

Separatist states and post-Soviet conflicts

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Even the most casual glance at a map of the world today provides the onlooker with a satisfying sense of completion. The globe has been divided up into legally equal sovereign states, and all territories and peoples fall under the jurisdiction of one or another of these units. The world is a complete matrix of colours and lines that leaves nothing to chance. The blank spots have been filled in. Home in on the part of the map that covers the former Soviet Union, and the satisfaction is undisturbed: all of the territory has been divided up. Formal jurisdiction has been claimed across all of the post-Soviet space. At least, so it seems.

In late November 2000 the city of Tiraspol, formally under the jurisdiction of the Republic of Moldova, held an unusual summit.¹ The summit brought together the foreign ministers of the four separatist regions that have declared independent statehood in the former Soviet Union: the Pridnestrovyan Moldovan Republic (PMR) inside Moldovan borders; the Republic of South Ossetia and the Republic of Abkhazia within Georgian borders; and the Nagorno-Karabakh Republic inside Azerbaijan.² The separatist foreign ministers agreed to create a permanent forum called the Conference of Foreign Ministers to co-ordinate their activities.

There had been similar meetings among the separatists in the early 1990s, none of which had much impact on the conflicts in which they were severally engaged. This summit also is unlikely to have any dramatic effect. However, it performed an important service in highlighting an enduring and forgotten reality of security in the post-Soviet space ten years after the collapse of the Soviet Union. In addition to the fifteen successor states that emerged in 1992,

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¹ Reported in *Jamestown Monitor* 6: 224, 1 Dec. 2000.

² Henceforth, these will be referred to as PMR, South Ossetia, Abkhazia and Nagorno-Karabakh.

four other states exist that are unrecognized. These separatist states are not found on any map of the former Soviet Union. They are completely isolated in international relations, and they all face deep internal problems and external threats to their existence. If ever they are discussed, the separatist areas are often dismissed as criminal strips of no-man's-land, or as the 'puppets' of external states. Much analysis has been devoted to individual cases of conflict in the former Soviet Union; however, there has been virtually no comparative study of the separatist states.³ A critical gap has emerged in our understanding of security developments in the former Soviet Union.

In the absence of a clear grasp of the nature of these separatist states, attempts to resolve the conflicts in Moldova, Georgia and Azerbaijan have been reactive and largely ineffective. Ceasefire agreements have been reached in all of the separatist areas, and internationally led negotiations have been under way in all of them since the early 1990s; but there has been no progress towards conflict settlement. From these circumstances, four *de facto* states have emerged;⁴ and these *de facto* states are the main reason for the absence of progress towards settlement.

This article will examine the role played by the *de facto* states in blocking conflict settlement. The argument is divided into three parts. As a foil to the argument, the article will start with a brief discussion of the reasons why progress has been made towards the settlement of the Tajik civil war. This is a unique case of conflict settlement, which throws revealing light on the peculiar nature of the conflicts in Moldova, Georgia and Azerbaijan. The second part of the article will seek to define briefly the *de facto* state. The third part will examine the forces that have driven the *de facto* states. The discussion will focus on the logic that underpins the separatist states at the internal and external levels.

The Tajik foil: why has the civil war ended?

The Tajik civil war provoked many statements about the threat it posed to regional stability.⁵ It did have devastating results, with an estimated 20,000–40,000 victims, 600,000 internally displaced persons (IDP) and at least 100,000 refugees.⁶ However, there has not been a wave of Islamic fundamentalism sweeping through to Tatarstan in the Russian Federation, as Pavel Grachev, the first Russian defence minister had predicted. Tajikistan's Central Asian neighbours have not collapsed in the flames of conflict spillover. A peace process has advanced following the

³ An exception is Edward Walker, 'No peace, no war in the Caucasus: secessionist conflicts in Chechnya, Abkhazia and Nagorno-Karabakh', Center for Science and International Affairs, Occasional Paper, SDI: Harvard University, February 1998.

⁴ On the notion of a *de facto* state, see the theoretical work of Scott Pegg, *International society and the de facto state* (Ashgate: Aldershot, 1998).

⁵ This section draws on the author's chapter, 'The Tajik civil war and the peace process', *Civil Wars* 4: 4, Winter 2002 (special edition on post-Soviet conflicts).

⁶ See *Human rights questions: HR situations and reports of the special rapporteurs and representatives*, United Nations A/51/483/Add 1, 24 Oct. 1996, prepared by Francis Deng for the 51st Session of the General Assembly of the UN.

General Agreement of June 1997 and the creation of the Commission for National Reconciliation. IDPs, as well as some 50,000 refugees in northern Afghanistan, have resettled in Tajikistan with the support of the UN and the OSCE. New presidential and parliamentary elections, albeit flawed, took place in November 1999 and February 2000. Islamic figures of the United Tajik Opposition (UTO) were appointed to high-level posts in the government, leading to formal power-sharing with the conservative regime under President Immomali Rakhmonov. The progress made towards conflict settlement in Tajikistan is unique in the region; and the reasons for this anomalous success merit close attention, as they provide a foil for understanding the obstacles to settlement in Moldova, Georgia and Azerbaijan.

Concepts of state weakness are helpful in explaining why progress has been made in Tajikistan; and indeed, a brief detour into political theory is revealing for the study of all post-Soviet conflicts. The literature on state weakness falls broadly into two categories. A first approach focuses upon the institutions and individuals that make up the state, as well as the capacities of state agencies.⁷ According to Joel S. Migdal, state strength is weighed in terms of a state's capacity to 'penetrate society, regulate social relationships, extract resources and appropriate or use resources in determined ways'.⁸ In this view, weakness is a syndrome, characterized by corruption, the collapse of a state's coercive power, the rise of 'strongmen' and the segmentation of the political community into several 'publics'. The socioeconomic pressures on the Tajik Soviet Socialist Republic had increased since the 1970s, with demographic changes placing increasing demands on limited resources. These were exacerbated in the uncertain political situation of the late 1980s in the Soviet Union. This institutional perspective on state weakness is helpful for understanding the causes behind the Tajik civil war. However, it is not fully satisfactory. The Tajik state and its institutions have remained desperately weak—so why has settlement been possible?

A second approach has interpreted state strength in more than political-institutional terms. Barry Buzan stressed the importance of the 'idea' of the state in terms of people's perceptions of its nature and legitimacy.⁹ If it is widely held, this 'idea' may act as an organic binder that links the state and its parts with coherence, as well as providing mechanisms to allow for popular subordination to its authority. However, without such an 'idea', and in circumstances of institutional weakness, Buzan saw the possibility of the 'disintegration of the state as a political unit'.¹⁰

⁷ See discussion by author in 'Euro-Asian conflicts and peacekeeping dilemmas', in Y. Kalyuzhnova and D. Lynch, eds, *The Euro-Asian world: a period of transition* (London: Macmillan, 2000).

⁸ See e.g. Joel S. Migdal, *Strong societies and weak states: state-society relations and state capacities in the Third World* (Princeton: Princeton University Press, 1988); Mohammed Ayoob, 'State-making and Third World security', in J. Singh and T. Berhauer, eds, *The security of Third World countries* (Dartmouth: United Nations Institute for Disarmament Research, 1993); William Zartman, ed., *Collapsed states: the disintegration and restoration of legitimate authority* (London: Lynne Rienner, 1995).

⁹ Barry Buzan, *People, states and fear: an agenda for international security studies in the post-Cold War era* (Hemel Hempstead: Harvester Wheatsheaf, 1991).

¹⁰ *Ibid.*, p. 82.

With weak institutional structures, the civil war was a contest over power in the new state. By 1996 the fundamental dispute over the 'idea' of Tajikistan had receded. The Tajik opposition sought a share of power in Dushanbe, and a weakened President Rakhmonov recognized the need to compromise. The absence of conflict over the fundamental 'idea' of Tajikistan—its territory, Tajik boundaries and citizens—created enough common ground between the parties for a peace process to be established. Also absent from this contest was the ethno-political dimension that has been fundamental to the conflicts in Russia, Moldova, Georgia and Azerbaijan.¹¹

In contrast, the conflicts in Abkhazia, South Ossetia, Transdniestria, Chechnya and Nagorno-Karabakh reflect disputes over the domain and scope of the territory of the new states of, respectively, Georgia, Moldova, Russia and Azerbaijan (otherwise referred to as the metropolitan states). The aim of the separatist groups here is *not* to capture power in the capitals of the metropolitan states, or to renegotiate the division of state powers within a given territory. Their objective is *to exit* the metropolitan state. The aim is to build new relations with it on an interstate level as equal units. The linkage of ethnicity with territory has made the objectives of these separatist areas state-orientated—nothing less than state sovereignty for their authorities will suffice. This absolute disagreement about the 'idea' behind the new states of Russia, Moldova, Georgia and Azerbaijan has made conflict resolution unattainable on the lines set by settlement of the Tajik civil war. In this light, it may be worth seeing these conflicts not as civil wars but as interstate wars.

Defining the *de facto* state

Before proceeding further, it is worth defining the notion of a *de facto* state. In his theoretical examination of this phenomenon, Scott Pegg defined it as follows:

A *de facto* state exists where there is an organized political leadership, which has risen to power through some degree of indigenous capacity; 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.¹²

Several points must be made. First, Pegg's definition is based on a distinction between empirical and judicial notions of statehood. The *de facto* state is not recognized by other states or the international community. As a result, it has no judicial status in the international arena. However, it may have an empirically

¹¹ Shirin Akiner noted the stress placed on the Tajik identity in her recent work on Tajikistan, *Tajikistan: disintegration or reconciliation?* (London: Royal Institute of International Affairs, 2001).

¹² Pegg, *International society and the de facto state*, p. 26.

defined claim to statehood. The classical definition of an entity that may be regarded as a sovereign state was set down in the Montevideo Convention on Rights and Duties of States, 1933. The Montevideo criteria are that, to qualify as a state, an entity must have (1) a permanent population; (2) a defined territory; (3) a government; and (4) the capacity to enter into relations with other states. The de facto states fulfil the first three of these criteria, and claim to be able to pursue the fourth. However, the empirical qualifications of the de facto state cannot make it legal or legitimate in international society. As Pegg argued, it is 'illegitimate no matter how effective it is'.¹³

Second, it is necessary to distinguish between internal and external sovereignty. Internal sovereignty refers to the supreme authority of a body within a given territory.¹⁴ External sovereignty, on the other hand, may be defined as 'being constitutionally apart, of not being contained, however loosely, within a wider constitutional scheme'.¹⁵ The de facto state claims both of these: that is, to be sovereign over its self-defined territory and people, and to be constitutionally independent of any other state. The key difference for the de facto state resides in its lack of recognized external sovereignty, which prevents it from enjoying membership of the exclusive and all-encompassing club of states.

The logic driving Eurasian de facto states

There are two pieces of conventional wisdom that require rethinking. First, most discussions focus on external factors as the key obstacles to settlement. On the ground, the parties themselves are the first to blame external forces for everything—from creating the conflict to holding off its resolution. Vasily Sturza, the Moldovan presidential envoy to the negotiations with the PMR, made the point bluntly in July 2000: 'The resolution of the conflict depends exclusively on the Russian Federation.'¹⁶ Clearly, Russian forces did play a role in the initial phases of these conflicts, and ambiguity in Russian policy has done nothing to help resolve them since. External factors have been, and continue to be, critically important inhibitors. However, the balance of analysis needs to be redressed. This article will concentrate first on the internal forces that inhibit conflict settlement: the political, military and economic dimensions that are in fact the essential obstacles to settlement. These internal drivers combine with external forces to create a sustained status quo.

The second piece of conventional wisdom concerns the oft-repeated view that these are frozen conflicts. They are not. On the contrary, events have developed dynamically in the separatist states and in the conflict zones. The situation on the ground in 2002 is very different from the context that gave rise to these conflicts in the late 1980s. The following analysis will examine the main

¹³ Ibid., p. 5.

¹⁴ Gunnar Agathon Stolsvik, *The status of the Hutt River Province (Western Australia): a case study in international law* (Bergen: University of Bergen, Faculty of Law, 2000), p. 29.

¹⁵ Alan James, 'Sovereignty: a ground rule or gibberish?', *Review of International Studies* 84: 10, p. 11.

¹⁶ Interview with author, Chisinau, Moldova, 13 July 2000.

dimensions of the new reality that has emerged. An understanding of the current situation, and of the logic sustaining it, is fundamental for thinking about ways to move beyond the current impasse. Any settlement will have to be based on the reality of 2002, and not that of 1992.

Internal drivers

There are three internal factors driving the continuing existence of the de facto states.

Absolute sovereignty The first factor resides in the insistence by the authorities of the de facto states on absolute sovereignty. The amalgam of territory, population and government in these areas has produced something that is greater than the sum of these parts—a deeply felt belief in sovereignty. Vladimir Bodnar, the chair of the security committee of the parliament of PMR, stated: ‘What defines a state? First, institutions. Second, a territory. Third, a population. Fourth, an economy and a financial system. We have all of these!’¹⁷

The post-Soviet de facto states draw on two legal sources of legitimacy and two historical/moral sources to justify their claims to statehood. First, the authorities adhere to an empirical definition of sovereignty on the lines of the 1933 Montevideo Convention. They maintain that they fulfil all the conditions for being considered to have positive sovereignty. Drawing on Pegg’s definition, all of the de facto states have a system of organized political leadership, which has received popular support and provides basic governmental services to a given population over a specific territory, over which effective control has been maintained for a significant period of time. There are similarities among them at this level. They all maintain presidential systems and have very poorly developed party structures. In all of them, while there may be significant political differences, politics is far from pluralistic; in general, it is deeply personalized, and the mechanics of the decision-making process are opaque and highly controlled.

The post-Soviet cases also show significant variation. The level of governmental service provided is vastly different from one to another. At one extreme, the Abkhaz government maintains the daily operation of legislative, executive and judicial institutions, but performs very few services for its population. The UN and international non-governmental organizations, such as Accion Contra la Hambre, the International Committee of the Red Cross, and Médecins Sans Frontières, have become the pillars of social security in Abkhazia. Moreover, the state is unable to provide for law and order across its claimed territory. The war between Abkhazia and Georgia in 1992–4 occurred solely on Abkhaz territory and left the area devastated, its infrastructure destroyed and now crumbling, and its population marked by a vicious war of looting and plunder. By contrast, the PMR and Nagorno-Karabakh are much stronger. In both, a sense

¹⁷ Interview with author, PMR, 11 July 2000.

of state presence in people's lives is palpable. The degree of state control over territory is also variable. Abkhazia maintains very weak control over its territory; the PMR and Nagorno-Karabakh are much stronger in this respect, with clear armed force structures, police agencies, border troops and customs posts.

Moreover, the separatist leaders adhere to the declaratory approach to the recognition of an entity as a state by other states.¹⁸ These governments maintain that recognition does not *create* a state, but *reflects* an existing reality. In the declaratory approach, the attribution of statehood arises from the empirical existence of sovereignty, *not* from juridical recognition of its creation by other states. As a result, formal recognition is seen as secondary for these governments.

The second source of legitimacy claimed by the de facto states is the right of self-determination. On 25 July 2000 Sokrat Jinjolia, the chairman of the Abkhaz parliament, stated: 'We are independent. We have passed an act of independence. Non-recognition does not matter.'¹⁹ All of the de facto states have presented their claims to independence on the basis of popular elections/referenda and legislative acts in these terms. The de facto states have also approved new constitutions which enshrine legally what are seen as popular/democratic resolutions on independence and sovereignty. For example, the Abkhaz constitution, approved in a referendum in November 1994, states that the Republic of Abkhazia is a 'sovereign democratic state based on law, which historically has become established by the rights of nations to self-determination'. Popular will is held up as a key pillar of legitimacy.

Third, the state-building projects in the separatist areas are based on the position that the current states represent but the latest phase in a long historical tradition. The Abkhaz foreign minister, Sergei Shamba, placed great stress on this: 'Abkhazia has a thousand-year history of statehood since the formation in the 8th century of the Kingdom of Abkhazia. Even within the framework of empires, Abkhazia kept this history of stateness. No matter the form, Abkhaz statehood remained intact.'²⁰ Sovereignty here is seen as an idea that does not necessarily need an institutional form. The primordialist rhetoric of the de facto states strengthens their claims to absolute sovereignty: any compromise would be seen as an injustice in the present and a violation of the very movement of history.

Finally, as stated by Chairman of the PMR Supreme Soviet, Grigory Maracutsa, 'Pridnestrovye [PMR] is a sovereign and independent state because the Republic of Moldova attempted to resolve the conflict through the use of force. Seven hundred were killed and three thousand wounded from this act of aggression.'²¹ All of the separatist authorities insist on an inherent moral entitlement to self-determination in the face of 'alien' and 'imposed' rule.

¹⁸ On the difference between the declaratory and the constitutive approach, see discussion in Michael Ross Fowler and Julie Marie Bunce, 'What constitutes the sovereign state?', *Review of International Studies* 96: 22, pp. 400–2.

¹⁹ Interview with author, Abkhazia, 25 July 2000.

²⁰ Interview with author, Abkhazia, 20 July 2000.

²¹ Interview with author, PMR, 14 July 2000.

The insistence on absolute sovereignty by the *de facto* states has several effects. First, it means that conflict settlement will be difficult to reach through federal power-sharing. It is often assumed in Chisinau, Tbilisi and Baku, as well as European capitals, that the 'statehood' of these entities is a resource that they will be willing to bargain away once the circumstances are propitious. Many peace proposals put forward over the last decade have been based on notions of federal power-sharing. The underlying assumption is that sovereignty is the maximal, and thus negotiable, aim of the breakaway areas, and that their minimal and non-negotiable objective resides at some lower form of autonomy. On the contrary: sovereignty is non-negotiable for the *de facto* states. They may be willing to negotiate a new relationship with the metropolitan states, but not one based on a federation. At most, the self-declared states will accept confederal ties with the metropolitan state.

A confederation has elements of power-sharing, but these do not infringe the internal sovereignty of its constituent subjects. All of these *de facto* states insist on developing voluntary and equal ties with their former rulers. In their view, cooperation could be deep in certain areas, such as trade, customs and communications, but it would not impinge on their basic sovereignty. In the negotiations that have occurred in all of these conflicts, the separatist areas have supported proposals put forward for 'common statehood' with the metropolitan state that draw on confederal elements. However, Moldova, Georgia and Azerbaijan have rejected confederal proposals as threats to their own sovereignty. Moreover, the metropolitan capitals are reluctant to abandon one of their strongest weapons with regard to their separatist regions: that is, withholding formal recognition of their existence. Non-recognition relegates the self-declared states to continued pariah status in international relations. It also ensures that the metropolitan state may consider using all means at its disposal, including force, to restore its territorial integrity at some point in the future. The Russian use of force against Chechnya, despite the peace agreement struck in 1997, is a case in point.

The second effect stemming from the insistence on absolute sovereignty concerns IDPs and refugees in the conflicts in Abkhazia and Nagorno-Karabakh. Absolute internal sovereignty means that the *de facto* states will not welcome back the IDPs who fled during the wars. Demography resides at the heart of the conflicts. Before the war, the overwhelming majority of inhabitants of the Abkhaz region were Georgians. At the most recent census, that of 1989, Abkhaz people represented 17.8 per cent of the total population of Abkhazia (525,000). The Georgians in Abkhazia did not flee their homes as an indirect consequence of the war: they were a target of the conflict. One of the forces driving the Abkhaz was a fear of the extinction of Abkhaz culture, and eventually the Abkhaz people. Thus 'citizenship' of the self-declared Abkhaz state cannot be allowed to include the displaced Georgian population, as this would leave the Abkhaz once again as a small minority in their own region. The tight link between ethnicity and land in such conflicts makes the return of refugees and IDPs problematic for the *de facto* state.

Nagorno-Karabakh is different. Over 80 per cent of the 600,000 Azerbaijani IDPs lived in the seven districts of Azerbaijani territory that are now occupied by Karabakh forces but are not inside Nagorno-Karabakh itself. These lands were occupied in 1993–4 to provide a security buffer, and as bargaining chips in the peace process. The separatist Armenian state could countenance the return of Azerbaijani IDPs to at least six of these districts (excluding Lachin, which is the main link to Armenia). However, the repatriation of the Azerbaijani population to towns and areas inside Karabakh itself, such as the town of Shusha that towers above Stepanakert, is considered impossible by the Armenian authorities. The blanket right to return of all IDPs and refugees to their previous homes is unlikely to be a part of a settlement package in these cases, although limited numbers may be allowed to return.

Fear: source and resource Insecurity represents another internal force driving these states. Behind all the rhetoric of sovereignty, self-determination and justice lie calculations of power that have led the separatist authorities to seek security based on force alone.

Fear was the factor that initially gave rise to the conflicts. In late March 1992 the first Moldovan president, Mircea Snegur, declared a state of emergency which set Moldova and the PMR on the path towards larger-scale clashes than those that had been occurring since late 1990. The new Moldova, as it was then emerging, seemed to be a Romanianizing state, in which the traditionally more Slavic and more Russophone elites on the left bank would be sidelined. Fear was also a driving force behind the conflicts in Georgia and Azerbaijan. In August 1992, Georgian guardsmen seized the Abkhaz capital. Similarly, the Armenian population of Nagorno-Karabakh lived in a vulnerable enclave embedded in Azerbaijan.

Insecurity has remained a defining condition of life in each de facto state since the end of the wars. The ceasefires reached in Moldova (1992), Georgia (South Ossetia in 1992, Abkhazia in 1994) and Azerbaijan (1994) have frozen victories reached on the battlefield. Historically, these peoples have rarely, if ever, won wars. Victory has left them bewildered.

On the one hand, victory is a source of strength. Naira Melkounian, the Nagorno-Karabakh foreign minister, rejoiced: 'After a history of tragedy, we have won a war at last!'²² As a result, the authorities are determined at all costs to retain the fruits of victory. As during the armed phases of the conflicts, the strategies of the de facto states remain total, because in their view, the threat posed by the metropolitan states is itself total. Naira Melkounian argued: 'History gave Armenia so little territory—We cannot make any concessions that would threaten Armenia and Nagorno-Karabakh.'²³

At the same time, the separatist authorities profoundly distrust victory. They are all aware that they have won a battle, not the war. The example of renewed

²² Interview with author, NKR, 24 Aug. 2000.

²³ Interview with Naira Melkounian, NKR, 17 Aug. 2000.

armed conflict in Chechnya has been edifying in this respect. The distrust of victory has led them to elevate self-defence over all other policy areas. None of the de facto states is a military state; but all of them are devoted to the military.

Fear is also an instrument that is wielded by the separatist authorities in state-building. Since the early 1990s, the metropolitan states have started to move away from exclusively state-building projects and more moderate politicians have led the movement towards state consolidation. By contrast, in the de facto states there has been very little shift away from the type of political discourse that was prevalent in the early 1990s. Public rhetoric has remained largely defined by dichotomies of 'us versus them'. The 'other'—the former central authorities—is used to justify the very existence of the de facto state. The existential challenge posed by the former central power, whether accurately perceived or not, is a powerful glue binding the residual populations of these areas together into some kind of cohesive whole. The discourse of insecurity also makes power-sharing very difficult to accept, as it has totalized the conflicts.²⁴

Two conclusions flow from the condition and exploitation of insecurity. First, these are racketeer states. As defined by Charles Tilly, 'someone who produces the danger and, at a price, the shield against it, is a racketeer.'²⁵ This is not to say that the metropolitan states do not pose a real threat. However, the emphasis placed on the metropolitan threat goes beyond a rational assessment of needs and requirements. The PMR is a case in point. Any objective assessment of the threat posed by Moldova to the PMR would conclude that it is almost nil, in terms of capabilities and intentions. However, the PMR minister of security runs a number of social organizations and newspapers that inflate the Moldovan threat. As a result, the extensive role played by the security ministry in all aspects of political and economic life in the PMR may appear justified. This logic affects more than the ministry of security. The PMR itself depends on the threat posed by Moldova and the West, against which the self-declared state proposes to defend the population on the left bank of the Dnestr River. A non-existent existential threat has become a fundamental pillar justifying the existence of the de facto state. This, in essence, is racketeering.

The racketeering dimension also affects civil-military relations. In Nagorno-Karabakh the former defence minister, Samvel Babayan, was by virtue of the racketeering tendency the most powerful economic and political actor until March 2000, when he was arrested for the attempted assassination of the Nagorno-Karabakh president. The president and government have since sought to reduce the weight of the military in Karabakh politics. In an interview in August 2000, Prime Minister A. Danielyan stated: 'The armed forces should not be distinct or separated from the government—not a force of its own ... All must obey the law.

²⁴ On this notion, see Graham Smith, V. Law, A. Bohr and E. Allworth, *Nation-building in post-Soviet borderlands: the politics of national identities* (New York: Cambridge University Press, 1998), pp. 13–19.

²⁵ From Charles Tilly, 'War-making and state-making as organized crime', in Peter Evans, D. Rueschemeyer and T. Skocpol, eds, *Bringing the state back in* (New York: Cambridge University Press, 1985), cited in an interesting article by Hugh Griffiths, 'A political economy of ethnic conflict: ethno-nationalism and organized crime', *Civil Wars* 2: 2, Summer 1999, pp. 56–73.

The armed forces hold the line. That is all.’²⁶ Yet at the least, in Abkhazia and the PMR, the military and security agencies dominate security policy-making. At the most, in Nagorno-Karabakh, the military is dominant in politics.

The second conclusion is that the self-declared states have no faith in the rule of law as a means to guarantee their security. Military power is seen as the only means by which to deter the metropolitan state. The distrust of law is a legacy of the Soviet Union, where politics was founded on the rule *by* law and not *of* law. In the early 1990s the separatist regions experienced how new laws enacted in the metropolitan capitals (constitutions, declarations, resolutions, etc.) were used as weapons against them. As noted by Svante Cornell, ‘there is no confidence [in these separatist areas] in the implementation of the basic principle of international law, *Pacta sunt servanda* [agreements must be kept].’²⁷

This distrust has implications for the nature of any agreed future relationship between the *de facto* and the metropolitan state. Again, it is difficult to imagine that the self-declared authorities will agree to federal relations, where, by definition, ties between federal subjects and the federal centre are based on the transformation of fundamental political questions into legal questions.²⁸ Any settlement of these conflicts must accommodate at its heart the requirements of hard deterrence and security in order for the *de facto* state to be willing to compromise on the victories it has already achieved on the battlefield.

Subsistence syndromes The *de facto* states are failing. They have the institutional fixtures of statehood, but they are not able to provide for its substance. The wars of the early 1990s devastated their economies and exacerbated the difficulties that resulted from the Soviet collapse. Since the ceasefires, little progress has occurred towards economic reform. The enduring threat of war has combined with economic mismanagement to result in hyperinflation, demonetized economies, the collapse of the social services and the extensive criminalization of economic activity. These problems have been exacerbated by the legal limbo in which all of these *de facto* states exist.

In the cases of Abkhazia and Nagorno-Karabakh, economic blockades are used by Azerbaijan and Georgia as a means of coercion against the separatist areas with two aims: first, to compel them to compromise in the negotiations; and second, to ensure that the *de facto* states do not prosper while the negotiations are under way. The economic arena has also been considered by the international community as a potentially positive route to persuading the *de facto* states to compromise, through the promise of eventual assistance for reconstruction.

On both counts, the economic tool plays a far less important role than is assumed. The *de facto* states are driven first and foremost by political, not economic imperatives. The severe economic difficulties that are common to all of them

²⁶ Interview with author, Nagorno-Karabakh, 15 Aug. 2000.

²⁷ Svante E. Cornell, *Small nations and great powers: a study of ethnopolitical conflicts in the Caucasus* (Richmond, UK: Curzon Press, 2001), p. 47.

²⁸ This point emerged from a discussion between the author and Bruno Coppieters in November 2000.

have not compelled them to compromise. On the contrary, economic isolation has only strengthened subsistence syndromes in which the authorities are determined to survive at all costs, and have developed structures that are appropriate for this purpose. These subsistence syndromes, which are based on a combination of firm political determination, deep economic weakness and extensive criminalization, are a key part of the internal logic sustaining the de facto states.

All of these states have dwindling and ageing populations. Many of those able to flee have done so, mainly to Russia. The remaining populations represent disproportionately the weak and the vulnerable, and those who have nowhere else to go. These residual populations have become deeply impoverished. However, it is no accident that the separatist states are not situated near the Arctic Circle—sunny and favourable climates, beneficial geographical positions with access to the Black Sea and important rivers, and fertile lands have been key to their continuing survival, allowing people to retreat into difficult but sustainable subsistence strategies.

Inside the de facto states, political stability is founded on corrupt corporatism. The authorities have sought to neutralize potential internal threats by co-opting them. In these economies, shadowy figures often play government-supported monopolistic roles. In the PMR, the financial-industrial group Sheriff runs important sectors of the separatist economy, including several cable television stations, the only telephone communications company in the region (Inter-DnestrCom—which follows the US CDMA standard as opposed to Moldova's use of the European GSM standard), a weekly newspaper called *Delo*, a Western-standard supermarket chain and a series of petrol stations. In exchange, the Sheriff Group has performed social functions for the separatist state, including the construction of a new cathedral called Christ's Rebirth in Tiraspol. The mingling of criminal and official structures is dramatic in the PMR, where a ruthless form of monopolistic state capitalism has been created in a land where statues of Lenin remain standing in the streets and parks.²⁹

The armed forces are always very well protected in the separatist states. In Nagorno-Karabakh, as noted above, the most prominent political-economic actor was the former defence minister Samvel Babayan. Babayan was able to benefit from his position to secure a monopoly over the cigarette and petrol trade; he was also deeply involved in the reconstruction of Karabakh infrastructure. One of the most famous cases of abuse of this position is known mockingly as the 'Babayan Underpass' in Stepanakert: a major underpass that took years to build by military-related contractors in a state where there are very few cars, and traffic is not a problem.

Many groups inside and outside the de facto states profit from the status quo. Crime and illegal economic activities have come to reside at the heart of these conflicts. These activities include large-scale cigarette and alcohol smuggling from the PMR to Moldova to avoid sales taxes. For Moldova, such smuggling has

²⁹ See the comments by Boris Pastukhov, 18 April, Moldovan information service, *Infotag*; www.infotag.md

become a 'major, major problem', with millions of dollars lost in state revenue.³⁰ Clearly, important forces in Moldova profit from this situation. For example, the PMR steelworks at Rybnitsa, which is one of the mainstays of PMR independence, is not a full-cycle factory: 50 per cent of the scrap metal that feeds it is provided by Moldova, and the factory exports steel to world markets, mainly the United States, with Moldovan customs stamps, provided to the PMR by Chisinau in February 1996. A number of figures in the Moldovan government profit greatly from this very lucrative trade. Russian groups have also invested in the PMR. Most notably, the Russian-owned gas provider Itera is the majority owner of the Rybnitsa steelworks. Similarly, South Ossetia has become a major channel for smuggled goods passing to and from both Georgia and Russia (including most of the flour and grain sold in Georgia).

Crime mingles with geopolitics in these conflicts in an unsettling manner. Russian peacekeeping troops have become involved in smuggling activities across the front lines in Georgia and Moldova. In the Gali district of Abkhazia, crime and smuggling have become a way of life for the vulnerable Georgians who have returned, the Georgian paramilitary groups that are active there, and the peacekeeping troops. The trade in hazelnuts and citrus fruits, and also petrol from the Russian Federation, has blurred the lines between ethnic groups in the conflict, uniting them all in the search for profit.

It is clear that enough people, inside and outside the de facto states, profit enough from their existence to make the status quo durable. The separatist areas are sustained by a perverted and weak, but workable, incentive structure that has emerged over the past decade.

External drivers

These internal forces combine with three groups of external forces to sustain the de facto states.

The role of the metropolitan states Moldova, Georgia and Azerbaijan themselves play important roles in sustaining the status quo. To say this is not to blame them for the impasse; but it is important to recognize their part more clearly. Their role is both indirect and direct.

At the indirect level, Moldova, Georgia and Azerbaijan have not become magnets sufficiently attractive to induce the separatist areas to compromise in order to benefit from the restoration of political and economic relations. The authorities of the de facto states believe that the economic situation in Moldova, Georgia and Azerbaijan is just as bad as theirs, if not worse. More fundamentally, the nature of politics in the former centres has reinforced the de facto states' determination. Radical nationalist parties continue to exist, providing ammunition for the separatist authorities to justify the possibility of renewed war. Since

³⁰ Anonymous interview with author, Chisinau, Moldova, 13 July 2000.

the war, the Georgian government has subsidized structures of government for 'Abkhazia in exile'. Tbilisi supports an executive council of the Autonomous Republic of Abkhazia, which has 25 delegates and a supreme presidium. The ethnically Georgian government-in-exile maintains eleven ministries, thirteen state committees, nine general offices and five inspectorates. This ponderous and expensive government-in-exile performs an important service for President Eduard Shevardnadze in channelling the political force of the 250,000-strong IDP population. Government support for these structures is a safety-valve in domestic politics.

However, the existence of Abkhazia-in-exile reinforces the separatists' view that Tbilisi has not recognized their position as having any legitimacy, and still sees them as a 'fifth column' for the return of the Russian empire. In addition, the activities of Georgian 'partisan' groups inside Abkhazia have strengthened Abkhaz views that Tbilisi seeks to undermine Abkhazia by force.

The protection of human rights has remained problematic in the metropolitan states. In Azerbaijan, in particular, the treatment of national minorities and ordinary citizens has been blemished by strong-arm tactics on the part of the police and security forces.

At the indirect level, therefore, not enough change has occurred in the politics and economics of the metropolitan states to persuade the separatist authorities to seek renewed ties through compromise. In the striking words of Paata Zakareishvili, a moderate Georgian political commentator: 'What has Georgia done to make Georgia more attractive to Abkhazia? Georgia is hardly attractive to Georgians.'³¹

Moldova, Georgia and Azerbaijan also play a direct role in sustaining the status quo. On the economic level, the metropolitan states face a dilemma. A first option is to develop economic ties with the separatist area, as Moldova has done. But, while certain groups in Moldova have profited from this cooperation, it has done nothing to decrease the number of PMR customs and border posts illegally deployed in the security zone along the Dnestr river. Nor has it increased the degree of trust between the two parties. Quite the contrary: cooperation has been exploited by the separatist authorities to strengthen their independence. The other option available is to blockade the separatist area, as has been done by Georgia and Azerbaijan. These blockades have certainly affected the economic development of the separatist areas deeply; however, every official and academic analysis of these blockades has highlighted a counterproductive effect. They have served only to entrench the intractability of the de facto authorities, and pushed them to develop subsistence economies. In the economic policy arena, both paths adopted by the metropolitan states have worked to strengthen the de facto states.

At the direct level, the existence of de facto states inside the metropolitan borders is not entirely undesirable—the situation could be worse for Chisinau, Tbilisi and Baku if these states were recognized by the international community.

³¹ Paata Zakareishvili, 'Political responsibility and perspectives for conflict resolution in Georgia–Abkhazia', in Natella Akaba, ed., *Abkhazia–Georgia: obstacles on the path to peace* (Abkhazia: Sukhum, 2000), p. 9.

In the absence of such recognition, the metropolitan states are not compelled to acknowledge the defeats they suffered in the wars of the early 1990s. The open acknowledgement of defeat, and the loss of territory, would challenge political stability and threaten the current leadership. Particularly in Georgia and Azerbaijan, there exist strong opposition forces, which would readily seize such an opportunity to attack compromise as 'defeatist'. Put bluntly, the status quo allows the Georgian and Azerbaijani authorities to avoid grasping the nettle of defeat.

Moreover, the status quo has allowed Moldova, Georgia and Azerbaijan to focus on domestic areas that are perceived to be more vital for their future; that is, attracting foreign direct investment, developing strategic areas of their economies and pursuing economic reform. The metropolitan states accepted the ceasefires in the early 1990s to gain time. The status quo is seen as a window of opportunity in which to gain external sources of support, while the separatist area is blockaded and undermined.

The Russian role As the former imperial centre, Russia has played a key role in these conflicts. Russian intervention was important in the outbreak and then freezing of the conflicts in Moldova and Georgia. Russian peacekeeping forces are now deployed on what have become de facto borders inside these states. Since the end of the wars, Russian policy towards these conflicts has remained sufficiently ambiguous to reinforce the status quo.

The first level of Russian engagement lies in peacekeeping operations. The deployment of Russian forces in South Ossetia and Abkhazia, and in the PMR between June 1992 and May 1994, reflected Russia's re-engagement throughout the former Soviet Union after an initial period of neglect.³² At this point, Russian operations were deployed to re-establish Russian hegemony over these states. In Moldova and Georgia, Russia sought to compel Chisinau and Tbilisi to accede to Russian security demands in the shape of forward basing rights, military cooperation and border cooperation. Support to the separatist movements played a critical role in the Russian strategy.

Russian policies changed after 1996. After the appointment of Yevgeny Primakov as foreign minister in 1996, the ministry of foreign affairs re-emerged as the leading decision-making agency in respect of these conflicts. The relative downscaling of the ministry of defence at that point gave the foreign ministry scope to seek a balance between the military and political aspects of Russian policy. Also, the deterioration of Russia's economic and financial situation, particularly after August 1998, reinforced a retrenchment of Russian peacekeeping positions.

Despite the change, Russian operations continue to sustain the status quo in these conflicts. The fact that Russian peacekeeping forces played a role in the conflicts, supporting either one or the other side, remains at the forefront of the security calculations of the conflicting parties. As a result, the operations have not promoted trust between the parties, but only reinforced a prevailing sense

³² For an examination of Russian peacekeeping, see Dov Lynch, *Russian peacekeeping strategies towards the CIS* (London: Macmillan/RIIA, 1999).

of distrust. The Moldovan government's confidence in the security guarantee provided by the peacekeeping forces has been undermined by Russia's permissive attitude towards the PMR construction of border posts in violation of the peacekeeping agreement. In Georgia, any trust that Tbilisi might have had in the peacekeeping operation has been destroyed by its passive approach to providing security to the returning IDPs in Gali. Put bluntly, Russian peacekeeping troops guard the borders separating the parties, thereby entrenching the separatist states. Russia's position has reinforced the metropolitan states' propensity to disregard the legitimacy of the separatists and to see them as the fifth column of an aggressive external power.

In October 1999, at the OSCE summit in Istanbul, the Russian President Vladimir Putin agreed to withdraw Russian bases from Moldova and Georgia. Under Putin, Moscow is far from abandoning its strategic interests in the former Soviet Union. Despite the OSCE agreement, Russia is intent on maintaining a small military presence in Moldova and Georgia. All of the conflicting parties have adopted positions with a view to benefiting most from a coincidence of their own interests with Russian strategy. Russian peacekeeping operations, therefore, have only increased the distrust between the parties in Moldova and Georgia and entrenched the status quo through their protection of the *de facto* states. In the case of Nagorno-Karabakh, where no peacekeeping forces were deployed, extensive Russian military support to the separatists' strategic ally, Armenia, has had similar effects.

Russian engagement has also been political and economic. At the political level, radical nationalist forces in the Duma have pledged support to the *de facto* states on numerous occasions, through resolutions and public debates. The Duma has little impact on the course of Russian foreign policy. However, its activities are followed closely in the capitals of the *de facto* states, and actively drawn upon in their own rhetoric as sources of support. This is a substantial factor strengthening their determination, as they hold out for an eventual victory of radical forces in Russian politics.

At the economic level, the Russian government has been liberal in allowing various forms of economic cooperation with the *de facto* states. In the PMR, the Russian central bank played a direct role in supporting the separatist budget in 1992; this support has since ceased, but Moscow has not prevented the numerous economic and trade agreements that have been struck between the *de facto* states and subjects of the Russian Federation. In December 2000 Russia established a visa regime on the Russian-Georgian border, which made the crossing prohibitive for Georgians. Much to Tbilisi's dismay, the regime was not applied to Russian borders with Abkhazia and South Ossetia, which are legally Georgian. Abkhazia exists thanks to its position on the Black Sea, and mainly because of its border with Russia. There is intense trade across the border. Abkhazia also remains a part of the rouble zone. Russian support, while far less than is assumed in Tbilisi, is just enough to sustain the existence of Abkhazia.

Other sources: state, substate and supranational actors The separatist areas depend on other sources of external support for their existence. In Karabakh, independence is really a sleight of hand, which barely covers the reality that it is a region of Armenia. Karabakh's independence allows the new Armenian state to avoid the stigma of aggression, despite the fact that Armenian troops fought in the war between 1991–4 and continue to man the 'line of contact' between Karabakh and Azerbaijan. Moreover, every year Armenia provides an 'interstate loan' to Karabakh that covers 75–80 per cent of its needs. The Karabakh de facto state is very different from Abkhazia and PMR, neither of which has such a reliable and dedicated patron.

Kinship groups are another source of external support. Here too Nagorno-Karabakh presents a unique case. Nagorno-Karabakh has pride of place in the minds and hearts of the Armenian diaspora, and has been the focus of intensive assistance. As a separatist area, Karabakh has been terra incognita for most international organizations; thus, diaspora support was crucial in the early 1990s in enabling the region to survive the difficulties of the war. It is difficult to overestimate the role this support has played in creating Karabakh in material terms, as well as displacing any urgency for compromise with Azerbaijan.

In the PMR, Cossack groups from the Don and Kuban played an important role in the clashes that occurred in 1992; and the Cossacks remain a pillar of support for the separatist regime. In general, the PMR has benefited from a degree of support from a range of Slavic groups, including radical forces in Russia. The Slavic heart of the PMR is personified in its president, Igor Smirnov. Smirnov retains a Russian passport and votes in all Russian elections.

In Abkhazia, support from ethnically related peoples in the North Caucasus was crucial in the war. The support given by the Chechen field commander, Shamil Basayev, and his armed group to the Abkhaz is well known. Also, it is estimated that a few hundred Turkish Abkhaz returned to Abkhazia and now play a part in trade with Turkey. However, support has not been provided on any scale similar to that of Armenians for Nagorno-Karabakh.

Finally, international humanitarian organizations also strengthen the status quo. Particularly in the case of Abkhazia, such organizations are pillars of the separatist state. A needs assessment study conducted by the UN Development Programme in Abkhazia in February 1998 concluded: 'A large proportion of the population receives assistance either directly or indirectly at a cost of almost 17.5 million US dollars in 1997.' Since 1997, the levels of international support have remained at a comparable level, and the proportion of Abkhaz dependent on international humanitarian aid has, if anything, increased. International aid is several times larger than the budget of the breakaway state. Nagorno-Karabakh also receives substantial international humanitarian support. The aid provided by the US government through Save the Children amounts to about US\$15 million a year. The assistance policies of other international organizations, such as the European Union, also work to entrench the current situation. For example, the European Commission has joined with the EBRD to fund repairs and the

rehabilitation of the Inguri Dam, which is the primary source of electricity generation for Abkhazia and western Georgia.

Conclusions

The de facto states have survived since the Soviet collapse, and they seem likely to last for another ten years. Their claim to statehood carries a logic that, once entrenched, is difficult to overcome. As the anthropologist Ann Maria Alonso noted: 'Baptized with a name, space becomes national property, a sovereign patrimony fusing place, property and heritage, whose perpetuation is secured by the state.'³³ In their own view, the de facto states have already been playing in the game of states for ten years. The attributes of statehood, internal sovereignty and empirical statehood are no longer negotiable in practice. These states will hold out as long as they possibly can. From their perspective, the status quo plays in their favour. Non-recognition and isolation are prices that they are willing to pay. The Abkhaz defence minister told me in July 2000: 'How long will we have to wait [for recognition]? Ten, twenty, thirty years? Let it be, we will wait.'³⁴ On similar lines, the prime minister of Nagorno-Karabakh, Anushavan Danielyan, stated: 'Non-recognition does not affect Nagorno-Karabakh's existence, or its status as an independent state ... Nagorno-Karabakh is the same as Azerbaijan, but it is just not recognized!'³⁵ The de facto states are playing the long game, in which not losing means winning.

Any settlement will have to be based on the reality of the self-declared states. These conflicts are fundamentally different from the Tajik civil war. The absence of a sense of shared destiny, and common state 'idea', with the metropolitan states makes power-sharing inappropriate. The initial causes of the conflicts are less important now than this fundamental reality. The de facto states are driven by interweaving internal and external forces that have sustained them over the decade.

Since the early 1990s, the international community, the metropolitan states and international organizations have applied a number of policies, ranging from outright hostility to limited engagement of the de facto states. The result has been a mixed and contradictory bag of approaches with little coherence and no strategy. In order to move towards conflict settlement, the international community faces the task of creating a new logic that addresses the logic driving the self-declared states.³⁶ The conflicts will not resolve themselves, and the de facto states will not disappear of their own volition. Ten years after the Soviet collapse, the separatist states have become deeply embedded, and they are likely to remain a feature of the post-Soviet space.

³³ Ann Maria Alonso, 'The politics of space, time and substance: state formation, nationalism and ethnicity', *Annual Review of Anthropology* 23, 1994, pp. 379–405.

³⁴ Interview with author, Abkhazia, 13 July 2000.

³⁵ Interview with author, Nagorno-Karabakh, 15 August 2000.

³⁶ For a discussion of ways to move towards settlement of these conflicts, see Dov Lynch, *Managing separatist states: a Eurasian case study* (Paris: WEU Institute of Security Studies, 2001).