between recognised and unrecognised states are not typical interstate disputes. They concern such fundamental issues as the nature of the state itself, the balance between ethnicity and civic identity in the process of state/nation-building and political legitimization. According to Kimitaka Matsuzato, a prominent researcher of the phenomenon of de facto statehood, “the fundamental basis of political science lies, as far as it is a science, in addressing what the state is” (Matsuzato 2010).

## CONCLUSION

Unrecognised states are an important element of contemporary geopolitical transformations as well as post-Soviet national-building processes. Their prominent role in current international politics is explained by the incomplete formation of the new global world order emerging at the end of World War II. The current system of international relations is characterised by vagueness, legal and political ambiguity, substantial gaps between de facto and de jure entities, and ample room for interpretation on fundamental issues. But what is most important is that the protracted transition from one system of international relations to another strongly impedes the elaboration of common approaches and criteria for recognising new states, secessionist movements, and territorial integrity. All this allows unrecognised republics (especially de facto and partially recognised states) to better estimate their resources and find their optimal status.

## NOTES

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1 See the Charter of the United Nations //<http://www.un.org/en/documents/charter/>

2 Convention “On Rights and Duties of States”. Available at: [http://avalon.law.yale.edu/20th\\_century/intam03.asp](http://avalon.law.yale.edu/20th_century/intam03.asp)

- 3 Declaration on the Granting of Independence to Colonial Countries and Peoples, see [www.un.org/en/decolonization/declaration.shtml](http://www.un.org/en/decolonization/declaration.shtml)
- 4 International Covenant on Civil and Political Rights, available at <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>
- 5 Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, see [www.un-documents.net/a25r2625.htm](http://www.un-documents.net/a25r2625.htm)
- 6 See the Law on Occupied territories, available at [http://rrc.ge/law/kannGeo\\_2008\\_23\\_10\\_R.htm?lawid=1731&lng\\_3=ru](http://rrc.ge/law/kannGeo_2008_23_10_R.htm?lawid=1731&lng_3=ru)

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# WESTERN ACADEMIC DISCOURSE ON THE POST-SOVIET DE FACTO STATE PHENOMENON

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*By Galina M. Yemelianova*

## INTRODUCTION<sup>1</sup>

The Soviet collapse in 1991 into 15 independent states is noted for its relatively peaceful nature, compared with the contemporary, violence-ridden break-up of Yugoslavia, or the earlier collapses of the Ottoman, Austro-Hungarian and other world empires. The latter were characterised by a lower degree of centralism, contrasting with the combination of the de facto unitary nature of the Soviet state and its formal organisation around union republican borders drawn up under Joseph Stalin in the 1920s-1930s. These institutionalised primordialism as the core principle of Soviet ethno-federal state-building; while some Soviet republics were organised around nations (nationalities) with strong traditions of statehood, such as Georgia or Lithuania, others, such as Tajikistan or Azerbaijan<sup>2</sup> were products of Soviet national engineering. Either way, ethno-federalism appeared to ensure the relatively peaceful nature of Soviet disintegration along union republic lines. Yet ethno-federalism also appears to be a principal cause of a number of ethno-territorial conflicts breaking out in the late Soviet and early post-Soviet periods, not between the Moscow-centred metropolis and ex-Soviet union republics, or between neighbouring ex-Soviet republics, but between a particular ex-union republic and its ethnic, or multi-ethnic autonomous republics, districts, or non-territorial ethnic communities, or between different ethnic autonomies within the same ex-union republic, or even between different ethnic groups within a particular autonomy.<sup>3</sup>

This article examines the dominant theoretical models and methodological approaches employed in English-language Western scholarship for the con-

ceptualisation of the de facto states in Abkhazia, South Ossetia, Nagorny Karabakh and Transnistria. It samples their major explanatory paradigms and evaluates their respective benefits and flaws. In conclusion, it assesses the epistemological strengths and weaknesses of Western academic discourse on de facto states and wider post-Soviet politics, and the nature of the relationship between academic discourse and Western policy-making on Russia and other post-Soviet and post-communist countries.

## THEORIZING THE DE FACTO STATE

The concept of the de facto state appeared in political science in the 1980s, in response to the post-World War II ‘new sovereignty game’ which reconfigured the international system through the emergence of large numbers of new sovereign states—former colonies—and their admission to the United Nations.<sup>4</sup> Among the outcomes of this global change was the emergence of two types of ‘deficient’ political entity. One consisted of those polities acquiring full international legal recognition but lacking basic empirical capabilities to govern. The other included political entities which had governing capabilities, but which because of their ‘delayed’ formation, i.e. after the ‘freeze’ of the post-colonial political map, lacked full international recognition. The former became referred to by political scientists as ‘quasi-states,’ while the latter as ‘unrecognised,’ ‘contested,’ ‘secessionist’ and ‘de facto’ states. The theorising of these inadequate polities has been intertwined with the concepts of ‘state,’ ‘statehood,’ and ‘sovereignty.’

Robert Jackson comprehensively developed the concept of the *quasi-state*, defined as sovereign states, usually former colonies in Africa, which acquired independence through decolonisation after World War II rather than through “natural” processes of state-building. According to Jackson, quasi-states possess ‘negative’ sovereignty because although they have exclusive domestic jurisdiction and international guarantees of non-intervention due to their legal recognition by other states, they lack the ability to fully control their own territory and to preserve a monopoly on coercion – the central characteristics of normative states with active, ‘positive’ sovereignty. Jackson contrasted quasi-states with other deficient entities (including *unrecognised*, *secessionist*, *con-*

*tested* and *de facto* states – G.Y.), which have neither formal ‘sovereignty’, nor exclusive domestic jurisdiction, or international protection from outside intervention despite the fact that they possess internal sovereignty, that is all conditions necessary for effective governance (Jackson 1990, 2007).

Political scientists have often applied the concepts of *unrecognised*, *secessionist*, *contested* and *de facto* states interchangeably. At the same time some distinguish nuances among these concepts. For example, Nina Caspersen defines *unrecognised* states as “states that exercise *de facto* independence, engage in institution-building, make a claim to formal independence, or signal separate statehood, receive minimal formal recognition from other sovereign states and exist for at least two years” (Caspersen 2014, 11). She therefore includes all post-Soviet *de facto* states, including Chechnya 1994-1999, in this category. In another work, Caspersen and Stansfield identify a difference between *unrecognised* and *de facto* states by arguing that the former do not necessarily pursue independence as long as they receive support from a patron state. They refer to Northern Cyprus and South Ossetia as examples of *unrecognised* states because arguably neither actively pursues independence provided they receive Turkish and Russian support respectively (Caspersen and Stansfield 2011).

By comparison, Bruno Coppieters and Richard Sakwa (2003, 253) approach post-Soviet Abkhazia and Chechnya within an inter-disciplinary theoretical perspective drawing on International Law, International Relations, history, comparative federalism and political philosophy’s normative theories of *secession*, *sovereignty*, *self-determination* and *just war*, favouring the term ‘*secessionist*’ entity in relation to both. This approach is shared by Alexander Murinson (2004), who draws on concepts of secession elaborated by Anthony Birch (1984), Alex Heraclides (1992) and Ralph Premdas (1990) in his analysis of secessions in Abkhazia and Nagorny Karabakh. Of relevance also is James Ker-Lindsay’s concept of the *contested* state which he applies to Kosovo on the grounds that Kosovo experiences a higher level of statehood compared to *de facto* states due to its recognition in 2008 by a significant number of sovereign and powerful states, including the US, France, the UK, Germany and Italy, in spite of having no recognition from the UN (Ker-Lindsay 2009).

It was Scott Pegg who generated the actual concept of the *de facto* state itself, in relation to Tamil Eelam, Northern Cyprus, Eritrea and Somaliland, which he analysed through the prism of the international law definition of statehood

based on the 1933 Montevideo Convention on Rights and Duties of States.<sup>5</sup> According to Pegg, the de facto state is a political entity “where there is an organised political leadership which has risen to power through some degree of indigenous capability; receives popular support; and has achieved sufficient capacity to provide governmental services to a given population in a specific territorial area, over which effective control is maintained for a significant period of time” (Pegg 1998, 26). At the same time Pegg admits some ‘fuzziness’ in the proposed concept and its ambiguous relationship to the aforementioned concepts of *unrecognised state*, *secessionist state*, *contested state*, as well as to concepts of ‘non-sovereign entity with greater international legitimacy’ and ‘peaceful secession movement’ (7, 13, 29). Philip Roeder proposed a more concise concept in his *Where do Nation-States Come From?*, where they are defined as political entities which pursue nation-state projects comprising of “specific population’s claims to self-governing within sovereign states of their own” (2011, 12). Nevertheless, Pegg’s definition has been central in Western studies of de facto states and it was employed by Dov Lynch in his *Engaging Eurasia’s Separatist States* (2004), as well as by Laurence Broers in his study on the de facto states of the South Caucasus (2013).

Some scholars of international law have questioned the validity of the use of the de facto state concept by political scientists. This is due to the existence in international law of two conflicting interpretations of ‘state’ and ‘sovereignty.’ According to the ‘declarative’ interpretation, a ‘state’ can have international legal personality if it has a defined territory, a permanent population, a government and a capacity to enter into relations with other states. Such an interpretation justifies the term ‘de facto state’ because it allows for an entity to be termed as a ‘state’ without its being recognised by other states. By contrast, the other ‘constitutive’ interpretation requires a state’s recognition by other states as the essential condition of its sovereignty. Therefore, it de-legitimises the term ‘de facto state’ on the grounds that an entity lacking international recognition could not be regarded as a ‘state’ and a subject of international law.

In practice, most international lawyers, although recognising the juridical category of ‘de facto state’,<sup>6</sup> for pragmatic reasons adhere to the notion of *jus cogens* (‘compelling law’) and favour the ‘constitutive’ approach. Their conservatism towards unrecognised political entities derives from four major concerns. One is the possible secessionist domino effect of the legal endorsement of pro-independence aspirations in breakaway entities, with consequent destabilising effects

on the international system. Another is the potential economic sustainability of these unrecognised political entities. A third concern is over the ‘trapped minorities’ within these entities. Furthermore, international lawyers tend to view secession as contrary to majority rule and as an inappropriate solution undermining the concept of the civic, multi-national state (Pegg 1998, 187-201).

## THE POST-SOVIET DE FACTO STATES: BACKGROUND

The formation of de facto states on the territory of the former Soviet Union has been a by-product of ethnic contentions and ethnic violence triggered by the break-up of the highly centralised, Moscow-governed Soviet political and economic system, and the withdrawal of this system from non-Russian parts of the ex-USSR and Russia’s southern periphery. This has had a destabilising effect along some ethno-territorial fault-lines formed during the Russian imperial and Soviet periods. Among other internal facilitating factors have been the collapse of Soviet Communism, as well as the internationalism and atheism that had been its constituent parts, and which had acted as the agency of civic and secular, rather than ethno-national and religious solidarity, among various peoples of the USSR. A corollary has been the resurfacing of ethno-nationalism and religion, instrumentalised by various elite entrepreneurs for their particular political and economic ends. An important contributing external factor has been an increased engagement in ethno-politics on the territory of the former USSR by external state and multi-national actors, as well as of ethno-national diasporas pursuing radically nationalist political agendas. As observed by Valery Tishkov, a leading Russian scholar of ethnicity and nationalism, “it has been the intellectuals and political activists, based partly in Moscow, Los Angeles and Ankara, who had provided arguments and emotional legitimisation for the Karabakh movement, Abkhaz and Chechen independence scenarios and for many other violent ethnic manifestations” (Tishkov 1997, 274).

In the last two decades the number of post Soviet *de facto* states has not been stable. Some of them, for example the Nagorno-Karabakh Republic (NKR), have been in existence since the early 1990s, others survived several years, while others did not last even a few months. For example, the Chechen Republic of Ichkeria was a *de facto* state 1991-1994 and 1996-1999, and the

Gagauz Republic between 1990 and 1994. By comparison, the Republics of Avaristan, Kumykistan, Lezgistan and some other ethno-national polities in Dagestan and adjacent territories, as well as five different ethno-national political entities on the territory of Karachaevo-Cherkessia, the Balkar Republic on the territory of Kabardino-Balkaria and the Talysh-Mugan Republic on the territory of Azerbaijan lasted only several months. Among possible new candidates for the status of de facto state could be the Donetsk Peoples' Republic (DPR) and Lugansk Peoples' Republic (LPR), which proclaimed their independence from Ukraine in 2014. So, in 2015, within the borders of the former USSR there have been four enduring de facto states—the NKR, the Republic of Abkhazia, the Republic of South Ossetia and Transnistria—as well as two aspiring de facto states—the DPR and the LPR.

## THE NAGORNO-KARABAKH REPUBLIC

The Nagorno-Karabakh Republic (NKR), which was proclaimed in 1991, was a result of the escalating conflict which started in the late 1980s<sup>7</sup> between the Armenian-majority Nagorno-Karabakh autonomous region (*oblast'*) of Azerbaijan, with Azerbaijan proper. A powerful factor behind this escalation has been Armenia's active involvement in the conflict on the side of the Karabakh secessionists and a large and politically and economically influential Armenian diaspora. Both Armenian and Azerbaijani elites have instrumentalised Armenian and Azerbaijani histories for the purposes of politically mobilising their respective ethnic populaces. While the Armenians projected their fight as the assertion of their 'ancestral' rights on Karabakh (Artsakh), allegedly Armenian from time immemorial, the Azerbaijanis appealed to pre-Soviet history and the demographics of Karabakh when it was part of the Muslim-majority Karabakh khanate, as well as to its administrative inclusion within Azerbaijan during the Soviet period.<sup>8</sup> The conflict culminated in a full-scale war 1991-1994 between the Armenians of the NKR and Armenia, on the one side, and Azerbaijanis, on the other side. The war resulted in the NKR's *de facto* independence from Azerbaijan and the Armenian occupation of seven adjacent districts (*rayons*) of Azerbaijan. In this war over 25,000 people died, over 50,000 became disabled and over a million, a majority of them Azerbaijanis, were internally displaced,

or became refugees. In 1994, as a result of Russia's mediation, the conflict was 'frozen.'<sup>9</sup> Since then it has been subject to mediation efforts by the OSCE Minsk Group represented by Russia, the USA and France, which has ensured the *status quo* but has been unable to broker a viable settlement to the conflict. Meanwhile, the NKR has been advancing in its state-building, despite the lack of recognition even by its patron state Armenia, although it was recognised by Abkhazia, South Ossetia and Transnistria. By 2009 the population of NKR was 141,100 people with ethnic Armenians making up 99.74% (Markedonov 2011, 121).

## THE REPUBLIC OF ABKHAZIA

The Republic of Abkhazia was born out of Georgian-Abkhaz ethnic contention going back the late nineteenth century and which was further exacerbated during the Soviet period.<sup>10</sup> Both Georgians and Abkhazians have long traditions of statehood and strong national identities. Between 1921 and 1931, Soviet Abkhazia enjoyed equal status with Georgia through a treaty association between the two republics. However, in 1931 Stalin made Abkhazia an autonomous republic within the union republic of Georgia. Enforced georgianisation policies and an assault on Abkhaz schooling and language accompanied Abkhazia's political subordination to Georgia. As a result of Stalinist repressive policies against the Abkhaz, by the end of the Soviet period the Abkhaz made up only 17.8% of Abkhazia's population. In 1989 several thousand Abkhaz activists of the Peoples' Forum of Abkhazia attempted a peaceful disengagement of Abkhazia from Georgia through the upgrading of the former's status to that of a separate union republic separate. Following the break-up of the Soviet Union in 1991 the Abkhazian nationalist elite elevated their demand to Abkhazia's full independence from Georgia. In 1992 the conflict escalated into armed clashes leaving over 10,000 dead and around 200,000, mostly Georgians, internally displaced or refugees. In 1994, as a result of Russian and international mediation, the conflict was 'frozen.' Russian peacekeepers, under the auspices of the Commonwealth of Independent States (CIS), were positioned along the River Inguri and a UN Observer Mission was deployed in Georgia. Since 1998 Abkhazia has proclaimed its independence from Georgia and formed all

the institutions of statehood. Following the Russo-Georgian war of 2008 the independence of the Republic of Abkhazia was recognised by Russia, followed by the UN member-states of Nicaragua, Venezuela and Nauru, alongside recognitions from South Ossetia, Transnistria and Nagorno Karabakh. It is estimated that by 2011 the population of Abkhazia was 240,705, with the Abkhaz making up only half.<sup>11</sup>

## **THE REPUBLIC OF SOUTH OSSETIA**

The de facto state of South Ossetia emerged as a result of the ethno-territorial conflict between Ossetians and the increasingly nationalistic Georgian republic in the late 1980s.<sup>12</sup> The dynamics and outcomes of the South Ossetia and Abkhazia conflicts are correlated, although there are also some considerable differences. Compared to the Abkhaz, the Ossetians did not have a strong statehood tradition going back to pre-Soviet and Soviet times, although they have a developed sense of their distinctive ethno-national identity strengthened as a result of mass killings of Ossetians by troops of the Democratic Republic of Georgia in 1918-1920.<sup>13</sup> As a separate ethno-territorial entity—the South Ossetian autonomous region (*oblast'*) within Soviet Georgia—South Ossetia was created by the Bolsheviks in 1922. At that time their ethnic kindred were assigned to the Autonomous Republic of North Ossetia within Soviet Russia. In 1989 the South Ossetian authorities opted for the upgrading of their political status from that of ‘region’ to autonomous republic within Georgia. Tbilisi’s rejection of this move against the backdrop of the upsurge of exclusive ethnic Georgian nationalism triggered armed conflict between Georgia and South Ossetia. This conflict went on for two years resulting in over 700 dead and around 50,000 displaced, mainly Ossetians, who crossed to North Ossetia. In 1992 the conflict was ‘frozen’ following a ceasefire brokered by Russia. Russian-led trilateral peacekeeping forces were deployed along the border between Georgia and South Ossetia. Since then South Ossetia, like Abkhazia, has perceived itself as independent from Georgia and has built all the structures of a sovereign state. In 2008, in the wake of the Russo-Georgian war, the independence of South Ossetia was recognised by Russia, Nicaragua, Venezuela and Nauru, alongside recognitions by Abkhazia, Nagorno

Karabakh and Transnistria. It is estimated that by 2012 the population of South Ossetia was 51,572, with Ossetians accounting for 89%.<sup>14</sup>

## **THE PRIDNESTROVIAN MOLDAVIAN REPUBLIC (TRANSNISTRIA)**

The creation in 1990 of the Pridnestrovian Moldavian Republic (PMR), or Transnistria, was the outcome of an ethno-territorial conflict starting in the late 1980s between Russia-oriented militias on the left bank of the river Dnestr and the nationalising Moldovan Republic.<sup>15</sup> The conflict was ‘frozen’ in 1992 as a result of Russian and OSCE intervention and mediation, followed by the deployment of Russian and OSCE peacekeeping forces. In 1997, Russia and the OSCE brokered a Memorandum between Moldova and the PMR on a future ‘common state’ within Moldova’s borders of 1990, followed in 2002 by an OSCE proposal for Moldova’s federalisation. However, these initiatives have remained on paper while the PMR has further consolidated its statehood, including the introduction of its own currency. In 2006 the PMR organised a referendum in which 97.2% of the population voted in favour of “independence from Moldova and free association with Russia.” The EU responded by issuing a number of restrictive measures towards PMR. The independence of the PMR is only recognised by its fellow de facto states of Nagorny Karabakh, Abkhazia and South Ossetia. According to the 2004 census, the population of the PMR 555,000, with Moldovans making up 31.9%, Ukrainians 28.8% and Russians 30.4% (Markedonov 2011, 145).

## **THE DONETSK PEOPLE’S REPUBLIC AND LUGANSK PEOPLE’S REPUBLIC**

As noted earlier, it is plausible that the number of post-Soviet de facto states will increase as a result of the 2013-2014 Ukrainian crisis, which escalated into armed conflict between the Kiev authorities and the Russian- and Russian-speaking majority regions of Donetsk and Lugansk (Sakwa 2015).

In 2014 the leaders of both regions proclaimed the Donetsk People's Republic (DPR) and the Lugansk People's Republic (LPR) and formed a confederation – the Federal State of Novorossiya, which sought unification with Russia. Kiev responded with a full scale military offensive leaving thousands of civilians dead and many thousands displaced. The conflict has been aggravated by the direct and indirect involvement of the US and the EU—Poland and Lithuania in particular—on the side of Kiev, and Russia on the side of the self-proclaimed republics. In February 2015, a cease-fire was agreed as a result of the mediation by the leaders of Germany, France, Russia and Belarus. However, the cease-fire has remained fragile and chances for the conflict's deep 'freeze' have been limited. Nevertheless, the dynamic of these conflicts has not been dissimilar to that of the early stages in the development of the four enduring post-Soviet *de facto* states. Thus, both republics have created their own legislative, executive and judicial bodies and formed their armed forces. By 2015 the estimated population of the DPR was 1,882,600, and of the LPR—1,197,100.<sup>16</sup> The DPR and the LPR are recognised as independent by South Ossetia.

The outlined post-Soviet *de facto* states form two distinctive groups in terms of geographical location, size and ethno-linguistic composition of their populations, position within the Soviet hierarchy of nationalities and length of exposure to Russian and Soviet domination.<sup>17</sup> The first group includes Transnistria and the potential *de facto* states of the DPR and the LPR. All three are located on the plains in the western part of the former Soviet Union. They have relatively large populations: 1,882,600 in the DPR; 1,197,100 in the LPR and 0.5 million in the PMR. They are characterised either by their polyethnic or bi-ethnic composition, and by the poly- or bilingualism of their populations. Thus, in Transnistria the population is almost equally divided between Moldovans, Ukrainians and Russians. There are also sizable Bulgar, Gagauz, Belarussian, German and Jewish minorities (Diakonova 2006, 6). The population in the DPR and the LPR is Russo-Ukrainian with Russian as the dominant language. None of them has had pre-existent ethno-territorial autonomy. All of them have had ethnic Russians or Russian speakers as either protagonists or victims of ethno-territorial conflict with the nationalising post-Soviet states of Moldova and Ukraine. All three have had a lengthy historical existence within the Russian Empire and throughout the Soviet period compared to the states they broke away from, post-Soviet Moldova

and (western) Ukraine. In the case of Transnistria this has been since the late eighteenth century and in the cases of the DPR and the LPR since the mid-seventeenth century, compared to Moldova and western Ukraine which were incorporated into the Soviet Union only in the 1940s.

The other group is represented by the NKR, the Republic of Abkhazia and the Republic of South Ossetia, all of which are located in the mountainous Caucasus. They have relatively small populations: 141,100 (2009) in the NKR, 240,705 (2011) in Abkhazia and 51,572 (2012) in South Ossetia. The Nagorno-Karabakh and South Ossetian Republics are characterised by a high level of ethnic and linguistic homogeneity, while in Abkhazia ethnic Abkhaz constitute less than half the population. None has had Russians as either protagonists or victims of the conflicts resulting in their formation. All three have been under Russian/Soviet domination for over 200 years—the same length of time as their respective metropolitan states. Since the 2000s there has been a growing divergence between the NKR, on the one hand, and Abkhazia and South Ossetia on the other, in terms of the balance of power, sustainability, and deployment and scale of armed forces on the ground. Following the Russo-Georgian war of 2008, which resulted in Russia's recognition of the independence of Abkhazia and South Ossetia, both de facto states acquired additional characteristics as de facto protectorates of Russia, while the status of the NKR has remained locked by the political stalemate between Armenia and Azerbaijan.

## METHODOLOGICAL CHALLENGES IN STUDYING THE POST-SOVIET DE FACTO STATES

Western academics became interested in Nagorny Karabakh, Abkhazia, South Ossetia and Transnistria in the late-1990s, when it became apparent that these separatist polities might endure, compared to other post-Soviet secessionist entities that were rapidly re-integrated into their respective metropolitan states. However, their research into these four enduring secessionist political entities can be seen as having taken place in a larger context that in my view has presented some serious challenges affecting the nature and quality of that research. One major challenge has been the disciplinary unpreparedness of Western scholarship to deal with a phenomenon occurring at

the periphery of the former USSR. This has been largely due to the fact that most Western scholars from Russian, Slavonic, East European and Eurasian area studies have traditionally been Russia-centric, or even Kremlin-centric, and have often lacked the in-depth knowledge and necessary linguistic skills to deal with ethno-political conflicts and processes in non-Russian parts of the former Soviet Union.<sup>18</sup> Many of them therefore have been programmed to view those conflicts and the de facto states through traditional Russia-centred conceptual paradigms.<sup>19</sup> Thorough field work on de facto states has been relatively limited, with the bulk of it based on short-term visits there and interviews with capitals-based English or Russian-speaking policy-makers and academics as well as journalistic reports. As a result, data have sometimes been less than comprehensive, which has inevitably affected the validity of at least some of the conclusions reached. Still, given the paucity of non-Russian-based post-Soviet area studies, the expertise on the ethno-territorial conflicts in the former USSR generated within Russian, Slavonic, East European and Eurasian area studies has been particularly valuable.

However, even this expertise has been somewhat jeopardised by the decline of area studies in Western academia. The academic reason for the gradual phasing out of Russian, Slavonic, East European and Eurasian Studies<sup>20</sup> has been their alleged disciplinary vagueness and insufficiently robust attention to theory. It has also been claimed that with the end of Communism the ex-Soviet (and more widely ex-Communist) states ceased to be distinctive political and social entities defined by Communist ideology, and became ‘normal’ and therefore could be theorised within mainstream social and political science theoretical disciplines. This new post-Cold War thinking has led to the demise of many inter-disciplinary Russian, Slavonic, East European and Eurasian Studies Departments, their fragmentation along mono-disciplinary lines, and a rapid rise in the number of ‘specialists’ on ex-Soviet states, including de facto states, coming from a purely political or other social science theoretical background, and therefore lacking vital language training and in-depth knowledge of the history and culture of the regions under study.<sup>21</sup> The economic argument against the preservation of Russian/Slavonic/East European and Eurasian Studies has been their alleged financial non-viability because of relatively low recruitment under conditions of universities’ increasing commercialisation and the quest for larger numbers of students, and as a consequence the prioritisation of more generic degrees over the more labour intensive and

demanding language-based inter-disciplinary training of relatively small numbers of students with an interest in particular regions.

Another challenge has been what we might call Western academic imperialism, which has taken two distinct but related forms. One is the substantial inequality in the research relationship between Western academics and local scholars working on post-Soviet issues, including de facto states. A genuinely equal partnership in collaborative research between them has been the exception rather than the rule due to associated political, logistical, linguistic and methodological problems<sup>22</sup>, as well as legitimate concerns over the personal safety of researchers. In the relatively few collaborative research projects on post-Soviet ethno-territorial conflicts and de facto states Western academics often oversee the theoretical and methodological frameworks of the research, while local academics are heavily involved in the fieldwork, including interviewing, conducting surveys and gathering other empirical data. Among the implications of such inequality has been the preponderance of large and medium-scale comparative studies conducted within mono- and integrated theoretical frameworks with the emphasis on deductive quantitative methodology. As a result, post-Soviet de facto states have been used as illustrations of the validity/invalidity of a particular theoretical model. The second form is the ignorance or indifference of much Western scholarship in relation to indigenous research conducted outside Western paradigms. This research, though highly informed, is too often regarded as merely ‘descriptive’ or otherwise uncongenial—that is, if it is accessed at all due to the absence of linguistic competence. It is now time to consider in more detail how, against this larger background, a variety of Western research models have dealt with the specific issue of post-Soviet de facto states.

## SAMPLING WESTERN THEORETICAL MODELS OF POST-SOVIET DE FACTO STATES

### *Historical studies perspectives*

The post-Soviet de facto states have been addressed by Western historians of Russia and the former USSR, most of whom come from language-based inter-disciplinary Russian, Slavonic, East European and Eurasian Studies (see, e.g. Gammer 2014; Hosking 2014; Imranli-Lowe 2013; Kappeler

2001; Suny 2001; Smith 2013; Swietochowski 1995; Yemelianova 2002). These authors approach them within the perspective of the wider historical evolution of Russia and other major Eurasian polities, and largely view them as by-products of centrifugal tendencies triggered by the disintegration of the multi-ethnic Soviet Union. They therefore tend to avoid the term ‘de facto state’ in relation to these political entities, preferring to describe them as ‘separatist’ or ‘irredentist’ movements, or as ‘orphans of the Soviet Union.’ They emphasise the qualitative differences of these entities from other ‘de facto states’ across the globe due to the former’s particular history and characteristics. Thus, they point to the dismantling of the distinctive Russian imperial multi-ethnic set-up, superseded by the Soviet ethno-federal system, the weakening of Moscow’s control and the mass exodus of Russians from non-Russian republics and other political-administrative entities as the main causes of ethno-territorial conflicts leading to the emergence of a number of separatist ethnic entities (see e.g. Swietochowski 1995; Smith 2013, 322-357).

Ronald Suny (2001) and Kamala Imranli-Lowe (2013) examine the catalysing role of post-Soviet nationalist elites in the instrumentalisation and re-interpretation of the histories of their respective ethnic populaces through the narratives of ‘ancestral land,’ or ‘ancient hatreds.’ Some of my own work (2002, 199) has concerned the centuries-long grassroots interaction and co-existence between various people of Eurasia, enhanced under the Soviet internationalist system, as factors behind the relatively peaceful reconfiguration of the post-Soviet political space, in contrast with the highly violent break-up of the major European and Ottoman empires. Geoffrey Hosking (2014) points to the fomenting role of external actors, the US and the EU in particular, in ethno-territorial conflicts in some post-Soviet borderlands, as well as to the destabilising implications of the EU-driven ‘conversion’ of various post-Soviet indigenous peoples into ‘ethnic minorities.’

In general, this historical research, based on inductive, grounded analytical paradigms and its predominant reliance on primary sources in Russian, and to a lesser extent other languages of peoples of the Russian Empire/Soviet Union, provides an in-depth and multi-faceted understanding of the historical drivers behind the emergence of post-Soviet de facto states. A possible criticism of this approach, however, is that its inevitably ‘backward looking’ perspective and narrow specialism defined by primary sources prevents the generation of a comparative and comprehensive analysis of these

phenomena as they exist in the present. Another is that scholars in this tradition have not engaged adequately with relevant scholarship in other disciplines.

## INTERDISCIPLINARY AREA STUDIES PERSPECTIVES

The post-Soviet *de facto* states have been at the centre of research by those social and political scientists who, like the aforementioned historians, originated from a Russian/Slavonic/East European and Eurasian Studies theoretical disciplinary background. Some conceptualise these separatist entities within a wider comparative perspective, while others focus exclusively on post-Soviet separatist entities, or an individual entity, or even a particular aspect within an individual entity. A good example of the first approach is Bruno Coppievers and Richard Sakwa's *Contextualizing Secession: Normative Studies in Comparative Perspective* (2003), which combines a high level of contextualisation and inductive methodology with conceptual tools employed in philosophy, international law, history, international relations and studies of comparative federalism. Coppievers and Sakwa investigate how the distinctive historical, cultural, political and ethnic circumstances of post-Soviet Abkhazia, Chechnya and Tatarstan, alongside Corsica, Northern Cyprus, Quebec, Taiwan, Bosnia-Herzegovina, Kosovo and Montenegro, shape their understanding of 'self' and 'national sovereignty' and 'just war' (2, 8, 253).

The other approach is exemplified in fieldwork-based and inter-disciplinary research in one or several post-Soviet de facto states, their respective metropolitan states and Russia (Ó'Beacháin 2014; O'Loughlin, Kolossov and Toal 2015; Kolossov and O'Loughlin 2011; Kolstø and Blakkisrud 2012; Bakke, O'Loughlin, Toal and Ward 2014; O'Loughlin, Kolossov, and Toal 2011; Broers 2013; Broers and Toal 2013). This research is collaborative and often includes Russian and regional participants. Thus, John O'Loughlin and Gerard Toal, working closely with Vladimir Kolossov, a political geographer from the Moscow State University, conducted large representative public opinion surveys in Abkhazia, Nagorny Karabakh, South Ossetia and Transnistria with the aim of establishing dominant views about the role of Russia, the level of popular support for local institutions and the

possibilities for post-war reconciliation, as well as the impact on these political entities of the partial international recognition of Kosovo. O'Loughlin, Toal and Kolossov (2015) perceive the dynamic of post-Soviet de facto states within the wider context of the relationship between Russia and the West, and view Russia as an internal rather than external actor on the geopolitics surrounding these entities.

By comparison, Kolstø and Blakkisrud apply Freedom House's ranking and criteria to assess the development of Western type political rights and civil liberties in Nagorny Karabakh (2012) and Transnistria (2011). In other research they also look into the democratic credentials of the NKR by examining its cultural homogeneity, size, existential threats, the role of the diaspora and the consequences of continuing non-recognition. They conclude that the NKR's ethnic, religious and linguistic homogeneity and its relatively small size are conducive to the development of democracy in it, while its existential threats, the role of the diaspora and international non-recognition work against it (2012, 141). An in-depth and empirically rich study of a particular aspect of a post-Soviet de facto state is exemplified by the collaboration between Laurence Broers and Gerard Toal on the official cartography of the NKR and Armenia, approached from political science and critical geopolitics theoretical perspectives. Their research revealed the important role of Armenian cartography in Armenian nationalist mobilisation with the aim of legitimising Armenian claims on Nagorny Karabakh (2013, 21, 32).

## **MAINSTREAM SOCIAL/POLITICAL SCIENCE PARADIGMS**

As noted earlier, most studies on post-Soviet de facto states have been conducted by social and political scientists, coming mainly from international relations and security studies backgrounds. They tend to address the post-Soviet de facto states through well-established social/political science paradigms, combined with particular theories of international law and of nation and nationalism.<sup>23</sup> These studies can be divided into four major categories: (1) large and medium-scale comparative studies; (2) large and medium-scale 'grand theory' comparative studies; (3) mono-theoretical studies and (4) policy-driven studies.

## LARGE AND MEDIUM-SCALE COMPARATIVE APPROACHES

The rise of ethnic violence in the wake of the break-up of Yugoslavia and the USSR prompted some political scientists to incorporate ethnic groups and ethnic conflicts in ex-Communist countries within wider comparative studies of ethnic minorities and ethnic conflicts. Ted Gurr pioneered these studies in his *People Versus States: Minorities at Risk in the New Century* (2000). Such studies tend to employ integrated theoretical frameworks combining theories of ethnicity and International Relations<sup>24</sup> and seek to establish general trends and consistencies in the causes and consequences of various ethnic conflicts across the globe, as well as to elaborate plausible scenarios of conflict regulation and de-escalation. Among examples of such large-scale studies are Karl Cordell and Stefan Wolff's *Ethnic Conflict* (2009) and the earlier mentioned *Unrecognised States: The Struggle for Sovereignty in the Modern International System* by Nina Caspersen (2014). Cordell and Wolff apply four levels of analysis—local, state, regional and global—to the study of ethnic conflicts in different parts of the world by focusing on three main variables: motives, means and opportunities. They include Abkhazia, South Ossetia, Nagorny Karabakh and Transnistria within a large list of various ‘separatist regions,’ alongside East Timor, Northern Cyprus and Northern Ireland, which they conceptualise through the same determinist explanatory paradigm (Cordell and Wolff 2009, 2, 19, 45, 135). By comparison, Caspersen focuses on the effects of international non-recognition on the internal sovereignty and general sustainability of the unrecognised states of Abkhazia, South Ossetia and Nagorny Karabakh, alongside many other ‘unrecognised’ states in the Balkans, Africa and Asia (Caspersen 2014, 11).

The collaborative research by Eiki Berg and Raul Toomla (2009) on the implications of non-recognition on various de facto states, including Abkhazia, Nagorny Karabakh and Transnistria, provides an example of one type of medium-scale comparative study. By using mainly quantitative research methods, Berg and Toomla designed a ‘normalisation index’ to measure to what degree de facto states are boycotted, tolerated, or granted some kind of international recognition on the basis of their integration into international society, their foreign trade and communications. They conclude that the de facto states’

status quo is advantageous compared to their hypothetical inclusion into a decentralised federal system, or forceful incorporation into a metropolitan state.

The other type of medium-scale comparative study is represented by Christoph Zürcher's *The Post-Soviet Wars: Rebellion, Ethnic Conflict, and Nationhood* (Zürcher 2007). Zürcher uses a combination of quantitative and qualitative methods to study ethno-political complexities and the likelihood of war in the Caucasus through six variables.<sup>25</sup> He focuses on the factors and causes of the 'successful' secession of Chechnya, Abkhazia, South Ossetia and Nagorny Karabakh, which he terms *quasi-states*<sup>26</sup>, compared to the 'failed' secession of Ajaria and various ethnicity-based entities in Dagestan (8). In accordance with his chosen paradigm he divides various Caucasian entities into two groups: those involved in violent conflicts and those who avoided war. The theoretical logic of the study is significantly compromised, however, by its inclusion of Dagestan into the group of those regions which 'avoided war' (5, 220) since it experienced a high level of inter-ethnic clashes between 1991 and 1993 and since the early 2000s has been in a state of de facto civil war between pro-government forces and Islamist 'forest brothers.'

Overall, the advantages of such large and medium-scale studies are in their global comparative nature and their integration of post-Soviet ethno-political phenomena, which in the past were treated exclusively within separate Sovietological studies, into mainstream social and political science. However, these benefits are mitigated by their disregard for significant historical and cultural differences between various ethno-territorial conflicts and the ensuing omission of some 'inconvenient' variables, as well as their strong reliance on quantitative research methods and English language secondary sources, including works by political analysts.

## LARGE AND MEDIUM-SCALE 'GRAND THEORY' COMPARATIVE APPROACHES

A number of social and political scientists have introduced their own 'grand theories' aimed at provoking new insights into the causes and dynamic of ethno-national mobilisation and the distinctive nature of post-Soviet 'secessionist groups.' These theories are intended to provide 'a third way' between

discredited Sovietological paradigms, which failed to predict the collapse of the USSR, and mainstream social and political science explanatory paradigms. Of special interest here are the theories of ‘tidal nationalism’ in Mark R. Beissinger’s *Nationalist Mobilisation and the Collapse of the Soviet Union* (2002, 2-4, 273), ‘segmental institutions’ in Philip Roeder’s *Where Nation-States Come From: Institutional Change in the Age of Nationalism* (2011), and its variation in Babak Rezvani’s *Ethno-Territorial Conflict and Coexistence in the Caucasus, Central Asia and Fereydan* (2013). Beissinger defines nationalism as being both a “structured and structuring phenomenon” and views the post-Soviet ‘secessionist groups,’ (i.e. de facto states – G.Y.) of Abkhazia, Nagorny Karabakh and Transnistria in the context of post-Soviet interactive waves, cycles, and tides of nationalist mobilisation rather than as individual and isolated phenomena. He uses the ‘contentional event’ of national mobilisation as the fundamental analytical unit and employs both small-n and large-n research strategies. Beissinger argues that his pioneering study of particular structural preconditions and institutional contingencies of post-Soviet nationalist mobilisation, based on his innovative methodology, allows us to understand the causes, nature and dynamic of this mobilisation and therefore to predict its future occurrence (Beissinger 2002, 9, 41, 317).

Philip Roeder, on the other hand, suggests that his universalist ‘segmented institutions’ paradigm is best suited for the study of the phenomenon of de facto states, including those on the territory of the former Soviet Union. He utilises this paradigm in the study of 177 ‘segment-states’ for the period 1901-2000 (Roeder 2011, 10, 308, 324). Roeder distinguishes between ‘common nation’, ‘common state’, and ‘segment state’; thus, he identifies Britons as the ‘common nation’, the UK as the ‘common state’ and Northern Ireland, Scotland and Wales as ‘segment states’. He focuses on three variables arguably shaping the main pattern of secession. They are: (1) political identity and hegemony within ‘segment-states’; (2) the unity and security of leadership within the ‘common state’; and (3) the role of external allies in deferring reversal of secession. He posits that the universal causes for secession include disunity, turmoil and constitutional change in the ‘common-state’ governments, which are further exacerbated by opportunities that arise from this change. Roeder argues that only those separatist movements developing within the borders of ‘segment-states’ (‘territorial autonomy’ – G.Y.) have the potential to evolve into de facto states. He supports his argument by reference to Abk-

hazia, South Ossetia and Nagorny Karabakh, all of which had pre-existent autonomous status.

By comparison, Babak Rezvani addresses the causes of the Nagorny Karabakh conflict, Georgia's conflicts with Abkhazia and South Ossetia, the Ossetian-Ingush conflict, the Russo-Chechen conflict, the Tajik civil war and the Uzbek-Kyrgyz conflict in southern Kyrgyzstan from a human geography theoretical perspective. Like Roeder, he points to the centrality of pre-existent ethno-territorial autonomy as one of the two major factors for a region's susceptibility to ethno-territorial conflict. He views a region's mosaic-like ethno-geographic configuration, which he defines as "an ethnically very fragmented area with relative homogeneous pockets of ethnic concentration", as the other factor (Rezvani 2013, 327). Rezvani analyses 129 ethno-territorial encounters, broken down into 10 variables, through a combination of qualitative and quantitative methods with special emphasis on the binary logic of Boolean algebra.<sup>27</sup> He concludes that Soviet ethno-federalism's hierarchical modes of ethno-territorial competition, ethnic heterogeneity of pro-secession regions and pre-existent ethno-territorial autonomy act as major factors in ethno-territorial conflicts and the formation of de facto states. It is worth noting, however, that this conclusion is not supported by empirical evidence from some other parts of the former USSR. Cases in point are the de facto state of Transnistria and the proto-de facto states of the DPR and the LPR, none of which had pre-existent ethno-territorial autonomy.

Overall, 'grand theory' approaches, like other large and medium-scale comparative explanatory paradigms, are beneficial in allowing the sharpening or extending of existing theoretical models by feeding into them suitable data from post-Soviet ethno-territorial conflicts and de facto states, as well as in positioning post-Soviet ethno-political phenomena within wider regional or even global contexts – positioning which enables some generalisations, identification of broad trends and theory-building. However, their fixation on particular variables, resulting in their selective approaches to data and sources, significantly undermines their explanatory power. An aggravating factor is their heavy reliance on quantitative research methods and secondary sources, some of which are factually inaccurate, while their primary sources are often patchy, inconsistent and one-sided. For example, Beissinger, while examining the ethnic mobilisation of both Armenians and Azerbaijanis over Nagorny Karabakh, on several occasions refers to the

killings of Armenians by Azerbaijanis in Sumgait, and supports these references by his personal interviews with several victims of these tragic events. But he does not refer to the massacre of Azerbaijanis by Armenians in Khojaly, nor does he provide any interviews with victims. Roeder, like Rezvani, chose not to include Transnistria, which did not have pre-existent autonomy, in his analysis. Overall, authors of various ‘grand theories’ appear to adhere to the same theoretical and methodological determinism as their Sovietologist forefathers, whom they critique. Thus, some of them, likewise, have been unable to predict the recent nationalist resurgence in Ukraine that has contradicted Beissinger’s assertion that by the late 1990s the tides of nationalist mobilisation on the territory of the former Soviet Union were replaced by the growing ‘immutability’ and ‘legitimacy’ of new post-Soviet borders (Beissinger 2002, 446-447).

## **MONO-THEORETICAL APPROACHES: THE CASE OF REGIONAL SECURITY COMPLEX THEORY (RSCT)**

The fall of the Iron Curtain has opened the post-Soviet space to analysis of its ethno-politics and politics in general through the prism of established theoretical paradigms such as ‘rational choice’, ‘greed versus grievance’, ‘repression’ and, especially, ‘security dilemma’.<sup>28</sup> Among works which use these paradigms are, for example, Svante E. Cornell’s *Small Nations and Great Powers* (2001) and Kevork Oskanian’s *Fear, Weakness and Power in the Post-Soviet South Caucasus. A Theoretical and Empirical Analysis* (2013). Both analyse the Caucasus’ ethno-politics through regional security complex theory (RSCT), originally formulated in Barry Buzan’s *People, States and Fear* (Buzan 1991; Buzan, Waever and de Wilde 1998). According to Buzan, the Regional Security Complex describes a significant security subsystem involving a set of geographically linked states whose national securities cannot be realistically considered apart from each other and are shaped by power, amity and enmity relations (Buzan 1991, 188-190). However, Cornell and Oskanian interpret this definition in different ways. Cornell includes within it the whole Caucasus, i.e. Armenia, Azerbaijan, Georgia, Russia, Turkey and Iran, and perceives the US as the external actor. He therefore prioritizes

the regional and Eurasian format for the management of Caucasian de facto states, which he regards as ‘secessionist’ entities (Cornell 2001, 23–25, 398, 407). By comparison, Oskanian significantly modifies Buzan’s definition by including in it only half of the Caucasus region, that is the Southern Caucasus, represented by post-Soviet Armenia, Azerbaijan and Georgia. Within the adapted and expanded Buzan theory, Russia, a large part of which belongs in the Caucasus, finds itself outside the Southern Caucasus RSC and becomes one of the three external actors, along with the geographically and culturally far distant USA and EU, who exercise ‘great power penetration’ (GPP) in the region. This premise is also in stark contrast with the findings by John O’Loughlin, Vladimir Kolossov and Gerard Toal, which point to the widely-held perceptions among populations, rather than among elites, in Abkhazia, South Ossetia and Nagorny Karabakh of Russia as part of the region and the high level of public trust in Russian leadership compared to that of the EU and of low support for Western democratic political systems (O’Loughlin, Kolossov and Toal 2015). Oskanian analyses the political complexities of the region on the basis of three variables – amity and enmity, state incoherence and GPP. He concludes that Nagorny Karabakh, Abkhazia and South Ossetia, are by-products of ‘revisionist conflict formation’, combining characteristics of both ‘secessionist statelets’, and protectorates of Armenia and Russia, respectively (Oskanian 2013, 69, 155, 158, 169).

Overall, the application/modification of RSCT and other elaborate International Relations and Security Studies theories to the analysis of the empirics of the Caucasus and the wider post-Soviet space allows the further development of these theories by expanding them to the analysis to new terrain inaccessible during the Soviet era. Like other determinist approaches, however, this research is deductively-driven, selective and therefore does not relate to inconvenient empirical data. Thus, Oskanian chooses not to dwell upon the absence of enmity between conflicting parties during the Soviet period, which challenges revisionist perceptions of the ethnic conflicts under discussion. Similarly, he does not address such central factors for the understanding of the regional security subsystem as the systemic strategies of the USA in the South Caucasus, which arguably combine characteristics of both GPP and super-power penetration, and the exclusion of Turkey and Iran from GPP, both of which have a geographic and material, rather than ideational, presence in the region. It could be argued therefore that the increasing application of RSCT

and other mono-theoretical models to ethno-national and political processes on the territory of the former USSR contributes to Western soft power penetration in this part of the world.

## POLICY-DRIVEN APPROACHES

Finally, the post-Soviet de facto states have been the subject of policy-driven research commissioned by various Western thinktanks. Such research is exemplified by Dov Lynch's *Engaging Eurasia's Separatist States* (2004), funded by the United States Institute of Peace and the European Union Institute for Security Studies. The book has the advantage of being based on the author's extensive fieldwork in Abkhazia, South Ossetia, Nagorny Karabakh and Transnistria, and is still, 11 years after its publication, the most comprehensive and empirically rich study on post-Soviet de facto states. Lynch provides background information on these secessionist entities and their metropolitan states and analyses their respective attitudes and policies towards each other. He draws on Pegg's concept of the de facto state and applies Zartman's notion of 'ripeness' as a vital prerequisite for conflict settlement between central governments and separatist regimes (Zartman 1989) in his analysis of the social, political, economic and military forces sustaining the stalemate around these secessionist entities. Significant also is Lynch's use of the notion of the 'common state' in relation to particular de facto states and the metropolitan states from which they seceded (Lynch 2004, 128).<sup>29</sup> Of special value is his identification and analysis of such internal drivers of enduring post-Soviet de facto states as their insistence on absolute sovereignty, the separatist elites' fear and insecurity complex and their inability economically to support themselves (42, 54, 63).

However, the academic value of Lynch's book, and others like it, is compromised by its design as a set of policy recommendations to the governments of the USA and the EU on how to deal with these de facto states and with Russia's role in ethno-territorial disputes which produced these separatist regimes. Thus, at various points Lynch submits that Russia's central involvement in the region presents "a critical barrier to conflict settlement" which could be achieved only through the significant marginalisation of Russian political influence, on the one hand, and the increased engagement in the region

of the US and the EU through the medium of the NATO Partnership for Peace Programme and the EU Wider Europe-New Neighbourhood Initiative (Lynch 2004, 42, 79, 99, 109, 124-125).

## CONCLUSION

The above analysis suggests that within English-language scholarship there is a variety of discourses addressing the post-Soviet de facto state phenomenon. The most adequate understanding, in my view, has been generated by historians and political scientists from Russian/Slavonic/East European and Eurasian studies backgrounds, who have largely relied on primary sources in Russian and, to a lesser extent, in other languages of the former USSR, have used largely inductive, qualitative research methods and examined the post-Soviet de facto states within the wider Russian and Eurasian historical and cultural context. However, they have been increasingly outnumbered by social/political scientists, especially those with generic theoretical backgrounds in International Relations and Security Studies. These have been more concerned either with abstract theorising, using the post-Soviet de facto states as new, regional confirmations of the validity of particular theoretical models, or, through the academic compartmentalisation of the post-Soviet political space and its analysis through various ‘grand theories’, have perhaps unknowingly participated in the promotion of a Western geopolitical agenda in this region. In doing so most of them, with very few exceptions<sup>30</sup>, have chosen to stay away from critical analysis of the regional and local implications, including for the post-Soviet de facto states, of the radical reconfiguration of the international system in the post-Cold War period towards Western unilateralism. It could be argued that they have been unable or unwilling to conceptualise the partial unfreezing of the political order resulting from the disintegration or break-up of the ‘positively sovereign’ states of the USSR, Yugoslavia, Czechoslovakia, as well as the re-unification of Germany. This is despite the fact that this unfreezing represented the violation of the internationally recognised principles of the inviolability of the existing borders between the states in Europe and the territorial integrity of the European states – the principles endorsed in the 1975 Helsinki Final Act.

Meanwhile these changes have manifested themselves in the gradual marginalisation of the United Nations as the major guarantor of state sovereignty and non-intervention, and its increasing replacement by the US-led ‘international community’ which has opted for a selective implementation of the UN-enshrined principles of territorial integrity<sup>31</sup> and domestic jurisdiction of its member states, as well as for selective unfreezing of self-determination rights.<sup>32</sup> Some political scientists have turned to the conceptualisation of these changes by generating a theory of humanitarian intervention (Wheeler 2000; Bellamy 2011; Bellamy, Williams and Griffin, 2010), which makes the academic case for military aggression against some ex-Communist sovereign states, or their constituent parts, or the former clients of the USSR.<sup>33</sup>

The epistemological implications of this global political change have affected Western studies of post-Soviet de facto states and the wider field of post-Communist politics. One implication has been the strengthening in Western social and political sciences of a rigid mono-theoretical determinism that has much in common with prescriptive Marxist methodology, and the ensuing failure to generate, in Valery Tishkov’s words, a “more sophisticated social science analysis – that may include elements of “good intentions,” rational choices, altruism, human creativity, as opposed to “tectonic” determinism and totalizing illegitimacy” (Tishkov 1997, 26-27). An important part of this process has been the increasingly neo-liberal research agenda of the main Western research funding bodies, which have increasingly oriented their funding decisions towards the promotion of Western values in the post-Soviet space and the establishment of a causal relationship between security and democracy, in particular.<sup>34</sup>

A second shift relates to the changes in research sources from predominantly primary to secondary sources, as well as change in methodology from qualitative, grounded inductive methods to predominantly quantitative, deductive methods. A third factor has been the increasing role of political analysts, especially from a variety of politically engaged thinktanks, in informing and shaping relevant academic and policy-making discourses. It is noteworthy that although many such political analysts travel regularly to various post-Soviet locations and possess an impressive network of interlocutors, they tend to base their assessments on their interactions with English or Russian-speaking members of local political, academic or mass media elites, as well as journalistic accounts of particular phenomena. They are usually not very scrupulous

in terms of their sources, especially those related to historical claims to disputed territories. As a result, they often either intentionally or unintentionally contribute to the promotion of politicised and biased narratives of post-Soviet ethno-territorial conflicts and *de facto* states. It appears that increasingly it is their narratives, rather than those of genuine scholarship, that serve as the main source of information for Western policy-makers involved in the mediation of the conflicts under discussion.<sup>35</sup> It could be argued that Western scholarship on the former USSR has failed to overcome Cold War ideological stereotypes of Russia and has even succumbed to a new mythology driven by its demonisation.

## NOTES

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1 I am grateful to two anonymous referees for their constructive criticism and helpful suggestions.

2 It is noteworthy that although Azerbaijanis did not have their 'ethnic' states prior to the Soviet period, they had an administratively fixed territory known as 'Azerbaijan' within the Safavid Empire. See Perry (1975).

3 Among the ethnicity-related contentions between ex-union republics and their constituent autonomies have been the conflicts between Russia and Chechnya; between Moldova, on one side, and Transnistria and Gagauzia, on the other side; between Azerbaijan and its Nagorno-Karabakh autonomous oblast (region); between Georgia, on one side, and Abkhazia, Adjaria and South Ossetia, on the other. The conflict between the autonomous republics of North Ossetia and Ingushetia occurred within the borders of the ex-union Russian Federation, while the conflicts between Kabardinians (Kabartay) and Balkars; between Karachay, Cherkess and Nogay; and between a number of different ethnic groups in Dagestan, all of which possessed various degrees of administrative autonomy, broke out within the borders of Russia's autonomous republics of Kabardino-Balkaria, Karachaevo-Cherkessia and Dagestan respectively. By comparison, the conflicts between Meskhetian Turks and Uzbeks in Uzbekistan; between Uzbeks and Kyrgyz in southern Kyrgyzstan; between Azerbaijanis and Talysh-Mughans (Talysh-Mughans are ethnic Iranians speaking the Talysh language, one of the north-western Iranian languages, who populate south-eastern Azerbaijan. In June 1991 they proclaimed a Talysh-Mughan autonomous republic which existed till August 1991) as well as the ongoing conflict between Ukraine's Western and Eastern Ukrainians, have not been rooted in any form of autonomy of its major protagonists. See Yemelianova (2003) and Gammer (2014).

4 The post-World War II international system was conceptualised, for example, by Robert Jackson (1993), Charles Beitz (1991), Michael Barnett and Alexander Wendt (1992), Janis Thomson (1995) and James Mayall (1990).

5 According to the 1933 Montevideo Convention, "The State as a person of international law should possess the following qualifications: (a) a permanent population;

(b) a defined territory; (c) government; and (d) capacity to enter into relations with other states" (cited in Pegg 1998, 27).

6 This was highlighted by Marta-Lisa Magnusson in Magnusson, M.L., 'De Facto States in the Context of the Current International Law and Politics. Comparative Analyses of Post-Soviet De Facto States,' paper presented at the international conference 'De Facto Entities in the Post-Soviet Space: Dynamics and Prospects,' September 4-5, 2014, Sevan, Armenia.

7 For a fuller elaboration on the Azerbaijan-Armenia Nagorny Karabakh conflict, see Smith (2013, 336-341); Kolstø and Blakkisrud (2012); Deriglazova and Minasyan (2011); and in Russian, Markedonov (2011, 118-144) and Ó' Beachain (2014).

8 On the politicisation of the historical discourse by both sides, see Imranli-Lowe (2014).

9 The use of the term 'frozen conflict' in relation to this and other post-Soviet ethnic conflicts producing de facto states is not entirely adequate in spite of its regular and conventional employment by both academics and policy-makers. The term adequately relates only to the 'freeze' of the cease-fire and does not reflect these conflicts' changing internal and external environments (Lynch 2004, 8).

10 For detailed accounts of the Georgia-Abkhazia conflict see Clogg (2008), Coppieters (2003), Lynch (2004, 27-30) and Markedonov (2011, 47-82).

11 According to the official Abkhaz statistics, in 2011, the Abkhaz numbered 122,069 (50.71%); Russians 22,077 (9.17%); Armenians 41,864 (17.39%); Georgians 43,166 (17.93%) and Mingrelians 3,201 (1.33%) (*Caucasian Knot* 2014).

12 For details of the Georgia-South Ossetia conflict, see Lynch (2004, 30-31) and Markedonov (2011, 86-102).

13 In 2007 the Parliament of South Ossetia qualified these killings as "genocide of Ossetian people." <http://iratt.com/2007>, accessed 8 April 2015.

14 The other main ethnic groups in South Ossetia are Georgians who number 4,590 (8.9%) and Russians, numbering 515 (1%). *Naselenie Yuzhnay Ossetii*, [www.ethno-kavkaz.narod.ru/rusoddetia.html](http://www.ethno-kavkaz.narod.ru/rusoddetia.html), accessed 8 April 2015.

15 For details see Markedonov (2011, 145-173) and Lynch (2004, 31-35).

16 Before the break-up of the conflict the population of the Donesk Region (*oblast'*) was 4.4 million people and of the Lugansk Region (*oblast'*) 2.3 million people. *Naselenie Ukrayny*, <http://www.ua.all.biz/regions/>, accessed 8 November 2014.

17 On the importance of historical differences in this dimension in Transnistria see Kolossov (2001).

18 Russia-centricity among Western area studies scholars is due to three major factors. One is their academic background in Russian Studies in various Centres/ Departments of Russian, Slavonic or East European (Eurasian) Studies, which used to provide language training mostly in the Russian language, and subject training in Russian/Soviet history, culture, politics and economics. The other is the separation of these studies from Caucasian and Central Asian studies, which exist, for example, at the School of Oriental and African Studies (SOAS), London, or Center for Central Eurasian Studies, Indiana University, Bloomington. These two institutions, although providing training in the languages, history and cultures of some peoples of the Caucasus and Central Asia, do not combine them with training in Russian language, history and culture – a central element for in-depth understanding of these regions. The third factor is the unsafe conditions for substantive fieldwork in conflict zones and de facto states resulting in scholars' strong reliance on elite interviews and other official data (in Russian, or Eng-

lish) obtained during their relatively short visits to Moscow, Kiev, Tbilisi, Baku, Yerevan, Chisinau, and to a lesser extent in Sukhumi, Tskhinvali, Stepanakert and Tiraspol', rather than on lengthy empirical fieldwork involving different administrative sites and social strata in de facto states.

19 This assumption is based on the survey of existing relevant publications, as well as the author's observations at numerous international conferences, workshops and seminars on post-Soviet ethnic conflicts and de facto states 1997-2015.

20 The fact that in the last decade many Departments and Centres of Russian/Slavonic and East European Studies added 'Eurasian' to their name has not radically changed their Russia-centricity in terms of their language and subject teaching provision.

21 This observation is based on the author's more than 20 years' experience within Russian, Slavonic, East European and Eurasian Studies in the UK.

22 This inequality could be partially explained by the non-eligibility of researchers from most post-Soviet countries, with occasional exceptions of those from Georgia and Moldova, to act as principal investigators, or co-investigators, in research projects funded by leading Western and North American funding bodies. As a result, non-Western participants in collaborative research are often reduced to the status of technical assistants, or consultants. A good example of such arrangement has been the inclusion of Vladimir Kolossov as consultant in collaborative projects led by John O'Loughlin, Gerard Toal and Kristin Bakke.

23 Among most cited theorists of nation and nationalism are John Armstrong (1982), Ernst Gellner (2006), Benedict Andersen (1983), Eric Hobsbawm (1990), John Rex (1986) and Antony Smith (2010).

24 Of particular relevance to this paper are frameworks developed by Donald Horowitz (1985), James Fearon (1998), Mary Kaldor (2012), Stuart Kaufman (2001), David Laitin (2007), David Lake and Donald Rothchild (1996) and Paul Collier and Anke Hoeffler (2004).

25 They are: (1) economic underdevelopment; (2) state weakness; (3) opportunities for financing; (4) previous wars and conflicts; (5) complex ethnic geography and (6) mountainous terrain (Zürcher 2007, 4-5).

26 Oddly, Zürcher's definition of *quasi-state* clashes with Jackson's definition outlined earlier.

27 These variables are: (1) ethno-political subordination; (2) religious difference; (3) linguistic difference; (4) traumatic peak experience in the past; (5) autonomous setting; (6) titular demographic dominance;(7) contiguity to titular kinfolk's homeland; (8) transborder dominance; (9) mosaic ethno-geographic configuration; and (10) economic grievances.

28 On specific examples of instrumentalisation of these paradigms for the post-Soviet ethno-territorial conflicts see Ratelle (2015), Isachenko (2009) and Murinson (2004).

29 This premise follows Charles King's argument (King 2001).

30 Here see, for example, Chomsky (1999) and Sakwa (2015).

31 Cases in point have been the support by the US and EU member states of the territorial integrity of Georgia (1991-present) and of Ukraine (2014-present), but the lack of similar support for the territorial integrity of Azerbaijan (1991-present) and Serbia (1999- present).

32 The most pertinent example was the recognition in 2008 by the US and other

leading Western members of the ‘international community’ of Kosovo’s independence in violation of the territorial integrity of Serbia.

33 Such intervention occurred in former Yugoslavia between 1995 and 1999, in Iraq in 2003 and in Libya in 2011, but it did not occur, for example, in the pro-Western state of Saudi Arabia despite the latter’s dismal record of human rights, including officially endorsed beheading and stoning of its citizens.

34 For example, the research conducted within the multi-million-euro EU-funded Seventh Framework Programme (FP7, 2014-17) is expected to establish a direct link between security and democratisation in the Caucasus.

35 Thus, in interviews, Ambassador Faure, Co-Chair of the OSCE Minsk Group on the Nagorno-Karabakh from France, Sir George Reid, Head of the Red Cross and Red Crescent relief effort for 1988 Armenian earthquake and a British diplomat who asked not to be named, revealed that their main source of information on the history and contemporary state of the conflict over Nagorno Karabakh was the book *Black Garden* (2003) by political analyst Thomas de Waal. Author’s interviews, Birmingham, Paris, July-September 2014.

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# **ELECTIONS WITHOUT RECOGNITION: PRESIDENTIAL AND PARLIAMENTARY CONTESTS IN ABKHAZIA AND NAGORNY KARABAKH**

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*By Donnacha Ó Beacháin*

## **INTRODUCTION**

Since the collapse of the Soviet Union and consequent emergence of newly independent countries, the post-Soviet unrecognised (or de facto) states have been examined primarily in the realm of geopolitics, international relations or conflictology (Chervonnaya 1994, Coppieters et al 1998, King 2001, Cornell 2002, Sanchez 2009, Wolff 2011, Markedonov 2011, Companjen and Polese 2012, Kabachnik 2012, Hewitt 2013, Ó Beacháin and Coene 2014, Broers 2015). Very occasionally, the foreign policies of unrecognised states (Owtam 2011, Frear 2014) or their struggles to achieve international recognition (Berg and Toomla 2009, Caspersen 2009, Kosienkowski 2013) are afforded some consideration. The internal dynamics of unrecognised states remain largely unexplored, though there have been some notable exceptions relating to domestic politics (Popescu 2006, Protsyk 2009, 2012), state-building (Blakkisrud and Kolstø 2011) and the position of ethnic minorities (Kolstø and Blakkisrud 2013, Comai and Venturi 2015). Some very valuable work on internal legitimacy, particularly in Abkhazia (Bakke et al 2014) has been produced including the groundbreaking collation of data on internal political preferences (O'Loughlin, Toal and Kolossov 2011, Toal and O'Loughlin 2013). Nationalism and the nation-building processes within the de facto states have also received some examination with most attention devoted to Abkhazia (Clogg 2008, Trier et al 2010, Kolstø and Blakkisrud 2013). Research conducted on the internal democratisation processes (Broers 2005, Caspersen 2011) and consideration of whether non-recognition can serve as a catalyst for democratic transitions (Voller 2015) has also broadened our understanding of the dynamics of de facto states. However, elections in these unrecognised

or partially recognised states remain almost entirely outside the bounds of analysis (Ó Beacháin 2012, Smolnik 2012). It is as if scholars have taken their cue from the community of recognised states and maintain that, though existing for over two decades, these states and their elections are transient aberrations and therefore not worthy of investigation. Add to this the popular tenet that these unrecognised states are simply the pawns of more powerful patrons and one has a rationale for scholarly inertia.

Both case studies are de facto states in the South Caucasus region whose experience of war in the early 1990s resulted in the expulsion of large “enemy” populations that now mainly reside in the ‘parent’ states. They are small in population, ranging from about 150,000 in Nagorny Karabakh to a maximum of 240,000 in Abkhazia, with both employing presidential systems of governance and ranked “partly free” in the influential Freedom House evaluations. The two case studies also have some fundamental differences. Abkhazia remains a heterogeneous state with the titular nation constituting at most half of the population, co-existing with large minorities of Armenians, Georgians, Russians and a host of less numerous ethnicities.<sup>1</sup> Abkhazia is a partially recognised state since the Russian Federation opted to initiate diplomatic relations in 2008 and the Kremlin has encouraged a small number of Latin American and South Pacific states to follow suit. By contrast, the NKR contains an almost completely homogeneous Armenian population and the state enjoys no formal international recognition, even from its patron, Armenia. The differences in patronage are also significant with the NKR depending on its ethnic kin in Armenia while the Abkhaz rely on the Kremlin, a far more ambiguous and historically turbulent relationship. This article does not try to assess whether these states have ‘earned sovereignty’ nor does it pretend to forecast how the unresolved disputes with the ‘parent’ states will pan out. Rather it analyses how recent elections have been conducted in Abkhazia and Nagorny Karabakh in the absence of international recognition.

## PRESIDENTIAL ELECTIONS IN ABKHAZIA

Abkhazia possesses the features of an ethnocracy, in which the dominant titular ethnic group appropriates the state apparatus to preserve and enhance its status, power and interests.<sup>2</sup> Ethnocratic regimes can favour their kin by

ensuring they predominate in key areas of the economy and/or vital instruments of power, including politics, to advance their position (Yiftachel 2006). In such states, ethnic minorities may face various levels of discrimination from outright repression, qualified citizenship rights or inferior treatment from state authorities.<sup>3</sup> Demography has challenged the Abkhaz since their ancestors were deported *en masse* to Turkey by the Russian Tsarist regime during the 1860s and 1870s. During the twentieth century their relative decline put them at risk of assimilation or of being overwhelmed by other nationalities. Though renowned for their longevity, the last Soviet census in 1989 indicated that the Abkhaz constituted only 17.8% (93,267) of Abkhazia's 525,061 residents. The Georgian exodus following defeat in the 1992-93 war fundamentally altered the demographic balance. The 2003 census estimated there were 215,972 people living in Abkhazia, of whom 94,606 (43.8%) were ethnic Abkhaz, while the figure jumped to 122,069 (50.71%) in the 2011 census (see Table 1), officially making the Abkhaz a majority for the first time in almost a century (Lakerbaia 2012).<sup>4</sup> These figures are almost certainly inaccurate, and suggest a desire to inflate Abkhaz numbers at the expense of other nationalities. They also probably reflect a decision by some members of ethnic minorities, particularly those of mixed families that contain some Abkhaz ancestry, to declare themselves as Abkhaz, the better to cement their position in society. A distinguishing feature of the Abkhazian passport, issued since 2006 and for many replacing the old Soviet travel documents, is the fact that the holder's ethnicity is explicitly stated, as was the case during communist times.

**Table 1: Ethnicity of population in Abkhazia (compiled by author based on USSR census (1989) and censi of Abkhazia (2003, 2011).**

	Abkhaz	Georgians	Armenians	Russians	Other	Total
<b>1989</b>	17.8% (93,267)	45.7% (239,872)	14.6% (76,541)	14.3% (74,913)	7.6%	525,061
<b>2003</b>	43.8% (94,606)	21.3% (45,953)	20.8% (44,870)	10.8% (23,420)	3.3%	215,972
<b>2011</b>	50.71% (122,069)	20.71% (46,766)	17.39% (41,864)	9.17% (22,077)	2.02%	240,705

Contemporary Abkhazia's constitutional structure is presidential, more in the style of the hyper-centralised model common in the former Soviet Union than the separation of powers model that pertains in the United States. The President is, *inter alia*, the guardian of the Constitution and laws, commander in chief of the armed forces, represents the state abroad, and defines the basic directions of internal and foreign policy. A Cabinet of Ministers, including a Prime Minister, is chosen by and is responsible to the President (Constitution of Abkhazia, Article 56) who also appoints and removes regional governors in Abkhazia's cities and districts. He can issue decrees and orders that have the force of law. The President of Abkhazia is elected for a maximum of two consecutive five-year terms (Article 49 of the Constitution). S/he must also be a citizen of Abkhazia and aged between 35 and 65. The upward age limit inhibits an incumbent president entertaining notions of becoming a president for life.

Abkhazia's provisions for elections to the highest office reflect an obsession with protecting the titular nation. Both the Constitution (Article 49) and election law<sup>5</sup> stipulate that the president must not only be a fluent speaker of Abkhaz but must also be of Abkhaz ethnicity.<sup>6</sup> Even though the Vice-President of Abkhazia, a superfluous role largely confined to deputising<sup>7</sup>, does not have to be ethnic Abkhaz or a speaker of Abkhaz<sup>8</sup> none of the dozen vice-presidential candidates that put themselves forward between 2004-2014 were drawn from a non-Abkhaz ethnic community.<sup>9</sup>

The requirement that the President must be a fluent speaker of Abkhaz has parallels in other post-Soviet states where the majority of citizens can speak Russian but are often less adept in the state language.<sup>10</sup> These policies are usually seen as part and parcel of encouraging a revival of the indigenous language. Almost all citizens, including the Abkhaz, are fluent speakers of Russian. Very few non-Abkhaz have managed to master the linguistically challenging state language despite being taught with varying degrees of professionalism throughout the under-resourced educational system (Keyyan 2012). Russian has long been the lingua franca and while efforts have been made to promote Abkhaz, competency in the language remains almost exclusively the preserve of the titular nation (Papba 2006, Kuvichko 2009, Chirikba 2011).

All three candidates in the 2011 presidential race supported the constitutional requirement excluding non-Abkhaz nationalities (Shamba 2009, Ankabab 2011, Khadjimba 2011) and the topic did not emerge as an issue during

the 2014 contest. Abkhaz political figures emphasise the historical and contemporary vicissitudes endured by their ethnicity, in particular the wars, deportations, and colonisation that have produced their precarious demographic predicament. The rationale for confining candidates for the presidency to the ethnic Abkhaz has been summarised by Shamil Ardzinba, vice-presidential running mate to Sergei Shamba during the 2011 election:

*This [constitutional] article that requires an ethnic Abkhaz to be a President is nothing. It's a defensive reaction, because our experience showed that, when there was a need to shed some blood, all other groups ran away and only Abkhaz died. When people raised this issue [ethnic criteria for presidential candidate] before, they were told to look at the history, 83% of people killed in this war were Abkhaz. So, when it's about dying, only Abkhaz should die and when it's about election, others should be able to run as presidents? It's also about justice. In five or 10 years this will change, but for this to happen the state language should be Abkhaz; everyone should speak Abkhaz. That's why our policy of treating different nationalities [differently] is very important<sup>11</sup>* (Ardzinba 2011).

Leaders of influential non-titular groups, such as the Armenians, are keen to stress that the constitutional status quo reflects a consensus in society that transcends ethnicity and is not something the Abkhaz have imposed on others (Kerselyan 2006).<sup>12</sup> Trier et al (2010, 95-96) similarly observe that most people in Abkhazia, irrespective of ethnic background, understand that as the Abkhaz are the only people who do not have a kin state outside of Abkhazia and that they are the most determined to win international recognition for the state<sup>13</sup>, it is natural that they should direct political affairs, at least at this stage of the republic's history. This viewpoint is reinforced by the Soviet legacy of ethnic homelands and the symbolic importance it attached to nationality.

Since the collapse of the USSR there have been four presidents of Abkhazia and four competitive presidential elections.<sup>14</sup> No incumbent has sought to amend the Constitution to extend his tenure, as has frequently occurred in other parts of the former Soviet Union, and the 2004-5 elections, while viewed by many in Abkhazia as a dangerous period of instability (Ashuba 2009), resulted in a peaceful transfer of power from the governing elite, centred on President Vladislav Ardzinba and his anointed successor Raul Khadjimba, to a challenging coalition led by Sergey Bagapsh.<sup>15</sup> In 2009, one year after Russia's recognition of Abkhazia, Sergey Bagapsh comfortably won a second

term in a five-man race. His untimely death, on 30 May 2011, necessitated fresh elections, which were set for 26 August and produced three candidates: Prime Minister Sergey Shamba, Vice President Alexander Ankvab and former Vice President Raul Khadjimba.

Contesting his third presidential race Raul Khadjimba had rebranded himself as the assertive voice of Abkhaz nationalism.<sup>16</sup> During the 2004 election campaign Khadjimba had been the anointed successor of outgoing president, Vladislav Ardzinba, and was supported by fellow ex-KGB officer Vladimir Putin. Yet for the purposes of the 2011 election, which he was fighting as opposition, Khadjimba's campaign team emphasised his willingness to challenge unfair agreements with Russia (Enig 2011, Khadjimba 2011). Long-time Foreign Minister Sergey Shamba ran a professional campaign that tried to appropriate the slogan of change and explicitly targeted key segments of the electorate, particularly veterans, the youth and ethnic minorities.<sup>17</sup> Alexander Ankvab, the ultimate winner<sup>18</sup>, relied exclusively on public meetings at which he emphasised stability, continuity, and modest, incremental improvements. Testimony to the bitterness following charges of treason levied by Shamba supporters against Ankvab<sup>19</sup> was the speed with which Shamba's services and those of his supporters were unceremoniously dispensed after the announcement of election results.

Unlike his predecessors, Ankvab failed to sufficiently establish a credible mission that might serve as a brand for his presidency. While Abkhazia's first president, Vladislav Ardzinba, was regarded as the founding father of modern Abkhazian statehood and Sergey Bagapsh achieved long-sought-after recognition for his state from the Russian Federation, Ankvab's achievements were less clear. The demonstrators who seized public buildings in May 2014 claimed to be protesting against corruption, incompetence, and authoritarianism. Two grievances quickly achieved prominence: the alleged waste of Russian aid and the widespread distribution of passports to Georgians in the Gal/i district. This latter act, the opposition claimed, undermined Abkhazian statehood and was designed to extend the voter base of the incumbent regime.<sup>20</sup> Ankvab took refuge in a Russian military base before fleeing to Russia, facilitating the take-over of power by a temporary administration, which called early elections for 24 August.

Four generals in their fifties found their way onto the ballot paper. Raul Khadjimba, whose supporters had spearheaded the demonstrations and who

played a pivotal role in the formation of the temporary administration empowered before the election, was to be the standard bearer for the victorious opposition. Amongst his influential backers were erstwhile rivals Beslan Butba and Sergey Shamba, who had contested the 2009 and 2011 presidential elections. Butba also had the distinction of being Abkhazia's richest man and the owner of the region's only private television network, *Abaza TV* (Butba 2011). Aslan Bzhania, who had headed the State Security Service, was the choice among those who had followed the ousted president, including the influential veterans' organisation *Amtsakhara*. Few could explain the candidature of former defence minister Mirab Kishmaria, though it was speculated that he hoped his vote might be critical in a second round and help act as leverage for his return to the cabinet. The former Interior Minister Leonid Dzapshba put his name forward after a falling out with the temporary administration, but was considered a rank outsider. A fifth candidate, Beslan Eshba, was excluded after failing to pass the rigorous Abkhaz language test.<sup>21</sup>

In an election campaign sullied by ill-proven charges and occasional violence, the lack of reliable opinion polls stymied efforts to separate partisan spin from real voting intentions, and only added to the uncertainty. Ominously, whereas Bzhania made clear that he would accept defeat at the polls<sup>22</sup> Khadjimba's inner circle made no such offer, claiming overwhelming support and convinced that only electoral malpractice could rob them of victory (Kerselyan 2014). In the run-up to the presidential contest, attempts were made to force the resignation of the head of the Central Election Commission (CEC) and the head of the state news agency and while both efforts were successfully resisted, not least by the blowback from civil society, they provided cause for concern.

The ethnocratic character of presidential elections attained new levels of refinement when, on 1 July, nearly 23,000 residents—constituting 15% of voters in Abkhazia—were struck off the electoral register, the vast majority of them ethnic Georgians living in the south-eastern district of Gal/i. Ostensibly debarred because they also held Georgian passports, it was difficult to avoid the conclusion that many Khadjimba supporters simply wanted to deny a voice to a large section of the community that had never voted for their candidate and were very unlikely to do so on this occasion. Another law rushed through parliament established polling stations in Istanbul and the nearby Russian city of Cherkessk to enfranchise members of the Abkhaz diaspora, some of whom had never visited Abkhazia.

Khadjimba achieved a slender first-round victory with 50.57% of the votes. Aslan Bzhania, took close to 36%, while Mirab Kishmaria and Leonid Dzapshba lagged far behind with just over 6% and 3% respectively. A few hundred votes going the other way would have necessitated a second ballot. Had the Georgian voters of Gal/i retained their right to vote and the Abkhaz diaspora in Cherkessk and Turkey remained off the electoral list, a Khadjimba victory might not have been achievable.<sup>23</sup> In effect, the election had elevated somewhat less than half of the population but disenchanted the remainder, who had been vanquished or disenfranchised. Moreover, Khadjimba had little room for manoeuvre when it came to reconciling these large sections of the community for any extended hand to supporters of the ousted president or ethnic Georgians risked alienating key parts of his support base. However, while transforming himself from populist opposition leader to a president for different shades of opinion in Abkhazia would be a daunting task, Khadjimba had only to remember the fate of his ousted predecessor to establish the potential costs of failure.

## PARLIAMENTARY ELECTIONS IN ABKHAZIA

The ethnic factor is also a key feature of parliamentary representation in Abkhazia. The People's Assembly of the Republic of Abkhazia is a 35-seat legislature and there have been four parliaments (1996-2002, 2002-2007, 2007-2012 and 2012-2016) since the dissolution of Abkhazia's Supreme Soviet. While access to the presidency is constitutionally limited to ethnic Abkhaz who are also fluent in the national language, no such barriers exist for members of the People's Assembly. The legislature is, however, thoroughly dominated by ethnic Abkhaz, and non-Abkhaz ethnic groups have been consistently under-represented. Almost three quarters of legislators elected during the 2007 parliamentary elections were drawn from the Abkhaz community, eclipsing parliamentarians of Armenian (9%), Russian (9%) and Georgian (6%) stock. The overwhelming dominance of the ethnic Abkhaz, despite their numerical inferiority in Abkhazia, is not a clear result of voter choice but rather symptomatic of the nomination process whereby the vast majority of candidates are drawn from the titular group. Similarly, the 2012 election was

contested by 125 Abkhaz, nine Armenians, eight Russians, two Greeks, two Georgians, one Ossetian and one Kabardian (*see Table 2*).

**Table 2: Ethnicity of candidates in 2007 and 2012 elections to the People's Assembly of Abkhazia. Compiled by author with information provided by Central Election Committee, Apsnypress, and interviewees.**

Ethnicity	2007	2012
Abkhaz	81.25%	84.46%
Armenian	11.53%	6.08%
Georgian	5.76%	1.35%
Russian	3.84%	5.40%
Other	4.8%*	2.71%**

\* This constituted two Ukrainians (1.92%) and three immigrants (2.88%).

\*\* This constituted two Greeks (1.35%), one Ossetian (0.68%) and one Kabardin (0.68%).

Traditionally there had been “gentlemen’s agreements” whereby constituencies were divvied up in a manner that guaranteed that Armenians would triumph in three constituencies, while Georgians and Russians would emerge with two deputies each (Trier et al 2010, 89; Ó Beacháin 2012, 172). Such agreements involved giving some nationalities a clear run in designated constituencies. For example, District 20 would be fought out between Armenian candidates only while Sukhum/i District 7 would be accepted as a constituency producing an ethnic Russian MP. There are clear signs that these informal agreements are beginning to unravel. Ambitious young candidates increasingly refuse to be bound by informal ethnic quotas if it means jettisoning their own political careers. As a result, the 2012 election produced for the first time an assembly that did not contain an ethnic Russian. It has been suggested that the low salaries offered to parliamentarians is one reason that the Abkhaz predominate. As one MP put it:

*Abkhazians usually have land somewhere in the villages, where they can grow mandarins or something else; or they might have an economic support*

*from their families. Therefore, it's easier for us to sustain ourselves with this salary. While for Russians and Armenians this amount of money won't be enough, that is why they are not interested* (Logua 2011).

However, as wealthy parliamentarians can maintain their business interests by registering them with another person this account would only seem to partially explain the reluctance of Armenians and Russians to get involved in politics. More pertinent perhaps is the fact that the emigration of potential elites has disproportionately affected the non-Abkhaz nationalities.<sup>24</sup>

Some, albeit rarely, have argued in favour of ethnic quotas to ensure greater proportionality within parliament. The major ethnic Armenian leader in Abkhazia has, for example, maintained that a mixed electoral system, in which deputies would be elected partially by majoritarian vote and partially by the list system, could involve quotas for significant ethnic groups within Abkhazia. The system of gentlemen's agreements has afforded no formal guarantees, so the argument goes, as nothing is written on paper and representation is by favour rather than by right (Kerselyan 2006).<sup>25</sup> Armenians, by and large, have contented themselves with thriving in the business sector while Russians have proven quite apolitical and are not geographically concentrated. The educational system, though poorly funded, encourages a diverse ethnic based school system reflecting the linguistic and national preferences of Abkhaz, Armenians, Russians and Georgians. In the largest Armenian school in the capital, for example, students are provided with six hours of Armenian every week, five hours of Abkhaz, four hours of Russian and two hours of English (Keyyan 2012).

The preponderance of ethnic Abkhaz cannot be attributed to the dominance of entrenched politicians who refuse to retire, as the turnover of parliamentarians is remarkable. Of the 26 incumbent deputies (74.28% of total) contesting the 2007 election, only 10 were successful (six in the first round, four in the second). Barely half of MPs were elected in first round (18 out of 35) and of these only six were sitting MPs. Thus, 71.43% of those elected to the assembly in 2007 were new deputies, a trend reinforced during the 2012 parliamentary elections when only five of the 21 incumbents (60% of total) seeking re-election were successful. In that contest, a little over a third (13 out of 35) of candidates secured election on the first ballot, with none of these being from constituencies in the ultra-competitive capital.

**Table 3: Ethnicity of MPs in 2007 and 2012 elections to the People's Assembly of Abkhazia with number of seats in parenthesis**

Ethnicity	2007	2012
Abkhaz	74% (26)	88% (31)
Armenian	9% (3)	9% (3)
Russian	9% (3)	0% (0)
Georgian	6% (2)	3% (1)
Other	3% (1)	0% (0)

In terms of political participation, the Georgians of Gal/i, while officially tolerated as a necessary blight, are governed in a semi-colonial fashion. As Trier et al point out (2010, 16) “a hierarchical order elevates the concerns of the Abkhaz population first and then in descending order the Armenians, Russians, other small minorities and finally the Georgians at the bottom of the system”. Contextualising the under-representation of ethnic minorities in Abkhazia, the then (ethnic Armenian) deputy speaker of Abkhazia’s parliament pointed out that though Georgia is also a multi-ethnic society, with large minorities of, for example, Armenians and Azeris, many of whom do not speak the state language, the parliament is composed uniformly of Georgian speakers, almost all of whom are ethnic Georgians (Ovsepyan, 2009).

Women do not fare well in Abkhazian politics. Despite a Law on Gender Equality enacted in 2009 and the prominence of women in civil society there has been a paucity of females seeking political office (Pilia, 2009). There has never been a female presidential candidate and the only vice-presidential nominee of note, Svetlana Jergenia, was primarily known as the wife of Abkhazia’s founding father and first president, Vladislav Ardzinba. The 2007 parliamentary elections recorded a slight improvement with the number of women rising from two to three and the by-election victory of Emma Gamisonia in 2008 pushed Abkhazia to an historic high of 11.42% in terms of female representation in the national assembly. Moreover a third deputy speaker position was created specifically for Irina Agrba to enhance female standing within parliament. While acknowledging government resistance to the idea, the Chair of the Association of Women of Abkhazia, Natella Akaba, has

argued for a temporary quota system for women (Akaba 2011), though it would be unlikely to transform popular attitudes towards women's participation in politics. Following the 2012 elections, the national assembly took a further step towards homogeneity by quietly abandoning the recently established convention of having two deputy speakers, one of which would be a woman and the other an Armenian. Instead, there is currently a solitary deputy speaker, an ethnic Abkhaz male.

## PRESIDENTIAL ELECTIONS IN NAGORNY KARABAKH

Demography is also critical to understanding Nagorno Karabakh. Azerbaijan's military defeats in the early 1990s resulted in ethnic Azeris, who had constituted just over a fifth of the population, being expelled *en masse* from Karabakh and the surrounding regions. Consequently, contemporary Nagorno Karabakh is extraordinarily homogeneous with ethnic Armenians constituting over 99% of the population (see Table 4).

**Table 4: Population change in Nagorno Karabakh (1989 and 2005 censi)**

Ethnic group	Census 1989		Census 2005	
	Number	%	Number	%
Armenians	145,450	76.9	137,380	99.7
Azeris	40,688	21.5	6	0.0
Others	2,947	1.5	351	0.2
Total	<b>189,085</b>		<b>137,737</b>	

Despite this impressive numerical supremacy and the support of their ethnic kin in Armenia, the Armenians of Karabakh display some of the characteristics of a besieged minority. They are acutely aware that international law is hostile to the existence of the NKR and that the Azerbaijan government has spent billions arming itself for the prospect of a second round with Armenia to recapture Karabakh. That the political regime is guided by the principle

of promoting the interests of the indigenous Armenian population is spelt out in the NKR constitution, the preamble of which makes reference to being “fulfilled with the power of unity of all Armenians of the world”. The Holy Apostolic Church of Armenia is recognised as Karabakh’s “national church” (Article 10) while Armenian is declared to be the state language (Article 15). Furthermore, there is a commitment to “strengthening relations with the Armenian Diaspora” (Article 60).

Nagorno Karabakh is a presidential republic with the incumbent enjoying more or less the same powers as his Abkhazian counterpart. As Head of State he oversees adherence to the Constitution, ensures the normal functioning of the legislative, executive and judicial bodies (Article 61) and forms the government composed of Prime Minister and cabinet who are responsible to him (Articles 68, 100). The political system, economy and survival of Nagorno Karabakh depend on the support of its kin-state and patron, Armenia. However, this reliance co-exists with the fact that Armenia’s political elite has for many years been drawn from Nagorno Karabakh.<sup>26</sup> Presidential candidates must be at least 35 years of age, a citizen of, and resident in, the NKR for the preceding ten years. They can be elected for a maximum of two consecutive terms of five years (Article 62, Constitution of Nagorno-Karabakh Republic). Considering the homogeneity of the electorate there are no imperatives in the Constitution or electoral laws stipulating the language or ethnicity of presidential candidates, as is the case in Abkhazia.

Successive presidential elections in Karabakh have been stage-managed to endorse a candidate chosen by the Armenian political elite in Yerevan and local power brokers in Stepanakert.<sup>27</sup> This practice was disrupted, though not reversed, by the candidature in 2007 of the then deputy foreign minister, Masis Mayilian. In the past, and again in 2007, pseudo-aspirants were prompted by the authorities to contest the election to provide the illusion of competition. Mayilian differed in that he was a genuine opposition (though he preferred the term ‘alternative’) candidate with a distinctive programme who managed to mobilise influential sections of civil society, particularly the NGO sector. While his official result of 12.5% (a figure, while not claiming victory, he disputes) surpassed that of any previous losing candidate, the conduct and consequences of his campaign provided some salutary lessons for other would-be challengers. Mayilian’s bid had been thwarted by extensive use of administrative resources and alleged voter fraud (Mayilian 2011) and

his dismissal from his position of deputy foreign minister, ostensibly on a technicality, provided an additional deterrent.<sup>28</sup> Most ominously, perhaps, was the weakening of the NGO sector, which had provided vital support for Mayilian and had constituted a vibrant political space in Karabakh, particularly in the capital, Stepanakert.<sup>29</sup> Having been courted into political agitation they had formally abandoned their non-partisan reputation and their status as NGOs. As Karabakh law prohibits NGOs involving themselves in politics, and given the bruising electoral campaign, many in the sector quietly retreated and some organisations were wound up (Krikorova 2011)

Considering the comprehensive and professionally injurious defeat of the first genuine opponent, Vitaly Balasanyan's candidature for the 2012 presidential race, which pitted him against the incumbent and Yerevan's favourite, Bako Sahakyan, came as a surprise. A popular war veteran, sitting MP, and former presidential advisor and deputy defence minister, Balasanyan had both the military and political experience to make him a creditable contender. Before his candidature, the election had all the signs of being a cakewalk for President Sahakyan. Ranged against the incumbent was the 49-year-old deputy director of the Stepanakert Branch of the Armenian State Agrarian University, Arkady Soghomonyan, and pensioner Valery Khachatryan. Neither could have been deemed heavyweight candidates and Balasanyan and his campaign team were convinced, as were many neutral observers in Karabakh, that these men had been prodded into declaring their candidature to provide the illusion of choice. This was most obvious in the case of Khachatryan, who withdrew from the campaign, for reasons as lacking in cogency as those provided for entering the race (Khachatryan 2012). The other *faux* opposition candidate, Arkady Soghomonyan, ran a more systematic campaign and stayed to the end, all to garner less than 1% of the vote. Without Balasanyan's candidature, he would most likely have done somewhat better but he was, ultimately, neither oppositional enough to satisfy malcontents nor could he hope to divert votes from supporters of the president. Soghomonyan's campaign was dutifully executed but pedestrian in pace. His election team was tiny, his public meeting schedule modest, and his resources minuscule (his expenditure for the entire campaign was approximately €1400).<sup>30</sup>

The resources at the disposal of Sahakyan and Balasanyan were unevenly matched with the incumbent president enjoying an army of state employees nominally on vacation (Harutyunyan 2012). Forty campaign offices were also

provided free of charge, allowing Sahakyan to run a large operation while officially keeping within the modest campaign spending limit of 6 million drams (€15,000). The president conducted about 200 engagements during the election campaign. The large set-piece meetings with hundreds of supporters at which the president would make an address and entertain questions and comments were comparatively rare. Far more frequent were the short scheduled visits to an organisation, centre or government structure at which Sahakyan would observe, wave, say a few pleasantries and move on (Harutyunyan 2012). As the challenger, with a fraction of the resources behind him, Balasanyan had to work harder for his vote and made a point of visiting remote and isolated villages (Mayilian 2012, Balasanyan 2012).

While the Armenian Government in Yerevan did not formally intervene in the election, Balasanyan and his team opined that by arranging for a steady trickle of high profile representatives to visit Sahakyan during the campaign the administrative resources of the Stepanakert and Yerevan regimes were executing a coordinated strategy to keep Sahakyan in the spotlight looking statesmanlike, while emphasising his top-level contacts in Armenia (Balasanyan 2012, Mayilian 2012).<sup>31</sup> Sahakyan's campaign manager, Prime Minister Harutyunyan, disputed this charge: "No, no, Yerevan does not take part in any way... I don't think they support any candidate. There is an incumbent president, and he has links with Yerevan [by virtue of his position] but nothing more than that. Yerevan never participated in the elections of Karabakh" (Harutyunyan 2012).

Bako Sahakyan ultimately triumphed but with a substantially reduced vote from that garnered in 2007, down from 85.12% to 64.65%. With a 31.53% share of the vote, Vitaly Balasanyan had chalked up the most significant opposition performance in Nagorny Karabakh's electoral history. Indeed, his vote was more than double the combined vote of all four candidates that ran against Sahakyan in 2007. Predictably squeezed between the two real alternatives, Arkady Soghomonyan received a derisory 0.81% of the vote. Compared to the 2007 contest turnout dipped slightly from 77.36% to 73.64%. The campaign had been decidedly lop-sided in favour of the incumbent, who enjoyed in-kind donations, administrative resources and disproportionate TV coverage. Balasanyan's campaign team had sought to frame the choice before the electorate as one between 'change and stagnation' (Mayilian 2012). However, in a conflict-affected society as in Karabakh, where the memory of all-out

war is still salient and the possibility of renewed hostilities is ever-present, one man's stagnation is another's valued stability. The NKR electorate is still drawn to those they believe are most likely to provide them, individually, with opportunities to get a slice of what is a relatively small pie of prosperity and positions. An additional restraining factor is that the region has no precedent of the authorities losing an election or of a peaceful transfer of power. Opposing power therefore has meant potentially falling out of favour with power and going to the back of the queue when state resources are doled out.

The notion of a domestic opposition within the NKR is a novel one. As a society under constant threat of armed conflict, a high premium is placed on national unity, a sentiment all too easily exploited by a regime bent on power in perpetuity. It was the very lack of a parliamentary opposition following the 2010 national assembly elections that occasioned the NKR's Freedom House ranking to slip from "partly free" to "not free". The importance of this could not be downplayed, for the authorities in Stepanakert have previously attached great significance to the fact that Karabakh's ratings were higher than those of "not free" Azerbaijan. This assisted an argument, tailored for western consumption, that it would be imprudent, if not immoral, to hand over a budding democracy to a hereditary dictatorship. When asked to explain the reversion to a ranking of "not free", Karabakh political and civil society leaders were keen to argue that in a small, conflict-afflicted society, opposition was a luxury, as it was associated with disunity and a weakening of polity and society (Tovmasyan 2011, Gulyan 2011, Atajanyan 2011). Consequently, it is argued that there has been no major ideological cleavage in society around which opposing political parties might organise. The key political issues relate to defending the NKR against Azerbaijan and on these there has been no fundamental divergence of views. The participation of a genuine opposition candidate in the 2012 presidential election was the crucial factor in influencing Freedom House's decision to upgrade Karabakh's democratic status back to "partly free" (Freedom House 2013, 8, 19, 20).

Patron state interference in elections is also less controversial in the NKR than in other post-Soviet unrecognised or partially recognised states, such as Abkhazia. While the Russian government has been the vital sponsor of Abkhaz separatism, Russia is not a kin state. Most Abkhaz have no wish to join the Russian Federation (O'Loughlin et al 2011) and there is a fear, infrequently articulated publicly but widespread nonetheless, of creeping annexa-

tion (Enig 2011, Inal-Ipa 2014). By contrast, the overwhelming majority of Karabakh residents view Armenia as more than just a strategic ally providing an economic lifeline. In many ways the NKR is an integral part of “greater Armenia”, and the identities of both Armenia and Karabakh are inextricably linked. No Karabakh politician could survive without the support of Armenia and no Armenian politician could endure were he believed to be abandoning Karabakh. In this sense, the NKR’s position is not unlike that of Kosovo or the Turkish Republic of Northern Cyprus. Both would, at least at one point in time if not now, have been content with joining their ethnic kin in common enlarged states of Albania and Turkey. For presentational purposes, neither Turkey nor Albania wanted to be perceived as expansionist states bent on territorial aggrandisement at the expense of their neighbours. Better, it was thought, to couch the claim in terms of national self-determination for an oppressed people. This has certainly been how Armenia has approached Nagorno-Karabakh. Hence, whereas in Abkhazia, the Kremlin’s ham-fisted support for Raul Khadjimba’s 2004 presidential election bid aroused fears of foreign interference and proved counter-productive, in Karabakh, the influence of Armenia is both expected and accepted. To have the imprimatur of Yerevan is to a candidate’s credit and favour and has yet to be overcome by a challenger.

## **PARLIAMENTARY ELECTIONS IN NAGORNY KARABAKH**

Though initially established in 1991 as a parliamentary republic, the NKR quickly switched to a centralised system of governance to meet the exigencies of war. Within six months of the election of the first Supreme Council, half of Nagorno Karabakh was under the control of the Azerbaijani military, while a staggering 11 of the legislature’s 81 members (14% of all elected deputies) were killed during the 1992-1994 conflict. The current National Assembly (*Azgayin Zhoghov*) elects 33 legislators for a five-year term. For over a decade the parliamentary electoral system has progressively moved away from single-mandate districts decided by the majoritarian system of voting towards a proportional party list system. For the 2000 parliamentary elections the system changed from being exclusively majoritarian to one that was one-third

party list. Five years later the number of deputies chosen was almost evenly divided between proportional and majoritarian systems (17, 16) while in the most recent parliamentary elections – held on 3 May 2015 – two thirds of the legislature (22 seats) was elected by party list with the remaining third determined by regional majority votes. Thus, unlike the electoral code of Abkhazia, which is based purely on majoritarian single-mandate constituencies, voters in Nagorno Karabakh cast two ballots – one for the party list and one for their preferred local candidate.

This shift to a proportional system based on party lists will most likely enhance the role and status of parties that organise throughout the NKR at the expense of local personalities and the role of independent candidates, a consistent if minor force in Karabakh politics, will also inevitably decline. Only time will tell if parliamentary politics becomes more issue-based and less personality-driven, as is usually the case in other polities that employ proportional systems based on party lists. As elections are increasingly conducted using the party list system, the threshold necessary for parties to secure parliamentary representation has also been reduced, from 10% in 2005, to 6% in 2010, to 5% in 2015. The effect of this change has been to create a more inclusive system and was instrumental in boosting the number of parliamentary parties in 2015 from three to five. The 2015 election was also the first election to be held following a law requiring legislators to devote themselves full-time to their parliamentary duties, leading to expectations of greater professionalism and efficiency.<sup>32</sup> The professionalization of parliament may also have fuelled the rumours that Karabakh will switch to a parliamentary system of government (ARMINFO, 4 May 2005).<sup>33</sup> This would only further complement the image, studiously cultivated for external consumption, of a democratising and European-style polity in contrast to the dynastic dictatorship in Azerbaijan.

A total of 42 (single-mandate) candidates contested the 2015 election under the majoritarian (first-past-the-post) system and 164 were included in the party lists. Seven parties participated including those three that have been in coalition since 2007. The largest of these, the Free Motherland Party (FMP) put forward 50 candidates on the party list, followed by the Democratic Party of Artsakh (DPA),<sup>34</sup> and the Armenian Revolutionary Federation (ARF), popularly known as Dashnaktsutyun, with 35 and 34 party list candidates respectively. For over a decade these parties have eclipsed all others and they alone managed to surpass the electoral threshold in 2010. As the oldest Ar-

menian party continuously in existence and with a world-wide organisation, the Dashnaktsutyun differs in ideology and networks from the locally produced FMP and DPA. Moreover, the Dashnaktsutyun form of leadership is collective whereas Karabakh's prime minister and parliamentary speaker lead the FMP and DPA respectively. Despite their parliamentary collaboration there was some competition between the three pro-Government parties as they jostled for position in anticipation for the 2017 presidential election (Mayilian 2015).

With the ARF in coalition with the FMP and DPA, and the Communist Party small and domesticated, no opposition party had contested the 2010 parliamentary elections. In 2015, however, a number of opposition groups participated, in part invigorated by the substantial challenge mounted to Bako Sahakyan during the 2012 presidential race. In the aftermath of that election, defeated candidate Vitaly Balasanyan, the Chairman of the NKR Public Council for Foreign Policy and Security Masis Mayilian and the President of the Stepanakert Press Club Gegham Baghdasaryan had established a new public movement, *Constitutional Artsakh*. The older generation, however, saw the movement as an end in itself and did not seek to form a new party (Mayilian 2015). Balasanyan joined the Movement-88 led by his 2012 campaign manager, Eduard Aghabekyan, while younger veterans of Balasanyan's 2012 presidential bid formed the nucleus of the National Renaissance Party (NRP). The Peace and Development Party only registered a few months before the election and therefore did not entertain great ambitions.<sup>35</sup> They did, however, astutely use the free air-time made available to them on Karabakh's public television station to provide information on rights enshrined in the electoral and legal codes. The political fortunes of the NKR Communist Party, while never abundant, have been declining over several years; its support base is ageing and any critical inclinations its leader, Hrant Melkumyan, might have possessed had been silenced with a minor government post.<sup>36</sup> The party lists tell us something about the contrasting profiles of the candidates and the organisations they represent. Only two of Free Motherland's 50 party list candidates were described as being unemployed compared to half of the 14 candidates nominated by the National Renaissance Party.<sup>37</sup> Most of the NRP candidates were born in the 1980s and 1990s, whereas 12 of the 14 Communist Party candidates were born between the 1930s and 1950s.

Compared to Abkhazia, the homogeneity of the electorate and the candidates in Nagorny Karabakh is remarkable. All 206 parliamentary candidates contesting the 2015 election were ethnic Armenians.<sup>38</sup> Women have been consistently under-represented in the politics of the NKR. As in Abkhazia, there has never been a female presidential candidate in the NKR, and female parliamentary representation has also been derisory for the most part. In the first assembly elections to the 81-seat Supreme Council, held at a time of war in 1991, a solitary woman, Susanna Balayan, emerged, but only after the death of the incumbent created an unexpected vacancy.<sup>39</sup> The situation improved considerably in 1995 when almost a quarter (eight out of 33) of successful candidates were women (counter-intuitively perhaps, women fared no better in the urban capital of Stepanakert, where they garnered three of the 12 seats available), before slipping back in 2000 when women constituted only 11.5% of candidates and 6% of elected legislators. The 2005 election – the first which employed a mixed electoral system – produced even less women for the 22 majoritarian seats on offer. They constituted a mere 5.66% of candidates (six out of 106) and only one – Zhanna Galstyan in Stepanakert District No. 2 – was elected. Remarkably none of these half-dozen female candidates were nominated by any of the seven parties contesting the election, which certainly suggests that rather than women being foisted on an unwilling electorate, prospective candidates had to push forward independently to get onto the ballot paper. The situation remained substantively the same in 2010 when only three women contested the 16 available majoritarian seats (7.5% of total), of whom only one was successful.<sup>40</sup> Women fared better in the proportional system, taking three of the 17 seats distributed according to party list. The electoral code adopted by the National Assembly in October 2014 included the provision that neither gender can have more than 80% representation on a party list (Article 106, Section 2). Consequently, 20% of candidates on each party list (one in every five places to ensure that parties do not have the option of ‘dumping’ women at the bottom of the list) must be female. The effect of the legislation was immediate. During the 2015 election women constituted 25% of candidates (41 women out of 164), though significantly no woman headed any of the party lists. In testimony to the efficacy of the gender quota for party lists, four of the 22 proportional seats were taken by women whereas only five women contested the 11 majoritarian seats, constituting a mere 9.5% of the 42 candidates, of whom only one (9.1%) was successful.

The 2015 parliamentary elections, which brought 70.6% of the electorate to the polls<sup>41</sup>, resulted in a change to the composition of parliament if not to the balance of power. The Free Motherland Party emerged as clear winner with 47% of the party-list votes, taking 11 of the available 22 seats along with 4 majoritarian seats, bringing their total to 15 of the 33 legislative places. The DPA and the ARF gained 4 party-list seats each from an almost equal share of the vote (19.1% and 18.8% respectively), though the Dashnaksutyun managed to take three majoritarian seats to the Democrats' two. The two major opposition parties – Movement-88 and National Revival – took 6.9% and 5.38% respectively, but neither the Communist (1.65%) nor Peace and Development parties (0.86%) came close to overcoming the 5% threshold.<sup>42</sup> All parties accepted the result; the only complaint being in the ultra-competitive (10 candidates) Stepanakert No. 2 constituency, where two candidates objected though the recount confirmed victory for the independent.<sup>43</sup> With three seats for Movement-88, a seat for the NRP and the independent majoritarian elected in the Stepanakert No. 2 constituency, there was now a potential of 5 opposition MPs in the new parliament.

Compared to Abkhazia, there is a greater emphasis in Nagorny Karabakh on the link between conducting exemplary elections and securing recognition for the state. Delegates from the European Parliament were quoted in the Armenian and NKR media as expressing amazement “at how countries can't recognise the elections organized so perfectly” (Armenpress, 4 May 2015), while a member of the Armenian National Assembly who observed the elections proclaimed that “if Artsakh continues to move ahead at such pace, its international recognition is near at hand” (Shahunyan 2015). The enhanced efforts made to advertise the virtues of elections in Karabakh may stem in part from the exertions of the influential and media-savvy Armenian diaspora in the west, which has no Abkhaz counterpart. Moreover, compared to the precarious position of Nagorny Karabakh, Abkhazia has already secured recognition and protection from Russia and this may have dulled the incentive to publicise internationally any achievements at the ballot box. The differing approaches of the central elections commissions (CECs) also highlight the contrasting publicity endeavours. Whereas the NKR has a professional, detailed, and regularly updated online presence, Abkhazia's CEC does not have its own website but rather communicates indirectly via the state news agency, Apsnypress.

## CONCLUSION

The unrecognised or partially recognised states of Abkhazia and Nagorny Karabakh have existed for two decades. While most countries may not accept their legitimacy, they nonetheless persist and have now developed identifiable regime types and means of governance. Recent elections have demonstrated that the de facto states are capable of holding competitive elections in which real opposition candidates participate and enjoy prospects of success. Moreover, surprise results in the presidential elections of other unrecognised post-Soviet states, such as Transnistria (December 2011) and South Ossetia (November 2011 and March-April 2012), have further emphasised that electoral contests in these disputed regions can be highly competitive and unpredictable, and that the role of the patron state may not be as influential as expected.

In new states, particularly those forged by war, there is frequently a close alignment between electoral politics and nation-building. Certainly this is the case in Abkhazia and, to a lesser but still notable extent, in Nagorny Karabakh. The ethnic factor is particularly noticeable in Abkhazian elections. Since the break-up of the Soviet Union and the establishment of a separate state, elections have consolidated the political status and position of the Abkhaz at the expense of the other nationalities. Though Russian is the language of inter-ethnic communication and of the majority of the population, presidential candidates must be of Abkhaz ethnicity and be exceptionally fluent speakers of the state language, provisions that confine the presidency to a section of the titular nationality. While the constitutional structure in Abkhazia is presidential, a political model that has not tended to produce consolidated democracies in the post-Soviet space, there have been several successive peaceful elections in which the outcome was uncertain and the result respected by the defeated candidates. Moreover, it has been possible to have power transferred between government and opposition, an achievement all the more impressive given its inauspicious geopolitical setting.<sup>44</sup> The achievement of open and competitive elections in 2004, 2009 and 2011 was undermined, however, when, in June 2014, President Ankvab's forced departure from Abkhazia was followed by a deeply flawed electoral process. The 2014 contest brought the ethnification of presidential elections to an unprecedented level. Anticipating a tight contest the acting administration headed by Raul Khadjimba enhanced the position

of ethnic Abkhaz, and his prospects for victory, by disenfranchising the vast majority of Georgians living in Abkhazia while extending the vote to some of the Abkhaz diaspora.

Prompting candidates to run for the presidency to offer illusory electoral choices has been practiced in the NKR over several elections. The presidential election of July 2012 did not result in a new chief-executive but the contest nonetheless witnessed an unprecedented level of competition with the candidature of a popular war veteran who constituted a genuine opposition figure, as opposed to the pseudo-challengers encouraged to run by the authorities. Despite the substantial administrative resources available to the president and unbalanced media coverage, Vitaly Balasanyan's election team proved that a good candidate and campaign, combined with sufficient observers in the polling stations could mount a significant challenge to the incumbent. Balasanyan's candidature also directly resulted in the restoration of the NKR's much-valued "partly free" status, which again put it on a par with most post-Soviet states and ahead of its arch-enemy, Azerbaijan.

While parliamentary elections in Abkhazia do not formally exclude ethnic minorities from contesting they have been conducted in a manner that consistently produces vastly disproportionate numbers of Abkhaz candidates and deputies. Parliamentary elections in the NKR have progressively moved from a completely majoritarian system to one in which two thirds of seats are distributed via a party list system. This, along with the existence of electoral thresholds, has created conditions that might produce robust and resilient parties where hitherto strong personalities eclipsed political organisations. Women have traditionally been greatly under-represented in Abkhazia and Nagorny Karabakh and neither polity has produced a female presidential candidate. However, in 2014 the NKR introduced a gender quota compelling parties to submit at least 20% candidates of each gender and this has already delivered a modest increase in female representation in parliament.

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## NOTES

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1 These include Ukrainians, Greeks, Turks and Ossetians. The Georgians in Abkhazia are primarily Megrelians (or Mingrelians) whose identity and status has evolved over the centuries. Though part of the same language family, the Megrelian language is not a dialect of Georgian nor is it mutually intelligible with Georgian. See Hewitt (2013, 4-5).

2 For more on ethnocracies see Smooha (2001).

3 Israel is also referred to as an ethnic democracy or an ethnocracy. Oren Yiftachel (2006) describes Israel as a 'settler ethnocracy' comparable to earlier settler societies such as Australia, South Africa, Canada and Northern Ireland. See also Peled (2007).

4 Information was also supplied by the National Statistics Office of Abkhazia during a field trip to Sukhum/i in March 2012.

5 On the Election of the President of Abkhazia, 24 February, 2009 № 2300-to-IV, Article 1.

6 Article 6 of the Constitution of Abkhazia reads: The official language of the Republic of Abkhazia shall be the Abkhazian language. The Russian language, equally with the Abkhazian language, shall be recognised as a language of State and other institutions. The State shall guarantee the right to freely use the mother language for all the ethnic groups residing in Abkhazia.

7 Constitution of Abkhazia Articles 54 and 55. The superfluity of the vice-presidency was amply demonstrated by the fact that after one holder of that office, Raul Khadjimba, resigned on 28 May 2009 the position remained unfilled for almost nine months without any discernible effect on the machinery of government. Similarly, the position was vacant from 25 December 2013 to 25 September 2014 due to the stepping aside, on health grounds, of Mikhail Logua and the subsequent departure of his presidential running mate.

8 On the Election of the President of Abkhazia, 24 February, 2009 № 2300-to-IV, Article 1.

9 The five Abkhaz holders of the office of vice-president have been Valery Arshba, Raul Khadjimba, Alexander Ankvab, Mikhail Logua and Vitaly Gabnja. While this might suggest at first glance that vice-presidents have a good chance of becoming president it should be noted that the rise of Ankvab and Khadjimba to the presidency occurred in unorthodox circumstances (untimely death in one case, forced departure in the other).

10 Requirements that candidates must be proficient in a particular language are comparatively rare but are to be found in several post-Soviet states in Central Asia. For example, Article 58 of Kazakhstan's Constitution of Kazakhstan states that the Chair of the upper and lower houses of parliament must have a 'perfect' command of Kazakh. This mirrors the constitutional provisions in most Central Asian states that prohibit candidates for the presidency who have not mastered the 'state language' (Article 41 of the Kazakhstan Constitution, Article 90 of the Uzbekistan Constitution, Article 43 of the Kyrgyzstan Constitution, and Article 65 of the Tajikistan Constitution). See Ó Beacháin and Kevlihan (2013).

11 This is perhaps not entirely accurate. Armenians apparently constituted almost a quarter of the Abkhazian army during the war of which 242 were killed in battle. See Trier et al (2010, 95).

12 For more on the position of ethnic Armenians in Abkhazia see Berge (2010) and Kolstø and Blakkisrud (2011)

13 This is borne out in the survey data contained in O'Loughlin et al (2011), which suggests that the Abkhaz are the group most dedicated to independence for Abkhazia.

14 The first president, Vladislav Ardzinba, (1945-2010), served for ten years (1994-2004) without contesting a competitive election. In 1994, shortly after the end of military hostilities with the Georgians, Ardzinba was elected president by the Abkhazian national assembly. Five years later, on 3 October 1999, in the first direct polls for the position he retained the presidency but did not face an opponent.

15 This was referred to in some circles as Abkhazia's 'colour revolution'. See Ó Beacháin and Polese (2010) and Ó Beacháin (2012, 168-9)

16 Notes from Khadzhimba public meetings, August 2011.

17 Notes from Shamba public meetings, August 2011; Shamba TV advertisements, August 2011.

18 With a turnout of 71.92% (106,845 of 148,556 citizens on the electoral list) the election delivered a first round victory for Ankhab. His 54.9% of the vote eclipsed that of Shamba (21.02%) and Khajimba (19.82%). Just under 1.9% of the electorate (2,023 people) voted against all candidates and 2.37% of ballots (2,532) were deemed invalid. Data provided by Batal Tabagua, Head of the Central Election Commission of Abkhazia.

19 Tengiz Kitovani, Georgia's ex-defence minister and the man held primarily responsible for igniting war in August 1992 by his military invasion of Abkhazia, participated in a video, which was broadcast in central Sukhum/i. In the course of the video Kitovani claimed that during the Georgian-Abkhaz war Ankhab had secretly cooperated with the Tbilisi authorities and provided them with intelligence. This charge was also made during an interview with the Russian newspaper *Moskovskaya Pravda*.

20 This was an old bugbear for Khadzhimba as he had accused Bagapsh of relying on the support of Gal/i Georgians during the 2004 presidential election and this issue formed the basis for post-election protests that year. See Ó Beacháin (2012, 168-169).

21 According to well-placed observers in Abkhazia, Eshba had good conversational Abkhaz and had appeared on radio discussing political issues in Abkhaz. However, the written test in Abkhaz required of presidential candidates is, by all accounts, extraordinarily difficult.

22 This point was repeatedly emphasised by Bzhania during his final rally in Sukhum/i held on 22 August 2014. Indeed, as a parallel, he spoke approvingly of Al Gore's decision not to further contest the results of the controversial 2000 US presidential election as an example of putting patriotism above personal ambition (author's notes of meeting).

23 Khadzhimba did disproportionately well in those polling stations targeting the diaspora taking, for example, 90% of the votes cast in Cherkessk (Stefančzak 2014)

24 Many representatives of non-titular nationalities have emigrated in search of economic opportunities. As a result "non-Abkhaz communities in particular today lack educated, urban elites, and have only limited number of delegates who are able or willing to represent their interests in the power structures" (Trier et al 2010, 92).

25 Such suggestions are not made, their proponents emphasise, as a result of any antagonism or inter-ethnic discord.

26 Karabakh's first president [1994-97], Robert Kocharian, went on to become Armenia's second president [1998-2008] and his successor, Serzh Sargsyan, is also from Karabakh. The three presidents of post-war Nagorný Karabakh – Robert Kocharyan,

Leonard Petrosyan and Arkadi Ghukasyan – all moved to Armenia after completing their tenures as president.

27 In an interview conducted with the (since 2005) leader of the Free Motherland Party, and presidential candidate in 1997 and 2002, Artur Tovmasyan, he confided that in 2002, he participated primarily “to give more credit to our state, [that] there will be more choice during those elections” (Tovmasyan 2008). The Communist Party candidate in the 1996 and 2007 presidential elections made a similar confession (Melkumyan 2011)

28 Public officials involved in elections must take their holidays during the campaigns. The official line is that Mayilian was dismissed for not having completed the necessary paperwork so that he could take leave during the election campaign (Atajanyan 2011). Mayilian maintains that he did everything by the book and that his dismissal was politically motivated, to demonstrate to other potential candidates currently working within government structures the fate that awaits them should they entertain presidential ambitions (Mayilian 2011).

29 Stepanakert is known to Azerbaijanis as Khankendi.

30 This figure according to legislation was 700,000 Armenian drams. Information on candidate expenditure supplied by the NKR CEC.

31 They also maintained that Armenian officials with relatives in Karabakh were active in supporting Sahakyan’s campaign.

32 President Sahakyan claimed that “for the first time a professional parliament will be elected and this means its efficiency will be higher”. (Public Television of Armenia, Yerevan, in Armenian, 20.00 Local Time, 3 May 2015).

33 Participation in the legislature had initially been conceived as a full-time occupation but from 12 March 1996 only its speaker, deputy speaker, and the chairs and secretaries of the standing committees were designated full-time positions.

34 Artsakh is frequently used by Armenians to describe Nagorno Karabakh and the NKR is sometimes called the Artsakh Republic or the Republic of Artsakh.

35 Apparently, there are plans to establish a sister party of the same name in Armenia with Andrias Ghukasyan, who contested the Armenian presidential race in 2013.

36 The NRP, Movement-88 and the Communist Party each put forward 14 party list candidates while the Peace and Development Party offered six.

37 In addition, no salaried occupation was cited for the NRP’s list-topper, Hayk Khanumyan, who was described simply as “party chairman”.

38 A small minority of candidates ran both on the party list and as majoritarian candidates.

39 This was in Togh (District No. 36).

40 The solitary incumbent, Zhanna Galstyan, now running in District No.1, narrowly failed to hold her independent seat.

41 This constituted 68,915 votes of a registered 101,653. There were 279 polling stations in operation, including one in Yerevan.

42 Official data of the NKR Central Electoral Commission.

43 As in Abkhazia, competition for parliamentary seats is much greater in the capital. In 2005, the last election in which most seats were elected by the majoritarian system, most constituencies in Stepanakert had between eight and 10 candidates while 14 individuals contested District No.5.

44 For more on how post-Soviet regimes manipulate elections and utilise them for state and nation building purposes see Ó Beacháin and Kevlihan (2015).

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# **GENDER AND POLITICAL REPRESENTATION IN THE DE FACTO STATES OF THE CAUCASUS: WOMEN AND PARLIAMENTARY ELECTIONS IN ABKHAZIA**

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*By Karolina Ó Beacháin Stefańczak and Eileen Connolly*

## **INTRODUCTION<sup>1</sup>**

Following the 2012 parliamentary election in Abkhazia the percentage of women in the republic's National Assembly fell from 11.4% to 2.8% giving Abkhazia one of the lowest proportions of women's parliamentary representation in the world. The percentage of female MPs means that if Abkhazia were a recognised state it would rank 178 out of 186 countries internationally.<sup>2</sup> This result was the worst election outcome for women in the five assembly contests held since 1991 (Table 1). The pattern of election results in Abkhazia between 1991 and 2012 demonstrates that that the percentage of women in state institutions has deteriorated from being just below the international average in 1996 to being significantly below global averages at every election since then (the world average has risen incrementally from 12% in 1996 to 22.4% in 2015) and that the representation of women in political life has declined in real terms and not just relative to international averages.

The post-Soviet republics, of which the territory of Abkhazia was a part, have a comparatively poor record on women's political representation. In the aftermath of the fall of the Soviet system in these states the percentage of parliamentarians that were female dropped from an average of 30% in 1990 to 7.5% in 1995, at a time when the European average was 13.8% (Matland and Montgomery 2003, 2). The level of women's representation has remained comparatively low at 18.6% in 2015, only slightly above the regional average for Arab states at 18.1%, and below the regional average for sub-Saharan Africa at 22.7%, Europe<sup>3</sup> at 25.3%, and the Americas at

26.5%.<sup>4</sup> This has been blamed on a number of factors including the negative impact of the legacy of the Soviet system on contemporary gender relations, the re-emergence of nationalism and conservative religious values, and the complex relationship between political, electoral and party systems (Moser 2001, Moser and Scheiner 2012).

**Table 1: Abkhazia – women in parliamentary elections**

Elections	Total number of MPs	Number of women MPs	Women MPs	Percentage of women
1991 <sup>a</sup>	28	2	Natella Akaba and Emma Avidzba	7
1996	35	4	Tsiza Gumba, Maia Agrba, Rita Lolua and Tali Dzhopua	11.4
2002	35	2	Marina Bartsits and Emma Gamisonia	5.7
2007	35	3 / 4	Irina Agrba, Amra Agrba, Rita Lolua and Emma Gamisonia	8.5 / 11.4 <sup>b</sup>
2012	35	1	Emma Gamisonia	2.8

*Source: CEC of Abkhazia and interview with ApsnyPress Editor in Chief Manana Gurulia, Sukhum/<sup>c</sup>, 10 March 2012.*

<sup>a</sup> The numbers refer to the Abkhazian part of the Abkhaz Autonomous Republic's Supreme Soviet.

<sup>b</sup> The by-election victory of Emma Gamisonia in 2008 brought a fourth woman MP to the National Assembly, increasing the percentage of female lawmakers from 8.5% to 11.4%.

<sup>c</sup> Georgians and Abkhaz use different spellings for place names, for example the Abkhaz refer to Sukhum and Georgians Sukhumi.

## EXPLAINING THE LOW LEVEL OF WOMEN'S POLITICAL REPRESENTATION IN POST-SOVIET STATES

In the academic literature on post-communist states the low levels of women in politics have been linked to social attitudes to women and the negative perceptions of feminism. The complex legacies of communism have been described as the main barriers to women's formal political power in the region

(Moser and Scheiner 2012, LaFont 2001, Einhorn 1993, Funk and Mueller 1993, Jacquette and Wolchik 1998). The ideology of the Soviet state promoted the principle of gender equality with a high percentage of women in public life including parliament, even if this was not reflected in the most influential circles of political power (Einhorn 1993, LaFont 2001, Funk and Mueller 1993). Over 20 years after the collapse of the USSR, it is still the case in the former Soviet sphere that despite the fact that women are well educated and well qualified they are still underrepresented in the world of politics (Matland and Montgomery 2003). The common experience in the former Soviet space of the transition from the USSR to independent states meant the end of the formal structures supporting women's political engagement, while at the same time the reassertion of 'traditional values' mitigated against ideas of gender equality that would have supported calls for increasing women's political representation (Nechemias 1996, Ishkanian 2003).

The impact of the transition from the Soviet system on the status of women has varied between states, but the net effect on women's political participation has been a negative shift in attitudes towards women in public life (Usha 2005). This includes "societal resistance to the idea of women as political leaders" relieving political parties of significant pressure from public opinion to increase the number of female candidates (Moser and Scheiner 2012, 210). As a result of this reaction against the ideas of gender equality, albeit limited, identified with the Soviet period, gender conservatism in public opinion (Matland and Montgomery 2003, 37, 40) has resulted in an absence of any significant demand for measures to increase the participation of women in politics. This negative perception of women in public life has interacted with aspects of the political system in a way that makes it harder for women to gain access to political office.

Apart from the rising socio-economic status of women, explanations for the significant increase in the percentage of women in parliaments internationally has focused on the adoption of gender quotas, the use of single district proportional representation (PR) electoral systems, and the positive role played by political parties, particularly parties of the left (Krook and O'Brien 2012, Caul 1999). States with single mandate district (SMD) majoritarian electoral systems have on average had lower levels of women's parliamentary representation than those with PR systems, as SMD systems are not amenable to the introduction of quotas (Griffith-Traversy 2002, Moser 2001, Norris and Krook 2011, McAllister and Studlar 2002, Rule 1994).

The former Soviet republics have not conformed to the international patterns discussed above. Until recently gender quotas, possibly because of their Soviet associations, were not widely used in post-communist states. Where such measures have been introduced they usually had a form of weak quotas, for example in Armenia with women making up 10% of the parliament and Georgia with 12%. The international literature also identified the use of a PR closed list electoral system as facilitating the election of women, as under this system the large district magnitude lowers the bar for election and allows the inclusion of both men and women and previously marginalised social groups and small political parties (Matland and Studlar 1996). This relationship does not hold for post-Soviet states where the experience has been an absence of a “statistically significant difference between the percentage of women elected under PR and SMD”, with women in some cases doing better under SMD (Moser 2001, 365, Moser and Scheiner 2012). This outcome has been explained as a result of both fragmented and weakly institutionalised party systems interacting with the “impact of social norms with respect to the position of women in society” to reduce the expected beneficial impact of using a PR system (Moser and Scheiner 2012, 215).

Internationally political parties play a crucial role in mediating between social norms on gender and outcomes in terms of the numbers of women in parliaments. This role can be positive by providing an institutional framework that encourages women; alternatively it can be negative and parties can act as a barrier to women's engagement either for ideological reasons or because of the structure of the party system (Matland and Montgomery 2003, 40). Political parties are considered to act as gatekeepers to women's political engagement and they therefore also have the capacity to play a positive role in promoting women's political representation, which, it is argued, is the case where women's parliamentary presence has significantly increased (Kunovich and Paxton 2005). Although political parties may choose to not promote women, the absence of well-institutionalised parties means that a structure, which could potentially support women, does not exist. Parties' institutional structures and frameworks of rules may need time to develop to provide an internal mechanism, which could be used by women looking to institutionalise positive action to encourage more female candidates, or to put support for women candidates in place.

All of the post-Soviet states have fragmented and unstable party systems and in such a volatile environment it is difficult to promote gender equality

measures in political parties (Norris and Krook 2011, Munteanu 2010). The literature has pointed to the difficulties of establishing party systems where none previously existed, combined with a reaction against political parties in general, in at least some of the former Soviet republics (Moser 1999). However, a major factor that has sustained party fragmentation and weak institutionalisation was the adoption of strong presidential systems when the states were established, resulting in presidents that are the dominant political figures and parliaments which are relatively weak. As a consequence political parties tended to be founded around a strong personality whose aim was to become president, with the result that parties have waxed and waned in conjunction with the political ambitions, successes and failures of their leader. Political parties in these circumstances have mainly been vehicles for the party leaders' ambitions. As the presidency is the main prize being a party leader rather than a member of parliament this leads to a multiplicity of small parties established by an individual with immoderate ambitions. As a result of presidential systems numerous parties in the post-Soviet republics initially emerged as personality-based organisations. In these circumstances the absence of strongly institutionalised parties creates a vacuum “where the elites, patronage and clientelism dominate candidate recruitment”, which as a result is “dominated by party or faction leaders, reinforced by patriarchy, private ties and loyalty”, factors that are a major barrier for women seeking to enter politics (Ballington and Matland 2004). As in highly fragmented party systems only a small number of candidates are elected from each party, making it unlikely that women will be placed in electable positions in either a list or an SMD system (Moser 2001, 345). Also where parties are not well institutionalised, poor party identification means that “voting depends on the personal characteristics of candidates and the patronage they can distribute”, producing an informal rather than a rule-based system that works to the disadvantage of women (Moser and Scheiner 2012, 75).

In the former Soviet space the comparatively low level of women's political representation is explained by a complex mixture of factors, of which the social reaction against the limited norms of gender equality of the Soviet period, strong presidential systems, and weak and fragmented party systems are the most prominent. The period after the collapse of communism also witnessed the reassertion of the family values that were positively associated with the pre-Soviet period and the traditional societies of the region (Buckley 1997,

Racioppi and See 1995). This negative legacy, it is argued, arises because the formal gender equality of the communist period has been associated with feminism in the popular imagination (Nechemias 1996), and has led to a rejection of those policies and values perceived to be associated with feminism (Usha 2005). Consequently the space for feminist activity in these states has been narrowed and the attractiveness of exaggerated forms of gender difference associated with the traditional family has been enhanced (Funk and Mueller 1993). The complex relationship between electoral and party systems has also been identified as placing institutional barriers to women's political engagement, or at least it can be argued that these states have created political institutions that do not easily lend themselves to policies promoting women in politics (Moser 2001).

## **GENDER AND POLITICS IN ABKHAZIA**

Abkhazia emerged as an unrecognised state in the early 1990s in the aftermath of Georgia's independence, which was followed by the eruption of internal tensions that had existed during the period of the USSR and resulted in conflicts that led to declarations of independence by Abkhazia and South Ossetia. The 14-month Abkhazian war in 1992-1993 was ended by the ceasefire and separation of forces agreement signed in Moscow in 1994. This agreement stopped the fighting but did not bring the final solution to the status of the polity: Abkhazia was not recognised internationally and has since existed as a de facto independent state within the internationally recognised borders of Georgia. Following the 2008 war between Georgia and Russia over South Ossetia, Abkhazia was recognised as an independent state by Russia and five other UN member countries<sup>5</sup>, none of which apart from Russia has any political or economic significance in the region. Its status as an unrecognised state has meant that Abkhazia has had limited international interaction and following the 1992-1993 war did not receive significant external development and humanitarian aid. Unlike other states in the region, Abkhazia has not received international assistance and funding to promote women in politics and to develop women's civil society organisations that have been available for other post-conflict situations and to support transitions in the post-communist states. Non-recognition

has meant that Abkhazia has had limited level of external engagement, which may also have an impact on how women are incorporated into the political system, since it has not been part of international debates discussing and developing norms on gender. Abkhazia is a very small state with a population according to official sources of approximately 250,000 (ApsnyPress 2011). This means that it would be expected that Abkhazia would have a more highly personalised form of political engagement than larger states (Veenendaal and Corbett 2015), which is an additional factor in considering the impact of its political system on women's representation.

The gendered nature of the post-Soviet transition in Abkhazia was also shaped by the war with Georgia. While conservative values were strong the actual structure of the traditional family was weakened by the war, which undermined the maintenance of some aspects of conventional gender roles. During the war the fact that men were the majority of the soldiers emphasised the traditional gender responsibilities, reinforcing the idea of men as the protectors and leaders of society. The aftermath of the conflict however brought about changes in the family and societal responsibilities of men and women. In the 1990s Abkhazian society was dealing with post-war trauma and the economic blockade of Abkhazia by Russia; these two factors had a substantial negative impact on society and also produced a change in gender roles (Article 19 2007). Women still had to fulfil their traditional duties in the home, but now they were at the same time frequently the only breadwinners in their families. The blockade by Russia through the 1990s meant that men could not cross the border and therefore were unable to trade and to earn money. Women, who were allowed to enter Russia, in these circumstances became the main income generators for their households. Even though during this time women had to assume an additional burden, they also gained a greater sense of purpose and social importance. This process simultaneously undermined men's sense of self-worth and importance of their social roles that led to disproportionately more men than women seeking relief in alcohol and drugs (Article 19 2007). Although the blockade was partially lifted with the departure of Boris Yeltsin from the Kremlin, those events have had a long-term effect on Abkhazian society, including an on-going problem of comparatively high levels of drug and alcohol abuse. International organisations and NGOs provided virtually no resources to help manage psychological distress caused by the war or for post-conflict reconstruction.

The size of the Abkhazian population creates a very personal political environment, which is also reflected in official processes within parties, organisations and state institutions. This view is a commonly held one amongst both political activists and those engaged in NGOs, and is frequently expressed as “Abkhazia is a small state, and everybody knows everybody”.<sup>6</sup> Unofficial links, including family connections, friendships and relations from the war, matter more than qualifications, ideology and formal political affiliations (Onslow et al 2010). This is exacerbated by the institutional weakness of political parties and the high number of independent candidates to the parliament. These circumstances are more problematic for women, given that gender divisions in the family and society are replicated in political contests. Informal rules shape Abkhazia’s politics; the decisions about who should run as a candidate and who should be supported are often not made in formal political contexts, but at family gatherings and social meetings. In spite of the low number of female candidates and parliamentarians, Abkhaz women are politically active; during three recent election campaigns in Abkhazia (in 2011, 2012 and 2014), at public meetings in Sukhum/i and in other towns and villages there were frequently more women than men in the audiences. There were also many women in the campaign offices; however, they were mainly fulfilling administrative and organisational duties.<sup>7</sup> In post-Soviet Abkhazia there has never been a female candidate running for the post of president and only one significant vice-presidential candidate, Svetlana Jergenia<sup>8</sup>, who ran in the 2011 elections. There has also never been a female Prime Minister. It appears that women with good levels of English dominate the NGO sector in Abkhazia, which has very little power, while men dominate the political sphere.

## ABKHAZIA’S POLITICAL SYSTEM

Abkhazia has had a strong presidential system since 1992 that assigns very little power to the parliament. Vladislav Ardzinba, former wartime commander-in-chief, was elected the first president by the Abkhazian parliament on 26 November 1994, and was re-elected to the post in a direct election on 3 October 1999. His successor, Sergey Bagapsh, founder and leader of United Abkhazia (UA), became the second president of the state in February 2005,

despite Russia's clear support for his opponent, Raul Khadjimba. In order to secure stability in the state, Bagapsh and Khadjimba reached an agreement to share power by nominating the latter for the post of vice-president. Highly contested parliamentary elections of 2007 resulted in three female MPs out of 35 lawmakers: Irina Agrba, Amra Agrba and Rita Lolua. Irina Agrba was selected to the highest post held by a woman in Abkhazia - the deputy speaker of the parliament (Ó Beacháin 2012). Sergey Bagapsh was re-elected Abkhaz president in December 2009 with a majority of over 60% of the votes, defeating his deputy Raul Khadjimba and three other contestants. Bagapsh died unexpectedly on 29 May 2011 and an early election was scheduled to be held on 26 August. Three candidates stood for the elections. For the first time a woman, Svetlana Jergenia, the wife of late president Vladislav Ardzinba, was selected as a running-mate to one of the significant contestants: Raul Khadjimba. The ticket came last with just over 21% of the vote. Alexander Ankvab was elected the third president of Abkhazia with 55% support, but was overthrown before completing his first term, in May 2014. In August 2014 Abkhazia elected its fourth president Raul Khadjimba, the leader of the Forum of National Unity and the former vice-president and prime minister, with 50.6% of the vote. It was the fourth time Khadjimba had contested the elections.<sup>9</sup>

Under this system it is the president that nominates the prime minister and members of government have an administrative rather than a political role. In conjunction with a system that concentrates power into the hands of the president, all Abkhazia's members of parliament are elected in majoritarian districts, another factor weakening the development of political parties that could have acted as a counterweight to the presidency.

In the majoritarian system for the legislative elections in Abkhazia, in order to be elected a candidate has to secure 50% of the popular vote in the first round, and there is a provision for a second round of voting if no candidate reaches the 50% threshold. For an election to be valid there has to be a minimum turnout of 25% of the electorate.<sup>10</sup> The turnout is usually above this low threshold, but in 2012 elections the vote was deemed invalid in one constituency because the turnout had failed to surpass the threshold by just two votes. In 2012 elections 13 MPs were elected in the first ballot, 20 in the second round and 2 in by-elections called due to the insufficient turnout in one constituency and violations in vote counting in another.

Abkhazia has not had a stable, institutionalised party system following the end of the Soviet era. This is not surprising given that the most novel feature of the Abkhazian electoral system is the extent to which it encourages independents and discourages the formation of political parties. This reinforces the dominance of the presidency. The capacity of parties to organise is undermined by the way in which the system limits the number of candidates that a political party is allowed to run, to a maximum of a third of the assembly seats. As there are 35 constituencies a political party can contest elections in a maximum of 11 districts. This means that the majority of candidates contest the elections as independents; for example, in the 2012 elections there were 113 independent candidates compared to 35 from 4 political parties.<sup>11</sup>

Given the restrictions on the number of constituencies a party can contest, political parties are weak, and they have also been formed around individuals rather than political ideas. This is a consequence of the fact that the major political prize is the presidency, making political parties the platform for the presidential ambitions of individual party leaders. Examining the four political parties that contested the 2012 parliamentary elections illustrates these points. The United Abkhazia (UA) party, which in 2012 fielded 11 candidates, the maximum permitted, was established in 2004 as a movement and was only transformed into a political party in 2009.<sup>12</sup> From 2005 it was led by Sergey Bagapsh and transformed by him into an opposition party to Abkhazia's first president, Vladislav Ardzinba. Sergey Bagapsh went on to become the second president and after his unexpected death in 2011, the party lost its influence and patronage. The largest opposition party during the 2012 election was the Forum for National Unity (FNU), founded in 2005 (Kavkavskiy Uzel, 9 February 2005), which also ran 11 candidates. Led by a former Prime Minister and Vice-President of Abkhazia, Raul Khadjimba, the party represented the interests of Abkhaz nationalists, advocating partnership with, rather than subordination to, Russia. Raul Khadjimba was elected the fourth president of Abkhazia in August 2014. The third party registering six candidates in 2012 – the Party for the Economic Development of Abkhazia (ERA)<sup>13</sup> was established in 2007 (Kavkavskiy Uzel, 26 September 2007). It has been led by its founder Beslan Butba, reputedly the richest man in Abkhazia and the owner of Abkhazia's only private television station Abaza TV and unsuccessful presidential candidate in 2009. Following the overthrow of Alexander Ankvab in May 2014, Butba joined the Khadjimba camp and was the Prime Minister of Abkhazia from June 2014 to March

2015.<sup>14</sup> The Communist Party of Abkhazia was the least significant of the four parties contesting the 2012 elections although it put forward seven candidates; several interviewees referred to it as ‘Lev Shamba’s party.’<sup>15</sup> The parties were not formed around a left/right ideological split, but around their leaders and also interests groups. The Forum of National Unity self-positioned itself as a nationalist party, but is rather an anti-Georgian formation, as was demonstrated in 2014 by the involvement of prominent Armenians in Khadzhimba’s presidential campaign and changed rhetoric of closer ties with Russia.<sup>16</sup>

The personal political environment in Abkhazia together with the structure of the electoral system, which encourages a large number of independent candidates and produces weak political parties, militates against a rise in the number of women in politics. These circumstances are more problematic for women given that gender divisions in the family and society are directly replicated in political contests without the intervention of party structures, which have at least the potential to formalise mechanisms ensuring an agreed level of female representation. In the case of Abkhazia the existing parties not only have no institutionalised mechanisms to promote equality in representation, they also lack any ideological commitments to promoting gender equality. However, even if the parties were more proactive in promoting women they currently only account for 6 of 35 MPs<sup>17</sup>, that is 17% of the National Assembly, so their impact would be limited. In addition, the continued dominance of the political system by independents and the concentration of power in the hands of the president are barriers to increasing the political representation of women. The literature suggests that the greater informality of this type of system inhibits women from entering politics (Kunovich and Paxton 2005, Caul 1999, Lovenduski and Norris 1993, Cheng and Tavits 2009).

## ELECTIONS

The electoral environment of Abkhazia embeds the accumulation of institutional disadvantages for women candidates: a majoritarian voting system, weak political parties, and highly personalised campaigns with informal linkages determining the vote more than policies. All of these factors result in a highly unfavourable political landscape for female activists and make it very difficult

for them to be elected (Tremblay 2012). The representation of women in the National Assembly since 1991 differs from the polities with similar democratic developments where quotas have not been introduced, as small but gradual improvement in the percentage of female MPs over time has been observed internationally (Dahlerup 2013). The Abkhazian experience in this period was that the number of women in parliament improved and deteriorated in alternate elections within a range varying between 5.7% and 11.4% (Table 1). Women achieved their best result in the 1996 election, the first election after the war with Georgia, and in the strongly contested elections of 2007 (Ó Beacháin 2012).

In the 2012 election the main issues raised over the course of the pre-election period were the welfare of war veterans, the future for young people and the reform of the health system.<sup>18</sup> Although these issues are in the policy areas of health and welfare that have been associated with traditionally female portfolios (Krook and O'Brien 2012) and therefore might be assumed to be topics on which women candidates could engage more, in reality the strong emphasis on war veterans, masculinised this welfare issue. This meant that the always important community relationships and family connections were also overlaid in this election with the significance of networks and relationships among war veterans that tended to exclude women,<sup>19</sup> as Irina Agrba, deputy speaker of the 2007 – 2012 National Assembly stated: “the most negative thing that I see in our elections is the factor of family relations. For example my opponent is a representative of a very large family, they say that they have to support him while knowing that there are better candidates than him”<sup>20</sup>. However, the major disadvantages that impact on women candidates is a lack of access to substantial financial resources and the perception, in a society dominated by traditional family values, that men make better or more appropriate political leaders.

In the parliamentary elections of March 2012 148 candidates, 16 of them were women, competed for the 35 seats available. At 10.8% of the candidates this is significantly higher than the percentage of successful women candidates. It is also notable that a higher proportion of female candidates stood as party nominees: 5 out of 35 party candidates (14.3%) were women, while just 11 out of 113 independents (9.7%) were female. However in this election the only woman to be elected was not standing as a party candidate. The number of candidates to stand in each constituency varied from 2 to 10, women competed in 13 of the 35 districts with two woman candidates in three constituencies, and in 22 out of the 35 districts there was no female candidate.

The first round of the elections in 2 of the constituencies in which women were standing were declared to be invalid, constituency No.1 because the turnout had failed to reach the threshold of 25% and the elections in Besleti (constituency No.21) were deemed invalid due to violations in the vote count. Three out of four female incumbent MPs were seeking re-election, and of these only one was successful. Of those female incumbents one was representing a party, FNU, in the previous parliament.

**Table 2: March 2012 National Assembly elections results - women candidates**

Results of the first round						
Constituency number	Name	Party	Votes	%	Outcome	Note
1	Ekaterina Glazkova	ERA	115	6.08%	Lost	
3	Rita Lolua	FNU	424	21.12%	2nd round	Incumbent
	Irina Mikvabia		44	2.19%	Lost	
4	Leila Tania		164	7.99%	Lost	
5	Mzia Beiya		124	6.02%	Lost	
6	Irina Agrba		574	26.64%	2nd round	Incumbent
	Marina Gumba		82	3.81%	Lost	
7	Natalia Caiun	UA	79	4.65%	Lost	
8	Dona Malia		613	27.45%	2nd round	
11	Tatiana Pavlova	Communists	52	1.92%	Lost	
19	Zhuzhuna Bigava		443	39.66%	Lost	
21	Aida Ashuba				Elections invalid	
	Diana Pilia				Elections invalid	
27	Clara Sakaniya		49	3.03%	Lost	
32	Emma Gamisonia		1621	62.08%	Won	Incumbent
35	Nato Butbaia	ERA	373	23.12%	Lost	

<b>Results of the second round</b>						
Constituency number	Name	Party	Votes	%	Outcome	
3	Rita Lolua	FNU	811	41,17%	Lost	Incumbent
6	Irina Agrba		1011	40,65%	Lost	Incumbent
8	Dona Malia		922	37,56%	Lost	

In Abkhazia the result of the parliamentary election of March 2012 was a disaster for women with only one female MP elected. Of the 3 (out of 4) female incumbent MPs that were seeking re-election, only the independent Emma Gamisonia was successful, although two incumbents including Rita Lolua of the FNU, made it into a second round of voting. In total only 20%, that is seven seats, in the 2012 parliament were filled by party candidates, four from FNU and three from United Abkhazia. Collectively women party candidates attracted a lower proportion of the vote than independent women candidates, 11.5% compared to 20% in the first round of voting. This result runs counter to international trends that have seen women's membership of parliaments rise substantially since the late 1990s.

## CONCLUSION

The literature on gender and politics in the post-Soviet space helps explain the low level of women's representation in Abkhazia. The political system of Abkhazia embodies key features that are present in many of the states that have emerged from the former Soviet sphere: a strongly presidential system and an extremely weakly institutionalised party system. Abkhazian society also shares the common post-Soviet reaction to gender relations by rejecting ideas that are considered feminist and reverting to traditional views of women's place in society and family. Abkhazia's relatively isolated position geographically, and its political isolation as a de facto state, may have embedded this reversion to traditional values more strongly than elsewhere in the former Soviet sphere but the situation is still part of a recognisable continuum it shares with many other states. Its small population size means that

politics is more personal and communal than in larger states but overall the shape of the political system and its impact on women's representation fits within the post-Soviet experience. In the case of Abkhazia it is the presidential system and weak parliament that increases the personal nature of politics, which is dominated by men. Its majoritarian electoral system would make the application of gender quotas difficult and the weak party system is another big barrier to promoting women candidates. The limitations on political parties mean that the gatekeeper role exercised by parties in other polities is hardly present in Abkhazia and as a result social relations rather than the institutionalised rules within political parties dominate electoral competition at the constituency level, to the disadvantage of women.

Women's engagement in politics of Abkhazia has lagged behind their active engagement in civil society. The ways to improve the situation could include the reform of the political system that in the longer term would help increase women's presence in the parliament. In the shorter-term possible awareness campaigns and introduction of special measures on state level to support female candidates to the National Legislature could make a positive impact on the increased percentage of female MPs.

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## NOTES

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1 Throughout this article the words 'parliament', 'legislature', 'state' are used to refer to any of the institutions, bodies or titles currently employed within Abkhazia, to avoid cluttering the text by using the terms *de facto* or 'self-declared'.

2 Calculated from Inter-Parliamentary Union (IPU) rankings of November 2013.

3 This applies to members of the Organisation for Security and Co-operation in Europe (OSCE) only.

4 Figures from the IPU database.

5 Two of these, Vanuatu and Tuvalu, have established diplomatic relations with Georgia since then, therefore recognising the 'territorial integrity' of Georgia with Abkhazia as a part of it. This means the *de facto* withdrawal of recognition of Abkhazia as an independent state (Civil Georgia 2013, Democracy & Freedom Watch 2014).

6 Interviews held in Sukhum/i during the independent election observation of 2011, 2012 and 2014 election campaign with candidates, political and NGO activists and state officials.

7 Based on participant observation during the independent election observation in Abkhazia in 2011, 2012 and 2014.

8 Fatima Kvitsinia was on the ticket with Iakub Lakoba in 2004 and they received less than 1% support; Stella Gunia was Lakoba's running-mate in 2005 when as the only opponent, he received less than 5% of the vote compared to over 90% for the winner, Sergey Bagapsh.

9 Data provided by the CEC of Abkhazia.

10 The Constitutional Law of the Republic of Abkhazia On the Election of Deputies of the National Assembly - Parliament of the Republic of Abkhazia.

11 Data provided by the CEC of Abkhazia in March 2012.

12 Website of United Abkhazia, accessed on 20 June 2014; <http://rppea.org/party/history/>

13 Party's website: <http://era-abkhazia.org/> accessed on 20 June 2014.

14 Butba was nominated deputy prime minister in April 2015 (Kavkavskiy Uzel, 27 April 2015).

15 Interviews with candidates, activists and state officials conducted during March 2012 election campaign.

16 Observations based on participant observation during the 2014 election campaign in Abkhazia.

17 These statistics refer to the composition of the parliament in March 2012.

18 Participant observation Abkhazia, Sukhum/i election campaign, March 2012.

19 These factors were emphasised by several interviewees during the March 2012 campaign, including candidates, elections managers, activists and analysts.

20 Interview with Irina Agrba, 3 March 2012, Sukhum/i.

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# **RESOURCING DE FACTO JURISDICTIONS: A THEORETICAL PERSPECTIVE ON CASES IN THE SOUTH CAUCASUS**

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*By Laurence Broers*

## **INTRODUCTION**

Political economy, as Harvey and Stansfield (2011, 13) observe, is a consistently understudied aspect of unrecognised statehood.<sup>1</sup> This lacuna is also true of the post-Soviet de facto entities, the literatures on which routinely privilege their socio-cultural, legal and security dimensions. Although works by Kolstø and Blakkisrud (2008, 2012, 2013), Bakke et al (2013), Markedonov (2012), Ó Beacháin (2012), Caspersen (2011a, 2011b), Matsuzato (2008), Broers (2005) and others have countered this bias by addressing the internal politics of democratization and state building in these entities, the nexus of non-recognition and economics lags far behind. There are both methodological and political challenges to working on the economies of de facto entities: data is hard to come by, often contested and unverifiable. Outsiders' questions about economics are rarely welcomed in the same way as questions about identity or democratization. Fuelling this reticence may be an assumption that very small states with populations of (often much) less than a million rarely make "economic sense", although in fact economic viability has proved elusive even to many much larger recognised states. Economic factors also appear to have been peripheral to the formation of unrecognised entities in the post-Soviet space, none of which, with the possible and arguable exception of Transnistria, appear to present clear-cut cases of "resource nationalism." Rather, it is political imperatives that have been primal in their genesis (Lynch 2004, 63-64; cf. Pegg 1998, 43) and that have structured research agendas, leaving the economic modus

operandi perpetuating the existence of de facto entities for more than two decades obscure.

This situation also owes to the fact that de facto jurisdictions today, unlike “Third World” states in the post-Second World War era, do not confront, and are not researched in terms of, expectations of effective developmental performance. Combined with a belief in the transformative power of the high modern state, such expectations (and their non-fulfilment) structured policy and scholarly debates on the political economy of the developing world through the latter half of the twentieth century. There is no such agenda vis-à-vis de facto jurisdictions today. On the contrary, rather than political economy, it is a moral economy, a discursive arsenal of ‘principles’ and justifications scripting the primacy and unchallengeable nature of moral imperatives over other criteria, which pervades contemporary assessments of de facto jurisdictions and their dynamics.<sup>2</sup> This is unsurprising given that unlike post-colonial self-determinations, many of today’s de facto jurisdictions remain bitterly contested decades after their secession.<sup>3</sup>

When the post-Soviet de facto political economies have been a topic of research, three approaches have prevailed. First, the economic lives of de facto states can be understood through exploration of “a double economic dislocation” (Kolossov and O’Loughlin 2011): the collapse of Soviet (socialist) economic structures, and the emergence in their place of war economies (Prez Oltramonti 2015a). To these a third, longer-term dislocation must be added, non-recognition, which since the early 1990s has differentiated de facto economies from de jure counterparts also struggling with post-socialist and to a lesser extent post-war transformations. Capitalism, war and blockades have therefore defined bleak de facto horizons of industries without markets, ravaged infrastructures and the absence of investment.

Filling this desolate horizon has been a second reading of de facto economies as “liminal and criminal,” building an image of de facto states as liminal spaces—or more usually non-spaces, “black holes”, vacuums or conduits—owing their survival outside the international system to organised crime. This reading of de facto economies concentrates on their normalisation of the abnormal. In an early and influential account Charles King (2001) suggested that de facto states represented a hard wiring of the informal networks of war into state institutions. Their foundational animus was hence profit—the “benefits of ethnic war”—which, in King’s view, explained their survival and

resistance to conflict resolution efforts. The liminal and criminal paradigm has also been foregrounded in central state authorities' efforts to attach more internationally recognisable monikers of dysfunction to their breakaway regions, such as "rogue states," "failed states" and terrorism, and hence to securitize them (Kolstø and Blakkisrud 2011). The nexus of de facto jurisdictions and organised crime is undeniable, yet it needs important qualifications. A de facto/de jure distinction is of questionable utility in understanding the pervasive criminalisation of the early post-Soviet state irrespective of status (cf. Fairbanks 2002, Reno 2002, Kukhianidze 2010, Kupatadze 2012, Slade 2013). Such a distinction becomes polemical when it contributes to the securitization of de facto states that, as Julie George has argued, informed Georgian policy post-2004 and played an important role in the resumption of violence in and around South Ossetia in 2008 (George 2010). It is also clear that even if post-Soviet economies were deeply criminalised in the 1990s, 20 years on we need an updated framework. In a comparative analysis of Transnistria and Northern Cyprus, Daria Isachenko (2009) identified how the eventual emergence of business elites in a de facto jurisdiction may in fact become a factor favouring legalisation through re-integration of the entity, as beyond certain thresholds, these elites see greater economic returns in integration than continued de facto status.

A third focus has explored through opinion polls popular perceptions of economic wellbeing and the provision of public goods, as components of the legitimacy of both individual regimes and the de facto entities in which the surveyed populations live. The surveys of the "De Facto States Project" have provided rich empirical evidence of a disjunction between popular approval of de facto entities among most of their inhabitants, and deep dissatisfaction with the economic state of affairs within them.<sup>4</sup>

These approaches have yielded important insights into the de facto political economies of the post-Soviet space. Yet three deficiencies may be noted. First, research on the political economy of the post-Soviet de facto entities remains insufficiently articulated to wider theories of political economy and the state. Second, and perhaps as a result of the first deficiency, conceptual hierarchies continue to lurk submerged within much contemporary analysis of de facto jurisdictions. A uniform, constant and highly singular idea of the state permeates much of this analysis, against which the characteristics (beyond the juridical) of de facto jurisdictions can be expressed only as deviations from

“the standard”. This practice is questionable on two grounds. First, states come in so many different sizes and forms that any uniform concept of the state has a limited (and usually eurocentric) utility. As Peter Evans reminded us, “State[s] are not standardized commodities. They come in a wide array of sizes, shapes and styles” (Evans 1989, 562; cf. Pegg 1998, 45-48, Migdal and Schlichte 2005, 13-14). If this is accepted of de jure states, then there is little reason to assume that de facto jurisdictions should be any different. Second, a theoretically rigorous account needs more than negatives (illegality, informalization) to capture the diversity of forms and patterns in state-political institutionalization (Migdal and Schlichte 2005, 3), whether de jure or de facto. This article therefore proceeds from the claim that like states, albeit with different dynamics, de facto jurisdictions exhibit variation and are configured differently in different circumstances. The aim here is to develop a more inclusive understanding of de facto jurisdictions that acknowledges this empirical diversity, beyond reductive portrayals of deviations from a reified ideal type, itself premised on an excessively homogenizing notion of the state.

A third deficiency is the still unclear link between the political economy of individual de facto entities and the quality of state building, and the degree of political pluralism they exhibit. In the South Caucasus, Kolstø and Blakkisrud observe a “clear hierarchy” in the fields of defence, border and territorial control and other aspects of “hard” state building (economic development, institutional consolidation), with Nagorny Karabakh (NK) in first place, followed by Abkhazia and then South Ossetia (Kolstø and Blakkisrud 2008, 506). They explain this hierarchy by reference to external political factors: the stances/capabilities of the challenger state and patron state respectively. Yet while challenger and patron states do play important roles, what is the more local role of de facto elites? How have they secured resources and how have the resource opportunities available to them conditioned the way they govern?

This article attempts to answer some of these questions by theorizing the ways in which post-Soviet de facto jurisdictions have been resourced. For reasons of space and also experience I concentrate on the South Caucasus in the empirical content of this article. The article proceeds by situating the debate on post-Soviet de facto political economies within the wider study of political economy in late, peripheral and post-colonial contexts. I chart key tipping points and transformations characterising the trajectory of post-Soviet de facto political economies, before proposing a typology of three ideal-type models

of post-Soviet de facto political economy. Finally, I provide examples of each model from South Caucasian cases.

## THEORIZING POST-SOVIET DE FACTO POLITICAL ECONOMIES

In Charles Tilly's classic analysis, successful resource extraction emerged as the key feature of state building in Western Europe, necessitated by constant warfare within a system of states (Tilly 1990). The leveraging and management of private capital to finance war required a legal system, bureaucracies and predictable, rule-based behaviour (Weber 1968). These patterns of endogenous resource extraction led in the eighteenth century to the development of ideologies of direct rule, citizenship and rights, eventually resulting in the formation of the classic form of the nation-state. Explaining divergence from these Tillyan and Weberian ideal types in late, peripheral and post-colonial contexts has for decades been a major policy and research agenda. Colonial interventions and late arrival to already formed global capitalist markets weakened state capacities and defined different contours for state-society relations to those of Western Europe (Migdal 1988). At the same time external boundaries were fixed and reified, and Western models of governance and economics invested with powerful normative effects worldwide. Many peripheral state builders hence confronted the problem of how to emulate Western governance models, when these models were predicated on an endogenous pattern of resource extraction often unavailable to them.

Scholars have identified a number of archetypal models of political economy in the global periphery. At one end of the spectrum is the predatory state, generating resources through the plunder of its own society. Peter Evans identified Zaire as the archetype of this model, in which the political elite under Sese Seko Mobutu preyed on Zairian society through extreme forms of "klepto-patrimonialism", backed up with repressive violence (Evans 1989). Encroachment on the collective authority of the state by private interest was later analysed in its extreme forms for African cases by William Reno through his model of the "shadow state". This was an entity which retained formal institutions, but which operated as a "shadow" of commercial syndicates dis-

tributing public goods across informal networks defined by private interests (Reno 1998). At the extreme development of the shadow state – or what Reno also called “warlord politics” – institutions and groups capable of asserting interests distinct from the private interests of their members progressively dissolve, eventually reducing the state to being one interest group among many (3).

Evans contrasted the predatory state with the developmental state, describing a context where the state is sufficiently embedded within important social groups to direct private capital towards collective economic transformations (Evans 1989, 1995). Evans’ archetypal developmental states were found in the specific geographical context of newly industrialising East Asia: Japan, Korea and Taiwan. These states’ abilities to negotiate common projects of accumulation with leading social groups resulted in part from effective bureaucratic organisation, yet also from specific historical circumstances in each case. As a vast literature attests, however, the potential for wider shifts from predatory to developmental models proved limited: Evans concluded that in fact most developing states occupied an intermediate position between predatory and developmental poles, combining elements of both (1989, 576). From a related but different perspective, Robert Jackson (1990) identified an alternative archetype of the Third World state: the quasi-state. Although recognised and supported by other states and international organisations, the quasi-state on the ground could lack even such basic attributes of statehood as control over territory, a monopoly on coercion or the aspiration to provide services to its citizens. Jackson qualified the sovereignty of such states as “negative sovereignty”: such states “often appear to be juridical more than empirical entities: hence quasi-states” (Jackson 1990, 5). Despite failures to comply with basic attributes of statehood, such states not only survived on account of the rigidity of international sovereignty norm of *uti possidetis*, but were able to leverage phenomenal resources through international aid, making them “to an exceptional degree creatures and beneficiaries of international morality and international law” (ix).

Finally, a fourth model of resource extraction applied to a specific subset of states possessing internationally valued resources such as oil or gas. Although rent-seeking (the generation of resources through unearned and un-negotiated “rents”) could characterise all models, in what Hossein Mahdavy called “rentier” states the rents derived from natural resources provided most

of the state's resources (Mahdavy 1970). This is a counterpoint to the classical Tillyan extractive state, and it signals the presence of alternatives to domestic capital extraction. Although originally conceived as relating to oil, as Barnet Rubin argued in his study of Afghanistan, other sources of such rents could include aid, "locational rents" available as a by-product of superpower bipolarity, and human capital in the form of foreign advisors, foreign-trained elites, scholarships, fellowships and so on, available to assist peripheral states in their development (Rubin 1995). It is now time to ask how the experience of de facto jurisdictions in the post-Soviet era can be articulated in terms of these ideal types.

All surviving post-Soviet de facto jurisdictions emerged from war.<sup>5</sup> Although most of them had undergone nationalist mobilisation in the name of collective identities, an alliance with "private armies" made up of mercenaries, warlords and paramilitaries was central to achieving secession (Fairbanks 2002).<sup>6</sup> This intrusion by entrepreneurs of violence ran directly counter to Weberian notions of state power as a monopoly on the legitimate use of violence (Caspersen 2011a, 52). There is ample evidence that the militarised de facto jurisdictions of the early 1990s behaved in a predatory fashion vis-à-vis their own societies, and exhibited some characteristics of Renovian shadow states. The emergence of predatory wartime regimes seeded a sometimes dramatic struggle between post-war political leaders seeking to build a new state and the entrepreneurs of privatised violence who had enabled its secession. This struggle epitomised a key tipping point confronting the post-Soviet entities at the early stage of their development: de facto states that cannot contain the privatised violence that has enabled secession risk losing the coherence of the public realm in whose name they have been created (Bakke 2011; Bakke et al 2013, 4). For post-Soviet de facto state builders, deviation from the state building "norm" of a monopoly on coercion appears to have been a tactical and pragmatic concession and, emphatically, a temporary one. Even if by the early 2000s shadow state-like networks were still evident within the formal bureaucratic structures of extant de facto jurisdictions, unlike Reno's African examples de facto rulers neither ceded coercive advantage to non-state armed groups nor abjured rule-based formal institutions invoking a common good.<sup>7</sup> The single example of a post-Soviet de facto state that failed to do this is Chechnya, an outcome contributing significantly to the demise of the de facto jurisdiction there.

Yet if by the mid-2000s the surviving examples did not correspond to the extreme pathologies of Reno's shadow state, devising an adequate conceptual language to capture their dynamics beyond rubrics of "deviation" proved elusive. With openly predatory behaviour proscribed by the need to project normalcy to international audiences and sustain mobilized local populations (Caspersen 2011a, 77-89), de facto jurisdictions faced two possible pathways, by no means mutually exclusive in the short-term, to capital accumulation. One pathway implied a commitment to indigenous extraction and the development—albeit under extremely constrained conditions—of reformed local economies capable of generating productive, tax-paying and conscription-serving citizens. Alternatively (or concurrently), a second pathway could turn outwards towards dependence on a patron-state, building heavily subsidized economies in return for specified kinds of loyalty and a particular model of political development.

These options, and the ontology of the political entity that would result, gave rise to a debate by the mid-2000s on what to call de facto jurisdictions, centred on the terms "quasi-state" and "de facto state". Although there have been efforts to merge these concepts for post-Soviet cases<sup>8</sup>, I believe it is useful to retain the fundamental power/recognition dichotomy that was the basis for Scott Pegg's original conceptualisation of the "de facto state". Pegg indeed devised the term "de facto state"<sup>9</sup> as a kind of antonym to quasi-state, arguing that the "de facto state can be seen as the flip side of the quasi-state coin... [this is] to suggest that some of the same normative logic in international society that produces quasi-states may also facilitate the creation of something that is more or less their inverse: the de facto state" (Pegg 1998, 4).<sup>10</sup> This inversion involved an internationally illegitimate yet internally sovereign entity, capable somehow of withstanding the economic cost of non-recognition. In its assumptions of positive, internal sovereignty despite non-recognition, Pegg's de facto state presupposes a quite different sort of entity to Jackson's quasi-state.

Post-Soviet de facto jurisdictions straddle the quasi-/de facto state dichotomy in ways that defy easy categorisation. While they have not been able to access the international safety net sustaining Jacksonian quasi-states, most of them have been partners in a special relationship with a patron- or kin-state. Locally these special relationships are variously framed as a geographic and/or ethnic imperative (South Ossetia, NK), a contested blessing (Abkhazia),

or they can be absent (Chechnya). This has allowed de facto jurisdictions to avoid the internal incoherence of the African quasi-state and achieve an empirical internal sovereignty. With basic order in place, domestic resource extraction could lead post-Soviet de facto economies in the direction of Pegg's de facto state: local capacity, public-private ties and perhaps in the long term towards a local manifestation of a developmental (de facto) state. Yet under conditions of blockade, non-recognition and variable commitment to individual sovereignty, the potential for post-Soviet de facto jurisdictions to approximate Pegg's de facto state has been consistently limited by the ever-deepening scope to become a Jacksonian quasi-state (although without the same connotation of internal disorder and chaos). There is nonetheless an axis of variation here, which is central to the argument of this article.

Location along the spectrum between endogenously and exogenously focused profiles of resource extraction may be further linked to patterns of political institutionalization in a de facto jurisdiction. While the authors cited in this article's opening paragraph have adduced factors such as size, degree of ethnic homogeneity, degree of security threat and extent of international engagement to explain variation in democratization, I argue here that structural variation in resource profiles is also relevant. A primarily endogenous model of indigenous resource extraction implies both legitimacy and an empirical reality to the state as the embodiment of elite-society negotiations over common projects of accumulation. An exogenous distribution model does not; it requires elite brokers at the interface of internationally available resources and domestic networks supplying loyalty among critical social groups. Absent conditions permitting predatory extraction, then, the greater the reliance on endogenous extraction, the more necessary elite-society negotiation becomes.

Based on the range of resource derivation models discussed above, I now propose three ideal-type models to capture differentiation in post-Soviet de facto political economies and the state-society relations that result. In a first model, although resources from external sponsors may also form part of the economy, resources extracted from within the polity form a critical mass or majority of the resources available. Behind blockades and trade bans legitimately cashable resources are likely to be meagre, and the resulting political economy is hardly developmental, although it may aspire to be. To capture both a sense of minimal indigenous capability and the limitations of this capability in the real-life circumstances of most de facto states, I call this the "subsistent mod-

el". Generating resources requires some form of negotiation between society and the elite, which without alternative sources of revenue has local incentives to build a broader participation in the entity's political economy. The resulting *de facto* state is likely to be weak, but aims to provide a more or less full array of social services to the population, even if standards may not compare favourably. It is hence this model, possessing some degree of indigenous capacity, that most closely approximates Pegg's original notion of the "de facto state". But this should not be overstated: primary reliance on domestically derived resources under conditions of blockade and exclusion from international markets forces multiple concessions, expediencies and collaborations with a range of social and political actors, seeding manifold attritions of state capacity. The underside of the subsistent model is the inability to check, and a lack of alternatives to, criminalisation and toleration of numerous punctures of state power, including illegal trade, tax evasion, and even the operations of non-state armed groups on the territory under *de facto* control. While its elites may aspire (and rhetorically lay claim) to autarky,<sup>11</sup> the *de facto* jurisdiction behind a subsistent political economy has few choices and many deals to cut, treading a fine line between survival and anarchy and often displaying signs of a classic "failed state" or "weak state", a distinctly undesirable condition for unrecognised entities unprotected by international non-intervention norms.

In a contrasting model the external resources available to the ruling *de facto* elite massively outweigh the resources that can be extracted within their jurisdiction. These elites are effectively resourced by rents available from a patron or kin-state, or from the sale of valued commodities, and hence following Mahdavy, I call this structure the "rentier" model. In this kind of *de facto* jurisdiction the centrality of external ties offers the elite a certain degree of autonomy from society, in the sense that it is not required to negotiate resource extraction with, nor is it constrained by, key societal groups. Rentier *de facto* elites therefore also enjoy a measure of impunity for relapsing into predatory behaviour. However, the autonomy of the jurisdiction to effect a transformation or modernization of society to a vision of its own making is extremely limited (cf. Evans 1995, 45). Its extractive capacity remains undeveloped, as it rules primarily through the distribution of externally derived rents. This emphasis on distribution encourages more personalised, patrimonial patterns of authority, and in the absence of conditionalities in the relationship with the patron or kin-state, corruption. Public participation is negligible as no alter-

native groupings to the state are able to develop. The *de facto* jurisdiction does not attempt to provide a full array of services to its population; bloated bureaucracies may feature outsiders without previous ties to the territory. In contrast to the subsistent model, the discourse of sovereignty and citizenship remain symbolic for rentier jurisdictions. They are stable for as long as there is external support; however, if this source of support is withdrawn they face imminent collapse. It is this model that most closely approximates Robert Jackson's concept of the "quasi-state", like them being to an exceptional degree the creature and beneficiary of its patron or kin-state.

I am aware that subsistent and rentier models appear to reprise the rival visions of *de facto* jurisdictions advanced by their advocates and detractors respectively. I suspect, however, that most contemporary *de facto* jurisdictions belong to an intermediate model, in which elites do seek to develop local capacity, but for whom the imperative to extract domestic resources is moderated by the availability of substantial external resources from a special relationship with an external sponsor. I call this the "monopoly mediator" model, since the ruling elite operates as a "monopoly mediator", controlling the interface between exogenous resource opportunities and local society.<sup>12</sup> The monopoly mediator model is neither uniformly rentier in its outlook, that is, possessing neither motivation nor capability to extract local resources, yet neither is it compelled to structure its relationship with society in such a way as to construct common projects of accumulation, as in the subsistent model. It is likely to be uneven and ambiguous in its behaviour: in some fields or questions it may be capable of negotiated extraction solidifying public-private ties, in others it may rely on opaque, rentier allocationism. Efforts are made to extract and accumulate indigenous capital, spurring a limited institutionalisation of public participation. However, this is less driven by a genuine need to extract resources and is likely to take on more symbolic character than in the subsistent model. The extractive capacities of the *de facto* jurisdiction remain weak, and governance involves a consistent tension between formal and informal rules. Compared to the more diffuse, unconditional and internationalised support enjoyed by Jackson's quasi-states, the special relationships "enjoyed" by monopoly mediators are significantly less stable, as they introduce a constant re-negotiation of the roles the special relationship plays in the domestic politics of benefactor and beneficiary. Yet domestic political outcomes within the *de facto* jurisdiction challenging the

special relationship are extremely unlikely, and are highly destabilising when they do occur.

These models are of course ideal types, which provide only a heuristic device for highlighting structural variation; moreover, a specific case may experience transitions between these models in different eras. I now turn to three empirical examples to demonstrate the models.

## **ABKHAZIA 1993-2008: A SUBSISTENT POLITICAL ECONOMY**

Abkhazia over its first 15 years of existence as a de facto entity exemplifies the subsistent model. Abkhazia's littoral location, border with Russia and resources in the form of sub-tropical agriculture and the tourism industry have long conditioned higher expectations of eventual economic self-sufficiency. Combined with a unique national identity among the Abkhaz that does not seek union with a larger kin-group, these factors have driven consistently stronger commitment for individual sovereignty (O'Loughlin, Kolossov and Toal 2011, 3), making the de-isolation of Abkhazia a meaningful rubric for policy discussions (International Alert 2010).

For most of its first decade of existence, Abkhazia struggled not only with the double dislocation of the shift from Soviet economy and the consequences of the war, disproportionately affecting the eastern part of the republic, but also Commonwealth of Independent States (CIS) sanctions imposed from January 1996 (Akaba and Gitsba 2010). These continued, albeit in a far from uniform and total manner through the remainder of the decade, easing with the onset of Putin's presidency.<sup>13</sup> The blockade and war damage accounted for catastrophic falls in incomes and the salience of coping strategies through the 1990s. Abkhazia's littoral location also allowed illicit maritime trade; although the Georgian coastguard detained more than 40 ships 1999-2003, Georgian estimates suggested that 3-5 ships passed through every week (Kukhianidze, Kupatadze and Gotsiridze 2004, 17). Prelz Oltramonti also argues that sales of electricity from the Ingur/i<sup>14</sup> hydro-electric station probably played a role in securing minimum liquidity in the late 1990s (Prelz Oltramonti 2015b).

Although Russian assistance in easing sanctions and border controls from 1999 were vital boosts, Abkhazian officials reported to the International Crisis Group in 2006 that they did not receive direct budgetary assistance from Russia, and that their national budget was composed of domestically derived revenues (2006, 16). According to Manana Gurgulia, former head of the Abkhazian news agency *Apsnypress*, Abkhazia's income under President Sergey Bagapsh in the mid-2000s was made up primarily of customs revenues, taxes, reviving trade with Russia, supplemented with smaller but growing amounts of Russian economic assistance.<sup>15</sup> The modest size of the reported Abkhazian budget for the mid-2000s (\$27 million for 2005, \$34 million for 2006) reflect plausibly on these claims, suggesting a limited capacity to derive customs revenues from the now re-opened border with Russia and revenues from the tourist industry. Russian resources were present in the republic in the form of in-kind aid, financial assistance with specific infrastructural projects (such as the \$3.8 million renovation of the Sukhum/i–Psou highway) and from 2002, pension disbursements (ICG 2006, 16). In the crucial area of energy, as already noted, Abkhazia was in an unusually favourable situation compared to its de facto peers on account of receiving half of the energy produced by the Ingur/i hydro-electric dam (Kukhianidze, Kupatadze and Gotsiridze 2004, 74).<sup>16</sup>

There is also ample evidence of shadow state networks at play in Abkhazia throughout this period. Georgian analysts Kukhianidze, Kupatadze and Gotsiridze concluded in 2004 that Abkhazia was split into four areas controlled by criminal gangs, in which “the distinction among official security and police forces, criminals, and various armed groups is completely blurred” (22), and which would not have been able to operate without partners on the Georgian side.<sup>17</sup> The inability to prevent illegal flows could also, however, be a case of turning weakness into opportunity. Giulia Prelz Oltramonti argues that through the 1990s an inability to prevent illicit trade traversing Gal/i was also expedient, in order to secure a welcome flow of necessary goods into Abkhazia when the cost and logistics of importing staples from Russia were prohibitive (Prelz Oltramonti 2015b). Defining “criminality” in such a context is complex, and profit may not be the sole motive at play.

Numerous factors attest to the weak, partial and incomplete nature of the entity in Abkhazia in this period: the above-mentioned criminalisation; the fact of Georgian displaced community return to Abkhazia’s southernmost Gal/i dis-

trict both after the 1993-1994 war and renewed violence in 1998, which latter was itself an indicator of tenuous Abkhazian control of the situation;<sup>18</sup> the operations of both Georgian and Abkhazian armed and criminal groups in Gal/i, the former combining with a putative mission as ethnic guerrillas (the “White Legion” and “Forest Brothers”), allowing them to procure Tbilisi’s tacit support until 2004; an inability to staff law enforcement agencies in Gal/i; the inability to prevent a Georgian police operation regaining control over the Kodori gorge in 2006; and a widely attested, generalised sense of insecurity (Liana Kvarchelia, cited in O’Loughlin, Kolossov and Toal 2011, 15).

Through the late 1990s and early 2000s, then, Abkhazia appeared a weak, failing entity. Yet a paradoxical flipside to chronic state weakness was a perhaps surprising degree of internal legitimacy. To be sure, Abkhazia’s multiethnic character is a key structural feature moderating a more consensual politics (Clogg 2008), the success of which is reflected in a broad consensus across Abkhazian, Armenian and Russian nationalities on the internal legitimacy of the Abkhazian polity (O’Loughlin, Kolossov and Toal 2011, 25-26). Yet a comparatively diverse and genuinely competitive domestic politics is also fruit of a weak state’s inability to co-opt and integrate disparate social actors. Domestic Abkhazian politics has been characterised by more pluralism and less predictability than its de facto peers or indeed many de jure states in the region (Ó Beacháin 2012). Emblematic in this regard is the outcome to the 2004 presidential election, in which Moscow-backed successor-elect, Raul Khajimba, was defeated by the popular choice of Sergey Bagapsh. Although a power-sharing arrangement was subsequently conceded, Donnacha Ó’Beacháin suggests that this may have been “Abkhazia’s ‘colour revolution’ (2012, 168). Prominent civic actors parse the 2004 outcome precisely as a societally-driven re-negotiation of power:

“Given the dire economic situation and high crime rate, society became unhappy with the political elite’s monopoly over economic resources around the turn of the century, which eventually resulted in a change in the ruling class through the presidential elections of 2004” (Kvarchelia 2014).

Beyond the 2004 moment, successive elections in Abkhazia have been unpredictable and highly competitive, with no clear frontrunner. The spectrum of actors in Abkhazian domestic politics is also wider than in its de facto peers; there are no analogues elsewhere, for example, for the prominence and influence of veterans’ groups such as Amtsakhara and Aruaa, which have their roots in a remit of solving social problems as well as representing the

political interests of their members.<sup>19</sup> That such organisations have been able to mobilise and endure is indicative of political space left open by a state unable to assume their functions or co-opt them. The NGO and media scene in Abkhazia has also featured more pluralism and diversity than in any other post-Soviet de facto jurisdiction.

Abkhazia's subsistent political economy was a paradoxical phenomenon generating a weak, insecure yet negotiable state, securing legitimacy dividends through a genuine (though certainly still limited) degree of public participation and state-society negotiation. Since 2008 and its recognition by Russia, the political economy of Abkhazia has undergone important changes through the substantial increase of both direct Russian budgetary assistance and infrastructural aid packages. Since 2008 Russia has paid yearly between \$61-67,000,000 (that is, more than twice Abkhazia's entire budget of three years previously) directly into the Abkhazian state budget, and in 2011 began transfers of a \$360,000,000 comprehensive aid package for infrastructural rehabilitation (ICG 2013, Kolossov and O'Loughlin 2011). These subsidies have resulted in an eight-fold increase in Abkhazia's budget for 2012 (\$287,000,000) compared to 2006.<sup>20</sup> Russia's recognition and augmented presence in the republic have also limited or dispelled a number of features of Abkhazia's prior state weakness: the porosity of the Ingur/Enguri River border, the Georgian presence in the Kodori gorge and the shadow of insecurity.

It may be too early to draw conclusions on whether recognition by Russia has transformed Abkhazia into an ever-more subsidised and economically dependent entity. Yet the indications are that the influx of what are for the context colossal resources has strained the state-society relationship in Abkhazia. In 2010 79.8% of respondents to the Levada Center survey indicated that the lack of economic development and unemployment as a big or very big problem (Kolossov and O'Loughlin 2011, 2). Furthermore conflict over access and management of resources also played a key role in the unconstitutional ousting of President Ankvab in May 2014, the foregrounding of corruption and nepotism as political issues and a hitherto unprecedented doubting of Abkhazia's sovereignty (Kvarchelia 2014). Abkhazia's 2014 presidential election was marred by occasional violence, "dirty tactics" of unproven personal accusations and new levels of ethnocratic practice excluding the ethnic Georgian electorate (Ó Beacháin 2015). It may be that the mid-2000s were a paradoxical high point for both the weakness and internal legitimacy of the de facto jurisdiction in Abkhazia.

## SOUTH OSSETIA: THE EVOLUTION OF A RENTIER DE FACTO POLITICAL ECONOMY

South Ossetia was often taken over its first decade to be the weakest post-Soviet de facto state, and the most counter-intuitive in terms of its potential to form a state. Four factors militated against a viable state building project in this small region tucked between the Great Caucasus mountains and the rolling plains of Georgia. The first is precisely that geography: South Ossetia's only access to a world other than Georgia is through the Roki tunnel passing through the Caucasus mountains to Russia. A second factor is a geography-defying unionism that does not seek individual sovereignty, but some kind of merger with North Ossetia. South Ossetia's immediate metropole, North Ossetia is an autonomous republic of the Russian Federation with a population of more than 700,000<sup>21</sup> and home to the largest concentration of Ossetians. Self-sufficiency is less important than connectivity with this greater homeland in the North Caucasus. Third, South Ossetia was a periphery already in decline prior to the 1990-1992 conflict. Covering 5% of the territory of the Georgian republic, in 1989 it accounted for only 1.8% of the total population, although in 1926 it had accounted for 3.6%. Largely agricultural, the average wage in South Ossetia in the early 1980s was almost half that of the Georgian average. Unfavourable conditions motivated migration out of the territory, even for its titular nationality; 60% of Georgia's Ossetians lived outside of the autonomous region in 1989. Out-migration continued in the post-war period; efforts to reconstruct the region and to encourage the return of those displaced from the territory were unsuccessful (Birch 1999, 507-8; ICG 2004, 7).<sup>22</sup> A residual and continuously depleting population no doubt eased local demand for infrastructural development, yet economic "incompetence" appears to have been central in foiling agreed-upon Georgian-South Ossetian initiatives to revive the region.<sup>23</sup> Fourth, South Ossetia does not possess significant natural resources; largely rural, the territory also featured a number of Soviet-era industrial *kombinaty* (industrial plants). And finally, until 2008 the de facto authority in South Ossetia did not control the territory of the former autonomy in a uniform manner. South Ossetia was in fact a strategically counter-intuitive, and from a secessionist perspective surely intolerable, patchwork of de facto South Ossetian and de jure Georgian jurisdictions.<sup>24</sup> Some of the latter extended deep into South Ossetia north of the capital Tskhinval/i, and were

populated by Georgians not displaced in 1990-1992. Until the mid-2000s this internal patchwork of jurisdictions was also reflected in the porosity of South Ossetia's borders. Visitors coming from Georgia in the late 1990s and early 2000s passed no check-points or visible demarcations of a boundary; South Ossetians could freely visit Gori in Georgia.

The problem of how to resource a resource-less de facto jurisdiction has been resolved since the mid-1990s through the generation of rents extraneous to South Ossetian society itself. Two consecutive systems of rent-seeking have characterised South Ossetia since 1994, each shaped by opportunities and constraints present in the local, Georgian and international arenas. Each phase has had a particular relationship to space and movement, which can account for some of the peculiarities of spatial arrangements in South Ossetia.

In a first phase in 1994-2004, South Ossetia was maintained by transit rents derived from illicit trade passing through the Ergneti market and along the north-south Transcaucasian highway (Kukhianidze 2010, 128-129). Although in many senses contained by geography, South Ossetia is positioned on one of the very few north-south Transcaucasian routes. In the context of a weak and equally criminalised central state authority in Tbilisi,<sup>25</sup> this position was converted into a resource through control over a wide range of contraband goods, including staples such as petrol, kerosene, wheat-flour, dairy, cigarettes and stolen cars, coming into Georgia. Estimates by Georgian analysts put the annual value of the Ergneti market at \$100-120 million (Kukhianidze, Kupatadze and Gotsiridze 2004, 24; Kukhianidze 2010, 129). They concluded that these revenues were the source of the South Ossetian budget, although they estimated that only 10% of these profits actually went into the budget.<sup>26</sup> The International Crisis Group, also writing in 2004, indicated higher values passing annually through Ergneti (ICG 2004, 10).<sup>27</sup> High-level cooperation across the conflict was integral to the functioning of Ergneti; the Ossetian side of the operation by the early years of the new millennium was said to be controlled by Lokha Chibirov, son of the former de facto president; on the Georgian side, Georgian media investigations in the same era indicated partnership and protection of criminal groupings at senior levels in the Ministry of Internal Affairs, Regional Police headquarters and the State Chancellery (Kukhianidze, Kupatadze and Gotsiridze 2004, 24-26). A pattern of cooperation and porosity applied also to South Ossetia's energy supply. In the early 2000s, South Ossetian electricity was coming from Russia, and also

supplied the Georgian-populated enclaves north of Tskhinval/i. But gas was coming from Georgia, including for Tskhinval/i in an ambiguous quid pro quo running counter to any “normal” secession (ICG 2007, 23).

Prior to the election of Georgian President Mikheil Saakashvili, then, the de facto jurisdiction in South Ossetia had consolidated into a shadow state-like syndicate of commercial interests, deriving transit rents from its control over the movement of goods through de facto space, in collusion with senior officials embedded within corresponding shadow state networks on the Georgian side.<sup>28</sup> South Ossetia’s de facto authorities had little interest in self-sufficiency or, facing little pressure from a small and reducing population, incentive to state-build. The notion that South Ossetia in the early 2000s was a weak or failing *state* misses the point that its *political economy* was completely dependent on patterns of porosity, interdependence and symbiosis quite antithetical to a “proper” secession.<sup>29</sup> This reality began to be dismantled when Mikheil Saakashvili came to power; within six months of his election, Ergneti market was closed in June 2004.<sup>30</sup> This deprived South Ossetia’s de facto authorities of their principal source of income.<sup>31</sup> The territorial patchwork also created the opening for Saakashvili to establish a rival developmental model in the Georgian-populated enclaves and an alliance with a disaffected segment of the South Ossetian elite threatening the de facto authority in Tskhinval/i. The destabilisation of South Ossetia’s rentier political economy was a local driver interacting with a range of others contributing to the outcome of war in August 2008 (George 2010).

The economic impacts of the 2008 war may be seen as threefold: (1) a further reduction of the population and damage to economic infrastructure; (2) the sealing off of the porosity on which the jurisdiction’s economy had depended; (3) the necessity of an alternative source of subsidization for an otherwise economically untenable situation. In a transformed regional and international context, the de facto jurisdiction in South Ossetia now became the beneficiary of “locational rents” made possible by renewed Russian-Western bipolarity, expressed in terms of rival scriptings of South Ossetia as a case of either “genocide” or “occupation” (Toal and O’Loughlin 2013). Since its recognition by Russia immense sums of Russian money have poured into both state coffers and rehabilitation projects in South Ossetia. Russian packages amounting to 26 billion roubles (\$840-900,000,000) have accounted for more than 95% (and by some reports more like 99%) of South Ossetia’s rev-

venues (Kolossov and O'Loughlin 2011; ICG 2010). These financial flows are part of a wider political and material russification of South Ossetia: 99% of South Ossetians are Russian citizens and more than 90% of all goods in South Ossetia come from Russia.

Two consequences have followed. The first is the demise of any indigenous capability – licit or illicit – for the entity in South Ossetia. Ravaged by successive wars and isolated from markets, the South Ossetian economy cannot generate taxation income and is entirely subsidized;<sup>32</sup> the extent of South Ossetia subsidization was acknowledged in 2009 by official news agency *Osinform* in an article entitled “Do we need tax collection?” (ICG 2010, 4, ft.33). The entity’s principal economic dynamics concern competition around the distribution of Russian funds, a process attended by repeated allegations of embezzlement and misappropriation (6-7). These in turn appear to have driven, at least in part, the appointment of non-indigenes to senior government posts, a process that Nicu Popescu has compared to “outsourcing” in the business world and which he observed already in 2006 as being most advanced in South Ossetia (Popescu 2006, 6).<sup>33</sup> The second is the concomitant demise of meaningful state-society dialogue between a rentier elite rendered autonomous by external subsidization. This dynamic was illustrated in the presidential election in South Ossetia on 13 November 2011, at a rare moment when for the first time in nearly 20 years elections took place with the security threat from Georgia removed. Voter disenchantment with President Kokoity’s venal elite looked set to propel an oppositional candidate, Alla Dzhioyeva, to victory in a second round run-off. To prevent this outcome, the Supreme Court annulled the election; Dzhioyeva was subsequently incapacitated after being beaten up by security forces. In new elections in March 2012 former deputy prime minister Leonid Tibilov won in a second round. Tibilov evidently represented a kind of compromise candidate, and he quickly moved to remove unpopular figures from Kokoity’s team.

The irony of the de facto jurisdiction in South Ossetia is that it has survived despite the failure of indigenous state building capability. Its political economy has been predicated on rent-seeking, rents deriving over the first decade from the transit of goods through the territory. After the hardening of the previously porous borders indispensable to securing transit rents as a result of the August 2008 war, South Ossetia’s rentier model evolved. Through the securitisation—and ultimately commodification—of South Ossetia’s strategic location

in a revived game of superpower bipolarity, its de facto jurisdiction has become the recipient of locational rents as a theatre for the projection of Russian power. These rents have mediated an increasing autonomy from society for the de facto elite in the territory. While still reliant on a symbolic discourse of ethnic self-determination for legitimacy, powerfully reinforced by societal trauma experienced in 2008,<sup>34</sup> the de facto jurisdiction risks becoming a superstructure distant from the lives of a depleting and impoverished populace. This is reflected in evidence of economic dissatisfaction at the popular level.<sup>35</sup>

## **NAGORNY KARABAKH: MEDIATING FINANCIAL AND SYMBOLIC MONOPOLIES**

The secessionist movement in NK was from the outset driven by an ethos of unification (the Armenian word for which, *miatsum*, was its main slogan) and not individual sovereignty. Indeed the incorporation of the Nagorno-Karabakh Autonomous Oblast' (NKAO) into the Armenian republican budget was an early symbolic step, decreed in Yerevan already on 9 January 1990. The outcomes of the 1991-94 war augured further economic unity with Armenia. The occupation of a belt of territories beyond the NKAO resulted in the embedding of a highly militarised Line of Contact (LOC), sealing the de facto Nagorno-Karabakh Republic (NKR) into a cul-de-sac between a frontline and a closed border with Iran and precluding the continuation of historical patterns of economic interaction with the Azerbaijani plains to the east. The strategic context therefore dictated a new economic framework based on the relationship with Armenia. However, as the NK conflict assumed the character of an inter-state war from 1991, the discourse of de facto statehood, positing the NKR as a separate entity, was adopted as a tactical concession to international disapproval of irredentism.

The political economy of NK has consequently been shaped by a strategic imperative of integration with Armenia, balanced with the tactical appearance of individual sovereignty. Strategic integration with Armenia has been facilitated by the unique, for post-Soviet de facto states, ethnic homogeneity with the patron state. The Karabakh movement has indeed been the idea on which the post-Soviet Armenian state has been built, and it further unites the

Armenian communities in NK and Armenia with the global diaspora in a rare moment of consensus. Ethnic adhesive has been overlaid with elite cohesion, with several key posts in Yerevan, including the presidency, being held by Karabakh Armenians since 1998.<sup>36</sup> This context has resulted in a tripartite structure to resourcing the de facto jurisdiction in NK.

The core resource for NK is the “interstate loan” that it has received yearly from Armenia since 1993. NK officials reported to the ICG in 2005 that this annual loan has a 10-year repayment schedule at nominal interest, although nothing had been repaid by 2005 (ICG 2005, 12). Spartak Tevosyan, de facto Minister for Finance and the Economy confirmed in 2014 that this was still the case, reporting instead that this was a rolling 30-50 year loan without a formalised repayment schedule.<sup>37</sup> Although the inter-state loan once accounted for 70% of NK’s revenues, according to official data it has stabilised in recent years at accounting for just over half of NK’s total expenditures (National Statistical Service of NKR, 2013). NK officials are reticent on the mechanism through which the amount of the loan is determined, but there appears to be a fairly consistent correlation between the overall budget deficit and the amount of the interstate loan; the latter is usually enough to cover most or virtually all of deficits arising. No other de facto state has had such a reliable source of base revenue over the *longue durée* of its existence; this is what has allowed NK to function consistently with a substantial deficit. However, while NK officials are keen to stress efforts to increase domestic extraction, they emphasise that these cannot be expected to substitute for the interstate loan in the foreseeable future.<sup>38</sup> Indeed the interstate credit has remained stable at accounting for between just over half to two thirds (52-67%) of NK’s expenditures since 2006 (National Statistical Service of NKR, 2013).

A second source of revenue for NK is diaspora fund-raising. Yearly contributions have varied over recent years in the range of \$10-37,000,000 according to de facto Finance Minister Tevosyan.<sup>39</sup> The main vehicle for these flows is the annual telethon, organised by the Armenia Fund, an American affiliate of the Hayastan All-Armenia fund. These considerable sums have played a key role in financing major infrastructural projects, such as the construction and maintenance of the Goris-Stepanakert<sup>40</sup> and, within NK, the north-south highways, design and construction of the new Vardenis-Mardakert highway, water supply infrastructure, and so on. Diaspora funding has enabled a degree of infrastructural development out of reach to Abkhazia or South Ossetia

until their recognition by Russia. It explains the relatively rapid post-war rehabilitation of key settlements in NK, more or less completed within a decade of the war's end, and the orderly appearance of main roads and settlements in NK compared to its South Caucasian peers.

The third source of revenues for NK is domestic extraction. Here the de facto jurisdiction is in the situation of seeking to both create sufficient tax breaks to encourage economic development and maximise its tax collection potential. Numerous incentives are active at present: investors investing AMD 100 million (\$250,000) or more are relieved completely of paying tax for 3 years, and 50% for a further two. Agriculture is almost completely relieved of income tax and VAT, a situation that is likely to run to 2018-2019; food-processing industries are also relieved of VAT when processing local produce. Profit tax stands at the same rate as Armenia at 20% only for finance, telecommunications and mining; all other sectors enjoy a 10% profit tax rate.<sup>41</sup> But it seems that efforts have been made since 2007 in particular to upgrade the entity's domestic tax collection potential. If in 2005 tax revenue accounted for 26.7% of the total budget, domestic revenues today reportedly account for about 40%.<sup>42</sup> In 2012 the entity's basic income tax rate was raised from 5 to 10%. The three biggest taxpayers are Base Metals, the energy industry and Karabakh Telecom.

NK enjoys, therefore, a diverse resource structure that might be the envy of other de facto jurisdictions. Through informal strategic integration with Armenia, and through it the diaspora, NK is resourced as if it were an undeveloped region of the country subject to development incentives. These flows have enabled post-war rehabilitation to take place, and have also created the financial cushion allowing for preferential conditions aimed at encouraging entrepreneurship. In the sphere of energy, de facto officials report that the entity is 80% self-sufficient, and has embarked on an active programme of developing hydro-electric capacity.<sup>43</sup>

Insecurity and the ever-present threat of a belligerent Azerbaijan are usually adduced as the main restriction on political pluralism in NK (Kolstø and Blakkisrud 2008, 507; Kolstø and Blakkisrud 2012, 149). Yet its resource structure suggests an additional and complementary explanation. As one component of a wider Armenian political and economic space, the secessionist project in NK has always been able to count on more resources flowing from that space than are locally available. With substantial and reliable flows

of external capital available there is limited need for the domestic extraction of resources and hence negotiation with society. In weighing up the resulting elite calculus, it is clear that the current structure privileges stability and continuity in externally derived flows over developing domestic extractive capacity. Stability and continuity in external flows have been synonymous with a harmonious relationship with the leadership in Yerevan; common Karabakhi origins have facilitated these relations. Beyond that, however, securing this relationship has involved limiting the emergence of any political challenges in Karabakh to the leadership in Yerevan and the way it governs. This is not a remote or fantastic possibility. The emotional and mobilisation power of the Karabakh issue is probably greater than any other issue in contemporary Armenian politics. It has on two occasions, in 1990 and 1998, provided the tipping factor ejecting discredited leaders from power. The symbolic capital accorded to more hardline stances on the Karabakh issue is a recurring feature of Armenian domestic politics, and played a role in the current elite's accession to power. In this sense monopoly mediation works as a two-way street between the two seats of power held by a single Karabakh elite: a monopoly on financial flows coming into NK from the wider Armenian space, in return for a monopoly in that space on the symbolic capital associated with Karabakh.

The de facto elite in NK therefore stands at an apex mediating a number of relations. It mediates the flow of external resources into the de facto jurisdiction; it also mediates between international expectations of democratization, linked to the assumed quest for recognition, and a fixed elite structure combining strategic integration with a tactical (de facto) sovereignty. This context accounts for the particular variety of symbolic or virtual democracy existing in NK. De facto parliamentary and presidential elections in the territory are noted for their procedural regularity, presidential term limits are observed and the voice of a “protest electorate” has been heard. But this has never developed into the consolidation of alternative or oppositional political pole capable of taking power. NK has seen no transfer of power from one elite to another, political parties in parliament have on the whole been vehicles associated with different factions within the ruling elite and have not fielded rival candidates in presidential elections, while some presidential candidates have seemingly run in order to present a pluralistic image more than to contest power (Ó Beacháin 2015).

The only occasion when the appearance of an alternative power base

seemed possible was in 2004 when Eduard Aghabekyan was unexpectedly elected to the post of mayor of Stepanakert. Aghabekyan was subsequently chased out of office after a range of measures was taken against him, including legal procedures that he sees as spurious.<sup>44</sup> He later returned to NK politics to support presidential challengers Masis Mayilian and Vitaly Balasanyan. Although Mayilian and Balasanyan were able to secure significant shares of the vote (12.5% and 31.5% respectively) in elections in 2007 and 2012, the results were never in doubt. Yet if opposition is contained to a symbolic level that affirms *both* contestation and incumbents' continued rule, neither do incumbents in NK have *carte blanche*. They are still required to mediate the relationship between Karabakh Armenian society and a range of outside audiences, including Armenia, the diaspora and international policy audiences. There are strong pressures to deliver a plausible image of state building and development. When members of the Karabakh Armenian elite have diverged from this path, they have been removed. Former de facto Minister of Defence Samvel Babayan's removal after he failed to evolve from warlord to civil politician is a case in point.

Unlike any other post-Soviet de facto jurisdiction, the NKR has had a stable source of externally derived revenues from the outset, limiting the need for domestic extraction. Rather, "extraction" is a negotiation that happens between NK and Yerevan, and more widely with the diaspora, on terms that have little to do with local politics in NK. Those terms nonetheless impose vectors by which the authorities in NK must rule: compliance with the broad parameters of policy and governance with Yerevan (i.e. no challenge on values), stability and security and a critical minimum of performative pluralism. These parameters account for the primacy of "hard" over "soft" state building in NK. Two other aspects of the structural context contribute to the solidity and durability of this structure. The securitisation of politics and ever-present threat of Azerbaijan has been an increasingly salient feature of NK politics in recent years, minimises the scope for internal pluralism and emphasises consensus around sovereignty and survival (Kolstø and Blakkisrud 2008, 2012). Secondly, monopoly mediation is further enabled by the possibility of exit from NK for those in disagreement with the way the jurisdiction is run. Many civil society activists, journalists and others from NK associated with alternative views now live in Armenia.

## CONCLUSIONS

De facto jurisdictions, like states, exhibit fundamental differences in their configurations of resources, power and participation, and de facto elites strategize differently according to the resources and external relationships available to them. These differences have been largely obscured by the polarised portrayals of these jurisdictions by their advocates and detractors, the prioritisation of research rubrics in identity, security and geopolitics, and conceptual confusion arising from mingling terminologies that actually define different things. The three models discussed here – subsistent, rentier and monopoly mediator – offer a variable vision of post-Soviet de facto jurisdictions as enduring, territorially revisionist jurisdictions in which specificities of place and agenda are at play, deriving from different margins of necessity and desire vis-à-vis integration with significant others. These differentiated models unambiguously tease out the enduring confusion over whether post-Soviet de facto jurisdictions should be interpreted in terms of Jackson's parasitic "quasi-states" or Pegg's self-subsisting "de facto states". They can be either depending on the empirical record, they can shift from one model to another, and they can be hybrid in the combination of multiple resource extraction strategies.

These models have further implications for the quality of state-building in de facto jurisdictions and can explain the contrasting "hard" and "soft" state building hierarchies identified by Kolstø and Blakkisrud (2008, 506). NK's mediation of a monopoly on externally derived flows has enabled its advance as a more empirically asserted entity in terms of post-war rehabilitation, infrastructure and defence. Yet it has also limited the kind of internal contestation possible in the territory. Abkhazia's limited ability to mobilise external resources in the 1993-2008 era accounts for its weaker empirical materiality, and the inability of its elite to contain a crisis of contestation in 2004. These differences also signal a more fundamental contrast between Abkhazia and NK. If for NK the sovereignty form is a tactical concession contrasting with the long-term goal of strategic integration with Armenia, for Abkhazia the long-term goal is genuine sovereignty, and ongoing integration processes with Russia are an unavoidable tactical concession. In South Ossetia the entrenchment of rentier elites in a context without resources signalled a quite different character to the de facto jurisdiction there, dependent on a fluid and porous absence of hard state building.

Reflecting this variability, genuine economic self-sufficiency may not be the aspiration of de facto leaderships. This is significant because the self-sufficiency of the extractive nation-state is the mode of political economy that perhaps intuitively Western academic and policy-making observers are most likely to see as “normal” or “natural”. This is reflected in metaphors of de facto jurisdictions as “states on the dole” (Kolstø and Blakkisrud 2008, 494). Yet as Jackson’s analysis of the quasi-state shows, self-sufficiency is by no means easily attainable even by recognised states in the developing world after several decades. Expectations of self-sufficiency and “normative” extractive behaviour in post-Soviet de facto jurisdictions are misplaced, and none of them will become self-sufficient extractive entities any time soon. Indeed Russia’s willingness since the mid-2000s to confer massive support upon de facto “beneficiaries” has pulled Abkhazian and South Ossetian elite reliance upwards towards the benefactor, diminishing the relevance of local resources. Without the need to extract resources from society, Abkhazia and South Ossetia are set, as Pal Kolstø predicted nearly 10 years ago, to look increasingly less like Pegg’s de facto state and more like Jackson’s quasi-state – only without the backing of international sovereignty norms.

Variability in the underlying logic of post-Soviet de facto jurisdictions is also suggestive of two other significant patterns of variation. Firstly, it suggests a corresponding variability in the effect of policies seeking to economically isolate de facto jurisdictions. Isolating a de facto entity with aspirations (and some minimum capability) of self-sufficiency may facilitate forms of internal contestation ultimately strengthening its internal legitimacy. Economic isolation may force a renegotiation between de facto elite and society, which may ultimately strengthen the legitimacy of the de facto jurisdiction. But isolating a de facto entity whose political economy is structured by monopolies on externally derived resources may have little impact, except to further securitise contestation and muster society around strongman politics. Secondly, this analysis highlights the variation in patterns of democratization in de facto entities, between a performative democratization scripted for an international audience and irregular, unruly and unpredictable political contestation driven by domestic factors. All the South Caucasus de facto jurisdictions display the procedural regularity of the former in the form of formally free elections, competition between establishmentarian parties and symbolic presidential

candidates. This choreographed pluralism may be contrasted (as it can in the region's de jure states), with rarer varieties of contestation enacted on the streets, extra-constitutional brokering and violence (real and metaphorical) on the persons of candidates and their supporters.

This analysis highlights the limited utility of typologies of post-Soviet jurisdiction according to their degree of recognition. These introduce an unwarranted singular, linear and, at times, ideological understanding of what are in fact highly variable phenomena. Even if their rhetorical arsenals are similarly shaped by an internationally required mimesis of the self-determining sovereign nation, post-Soviet de facto jurisdictions are animated by quite diverse teloi. There are different horizons and meanings attributed to sovereignty and a state creation impulse does not appear to be the driving political telos or even present in all cases. These nuances are unfortunately lost in the indiscriminate use of the term "de facto state."

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## NOTES

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1 In order to problematise the concept of unrecognised or de facto statehood and states, I use the alternative “de facto jurisdiction” as much as possible in this article. I nonetheless acknowledge the ubiquity of the formula “de facto state” and it is indeed difficult to avoid this term. But to introduce further neologisms into an already terminologically confused field seems unwarranted. My continued use of “de facto state” is perhaps similar in spirit to the continued yet non-essentialising (indeed anti-essentialising) deployment of the term “nation” by modernist, post-modernist or even post-national readings of the nation.

2 O’Loughlin, Kolossov and Toal write of a “moral clarity...purchased at the expense of geographic knowledge” (O’Loughlin, Kolossov and Toal 2015, 29).

3 Both de facto and central state authorities deploy the moral economy to deflect unwanted outcomes: blockades explain away underdevelopment and corruption in de facto jurisdictions; criminalization is used to explain away that development which, contrary to expectations, they do exhibit. Yet insofar as exploration of political economy could point to either the viability or unviability of self-sufficient de facto economies, it threatens both ends of the moral economy’s polemical spectrum.

4 For information about the project see <[http://www.colorado.edu/ibs/pec/de-facto\\_states/](http://www.colorado.edu/ibs/pec/de-facto_states/)> For an overview article summarizing comparative findings see O’Loughlin, Kolossov and Toal (2015); for research articles discussing results for specific entities see, for example, Kolossov and O’Loughlin (2011), O’Loughlin, Kolossov and Toal (2011), Toal and O’Loughlin (2013).

5 Although other entities behaving like de facto states have appeared without war, such as the Autonomous Republic of Achara in Georgia, which under the leadership of Aslan Abashidze 1991-2004 behaved in many ways like a de facto state vis-à-vis Tbilisi (Kukhianidze 2009, 127-128).

6 Fairbanks characterises the bargain struck between collective (ethnic) interests and those of entrepreneurs of violence in the following way: ““we will let you steal if you serve the overriding goal of ethnic survival” (Fairbanks 2002, 147).

7 Reno himself has distinguished between “mafya troubles” and “warlord crises” in Russia. He argues that unlike in African shadow states Russian rulers, even if corrupt and criminalised, have not sought to dismantle and destroy formal state institutions (Reno 2002). Caspersen and Stansfield explicitly distinguish unrecognised states from Renovian shadow states or insurgent states, arguing that they “have achieved a level of ‘stateness’ underpinned by a degree of de facto domestic sovereignty” (Caspersen and Stansfield 2011, 3). I broadly agree, although as I argue below for South Ossetia and to some extent Abkhazia, continued manifestations of ‘milder’ forms of the shadow state are quite compatible with stable de facto ‘statehood’. In the case of NK a dramatic struggle to overcome military leaders entrenched in de facto state positions was a defining feature of the entity’s early existence.

8 In a 2006 essay Pål Kolstø argued that the post-Soviet de facto states could be seen as analogous to Robert Jackson’s concept of the quasi-state, that is as externally supported, top-down structures with little or no indigenous capacity (Kolstø 2006, 725).

9 Pegg defined de facto state in the following way: “A de facto state exists where there is an organized political leadership which has risen to power through some degree of indigenous capability; receives popular support; and has achieved

sufficient capacity to provide governmental services to a given population in a specific territorial area, over which effective control is maintained for a significant period of time. The de facto state views itself as capable of entering into relations with other states and it seeks full constitutional independence and widespread international recognition as a sovereign state. It is, however, unable to achieve any degree of substantive recognition and therefore remains illegitimate in the eyes of international society" (Pegg 1998, 26).

10 Pegg's case studies informed this distinction, all of them contexts where a de facto state had sustained its existence in spite, and not because, of international norms: the Turkish Republic of Northern Cyprus, Tamil Eelam, Eritrea and Somaliland.

11 Clearly there is the hypothetical possibility that over time under favourable conditions a de facto jurisdiction could shift from a subsistent to a more developmental political economy, which would nonetheless still be shaped in important ways by non-recognition. The subsistent model may therefore be seen as a point along a spectrum defined by variable indigenous capability.

12 The term "monopoly mediator" comes from Abram de Swaan, who argued that bilingual local elites in European peripheries held a quasi-monopolistic function of mediating between their monolingual clientele in the hinterland, and the metropolitan network operating in the standard language (de Swaan 1988, 59). The monopoly involved in my usage of this term is not, however, on literally translating between metropole and cultural hinterland, but on the nodal networks connecting the resources available from an external patron with beneficiaries in the populace of a de facto jurisdiction. Like cultural monopoly mediators, de facto elites in this model are invested in prolonging the distance – in this case juridical – between de jure metropole and de facto periphery. Full, international recognition of the de facto entity, and the ensuing access for its inhabitants to a full range of resource opportunities, would destroy their monopoly and hence the basis of their power.

13 Understandably, Abkhazia and Georgian analyses differ on the actual impact of the sanctions. If Akaba and Gitsba stress the impact of the CIS sanctions in Abkhazia, Kukhianidze, Kupatadze and Gotsiridze argue that they were largely irrelevant in terms of their intended effects (2004, 49). Where Abkhazian and Georgian analyses converge is on the criminalising impacts of the sanctions, and the resulting insecurity for local populations.

14 The river and hydro-electric station is known in Georgian sources by its Georgian name, Enguri.

15 Author's interview with Manana Gurgulia, London, 16 October 2014.

16 In the late 1990s/early 2000s it was striking to observe the change from constant power cuts in Tbilisi to uninterrupted supply in Sukhum/i.

17 This analysis, although originating in Georgia, did not single out Abkhazia or South Ossetia as particularly egregious contraband zones. In fact Kukhianidze, Kupatadze and Gotsiridze actually conclude that the "negative impact of smuggling through Abkhazia and Tskhinvali Region on the Georgian economy is insignificant in comparison to the volume of smuggling through other parts of Georgia" (2004, 52).

18 Abkhazia is the only one of the South Caucasus de facto jurisdictions that has faced the politically charged task of governing a substantial minority of the belligerent nationality, in this case Georgians. As O'Loughlin, Kolossov and Toal, conclude from survey data, this minority remains outside of the fragile consensus behind de facto statehood in Abkhazia (2011, 25-26).

19 Author's interview with Manana Gurgulia, London, 16 October 2014.

20 This does not include annual transfers in the region of \$70,000,000 to pay for Abkhazian pensions, or considerably higher sums intended specifically for military rehabilitation and construction.

21 The 2010 Russian census recorded a total population of 712,980 in North Ossetia, of which 459,688 were ethnically Ossetian.

22 In 1997 I accompanied an employee of the Delegation of the European Commission to Georgia on a routine visit assessing rehabilitation projects in South Ossetia. He explained that one of his difficulties in this task was assessing the degree of damage caused by conflict and its consequences, and pre-existing levels of decline characteristic of the later Soviet years in the region.

23 In August 1998 de facto President Ludwig Chibirov fired four of his ministers on charges of economic incompetence and failing to feed the population. This came after earlier agreement with Georgian President Eduard Shevardnadze on Georgian contributions to restoration of the economy (Birch 1999, 507).

24 Based on interviews in South Ossetia in 2006, Kolstø and Blakkisrud concluded that the de facto South Ossetian jurisdiction controlled 80-85% of the former South Ossetian Autonomous Oblast' (Kolstø and Blakkisrud 2008, 492).

25 Kukhianidze refers to South Ossetia (and Abkhazia) in this era as a kind of "off-shore' criminal enclave" (2010, 128). The image of the enclave perhaps underplays the connectivity of the criminal networks across de facto and de jure jurisdictions.

26 Although they actually provided a figure of \$4,200,000 for South Ossetia's planned budget for 2004, making the figure significantly less than 10%. Either way, Kukhianidze, Kupatadze and Gotsiridze concluded that "The budget of the Tskhinvali Region, the size of which is smaller than that of many US universities and even schools, actually plays a symbolic role in the region's life" (2004, 80).

27 ICG reported the following values on these commodities: wheatflour: \$130 million; dairy: \$60.5 million; cigarettes: \$60 million; petrol: \$23.2 million; kerosene: \$12 million.

28 South Ossetia demonstrates some analogies with Aslan Abashidze's Achara as a kind of dysfunctional or virtual "resource nationalism" made possible by control over an extraneous source of rents in a wider environment of Georgian state weakness.

29 The porosity of the Georgian-Abkhaz boundary along the Inguri/Engur River served a different purpose: to make possible and sustain a contained and territorially restricted return of the Georgian displaced community in the Gal/i district. Physical access to Gal/i for Georgian returnees, diminishing at least in part Abkhazia's international condemnation as a site of ethnic cleansing, was balanced by range of boundaries, physical (in the form of persistently poor infrastructure connecting Gal/i to the rest of Abkhazia), social and legal, containing the Georgian presence in Abkhazia to this district.

30 Subsequent to Ergneti's closure, South Ossetia's revenue collection reportedly dropped by half and Georgian customs reported a fourfold increase in revenues at the country's northern customs point with Russia (ICG 2004, 10).

31 Kukhianidze, Kupatadze and Gotsiridze report that the de facto South Ossetian Minister of Tax Revenues Mikheil Machavariani proposed a legalisation of Ergneti market, but Lokha Chibirov reportedly could not secure the buy-in of the market's criminal sponsors (2004, 30).

32 Kolossov and O'Loughlin report that in 2008 seven industrial plants were active in the territory with a combined production value of \$500,000 (Kolossov and O'Loughlin 2011, 7).

33 Popescu observed that initially outsourcing primarily concerned security posts in intelligence and defence; the phenomenon was most marked in South Ossetia, to a lesser extent Abkhazia and with Transnistria in third place. South Ossetian examples cited by Popescu from the mid-2000s included Prime Minister Morozov, Minister of Defence Anatoliy Barankevich, local intelligence chief Yarovoy and Minister of Internal Affairs Mindzaev. Following the August 2008 war Vadim Brovtsev, a native of Chelyabinsk with no previous ties to South Ossetia served as Prime Minister 2009-2012, reportedly to rein in embezzlement of Russian funds; other ministerial portfolios in South Ossetia, including economic development, defence and trade, also remain in Russian nationals' hands.

34 For an exploration of South Ossetian experiences of the August 2008 war and its aftermath see Sotieva (2014).

35 A 2010 survey found that 84.6% of respondents in South Ossetia believed the economy to be the main problem, higher but not much higher than regional average (Toal and O'Loughlin 2013, 16).

36 In Armenia, Presidents Robert Kocharian (1998-2008) and Serzh Sargsyan (2008-present), Ministers of Defence Serzh Sargsyan (1993-1995, 2000-2007) and Seyran Ohanian (2008-present), and Deputy Prime Minister Leonard Petrosyan (1998-1999) all came from NK. 'Clan' is a term often used to describe in a negative register the Karabakh network and its movement to Armenia (see, e.g., ICG 2004, 9-11). However, 'clan' appears to a term both too vague and too prone to ethnic or regional connotation to capture the complex nature of Karabakh-related networks in Armenia. Gerard Libaridian has conceptualised them in terms of a "Karabakh party" active in both Armenia and NK (Libaridian 1999, 90-95). The Armenian term *shrapat* (literally "surroundings" or "environment", but meaning here something closer to "set", "coterie" or "milieu" of people with similar experiences) may be a useful reference point as an informal network defined more by common biographies and 'rites of passage' than ethnic or regional origin. I am grateful to Alexander Iskandaryan and Sergey Minasyan for making this clear to me.

37 Author's interview with Spartak Tevosyan, Nagorny Karabakh, 10 September 2014. An alternative accounting of the loan, also reported to ICG in 2005 and confirmed to me by de facto Parliamentary Speaker Ashot Gulyan on 22 September 2014, is that the loan is in part repayment of Armenia's levying of customs duties on goods that pass through Armenia on the way to NK. This is an interesting example of how a border that has disappeared in the real world between Armenia and NK reappears in financial accounting and provides a logic for the interstate credit.

38 Author's interviews with NK de facto officials, Nagorny Karabakh, September 2014.

39 Author's interview with Spartak Tevosyan, de facto Minister of Finance and Economy, Nagorny Karabakh, 10 September 2014.

40 Stepanakert is known as Khankendi in Azerbaijani sources.

41 Author's interview with Artak Balian, Director of the State Tax Inspectorate, Nagorny Karabakh, 19 September 2014.

42 Ibid.

43 Author's interview with Spartak Tevosyan, de facto Minister of Finance and Economy, Nagorny Karabakh, 10 September 2014.

44 Author's interview with Eduard Aghabekyan, Nagorny Karabakh, 11 September 2014.

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# **THE POLITICAL ECONOMY OF A DE FACTO STATE: THE IMPORTANCE OF LOCAL STAKEHOLDERS IN THE CASE OF ABKHAZIA**

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*By Giulia Prelz Oltramonti*

## **INTRODUCTION**

Establishing a clear picture of the economy of Abkhazia is an exercise fraught with dangers: little literature exists, official statistics are unreliable and controversies are always a few steps away. Some precious accounts of specific phenomena in Abkhazia and South Ossetia are available, but no thorough review of the political economies of Abkhazia in the interwar period (1993-2008) exists. In the mid-2000s a series of publications came to light, in concomitance with the political changes that took place in Tbilisi, including articles and reports produced by Georgian observers (Gotsiridze 2002; Kukhianidze *et al.* 2007) and by international organisations (Champain *et al* 2004), as well as internal assessments of Abkhazia's economy (Baratelia 2007). An additional set of literature focuses on corruption and criminality in relation to the two conflicts (Baev 2003; Wennmann 2004; Mirimanova and Klein 2006; Nilsson 2014).

Economic mechanisms that characterise de facto states and, more specifically Abkhazia, have drawn much more attention since the 2008 Russo-Georgian war and Russia's recognition of Abkhazia's independence. A wide-ranging survey has allowed for the exploration of a range of economic-related subjects, such as economic insecurity and migration (Kolossov and O'Loughlin 2011), and perceptions of socio-economic conditions (O'Loughlin *et al* 2015). At the other end of the spectrum, Broers attempts an initial modelling of the political economies of what he refers to as de facto 'jurisdictions' (Broers 2015).

Notwithstanding this more recent interest in the economic dimensions of Abkhazia, the 1993-2008 period remains in need of further exploration, especially in terms of the role of internal stakeholders in shaping them. When looking at the economy of the Abkhaz de facto state, the focus usually rests on the destruction caused by the 1992-1993 war and the subsequent isolation, and hence on the impact of external actors (Georgia and Russia). This article shows that this account is incomplete, and it argues that key stakeholders have been more than passive recipients of circumstances imposed from the outside, while mobilising the discourse of war and ‘embargo’.

Before the fall of the Soviet Union, Abkhazia was one of the wealthiest regions of the USSR. In the early 1990s, the region was subject to two destructive phenomena that greatly affected its economy: the collapse of the Soviet Union and of its centrally planned economy, and the Abkhaz-Georgian conflict of 1992-1993. As a result of both, Abkhazia was confronted with varying extents of economic isolation throughout the following decade and a half, which further affected its economy.

Given the scarcity of data on pre-2008 trends, it is paramount to look at it in the light of the Georgian experience and, more *en large*, that of the former Soviet Union.<sup>1</sup> There are notable parallelisms between the first years of independence in Georgia and Abkhazia’s post-war years, though most phenomena were exacerbated in the de facto state by war-time destruction, partial isolation and lack of recognition. Issues such as abrupt economic decline and far from transparent transition processes, corruption and the proliferation of organised crime, new coping strategies and an expansion of the informal sector, can be observed on both sides of the ceasefire line.

The overall picture is one of abrupt decline in the 1990s and very gradual recovery in the 2000s. New ways of coping with such harsh conditions were devised, as well as mechanisms for taking advantage or profiteering from the limitations imposed from the outside. While the picture below portrays dire economic conditions and a seeming lack of stability and perspectives, it would be mistaken to assume that economic activity came to an absolute standstill. On the contrary, the economy was re-dimensioned and shaped by both internal and external factors, creating new opportunities, systems of patronage and networks.

This article sketches out the main regional economic developments in the period between 1993 and 2008, relying on 52 semi-structured interviews

(all conducted in 2012 and listed in Appendix I) and existing data collected during fieldwork in Abkhazia and Tbilisi in the fall of 2012.<sup>2</sup> It reviews the economic trends that characterised the 1990s and the 2000s, devoting further attention to processes of privatisation and investments, as well as to Abkhazia's internal cleavages and the Gali district's distinctive dynamics. Finally, it underlines the role of local stakeholders and shows how they have been able to exploit economic constraints for financial and political purposes.<sup>3</sup>

## THE 1990S: ISOLATION OR PARTIAL ISOLATION?

During the timeframe under scrutiny, the Abkhaz economy can be divided into two periods: isolation (or partial isolation, as debated in this section), which broadly characterised the 1990s<sup>4</sup>, while the 2000s witnessed a progressive easing of sanctions and opening of the de facto border with Russia.

In connection with unrest in the North Caucasus, in December 1994 Russia closed its border to all men between the ages of 16 and 60 years (Zverev 1996). Far from the close relations between Abkhazia and Russia that we have come to know in the 2000s, journalists reported tense relationships between Abkhaz and Russian officials from 1994 to 1997, with numerous examples of clashes and tensions in Sukhumi (Sheets, interview). Sanctions banning trade, financial, transportation, communications, and other ties with Abkhazia at the state level were imposed on Abkhazia in January 1996 by the members of the Commonwealth of Independent States ("Decision by the Council of CIS Heads of State on Measures to Settle the Conflict in Abkhazia. Georgia."). In 1997, long-distance telephones lines were cut (Garb 1999). In addition, Soviet passports gradually expired, leaving the residents of Abkhazia with no documents on which to travel – as most of them did not apply for Georgian passports. This period is widely seen in Abkhazia as the time of the 'Georgian embargo'<sup>5</sup>, irrespective of whether travel limitations on people were imposed by Russia. In fact, the importance of Russia in maintaining a blockade between 1994 and 1999, as well as in promoting CIS sanctions, has been established (Markedonov 2010).

Some of the coping strategies that were adopted in Abkhazia broadly resemble those that could be observed in the rest of Georgia, and most of the former Soviet Union, in the early 1990s: return to subsistence agriculture, depletive strategies and migration. In Abkhazia, however, isolation and depopulation shaped those coping strategies in a unique way (Baratelia, interview). While the urban centres lost part of their population to displacement and emigration, another kind of internal migration took place, leading to a new wave of urbanisation all over Abkhazia. Residents of districts that had been severely affected by the war, or where *kolkhozy* (collective farms) and mining industries failed, such as the districts of Tkvarcheli and Ochamchira, moved westwards, where destruction was lesser (Gagra, Gudauta) or employment opportunities better, including Sukhumi (Trier et al 2010). Having fought for independence and achieved positions of responsibility in the Abkhaz army, many ethnic Abkhaz moved from their pre-war villages to Sukhumi. As a consequence of these new patterns of internal migration, empty houses of Georgians, Greeks, Jews and even Russians, were occupied by newcomers.<sup>6</sup>

A process of ruralisation of urban centres ensued, with subsistence agriculture forming the base of the coping economies, both in cities and in the countryside (Dbar, interview). In the cities, small plots of maize and vegetable patches sprang up in parks, private gardens, and on the outskirts. Livestock, such as chicken and cows, appeared in Sukhumi and other main urban centers. As a result of the demographic changes caused by the war, the link between urban and rural was strengthened – and with that the reliance on agricultural coping strategies. The vast majority of the urban population had family ties with rural villages<sup>7</sup>, from where it could satisfy a large part of its food necessities. The exchange was far from one-sided. Supplied with foodstuffs from family in the countryside, urban dwellers provided labour for agricultural activities in the depopulated villages. After the war, people held on to their old Soviet jobs, notwithstanding the fact that their salaries were no longer paid. Employment with international organisations was sought after (interviews with Meredith, Zade, residents along the Gumista river, Vischioni), as well as access to Russian pensions through a relative or a middleman registered in Sochi (Venediktova, interview).

Shuttle trade was a crucial survival strategy throughout the period of isolation and later, acquiring in the 1990s specific gender traits that had profound

societal repercussions. As a consequence of trade restrictions, the burden – literally – of exporting agricultural produce across the border with Russia and selling it to middlemen or in the markets of the Krasnodar region fell on the shoulders of women (interviews with Inal-Ipa, Akaba).

However, the so-called embargo – trade sanctions – was far from being uniformly enforced. Passenger ferries travelled to Trabzon in the mid-1990s, connecting Abkhazia with its vast diaspora in Turkey and with its markets (interviews with Sheets, Gumba). For small-scale trade to continue, as it did notwithstanding trade sanctions, an extensive network of corruption developed along the Psou border and at checkpoints between Abkhazia and Russia, benefiting middlemen and Russian customs guards. Political support of a much larger scale was needed for more substantial exchanges. Scrap metal, Abkhazia's main export in the early 1990s, was carried out through its damaged ports, needing no particular facilities to be loaded on ships (Bardon, interview). The de facto government relied on the income of the sale of dismantled factories and facilities to fill its coffers with a minimum of liquidity, being unable to raise revenues through taxation (as productive activities had collapsed) or customs, due to its lack of control of its de facto borders (Gagulia, interview). In addition, some financial support was coming from Krasnodar – but not from Moscow – in the 1990s (Sheets, interview), reflecting the lack of uniformity in the position adopted by the various Russian actors (central and local).<sup>8</sup>

Trade was a reality also along the ceasefire line between Abkhazia and Georgia, as a consequence of the weakness and the incapacity of both parties to enforce control over the dividing line. Exports of hazelnuts from the Gali district were a key component of the coping economies of Eastern Abkhazia. Other goods such as cigarettes, petrol, and wood, were also traded from Abkhazia to the rest of Georgia. Timber was carried across the Inguri River on trucks and sold in Poti; counterfeited cigarettes were made in a factory in Gudauta and found their way to Georgia; Russian petrol was delivered to the military bases in Gudauta, and then Russian soldiers sold that petrol to Abkhaz, who sold it onwards across the Inguri (Areshidze, interview). Trade of such scale was heavily and informally taxed by the Georgian authorities, as well as the Abkhaz de facto authorities, who controlled access to the informal crossings and extorted bribes to allow passage (interviews with local aid workers). Finally, some trade might have flowed in the opposite direction, with

basic foodstuffs being traded from Zugdidi to Gali and then westwards to the rest of Abkhazia (Areshidze, interview).

Showing the connections that Abkhazia maintained with its neighbours does not take away from the impact that severe isolation had on the region. It crucially curtailed access to credit and to aid for postwar rehabilitation of infrastructure, affecting Abkhazia's transition to a market economy and its reliance on distorted economic practices. However, it is important to qualify the 'embargo', and to dispel the myth that no contacts with the outside were possible.

### **PROGRESSIVE OPENING IN THE 2000s: TRANSPORT, TOURISM, TRADE AND NATURAL RESOURCES**

Starting in 1999, travel and trade restrictions were slowly eased, the push for de-isolation coming mainly from Moscow. Already in July 1998 the Russian State Duma passed a resolution to change the border management and customs between Georgia and Russia, in the section of the dividing line concerning Abkhazia (Gotsiridze 2004). In 1999, Vladimir Putin abrogated by decree the Russian commitment to upholding restrictions on crossing the Psou River (Diasamidze 2003, 349). In 2000, restrictions preventing men from crossing into the Russian Federation were lifted. As of 2002, granting Russian passports to Abkhaz residents became possible thanks to the passing of a new law on citizenship by the Russian State Duma (Russian Federation 2002). As of 2003, a majority of retirees started receiving Russian pensions, estimates of annual disbursements to Abkhazia by the Pensions Fund of the Russian Federation being calculated at more than 20 million dollars per year (Baratelia, interview). In parallel, Russian investments grew, as the Abkhaz government encouraged Russian firms with favourable terms. By 2002, Russian and Turkish investments reached sizeable levels, to the extent that some observers argued that an economic blockade seemed non-existent (Clossen 2007). Investment concerned mainly transport and tourist infrastructure, and natural resources.

Railways, which had traditionally played the main role in heavy-cargo transportation in and through Abkhazia, had fallen into disrepair during the

conflict and during the 1990s. In the early 2000s, after border transit officially resumed on the Psou River, only electric passenger trains and light-cargo trains could operate between Sukhumi and Sochi, due to the conditions of the line (Gotsiridze 2002). The rehabilitation of that segment of the railway in 2004 was carried out by the state-run Russian Railway Company, and the line was officially reopened with scheduled services in 2004 (Lynch 2006; Sepashvili 2004).<sup>9</sup> At the same time, some key roads were also repaired: not the southbound road between Sukhumi and Gali, for which residents would have to wait until the aftermath of the 2008 war, but, most notably, the road between Sukhumi and Psou, with a Russian investment of at least USD 3.8 million (ICG 2006).

With the support of the Russian government, Russian private investors also rebuilt tourist complexes on the coastline in western Abkhazia, and Russian tourists returned to the area, creating an annual business that was estimated at around USD 50 million in the mid-2000s (Lynch 2006, 48-49), with an increase in the presence that led to 1,200,000 tourist-days in 2005 (Trier et al 2010, 110). The region has a long tourist tradition and was considered a holidaymaking gem during the Soviet Union, with services mostly linked to state facilities on the coast but, to some extent, also to private sector small-scale tourism (Dbar, interview). Incidentally, the economic crisis in Russia in 1998 and the devaluation of the rouble led Russian tourists to favour Russian destinations, or other close destinations where the currency did not significantly appreciate against the rouble – and this included Abkhazia, where the Russian rouble is used as the legal currency.<sup>10</sup>

Nevertheless, the rosy picture of tourism development is more complex than the above allows for. In the 1990s and 2000s, security remained haphazard – both internally and in relation to Georgia – keeping people and small-scale investments away (Gumba, interview). Transport and roads were problematic, though this issue was eased with the rehabilitation of the railway from Sochi to Sukhumi. Most importantly, though, the tourist system failed to make the transition to a post-Soviet reality, where adequate services are crucial in attracting holidaymakers and Russian tourists were lured by other competing destinations (Gagra residents, interviews).

In addition to freeing up access to Abkhazia for Russian tourists, the opening of the border between Russia and Abkhazia entailed a jump in foreign trade on which both Abkhaz and foreign observers agree (State Manage-

ment of Statistics of the Republic of Abkhazia 2008, 88). Exports included natural resources and agricultural produce – together, up to 90% (Baratelia 2007). Half of all agricultural exports were composed of citrus fruit, with the rest including persimmons, hazelnuts, tea and vegetables. Regarding natural resources, export of untreated timber took the lion's share, accounting for 15% of all exports in the early 2000s.

However, these exports were not sufficient to fill the severe imbalance of payments caused by the widening gap with imports, which included food products, petrol and diesel, as well as passenger vehicles (Baratelia 2007). In fact, official data show foreign trade turnover through the de facto border with Russia and through its ports. To have a more complete picture, it is necessary to also take into account the dynamics at work in eastern Abkhazia and the trade taking place across the ceasefire line. This imbalance of power masks the profitable trade of petroleum products that took place with Georgia, where petrol and diesel were sold – though unaccounted for – at much higher rates, as well as possibly the sale of electrical energy produced by the Inguri Power Plant to southern Russia.<sup>11</sup>

## PROCESSES OF PRIVATISATION AND INVESTMENTS

Similarly to the rest of the former Soviet Union (FSU), Abkhazia was faced with the need to move forward and reform its now-unviable centrally planned economy. Compounding the damage caused by the war, by the time Abkhazia emerged from the conflict funds from Moscow had dried up. The new de facto government had to find resources to provide social services and sustain its institutions. In the first post-war years some liquidity was achieved by selling scrap metal and possibly electricity to southern Russia. This, however, was nowhere sufficient enough to maintain the levels of public spending that, during the Soviet Union, funded a series of scientific institutions, such as the Institute of Experimental Pathology and Medicine, the Sukhumi Physics and Technical Institute, and around 10 others, which all benefitted from their own budgets, unrelated to the Abkhaz Autonomous Republic's budget (Dbar, interview). Previously prosperous industries, such as fisheries, mines, transport, and tourism, collapsed

in the early 1990s, as a result of damaged infrastructure and trade restrictions on the one hand, and of the numerous factors that led to a decline in economic output throughout the FSU and Georgia on the other. Lacking competitiveness on a global market and having lost their traditional markets, these sectors needed significant investments that no one was willing to provide.

Hurdles that precluded investments included a general lack of liquidity in the FSU, poor security and uncertain legislations and property rights. While according to international law, Georgian jurisdiction still included Abkhazia, the de facto authorities passed their own ‘Law on Privatisation’ in 1998 (Republic of Abkhazia 1998). On this basis, some tourist facilities and productive activities were privatised; rights to the exploitation of natural resources, which could not constitutionally be alienated from the de facto state, were given out in concessions of 49 years. Endemic corruption dictated business outcomes and *chinovniki* (bureaucrats or officials), who had access to political power, were more likely to benefit from it. Corruption hindered business, especially small businesses, as those who had more possibilities squashed the little ones who could not compete: after the war, important assets, such as large and productive swathes of land, were privatised by *chinovniki*, while less profitable activities or communal farms remained under state control well into the 2000s.

Nonetheless, the lack of investments remained dire, affecting all, including the well-connected and war veterans who managed to appropriate a share of the most valuable assets. A 1998 UNDP report underlined how the lack of investments and access to credit affected infrastructure, productivity levels in agriculture and, more generally, hopes for economic rehabilitation (UNDP 1998). To obviate such shortages and drawing from the revenues of privatisation, the de facto authorities launched a Fund for Support of Enterprises aimed at small businesses. Unable to meet all requests, a commission decided on the basis of business-plans whom to finance with credits at extremely low interest rates, even at 0%. This contrasted with the rates offered by commercial banks, which lent money to business with interest rates close to 60% in the 1990s, decreasing to 24% in the late 2000s (Gumba, interview). However, the far-from-transparent selection process for awarding the credits meant that the re-payment rate was close to zero. Recipients either opened their business, or just kept the money, but never thought about giving it back.<sup>12</sup> The Fund became quickly depleted, and personal relations remained the main source of credit for both small and large businesses.

## NUANCING THE REGIONAL, DEMOGRAPHIC AND ETHNIC CLEAVAGES

In order to nuance understanding of the main trends sketched above, it is useful to outline two main sets of cleavages that characterise Abkhazia, namely ethnic and demographic ones on the one hand, and economic and geographical ones on the other. While the two sets overlap at times, this section covers some of the divergences that exist within the de facto state.

In fact, when looking at the economy of Abkhazia, significant cleavages exist between the coastal plains and the mountainous interior, as well as between urban and rural environments – although most cities have undergone a process of ruralisation after the war, as rural residents have moved to the cities and coping strategies led to an adoption of agro-subsistence techniques also in urban areas (Venediktova, interview). Also, significant differences in terms of economic development can be found between the west of Abkhazia, mostly spared of the destruction of the war, and the east, including Sukhumi, where public and private infrastructure was heavily damaged during the fighting that took place in 1992–1993. Western Abkhazia was able to revive part of its tourist industry as early as the late 1990s, and to exploit the existing infrastructure (such as roads and storage facilities) to transport agricultural produce and trade on a small scale, while eastern Abkhazia was confronted with much more dire conditions, including the devastation of transport infrastructure, homes and public buildings.

Aside from regional differences, the starker of which is covered in the next section, an understanding of the political economy of Abkhazia necessarily relies on an appreciation for its ethnic balance, as well as the political, economic, and social clout of its various groups. Notwithstanding the displacement of ethnic Georgians/Mingrelians, which occurred in 1993 and 1998, and the departure of most of the Greek and Jewish communities during the war, Abkhazia remained a multi-ethnic society (Trier et al 2010). Data from the Abkhaz de facto authorities show a large presence of Georgians, Armenians and Russians.<sup>13</sup>

The multi-ethnicity of the de facto state needs to be squared with the political, social and economic clout of the various groups. The preponderance of the ethnic Abkhaz in key positions before the war, and their larger participation in the fighting, meant that they retained a dominant position after the

war.<sup>14</sup> This position has been described as domination (Ó Beacháin 2012, 171) or “a virtual monopoly on political power” by ethnic Abkhaz (Kolstø and Blakkisrud 2012, 1).<sup>15</sup> At the same time, however, there was a stark awareness that, notwithstanding attempts to attract members of the Abkhaz diaspora into moving to Abkhazia, which yielded poor results,<sup>16</sup> the ethnic Abkhaz did not compose the majority of the population and cooperation with other ethnic groups was crucial to the cohesion and the functioning of the de facto state.

As a strong link between ownership and economic power on the one hand, and the war victory on the other, exists, in Abkhazia ethnicity is often equated with ownership (Akaba, interview). This translated into a preponderance of Abkhaz ownership over large businesses and monopolies, which can be explained in two ways. First, in the early 1990s, a process of exploitation of violence and insecurity took place. Life in Abkhazia was characterised by episodes of murders and kidnappings, and ethnic Abkhaz had retained most of their military arsenal, as well as positions in the nascent security forces (Baratelia, interview). Secondly, according to Abkhaz tradition (and more generally in the Caucasus) family relations are extremely important; the political dominance that ethnic Abkhaz enjoyed was largely exploited for creating employment and opportunities for one’s (extended) family. The links between urban and rural communities ensured that Abkhaz rural residents also benefited from some support from the centre.<sup>17</sup> While this practice choked competition and limited any hope of successful transition, it also precluded participation in key sectors and contracts to ethnic groups that were not strongly represented in governmental structures, dominated by ethnic Abkhaz.

This did not mean that the second largest ethnic group (leaving Georgians/Mingrelians aside, for reasons discussed later) had no access to ownership or economic power. The process of economic marginalisation of Armenians was considerably less stark – and some argue that Armenians were doing quite well economically (Clogg 2008). Armenians were successfully involved in agricultural businesses and tourism, mostly at the level of small and medium enterprises (interviews with residents of Gagra). No business with regional relevance belongs to Armenians. However, significant property interests by former Armenian commanders include sanatoria and hotels (Genté 2012), but this can be ascribed to the ownership-war victory link.

## IN AND OUT OF THE GALI DISTRICT: PEOPLE AND GOODS

In the 1990s and 2000s, the most significant cleavage was the one between the eastern district of Gali<sup>18</sup> (and neighbouring areas of the Ochamchira and Tkvarcheli districts) and the rest of Abkhazia. This Abkhazia-Gali divide overlapped with an ethnic cleavage in the form of a predominance of Georgians/Mingrelians living in the Gali district, as against their absence on the whole from the rest of Abkhazia.<sup>19</sup>

Not only were these areas affected by the war, but they also remained subject to high levels of insecurity – comparatively higher than in the rest of Abkhazia – and isolation from the rest of Abkhazia. Notably, when speaking about the pre-2008 economy of Abkhazia, interviewees in Sukhumi never included the Gali district in their considerations and, when questioned about it, were surprised that the topic came up.<sup>20</sup> This is not to say that there were no similarities between the district of Gali and the rest of Abkhazia, but some of the specificities of the eastern province (such as extreme levels of insecurity, isolation from the rest of Abkhazia, and the southbound orientation of its shadow and coping economies, i.e. towards Georgia) justify dedicating specific attention to it.<sup>21</sup>

Similarly to other parts of Abkhazia, the district of Gali suffered from some war-time destruction and depopulation but, as the region itself was not at the centre of the fighting, post-war destruction was also due to looting and the violence that characterised the region throughout the 1990s and 2000s. Inhabited almost exclusively by Georgians/Mingrelians, the region has been the theatre of repeated waves of displacement and migrations in and out of its boundaries (peaking in 1993 and 1998 because of security concerns). The “returnee” phenomenon partly depends on the seasonal nature of part of these migratory patterns: IDPs, resident in Samegrelo during the winter, cross the Inguri River for the agricultural season and stay in the Gali district until the harvest.<sup>22</sup> Some cross the Inguri far more often, while for others it is more convenient to split families, with working-age members living in the pre-displacement villages, tilling the land, while children live and study in Zugdidi (interview with residents of Gali district). All along, both stable and seasonal returnees remain classified as IDPs by the Georgian authorities, and are hence able to collect IDP allowances or Georgian pensions.

According to a range of official data, eastern Abkhazia trailed behind the rest of Abkhazia throughout the 1990s and 2000s, failing to follow western Abkhazia on a path of gradual development and growth that stemmed from the opening of the border with Russia (Baratelia 2007). This was a consequence of the significant war destruction and depopulation in the districts of Tkvarcheli and Ochamchira, and the lack of investment in the Gali district, whether private (for security reasons) or public (as a consequence of lack of interest). Within wider Abkhazia, eastern Abkhazia was therefore characterised by lower rates of reconstruction of infrastructure, provision of services, living standards and wages, with salaries being barely more than half of salaries in the Gagra district in the west (Baratelia 2007).

Formal employment, including only those who worked for UNOMIG, NGOs and INGOs, remained abysmally low - at 3% of the population (Baratelia 2007). Around half of the residents' income derived from cash transfers, whether IDP allowances or Georgian pensions; the other half derived from activities such as trade or subsistence farming, with cash crops (mostly hazelnuts) cultivated on the side and sold over the ceasefire line (Vischioni, interview). Georgians in Gali had little access to the market in Sukhumi: fears for their own safety and lack of papers prevented them from circulating in the rest of Abkhazia, especially in the 1990s (Utiashvili, interview). With tacit consent from both sides, they turned to Zugdidi, where Georgian pensions were also disbursed, as well as the salaries of teachers and health practitioners employed by the Government of Georgia (GoG) in Gali. In addition to the support received from the GoG, returnees received support from the UNHCR – mostly as basic shelter assistance and income generation programs – and from a limited range of other NGOs (Cohen and Deng 1998, 293).

Aside from subsistence economy, the agricultural sector of the Gali district was at a standstill. Still nowadays, a drive to Gali shows that much of the land is unused – abandoned fields, *kolkhozy* and tea plantations. This is a consequence of depopulation and lack of policies and incentives to develop the region, in addition to the violence that characterised the area. The survival of Soviet agricultural production required investments that no one was ready to make, for maintenance of irrigation systems, as well as machinery and pesticides. At the same time, some of the region's main production, such as tea, was no longer profitable in the context of a globalised economy (Dbar, interview).

In the end, what led to a bare viability of the region – and for some significant profitability – was the trade that took place across the ceasefire line. While Abkhaz de facto authorities deemed it illegal, as it mostly eschewed de facto border posts along the Inguri, they openly admitted to being unable to prevent it (Stranichkin, interview). With more than five bridges on the Inguri, and up to 100 possible crossing points when the water is low, the river can easily be crossed by residents on foot, as well as by trucks loaded with timber, gasoline, or scrap metal. In reality, passage was widely tolerated because of corruption on the one hand, and of the difficulty of regulating the passage of residents – and what they can carry as personal belongings – on the other (Baratelia, interview). In fact, the Abkhaz authorities were largely unable to maintain control over Gali, as a consequence of a lack of capacity in Sukhumi, obsolete know-how, and a significant gap between policy makers and the bureaucracy, or policy implementers. Bureaucrats in charge of local implementation lacked an understanding of public service, leading to entrenched corruption and inefficiencies (Demeuldre, interview). Coupled with widespread corruption and clientelism at all levels, these factors created an environment where the porosity of the ceasefire line easily sustained trade.

In addition, when the border with Russia was closed in the 1990s, Gali residents carried items necessary for survival from Zugdidi, thanks to the loopholes on the Inguri River. Even some 15-20 ethnic Abkhaz traders were known to cross the ceasefire line daily to make their way to the Zugdidi market, or even the Lilo market in Tbilisi (Kukhianidze et al 2007, 78). Consumer goods and food produce were sold, well into the 2000s, in the markets of Sukhumi and Gagra, easing the shortages caused by the trade sanctions all over Abkhazia (interviews with Baratelia and Areshidze). This aspect rarely surfaces in Abkhaz accounts, as it would undermine the official Abkhaz position of viability independent from Georgia, as well as in Georgian accounts, which focus on criminal networks trading in petroleum, cigarettes, and other non-survival goods. However, if the difficulty and the cost of importing staples from Russia in the 1990s is taken into account and compared with the relative ease of crossing the Inguri, it seems likely that Abkhaz authorities restrained from better sealing the ceasefire line also because of this outcome – a welcome inflow of necessary goods into Abkhazia – in addition to poor capacity and the larger commercial interests of a few strongmen.

## DIGGING DEEPER: THE ROLE OF LOCAL STAKEHOLDERS

The largely descriptive sections above show that, in the period between 1993 and 2008, the Abkhaz economy was subjected to pressure from all sides, leading to partial isolation first, and distorted development later. According to Abkhaz official discourse, its economy struggled throughout the 1990s and 2000s as a consequence of the war, and of the decisions taken by its neighbours and imposed on it (Stranichkin, interview). This is also the view adopted by the vast majority of the residents of Abkhazia: poor economic development is a consequence of the Georgian ‘embargo’. There is no denying the impact of Georgian and Russian actors on the Abkhaz economy, as well as that of the war and the destruction that it caused. Nevertheless, it is important to underline that Russian policies in the 1990s were as significant as the Georgian ones in isolating Abkhazia, while being more effectively implemented. But the key omission of this interpretation of events regards local agency and the role played by local elites.

In more than one aspect, key Abkhaz stakeholders have shaped the situation in Abkhazia just as much as external actors, although in different ways. Abkhaz de facto authorities maintained close control over income-generating activities, mixing personal and public interests. They benefited financially from the isolation of Abkhazia and the creation of monopolies within the de facto state. The extended family of Vladimir Ardzinba, first de facto President between 1993 and 2004, managed key segments of the economy until the mid-2000s, such as exporting scrap metal, petroleum trade, ports management and tourism (interviews with Sheets, Areshidze, Genté; Closson 2007). Thanks to their control over infrastructure and de facto law enforcing agencies, political elites also benefited from the commercial flows that they facilitated, whether through the ports that they controlled, or through the district of Gali.

The scramble for the control over resources and key sectors of the economy followed the political developments in Sukhumi and the transition from one presidential administration to another.<sup>23</sup> The corruption and the mismanagement of resources, which had come to characterise Ardzinba’s administration, eventually led to a change of power in 2004-2005. But this is not to say that the parcelling of the economy along the lines of political power came to an end. Sergey Bagapsh, the second de facto president, sworn in in 2005, also

distributed the various sectors among his own circle of people – less family-based and more party-oriented.<sup>24</sup> The shift did not occur without drama. While ostensibly the new de facto government attempted to rein in what it defined as criminal groups in 2005 (*Civil Georgia* 2005a), an assassination attempt on Bagapsh was carried out, as stakeholders of the previous business networks resisted the change (*Civil Georgia* 2005b).

Aside from the financial gains to be made, political considerations informed the formulation of de facto public policy. Through the command and the distribution of the scarce resources (such as loans, but also houses and businesses), successive de facto presidents were able to secure key constituencies such as veterans and ethnic Abkhaz residents. At the same time, the scarcity of such resources was used as a unifying factor within Abkhazia. In fact, the hardship of the 1990s contributed to a consolidation of Abkhaz society and was exploited to rally various ethnic groups under one same banner – notwithstanding the lack of political representation outlined above. As shown by the wider literature on sanctions, all-encompassing sanctions can prove not only ineffective, but also counterproductive, generating a “rally round the flag” effect (Cortright 1997, 392). In the Abkhaz case, CIS sanctions definitely reinforced a siege mentality (Matveeva 2002, 419). The de facto authorities promoted the perspective that sanctions were imposed by the GoG – while the Georgian rhetoric did little to dispel that claim. As seen in the first part of this article, they were indeed promoted by successive Governments of Georgia, but the zeal employed in their promotion was largely not matched by efforts towards implementation and enforcement. This led to the creation of a communal sentiment of resistance, not only among the ethnic Abkhaz, but also among most other ethnic groups with the exception of the Georgians/Mingrelians. More than the war itself, which is treated as a founding myth for ethnic Abkhaz in Abkhazia, the trade restrictions and hardship on the 1990s were exploited as a cementing element for the different ethnic groups.<sup>25</sup>

In fact, the main factor to which economic disruption is attributed in Abkhazia is the so-called ‘Georgian embargo’, which takes priority in most explanatory approaches even over the war of 1992–1993. The collapse of the Soviet Union and its centrally planned economy was extremely disruptive for the Abkhaz economy. The previous sections show numerous failures to adapt to a post-Soviet reality (agriculture and tourism), as well as the hijacking of public funds and goods for private interests. However, when inquiring into

the causes of the poor state of the Abkhaz economy, interviewees in Abkhazia seldom include the issue of transition as one of the factors to take into consideration.<sup>26</sup> The “double dislocation [of] the collapse of the Soviet economic arrangements followed by the economic consequences of wars with Georgia” identified by Kolossov and O’Loughlin (2011, 636), does not exist in public discourse. The discourse of ‘embargo’ (and a specifically Georgian one) promoted by the de facto authorities is so pervasive that residents point towards abandoned fields, industry, and service complexes solely as examples of the consequence of trade restrictions (interviews with residents along the Gumista River; interviews with residents of Gagra) and not as a consequence of prolonged economic mismanagement, or de-population.

By focusing on the role of local actors, however, this article questions the usage of the ‘Georgian embargo’. The first two sections of this article have shown that the partial isolation of the 1990s was largely Russian-related, and that starting from the early 2000s a process of progressive opening was under way. This is to deny neither the importance that trade restrictions had on the availability of goods within Abkhazia and the capacity of its residents to export produce, nor the impact of CIS sanctions on the Abkhaz post-Soviet economic transition, which was starved of external know-how and support, and consequently forcefully oriented towards Russia as the sole provider of foreign investments in the 2000s. But if successive de facto administrations were confronted with limitations imposed from the outside, they were widely able to exploit them to their own advantages, both in personal financial terms, and in political ones (whether in the creation of personal allegiances, or in the strengthening of cohesion across Abkhazia).

A parallel phenomenon of exploitation of violence could be observed in the Gali district. Here again, official discourse is cast in terms of responding to the external (Georgian) sponsoring of paramilitary and criminal groups inside Abkhazia (Stranichkin, interview). Indeed, Georgian paramilitary forces, mainly the White Legion and the Forest Brothers, were responsible for repeated attacks in the Gali district in the mid-1990s (Kurtanidze 1998). The security situation in lower Gali, and in the district of Gali more widely, significantly improved after 2004, when these partisans groups lost the support of Tbilisi; however, far from disappearing, they morphed into openly criminal groups specialized in racketeering and kidnapping, maintaining their presence for a few more years (Meredith, interview).

Georgia's role in supporting violent groups in Abkhazia, however, is once again used to conceal the role played by local stakeholders and entrepreneurs of violence and, incidentally, the benefits drawn by the de facto authorities from this state of affairs. Exploiting low state capacity, lack of interest for the security of Gali residents, and powerful connections, gunmen built successful businesses monetizing their ability to threaten people at gunpoint – whether as kidnappings or as rackets (interviews with local aid workers). In addition, the exploitation of insecurity revolved around the establishment of businesses and the production of hazelnuts. There is a wide consensus on the fact that the unofficial tax to be paid for every ton of hazelnuts was paid in kind, at around 150 kilos, to the local head of the administration, or the local strongman (interviews with local aid workers; Vischioni, interview). To move a load of hazelnuts – or any other produce – through Abkhazia, Georgian/Mingrelian producers needed protection that could only be guaranteed by Abkhaz partners (Ramer, interview; interviews with hazelnut traders). In parallel, to obviate the general problem of absence of credit, a local strongman was needed to lend capital (Vischioni, interview).

While the de facto authorities were officially not involved in these processes, the final recipients were likely higher strata of protection networks that had the acquiescence of the central elites. At the same time, the creation of a lawless borderland in the Gali district played very much into the hands of the de facto authorities, ensuring the backing of the entrepreneurs of violence mentioned above (whether gunmen, protection providers, racketeers, or local strongmen).

A porous borderland along the ceasefire line served yet an additional purpose in the 1990s, though its importance gradually diminished with the increasingly open border with Russia in the 2000s. It allowed Abkhazia to be connected to an external market, to which counterfeited and petroleum goods could be exported with significant gains, and from which foodstuffs could be imported. As the insecurity circumscribed the number of actors who partook in the trade, the de facto authorities could continue to claim that Georgia was isolating Abkhazia. So, while fostering the siege mentality that was skilfully exploited to retain consensus and create national cohesion, de facto authorities effectively created a way to circumvent Georgian trade restrictions while maintaining its appearance. Abkhaz traders were able to achieve the same goals along the border with Russia through bribes in the 1990s, although to a lesser extent. Commercial activity along the Inguri River was part of a wider process

of turning the Gali district into a lawless borderland, in which the exploitation of violence and insecurity became a significant revenue-generating activity.

## CONCLUSION

De facto authorities in Abkhazia have hidden some uncomfortable realities behind the smokescreen of the ‘Georgian embargo’. These included the allocation of domestic economic resources among family and friends (key political constituencies), which resulted in personal accumulations of wealth and the creation of personal political networks based on the distribution of public resources. It also included, however, the incapacity of de facto authorities to pilot Abkhazia in its transition from an unviable centrally planned economy to another form of management of its mechanisms of production, distribution and consumption of resources. In other words, poor public policies were camouflaged behind a discourse that blamed Georgia for everything, including for the economic pain that originated in the dissolution of the Soviet Union and the disruption of its closed market. The limits of this second element became apparent during the 2004-2005 election cycle that brought Bagapsh to power.

Notwithstanding the change of frontman, until the Russo-Georgian war of 2008, the mechanisms remained largely the same. Socio-economic misery and the difficulty of trading with the outside were so relentlessly branded as the result of Georgian policy that this explanation was seldom questioned by Abkhazia’s resident population, while the discourse of the Georgian embargo was successfully mobilised to foster internal cohesiveness.

This article has shown how the economic reality of the de facto state was much more complex than an account based on a single justificatory account of ‘embargo’ allows for. It has also shown that de facto authorities have been key actors in shaping the state of the Abkhaz economy, although until 2008 they have been held to little account for it. At the same time, it would be reductive to limit the list of local beneficiaries to de facto officials. While this article has not developed the topic extensively, it has nevertheless sketched out the diversity of constituencies set to win (to various extents) from such arrangements: entrepreneurs of violence, *chinovniki*, ethnic Abkhaz, traders. The embargo was a major stumbling block for Abkhazia’s development and its transition

into a post-Soviet era, and spelled misery for a large section of its residents. But for others it was quite an opportunity.

## NOTES

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1 For an early assessment of the Georgian situation, see Scott and Tarkhan-Mouravi (1995); for similarly early accounts of post-Soviet 'transitions' and the development of coping strategies see Bridger and Pine (1998), Humphrey (1995). It is nevertheless necessary to point out that the blanket characterisation of 'transition' has been widely criticized for implying a linear transition from a command economy to a market economy, and for failing to reflect the disparities of experiences among different countries and different segments of the population.

2 These interviews were carried out as part of a larger doctoral project on the role of economic power in the context of conflict protraction. Interviewees include states' and de facto states' representatives, whether politicians or civil servants; civil society representatives and NGO workers; businessmen and other relevant stakeholders, such as residents of borderlands and IDPs (stakeholder interviews). Journalists, academics and researchers were also consulted (expert interviews). The interviews were conducted in Tbilisi, Sukhumi, Gagra and the districts of Shida Kartli, Samegrelo, and Gali, alternatively in English and in Russian, depending on the respondents' knowledge of the two languages. Some additional interviews were conducted in Western Europe, while a small minority was carried out on the phone or via e-mail. Interviews provided data, which reflect the interviewee's reality prior to the interview; at the same time, interviews provided more than that data, namely with a context and to varying extents an interpretation of reality and the actors' rationalities, especially in the case of stakeholder interviews. The boundary between the two was established by triangulating sources and accounts, but at times this triangulation process is impossible for lack of data. In these cases, the content of the interview was evaluated against the broader contextual spectrum.

3 In the context of the conflict of Abkhazia, toponyms are disputed. This article adopts the generally accepted appellations in the English language, with the awareness that this choice tends to reflect Georgians appellations. This is not always the case however. Ochamchira, which is commonly used in English, is the Abkhaz appellation for the city; Georgians refer to it as Ochamchire. Sukhumi differs from both the Georgian (Sokhumi) and the Abkhaz (Sukhum) pronunciations, similarly to the Inguri River (Ingur in Abkhaz and Enguri in Georgian). Most other appellations, however, are drawn from their Georgian form: Gali (Gal in Abkhaz), Tkvarcheli (Tkuarchal), etc. Georgian appellations are considered invalid in Abkhazia.

4 As this article focuses on the dynamics developing after the cessation of high-intensity confrontation, the first period covers the developments following the establishment of a ceasefire agreement in late 1993-1994. A round of talks, which took place in December 1993 in Geneva, led to the signing of a memorandum of understanding among the parties, while a quadripartite agreement was signed by Georgia, Abkhazia, Russia and the UN in Moscow in April 1994 (Diasamidze 2003).

5 This assessment was repeatedly made by stakeholder and expert interviewees

as an answer to variously-phrased questions focusing on the key determinants of Abkhazia's economy and socio-economic conditions before 2008.

6 However, at times abandoned houses were simply requisitioned by the state to make up for destroyed properties of other urban residents, who did not have the means to rebuild their own houses in the post-war period (Akaba, interview). According to Abkhaz law, if a house is empty for 30 days, it can be repossessed by the state.

7 With the notable exception of former Soviet pensioners, mostly ethnically Russian, who had no family ties and subsequent support networks, and hence experienced the highest level of deprivation as a group (Médécins Sans Frontières, 2002). This demographic does not seem to be taken into consideration by Abkhaz de facto officials, affirming: "Everyone has their own land, everyone has their own village [...] everyone, maybe 99%" (Dbar, interview).

8 It is worth pointing out that in the 1990s Russia's foreign policy in the Caucasus was often seen in terms of a strategic retreat (Baev 1997) and loss of interest (de Tinguy 2008) in the region.

9 An additional segment of the line (between Sukhumi and Ochamchira) would be restored from May to August 2008 by Russian engineering troops. The Georgian government claimed that the refurbishment had military purposes in the build-up to the 2008 war.

10 Agricultural production of Abkhazia – mainly citrus, persimmon and hazelnuts – also acquired competitiveness compared to other southern producers such as Turkey or Greece (Baratelia, interview)

11 The Inguri Hydroelectric Power Plant (HPP) straddled the two sides of the Georgian-Abkhaz ceasefire line. With the power-plant on the Abkhaz side of the ceasefire line and the reservoir on the Georgian side, coordination was needed throughout the 1990s and 2000s to allow the HPP to operate. While the power-plant was indeed operational and informal agreements were reached – such as allowing Georgian technicians and operators to cross the ceasefire line daily in order to work in the facility – the power-plant suffered from a lack of maintenance and investments. However, one key issue remained unresolved and is a matter of contention to this day: sharing agreements for produced electricity. Drawing a link between water and security for both parties, Garb and Whiteley (2001) convey the importance of the Inguri HPP for the economy – and hence for prospects of nation building – of both Georgia and Abkhazia. The operating plant in Abkhazia provided electricity to both parties, while remaining under the de facto control of the Abkhaz authorities – as they showed in 1997 when Abkhazia suspended the delivery of electricity to Georgia in retaliation for Georgia cutting long-distance telephone lines. How to divide the output – the percentages on output that each side received in the past – remains to this day a contested issue. While a written agreement is said to exist, both parties take good care to keep the document itself confidential – while discussing its contents openly. While data from the two sides do not precisely match, they are still relatively close. The Abkhaz side claims that, according to a written agreement between the two parties, Abkhazia was due 40% of the output, but that this was not observed. These are the figures for output diverted to Georgia in various years between 1993 and 2008: in 1995 the HPP produced 3,389,900,000 kilowatt hours (kWh), Georgia received 3,068.8 million kWh, namely 90.4%; in 1998 – produced 3547.1 million kWh, 2891.8 million kWh to Georgia (81.5%); in 2002 – produced 3488.9 million kWh, 2565.8 million kWh to Georgia (73.6%); in 2005 - 3004, 8 million kWh, 1966 to Georgia (65.5%); in 2006 - 2000 million kWh (decrease in production linked to

the repair works carried out), 1102.7 million kWh to Georgia, (56%); in 2008 - 3679.4 million kWh, 2553.9 million kWh to Georgia (69.4%) (Stranichkin, interview). According to the Georgian side, figures vary from a 60-40 sharing agreement (Utiashvili, interview) to a 70-30 agreement (Gotsiridze, interview). Gotsiridze justifies this imbalance by the fact that Georgia took the loan on itself and that a Georgian workforce operates the plant. What differs greatly is the explanation on the usage on the Abkhaz share of electricity. Abkhaz figures show that the electricity consumption of Abkhazia increased in the 2000s, matching its gradual economic development and implying that Abkhazia received no excess electricity. Georgians claim that Abkhazia was able to export a large share of electricity to Russia (Gotsiridze, interview) – a position that most international observers agree on – and are unable to prove (interviews with Bardon, Chabrier). Garb and Whiteley (2001, 229) point out to the involvement of CIS troops in maintaining security at the plant and attending coordination meetings. An open agreement between Russian and Abkhaz de facto authorities would have breached the CIS sanctions. In the 1990s, agreements on a supply of electricity to the Russian Southern provinces were likely to be stipulated at a local level, i.e. with Krasnodar officials, overall friendlier to Abkhaz positions than Moscow. Hefty exports of electricity would go a long way toward explaining how the de facto authorities of Abkhazia raised a budget in the 1990s – a question on which they otherwise give no satisfactory answer.

12 During the summer 2012, a memo exchanged between the de facto president Ankvab and the Head of the Fund was leaked to the press. It showed the decision to underwrite 3 billion roubles that had been lent by the Fund, as the state did not have the power to get it back (Venediktova, interview))

13 A census carried out by the de facto authorities in 2003 indicated 44% Abkhaz, 21% Armenians, 20% Georgians, 11% Russians and 3% others (Trier et al. 2010, 139). According to the later census of 2011, ethnic Abkhaz do comprise the majority of the population: out of a population 240,000 people, 51% are ethnic Abkhazians, 20% Georgian and Mingrelians, 18% Armenians, 9% Russians (Ministry of Foreign Affairs Republic of Abkhazia). This data, however, is believed to be skewed in favour of the Abkhaz ethnicity and has been widely discredited.

14 **The constitution approved in November 1994 by the Supreme Council of Abkhazia** set the foundations of its de facto independence. According to its text, the president had to be of Abkhaz ethnicity, and be proficient in the Abkhaz language. Aside from the presidency, all groups have the same rights according to the law; however, this is not really the case, as the de facto state developed around a heightened sense of ethnic Abkhaz history and language. In fact, the repeatedly stated understanding is that the Armenians have a country that preserves their language and traditions, as do all other nationalities (Inal-Ipa, interview).

15 All nationalities have formally always been involved in the electoral process, to the point that vocal Abkhaz nationalists claim that ethnic Abkhaz are not the determining force in electing the president (Baratelia, interview). But, in truth, communities other than the Abkhaz have shown much restraint in their participation in public life. A key example is that of the 2004 electoral contest between Sergey Bagapsh and Raul Khadjimba. This remained a mainly inter-Abkhaz struggle. Showing how the various communities steer clear of controversies, in 2004, Armenian community leaders issued a statement saying that everyone in the Armenian community should vote for whomever they saw fit, and that there would be no official backing of one side over the other.

16 As of 2012, only around 1000 members of the Abkhaz diaspora had moved

to Abkhazia from Turkey, of which 100-150 remained. This is notwithstanding the disproportionate resources that the de facto government allocated to encourage Abkhaz abroad to settle in Abkhazia (Baba, interview).

17 It is nevertheless necessary to point out that there were also some ethnic Abkhaz that remained marginalised, lacking useful relations (Baratelia, interview).

18 A reference to the district of Gali is fraught with dangers, as its boundaries were redesigned in 1995 by the de facto authorities. Part of the former district of Gali was included in the newly established district of Tkvarcheli, reducing the territory of the Gali district but also of the Ochamchira district. Both Gali and Tkvarcheli districts are inhabited by Georgian/Mingrelian majorities, though in the case of Gali almost exclusively so. Hence, when referring to the district of Gali, there is an understanding that phenomena affecting it do not stop at the de facto administrative border between the two districts, but often involve the neighbouring areas of the Tkvarcheli district too.

19 Mingrelians are members of a communal group belonging to the wider Georgian ethnic group and traditionally inhabiting Mingrelia (Samegrelo in Georgian). The degree of separation between Mingrelians and Georgians, however, is a matter of contention. Abkhaz consider that a large segment of Mingrelians in Abkhazia are former Abkhaz who underwent a process of Georgianisation during the Soviet Union. Self-identification and appellations by others vary considerably. The issue of Mingrelian identity has been extensively covered by Broers (2012), who shows that Mingrelian identity varies throughout socio-economic and geographical contexts, and according to historical trajectories of respondents, varying from proud self-identification as Mingrelian and approval of revivals of Mingrelian culture and use of the language, to a dismissal of Mingrelian identity, seen as a Russian-inspired strategy of divide and rule. He also points out how Mingrelian identities largely coexist with Georgian and Russian ones alternatively, the latter more for displaced Mingrelians residing in Abkhazia before 1993. The attempts by Abkhazia's de facto authorities to institutionalise the Mingrelian language in the 1990s, and the contrary tendency of Tbilisi-based Georgian elites to minimise its importance, are clearly in line with the political goals of the two centres. This article refers to the Georgian and Mingrelian populations residing in, and displaced from, the Gali district, and Abkhazia more widely, as Georgian/Mingrelian, reflecting the different appellations with which they are referred to by Abkhaz de facto and Georgian authorities, and, most importantly, with which they self-identified alternatively and, sometimes, interchangeably. This does not imply that all the Georgian population in Abkhazia, or more specifically in Gali, was Mingrelian; this appellation allows for the possibility of the people designated to be one or the other, or both.

20 Although it is not within the scope of this article, it is interesting to notice that the approach was often different when talking about post-2008 dynamics, reflecting a process of integration of the Gali district within Abkhazia which was non-existent before the Russo-Georgian war of 2008.

21 An assessment of the Upper Kodori valley in north-eastern Abkhazia is not included in this article, as the valley remained under Georgian control until 2008.

22 The displaced populations are referred to IDPs by Georgians and refugees as Abkhaz, reflecting the differences in how they regard the ceasefire line: an internal administrative boundary for the former, an international border for the latter.

23 This is how the presence of two distinct mobile-phone companies in Abkhazia was explained, along with the transition of power from an Ardzinba administration

to a Bagapsh administration: “An economic war between the two groups took place [after 2005], the first president controlled Aquafon mobile company, the second A-Mobile. Now we wait for a third provider [after the election of Ankvab]” (Baratelia, interview)

24 “Ardzinba had family; Bagapsh had more people from the Komsomolskaya Organizatsiya, he was a party-man. The first president was a leader, a historian, not a communist, from an academic background and charismatic, including during the war; the second was a child of the party” (Baratelia, interview).

25 “Pre-war most other nationalities were actually not that interested in the independence of Abkhazia, or greater autonomy, or anything of the sort. After the war the times were so hard, including because of the blockade, that paradoxically the Georgian embargo solidified the society” (Kerselyan, interview).

26 It is also worth noting that no mention is ever made of the impact of displacement on the Abkhaz economy. As the ethnically Georgian population fled during the war, Abkhazia lost a vast share of its population, leading to abandoned agricultural land, as well as most of its educated elite.

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## APPENDIX I: INTERVIEW LIST

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- Akaba, Natella, Head of the Abkhaz Women Association and secretary of the Public Chamber of Abkhazia, October 2012, Sukhumi.
- Areshidze, Mamuka, Analyst and Director of Kavkasus Centre, November 2012, Tbilisi.
- Baba, Anit, staff member of the Centre for Humanitarian Programmes, November 2012, Sukhumi.
- Baratelia, Beslan, Dean of the Economics Department at Sukhumi's Abkhaz State University, November 2012, Sukhumi.
- Bardon, Antoine, President of the Chambre de Commerce et d'industrie Française en Géorgie, November 2012, Tbilisi.
- Chabrier, Laurent, Senior Banker at the European Bank of Reconstruction and Development, October 2012, London.
- Dbar, Roman, Head of the State Institute of Ecology, November 2012, Sukhumi.
- Demeuldre, Vincent, Première Urgence, November 2012, Gali.
- Gagulia, Gennady, Head of the Chamber of Commerce and Industry (formerly de facto Prime Minister of Abkhazia 1995-1997, 2002-2003), November 2012, Sukhumi.

Genté, Régis, Tbilisi-based journalist, July, October and November 2012, Tbilisi.

Gotsiridze, Roman (formerly President of the National Bank of Georgia 2005-2007; Head of the Parliamentary Budget Office 1998-2004; Deputy Prime Minister 1992-1993 in charge of economic reforms), November 2012, Tbilisi.

Gumba, Yulia, Head of the Association “Business Women of Abkhazia”, October 2012, Sukhumi.

Hazelnut traders, October 2012, Gali.

Inal-Ipa, Arda, staff member of the Centre for Humanitarian Programmes, October 2012, Sukhumi.

Kerselyan, Diana, staff member of the Centre for Humanitarian Programmes, November 2012, Sukhumi.

Local aid workers (Mingrelian and Abkhaz), November 2012, Gali district.

Meredith, Tom, Programme Manager of The Halo Trust, October 2012, Tbilisi.

Ramer, Kirk, Development Contractor in Abkhazia and South Ossetia, September 2012, Tbilisi.

Residents along the Gumista river, western edge of Sukhumi, November 2012, Sukhumi.

Residents of district of Gali, along the Inguri River, November 2012, Gali district.

Residents of Gagra and Gagra district, November 2012, Gagra.

Sheets, Lawrence, Senior Analyst at International Crisis Group, November 2012, Tbilisi.

Stranichkin, Alexandr, De facto Vice-Prime Minister of Abkhazia, October 2012, Sukhumi.

Utiashvili, Shota, Head of Analytical Department of the Ministry of Internal Affairs of Georgia, July and December 2012, Tbilisi.

Venediktova, Nadezhda, journalist, October and November 2012, Sukhumi.

Vischioni, Pierre, former Chef de Mission of Première Urgence in Gali, October 2012, Tbilisi.

Zade, Esmet, HALO’s Programme Manager in Abkhazia, October 2012, Sukhumi.

# **THE ENGAGEMENT POLICIES OF THE EUROPEAN UNION, GEORGIA AND RUSSIA TOWARDS ABKHAZIA**

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*By Nino Kereselidze*

## **INTRODUCTION**

Over the past two decades since the wars in the Georgian breakaway entities of South Ossetia (1991-1992) and Abkhazia (1992-1993), the policies of the European Union (EU) and Georgia have not contributed to a political solution to these conflicts. In both cases ceasefire agreements were reached without final settlement, turning the South Caucasus region into an area with multiple protracted conflicts. Georgia regards Abkhazia and South Ossetia as parts of its territory, with the status of an autonomous republic in the case of Abkhazia and of a constituent region of the country in the case of Tskhinvali region (the former South Ossetia Autonomous Oblast (SOAO)). In contrast, while large numbers of their displaced pre-war populations remain unable to return, the residual populations in those entities consider themselves to live in the independent republics of Abkhazia and South Ossetia. The de facto authorities continue to refuse to negotiate on federal arrangements with Tbilisi, which they see as necessarily resulting in subordinate status within a reintegrated Georgian state. For their part, successive Georgian governments and Georgian public opinion have opposed any agreement that would legitimise the separation of the breakaway entities and create opportunities for them to become federal structures within Russia.

The maintaining of these stances for over 20 years has resulted in a situation in which both entities have become ever more removed from Georgia. Compared to other international actors, notably the United Nations (UN) in Abkhazia and Organisation for Security and Co-operation in Europe

(OSCE) in South Ossetia, the EU showed little active interest in conflict resolution in Georgia for many years. Not until the late 2000s did the EU develop its “engagement without recognition” strategy towards the conflict regions, prompted by the 2008 war between Georgia and Russia in which the EU assumed the role of a mediator. This article focuses on the case of Abkhazia, the governance practices of which make it distinct from South Ossetia, as well as from the third conflict entity in the South Caucasus, Nagorny Karabakh.

This article argues that although Georgia and the EU have so far adhered to non-recognition policies governance practices nurturing nation- and state-building processes in Abkhazia, coupled with the Russian policy of recognition, constitute challenges to conflict resolution. After a review of the debates over the de facto entities in the academic and policy literatures, drawing on data that is difficult for Georgian nationals to access from the primary sources, the first section of this article explores elements of nascent community-authority relations that support nation- and state-building in Abkhazia. The next sections analyse the engagement without recognition strategy of the EU, Russia’s ‘embracement’ policy and Georgia’s engagement through cooperation strategy. Juxtaposing EU and Georgian non-recognition policies with the Russian policy of recognition creates the basis for the argument that Russia’s support to state-building in Abkhazia may lead to the entity’s absorption by Russia. The fifth section notes that despite attempts by international non-governmental organisations (INGOs) and local civil society actors to engender peace, there has been limited progress in conflict resolution.

Limited primary and secondary literature and documents, in addition to the constrained access to Abkhazia for Georgian nationals, posed initial limitations to this research. In academic terms, this limitation was overcome by conducting semi-structured interviews with international experts, quoting relevant officials and academics from podcasts of public lectures delivered during their visits in European and South Caucasian capitals, as well as accessing digital documentary releases produced in Abkhazia itself. The conclusions of this article carry policy implications in that since the strategies of the EU and Georgia have lacked substance in addressing the alienation of both entities, the EU and Georgia need to develop alternative policies with more likelihood of incentivising the parties towards conflict resolution.

## NATION- AND STATE-BUILDING IN ABKHAZIA

Most research on protracted conflicts in Georgia that has addressed the policy stances of the parties has focused on relations between the de facto entities and their de jure state in terms of non-recognition (Krasner 2004, King 2001, 2010, Francis 2011). The experience, potential and parameters for a policy of engagement remain insufficiently analysed. Academic and policy literature on de facto states in the South Caucasus has nonetheless increasingly addressed policies enacted towards Abkhazia and South Ossetia by both state authorities and the international community (Lynch 2002, Caspersen 2006, Kolstø 2006).

The notion of “frozen conflicts”, challenged by perceptible dynamics in the South Caucasus breakaway entities, has rarely been used in the specialist conflict literature, and indeed over the past two decades the situation on the ground in Abkhazia has not been static. The de facto leadership in this jurisdiction has taken steps to consolidate its hold of power and entrench the entity’s separation from the rest of Georgia. Besides this dynamic, international peacebuilding actors have facilitated interaction among the local communities. Mient Jan Faber (2008, 1) observes that Abkhazia and South Ossetia have become “self-organized security zones”. With time, de facto Abkhaz presidents have made conscious efforts to instill the aura of heroism among the younger generation, cemented on billboards across towns in Abkhazia. Despite a series of frequent changes in a volatile political space, the de facto leadership has managed to retain its hold of power and the significance of the status quo for the Abkhaz leadership lies in its de facto independence from Georgia.

After the wars waged in the early 1990s, the population in Georgia reproduces national narratives with mono-causal explanations (Van der Leeuw-Roord 2005). According to Rick Fawn (2003, 2012), the strategic significance of the conflict in Georgia is in the loss of control over Abkhazia compounding the impression of Georgia’s disintegration. As a scholar in international law explains, for Georgia, peace is a permanent solution based on respect for sovereignty, recognised by international law (Aleksidze 2014). Conversely, a conflict resolution adviser at the Directorate-General for External Relations (DG RELEX) of the European Commission noted in 2009 that, peace for the breakaway regions means an unchallenged independence

(Béchet 2009). In disputes over the historical legacies and relationships of both jurisdictions, dialogue between Georgia and Abkhazia stalled (Coppieters, Darchiashvili, and Akaba 1999), a situation only compounded into a deeper stalemate since 2008.

For more than 20 years, Georgia has remained firm on the issue of status, and has underestimated nation- and state-building tendencies in Abkhazia. The multiethnic character of the current population in the territory has shaped the emergence of governance practices in Abkhazia. At present, the lack of access to justice, public services and information necessitates self-governance and community institutions (Article 19 2007, 51). The issue of status is less relevant for people who are facing insecurity in everyday life. As noted by Paata Zakareishvili, conflict expert and since 2013 the State Minister for Reconciliation and Civic Equality of Georgia (SMR): “In Abkhazia and South Ossetia independence is a declaration and a pose, and in fact, security is much more important for the local population” (2012). A survey on community security conducted by peacebuilding INGO Saferworld (2011, 18) revealed that low levels of community accountability and under-investment in community capacity obstruct the activities of international organisations. According to these findings, there is a need for local self-government institutions that would encompass community engagement and partnership, as well as dialogue between NGOs and the power structures. Such institutions would allow civil society participation in public debates on the socio-economic issues confronting various ethnic communities. So far, several mechanisms have emerged on local and national levels for community participation in decision-making that includes both legislative and practical policies. The legislative realm extends to the de facto Law of the Republic of Abkhazia on Government in Administrative-Territorial Units, and the de facto Rules of the Sukhum Municipal Assembly. In policy practice, community-based approaches subsume the activities of the Public Chamber of Abkhazia, local councils, village assemblies and community consultations. Overall, societal and regime consolidation in Abkhazia complicates conflict resolution. With an engagement policy, there is scope for the EU to focus on self-government institutions, community capacity, partnership working and the involvement of civil society.

Abkhazian political and civic discourse depicts de facto Abkhazia as a pluralistic state, yet the role of ethnic minorities in nation- and state-building

is unclear. The de facto Abkhaz authorities do not have a policy for community engagement for ethnic minorities. The ethnic Georgian minority, with a contested number ranging from 29,000 to 65,000, within a likewise contested overall population of Abkhazia between 118,000 and 220,000, is particularly challenged (UNPO 2015). Their return to eastern Abkhazia has not occurred in conditions of safety and dignity. At present, residents of the southernmost district of Gali in eastern Abkhazia, with a predominantly Georgian population, commute across the Administrative Boundary Line (ABL) and migrate seasonally to tend their fields. They experience pressing needs for employment, housing, facilities, infrastructure, healthcare, and education. In a situation marked by the lack of rule of law and the presence of corruption and crime, ethnic Georgian population and Abkhazian law enforcement authorities distrust each other. The conscription of young men is also used as a political tool, adding to the gender imbalance in Gali. Although the de facto Constitution of the Republic of Abkhazia guarantees every ethnic group the right to education in their native language, the Georgian minority has restricted access to school education in the Georgian language and generally seeks higher education in territory under sovereign Georgian control. There is a generally high level of trust towards international organisations, but little expectation for change. It is a notable deficit that the EU's engagement without recognition policy towards Abkhazia has not to date addressed the issue of ethnic minorities currently residing in Abkhazia.

## **THE EUROPEAN UNION'S 'ENGAGEMENT WITHOUT RECOGNITION' STRATEGY**

The EU has developed a strategy known as 'engagement without recognition' towards Abkhazia and South Ossetia. However, as Michael Merlingen and Rasa Ostrauskaitė (2010) put it, neither this strategy nor its political image and economic assistance have succeeded in incentivising the parties to resolve the conflicts. Since the 2000s, the EU has increased its diplomatic involvement in Georgia. Namely, in 2003 the EU appointed a European Union Special Representative (EUSR) to the South Caucasus to assist Georgia in its political and economic reforms and to prevent and resolve con-

flicts (Council Joint Action 2003/496/CFSP). However, as Giovanni Grevi (2007, 55) noted, the appointment of the EUSR received little political attention in both Brussels and Tbilisi.

Separately, it was in Georgia that the EU deployed the first mission under the Common Security and Defence Policy (CSDP) previously European Security and Defence Policy (ESDP), as a major part of the Common Foreign and Security Policy (CFSP) in the post-Soviet area. Yet, with the Rule of Law Mission EUJUST Themis sent in 2004 for judicial reform, the EU was unable to assert itself because of complex European community procedures that often delayed its work (Joint Action 2004/523/CFSP). Similar to the EUSR, the Themis mission received little acknowledgement in the Georgian administration and its mandate was discontinued in 2005 (Kurowska 2009, 207). Prior to that, in the late 1990s, the EU carried out confidence building measures with its Rapid Response Mechanism (RRM) between Georgia and Abkhazia. Despite these measures, the EU was more involved in South Ossetia because this conflict was considered more soluble, given its mixed population and its proximity to the capital Tbilisi. Even though a Border Support Team (BST) was dispatched in 2005, they continued to monitor Georgia's borders with Armenia and Azerbaijan, and not until 2009 was the BST tasked with establishing contacts for confidence building in Abkhazia (Joint Action 2009/133/CFSP). It was only after the August 2008 crisis that the EU increased its engagement by mediating the ceasefire, appointing the EUSR for the Crisis in Georgia, sending the European Union Monitoring Mission in Georgia (EUMM), and establishing the main negotiating format of Geneva Process.

The EU has become by far the largest international donor to Georgia. Since 1997, the EU has provided economic rehabilitation and humanitarian assistance for Abkhazia. Between 1992 and 2006, the EU supported the central government with €505 million in grants, of which €30 million was allocated for peacebuilding purposes in Abkhazia and South Ossetia (EuropeAid 2009, 24). Commission programmes were implemented with a common financial tool, the European Neighbourhood and Partnership Instrument (ENPI), started in 2007 and continued despite the global financial crisis and the lack of commitment from 12 EU new member states to the international development policy (Commission ENPI 2007). An additional €181 million was allocated out of the €500 million set aside for rehabilitation

in 2008-2010 (Commission Report 2009). Despite the range of its political and financial commitments the EU stood aside in conflict transformation and has been unable to incentivise conflict resolution.

Prior to the conflict escalation in 2008, the EU had limited itself to declaratory statements. In support of the UN resolutions, the Council of the European Union (2008) reiterated in its declaration “its firm commitment to the sovereignty, independence, and territorial integrity of Georgia within its internationally recognised borders as most recently reaffirmed in United Nations Security Council Resolution 1808 of 15 April 2008.” In a more assertive manner, Secretary General/High Representative (SG/HR) for CFSP Javier Solana, on his trip to Georgia and Abkhazia in June 2008, stated that the “stability and prosperity of Georgia and the region was of great concern and interest for the European Union” (Council 2008). Thereby, in the words of the personal representative of SG/HR Solana for foreign policy, this emphasised the Council’s interest in increasing its engagement in Georgia (Everts 2009). It was only after the crisis that the EU’s Political and Security Committee (PSC) under the CSDP agreed to expand to conflict resolution in Abkhazia (MFA Georgia 2008, 16). Although the visits of high-ranking EU officials and their statements were marginal in halting escalation, the EU’s intervention can also be contrasted with that of other international actors. As noted in the report of the Independent International Fact-Finding Mission on the Conflict in Georgia (IIFFMCG), the first of its kind commissioned by the EU, “[t]his successful political action stood out against the failure of the international community to act swiftly and resolutely enough in order to control the ever-mounting tensions” (Tagliavini Report 2009, 11). The EU remained the most suitable interlocutor for conflict mediation. Two other international organisations, the OSCE and the UN, could not act impartially, considering the consensus nature of the OSCE and Russia’s influence in the UN as a permanent member of the Security Council respectively.

In the late 2000s, the EU started to pursue a dual policy towards Georgia. Matching Georgia’s strategy, the EU supported the country’s sovereignty and at the same time adopted the ‘engagement without recognition’ strategy towards Abkhazia and South Ossetia. This policy, developed in December 2009, is on the whole referred to in EU working documents and the policy papers of EU-based research institutions, but not in official

EU documents. The non-recognition aspect of the policy was confirmed by the Council in its Declaration (2009) during the de facto presidential elections in Abkhazia: “the European Union continues to support Georgia’s territorial integrity and sovereignty, as recognised by international law.” In response, re-elected de facto President Bagapsh stated: “I understand that recognition of Abkhazia as an independent state is not an easy process. Whether the US and the EU like it or not, we have chosen our way” (Gogoryan 2009). The de facto president highlighted the EU’s inherent bias in favour of Georgia’s sovereignty: “The European Union, the European Parliament and the international institutions alike are listening only to Georgia, but according to the United Nations Organisation there are two sides of the conflict – Georgia and Abkhazia” (Dzhopua and Agrba 2008, 38:08). Despite the effort to engage, EU language is therefore not yet reflected in the statements of the de facto Abkhaz and South Ossetian leaderships (Lakerbaya 2012).

The engagement aspect of the policy was inherently limited by the EU’s respect for Georgia’s sovereignty. The EU nevertheless separated the legal dimensions of sovereignty from governance practices in view of nation- and state-building trends in Abkhazia discussed in the following section. Although the EU was explicit about non-recognition, without a strategy document, its engagement inevitably suffered from lack of clarity. Besides visits by the EUSRs and monitoring by the EUMM, the EU was involved in Abkhazia through the humanitarian aid department of the European Community Humanitarian Aid Office (ECHO). Between 1992-2014, Georgia received €130 million for conflict aid out of a total of €187 million ECHO funding to the South Caucasus (Commission 2014, 3). Despite its diplomatic and humanitarian engagement, the EU has not incentivised compromise that would allow political change in the conflict regions. Such rewards may include closer relations, development resources, and movement of people. With joint inducements the course of interaction on a shared path to a target would probably alter dynamics in relations between the central government and the conflict entities.

The Abkhaz de facto leadership and population, to whom the engagement aspect is meant to apply, is exasperated by limited international engagement and mistrust of the EU runs high. As Laurence Broers (2013, 62) observes, non-recognition forces societies in Abkhazia and South Ossetia to subordinate their

state-building project to the goals of outside actors. The Abkhaz are confused by mixed signals coming from the EU. A public opinion survey, carried out in Abkhazia in 2011, on prevailing perceptions about the EU in Abkhazia and Europe's participation in resolution of the Georgian-Abkhaz conflict, showed that in the eyes of Abkhaz society the EU is not seen as neutral (Shakryl and Kerselyan 2012, 3). As a leading Abkhaz academic Arda Inal-Ipa has said: “news of the European policy of engagement without recognition was met initially with hope. However, this policy has been put aside by the EU countries and has become a part of the Georgian policy of engagement with the so-called ‘occupied territories’” (Inal-Ipa and Gegeshidze 2011). This duality and ambiguity in the EU policy cause suspicion among the Abkhaz, stalling prospects for the policy to take positive effect.

Since the EU member states are not in a position to work in conflict entities, they tend to empower peacebuilding INGOs to engage in humanitarian aid and in gradual institution building. In its Overseas Strategy, the United Kingdom (UK) has outlined the need for an integrated approach to tackle conflicts with several means of intelligence, diplomacy, development, defence engagement and trade, and at the same time, has indicated that “the UK’s capacities go beyond Government” when dealing with conflicts in neighbouring counties, including Central Asia and the Caucasus (DFID 2011, 19). Major INGOs working in the South Caucasus have been supported by the Conflict Pool, which is an instrument jointly operated by the UK government departments of the Foreign and Commonwealth Office (FCO), the Department of International Development (DFID) and the Ministry of Defence (MoD). Key to INGOs’ work is their sensitive treatment of sovereignty, particularly the legal aspects of people’s travel to and from the de facto jurisdictions, and at the same time their credibility in those jurisdictions. The Government of Georgia, despite its concern about legitimising international presence in seceded territory, acknowledges the importance of such engagement. Therefore, while prohibiting free movement to the de facto entities, Georgia allows humanitarian engagement but requests that peacebuilding organisations communicate their involvements (GoG 2010, Art. 4). However, reporting through the regulatory framework of the Modalities for Engagement is not always observed by INGOs, because they tend to report to their funding agencies, whereas the latter are not necessarily directly accountable to the central government.

## **RUSSIA'S 'EMBRACEMENT' POLICY**

While the EU has struggled to define a policy of engagement, in sharp contrast Russia has been pursuing a policy of increasing integration with Abkhazia and South Ossetia. Whilst Russia is ostensibly permissive of state-building in the breakaway regions, it controls them in political, economic, military and administrative terms. Even though a strong sentiment of the independence prevails among the residents in Abkhazia with the exclusion of the post-war returnees from the internally displaced Georgian community, in the face of the Russian policy of embracement, the Abkhaz are unlikely to preserve their independence.

Restricted access for European companies in Abkhazia leaves Russia practically the only actor for economic relations. Beyond the economic blockade, international industries are unwilling to work in Abkhazia, South Ossetia, Nagorno Karabakh, and the entire North Caucasus, due to the high security risk to international investment (Corboy, Courtney and Yalowitz 2010, Control Risks 2013). Major factories and small enterprises in Abkhazia, such as the coal plant in Tkvarcheli, have been destroyed, but there has some re-emergence of markets on a needs basis, for example, the construction works in 2014 for the Sochi Olympic Games in the neighbouring Krasnodar region. On the extraction of resources, according to de facto Minister of Foreign Affairs of the Republic of Abkhazia, Sergey Shamba (2010-2011), Abkhazia is determined to be involved in investment projects (Dzhopua and Agrba 2008, 46:21). But it appears that Abkhazian capacities to own and direct the territory's own resources are challenged by Russia's control over all trade and enterprise.

Abkhazia's international economic and political isolation works in favour of integration with Russia. As a senior foreign policy officer from the FCO observed, "whether one wishes it or not, Abkhazia and South Ossetia are effectively operating now more in a North Caucasus orbit" (Oliphant 2010). For some civil society activists, such a tendency does not necessarily presuppose Russian assertiveness. Liana Kvarchelia from the NGO Center for Humanitarian Programs Sukhum [sic] claims that Russia is not able to affect societal developments in Abkhazia. A case in point is that of the 2011 presidential elections, which did not elect the candidate proposed by Russia (Dzhopua and Agrba 2008, 27:43). Instead, as the leading practitioner continues, Rus-

sia is preserving the *status quo* while the rest of the world tries to impose a resolution that the Abkhaz regard as unfair (*Ibid.*, 27:46). An advocate for Abkhazia in the UK, Lord Rea, has commented that: “Abkhaz people are showing considerable determination and spirit, being very loyal to the notion of Abkhaz as a nation” (*Ibid.*, 51:37). The Russian presence, however, is surprisingly not recognised by Lord Rea: “Abkhazia is run by its own government on certain terms and there is no trace of evidence that the Russians are involved in administration of this country” (*Ibid.*, 51:22). In words of de facto Deputy Minister of Foreign Affairs of the Republic of Abkhazia Irakli Khintba (2012-2014): “Our relations with the EU are influenced by ... still negative attitude of the EU towards Abkhazia’s independence. ... Abkhazia needs direct, specific and non-political rehabilitation of social and economic infrastructure” (de facto MFA Abkhazia 2014).

However, after the forced resignation of de facto President Aleksandr Ankvab (2011-2014), purportedly with Russian assistance, domestic politics in Abkhazia does seem to be crucially influenced by Russia. After recognising the two entities as independent states in 2008, Russia concluded strategic partnership treaties with Abkhazia in 2014 and South Ossetia in 2015 respectively (Prezident Rossiiyiskoy Federatsii 2008, 2014). Russia and Abkhazia have then signed over 80 de facto interstate agreements and implemented large-scale programmes related to infrastructure, economic development, and the modernisation of social facilities, all testament to Russia’s embracement policy.

Passport politics has also significantly increased Russian political influence in Abkhazia. Russia tends to invoke citizenship, as it did in 2008, to protect its “citizens” on Georgian territory. There are two separate processes of “passport politics”: (a) significant numbers of residents in Abkhazia have adopted Russian citizenship, and (b) residents in Gali, the majority of whom are Georgian citizens, were provided with Abkhaz citizenship. An Abkhaz passport is not valid for international travel but entails the political rights to vote and receive a pension and higher education in Abkhazia. Although the act of taking an Abkhazian passport presented a dilemma for ethnic Georgians, the demand for basic rights prevailed. During de facto presidential elections in 2011, 9,000 Abkhazian passports were issued to Georgians, compared to 3,000 in 2009 (Freedom House 2013). The OSCE High Commissioner on National Minorities (2009) reported that “pressure was

exercised on the Georgian population in the Gali District through limitation of their education rights, compulsory “passportisation”, forced conscription into the Abkhaz military and restrictions on freedom of movement.” To deprive the ethnic Georgians of political rights, the Abkhaz de facto authorities suspended granting in 2014, and have even revoked Abkhazian citizenship to many ethnic Georgians. As Abkhazian citizenship has no international application, Georgian residents seek dual citizenship. But the de facto Law of the Republic of Abkhazia on Citizenship of 2005 allows dual citizenship with Russian citizenship only. An Abkhazian passport and the local rights that it ostensibly confers therefore requires ethnic Georgians who actually rely more on welfare and education in western Georgia to renounce their Georgian citizenship (Clogg 2008, 312). Russian citizenship remains bureaucratically elusive for ethnic Georgians in Gali, and status neutral documents have not been embraced.

While freely distributing its own citizenship in Abkhazia, Russia does not seem to support Abkhaz national identity or Abkhazia’s pluralistic society. The Abkhaz are concerned to retain their numerical and political superiority *vis-à-vis* ethnic Georgian and Armenian communities. Increased russification is a challenge to Abkhaz identity and it remains unclear whether Abkhazia will be able to preserve an Abkhaz national identity in an independent state.

## **GEORGIA’S ‘ENGAGEMENT THROUGH COOPERATION’ STRATEGY**

To address the post-conflict situation in Abkhazia and South Ossetia, the Georgian Government has developed two official documents: the Law of Georgia on Occupied Territories in 2008, and a State Strategy on Occupied Territories: Engagement through Cooperation in 2010. The Strategy document (2010, 2) declares the Government’s vision “based on the common principles and values shared by all European states, as reflected in the Helsinki Final Act [to build] democratic governance, a flourishing economy, ... a tolerant and multiethnic society.” Despite this wording, European values are not reflected in either document. Since there is no clear EU document on how to engage Abkhazia, it is difficult to compare these two strategies. The

fundamental similarity between the EU and Georgian strategies lies in their non-engagement component that does not ultimately contribute to political solution. The primary difference between the two is that the Georgian strategy by bringing the status issue to the fore, is not accommodating of present-day Abkhazia, whereas the EU, as a third party, could allow itself more flexibility in its engagement.

Georgia has employed varying approaches towards Abkhazia. Georgian President Eduard Shevardnadze (1995-2003), treated the permitting of nation-building as a reward to the Abkhaz people in 1992-1995 in lieu of their de jure status; this remained a popular position until 2004. President Mikheil Saakashvili (2004-2013) expressed a readiness to recognise political differences, but the Strategy on Occupied Territories was framed as a matter of de-occupation, aiming “to reverse the process of annexation of these territories by Russia, and peacefully reintegrate these territories into Georgia’s constitutional ambit” (*Ibid.*, 5). The EU has encouraged a reframing of this approach. After the change of government in 2013, Georgia has apparently separated nation- from state-building. In a statement responding to the strategic partnership between Abkhazia and Russia agreed in 2014, President Giorgi Margvelashvili called on the international community “to prevent assimilation of small nations” (Administration of the President of Georgia 2014), suggesting that a distinction between nation- and state- building has become a cornerstone of the Georgian policy towards the Abkhazia and South Ossetia.

In the late 2000s, the Georgian Government developed status-neutral documents as a means to engage Abkhazia and South Ossetia. With status-neutral identification documents (SNID) and status-neutral travel documents (SNTD), Georgia hoped to facilitate freedom of movement and extend benefits to people, without requiring them to acknowledge the jurisdiction of Georgia. As of December 2013, the Service Development Agency of Georgia issued 235 SNIDs and 29 SNTDs (SMR Report 2014, 12). Status-neutral documents have remained a sensitive issue among residents in Abkhazia and the Russian and de facto Abkhaz authorities oppose these documents. According to a Caucasus programme coordinator at a Berlin-based peace movement the fact that the documents are issued in Georgia implies Georgian sovereignty, hence exposing those who accept them to inter-communal tensions and accusations of betrayal (Wolleh 2011). In any case, Abkhaz had little use for the documents as they already had Russian passports by the 2000s.

In contrast to identity documents, there was more need for medical assistance for the Abkhaz and South Ossetian population. Between 2012 and 2013, the SMR (2014, 13) received 837 applications for health care, of which 639 were from the residents of Abkhazia and 188 from South Ossetia, and the overall state funding of medical treatment equalled GEL 2 million. Nevertheless, residents of Abkhazia tend to use documents issued by Georgia only in emergencies. With regard to social benefits and education, like with travel documents, there has been little demand, suggesting that civil measures by the Government have not been particularly attractive to the populations in the conflict entities.

The EU has taken an ambivalent approach to status-neutral documents. Third states are entitled under international law to recognise their validity (European Forum 2011, 17). In a press release, the Commission (2012) underlined that the EU supported the use of the status-neutral documents. However, by 2013, only a few member states – Romania, Poland, Bulgaria, Slovakia, the Czech Republic, Estonia, Latvia, Lithuania and Hungary – accepted them for use, but the EU as a whole has not (Commission 2013, 4). Those countries that recognised the documents, given their historical experience with Russia, were more willing to support Georgia's policy. The decision of the remaining older member states not to accept documents can be explained by their hesitation to take a stance against Russia, as well as by the prospect of increased movements of people to EU countries.

Energy and trade comprise an area in which both Georgia and the conflict entities can benefit from cooperation, regardless of political dynamics. The Enguri hydroelectric power station (HES) has continued to provide electricity on both sides of the Enguri River through peace and war. The HES has also been used as a model of coerced but effective cooperation for the Abkhaz side to express their discontent (Paula and Whiteley 2001, 215). To contribute to confidence building, the European Commission supported the reconstruction of the HES by allocating €9.4 million in 1999. In a comparable development in South Ossetia, the existence since 1999 of the Ergneti market on the outskirts of Tskhinvali, served as a commercial centre for both Ossetian and Georgian communities. Ergneti was also a hub of illicit trade with a US\$100-120 million turnover from Russia via the Kazbegi checkpoint, contributing through illegal business 70% of the breakaway region's budget income (Kupatadze 2012). For this reason, the EU Customs Control

project to check transit cargo traffic, initially agreed in 2002, was turned down by the de facto Ossetian authorities. The total customs revenue doubled after the Government decided to close down the market in 2003 (MoF 2013). Whereas Ergneti in South Ossetia was seen to institutionalise criminality, the Enguri HES neither consolidated nor challenged the status quo in Abkhazia. Both Enguri and Ergneti can be seen as possible opportunities for potential cooperation, which have still to be positively activated in the engagement strategies of Georgia and the EU.

## **INVOLVEMENT OF PEACEBUILDING INGOS IN ABKHAZIA**

The EU and civil society hold that common liberal values can facilitate conflict transformation in the South Caucasus. At the core of European values, as Robert Stradling and Christopher Rowe (2009, 12) note, are human rights, reciprocity, tolerance, freedom, respect for reasoning and truth. Such a value-based approach guides the policy adopted by the EU and civil society to settle conflicts in the South Caucasus. Such a policy can be pursued through history and civic education, pioneered by the INGOs. As the PACE (2009) asserts, “having a key political role to play in today’s Europe history teaching can be a tool to support peace and reconciliation in conflict and post-conflict areas.” In 2009 the Prague Summit endorsed the Eastern Partnership Civil Society Forum (CSF) in promoting contacts between civil society in the EU and the EaP region for the capacity building of local NGOs, with common projects related to political transformation, economic integration and multiethnic cohesion.

The work of the EU and INGOs in conflict resolution in the South Caucasus has encompassed three tracks of diplomacy. Track I has involved governmental diplomacy, track II – multiple levels of contact, and track III – the people’s level. A peacebuilding practitioner comments that movements at all levels are important for shaping peace dynamics, and, although the bottom-up approach is more sustainable, it needs to rely on readiness at higher levels for a political solution (Roussanova 2010). On political will from the top, Van der Leeuw-Roord noted in an interview (2011) that the EU is unlikely to

facilitate civil society engagement without a normalisation process between the Georgian-Abkhaz and the Georgian-South Ossetian authorities (*Ibid.*). The director of a community foundation for Northern Ireland, drawing on the Northern Irish peace process as a major accomplishment of recent peacebuilding, says that it is essential to combine both approaches for intercommunity reconciliation (Kilmurray 2010). Peacebuilding among local communities in Georgia started in 1997 with the work of Conciliation Resources and the Berghof Center on the Georgian-Abkhaz conflict, known as the Schlaining Process. Although the EU has increased its role in facilitating peace by including civil society actors in its external policy, it appears that the EU has not sufficiently availed itself of the resources present in INGO work in peacebuilding and has not achieved sufficient coherence in the initiatives undertaken.

It is worth examining the way in which EU member states perceive their neighbourhood as they deal with issues on an EU level. One major member state, the Netherlands, stands out with its distinct policy mechanism towards the EU's eastern neighbourhood. This is demonstrated by its bilateral cooperation with the Matra Social Transformation Programme for Central and Eastern Europe (Maatschappelijke Transformatie), redeveloped in 2004 and originally pursued in response to the post-communist changes in the CEE. The policy document, "Matra Modernised," categorises the EU neighbourhood in terms of three groups: EU candidates (Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia and Turkey), eastern partners without accession prospects (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine), and Russia (MFA The Netherlands 2009). The document underlines the incentive to stabilise the EU neighbourhood by supporting democracy, the market economy and the post-conflict situation (*Ibid.*, 13-15). To help the CEE countries overcome transition, the Dutch government has drawn on the resources of civil society and is supportive of a similar approach on the EU level.

The EU has also worked with a Hague-based European Association of History Educators – EUROCLIO. Since its founding in 1992, this professional association uniting predominantly Western countries has encouraged innovative and responsible history education in those regions affected by conflict. A founding president of EUROCLIO stresses that "sharing knowledge by teaching and learning history promotes cultural diversity, tolerance, and peace" (van der Leeuw-Roord 2011). Civil society peacebuilding organisa-

tions hence inspire individuals to reinforce an open society culture in their local communities. In order to revisit the causes of ethnic tensions after the 2008 conflict, the Matra Programme supported a project called “Tolerance Building through History Education,” managed by EUROCLIO and its regional member association the Georgian Association of History Educators (GAHE/IMSA). This project produced supplementary resource material for secondary education (Kusheva, Medzmariashvili and Chikovani 2009).

At the same time the Georgian state had its own policy for human rights education, pursued by the Civic Integration and Tolerance Council within the Administration of the President of Georgia, guided by the National Concept for Tolerance and Civic Integration and implemented by the Ministry of Education and Science of Georgia (2010). Although both the national policy and the EUROCLIO/Matra (2012, 12) promoted inclusive history, the work of the latter was initially met with mixed feelings in Georgia. Despite understanding that Georgia, as a part of Europe, shares European culture and values, those values are distinguished from those perceived as intrinsically Georgian. Conservative circles in Georgia identify a Western hypocrisy alongside the Western values of democracy. The difficulty of acknowledging civil society initiatives at the national level has restricted the work of this INGO and the EU in the field of conflict resolution. The EU’s engagement with civil society is primarily limited by the competing priorities of the member states. A recurring argument among peacebuilding practitioners over the shortfall of the INGO engagement is that the member states have different interests in relation to EU foreign policy. As the director of EUROCLIO shares, “the Netherlands has lately become inward-looking because the populist government is less supportive of engagement of the EU and civil society in Europe’s neighbourhood” (van der Leeuw-Roord 2011). Thus mixed perceptions about the work of the INGOs and different preferences among the member states limit progress in conflict resolution in the South Caucasus.

## CONCLUSION

This article examined the policies of three major actors towards de facto Abkhazia, the EU, Russia and Georgia, and emerging tendencies within the de facto entity. Georgia’s engagement through cooperation and the EU’s

engagement without recognition strategies have not facilitated conflict resolution. Those policies have not mitigated Abkhazia's isolation because they did not take into account the internal dynamics within this entity that leads to its increasing integration with Russia. Nation- and state-building is gathering pace, particularly in Abkhazia, with nascent elements of internal institution-building. Joint work with civil society actors did not transform the conflicts in Abkhazia and South Ossetia. The community of international peacebuilding INGOs stresses the need for a more calibrated approach to the de facto entities. The rewards offered by the EU are insufficient for the de facto entities to change their political arrangements in a way that would work for all parties. The EU and Georgia should therefore focus on a substantive, rather than declaratory, policy of engagement to counter the integration of politically and economically isolated entities with Russia.

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# **POST-SOVIET DE FACTO STATES AND EUROPEAN INTEGRATION: THE CASE OF TRANSNISTRIA<sup>1</sup>**

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*By Iulia Kirnitki*

## **INTRODUCTION**

Over the last 20 years Transnistria, known more officially as Pridnestrovian Moldavian Republic (PMR), has drifted far apart from Moldova and has found itself in a twilight zone of competing Western and Russian interests in the region. Facing a steep economic decline, Transnistria survives at the mercy of its sponsors in Moscow, while increasing support from Western donors comes under strict scrutiny by the de facto authorities in Tiraspol.

The origins of the Transnistrian conflict can be traced back before the dissolution of the Soviet Union. Following defeats of the Ottomans during the nineteenth century, Russia extended its influence over the territory known today as Moldova. What is now Transnistria was amalgamated with today's Moldova into one unit for the first time only in 1940, into the Moldavian Soviet Socialist Republic. Transnistrians use these historic developments as justification for their right to be independent (Beyer 2010).

The collapse of the Soviet Union led to a strong national revival movement in Moldova, including prominent pro-Romanian voices. This played into the hands of Transnistrian elites, who, backed by the Soviet leadership, responded to nationalist demonstrations in Chisinau and pro-Moldovan language laws by organizing counterdemonstrations. Hostilities started in March 1992 and stopped in July of the same year, when the 14<sup>th</sup> Russian Army based there intervened. A ceasefire agreement was signed by the then Moldovan president Mircea Snegur and Russian head of state, Boris Yeltsin. Subsequently, a Russian-led peacekeeping operation was created, in addition to a continued Russian military presence at Colbasna, two kilometres from the

Ukrainian border, guarding munitions and weapons stockpiles left over from the break-up of the Warsaw Pact. Despite munitions withdrawals under the OSCE Istanbul commitment, 20,000 tons remained in Transnistria. Directors of industrial enterprises formed the core of Transnistrian political elites, exemplified by Igor Smirnov, subsequently elected to the post of president four times. For two decades, he projected by all means possible the image of Transnistria as a fortress under a siege, an outpost of Russian interests far out on the western flank.

The EU has in recent years dedicated fairly large diplomatic resources and financial assistance aimed at facilitating the settlement of the Transnistrian conflict. Nevertheless the divide between the sides has only kept growing, in all spheres, not only the political but also the economic and social. While the Transnistrian authorities extract benefits from having EU-funded projects in the secessionist entity, Transnistria maintains a strong anti-European public rhetoric. Local media, tightly controlled by authorities, omit stories involving European aid from their coverage and on the contrary, Russia enjoys praise and glorification. It is claimed that millions of rubles are channelled by Russia into Transnistrian infrastructure and social assistance to protect its ‘compatriots’.

## MOLDOVA’S ROUTE TO EUROPE

Once laboriously portrayed as a success story of the Eastern Partnership but subsequently a source of considerable disappointment<sup>2</sup>, the Republic of Moldova attained the peak of its relationship with the European Union (EU) by signing an Association Agreement in June 2014, including a Deep and Comprehensive Free Trade Area (DCFTA) agreement. Yet the closer Moldova moves towards the EU, the more Russia applies constricting measures to prevent this movement. In this regard secessionist Transnistria is a key asset in Russia’s geopolitical arsenal, although there is even more on the table as Moldova is dependent on gas imports from Russia, for which the country is paying prices comparable to those paid by EU countries. Furthermore, Russia has banned agricultural imports from Moldova, thereby pushing Moldova even farther away economically. Hundreds of thousands of Moldovan labour migrants in Russia also became an issue of concern under increasing num-

ber of restrictions to entering the country imposed by the Russian authorities (Soloviev and Lutenco 2014). In the run-up to the EU's Partnership Summit in Vilnius, Russian Deputy Prime Minister Dmitry Rogozin, Moscow's special envoy on Transnistria, clearly suggested Moldova would have to leave Transnistria behind if it signed the Association Agreement with the EU (Carnegie Europe 2013). Later, Russian Foreign minister Sergey Lavrov said his country will defend Transnistria's right to self-determination if Moldova lost its sovereignty or entered any military bloc.

Moldova embarked on the route to Europe following the breakdown of its relationship with Russia in 2003, as a result of then Moldovan President Vladimir Voronin's refusal to sign the so-called Kozak Memorandum, a Moscow-drafted document providing for settlement of the Transnistrian conflict under a federative model. The plan gave Transnistria a veto power over Moldova's foreign policy and raised fears that it would lock the country into Russia's sphere of influence. The developments around the Kozak Memorandum taught the Moldovan leadership the lesson that a deal behind closed doors with Russia could become a trap, and it sought Western support to counterbalance Russian influence. European integration thenceforth became perceived as the primary path towards reintegrating the country (Hill 2012).

The turn towards the EU, combined with a change in power in neighbouring Ukraine, translated into the establishment of a EU mission in 2005 to monitor the border between the two countries, with emphasis on the Transnistrian section of border, and changes in the external trade rules which required Transnistrian companies seeking to export their products to register in Chisinau. In 2005, the EU and US joined the Transnistrian negotiation format as observers. In the same year, the Moldovan Parliament passed a law requiring the democratisation and demilitarisation of Transnistria, as well as the removal of Russian troops, as pre-requisites of the status talks. In response, Transnistria conducted a referendum in 2006, in the financing and political organisation of which Russia is presumed to have played an active role (Stuart 2006). In the vote, 97.1% of voters voiced their support for Transnistria's independence, to be followed by a "free joining" of Russia. With its intricate linguistics, the unbacked option envisaged losing independence with the prospect of accession to the Republic of Moldova.

Chisinau's European agenda and rhetoric, largely supported by the population, led to the gradual increase of European aid and funding, but these

reached neither the civil society sector, nor the population at large, in Transnistria. Instead, Russian assistance flowed incrementally into the region, and even more so after Moldovan-Ukrainian cooperation to enforce Moldovan requirements for the export of Transnistrian goods. Labelled by Tiraspol and Moscow as an “economic blockade” of Transnistria, this action was met with a Russian-imposed embargo on Moldovan wine in 2006, a step that both hugely affected Moldova’s economy and forced Moldovan wine producers to re-orient themselves towards European markets.

Disappointed that economic measures did not produce a swift effect on the Transnistrian leadership, Chisinau sought to reconcile with Russia in late 2006 and changed vector again. Chisinau pledged not to join NATO, to recognise privatisation of Transnistrian industrial assets by Russian companies and to protect Russian culture and language in Moldova. In return, Moldovan authorities hoped to convince the Kremlin to put pressure on Tiraspol to accept broad autonomy within Moldova (Stuart 2006). On the eve of the 2009 parliamentary elections, the ruling Moldovan Communist Party sought again the Kremlin’s endorsement in order to secure the support of pro-Russian voters.

The Moldovan parliamentary elections in 2009 brought to power a coalition of parties unequivocally declaring European integration as the definite vector of Moldovan foreign policy. EU influence and its attractiveness were on the rise in Moldova and somehow also in Transnistria. Polling evidence showed that 68.8% of Moldova’s residents were in favour of European membership, while 46.6% of Transnistrians supported the idea (ICARNA and CBS-AXA 2009). The EU was associated with the prospects of better living standards and a boost to economic and democratic development (*Ibid.*). Yet a majority of people in Transnistria stated that Russian economic, political and particularly cultural (73.2%) models were more attractive for Transnistria than Western models (*Ibid.*).

## TRANSNISTRIAN PERSPECTIVES

In 2014 the self-proclaimed PMR celebrated nearly a quarter-century since its inception. For the first time in recent years there was no military parade, as the entity was facing the most severe economic crisis since the begin-

ning of the 1990s. Free supplies of Russian gas and financial subsidies keep alive an entity, which despite managing to build de facto state structures can hardly aspire to viable statehood. Despite great industrial potential inherited from the Soviet Union, uncertainty both suffocates business that is mostly oriented towards the EU market and exerts a strong push factor motivating the workforce to seek employment abroad.

In his anniversary speech, the de facto Transnistrian President Evgeny Shevchuk recalled the armed conflict of 1992, when, he said, Transnistria was liberated from “Romanian nationalists”. This rhetoric reflects some 22 years later the original fears of Moldova’s potential unification with Romania, that the then Transnistrian elites stoked among the Russian speaking population to mobilize support around secession. Despite these different identity projects the Transnistrian conflict, unlike others in the former Soviet Union, has no ethnic or religious basis. In different proportions, the ethnic composition of Transnistria is similar to the Moldovan one. According the 2004 census, Transnistria’s population of 550,000 is roughly divided among 30% Russians, 30% Ukrainians and 30% Moldovans.

Despite its inheritance from the Soviet era, the Transnistrian economy declined over the 1990s. To raise its budget revenues, Transnistria put out for privatization key industrial assets in 2002; the buyers were mostly Transnistrians and Russians, and by 2007 most valuable assets were sold. Still facing economic problems, however, Transnistria asked for Russia’s financial assistance. Friendship with Moscow was a permanent matter of competition between old and new Transnistrian political elites. De facto President Evgeny Shevchuk gained considerable popularity in his previous capacity as chairman of the local legislative body, counting among his associates the purveyor of substantial financial assistance from Moscow, including monthly supplements to pensions.

The 2011 change in power in Transnistria was a surprise for most observers, including Russian ones. The Kremlin backed with its heavy propaganda artillery one of the opponents of the incumbent de facto President Igor Smirnov. In his early presidential career, Shevchuk made steps towards rapprochement with Chisinau and intensified contacts with EU. He hoped this relationship would help him deliver against the extremely high expectations of his voters. The complex and rigidly conditional approach of EU policies and political culture contrasted deeply with the more Byzantine style

of Transnistrian politics. Also the Moldovan reluctance to make concessions that would have helped Transnistrian political elites to display concrete results disappointed Shevchuk and persuaded him to step back in the face of strong domestic criticism over his policies. Rogozin's appointment as the Kremlin's special envoy on Transnistria marked a radical change in Tiraspol's rhetoric and actions. Transnistria became more intransigent in its dialogue with Chisinau, introduced more scrutiny over EU-funded projects and limited the access of OSCE representatives to the region. In 2013, following the initialling by Moldova of the Association Agreement, the Transnistrian authorities passed a law to adopt Russian legislation for the region.

Transnistria has many of the ingredients of a state – a flag, a national day, a Transnistrian ruble (albeit not convertible), executive ministries, a legislative body, a judiciary and armed forces. Although rich in industrial assets, the Transnistrian economy is completely unsustainable, being marked by extremely limited access to credits, monopolies, unfair market conditions, an opaque banking system, mass labour migration and bureaucracy. As a result the budget deficit reaches 70%. The Transnistrian budget has to ensure minimum living conditions for a population that is made up of 40% pensioners and one third are public servants (Isachenko 2009). The Transnistrian economy is facing its worst times since the early 1990s, and is kept alive at the expense of Russia. Transnistria's gas debt amounts to over US\$4 billion, representing the largest Russian subsidy to the local economy.

## EU ENGAGEMENT IN CONFLICT RESOLUTION

In 2009 the EU launched an ambitious confidence building measure programme in Moldova to help the country solve the conflict. Except for its border monitoring operation, EU involvement until this point was mainly top-down, involving diplomatic efforts at various levels and occasionally in bilateral contacts with Russia. However this diplomatic engagement lacked a unified, coherent or strategic approach (Popescu and Litra 2012).

In June 2010, in an attempt to reconcile with Russia on a new European security dialogue, German Chancellor Angela Merkel and Russian President Dmitri Medvedev signed the Meseberg Memorandum, which sought Russia's

engagement towards concrete progress in settling the Transnistrian conflict, as Russia was perceived at that time as blocking the resumption of formal talks. Once re-elected as president, however, Vladimir Putin acted as if the Meseberg Memorandum did not exist. Germany's high level diplomatic efforts also found other EU states taken by surprise. Against high expectations in Berlin, Chisinau and elsewhere, the document did not produce enough impetus for a genuine rapprochement between EU and Russia on these matters. In November 2011, official talks resumed, but never led to tangible progress.

Being the largest donor in Moldova (€500 million in 2010-2013), the EU also allocated €40 million in 2012-2016 to address the conflict. These funds neither helped Transnistrian society gain muscle, nor EU popularity to increase there, however. The EU's attempts to exercise soft power through funding confidence-building measures were counterbalanced by Russia's more substantial financial and almost unconditional support to the Transnistrian authorities.

The EU is the main trade partner both for Moldova and Transnistria, but the principle of whole territory application for EU agreements has confronted prospects for settlement of the conflict with big dilemmas. Thirty percent of Transnistrian exports go to European market (mainly textiles, metal products, clothing and footwear), surpassing sales to the Eurasian market. Starting in 2005, the EU granted to Moldova asymmetric trade preferences (ATPs), although under the DCFTA provisions, these trade preferences are due to terminate in 2014. However, Transnistrian companies have received the right to benefit from ATPs for one more year until the end of 2015.

The Transnistrian authorities refuse a substantial dialogue and engagement with Brussels and Chisinau on the DCFTA. Economic analysis indicates that loss of the ATPs would negatively impact the region's GDP and increase the costs of Transnistrian exports by 10-15% (Expert Grup 2014). Prioritizing a political rationale over economic pragmatism, the Transnistrian leadership has declared Eurasian integration as a top priority and has accused Moldova and the EU of harming its economy by signing the DCFTA.

Meanwhile, the EU's visa liberalization provision for Moldova entered into force in April 2014, but did not, despite expectations, increase the attractiveness of Moldovan passports in Transnistria. At the same time, Russia has simplified the procedure to gain Russian citizenship for Transnistrian residents, and nearly 200,000 Transnistrians already hold Russian passports.

The Moldovan political elite does not see itself as capable of handling Transnistria and the conflict settlement. It is ready to pay neither the political nor financial costs of reintegration, and sees Transnistria as a burden dragging down European perspectives. Transnistria is occasionally referred to as a suitcase with no handle: you can neither take it with you, nor leave it behind. Too many hard issues have to be set aside to allow for compromise, and there is almost no incentive to even try. Unlike previous political elites that placed Transnistria high on their agenda, the current political elites, on both sides, have grown apart and have no threads attaching them to each other. Polls also show that Moldovans rank Transnistria very low as an issue that matters for them. Only 3% of the right bank population believes that Transnistria is a priority issue for the country to solve (Public Policies Institute and CIVIS 2014). Moldovan elites fear that Transnistria's russophile and much less democratised public could tilt the balance of Moldovan politics away from European integration (*Ibid.*).

While Chisinau tries to project Transnistrian issue as a geopolitical matter between Russia and the West, Brussels and other European capitals, especially Berlin, try to push for a bottom-up solution. The EU has repeatedly made it clear to Chisinau that it will not allow the Cyprus precedent to repeat itself, and keeps pushing the Moldovan leadership to take steps forward. Brussels funded a large capacity building effort to help the Moldovan Reintegration Bureau, the governmental body responsible for settlement of the conflict. However, a coherent strategy to address the conflict is yet to be developed by Moldovan Government.

## IN LIEU OF A CONCLUSION

Moldova's sectoral European integration strategic documents make no reference to Transnistria, as if Moldova's European integration simply bypasses this secessionist region. Despite serious issues with rule of law and corruption, Moldova is nonetheless moving away from its Soviet past and culture, leaving Transnistria ever further behind. Without a clear and coherent policy toward solving the Transnistrian conflict, Chisinau pins all its hopes on external powers to deal with the issue. The worsening relation-

ship between Russia and the West and increasing chill between Chisinau and Tiraspol reduce any chances for progress in the settlement process to a minimum. Transnistrian political elites see no gain for themselves in any rapprochement with Moldova and its European perspectives. Moreover, they seem ready to sacrifice current benefits from trading with the EU in order to maintain an intransigent pro-Russian rhetoric. Equally, Moldovan politicians feel no urge to make any substantial progress in this regard in the context of low domestic interest in settlement of the conflict. With little incentive in either Chisinau or Tiraspol to search for a settlement, Transnistria's future remains stuck in limbo.

Despite the EU's annually increasing funds for so-called confidence-building measures to support a settlement, its diplomatic presence on the ground is too weak to keep up the momentum. Complex and multi-layer European bureaucratic procedures make it almost impossible for civic actors in Transnistria to access funds in order to build capacity, thus civil society in Transnistria remains embryonic and under tense scrutiny by the authorities. If the EU wants to build or consolidate grass-roots capacity in Transnistria, it has to consider flexibility in its procedures, and enhancing its diplomatic strength on the ground.

However, all external efforts have produced limited impact and have very little sustainability for as long as the Republic of Moldova is drenched in corruption and the weak rule of law, and ruled by an opportunist political class with no strategic vision for the country. In different eras, the key to the solution for Transnistria has been sought in Moscow, Brussels, or Washington. But one has to understand that this door can be opened only by those in Moldova and Transnistria.

## NOTES

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1 This paper was not included in the special issue of *Caucasus Survey* (Vol.3, No.3, 2015) and is being published here for the first time.

2 Republic of Moldova ranked 103rd in the Transparency International Corruption Perception Index 2014 (<https://www.transparency.org/cpi2014/results>), and was engulfed in anti-corruption protests in 2015.

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## NOTES ON CONTRIBUTORS

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**Laurence Broers**, Centre for Contemporary Central Asia and the Caucasus, School of Oriental and African Studies, London

**Eileen Connolly**, School of Law and Government, Dublin City University, Dublin

**Alexander Iskandaryan**, Caucasus Institute, Yerevan

**Nino Kereselidze**, University of St Andrews, United Kingdom

**Iulia Kirnitki**, independent researcher, Moldova

**Sergey Markedonov**, Russian State University for the Humanities, Moscow

**Sergey Minasyan**, Caucasus Institute, Yerevan

**Donnacha Ó Beacháin**, School of Law and Government, Dublin City University, Dublin

**Karolina Ó Beacháin Stefańczak**, School of Law and Government, Dublin City University, Dublin

**Giulia Prelz Oltramonti**, Université Libre de Bruxelles, Brussels

**Galina M. Yemelianova**, Centre for Russian, European and Eurasian Studies, University of Birmingham, United Kingdom



## ABSTRACTS

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### INTRODUCTION: THE UNRECOGNISED POLITICS OF DE FACTO STATES IN THE POST-SOVIET SPACE

**Laurence Broers, Alexander Iskandaryan and Sergey Minasyan**

Introducing this volume on the unrecognised politics of de facto states in the post-Soviet space, this article discusses some of the key problems involved in the study of these entities. It relates the origins of the articles contained in this collection and briefly introduces the main themes they deal with: the definition, representational politics, resourcing and engagement of de facto states.

### IN QUEST OF THE STATE IN UNRECOGNISED STATES

**Alexander Iskandaryan**

Using examples from across the world, with an emphasis on the states that emerged after the disintegration of the USSR, this article looks at ways in which the study of unrecognised states can shed light on the understanding of statehood and statebuilding, of the criteria and the definitions of the state, and of the way external constraints affect the emergence and development of states. This analysis aims to shed light on the question of whether non-recognition should be seen as a stage in the development of statehood, or just a temporary disruption of the legal order. Apart from purely academic interest, the issues raised in the article are significant for political rationality, given that new cases of non-recognition emerge all the time, and neither legal frameworks nor academic paradigms are keeping up with this phenomenon.

## **DE FACTO STATEHOOD IN EURASIA: A POLITICAL AND SECURITY PHENOMENON**

**Sergey Markedonov**

De facto entities (most importantly for this discussion, those in Nagorno Karabakh, South Ossetia, Abkhazia, Transnistria and the alleged People's Republics in south-eastern Ukraine), if viewed from a formal-legal point of view, do not exist for the international community. However, the "virtual" existence of those states does not prevent them from being real participants in the political and security processes in the post-Soviet space. Many momentous events in Eurasia are connected in some way with developments surrounding these statelets. This article reviews the establishment of de facto states in the context of the demise of the USSR, ethno-political self-determination during this process and the transformation of international law after the end of the Cold War. The article provides a definition and typology of unrecognised states, and explains their similarities and differences. It is argued that the phenomenon of de facto entities cannot be reduced exclusively to the consequences of "frozen conflict": their domestic dynamics as well as processes of democratization and nation/state-building also need to be considered. Special attention is paid to the importance of Eurasian de facto states for international affairs.

## **WESTERN ACADEMIC DISCOURSE ON THE POST-SOVIET DE FACTO STATE PHENOMENON**

**Galina M. Yemelianova**

This article examines how the so-called post-Soviet de facto states are conceptualised and discussed within the wider context of Western English-language social and political sciences, including inter-disciplinary Russian, Slavonic, East European and Eurasian area studies. It outlines the main theoretical models and methodologies utilised in the analysis of this phenomenon, and identifies their respective benefits and shortcomings. The article posits that there is considerable unevenness between various theoretical paradigms in terms of their explanatory clarity and their relationship with

empirical reality. I argue that Western academic discourse on the post-Soviet de facto states, and on post-Soviet politics more generally, has been increasingly shaped by mono-theoretical determinist models with heavy reliance on deductive quantitative research methods and secondary sources in English language and non-academic analytical reports. A corollary has been a considerable deterioration in the epistemological quality of the discourse on de facto states, and on occasion its politicisation.

## **ELECTIONS WITHOUT RECOGNITION: PRESIDENTIAL AND PARLIAMENTARY CONTESTS IN ABKHAZIA AND NAGORNY KARABAKH**

**Donnacha Ó Beacháin**

While various debates have arisen on the relationship between non-recognition and democratization, empirical case studies on elections in de facto states are extremely rare. This article examines recent presidential and parliamentary elections in two unrecognised or partially recognised de facto states in the South Caucasus, namely Abkhazia and Nagorny Karabakh. Accordingly, the emphasis is on the Abkhazian presidential elections of August 2011 and August 2014 and parliamentary elections of 2007 and 2012, along with the most recent executive and legislative elections in the Nagorno-Karabakh Republic (NKR) in July 2012 and May 2015 respectively. On the basis of extensive interviews and participant observation, this article demonstrates how although both parliamentary and presidential elections in Abkhazia are competitive, they favour the titular nation, while in homogeneous Nagorny Karabakh fear of a renewed conflagration has until recently produced relatively uncompetitive presidential contests. The dynamics of majoritarian versus party list, party, ethnic and gender representation are examined in each case. The case studies reveal weak political parties, but the NKR has made incremental changes to the electoral law that might encourage a less personality-based parliamentary system.

## **GENDER AND POLITICAL REPRESENTATION IN THE DE FACTO STATES OF THE CAUCASUS: WOMEN AND PARLIAMENTARY ELECTIONS IN ABKHAZIA**

**Karolina Ó Beacháin Stefańczak and Eileen Connolly**

This article examines if the reasons suggested for the relatively low percentage of women in parliaments across the former Soviet space can provide an explanation for the low, and deteriorating, percentage of women in the National Assembly of Abkhazia. In the 2012 election women's representation in the *de facto* state of Abkhazia dropped from 11.4% to 2.8%, a fall from the highest to the lowest percentage of women in the parliament since 1991 in one election. This result can be explained as a consequence of Abkhazia's political system, the strong presidency that dominates parliament, the limitations on the capacity of political parties to contest elections and the majoritarian electoral system that all negatively impact on women's representation. Its single mandate district electoral system would make the application of gender quotas difficult, but in the case of Abkhazia it is the weak party system that creates additional barrier to promoting women candidates. The limitations on political parties mean that the gatekeeper role exercised by them in other polities is hardly present in Abkhazia and as a result social relations rather than the institutionalised practices within political parties dominate electoral competition at the constituency level to the disadvantage of women.

## **RESOURCING DE FACTO JURISDICTIONS: A THEORETICAL PERSPECTIVE ON CASES IN THE SOUTH CAUCASUS**

**Laurence Broers**

Political economy is a consistently under-researched aspect of unrecognised statehood. Countering homogenizing accounts centred on illegality, this article argues for a comparative analysis in order to arrive at a more differentiated and case-sensitive understanding of how the political economies of *de facto* jurisdictions in the post-Soviet space function. Drawing on theoretical insights from the literatures analysing late, peripheral and post-colonial political economies, this

article argues that de facto elites in such entities strategize differently according to the resources and external relationships available to them. Three contrasting ideal-type models of resource extraction are proposed for contemporary de facto jurisdictions: subsistent, rentier and monopoly mediator. Each model has follow-on implications for the nature of political regime, pluralism and development, and examples of each model drawing on cases in Abkhazia, South Ossetia and Nagorny Karabakh are briefly surveyed.

## **THE POLITICAL ECONOMY OF A DE FACTO STATE: THE IMPORTANCE OF LOCAL STAKEHOLDERS IN THE CASE OF ABKHAZIA**

**Giulia Prelz Oltramonti**

Between 1993 and 2008, the economy of Abkhazia was subject to a multiplicity of internal and external influences. According to the authorities of the de facto state, its stunted growth was a consequence of what they branded as the “Georgian embargo”. However, not only was Russia as strong an influencing actor, but the picture is also skewed if local stakeholders are not taken into consideration. Far from being passive recipients or targets of external pressures, local elites shaped the Abkhaz economy, while financially and politically profiting from it. In this paper, this is shown by tracing the evolution of the Abkhaz economic development through time and underlining its spatial characteristics. Processes of isolation, progressive opening, economic transformation, and trade are deconstructed to demonstrate the gap between practice and discourse, and to unveil the key role played by local stakeholders.

## **THE ENGAGEMENT POLICIES OF THE EUROPEAN UNION, GEORGIA AND RUSSIA TOWARDS ABKHAZIA**

**Nino Kereselidze**

Three major actors in the context of the conflict in Abkhazia have opted for different policies towards the de facto entity. This article argues that

although Georgia and the European Union (EU) have so far adhered to engagement without recognition policies towards Abkhazia (and South Ossetia), governance practices nurturing nation- and state-building in these entities, coupled with the Russian policy of recognition, constitute challenges to conflict resolution. Over 20 years since the wars in Georgia, present-day Abkhazia, despite limited community capacity, is asserting itself with nascent trends of state-building. To mitigate its isolation, the EU and Georgia need to develop a substantially different policy of engagement *vis-à-vis* Abkhazia embedding incentives towards a political solution of the conflict. This article draws heavily on interviews, documentaries and observational evidence, building on limited primary and secondary sources.

## **POST-SOVIET DE FACTO STATES AND EUROPEAN INTEGRATION: THE CASE OF TRANSNISTRIA**

**Iulia Kirnitki**

The article looks at Transnistria as a case study of the emergence and development of a de facto state, which seceded from Moldova when the Soviet Union disintegrated, and reviews the conflict management efforts surrounding Transnistria unfolding within the framework of Moldova's uncertain path towards European integration. The author looks at the EU's options and constraints with regard to conflict resolution efforts, and the potential for the mechanisms through which Moldova has become associated with the EU, such as participation in the Deep and Comprehensive Free Trade Area (DCFTA) agreement. The important circumstance highlighting that the EU has become the main trade and economic partner of both parties in conflict, Moldova and Transnistria. Rather than Chisinau-Tiraspol integration, however, it is argued that, however slowly, Moldova is steadily moving away from its Soviet past – and leaving Transnistria behind with it. This underscores the fact that economic and social integration processes are insufficient, and prospects for resolution must also take into consideration geopolitical factors, such as Russia's political and military presence in Transnistria.

## **OTHER CI PUBLICATIONS IN ENGLISH**

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### ***Armenia's Foreign and Domestic Politics: Development Trends***

Yerevan: Caucasus Institute and Aleksanteri Institute, 2013. – 92 p. ISBN 978-99941-2-915-7

A joint project of the CI and the Aleksanteri Institute, the volume contains papers on Armenian politics and possible applications of the Finnish model to it.

### ***Identities, Ideologies and Institutions. A Decade of Insight into the Caucasus: 2001-2011***

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### ***Assessment of Research Capacities in Social Sciences and Humanities in Armenia***

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This research paper assesses research capacities in the field of social sciences and humanities in Armenia. It reviews the overall scope of research being carried out in Armenia, available institutional and human resources, and existing funding priorities.

### ***Nagorno-Karabakh: Paradoxes of Strength and Weakness in an Asymmetric Conflict.*** ***Deriglazova, Larisa and Sergey Minasyan***

CI Research Paper #3. – Yerevan: Caucasus Institute, 2011. – 104 p. - ISBN 978-99941-2-536-4

This Research Paper analyses the conflict over Nagorno-Karabakh from the standpoint of the *concept and phenomenon of asymmetric conflict*; this enables the authors to take a fresh look at the situation in Nagorno-Karabakh and propose possible symmetric and asymmetric scenarios for its development.

### ***The Conflict over Nagorno-Karabakh after Two Decades: an Inevitable Prolongation of the Status Quo. Minasyan, Sergey***

CI Research Paper #2. – Yerevan: Caucasus Institute, 2010. – 67 p. - ISBN 978-99941-2-512-8

The paper analyses the conflict in its entirety and identifies factors and trends affecting the approaches of the parties in conflict and the involved regional and global actors.

***Pragmatic Policies vs. Historical Constraints: Analysing Armenia-Turkey Relations.***  
**Iskandaryan, Alexander and Sergey Minasyan**  
CI Research Paper, #1. – Yerevan: Caucasus Institute, 2010. - 48 p. - ISBN 978-99941-2-340-7

The paper looks at political, social, psychological and historical factors that affect the rapprochement process, and the logic of bilateral relations as they develop over time.

***Turkey-Armenia Dialogue Series: Assessing the Rapprochement Process. TESEV-Caucasus Institute Joint Report***  
Istanbul: TESEV and Caucasus Institute, 2010. – 28 p. – ISBN 978-605-5832-38-4

The second CI-TESEV report assesses the rapprochement and normalization process on both sides of the border, articulating how each side views recent developments and highlighting where progress can be made.

**Turkey-Armenia Dialogue Series: Breaking the Vicious Circle. TESEV-Caucasus Institute Joint Report**  
Istanbul: TESEV and Caucasus Institute, 2009. – 20 p. – ISBN 978-605-5832-08-7

The first ever Armenian-Turkish report on the Armenia-Turkey relations and prospects for rapprochement is the result of collaboration between TESEV in Istanbul and the Caucasus Institute in Yerevan.

***Caucasus Neighborhood: Turkey and the South Caucasus***  
Yerevan: Caucasus Institute, 2008. - 146 p. - ISBN 978-99941-2-220-2

The volume focuses on the roles played by Turkey and the countries and unrecognised entities of the South Caucasus in regional integration and the management of the region's ethnopolitical conflicts. The papers are based on presentations made at a CI-organized conference in Istanbul on August 1-4, 2008 by independent experts from Turkey, Armenia, Azerbaijan, Georgia, Abkhazia, Nagorno-Karabakh and South Ossetia.

***Ethnic Minorities in Georgia: Potential for Integration. a Case Study of the Country's Armenian Population.*** Minasyan, Sergey  
Yerevan: Caucasus Institute and Yerkir NGO Union, 2006. - 92 p. - ISBN-99941-2-058-1

The volume analyses the situation with human and minority rights in Georgia and suggests ways of integrating minorities in the social, political and cultural life of the country.





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# THE UNRECOGNISED POLITICS OF DE FACTO STATES IN THE POST-SOVIET SPACE

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to the various theoretical and practical aspects of de facto states'  
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