

**Frozen Conflicts, Minority Self-Governance, Asymmetrical  
Autonomies – In search of a framework for conflict  
management and conflict resolution**

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## Table of Contents

Table of Contents .....	i
Introduction .....	1
Overview of Various Types of Minority Conflicts .....	1
Minority Groupings.....	2
Claim for National Independence or for Unification with Kin State.....	3
Demands for Forms of Autonomy within the State .....	4
Macro-Political Methods for Eliminating Minority Differences .....	5
Genocide.....	5
Ethnic Cleansing .....	6
Partition .....	6
Secession .....	7
Assimilation/Integration.....	8
Assimilation.....	8
Macro-Political Methods for Managing Minority Differences.....	10
Hegemonic Control and the ‘Securitization’ of Minority Relations.....	10
Arbitration .....	11
Cantonization and/or Federalization.....	11
Consociationalism/Power-Sharing .....	13
Frozen Conflicts: Definition .....	14
Frozen Conflicts: A Framework for Management and/or Resolution? .....	15
Europeanization.....	15
The EU, OSCE, NATO and CoE .....	17
Frozen Conflicts: A Way Forward?.....	17
Appendix A: Examples of Frozen Conflicts .....	19
Transnistria.....	19
Abkhazia and South Ossetia .....	21
Nagorno-Karabakh.....	23
Bibliography .....	25

## **Introduction**

Since the Cold War's end, the management and/or resolution of minority conflicts has been defined as one of the most pressing, and most vexing, issues on the global agenda. Although the Cold War's demise is often blamed for unleashing myriad atavistic hatreds that led to the proliferation of minority conflicts throughout the world, it is more accurate to attribute the increased ethnic and national discord in its wake to the intersection of minority fears and traditional power politics. Indeed, the salience of the latter is why several conflicts in Eurasia are characterized as 'frozen', as the inability to alter their respective statuses stems from the predominance of third-party, or exogenous, actors.

This paper will begin with an overview of the various types of minority conflicts, and will then move to a discussion of the macro-political methods for eliminating and/or managing minority differences. It will then outline proposed frameworks for the management and/or resolution of 'frozen conflicts', four of which are detailed in Appendix A. Noting the benefits and liabilities of these frameworks, this paper aims to provide a basis for discussion as to how to develop frameworks that fully account for Eurasia's regional power dynamics, and in so doing provide the basis for preliminary guidance as to how to best promote the management and/or resolution of minority conflicts.

## **Overview of Various Types of Minority Conflicts**

Each year 20 to 40 armed, violent conflicts of different magnitudes rage around the globe. Some of these conflicts have been successfully managed and sustainable peace has been created; for others, there have been devastating consequences, such as ethnic cleansing. In other instances, the conflict may have ended, but there is no thawing in the hostile relationships between the protagonists. Many of these conflicts involve various forms of minority groups who feel that their identities and political aspirations have not been sufficiently accommodated by the dominant nation-state. What then, are the various types of these minority conflicts? Also, what are the different forms of minority groups?

## Minority Groupings

To begin with, it is important to note that there are different categories of minority groupings that can be embroiled in ethnic conflict. Although the term ‘minority’ can be used to describe a range of groups, including LGBT<sup>1</sup> groupings, migrants and faith communities, for the purposes of this paper we limit ‘minorities’ to ethno-national<sup>2</sup> and/or religious groups. These are groups, as Will Kymlicka notes, that possess ‘national and ethnic differences ... an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history’ (1995: 18). Broadly speaking, there are two types of ethno-national groupings: *indigenous* and *sub-state*.

*Indigenous ethno-national minorities* are typically those groups that were native to a land prior to the period of colonial expansion. Often, they are now resident in nation-states that have undergone processes of decolonization. In some cases, the decolonized state (e.g. states in the horn of Africa) is host to numerous indigenous groups, none of which represent an overall majority. In other cases (e.g. Australia, New Zealand), there is largely one minority indigenous population who are dominated by the majority settler population. There are also indigenous groups who have historically coexisted with other groupings but have found themselves part of a particular nation-state or even traversing over numerous nation-states. An example of this type of indigenous minority would be Sámi peoples of northern Europe, whose ancestral lands encompass northern Sweden, Norway, Finland and the Kola Peninsula of Russia.

*Sub-state minorities* are groups who are resident in a particular nation-state but who have a separate ethno-national identity, and they can often have a neighboring kin state with which they share an identity. Sub-state minorities can be groups who found themselves on the

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1 Lesbian, Gay, Bisexual, Transgender

2 Ethnic groups are those whose members identify with one another on the basis of a – presumed or real – common heritage. We do not view nations primordial, essential entities; however, we acknowledge that whilst a modern phenomenon, nationalism often draws upon the pre-modern symbols of a group – often provided by ethnicity – in order to forge a common national identity (Smith, 1987).

‘wrong side’ of the border when it was redrawn or annexed. Examples of these sub-state minorities include German speaking minorities in *Trentino-Alto Adige/Südtirol*, Serbs in Kosovo and Irish Nationalists in Northern Ireland. Some of these groups desire to be (re)unified with their neighboring kin state, while others are happy in their existing nation-state but desire forms of regional autonomy. Other groups (e.g. Scots, Basques and Catalans) do not have a neighboring kin state, but they are territorially concentrated, though in the case of the Basques, they are located in two nation-states (Spain and France)<sup>3</sup>. Another category is sub-state minorities who wish to gain complete independence, and not unification with a kin state, but have a powerful neighboring nation-state willing to act as its ally whilst pursuing its own strategic aims in the region. A salient example would be the Abkhazian minority in Georgia, whose bid for independence was backed and continues to be guaranteed by Russian military power. Another highly complex case concerns the separatists in the Indian controlled region of Jammu and Kashmir. Although both India and Pakistan claim Jammu and Kashmir – and these claims are complicated by China’s control of a portion of Jammu and Kashmir – many Kashmiris aspire to independence.

Detailing whether a particular grouping is either an indigenous or a sub-state minority – and within this, what type of indigenous or sub-state group – has a tremendous bearing on the form a conflict takes.

What are the goals of these minority groupings and why do they become embroiled in conflict with other groupings?

### **Claim for National Independence or for Unification with Kin State**

This is a common form of claim-making by ethno-national minorities, both indigenous and sub-state. Some minorities view themselves as ethnically distinct, territorially compact and possessing a unified political system. They might also argue that their socioeconomic well-being is best served by seceding from the nation-state. Their desire is to set up their own independent nation-state, preferably recognized by the UN. Examples of this form of

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<sup>3</sup> Or are dispersed throughout a number of states, such as the Kurds.

demand include Tibetans, Abkhazians and the Moros, an indigenous Muslim minority located on the southern island of Mindanao in the Philippines. These separatist groups do not have a kin state they wish to unify with, though, as we have seen, they may have powerful backers from a neighboring state. Other separatist minorities, on the other hand, wish to breakaway and (re)unify with their kin state. These groups may be relatively territorially compact and located on the border of its kin state, such as Ossetian separatists in South Ossetia. Although South Ossetia is a *de jure* region of Georgia, Ossetia separatists officially desire unification with neighboring North Ossetia, which is located within the Russian Federation. Some separatist groups, alternatively, are more territorially dispersed, and are not concentrated on the border of their kin state. This means that the act of secession involves bringing along a much larger group traditionally opposed to secession. For instance, the Serbian minority in Kosovo are dispersed throughout the state and their demand for reunification with Serbia would entail either coercing or persuading the majority ethnic Albanian population in Kosovo to accept reunification. A similar situation exists in Northern Ireland, where Nationalists' demand to unify with the Republic of Ireland necessitates the inclusion of the larger Unionist population, who desire to remain part of the United Kingdom, to join the Republic. In terms of situations where minorities demand either independence or (re)unification, conflict stems from one or more of the interested parties refusing to modify their goal to secede or alternatively obstruct the secession at all costs.

### **Demands for Forms of Autonomy within the State**

In this scenario, rather than demanding secession, the minority group requests strong forms of political autonomy within the nation-state. This demand for autonomy can be a form of conflict and a form of conflict management. In its strongest form, autonomy refers not only to the demand for governance structures, but also for a separate currency and legal system. The group may also demand that its language, religion and culture are recognized in the public sphere, and/or that the state fund separate schooling. Demands for political autonomy may also intersect with indigenous groups' demand for land that was taken away during the process of colonization or state-building (e.g. various Aboriginal groupings in Canada).

Forms of political autonomy can be consonant with forms of conflict resolution and nationhood. This is especially so where it offers a potential for a compromise in situations of potential secession. For such movements, strong forms of political autonomy offer the

opportunity to set up self-government and *de facto* independence; for the nation-state it allows for maintenance of sovereignty over the particular territory. Political autonomy, however, is not guaranteed to end conflict. For some factions within minority groupings, the demand for secession is a non-negotiable aspiration. Weak forms of devolution/cantonization granted to a minority, on the other hand, may seem tokenistic and may actually strengthen the hand of extremists within the minority group. In nations where there are a number of minorities, granting autonomy to one grouping after a sustained period of conflict could potentially stimulate other minorities to use violent means to gain more political power and rights. Another way in which autonomy can expedite conflict is that it can cause insecurity in sections of the majority population who are located in the area designated for devolution/cantonization or federalism. They may fear that devolution/cantonization or federalism is the first step to being abandoned. They might also worry that they will be oppressed in the autonomous region. This group may go as far as becoming militant to oppose autonomy or even refusing to recognize the political jurisdiction of the autonomous region by setting up their own form of autonomy within the region. For instance, when Croatia declared autonomy from Yugoslavia in 1991, the Serb population in the Krajina region of Croatia refused to recognize Croat control and implemented a new autonomous region, which was then militarily attacked by Croatia.

## **Macro-Political Methods for Eliminating Minority Differences<sup>4</sup>**

### **Genocide**

The use of genocide/ethnic cleansing by a state to eliminate its minority populations is clearly the most coercive, violent and obviously unwelcome of all potential options. Genocide refers to the systematic murder or indirect destruction (e.g. forced population transfers) of ascriptive groups ‘through the deliberate termination of the conditions which permit [their] biological and social reproduction’ (McGarry & O’Leary, 1993: 7). Some examples from Europe and Asia include massacre and forced deportation of over one million Armenians by the Turks in

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<sup>4</sup> Please bear in mind that these methods can overlap, and can also overlap with methods for managing difference.

1915, and the murder and starvation of the Chinese<sup>5</sup> and the indigenous populations of East Timor by the Indonesian government from 1975-1999.

### **Ethnic Cleansing**

As noted above, forced population transfers can be considered a form of genocide. When the group's inability to socially and biologically reproduce within a given territory, as opposed to wholesale destruction, is sought, said transfers fall under the rubric of ethnic cleansing. The term 'ethnic cleansing' appears to derive from the war in the Balkans, specifically in regard to Serbs striving to remove Bosnian Muslims and Kosovar Albanians from territories the Serbs wished to dominate. Serb minorities were also ethnically cleansed from Croatia (especially those in the Krajina district of Croatia). Like genocide, ethnic cleansing is often a component of larger political consolidation strategies (ibid: 11). For instance, much of the ethnic cleansing carried out by Serbs was in response to the Vance-Owen Peace Plan of 1993, which designated the division of Bosnia into ten semi-autonomous regions. Serb-led ethnic cleansing was thus a conscious plan to ensure that Serbs had majority control over as many regions as possible.

### **Partition**

Partition simply refers to the process of bracketing off a particular territory into a number of recognized state units. Where there exist within a given territory a number of ethno-national groups who hold incompatible claims regarding how the territory and polity should be governed, it has often been decided to partition the territory in order to endow particular ethno-national or political groups with their own slice of territory. Examples include the partition of Ireland in 1921, India/Pakistan in 1947, Palestine in 1947 and Korea in 1953. Partition has often historically occurred in the aftermath of empires and colonies disintegrating, and the legacy of *divide et imperia* often results in tensions between the ethnic and nationalist groups left behind.

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<sup>5</sup> As the Chinese were conflated with Communists, this could be considered a form of 'politicide' rather than genocide, per se.



Partition is rarely ever a happy solution for the interested parties, which often have to cede territorial ambitions as well as the loss of some of its members located on the wrong side of the border when partition is finalized; partition is more likely the result of stalemate and resigned *realpolitik*. Partition often also results in ethnic conflict, as both sides may seek to clear minorities from the border in order to maximize their control of the territory. Minorities left on the border post-partition may feel deeply insecure and oppressed as it is assumed their primary political loyalty is to the neighboring kin state. Neither is partition automatically seen as a final political solution by the interested groups. For Irish Nationalists, for example, the partition of Ireland has been viewed as temporary measure until the unification of Ireland as an independent state could be achieved. Partition, consequently, cannot be guaranteed to ameliorate or end ethnic conflict; instead, in certain circumstances, it can exacerbate zero sum visions.

## Secession

Secession is simply the process of a group leaving a nation-state by either declaring independence or by theoretically joining its kin state. Examples of the former type of secession include Slovenia, Ukraine, Kosovo and East Timor; interestingly, there are few successful examples of the latter, yet there are a host of secessionist movements that wish to unite with their kin states. Examples include Irish Nationalists in Northern Ireland and Serbs in Bosnia and Kosovo. The success of secessionist movements seeking independence compared to the failure of those movements seeking unification with a kin state is an important point. One of the reasons for the success of secessionist movements seeking independence is that they can often lay claim to a relatively compact and ethnically homogenous territory which is seen as a *de facto* nation. For instance, in the early 1990s when Yugoslavia began to disintegrate, Slovenia found it easy to secede from the Yugoslav Federation because the region contained a fairly homogenous Slovenian population with only a small number of other minorities. However, Croatia's claim to secede shortly afterwards was protracted and mired in violence since the region contained a substantial Serb minority who retained their allegiance to Greater Serbia. Secessionist movements are more likely to inspire violence or failure when the territory they lay claim to contains a sizeable minority population whose political identity belongs to the nation-state the secessionist movement desires to leave. As such, nation-states are less likely to accept secession if it means

abandoning a part of its population and territory to another nation they are in competition with and who, they believe, will not protect the individual and group rights of their members.

Another major impediment to secession is whether the secessionist movements holds claim over an economically prosperous region. The demand of ethnic Serbs in the Krajina region of Croatia to join Greater Serbia was partially stymied because the Krajina provided access to the wealthy Dalmatian Coast. Interestingly, there are an increasing number of wealthy regions desiring secession or autonomy. Examples of this include the *Lega Nord* (Northern League), which has variously demanded independence or regional autonomy for the prosperous northern part of Italy; and the more prosperous Flemish region of Belgium, where there has been increasing talk of increasing autonomy or even independence from the poorer Walloon region.

### **Assimilation/Integration**

Apart from genocide/ethnic cleansing, in traditional models of the nation the nation-state has had two contending models for dealing with ethno-national minorities. For Bauman (1997), the historical practices for managing minorities are conceptualized in two heuristic models: the 'anthropophagic' and the 'anthropoemic'. Whilst the 'anthropophagic' can be viewed as analogous to processes of assimilation, in which the state seeks to deal with minorities by consuming and gaining strength from them, the 'anthropoemic', alternatively, refers to practices of exclusion, as minorities are confined 'within the visible walls of the ghettos' (ibid.: 18). The former process is dealt with below, whereas practices of exclusion usually fall under the rubric of 'hegemonic control' or the 'securitization of minority relations'.

### **Assimilation**

The attempt of the state to integrate or assimilate minorities provides another means of eliminating minority differences. Rather than seeking to exclude minorities from equal access to the state's institutions and spaces, with assimilatory projects the state seeks to transform minorities into undifferentiated members of the state. In many examples this means 'cleansing' minorities of their traditional modes of language, religion and culture. The point of assimilation is to make minorities primarily identify with the larger nation-state, and to abandon, or subjugate their cultures to the wider national culture. A whole panoply of

supposedly well-coordinated measures and procedures have been advocated to facilitate assimilation, including a nationalist school curricula, unofficial and official loyalty tests for minorities and official endorsement of ideologically acceptable minority spokespersons. Assimilation projects therefore possess the potential to be exclusionary. Even in societies that employ a republican concept of a neutral state, enshrining unitary citizenship and uniform individual rights, some theorists argue that this is not enough to facilitate justice and equality or accommodate conflicting cultural demands. Tully (1995: 64) sums up this perspective by arguing that identical treatment is to be contrasted with fair treatment. In a legally and politically uniform society, citizens are ‘treated identically rather than equitably’. For Tully, unitary citizenship is an ‘empire of uniformity’ (ibid.). In other words, the project of state-building should not be made to rhyme with a monolithic, uniform sense of national identity of citizenship. Minorities, hence, should be allowed group differentiated rights to help allow them maintain their distinctive cultural forms without it adversely affecting their status in society.

### *Integration*

Other administrations have displayed a liberal preference for ‘bifucationism’: an attempt to reconcile respect for diversity and pluralism within an overall frame of political citizenship (see Parekh, 2006). This is subtly different from assimilation, insofar as minorities are allowed to practice and nurture their traditional cultural forms as long as they are restricted to the private sphere. For some theorists, especially left-liberals, this ‘strategy of privatization’ is preferred for ameliorating minority conflict. They argue that it is not for the state to mediate between conflicting and incompatible conceptions of cultural identity, but to remain intrinsically neutral and leave citizens free as individuals to lead their self-chosen lives in the private sphere. Barry calls this process ‘the strategy of privatization’: a liberal formula for depoliticizing difference. For Barry (2001: 21), the privatization strategy is rooted in the Enlightenment which sought to provide a ‘response to the wars of religion that made much of Europe a living hell in the sixteenth and seventeenth centuries’. This is a model of citizenship which works, and its success can be witnessed in how it has facilitated ‘the relatively peaceful incorporation of a wide range of religions and cultures in the past half century’ (ibid.). Eschewing demands for group rights, proponents of ‘privatization’ attempt to reduce differences between groups through the promotion of bills of rights with equal rights for

individuals, integrated housing and education strategies and anti-discrimination measures (McGarry & O’Leary, 1993: 17).

## **Macro-Political Methods for Managing Minority Differences**

Whilst the above methods for eliminating differences are theoretically possible, they are, with the possible exceptions of non-coercive forms of assimilation and integration, normatively unappealing. In addition to their normative appeal – with the exceptions of hegemonic control and/or the ‘securitization’ of minority relations, which are obviously unappealing from a moral standpoint – methods for managing minority differences and the conflicts they engender are often more practical in nature.

The following methods offer a means of *conflict management*, which is defined as the accommodation of ethnic and/or national differences in order to preserve the state’s multi-ethnic and/or multi-national character. A transformation in actors’ perceptions of their interests (i.e. that they are better off pursuing their interests through political, as opposed to violent, means) may lead to their participation in conflict management structures, but this type of change is separate from *conflict transformation*. Conflict management may, however, lead to conflict transformation, which occurs when a conflict’s root causes are altered, thus paving the way for *conflict resolution* (Noutcheva et al., 2004). Transformation of a conflict’s root causes in turn allows for a ‘redefinition of the interests and identities of the parties’ (ibid; cf. Harris & Reilly, 1998: 17-18).

## **Hegemonic Control and the ‘Securitization’ of Minority Relations**

One method of managing ethnic and/or national differences is through the ‘securitization’ of minority relations (Wæver, 1995). The securitization of minority relations refers to those instances in which the nation state ‘constructs’ some or all of its minority groups as ‘security threats’; in doing so, it often legitimates the use of extraordinary measures to contain a minority ‘threat’. When the state ‘securitizes’ minority relations, it typically seeks to limit normal democratic processes in order to protect its very existence. Under conditions of ‘securitization’, the capacity of the minority group to politically mobilize is severely limited. For instance, the minority group’s political parties may be banned, minority leaders may be

placed under secret police surveillance or even arrested without trial, and the raising of secessionist demands in public forums may be proscribed.

The framing of minorities as a threat to the state's integrity can also lead to instances of hegemonic control, wherein majority control of security and political apparatuses renders minority challenges to the state unthinkable (Lustick, 1993; McGarry & O'Leary, 1993: 23). Many minority groups have been excluded from different facets of the state via hegemonic control. For instance, African-Americans were excluded from civil rights, including voting franchise, access to public space and discrimination in employment. To a lesser extent, Irish Nationalists in Northern Ireland were denied some civil rights common to all citizens in the UK. It would be wrong to characterize such regimes as authoritarian, but 'democracy' would be an equally inappropriate label as such regimes' democratic features are selectively applied. As these features are selectively applied in order to facilitate the dominant ethnic group's political control of a contested territory, they are better described by the term 'ethnocracy' (Yiftachel & Ghanem, 2004: 649).

### **Arbitration**

Although exogenous actors are vitally important to almost all ethnic and national conflicts, their role in managing conflict remains largely under theorized (for a notable exception, see Kerr, 2005). Arbitration refers the process whereby relatively neutral third party actor(s) intervene and make, as opposed to facilitate, decisions regarding a conflict (McGarry & O'Leary, 1993: 27-30). The arbitrator(s) can be a third party from either within or outside the country, and their neutrality should be largely recognized by the rival parties (ibid: 28). As a form of management, arbitration can lead to either a transformation of a conflict's root causes leading to resolution, or it can recapitulate the conflict (ibid).

### **Cantonization and/or Federalization**

Cantonization provides another means of managing minority conflict. Although it usually occurs within the context of federalism (e.g. Switzerland), cantonization involves the devolution of power to a state's constituent units on the basis of ethnic and/or national difference; this distinguishes it from mere administrative decentralization, and it allows for asymmetrical cantonization (ibid: 31). By devolving power on the basis of ethnic and/or

national difference, cantonization rescales the conflict via an ‘internal secession’ of sorts; in doing so, it renders the relevant conflict more manageable (ibid). Unlike federalism – where power is divided between the central government and the constituent units, and therefore cannot be unilaterally altered – the central government can roll back power when and as it sees fit. Although this caveat obviously has the potential to exacerbate a conflict, it can also reassure minorities within a canton, as the devolution and practice of some powers to the canton (e.g. policing and justice) may prove prejudicial to their interests (ibid: 32).

Federalization, on the other hand, is more robust than devolution. Under federalism, powers are divided between the central government and its constituent units, and the existence of a written, codified constitution, prevents their unilateral alteration (ibid). As such, federalism provides a realistic means of reconstituting states that have been subject to secessionist crises, as the secessionist entities are liable to find federalism more attractive than cantonization, as the former allows them a modicum of power similar to that which its elites exercised whilst a *de facto* independent entity.

In spite of federalism’s potential attractiveness *vis-à-vis* conflict management, its record in this field has been poor. The globe is littered with the detritus of multi-ethnic federations (e.g. Czechoslovakia and Nigeria), and those which are relatively successful still suffer from secessionist crises (e.g. India and Canada). It would be wrong, however, to suggest that because of its many failures that federalism inevitably gives rise to civil war and/or secession. To do so, it must be demonstrated that a given civil war and/or secession would not have occurred in federalism’s absence and that there exist no other democratic means of managing a conflict. Here, Nigeria’s previous descent into civil war can be usefully contrasted with its more positive recent experience with federalism (Suberu, 2009). It would also have to be shown that the breakaway federal unit would develop into an ‘ethnocracy’ (ibid: 35, McGarry & O’Leary, 2009).

As two-unit federal structures rarely work in practice, multi-tier federations are usually recommended. The third tier is usually provided by institutions such as the EU or the Balkan Stability Pact, and, depending upon the division of competences between the central state and the federated entities, the existence of a third level of governance can allow for the prospect of the latter’s participation in foreign relations (e.g. German *Länder* participation in the EU Council). Moreover, some have argued that the existence of a third tier in a federation allows for the creation of new incentives in a settlement process, and that it may also lead to the redefinition of interests and identities that precedes conflict resolution. This is possible

because, as a third tier blurs the boundaries between domestic and international politics, its presence has the potential to resituate questions of national self-determination (Noutcheva et al., 2004).

Of course, other forms of federation can exist, and the precise form of a multi-tier federation can vary significantly. Like cantonization, federations can be asymmetric in nature, and this is particularly salient for rump states that continue to experience problems with other minorities, albeit on a smaller scale, after a secession (e.g. the Turkish speaking population of Moldova in Gagauzia). In addition to federations, confederations and associated states (federacies) offer other means of conflict regulation. Confederations are comprised of two or more states that retain their sovereign statehood, but come together for specific purposes, and the central government retains minimal powers for joint decision-making (ibid). Although this model is preferred by many secessionist entities, as it is inimical to the international community's preference for state preservation, and as it is often a prelude to secession, it is normally an unattractive option for all but the secessionist entity. In order to pay lip service to the international community's preference for state preservation, common state proposals have been mooted for Cyprus, the Balkans and the Caucasus. Under these proposals, a state's constituent units retain the same degree of autonomy as in a confederation, but they come together to form a single sovereign state under international law (ibid). A final option is an associated state or federacy, wherein a state's smaller constituent unit retains a fair degree of autonomy but has little to no political representation within the larger unit (e.g. the Faroe Islands and Denmark).

### **Consociationalism/Power-Sharing**

Although federalism can provide a viable means of conflict management, it often needs to be supplemented with consociational practices (McGarry & O'Leary, 1993: 35; Adeney, 2009). Consociationalism, a form of power-sharing, consists of four main principles: a grand coalition government representing all of the major segments of a divided society; proportionality in representation, public employment and expenditure; community autonomy on issues deemed to be vital; and constitutional vetoes for minorities (Lijphart, 1977). Consociationalism can operate within federations, cantons or across an entire state. In contrast to assimilation or integration, consociationalism seeks to manage conflict through recognition and protection of salient minority identities. Although it has been argued that

such recognition entrenches these identities and thus obviates their transformation (Wilson & Wilford, 2003), the reductionism inherent in this critique means that, thus far, it has been a matter of assumption rather than demonstration. As such, it is important to underline that consociationalism represents a form of conflict *management* which – depending upon a host of other factors, particularly the actions and interaction of exogenous actors – may or may not lead to conflict transformation.

## Frozen Conflicts: Definition

The processes of conflict management, transformation and/or resolution outlined above are challenging to implement in any environment, but they are particularly nettlesome in regions beset by ‘frozen conflicts’. ‘Frozen conflicts’ are defined as those in which violent ethno-political conflict over secession has led to the establishment of a *de facto* regime that is recognized by neither the international community nor the rump state from which the secession occurred (Nodia, 2004). As the violence surrounding the secession has largely abated, the conflict is considered to be ‘frozen’. This adjective, however, is a bit misleading as it suggests an absence of political activity, whereas in most, if not all, ‘frozen conflicts’ the opposite is true (Popescu, 2006: 8; Weir, 2008). Nevertheless, the interplay between endogenous and exogenous factors obviates a conflict’s transformation and/or resolution, and this is what separates ‘frozen conflicts’ from other minority disputes. For instance, the conflict in Northern Ireland could be considered to be ‘frozen’ as its integrity has not been altered; Nationalists and Unionists retain their discordant political preferences. However, the way in which this conflict manifests itself endogenously (through power-sharing, as opposed to violence), and the relationships between the key external actors to the conflict (i.e. the UK and Irish governments) have been transformed. Finally, although a frozen conflict’s political *status quo* can be considered a form of conflict management in theory, it is often insufficiently democratic in practice.

Although any number of endogenous factors can contribute to a conflict’s frozen character, a common theme throughout frozen conflicts is a rump state’s inability and/or lack of political will to alter the *status quo*. This inability and/or reluctance are often directly related to the potential backlash from exogenous actors that any alteration to the *status quo* is liable to



provoke. As the overview provided in Appendix A demonstrates, exogenous actors have played a key role in preventing the transformation and/or resolution of frozen conflicts

## **Frozen Conflicts: A Framework for Management and/or Resolution?**

As Appendix A amply demonstrates, there are no simple management frameworks, let alone solutions, for Eurasia's 'frozen conflicts'. Nevertheless, many of the conflict management methods outlined above provide viable frameworks for regulating 'frozen conflicts'. Their viability, however, largely depends upon how they intersect with, and possibly alter, both endogenous and exogenous' actors interests. Although ostensibly obvious, the centrality of exogenous actors' to the success or failure of conflict management frameworks has only recently been treated in-depth (see Kerr, 2005; Clancy, forthcoming 2010), and remains under theorized.

### **Europeanization**

It has been suggested that one framework through which conflict management and/or resolution could be realized is through the processes of Europeanization. As a framework for conflict management and/or resolution, Europeanization describes the changes in domestic structures and policies engendered by practices and policies at the European level (Coppieters et al. 2004). In terms of conflict management and/or resolution, Europeanization can be manifested through both conditionality and socialization. In the former, actors change their behavior according to cost/benefit calculations that are altered by the EU. For instance, rump states and secessionist entities may have ambitions of EU accession; as such, they may begin to adopt the EU's *acquis communautaire* (body of law) and its Copenhagen criteria on minority rights. Another example of the EU's ability to alter actors' cost/benefit calculations can be seen in Transnistria. In 2005, the EU launched a Border Assistance Mission to Moldova and Ukraine (EUBAM), wherein customs and border experts worked alongside officials at the Moldovan and Ukrainian borders, and as smuggling is one of Transnistria's main sources of income, its relative reduction via EUBAM has raised the cost of the secessionist entity's *de facto* independence (International Crisis Group, 2006). In the latter, exposure to European norms engenders changes in political discourse which in turn lead to genuine transformations in actors' identities and interests over the long-term (Coppieters et al., 2004).

Whilst ostensibly promising, Europeanization is problematic *vis-à-vis* Eurasia's frozen conflicts. First, the EU's leverage in all of the conflicts listed in Appendix A is mitigated by the fact that none has any prospect of EU accession in the short- to medium-term. The only exogenous actor that the EU has significant leverage with is Turkey; although this may offer some hope *vis-à-vis* Nagorno-Karabakh, the Cyprus precedent – wherein the country was allowed to join the EU without reunification due to Greece's threat to veto the process of EU enlargement – serves to underline that the EU is by and large a 'soft power' institution. The EU's lack of 'hard power', i.e. the ability to enforce decisions through military means, has led one scholar to argue that it is better geared towards peace consolidation than conflict management and/or resolution (Nodia, 2004), and Northern Ireland's EU experience lends credence to this claim (see Tannam, 1999). EU member states may also privately prefer that Eurasia's frozen conflicts retain their *status quo*, as both membership and conflict management and/or resolution can be costly affairs (Nodia, 2004). Moreover, the lack of benchmarks regarding the Copenhagen criteria and the EU's weak enforcement mechanisms are in many ways a reflection as to how divided member states themselves are *vis-à-vis* minority and group rights, so conditionality is particularly vexing in this area (Hughes & Sasse, 2003; Rechel, 2008).

Europeanization is difficult to measure on any level, but measurement is particularly nettlesome when it comes to socialization. The norms promoted by the EU are not radically different than those espoused by other multilateral bodies active in Eurasia (e.g. the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe (CoE), NATO, etc.), and thus it is difficult to attribute changes in interests and identities directly to the EU's socialization processes (Nodia, 2004). Moreover, among the aforementioned multilateral bodies, the EU is only one which possesses completely external socialization processes. For example, the OSCE allows members to join and then 'instructs' new member states about OSCE norms from 'within'. NATO and the CoE also engage in 'inclusive' socialization strategies, albeit to a lesser degree (Noutcheva et al., 2004). Finally, Europeanization encompasses a range of complex, multi-layered processes, not all of which facilitate conflict resolution. For example, the EU tends to emphasize nation-building and the bolstering of institutions; in doing so, it may end up merely facilitating minorities' access to majority cultures, as opposed to protecting minority cultures *per se* (ibid). Moreover, whilst the creation of a three-tier federation may help to manage conflict, the division of competences may slow a country's integration into the EU (ibid).

## The EU, OSCE, NATO and CoE

In addition to these problems, there remains the problem that the EU is viewed with suspicion in the secessionist entities of the ‘frozen conflicts’ detailed in Appendix A. Fearing that the EU has the potential to take away their hard-won *de facto* independence, Transnistria, Abkhazia and South Ossetia have aligned themselves with the most nationalist and anti-Western elements within Russia, and this, along with their high levels of trade and legislative harmonization with Russia means that most EU overtures are ambivalently received at best.<sup>6</sup> NATO and the CoE are also viewed as dangerous Western interlopers in these secessionist entities, and rump states have also occasionally moved away from these multilateral bodies in an attempt to curry favor with Russia, best evidenced by Georgia’s joining the Commonwealth of Independent States (CIS) and its Collective Security Treaty in 1994.

On the other hand, the OSCE is viewed with suspicion by the rump states, as Russia tends to dominate this organization, and evidence of this can be seen in British OSCE monitors’ dissent regarding the organization’s recent assertions that elections in Moldova were free and fair (BBC, 2009). Although Georgia has viewed NATO as a means of altering the balance of power in its frozen conflicts, as Appendix A demonstrates, NATO expansion has been one of the reasons that the four conflicts have remained ‘frozen’, and it directly contributed to the Georgian-South Ossetian conflict of August 2008.

## Frozen Conflicts: A Way Forward?

On the eve of NATO’s 60<sup>th</sup> anniversary, the *Wall Street Journal* noted the myriad border conflicts throughout the world, opining that, ‘[t]here are few, if any, adequate multilateral institutional or diplomatic frameworks to address these near-term border crises’ (Belk & Rosen, 2009). The piece concluded by arguing for institutional innovations within NATO that would allow for more robust responses to border crises, namely the abolition of Article V of the NATO Charter, which allows member states to determine their own level of commitment

when an attack on a fellow member state occurs. This argument does not necessarily point to the inadequacies of existing frameworks; rather it underscores that these frameworks exist in an international environment that is characterized by *relative* anarchy (Waltz, 1959). Thus, it is argued here that what is needed is not a wholesale jettisoning of existing frameworks; rather, they should be altered to adequately reflect the constraints of the existing international system.

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<sup>6</sup> As of this writing, European ceasefire monitors have not been allowed access to South Ossetia by the Ossetian government.

## Appendix A: Examples of Frozen Conflicts

Traditionally, the term ‘frozen conflict’ has been used to describe several secessionist disputes in eastern Europe and the southern Caucasus in the wake of the Soviet Union’s disintegration. Specifically, the term describes Georgia and the breakaway republics of South Ossetia and Abkhazia; Moldova and Transnistria; and Azerbaijan and Nagorno-Karabakh. Although Cyprus has occasionally been described as a ‘frozen conflict’ (Tocci & Kovziridze, 2004), and one could cite areas outside of the wider Black Sea region as instances of ‘frozen conflicts’ without undue conceptual stretching (e.g. the Western Sahara), for the purposes of this paper examples will be limited to those which fall within the Eurasian domain.

### Transnistria

As all four conflicts emerged in the aftermath of the Soviet Union’s demise, three share Russia as the key exogenous actor, and these conflicts (Moldova/Transnistria, Georgia/Abkhazia and Georgia/South Ossetia) can attribute much, if not all, of their frozen status to the Russian government’s perception of its interests. In eastern Europe, Transnistria seceded from Moldova shortly after the latter declared independence from the Soviet Union. Although not entirely Russian in its composition, many Slavic residents of Transnistria feared the upsurge in Moldovan nationalism in the wake of the Soviet Union’s demise, and they were particularly concerned that Moldovan élites would eventually agree to unify with Romania, as the majority of the Moldovan population has a shared ethnic identity and language with Romanians (Vahl & Emerson, 2004). Shortly after Moldova declared independence in June 1990, local authorities declared the Dnestr Moldovan Republic (Transnistria). A two-year military conflict followed the declaration of a Transnistrian republic, and the latter’s forces were assisted by the 14<sup>th</sup> Soviet Army, which played a decisive role in the conflict (ibid). After a brief escalation in fighting, the Russian and Moldovan presidents signed a ceasefire in June 1992. The ceasefire agreement created a demilitarized zone, settlement principles that included both respect for Moldova’s territorial integrity and special status for Transnistria within Moldova and Joint Control Commission comprised of Moldovan, Russian and Transnistrian forces to oversee and implement the ceasefire agreement (ibid)

Despite numerous political negotiations since 1992, there has been little substantive progress in reintegrating Transnistria into Moldova. Moldova’s inability to alter the *status quo* largely stems from the presence of Russian troops in Transnistria, and Russia’s military, political and economic clout has meant that the proposed frameworks for conflict resolution have heavily favored Russian interests. For example, in the proposed Kozak memorandum drafted by Russia in 2003, the proposed form of

asymmetric federalism envisaged in the document would have led to an overrepresentation of Transnistrians, and in so doing opened up the possibility that Transnistrian representatives could stymie Moldova's hopes of future integration into the EU (ibid).

Russia's patronage of Transnistria has also meant that the latter has little incentive for meaningful compromise with Moldova, and its uncertain legal status has led to a proliferation of smuggling and other criminal enterprises from which Transnistrian élites benefit (Peet, 2008; Socor, 2009a; Vahl & Emerson, 2004). Other significant regional actors include Romania, a new EU member state which has shown both interest and ambivalence *vis-à-vis* unification with Moldova since the fall of the Soviet Union, and the Ukraine, which serves as a mediator in the conflict. In addition to the sizeable Ukrainian minority population within Moldova, the Ukraine has an interest in removing the Russian troops from Transnistria, as it shares a border with the breakaway republic. Moreover, the Ukraine is further interested in the a settlement that recognizes Moldova's territorial integrity given the problems in the Ukrainian province of Crimea, which is both home to a Russian majority population and the Russian Black Sea Fleet (Aron, 2008). Russia, Ukraine and the OSCE currently serve as mediators, and the EU and the US have acted as observers since 2005, and increased interest in the conflict by the latter two entities can be largely attributed to the externalities created by the proliferation of criminality in Transnistria.

Despite the US and EU's presence, however, Russia continues to play a predominant role in the conflict. This can be seen in the aftermath of the talks that began between the leaders of Transnistria and Moldova in 2008. After discussions with Moscow, the Moldovan President, Vladimir Voronin, abandoned his government's 'package'<sup>7</sup> that was to guide the talks process; instead, he endorsed an accord which allows Russian troops to remain in Transnistria during a talks process, and also allows for their permanent presence as post-settlement guarantors. The accord also establishes equivalent negotiating statuses for both Moldova and Transnistria (Socor, 2009b). Although this *volte-face* can be partially attributed to a negotiating foul up, Voronin also acceded to Russia's requests because he calculated that praise from Moscow would benefit his party, the Communist party, in the forthcoming Moldovan elections in April 2009.<sup>8</sup>

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<sup>7</sup> The 'package' contained a series of tradeoffs: Moldova would reconfirm its neutral status, demilitarize the country and recognize Russia's property rights in Transnistria. In exchange, Russia would withdraw its armed forces from Transnistria and promote a viable settlement between the Transnistria and Moldova (Popov, 2008).

<sup>8</sup> Voronin's party did win the elections of 5 April, but protests regarding the fairness of the elections ensued shortly thereafter. Although the elections were deemed unfair by some dissenting members of the OSCE, Voronin blamed the protests on interference from Romania, as some protestors called for the unification of Moldova and Romania (BBC, 2009).

## Abkhazia and South Ossetia

A similar pattern can be observed in Georgia's breakaway republics in Abkhazia and South Ossetia. Fearing the consequences of Georgian nationalism's recrudescence during the Soviet Union's dissolution, both regions fought wars of independence in the early 1990s that resulted in their *de facto* independence. Both South Ossetians and Abkhazians are ethnic minorities who have sought and received Russia's patronage; although both groups were ethnic minorities South Ossetians seek unification with the Russian republic of North Ossetia, whereas Abkhazians seek an independent state. Russian forces provided troops and military assistance during their respective conflicts, and Russian troops have also served in peacekeeping missions in both regions.

Like Transnistria, many of the two regions' security functions are 'outsourced' to Russia, and the Russian government has considerable influence over South Ossetia and Abkhazia's governments, with many leaders of both regions coming directly from Moscow and many instances of Russian interference in Abkhazian and South Ossetian elections (Popescu, 2006: 6). Russia is also the main trading partner for both secessionist entities and Georgia. Therefore, just as in Transnistria and Moldova, the Russian government supports the secessionist entities through trade, subsidies and by channeling investment to them, and it punishes Georgia by banning its exports and increasing its gas prices (Popescu, 2006: 6). By paying pensions in South Ossetia and Abkhazia, Russia has also created another disincentive for reunification with Georgia. Like Transnistria, Abkhazia and South Ossetia also use the rouble (*ibid*). The Russian government has also issued passports to approximately 90% of Abkhazia and South Ossetia's residents; 'passportization' creates a political, and perhaps even legal, basis for Russian intervention in the secessionist entities,<sup>9</sup> and Russia has also introduced a visa regime for Georgian residents in order to weaken the latter's legitimacy (*ibid*: 5).

As the above discussion has demonstrated, Russia is the key external player in both Abkhazia and South Ossetia. Until recently, Russia's centrality to both conflicts translated into support for the political *status quo*. Russian preference for maintenance of the *status quo* could be attributed to several factors: a foreign policy that was more concerned with facilitating domestic development; a *relatively* weaker Russian state; and fear that overtly supporting the three secessionist entities would create a dangerous precedent *vis-à-vis* Chechnya and other potential breakaway regions in Russia, and that such over support could anger Russia's ally Serbia, which did not, and does not, recognize the *de facto*, now *de jure*, independence of Kosovo (*ibid*: 3). With economic growth and a strong, if not necessarily plural, state, the Russian government has become more concerned with projecting its power internationally.

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<sup>9</sup> Russian passports have also been issued to Transnistrian residents, albeit on a much smaller scale.

Also, as Russia has subdued the secessionist conflict in Chechnya, it can be less relatively less concerned with the ramifications of supporting the three secessionist entities. Moreover, the recognition of Kosovo's statehood in 2008 by many key players in the international community provides Russia with an excellent *riposte* to those who seek settlements between the three breakaway republics and their respective rump states.

The Russian government's increased confidence in its foreign policy coincided with a renewed interest in Georgia by the West. The previous stalemate between Russia and the Group of Friends of the UN Secretary General on Georgia (France, Germany, the UK and US) *vis-à-vis* Abkhazia manifested itself in the 'Boden document', which outlined a framework for negotiations between Abkhazia and Georgia, but failed to address many of key post-conflict state-building issues (e.g. domestic and international security guarantees) (Coppieters, 2004). In terms of security, a peacekeeping mission in South Ossetia – the Joint Control Commission (JCC), which consists of Russian, South Ossetian and Georgian forces – is overseen by the OSCE and the EU acts as an observer on JCC economic meetings. In Abkhazia, the UN Observer Mission to Georgia (UNOMIG) supervises a Russian-led peacekeeping mission under the Commonwealth of Independent States' aegis.

However, Georgia's Western foreign policy reorientation, which coincided with the emergence of Mikheil Saakashvili as president in the aftermath of Georgia's 'Rose Revolution' in 2003, has altered the southern Caucasus's regional dynamics. The best evidence for this reorientation is provided by Georgia's NATO ambitions, and its attempts to realize these ambitions by deploying 2,000 troops in Iraq, the third largest contingent of troops in the coalition. Although Georgia's request to join NATO's Membership Action Plan was rejected during the Bucharest summit April 2008, NATO leaders did state that Georgian membership was a question of 'if' and not 'when' (Parsons, 2008). In addition to its support for the Iraq War, Georgian membership is in NATO's interest as it would give the organization a foothold in a region where instability has led to criminal trafficking of all sorts, not the least of which is trafficking in highly enriched uranium (Arun, 2008). This potential foothold becomes doubly important when one considers the southern Caucasus's proximity to Iran and the possibility that Islamic extremists could penetrate Muslim communities in the southern (e.g. Azerbaijan) and northern Caucasus (e.g. Chechnya) (Nation, 2007). Finally, while Georgia itself is largely dependent upon Russia for its energy supplies, the country does provide an important potential corridor for both Russia and the West to transport oil and gas to various global markets (Petriashvili, 2005; Nation, 2007).

Georgia's increasingly Western foreign policy orientation only added to Moscow's worries in the southern Caucasus, as Russian officials were already concerned about Georgia's growing bellicosity. Buoyed by its success in reasserting control in its Muslim majority province of Adjara, the Georgian government tried to retake South Ossetia in 2004, but the brief, yet intense fighting between Georgian and South Ossetian forces only served to strengthen Moscow's resolve. This strengthened resolve translated into Russian support for South Ossetia's independence referendum in 2006, and Georgia



responded in kind by installing a provisional pro-Georgian administration in South Ossetia in 2007. The re-election of Saakashvili as President of Georgia further exacerbated tensions, and tit-for-tat attacks occurred in South Ossetia, Abkhazia and Georgia. Tensions came to a head in August 2008 with Georgia's offensive in South Ossetia, and Russia's corresponding 'peace mission' soon expanded into Georgia proper. Whilst ultimate responsibility for the 2008 war remains mired in controversy (Champion, 2008; Cornell, Popjanevski & Nilsson, 2008), it is clear that both Georgian and Russian forces – and the latter were assisted by South Ossetian and Abkhazian troops – violated the laws of war through their use of indiscriminate force and ethnic cleansing (Human Rights Watch, 2009).

After negotiations with French President Nicholas Sarkozy conducted under the EU's auspices, the Georgian, Russian, South Ossetian and Abkhazian presidents signed a six-point ceasefire agreement in mid-August, and Russia recognized South Ossetia and Abkhazia's independence on 26 August. Shortly thereafter, Russia sought to have member states of the Shanghai Cooperation Organization recognize both regions' independence, but the move backfired due to China's own problems with separatists (Tran, Borger & Traynor, 2008). Russian forces withdrew from buffer zones adjacent to South Ossetia and Abkhazia and handed over control to an EU monitoring mission in Georgia on 9 October. As of this writing, over 3,000 Russian troops remain in Abkhazia and South Ossetia, and the Russian government is planning on opening military bases in both regions, a move that has concerned western leaders (Aziakou, 2009).

## **Nagorno-Karabakh**

Like the aforementioned conflicts, the Nagorno-Karabakh dispute arose in the Cold War's immediate aftermath. During the Soviet Union, Nagorno-Karabakh was part of Azerbaijan, but the majority of its population was Armenian. Ethnic tensions were compounded by religious differences – Azeris are largely Muslim whereas Armenians are largely Orthodox – and conflict in the region escalated with Armenia and Azerbaijan's declarations of independence. After its parliament voted to unify with Armenia in 1989, Nagorno-Karabakh declared independence from both Azerbaijan and Armenia 1991, and a brutal war began shortly thereafter. The war lasted until a Russian-brokered ceasefire in 1994. Nagorno-Karabakh has retained its *de facto* independence since then, and its economic and geo-strategic significance – in addition to Armenia and Azerbaijan, the relevant regional actors are Russia, Turkey, Georgia and Iran, and the EU and the US are also interested in the region – has largely stymied a settlement in the region. In 2005, the OSCE's Minsk Group, comprised of Russia, France and the US, proposed the following framework for a settlement: renunciation of the use of force and the right of return for displaced Azeris; Armenian withdrawal from parts of Azerbaijan surrounding Nagorno-Karabakh; an interim status for Nagorno-Karabakh, including peacekeepers; commitment to a vote on Nagorno-Karabakh's final status after the return of displaced Azeris; and significant international aid

(International Crisis Group, 2007). Although skirmishes occurred over Nagorno-Karabakh in the aftermath of the 2008 Armenian elections, the leaders of Armenia and Azerbaijan signed an agreement in Moscow in November 2008 which serves as a prelude to talks regarding Nagorno-Karabakh, and the ongoing normalization talks between Armenia and Turkey offer some hope for Nagorno-Karabakh.

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