



**Sebastian Relitz (Ed.)**

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**OBSTACLES AND OPPORTUNITIES FOR DIALOGUE  
AND COOPERATION IN PROTRACTED CONFLICTS**

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**CORRIDORS PROCEEDINGS VOL. I**

## IMPRINT

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AND COOPERATION IN PROTRACTED CONFLICTS  
CORRIDORS PROCEEDINGS VOL. I**

**CORRIDORS** – Dialogue through Cooperation  
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DIALOGUE THROUGH COOPERATION

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## SEBASTIAN RELITZ – INTRODUCTION

### OBSTACLES AND OPPORTUNITIES FOR DIALOGUE AND COOPERATION IN PROTRACTED CONFLICTS

All the protracted conflicts in the former Soviet space have some features in common. They are conflicts over a contested status or statehood of an area with an increased international dimension. Together with the renewed East–West confrontation, the unresolved conflicts around Abkhazia, Nagorno-Karabakh, South Ossetia, Transnistria, and Eastern Ukraine fuel the distrust between states and societies in Eastern Europe and the South Caucasus. Both phenomena have become increasingly interconnected over the course of the last 10 years, adding new dynamics and layers to the conflicts. The link between domestic, interstate and great power conflict and the destabilising potential of this process manifested itself during the Russo-Georgian War in 2008 and the ongoing conflict in Eastern Ukraine. Much trust has been lost between the various actors involved and the rhetoric in public and political discourses has become more confrontational. We are currently facing a situation in which connections between opposing sides remain broken, and the room for dialogue and cooperation is shrinking.

#### PROTRACTED CONFLICTS IN THE POST-SOVIET SPACE

Protracted conflicts are not temporary phenomena; rather, they have existed for more than 25 years and have a far-reaching impact on local, regional and international structures of security. They are one of the main obstacles in the development of Eastern Europe and the South Caucasus. Subsequently, they also determine the realities of the daily lives of millions of people and confront the international community with serious challenges (Relitz 2016). Our understanding of the causes, dynamics and interplay of different levels of protracted conflicts remains limited. Protracted conflicts are often portrayed as predominantly ethnic conflicts (Cordell/Wolff 2010; Kaufmann 2001; King 2001). However, recent research has highlighted the limited explanatory power of ethnicity in actual conflict dynamics. To understand the origin and development of protracted conflicts, it is necessary to “[first look] at the process of fragmentation of political authority and competition for power in contexts of regional and internal political turmoil, contested territories, and divided societies, and second, re-assess the role ethnicity has played in it as a resource” (Dembinska/Campana 2017, 8). Overemphasising the component of ethnicity often leads to marginalisation of the role of local political and business elites, conflicting language policies, competing cultural as well as historical narratives, and delegitimisation and fragmentation of central authority (Smolnik 2016). Many scholars describe the pro-

tracted conflicts in the post-Soviet space as “frozen conflicts” (Bebler 2015; Ortung/Walker 2015). However, the term is very questionable, as it has limited analytical potential and is applied as a political concept. The conflicts themselves are by no means static and frozen (Fischer 2016). The intensity of the conflict and mediation varies considerably over time. In this sense, conflicts are vastly dynamic. Even though the fighting has mostly come to a standstill and a final settlement is often not evident, we can observe multiple dynamics. Recent escalations of the Nagorno-Karabakh conflict show that these dynamics can also result in renewed warfare. According to Hallbach (2007), “frozenness” does not refer to the dynamics and intensity of the conflict, but rather to the stagnating process of conflict management and the irreconcilable positions of the conflict parties.

The renewed East–West confrontation fosters analyses with a geopolitical focus. Discourses surrounding protracted conflicts are shaped and redefined in ways that highlight their international dimension. It is true that most protracted conflicts in the area of the EU Eastern Partnership influence and are influenced by, firstly, the geopolitical competition between Russia and the US and, secondly, the conflict between the two competing regional integration projects: the European Union and the Eurasian Union. The discursive and ideological divisions that are currently being drawn between the West and Russia also limit the room for manoeuvring in protracted conflicts (Tamminen/Relitz/Jüngling 2016, 3). Nevertheless, we should not oversimplify the conflicts by marginalising the regional and domestic levels. Protracted conflicts often gain an identity-defining character that leads to segregation and stereotyping of the other. This is due to the zero-sum character of secession conflicts, in which the underlying positions of both sides are incompatible: they perceive the conflicting object – the affiliation of a territory – to be indivisible. Protracted conflicts are complex and run on different levels. They are composed of at least three levels or concentric conflict cycles. These levels – local, regional and international – are interlinked and influence one another (Relitz/Biermann 2017). However, little is known about the complex interdependencies between these different levels.

The current situation regarding the protracted conflicts in the post-Soviet space is characterised by two main findings: (1) the increasing tensions at different levels of conflict, the collective alienation and (self-)isolation of societies, and the shrinking spaces for dialogue and cooperation over the divide, and (2) the narrow understanding of the complex conflict structures and dynamics, the restricted knowledge exchange between the societies in conflict, and the need for new and innovative ideas in respect of dialogue and confidence building. To tackle these issues, I founded (together with former colleagues from the Leibniz Institute for East and Southeast European Studies, IOS in Regensburg, Germany) in 2016 the **CORRIDORS** initiative.

## DEVELOPING A CORRIDOR FOR DIALOGUE AND COOPERATION

In the **CORRIDORS** framework, we develop and implement projects that enhance knowledge transfer and create new opportunities for direct people-to-people contact across the conflict divide. In a cross-regional framework, we strive to facilitate cooperation between academic and civil society stakeholders so as to revitalise dialogue between communities. **CORRIDORS** aims to enhance awareness and understanding of the context and dynamics surrounding protracted conflicts in specific regions and on an international level. In this way, **CORRIDORS** combines research and knowledge transfer with dialogue in an innovative way.

**CORRIDORS** is designed to be a cross-regional and cross-thematic process that can bypass existing structural limitations in bilateral and monothematic frameworks. Based on a needs analysis from civil society actors from the various regions, we identified several issues that are of shared interest. These common interests can serve as thematic spaces which bring actors together in a cross-regional dialogue. The corridor metaphor is used to strengthen the idea of multi-actor, multi-level processes that focus on problem-finding dialogue and practical cooperation. The corridor that we are building has multiple doors to be opened and closed according to local needs. **CORRIDORS** is an open process that connects actors from particular thematic spaces on different levels and in cross-regional and bilateral frameworks. The cross-regional and cross-thematic framework creates new opportunities for dialogue and cooperation in areas identified by the actors themselves, in a way that addresses the specific circumstances in each protracted conflict and their commonalities. In 2017, we implemented the project entitled “Dialogue through Cooperation” (founded by the German Academic Exchange Service, DAAD) in the framework of the East–West dialogue. The project consisted of three main components: a young researchers workshop, three research fellowships at IOS, and this publication.

In early September, we organised the first **CORRIDORS YOUNG RESEARCHERS WORKSHOP** in relation to the obstacles and opportunities for dialogue and cooperation in protracted conflicts. The project brought together 20 young scholars and civil society experts from Central and Eastern Europe and the South Caucasus for an intensive one-week workshop in Regensburg (Germany). The primary goal of the workshop was to promote dialogue and scientific cooperation beyond conflict boundaries and to facilitate knowledge transfer and mutual understanding across the conflict divide. With participants from Armenia, Azerbaijan, Estonia, Germany, Georgia, Moldova, Ukraine, and the regions of Abkhazia and Transnistria, the workshop formed a cross-regional corridor for dialogue through cooperation. The first phase of the workshop emphasised the peer-to-peer introduction, the reduction of

stereotypes and the development of a mutual vision and a secure framework for dialogue. The experienced facilitators – **Andrea Zemskov-Züge** (Berghof Foundation) and **Cécile Druey** (swisspeace) – trained the participants in the fundamental concepts and provided some practical exercises in dialogue. Within the second part of the workshop, the participants presented and discussed their research projects from different professional and regional perspectives. The participants received feedback from their peers, experienced scientists such as **Stefan Wolff** (University of Birmingham) and **Shalva Tabatadze** (Tbilisi State University), and members of the IOS research group “Frozen and Unfrozen Conflicts”. One thematic set of panels addressed the challenges of human rights protection, political participation and education in relation to protracted conflicts. A second thematic focus was on the interplay of domestic and international conflict dynamics, the influence of international actors, and challenges and opportunities for conflict settlement and international engagement. The participants also used the “corridors” of the workshop to discuss a variety of topics, explore further possibilities for cooperation and establish a network of likeminded young scholars and activists.

The **CORRIDORS FELLOWSHIP** offers young and established scholars from conflict-affected societies the possibility of a research stay at IOS. The fellowships aim to reduce isolation through academic exchange and to deepen cooperation between scholars from the South Caucasus, Eastern Europe, and Germany. In 2017, three one-month research stays provided the opportunity for joint learning, knowledge transfer and the further development of collaborative projects. With special emphasis, we addressed the topic of multilingual language education in conflict-affected regions. **CORRIDORS** Fellows **Rustam Anshba** (from Gudauta) and **Shalva Tabatadze** (from Tbilisi) conducted their research on this highly important topic within the framework of the Georgian-Abkhaz conflict.

## CONTRIBUTIONS TO THIS PUBLICATION

This publication consists of the papers developed and presented by the project participants during the workshop and in the framework of the fellowships. Furthermore, our workshop facilitators provide insights from their work in the field of peacebuilding and dialogue. The publication provides readers with first-hand research from different regions of Eastern Europe and the South Caucasus. Young scholars explore diverse topics connected to the overarching theme of opportunities and obstacles for dialogue and cooperation in protracted conflicts. Thus, the publication contributes to the exchange of knowledge between the regions affected by protracted conflicts, to raising awareness in international discourses, and to further bridging the divide between scholarly and practitioners’ work on protracted conflicts.

As explained above, protracted conflicts are dynamic and have different layers and dimensions which are interconnected. The microdynamics of protracted conflicts was analysed by **David Sarkisyan** (from Yerevan) in his study on the escalation patterns in the Nagorno-Karabakh conflict. Using statistical data on the use of arms from 2010 to 2017, he showed that the conflict is by no means frozen. Rather, multiple circles of escalation alternate with phases of relative stability. Sarkisyan identified escalation patterns and advised international mediators to intensify their activities in the run-up to those risk periods. **Sahib Jafarov** (from Baku) analysed the (trans)formation of group identity in regionally divided ethnic groups. Focusing on the Lezgins, an ethnicity that is divided between Azerbaijan and Russia, he demonstrated that separation by means of state borders poses a significant challenge to the preservation of their unique identity. Besides religion, Jafarov argues that various factors, such as urbanisation, education, and socioeconomic integration, influence perceptions of identity and ethnicity in the Lezgin community. **Yanina Osadcha** (from Kharkiv) explored the complex intersection between different levels of conflict. Analysing the ongoing conflicts in Ukraine and Syria, she illustrated how increased international intervention escalated and prolonged the armed conflict. She further evaluated how the dynamics of both conflicts are interconnected in light of the renewed East–West confrontation. However, Osadcha did not stop at the international level, and showed how local elites use the strategy of transnationalisation of conflict to attract foreign support. Contested and changing identities play a significant role in protracted conflicts.

The protection of human rights and national minorities is a crucial challenge in many protracted conflicts. This challenge is particularly evident for unrecognised or partially recognised states, so-called de facto states. **Lucia Leontiev** (from Chisinau) examined how international human rights law applies to de facto states. She explained that, despite their disputed status, de facto states have human rights obligations. Because they are not temporary phenomena, the international community must find ways in which to deal with them so as to ensure the protection of human rights. Leontiev argued that the international community should grant de facto states a legal personality in order to make them accountable for human rights violations and strengthen their commitment to the protection of human rights. **Andrei Iovu** (from Chisinau) described the situation of national minorities in Transnistria. He compared the legislative framework and the development of minority rights in the Republic of Moldova and in the de facto state of Transnistria. Iovu argued that Transnistrian legislation is ambiguous and the application of international standards is limited. Based on analyses, he provided explicit recommendations to the (de facto) authorities in Chisinau, Tiraspol, and advocated more cooperation of civil society organisations dealing with minority issues on both sides of the Dniester.

Peacemaking and conflict resolution are very challenging tasks, especially under the structural, socioeconomic and political constraints in protracted conflicts. **Shushan Ghahriyan** and **Anna Atoyan** (from Yerevan) stressed the gender perspective in peacemaking. Based on rich empirical data from Nagorno-Karabakh, they evaluated the potential and constraints of women's engagement in peace processes and women's perceptions of war and peace. The research observed that although women participate in war activities, they place a stronger emphasis on peace, but are largely excluded from the decision-making process. Ghahriyan and Atoyan concluded that inclusive peacemaking requires the engagement of various social groups and stronger participation of women. In contrast, **Anatoliy Dirun** (from Tiraspol) applied an institutional perspective. He summarised the current shortcomings and future possibilities of the development of the political and electoral system of Transnistria. He argued that institutions play an essential role in conflict resolution, as they ensure both the stable development of conflicting sides and the stability of relations between them. Dirun found that the lack of programmatic vision to modernise the political system destabilises the sociopolitical system in Transnistria and negatively affects the Moldavian–Transnistrian settlement process. **Nataliia Haluhan** (from Kiev) aimed to define a specific obstacle for peacebuilding processes in protracted conflicts. In her contribution, she extends the concept of spoilers in peacebuilding processes of protracted conflicts. Using the Ukrainian case, she evaluates how the concept of spoilers can be applied to powerful state actors. Haluhan found that the traditional concept of spoiling has to be further developed so as to adequately address the domestic, transnational and international levels in protracted conflicts. A further developed conceptual framework of spoiling behaviour will enable peacebuilders to identify and address all parties in the conflict. Haluhan's contribution makes a first step in that direction. Even when power-sharing arrangements have been made, a functioning mechanism for regional autonomy is not certain. **Elena Antohi** (from Cahul) illustrated this in her research into the centrifugal forces in asymmetric power-sharing arrangements in interethnic conflicts. In her case study on the autonomous region of Gagauzia in Moldova, she identified three main obstacles in the successful implementation of power sharing: socioeconomic competition, domestic power struggles, and geopolitical rivalry. Antohi drew a comprehensive picture of the lack of political will on both sides and the various informal practices that prevent efficient implementation of Gagauz autonomy.

Domestic and international civil society organisations can build alternative spaces and processes for dialogue and cooperation in protracted conflicts when official interactions are limited. **Cécile Druey** (from Bern) revealed the role of civil society in the process of peacebuilding in the post-Soviet space. She argued that civil society could play a crucial role in bridging the frictions between official and unofficial strands of media-

tion and dialogue in order to increase the effectiveness of peacebuilding efforts. However, civil society in the post-Soviet space is notoriously weak and under pressure, suffering constraints from nationalist radicalisation, state repression and external donor agendas. **Andrea Zemskov-Züge** (from Berlin) provided a detailed case study on a specific dialogue process. She demonstrated the possibilities and constraints of dealing with the past in the Georgian-Abkhazian conflict. Focusing on the transitional justice mechanism of truth finding and reconciliation, she outlined the Georgian-Abkhazian dialogue facilitated by the Berghof Foundation. Zemskov-Züge explained the dominant conflict-supporting narratives and the conflicting wartime perceptions in the Georgian and Abkhazian communities. She discussed the possibilities and obstacles of approaching the deadlock of competing narratives, and argued that reconciliation and trust building can be facilitated through constructive dialogue.

Education opportunities and language policies often play a crucial role in the development and escalation of protracted conflicts. Nonetheless, language education can also support bridging the divide and promote social inclusion in conflict-affected societies. In his contribution to this edited volume, **Shalva Tabatadze** (from Tbilisi) outlined the positive effects of mother tongue education and bilingualism in conflict-affected societies. Analysing statistical data on the education system of Abkhazia, he identified major shortcomings in the field of mother tongue education for ethnic Armenian, Georgian and Abkhazian school children. He argued in favour of a developmental approach to education that supports a non-discriminative mother-tongue-based multilingual approach to education for all ethnic groups. This approach should be supported in the international community so as to increase the quality of education and the linguistic tolerance in the region. Similarly, **Rustam Anshba** (from Gudauta) explains that language education in conflict-affected regions can become a tool not only of segregation but also for positive changes, especially in ethnically and linguistically diverse societies such as Abkhazia. He argued that Mother Tongue Based Multilingual Education (MTB MLE) is a very effective education model that can preserve linguistic diversity, as a cornerstone of identity formation of respective ethnic groups, and promote social inclusion. The paper analysed the current challenges of the education system in Abkhazia and explored challenges and opportunities in relation to how to improve it. The author outlines that MTB MLE in Abkhazia has a great deal of potential and can contribute to overcoming many existing educational challenges and linguistic and ethnic tensions within society.

All of the papers offer a different perspective on the diverse set of obstacles and opportunities for dialogue and cooperation in protracted conflicts. Most importantly, the contributions add the local perspective to a debate that is dominated by Western scholars who sometimes lack in-depth knowledge of the different cases. This publication brought together authors at very different stages of their careers, from recent graduates and early-stage PhDs to postdoctoral researchers, professors and established practitioners. Naturally, some of the articles are more developed than others. Nevertheless, all papers raise awareness of the specific dimensions of protracted conflicts, the challenges for human rights and the obstacles for peacebuilding and conflict settlement. This provides us with a more nuanced picture of the specific structures, elements, dynamics and consequences of protracted conflicts. Meanwhile, the authors also identified opportunities to (re-)establish dialogue and cooperation in respect of the conflict divide. In several contributions to this publication, the potential of more inclusive conflict management has been identified. A special emphasis lay on the role that civil society could play and a more active engagement of women and youth. Lastly, the distinct role of language education and education opportunities was highlighted. Education, knowledge transfer and scholarly cooperation can serve as an opening with which to soften the current deadlocks and to bypass structural barriers to dialogue. The **CORRIDORS** project itself demonstrates the opportunities to facilitate dialogue, knowledge exchange and direct people-to-people contact beyond the conflict divide. I would like to use the opportunity to thank the DAAD and the Federal Foreign Office for their previous and ongoing support. Most importantly, I would like to thank all of the authors and the other participants of the project for their engagement, openness and an inspiring working atmosphere throughout the process. We will continue to build joint learning opportunities for the younger generation and facilitate academic cooperation so as to reduce (self-)isolation in protracted conflicts. Finally, we will also continue to raise awareness and promote academic research in regions such as those featured in this publication.

**Sebastian Relitz**  
**CORRIDORS**  
Program Director





Participants of the First Corridors Young Researchers Workshop in September 2017.

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DAVID SARKISYAN

## THE DYNAMICS OF “UNFREEZING” NAGORNO-KARABAKH CONFLICT: EXPLORING ESCALATION PATTERNS AND THEIR POLICY IMPLICATIONS

*This article investigates the micro-dynamics of the Nagorno-Karabakh conflict by examining variation in the intensity of fighting on the line of contact in the period from 2010 to 2017. Cycles of escalation and de-escalation are presented along with the patterns identified by an approximation function. These patterns are interpreted regarding long-term trends and short-term spikes, each correlated with the intensity of the negotiation process. The discontinuous case of the April “4-day war”, which falls outside of the statistical pattern, was studied through the application of a game-theoretic lens. The payoff function for initiator was derived from diversionary war theory, as well as rational choice calculations based on the dynamics of the military balance between Armenia and Azerbaijan. The model was tested against the empirical evidence and was sustained. Based on the findings of this study, several recommendations were proposed to mitigate the risks of new escalation around Nagorno-Karabakh.*

**KEY WORDS:** *Nagorno-Karabakh-conflict, micro-dynamics, line of contact, cycles of escalation*

## INTRODUCTION

Recent years have witnessed several periods of escalation and de-escalation of violence along the line of contact (LoC) around Nagorno-Karabakh. The year 2016 attracted the attention of regional and foreign experts, as the bloodiest year since the ceasefire of 1994. However, despite the numerous pieces of policy analysis published on the subject, several vital aspects have been missing from the discussion. Specifically, a quantitative study of micro-dynamics of the conflict (Kalyvas et al. 2008) may push the discussion beyond the false dichotomy wherein a conflict is either “frozen” or “unfrozen” to allow a discrete analysis of specific escalations, such as the one that occurred in April 2016. This paper addresses the question as a security policy issue, aiming to derive recommendations for international, national and non-governmental actors on how to de-escalate the conflict and prevent avoidable casualties.

In the analysis that follows, we select the number of shots fired per day using regular firearms, by the Azerbaijani side, as reported by the Ministry of Defense of the Nagorno-Karabakh Republic (Nagorno-Karabakh Republic Ministry of Defense 2010–2016), as a proxy variable for the intensity of fighting on the LoC. The selection of this variable assumes that higher levels of fighting intensity (which involve heavy artillery, tanks, drones and other weapons in addition to regular firearms) correspond to higher levels of regular firearm activity.

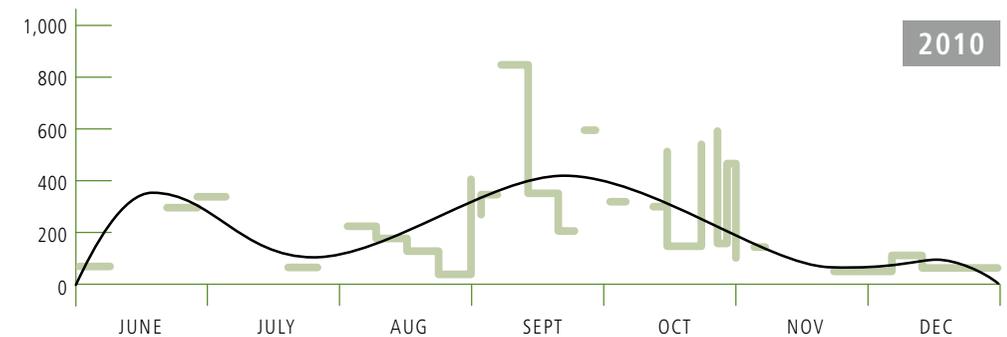
### CYCLES OF ESCALATION

Below we present the graphs representing the fluctuations of fighting intensity from 2010 to 2017. The data is approximated by a polynomial curve. The highest  $R^2$  was achieved when using a sextic polynomial, which indicates that the process is cyclic.

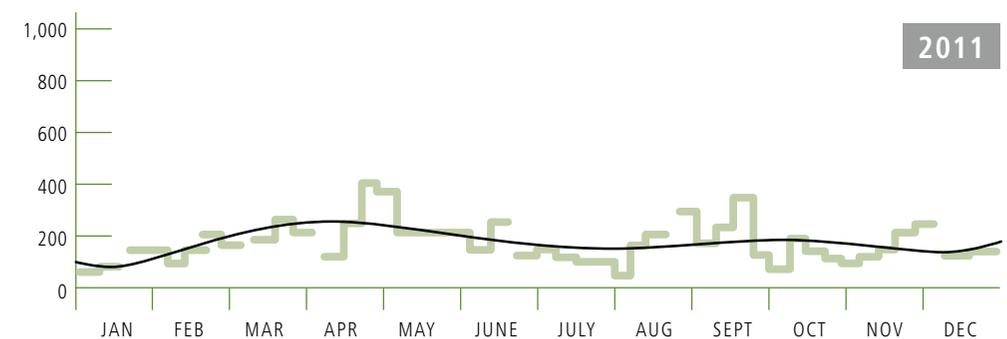
Between June and December 2010<sup>1</sup>, the average daily number of shots fired was 243. That figure did not increase during the following three years, but instead declined to 172 in 2011 and fluctuated upwards only to 191 in 2012 and back down to 173 in 2013. Since 2014, however, remarkable growth has taken place, as daily shots fired averaged at 831, then reached 1,744 in 2015. We are unable to calculate a comparable average figure for 2016, as numbers were not reported for the April War and the weeks that followed.

Standard deviations for the period available were 185 for 2010, 74 for 2011, 109 for 2012 and 57 for 2013. Parallel to the growth in the average number of shots fired each day, the standard deviations have also gone up in 2014 and 2015, reaching 1,100 and 1,172 respectively. Although we are again unable to determine the exact value of standard deviation for 2016, because of missing data, the mere fact of the outbreak of the April War and the subsequent “normalisation” of the situation indicate a considerable variation in the level of violence throughout 2016.

**Figure 1**  
Shots fired by Azerbaijani forces at the NK LoC in 2010 (using regular firearms)<sup>2</sup>



**Figure 2**  
Shots fired by Azerbaijani forces at the NK LoC in 2011 (using regular firearms)



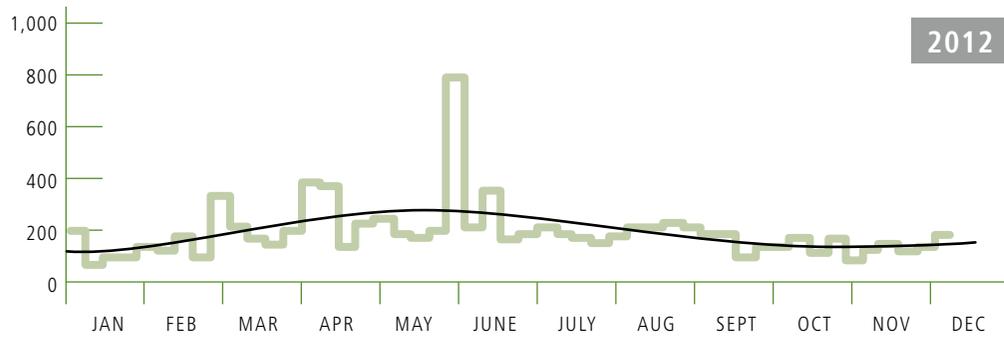
Overall, the number of daily shots from 2010 to 2013 was generally between 50 and 250 (this range encompasses 90% of cases). Since 2014, the situation has been radically different, with the first significant escalation occurring in the summer of 2014. This shift coincided and may have been connected with the rapid decline in world oil prices, which occurred after several years of consistent growth.

<sup>1</sup> Data were not provided systematically by the Nagorno-Karabakh Ministry of Defense until June 2010.

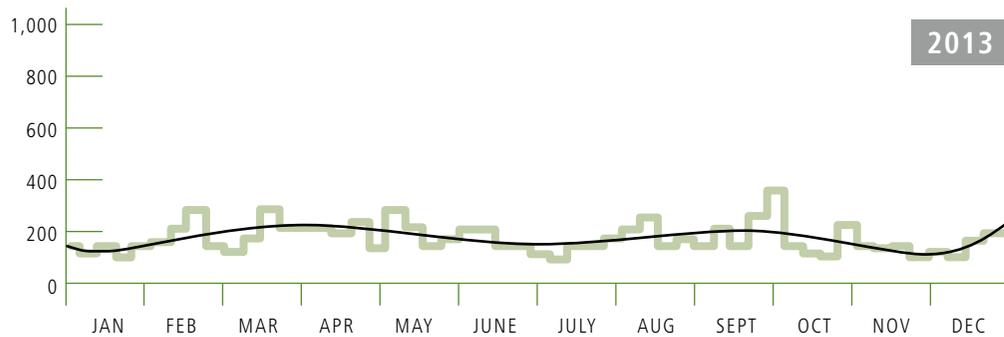
<sup>2</sup> The discontinuity of this graph, as well as those presented in Figure 2, Figure 5, Figure 6 and Figure 7 results from the missing data. The number of shots was not reported by the Nagorno-Karabakh Ministry of Defense for several days.

The graphs showing wave-like patterns of escalation and de-escalation of violence on the LoC around NK testify to the cyclic nature of the process, while an upward transition also can be observed, in 2014. On average, one cycle lasts about 6.5 months. In all cases, the highest level of tension was attained at the interval of plus/minus one month from the maximum of the trend line. Thus, following these cyclic trends, it is possible to predetermine two periods of 2 months for each year when the fighting intensity is likely to reach its yearly maximum. This prediction carries several policy implications for de-escalating the conflict or reducing damage by taking the necessary tactical preparations.

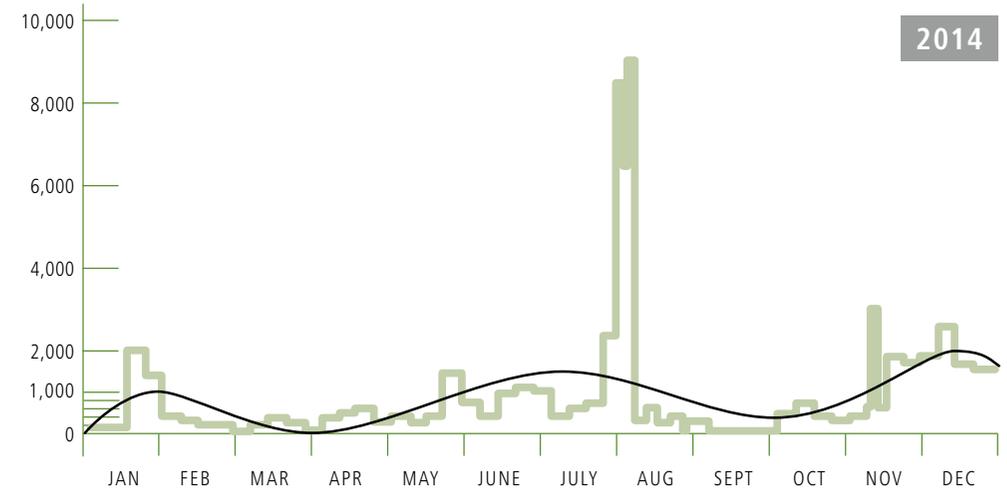
**Figure 3**  
Shots fired by Azerbaijani forces at the NK LoC in 2012 (using regular firearms)



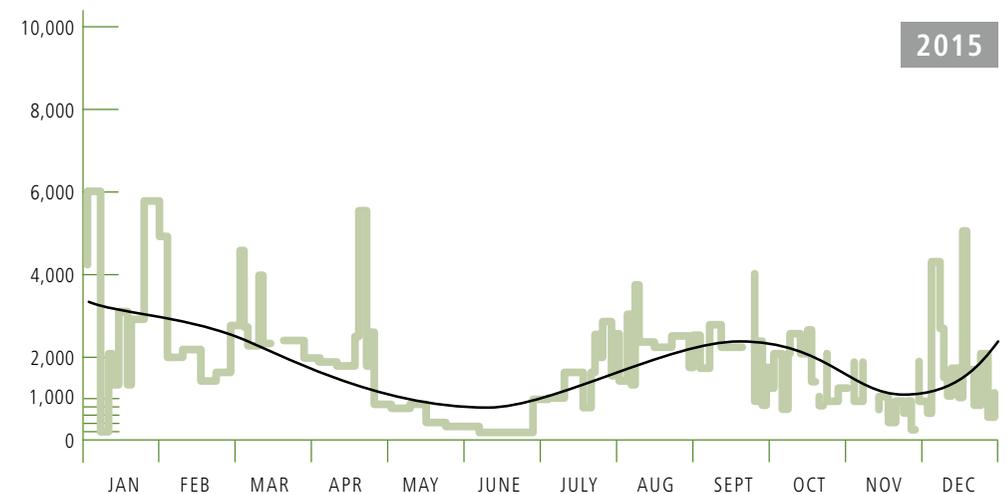
**Figure 4**  
Shots fired by Azerbaijani forces at the NK LoC in 2013 (using regular firearms)



**Figure 5**  
Shots fired by Azerbaijani forces at the NK LoC in 2014 (using regular firearms)



**Figure 6**  
Shots fired by Azerbaijani forces at the NK LoC in 2015 (using regular firearms)

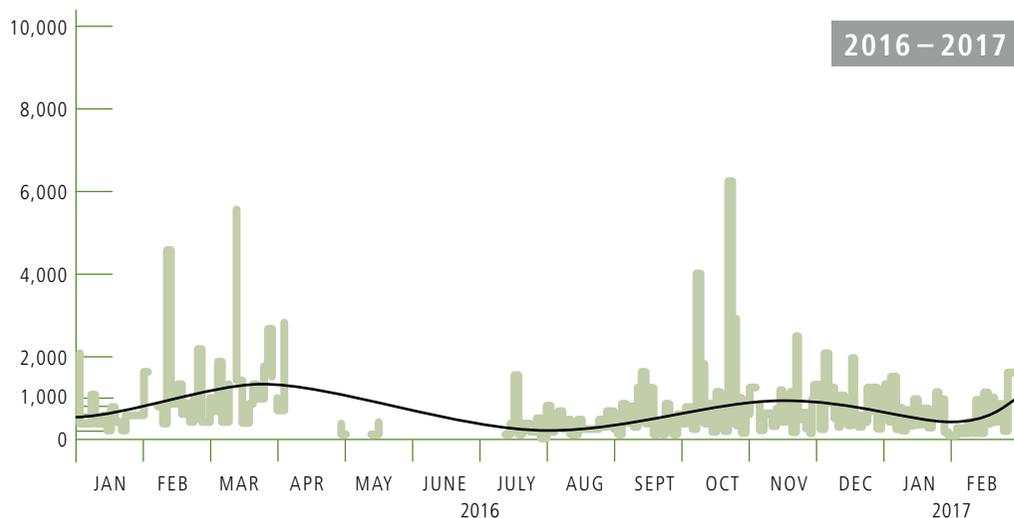


Approximately the half of the variation of conflict intensity (understood as escalation and de-escalation of fighting on the LoC, and measured in terms of R2) is explained by the cyclic trends.

Naturally, some of the variation in the trend line is influenced by other potential causal factors besides time (the only independent variable taken into consideration so far). The inclusion of these variables in the model may increase its descriptive potential.

In particular, the link between the micro-dynamics of NK LoC fighting intensity and the high-level negotiations and meetings between Sargsyan and Aliev, as well as Nalbandyan and Mamedyarov (the presidents and ministers of foreign affairs of Armenia and Azerbaijan) is intriguing. Levy and Thomson (2010, 9) argue that diplomacy and the use of military force have been falsely presented as two mutually exclusive options for protecting national interests. By contrast, some negotiating strategies may incorporate the use or threat of force, affecting the cost-benefit calculations of one’s opponents and coercing them into altering their previous course. Such a strategy may aim at credibly signalling that the costs of persistent rivalry would be so high that it is rational to concede by agreeing to a negotiated settlement. To illustrate this concept, Levy and Thomson (2010, 9) cite the subtitle of Sisk’s book (Sisk 2009) “bargaining with bullets”.

**Figure 7**  
Shots fired by Azerbaijani forces at the NK LoC in from January 2016 to February 2017



The negotiations on Nagorno-Karabakh mediated by the so-called Minsk group have been ongoing for years. Two Russian presidents, Medvedev and Putin, have also sponsored negotiations between Armenian and Azerbaijani heads of state, outside of the Minsk process. The periodicity of high-level summits and talks has varied, with intervals of frequent meetings followed by diplomatic inactivity. We can theorise that the desire to gain a military advantage before the ultimate talks and to use this situation as leverage at the negotiating table, can drive the escalation of fighting.

**Figure 8**  
Shots fired by Azerbaijani forces at the NK LoC (by regular firearms) shown along with high-level meetings<sup>3</sup>

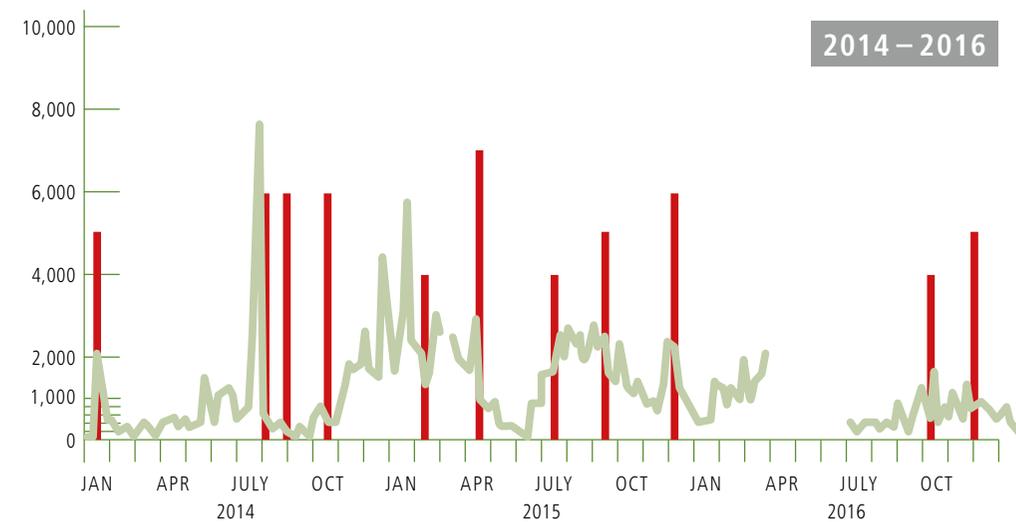


Figure 8 presents the average number of daily shots (calculated per week) between 2014 and 2017 in horizontal graph, while the vertical lines mark the dates of the negotiations process and meetings mentioned above, as well as the Centennial of the Armenian Genocide (24 April, 2015) when high-level visits were paid to Yerevan. Escalations of fighting preceding some of the red vertical lines are obvious. It is important to note that it is not the case that negotiations and meetings were held to de-escalate the situation after an incident because those meetings were scheduled and announced well in advance. Therefore, combining short-term spikes before meetings with longer cycles of escalation and de-escalation allows for a fuller understanding of the process.

<sup>3</sup> The discontinuity of the graph in this case again results from the missing data, as explained in footnote 2.

This kind of descriptive statistical overview may point to long-term gradual escalations along with small, short-term hikes in the intensity of the fighting. However, perhaps more important for the policymakers are early warnings of massive short-term hikes as represented by the April War of 2016, which claimed more than one hundred lives from each side (by official count) in a matter of four days.

This paper interprets the intensity of fighting primarily as resulting from a strategy rationally chosen by the initiator. The range of possible strategies may vary from the total observance of the ceasefire to all-out war engaging the initiating country's full military capacity. Building on the assumption, familiar in the formal literature on international relations that actors make rational decisions to maximise their expected utility, I theorise that the choice of a specific strategy (corresponding to initiating a specific level of violence on the LoC) is stipulated by the initiator's utility function. One crucial specification, in this case, is that the utility function is mostly stable but is subject to minor changes over sufficiently long periods of time, as political elites may revise their perceived interests and opportunities about a changing political context (exogenous variables). Thus, the influence of other causal factors on the behaviour variable is not ruled out; instead it is mediated by the utility function of the player.

An essential point of departure for such analysis is determining the initiator. While both conflicting parties officially blame their opponents, Broers (2016, 16) mentions that *“few disagree that the overall strategic context points to Azerbaijani interests in destabilising the LoC as the front line of occupying forces”*. He adds that Azerbaijan has declined several proposed confidence-building measures, such as pulling the snipers back from the front line or implementing an incident investigation mechanism. Also, the seizure of strategic heights controlled and carefully fortified by Armenian forces, during the first hours of the “April War” (on 2 April 2017) indicate a well-planned offensive. Armenian positions near Talish, Seysulan and Lale Tepe, where the heaviest fighting took place, mostly coincided with easy-to-defend heights, while moving the LoC even a short distance into Azerbaijan-controlled territory would result in a less defensible line for the Armenian side, which seems unreasonable from the military point of view. It, therefore, seems logical to interpret the April War as initiated by Azerbaijan. Therefore, only the utility function of Aliev's regime, the decision makers on the Azerbaijani side, will be further considered as an explanatory factor.

## UTILITY AND SHORT WAR

The payoff for initiating a short-term war aimed at seizing territory is given by the following function:

$$U_w = Pr(V) V + D_w - C_w \quad (1)$$

where  $U_w$  is the above-mentioned payoff,  $Pr(V)$  is the probability of victory and successful capture of the territory,  $V$  is the strategic value of victory,  $D_w$  is the domestic support in case of war (diversionary effect) and  $C_w$  stands for the losses that the Azerbaijani side will suffer including manpower and machinery.

On the other hand, the payoff for maintaining a level of conflict intensity  $n$  along the LoC (with no military action aiming at a territorial change) is:

$$U_n = D_n - C_n \quad (2)$$

where  $D_n$  is the domestic support resulting from a level of violence  $n$  (the diversionary effect created by that level of violence), while  $C_n$  represents the corresponding costs. Thus, moving from level  $n$  to a higher level,  $n+1$ , would only be rational if:

$$U_{n+1} > U_n \quad (3)$$

$$D_{n+1} - C_{n+1} > D_n - C_n \quad (4)$$

$$D_{n+1} - D_n > C_{n+1} - C_n \quad (5)$$

This representation indicates that it is rational to escalate if the utility from the growth of domestic support due to the stronger diversionary effect of the war is higher than the surplus in costs.

At the same time, the condition for rationally initiating a short war to capture territory is:

$$U_w > U_n \quad (6)$$

$$Pr(V) V + D_w - C_w > D_n - C_n \quad (7)$$

$$Pr(V) V + D_w - D_n > C_w - C_n \quad (8)$$

Meanwhile, according to catastrophe theory<sup>4</sup>, if the inequality did not hold initially, whenever the inequality starts to become true, as a result of smooth changes in the control variables, a sudden jump in the behaviour variable is expected to occur, expressed as the initiation of war. To interpret this process more precisely, the article will now offer a discussion of each variable included in the last inequality, in turn.

### MILITARY FACTORS

The first factor, the probability that Azerbaijan will achieve its military objectives, can be argued to be dependent on the ratio of Azerbaijani to Armenian military capacity (the latter representing the combined military forces available to the Republic of Armenia and the de facto Nagorno-Karabakh Republic). The larger the ratio is in favour of Azerbaijan, the higher the probability of winning in a clash. Military budgets can be considered to serve as proxies for military capacity. The trend lines for Armenia’s and Azerbaijan’s military budgets (SIPRI 2016) are presented in Figure 9<sup>5</sup>.

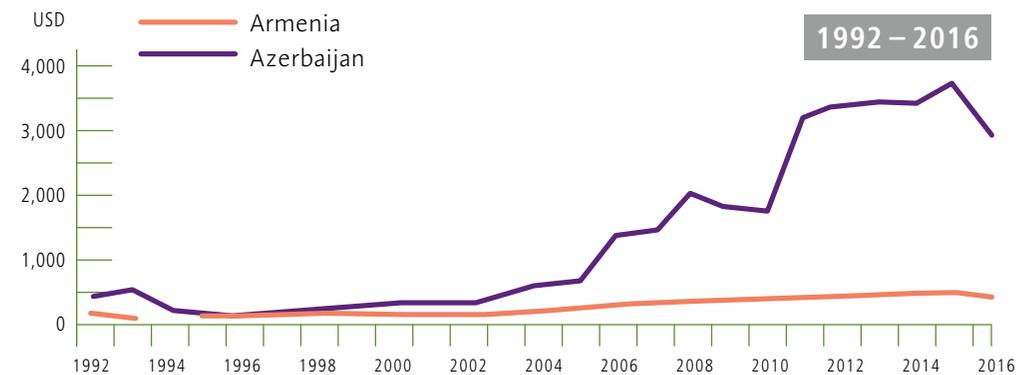
Rational actors would opt to wait for an additional period while anticipating that the relation between the two sides’ military capabilities will shift in their favour, and attack when this ratio, and the probability of winning, reaches its maximum. The decline in oil prices was a massive blow to Azerbaijan’s economy, which made the Aliiev regime initiate austerity and even reduce the military budget. Additional cuts were planned for 2017 (Kucera 2016), while Armenia announced that it would increase its military budget (Armedia 2016). This situation implies that the ratio between Azerbaijani and Armenian military expenditure was bound to decrease. The maximum was reached in late 2015 or early 2016, which represented an opportunity for Azerbaijan to attack.

4 Developed by French mathematician Thom (1989) and further elaborated and applied to social contexts by Zeeman (1977), catastrophe theory, in a nutshell, is a theory of “jumps” or abrupt changes in mostly smoothly changing systems. One of the early attempts to apply it in international relations (Holt et al. 1978) was aimed at building a system-level model for comparing the processes that led to the First and Second World Wars. Rummel (1987) has successfully tested his catastrophe theory model on India – Pakistan annual conflict-cooperation data from 1948 to 1973, explaining the outbreaks of two wars between those two nations.

5 There is no reliable data for Nagorno-Karabakh military expenditure.

Figure 9

Armenia’s and Azerbaijan’s military budgets in millions of USD



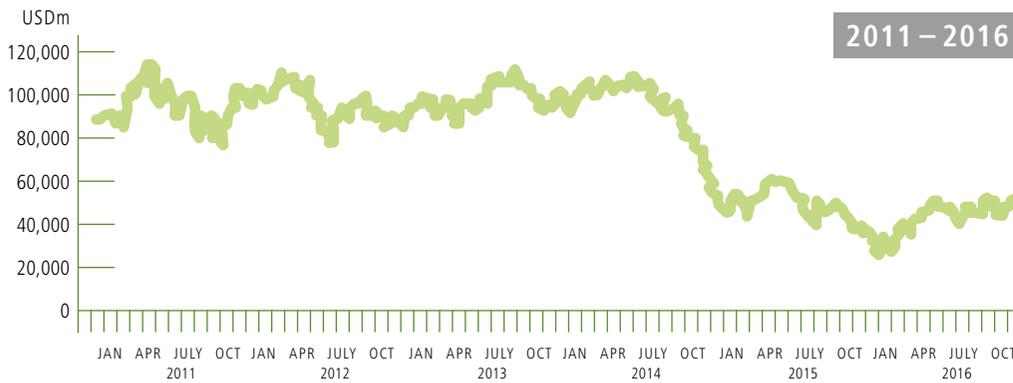
### DIVERSIONARY WAR

I consider  $V$  to be constant in this context, as the geographic-military significance of a given territory is unlikely to vary significantly within the span of a few years. Therefore, the next factor to consider is the diversionary effect<sup>6</sup>. From formula (8) it follows that the more significant the difference,  $D_w - D_n$ , the higher the risk of war, which means that the smaller the domestic support for a government ( $D_n$ ) at some pre-war level of violence ( $n$ ), the more probable a war becomes. One of the essential factors determining domestic support in Azerbaijan is the world price of oil because the economy and the well-being of the population are heavily dependent on it. The dynamics of oil prices (Federal Reserve Economic Data 2011–2016) is presented in Figure 10.

The lowest value for domestic political support for the Azerbaijani government was attained in early 2016 when a wave of protests rolled through Azerbaijan and living standards declined significantly. Although the war took place in early April 2016, when oil prices had already started to climb slowly, it can be argued that the decision to initiate the war was probably made at least one or two months before its outbreak (when the world oil price was at its lowest), to allow for appropriate military preparations.

6 A number of studies have testified that external scapegoating and “rallying around the flag” is beneficial for democratic (Mueller 1973; Kernell 1978) and authoritarian (Haggard/Kaufman 1995; Geddes 2003; Treisman 2014) regimes.

**Figure 10**  
End of day commodity futures price quotes for crude oil (WTI), 2011 – 2016



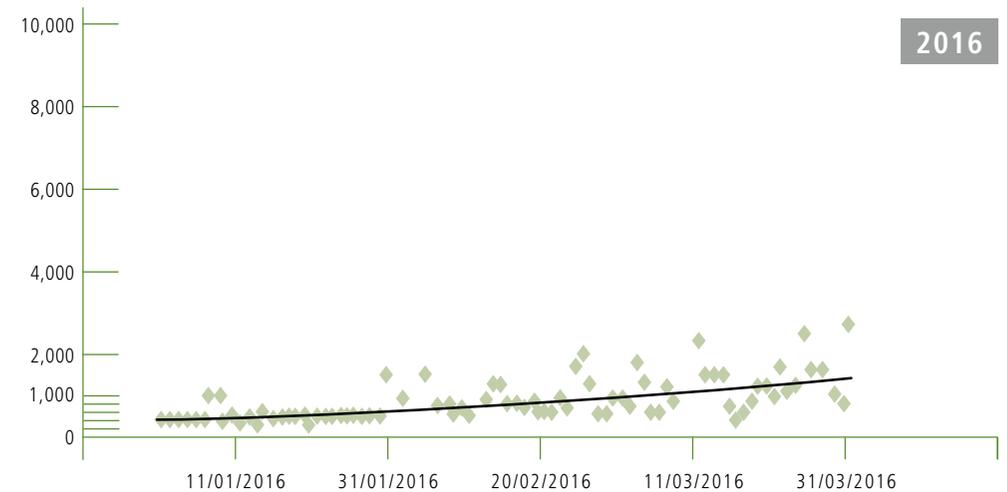
**COSTS**

The final control variable is the pre-war costs associated with different levels of fighting. Formula (8) implies that the smaller the right side of the inequality ( $C_w - C_n$ ), the greater the risk of war will be. Thus risk increases along with  $C_n$ , because the larger  $C_n$  is, the smaller  $C_w - C_n$  will be. Therefore, the costs associated with the pre-war levels of violence can also act as a causal variable that influences the calculations of the initiator of the short war. From inequality (5) it follows that the dynamics of the diversion effect may drive a pre-war escalation and the costs associated with it. At the same time, the increase in those costs may, in turn, increase the probability of initiating a short war.

On the eve of the April War,  $C_n$  was at its highest historical level. While no exact data on Azerbaijani casualties exists, most sources agree that the death toll was much higher in 2014 and 2015 than in 2013.

Also, it follows from formula (5) that the intensity of fighting on the LoC was growing during the first three months of 2016, in parallel to a deteriorating economic situation and growing unrest in Azerbaijan (the national currency, the manat, was rapidly losing value between mid-December 2015 and mid-March 2016). Figure 11 presents the daily number of shots fired by the Azerbaijani forces from regular firearms (y-axis) between 1 January and 1 April 2016 (Nagorno-Karabakh Republic Ministry of Defense 2010 – 2016). The graph also contains an added exponential trend line, resulting in an  $R$  square value of 0.47. Thus, not only historical but also the short-term  $C_n$  was reaching its maximum value on the eve of war, assuming that higher intensity of fighting corresponds to higher casualty rate.

**Figure 11**  
Shots fired by Azerbaijani forces at the NK LoC from January to March 2016 (by regular firearms)



It has been shown that initiation of a short war targeted at territorial acquisitions in the NK LoC is conditional on one or several causal variables reaching a critical point, specified through the utility function of the initiator. In turn, the end of the war is tangent on reaching the payoff outlined in formula (8).

Thus, the April War ended with a Moscow-mediated ceasefire after a significant rallying around the flag had taken place in Azerbaijan, with patriotic marches occurring in Ganja and Baku (Broers 2016, 13). The cessation of hostilities also happened after some territory (800 hectares) was captured by Azerbaijani forces, which was both a symbolic victory, galvanising the domestic support, and had some strategic significance as previously Armenian-held fortified posts had been located on militarily important heights transferred to Azerbaijan.

The fighting stopped after the war evolved after a few days into a painful stalemate. Armenian forces retook lost regions near Talish, and there was little perspective for further territorial gains ( $V$ ) for either side. Finally, the short duration of the war did not let war costs ( $C_w$ ), notably the casualty rate, significantly outgrow the yearly figures of pre-war costs ( $C_n$ ) so that the right-hand side of formula (8) did not exceed the left-hand side in value.



SAHIB JAFAROV

## IDENTITY (TRANS)FORMATION IN DIVIDED ETHNIC GROUPS: THE CASE OF LEZGINS IN AZERBAIJAN

*The primary purpose of this paper is to shed light on identity issues, with the focus on identity transformation in split ethnicities. After the fall of the Soviet Union, the majority of ethnic conflicts, such as those involving the Lezgins, Talysh, Ossetians and Armenians, sprang out of people's perception of separation by borders as a major threat to their unique identity. In the case of Lezgins, identity transformation from ethnicity to religiosity occurred in a quarter of a century, causing an identity clash within this ethnic group. Individual interviews were conducted with 9 Lezgins to research problems of identity (trans)formation of Lezgins in Azerbaijan at a time of an upsurge in religiosity among Lezgins of Russia and Azerbaijan. The paper illustrates, that besides religion various factors, such as urbanisation, education and integration significantly influenced the perceptions of identity and ethnicity in Lezgin case.*

**KEY WORDS:** *ethnicity, nation, religion, Islam, Azerbaijan, Lezgin*

### INTRODUCTION

Historically, the North Eastern region of Azerbaijan is a multi-ethnic region, with several ethnic groups that identify themselves distinctively as Lezgins, Udis, Tsakhurs, Ingiloys, Kryzs, Avars, Khinaligs and Budugs, whereas their religious identity remains united (i.e. Islam). Lezgins are the predominant subgroup, with a population of 180,300 according to the 2009 nationwide census (State Statistical Committee of Azerbaijan 2009). By comparison, according to the 2010 census, there were more than 473,722 Lezgins living in Russian side of the border (Federal State Statistics Service, 2010).

In 1860, as part of the Russian Tsarist territorial policy, Lezgin-populated regions were split between Russia (Dagestan oblast) and Azerbaijan (Shemakhanskaya Guberniya) by annexing the Kurin Khanate and Derbend County to Russia and severing Lezgins historic connections to the South Caucasus. However, the Lezgin community remained close-knit, as national borders that split the region did not come into force until and after the establishment of USSR. However, in 1921 and 1965, there were two Lezgin revolts (Matveeva/McCartney 1997–1998, 213-252) expressing a

desire for unification of Lezgin-inhabited lands of the region under Russian administrative control. After the fall of the Soviet Union, Lezgins split into two camps and lost their cultural interactions with their counterparts on the other side of the border due to problematic relations between Russia and Azerbaijan in the early period following independence. This split contributed to the sudden emergence of an ethnic conflict in the region, with Lezgins at a crossroads of self-determination due to being ethnically split by two states.

Furthermore, the first war in Chechnya forced Russia to implement strict border controls to prevent Islamic guerrillas entering the Chechen Republic through Azerbaijan. These border controls led to an intensification of nationalistic ideas among Lezgin people on both sides of the border, with both groups viewing the border as a threat to their ethnic unity (Minahan 2002, 1084-1090). In 1996, following talks between Azerbaijan and Russia on simplification of border passes; the threat of isolation of the Lezgin people was eliminated.

The second Chechen War, in which the idealistic goals of the Chechen movement shifted from ones based on ethnicity to ones focused on religion in a concise period with the Islamic ideological and financial support of Arab countries (1995 to 1999), had a significant influence on the approach of the Lezgin people to their identity. In particular to those living on the Russian side of the border (Gordon 2007, 174-216; Yarlykapov 2012, 28-30). On the contrary, there were two contradictory views of ethnicity and religiosity among ethnic Lezgins in Azerbaijan, with one side supporting Islamic Sharia and the other rejecting Islamic way of life and appearing apathetic towards their counterparts in Russia for their radicalised devotion to Islam (Minahan 2002, 1084-1090).

This study will attempt to explain how and why ethnicities divided by borders establish and tend to change their identities, drawing on the case of Lezgins in Azerbaijan. It will also consider the preconditions conducive to the emergence of identity clashes within specific ethnic groups and communities. The existing literature mainly reflects on stateless ethnicities with respect to a single home state (Minahan 2004, 25-139; Hannerz 1989, 78-102). Indeed, Alesina et al. (2011, 15-33) assume that the states that split one specific ethnicity by border are an artificial one. The nature of the ethnic identity (i.e. matching or contradictory) of ethnic communities, such as Kurds, Azerbaijanis, Lezgins, Pashtuns, Balochians, Ossetians et al., residing in territories of two or more countries has rarely been studied. A comprehensive study is needed to identify the major and minor players in the identity politics of these communities. This paper looks at the identity crisis faced by Lezgins after the fall of the Soviet Union. It considers factors that played a role in this formation, including their historical background, in addition to religion. It also asks whether identity transformation is possible.

## DEFINITIONS OF CORE CONCEPTS AND THEORETICAL PILLARS

Identity is the result of subjective inner perceptions, self-reflection on the environment and external naming (Tajfel 1978, 77-101). Mol (1978, 35-57) claims that identity conception should be perceived in two different ways in the social sciences. The first stream of identity theory argues that identity is an immutable or slowly changing element of individuals. The second stream asserts that identity is adaptable and transitory and can rapidly shift as individual moves from one social setting to another. According to Mol (1978, 35-57), institutions are the decisive factor in determining whether identity is adaptable or immutable, with family-, religious- and ethnic-oriented institutions stimulating the maintenance of identity.

Foucault (1977, 79-108) was the initial and foremost exponent of the idea that collective identity is a concept that serves to maintain the balance of the power triangle of authority, resources and status. Following other social constructivists and social identity theorists, Foucault's theory is based on the belief that the collective wisdom of identity is a tool for the reduction of inter-group threat, which is caused by asymmetric power. Brubaker and Cooper (2000, 176-179) argue that individual or collective identity not fall within the spectrum of self-interest but is strongly associated with self-understanding and sameness perception.

In definitions of ethnic identity, there are many recurring themes, such as a shared history, culture, language, race and geographical settlement, in addition to a strong sense of religious solidarity. Both internal and external factors play a role in ethnicity. External aspects of ethnic identity include observable behavioural patterns, such as speaking the same language, practising ethnic traditions, attending ethnic-based institutions (church and schools) and taking part ethnic-based activities with family and friends. Internal aspects of ethnic identity indicate mindsets, attitudes, images (historical symbols, events or leaders) and feelings (Wsevolod 1993, 267-269).

There are three core schools of thought as regards the importance of external and internal aspects of ethnic identity: Primordialist, constructionist and instrumentalist. The Primordialist school of thought (Geertz 1973; Shils 1957; Isaacs 1975; Berghe 1989) argues that ethnic identity is inherited from one's ancestors and that it is a static notion, locked in a particular ancestral bloodline. This school of thought includes culturalist and sociobiologist perspectives and considers that physical and cultural elements play essential roles in defining ethnic identity. For example, maternal blood kinship (culturalist) is sufficient to be considered Jewish or having a physical appearance to someone of Japanese descent (sociobiologist) is deemed sufficient to be identified as Japanese. However, primordialist theory cannot explain how ethnic identity changes or disappears. The theory also falls short in considering the roles

that outside the box factors, such as economic and political influences, play in ethnic romanticism and tradition (Glazer/Moynihan 1963, 207-213).

The constructionist school (Anderson 1991, 1-47; Bloom 1990, 55) asserts that ethnicity is an artificial impulse arising from a sense of belonging and that it can be socially constructed merely by highlighting non-static and adaptability features of ethnic boundaries. Constructivist theorist Sarna (1978, 370-378) defines the circumstances that cause the emergence of ethnicity as ascription and adversity. According to Sarna (1978, 370-378), under conditions of ascription, external factors define an individual's sense of ethnic belonging through formal institutions. Under conditions of adversity, the individual feels compelled to align him/herself with a specific group made up of the discriminated or prejudiced against. The core problem with the constructionist school of thought is that it fails to elaborate on the role played by ancestral ties, which primordialism adamantly assert play a vital role in ethnicity.

The approach of the instrumentalist school in explicating the emergence of an ethnic identity overlaps with that of social identity theorists and rational choice theorists (e.g. Banton 1983, 399-434; Hechter 1988, 57-69). All three schools of thought explain ethnic identity from the perspective of a power struggle over insufficient resources. Instrumentalists believe that a person is motivated to become part of an ethnos when the subscription to a cause promises profuse economic (material) and political (moral) returns. Instrumentalists perceive ethnicity as comprising a coalition of individuals over authority, resources and status (Collier/Hoeffler 1998, 79-82). Glazer and Moynihan (1963, 207-213) claim that ethnic groups are not only tools for political mobilisation but also interest groups that work efficiently due to their unique cultural homogeneity.

In the present paper, I underline the importance of the primordialist approach in explaining the Lezgin case. Although this approach is considered outdated today, Lezgins, especially those living in rural areas highlighted the role of ancestral kinship as a major attribute of being a Lezgin during interviews. However, weaknesses of the primordialist approach need to be acknowledged. For example, the approach cannot be applied to examine economic and political elements of the Lezgin case or questions regarding the revival of religious identity. Taking the issues above into account, I employed rational choice theory to test the following hypothesis (Hypothesis 1):

A sense of national identity (Azerbaijanism-civic nationalism) or universality would be significantly higher among urbanized, integrated and educated Lezgins than among rural-dwelling and poorly educated Lezgins.

This hypothesis does not consider urbanisation, integration and education separately. Just 21.8% of Lezgins in Gussary (one of the biggest Lezgin populated region/city) live in urban areas, and only 6.4% of the population in the city have a higher education (The State Statistical Committee of Azerbaijan 2016). Despite the fact that very few members of the population live in urban areas or having higher education, I believe it is worthwhile considering how integration and economic factors influenced the identity perception of urbanised Lezgins since independence.

Taking into account that the vast majority (69%) (The State Statistical Committee of Azerbaijan 2016) of Lezgins live in rural areas and have benefited little from the economic wealth of the country, they likely hold more primordialist views of ethnic unity, views that may well clash with the national identity of the country. Therefore, I propose the following (Hypothesis 2):

Ethnic identity would be superior to national identity among countrified ethnic groups, divided by political borders.

Furthermore, the second Chechen War dramatically altered societal dynamics in the North Caucasus, with religious affiliations and values coming to the fore. Just after the fall of USSR, compared with the north, the upsurge of religion was slow in the south (Minorities at Risk Project 2003). The rapid resurgence of Islam in the north had a significant adverse effect on ethnic unity among Lezgins. Taking these factors into account and presuming that Lezgins in Russia and Azerbaijan were Sunni Muslims since the Arab invasion of the Caucasus, I propose that (Hypothesis 3):

Although Lezgins in Russia and Azerbaijan were Sunni Muslims, religion/Islam was not an active unifying element of Lezgin identity among those living in the Caucasus region.

## RESEARCH QUESTIONS, METHODOLOGY AND DATA COLLECTION

In the present paper, I address the following questions:

1. How did the upsurge of religion/Islam change the identity perception of Lezgins in Azerbaijan?
2. Did religious affiliation contradict ethnic identity among Lezgins?
3. Was a strict border policy, which limited visits by Lezgins to relatives in the north or south of the country, the principal cause of the rise in ethnic sentiment among Lezgins?
4. Did urbanisation, integration or educational background influence the attitudes of Lezgins towards their identity?

Given the ethnic and religious dichotomy among the Lezgin population, this paper adopted a qualitative research method to understand public attitudes in the region towards identity perception. The weakness of qualitative methods is the subjectivity of both the interviewee and interviewer. Thus, the findings of qualitative research should take account of individual attitudes and thoughts (Sale/Lohfeld/Brazil, 2002, 43-53). In Lezgin case, views and attitudes towards identity differed significantly, depending on personal beliefs, place of residence (urban and rural), inter-ethnic marriage, education and employment. Thus, semi-structured interviews were selected to discuss identity perceptions, contradictions and trends. This methodology lends itself to open-ended questions that do not limit discussion and allows follow-up of specifics that require additional clarification. According to Cohen et al. (2000, 167), semi-structured interviews can provide a comprehensive of various aspects of narratives, facts and texts that are associated with ethnicity and religiosity perceptions from normative and descriptive stands.

To test the abovementioned hypothesis, interviews (average duration is 40 minutes) were conducted during the period from July 20 to August 5, 2017. The study group consisted of 9 Lezgins (6 males and 3 females, the average age of 39 years) living on the Azerbaijani side of the border. The participants were from very divergent educational (4 higher, 4 secondary, 1 ongoing higher) and residency backgrounds (5 urban, 4 rural/Gussary, Baku, Oguz and Khachmaz) and had different views on ethnicity and religiosity. The interviews were recorded with the permission of interviewee, and after transcribing the recordings, all recordings were destroyed. The qualitative analysis has been done by the Nvivo 11 software support.

## RESULTS AND DISCUSSION

Following independence (1992-1993), the ruling nationalist government of Azerbaijan failed to unify all ethnicities under a single flag. In response to widespread separatist ideas of Lezgin nationalists (Sadval), the government compromised on its goal of a unified identity for all the people in the country in favour of an all-inclusive multi-cultural model. After 1993, with strong support from the national government of the time, headed by Haydar Aliyev, the concept of "Azerbaijanism" finally succeeded in appeasing all parties involved in the process of unifying the various ethnic groups in the country. The way in which Lezgins perceive national identity in the context of Azerbaijanism is unclear. Arguably, there are very diverse views among Lezgins on this ideology. Many Lezgins, particularly well-educated individuals living in urban and suburban areas, maintain the importance of Azerbaijani citizenship side by side with expressing a unique ethnic belonging. Based on the interviews, it could be concluded that ethnic identity, as a whole does not contradict ideas of citizenship

and rights of Lezgins in Azerbaijan. However, it should be noted that the values and memories of Lezgins living in urban centres in the northern and eastern Azerbaijan are more in line with those of Azerbaijanis than Lezgins living in the Dagestan Republic.

Interviewee (7) (male, 45-year-old university professor, PhD, urban-Baku) underlined that: *“Although my family is originally from Makhachkala, a densely populated area with Lezgins, I always say that I am Azerbaijani first and Lezgin second. I was born in Baku, and I have more values in common with Azerbaijanis, as well as memories of my time here than with my relatives in Makhachkala. I have never introduced myself as Lezgin in conversation. However, if asked insistently, I will admit to being a Lezgin...I have very weak connections with my relatives living in Dagestan. Maybe that is because of my lack of spare time due to my lifelong educational goals”*

According to the interviewed Lezgins, it could be argued that national and ethnic identities are not two competing elements of identity for urbanized individuals. Interviewee (8) (Female, 21-year-old, university student, urban-Baku) clarifies this by stating:

*“Azerbaijan is my country, and it is my universal right as a citizen to be here. No matter what ethnicity you belong to, if you were born here, you have a right to claim to be an Azerbaijani. There is no other motherland for me except this one. In my view, being both a Lezgin and an Azerbaijani is not contradictory”.*

As shown by the interviews, the economic climate was one pivotal element in Lezgins' emerging pro-Azerbaijan disposition and re-evaluation of their choice of identity. About the life quality of Lezgin communities both in Russia and Azerbaijan, the interviewees indicated that Azerbaijan offered more economic opportunities than did Dagestan Republic, Russia. Interviewee (8) (Female, 21-year-old, university student, urban-Baku) expressed the following:

*“If we consider cultural rights, the situation in Dagestan is much better than in Azerbaijan. Linguistic rights are better protected in Dagestan, and we have our own TV channels, journals etc. However, the economic situation and welfare are significantly better in Azerbaijan for Lezgins [...]”*

During the early years following independence, Azerbaijanis, together with other ethnic minorities in the country, suffered gravely from an unstable and often unfavourable economic environment. However, after two decades of economic instability, oil revenues flowed into Azerbaijan as a result of oil exporting contracts in the early 2000s. As a result, GDP per capita increased from 397 U.S. dollars in 1995 to 7,825 dollars in 2014 (World Bank 2017). This kind of economic boom made Azerbaijan

a more attractive country for its citizens. During this period, the Azerbaijani government invested more than a billion dollars in tourism in Lezgin-inhabited regions. However, whether Azerbaijan remains a rational choice of ethnic identity for Lezgins since the economic crisis in the country in 2015 (3,876 in 2016) is debatable.

All this abovementioned arguments and approaches of interviewed Lezgins toward the question of whether ethnic or national identity feelings prevail for them revealed that national devotedness in the form of civic nationalism is considered as a privilege not opposing with their ethnic identity. As a result, urbanised Lezgins' attitude towards the raised query approves the Hypothesis 1.

Based on the sentiments expressed by the interviewees, it could be argued that Lezgin ethnic identity is neither a choice nor an artificial concept. To elaborate, it is widely accepted that having Lezgin blood or being descended from a Lezgin is enough to be considered Lezgin. In contrast, an ability to speak Lezgi is not a decisive factor in being identified as Lezgin. Interviewee (6) (male, higher education, 36 years old teacher, rural-Oguz) explained this point by arguing the following:

*“Having a Lezgin ancestor is enough to be identified as Lezgin. However, speaking the language is not a strong reason for ethnic solidarity. For instance, learning Lezgi language or following Lezgin traditions do not make you Lezgin: You simply have to have Lezgin blood”.*

However, many of the interviewees were firmly in favour of the idea of teaching the Lezgin language to children, depending on their place of residence. It was also implied that marrying to a Lezgin girl or boy was one way of maintaining Lezgin culture and language. Interviewee (1) (male, middle school, 58 years old, rural-Gussary) clarified this as follows:

*“Ethnicity comes with specific values, family morals and traditions. These values may be considered meaningless by younger generations. Furthermore, linguistic and other differences may be a cause of conflict within the family. Maintaining and transmitting the Lezgi language and cultural values should be an obligation and honour for every Lezgin”.*

Another interesting finding was that although some of the interviewees claimed never to have learned Lezgi, they were still confident that a lack of linguistic awareness did not strongly influence or alter an individual's Lezgin identity. For instance, Interviewee (4) (male, higher education, 27 years old, urban-Baku) stated the following:

*“I do not speak Lezgi language. It is true that language is important, and we must learn it, but it is not an impediment to being Lezgin. To be honest, though, I am not planning to learn it. I would prefer to learn other languages. However, I do*

*worry about the future for my children. I used to think that if my children assumed an identity other than Lezgin, I would consider myself a failure in life. That is the reason why I married a Lezgin girl who can speak the language very well, and I hope she will balance this gap out”.*

Some interviewees held very antagonistic views of national identity, claiming that feeling Lezgin was much more important than any feeling of national identity. Interviewee (1) (male, middle school, 58 years old, rural-Gussary) stated the following:

*“The notion of ‘Azerbaijan’ is artificial. Lots of minorities in Russia, such as Ukrainians, Jews, Avars and Lezgins, may identify themselves as Russian, but the same is not true for Azerbaijan. We could not define every minority in here as Azerbaijani, as historically this term entails an association with a Turkic ethnic group. Even Russian historian in the 18th century emphasized that Azerbaijanis were a mixture of ethnic Turkic tribes and Kurds, but never Lezgins”.*

Interviewee (2) (male, middle school, 37 years old farmer, rural-Khachmaz) tackled the issue of Lezgins calling themselves Azerbaijani by underlining the following:

*“Citizenship of Azerbaijan is a reality for Lezgins. However, it is a slippery slope for Lezgin people because the same identity applied to Lezgins in the South cannot be applied to those in the North. It would make no sense. This identity contradiction threatens the cultural unity of Lezgins in the North and South of Samur River.”*

In the period following independence, although early ethnic sentiments mainly favoured unification of Lezgins, today, Lezgins have very diverse views on unification, independence and ethnicity. Some interviewees propose the European Schengen model that limits border checks. As interviewee (3) (female, middle school, 47 years old unemployed, rural-Gussary) stated:

*“I have always hated the borders because they put apart my relatives from me, but I have to obey the rules. I cannot help but think why I should be made to cross these strict border controls when I just want to visit my relatives, my brother’s house, for example. I think it would be better if there were no border controls, as is the case in Europe nowadays”.*

According to the interviewed Lezgins residing in rural areas, the prioritizing national identity (Azerbaijanism) over ethnic one is evaluated as a threat to their ethnic-cultural union with Northern Lezgins. That is why they punctuate Lezgin kinship even without maintaining language factor. In sum, the Hypothesis 2 is confirmed to be valid in Lezgin case.

As shown by the responses of the interviewees, views of Lezgins on ethnic unification have dramatically altered since the 1990s. Although the vast majority of Lezgins supported the idea of unification in the 1990s, modern Lezgins do not share the same perception towards their identity. During the second Chechen War, religious institutions penetrated the Northern Caucasus and caused the enervation of the ethnic institutions. As a result, the identity of Lezgins living in Russia changed, adopting a religious dimension (shared comfort provided by Islam) that affected the cultural and ideological unity of the Lezgin people. Of note, modern and secular Lezgins living in Azerbaijani side now consider these religious and radicalised Lezgins a threat to their ethnicity. Interviewee (5) (female, higher education, 33 years old PhD, urban-Baku), very carefully expressing his views on high ethnic romanticism, had this to say about the issue:

*“My cousin is a practicing Muslim living in Makhachkala. I watched him become very religious, and he eventually started to ignore his Lezgin roots. Religious elements, the Islamic brotherhood, are very important in his view. I believe that many people living on the Russian side of the border feel the same way as my cousin does: being Lezgin is not important for devoted Muslim Lezgins”.*

However, as shown by the comments of Interviewee (9), the desire for such unification has now been abandoned or altogether rejected. Interviewee (9) (male, middle school, 49 years old, urban-Khachmaz) responded to the existence of the ideology of unification:

*“Illiterate and religious people living in Dagestan will negatively affect the people in the south. Anyway, the number of Wahhabis (Salafis) in the neighbourhood is increasing and they totally ignore Lezgin identity while asserting Muslim brotherhood. They even ignore their parents, siblings and relatives blaming them not to obey the Islam in Salafi way. I seriously meander if we unified with our Northern brothers, this trend will shrink the Lezgin identity in the South as well”.*

Today, religion/Islam (Shafi and Salafi) has become detrimental to unifying Lezgin identity by playing a major role in inter-community clashes. At present, both the dominating institutions in the north (religious institutions) and south (secular institutions) are stirring up opposing sentiments on ethnicity and religiosity. According to Shafi and Salafi teachings that based on the tonal language of the Kur’an preach lines, such as *“Surely the (true) religion with Allah is Islam”* (3:18) recognises no room in Muslim communities for nationalism other than Islam itself. As stated in the Koran (13:5), language, colour and race are not benchmarks for harmony and privilege. Taking into account that, there is no room for unification on ethnic grounds in Islam, as Hypothesis 3 argues, religion could not be a platform for the ethnic unity of Lezgins.

## CONCLUSION

In summary, it is difficult to determine whether support for the Islamic faith has grown considerably among Lezgins. Due to the existence of Sunni followers within this ethnic group, it has become increasingly difficult to estimate the actual upsurge of religiosity in Azerbaijan. However, according to the interviews with Lezgins, ethnic and religious identities are contradictory. It is worth emphasising that ethnic identity is not as important as it was in the past due to economic development and the improved social status of Lezgins in Azerbaijan.

It is an undisputable fact that ethnic identity is competing with national identity in Azerbaijan. Regarding the ideology of “Azerbaijanism”, the Azerbaijani government has made significant progress in realising a change in the ethnic sentiments of Lezgins living in urban areas. However, it has failed to realise a change among Lezgins in rural areas, which have not prospered economically and remain underdeveloped.

It can be argued that ethnic groups that maintain their cultural unity within Azerbaijan’s borders tend to hold on to their national identity but not so much their ethnic identity. In fact, none of the ethnic groups not separated by the border in Azerbaijan made claims for independence till now. However, this argument could not be applied to other ethnicities that split by the borders, like Talyshs, Lezgins or Armenians living in Azerbaijan.

In the 1990s, ethnic sentiment prevailed both north and south of the Samur River border dividing Lezgin communities. However, it declined after religiosity, and radical elements of Islam alienated Lezgins in the north. The changing tides in the North Caucasus as a result of the Chechen War, in addition to the emergence of a whole new generation of devout Lezgins in the north, further contributed to the growing divergence from their southern counterparts in Azerbaijan. Although this situation fractured the Lezgin community of Russia (Dagestan) and Azerbaijan, it resulted in increased camaraderie and close ties between Azerbaijanis and Lezgins of Azerbaijan.

This research could not address the questions on the role of social networks in identity formation, as it ignores the strict border control impediments for divided ethnicities. It also does not consider external factors, such as financing of religious and ethnic institutions influenced by the politically interested actors. It would be interesting to identify how the politics of such countries influence split ethnicities in future research. Such research could help shed light on the myriad of inter-related factors that affect ethnic identity and religiosity in Azerbaijan today.

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## PROTRACTED CONFLICTS IN REGIONAL AND WORLD POLITICS: THE INTERSECTION OF FOREIGN INTERESTS AND THE CONFLICT DYNAMICS (ON THE EXAMPLES OF SYRIA AND UKRAINE)

*The paper examines the role of external factors in the intensity and duration of armed conflicts in Syria and Ukraine. The authors propose that higher levels of intervention lead to a higher intensity of fighting and longer duration of conflicts. Also, the issue of transformation of state institutions and the probability of their survival during the conflicts is addressed.*

**KEY WORDS:** *hybrid warfare, proxy warfare, state, armed conflicts, Syria, Ukraine*

Armed conflicts are one of the most commonly discussed topics in political science, perhaps due to their prevalence in key regions of the world and unique characteristics differentiating them from older conflicts. One frequently addressed problem is the interventionist role of external powers in these conflicts. However, elaboration on the topic of turning these interventions into a political strategy of domestic elites has been inadequate. Therefore, this is the main problem we would like to address as it directly influences the state of political institutions and the probability of state survival.

To shed light on the stated problem, we are interested in answering the following research questions:

1. How does foreign involvement influence the dynamics of conflicts in Syria and Ukraine?
2. How can these two conflicts be connected under one geopolitical strategy of “superpowers”?
3. How do local elites’ strategies in Syria and Ukraine vary, and what implications do they have for political institutions and the probability of state survival?

Finding answers to these questions will lead us to a deeper understanding of the intersection of domestic and foreign interests in the conflicts and will highlight its consequences for state institutions. The interplay between domestic and international in contemporary armed conflicts is an extremely topical field of analysis, primarily due to the nature of modern conflicts. They are greatly influenced by external players, and these conflicts usually have a regional impact regarding the spill over of violence and require a regional approach to resolve disputes. Secondly, most contemporary conflicts can be perceived as elements of a geopolitical struggle for domination between key players. Consequently, we propose that they can be put into one framework and analyze them together using similar theoretical approaches. Just as importantly, comparing seemingly different cases can bring additional insight into a greater understanding of the dynamics of these conflicts as we can search for fundamental structural similarities between them. We also believe that the knowledge we can gain from changing the perspective can be crucial for placing the Ukrainian case into a broader analytical framework, which will help to better understand and predict the dynamics of the conflict.

One of the most comprehensive works concerning the influence of war on social and political institutions in the Middle East is *War, Institutions, and Social Change in the Middle East* by Steven Heydemann and his collaborators. This book is intended to fill the gap in Middle East studies concerning the implications of war and state transformation. The author systemizes the differences between early Modern Europe and contemporary Middle East, noting that the consequences of war-making are very different for social institutions, including the state (Heydemann 2000, 2-22). Specific attention is paid to the transnationalisation of war preparation and war-making.

Jennifer De Maio regards the transnationalisation of conflicts as resulting from machinations among elites (De Maio 2010, 25), meaning spillover does not happen only as a result of the domino effect of violence. It may occur due to the benefits it provides for internal players. De Maio suggests that the transnationalisation of war is used for consolidating domestic power as well as destabilising the region, which helps spread a specific state's influence. Focusing on the spillover of violence as a governmental strategy, she writes: "A civil war thereby becomes a proxy war between states with the advantage that governments can distance themselves from atrocities committed by their proxies by attributing blame to rebel factions" (De Maio 2010, 26). Spillover and destabilisation can appear not only in violent actions but also in the flow of refugees, recruitment of fighters, or use of another country as a transit point for arms, supplies, or people. De Maio argues that this is a controlled and intentional process aimed at engaging other countries to fight in a proxy war (2010, 28). Furthermore, spillovers can be useful for suppressing rebel groups and cutting their external support.

Muriel Asseburg and Heiko Wimmen pointed out that in Syria's case, external players perceive the conflict as a zero-sum game, meaning that achieving one's goals inevitably leads to other players not achieving theirs (Asseburg/Wimmen 2012, 3). This insight leads to an assumption that foreign involvement in the form of financial and material support of different adversaries may well result in a higher intensity of fighting or in the structural changes in the dynamics of the conflict. For example, uneven material support of rebel groups in Syria at some point led to the radicalization and Islamization of opposition.

Jeffrey T. Checkel raised a question of methodology in studying mechanisms involved in the transnationalisation of civil wars (Checkel 2010, 9). He notes that most specialists who study this process do not have a clear methodology for tracing causal connections so they primarily use separate cases to prove their point of view (2010, 10). To overcome this lack of methods and proper understanding of transnationalism, he suggests readdressing "the language and practice of causal mechanisms and to theories of transnationalism" (2010, 11). Causal mechanisms in a transnational environment can operate in different dimensions: agent-to-agent, structure to an agent, agent to structure, or structure-to-structure (2010, 14). This division is an important starting point for the subsequent conceptualisation of the processes underlying the conflicts' dynamics.

Kristian Skrede Gleditsch argues that a country's domestic characteristics cannot be the only factor contributing to the probability of civil war as the country's linkages to other states sometimes matter even more (Gleditsch 2007, 293-309). He identifies some external factors which can influence the probability of civil conflicts, such as transnational contagion, conflicts in neighboring states, and different types of connections between states (e.g., ethnic, political, or economic) (Gleditsch 2010, 294). Thus, the so-called "closed polity" approach cannot provide sufficient insight into the influence of external parties during the conflict.

The question of third parties' general influence in domestic conflicts has been investigated by numerous authors, such as Martin Austvoll, Michael Brown, David Davis, Paul James, David Lake, Will Moore, Erik Gartzke, Lotta Harbom, Peter Wallensteen, Patrick Regan, Stephen Saideman, Idean Salehyan, and others. Theoretical frameworks used to describe the topic are the theories of hybrid and proxy warfare, and a theory of state building by Charles Tilly. Combining the abovementioned approaches might be analytically useful for studying the role of foreign involvement into the conflicts in changing domestic political institutions.

Hybrid threats have become dominant in modern military conflicts. Frank Hoffman defines a hybrid threat as *“any adversary that simultaneously and adaptively employs a fused mix of conventional weapons, irregular tactics, terrorism, and criminal behaviour in the battlespace to obtain their political objectives”* (Hoffman 2010, 442). Consequently, both state and non-state actors can be defined as sources of hybrid threats. Furthermore, as the means of hybrid warfare are wide and unrestricted, we can state that it reflects a changing character of contemporary conflicts as a struggle for obtaining political or economic benefits rather than the goal of merely capturing land, destroying infrastructure, or killing the population. In contemporary conflicts, we observe a mixture of regular and irregular tactics, combatants, and non-combatants as actors on the battlefield, blurring the line between legal and illegal methods of battle and the interference of local and international dimensions of the conflict. Thus, the notions of a traditional battlefield and military front are blurred. The one who uses hybrid strategy is usually not limited by neither the permitted methods of struggle nor potential targets for violence. This fact violates international norms of warfare. Therefore, hybrid warfare cannot be perceived as a limited or total war, rather a constant manoeuvring between them.

Speaking of the peculiarities of hybrid threats in the so-called “fragile states” (i.e. those who cannot maintain their existence as a viable political and economic entity), we should note that hybrid threats are often accompanied by the formation of a national identity in the territories controlled by non-state actors. However, this identity can have its origins in the culture of a beneficiary state (i.e. the source of the hybrid threat that uses it for achieving its political aims). Thus, we can observe the emergence of a certain ideology or usage of religion to meet this goal (Bond 2007).

It must be said that the use of a hybrid strategy allows de facto armed confrontation without clearly recognizing and admitting it. Consequently, this type of war becomes dominant because it is relatively cheap, efficient, and has minimal legal consequences. Hybrid forces are also usually not limited by any normative legal acts regarding permitted methods of warfare. Therefore, favourable conditions for applying such a strategy were present in both Syria and Ukraine.

We must admit that in both countries we see the broad activity of “volunteer” illegal armed groups operating on both sides of the front. Also, governments themselves tend to rely on such formations and justify their actions by counterterrorism (not civil war). It supports the view that information warfare is an essential component of hybrid wars because the struggle for recognizing the legitimacy of both government and anti-government formations occurs through the use of informational strategy (Radkovec 2014, 37).

Of course, the theory of “hybrid warfare” has many flaws. For this reason, we use it only as an operational and explanatory approach and abstain from any assertions about hybrid war as a winning strategy. Bettina Renz and Hanna Smith note that this paradigm is grounded on very specific military successes (Renz/Smith 2016, 3). Hence, it cannot be perceived as a scenario or a winning formula as these successes are not easily repeated because every hybrid war is deeply context-dependent. Therefore, this approach is not analytically sufficient for managing war or predicting its outcomes.

Moreover, we should distinguish war-shortening and war-lengthening strategies that can be considered under one framework of hybrid war. The first one can resemble so-called “grey-zone” conflicts (e.g., the annexation of Crimea), but this strategy is hardly repeatable. War-lengthening approaches have drawbacks because they increase the costs of warfare and risk losing control over the proxies (Renz/Smith 2016, 51). Use of this approach can be seen in the Donbass armed conflict. However, we cannot assume this was an original idea of the Russian Federation.

Furthermore, although the characteristics of hybrid warfare enable us to analyze the Ukrainian and Syrian conflicts to some extent, it does not say much about the issue of an intersection between local and global in any conflict. Hybridity itself is more about the strategy and tactics of war, while we are interested in the underlying concerns of adversaries that make them stick to a certain strategy and the degree to which this strategy depends on external actors.

To analyse the geopolitical dimension of contemporary conflicts, we need to use the concept of proxy warfare. It is defined as a conflict in which a third party carries out an indirect intervention to influence the strategic outcome of the conflict in its favour. This type of warfare is a product of the relationship between the beneficiary (who is always territorially outside of the conflict and may be represented by both state and non-state actors) and the intermediaries selected by him, to whom the beneficiary supplies weapons, provides funding, and assists with training (Mumford 2013, 40). Thus, a proxy war allows states to carry out their strategic goals without direct participation in the conflict.

The main advantage of proxy warfare is it allows achieving strategic political objectives by using the human resources, economic capabilities, and territory of another country. This makes it appealing and its usage became widespread after the end of so-called “world wars”. Apparently, non-state actors can also be involved in proxy warfare. They are usually intermediaries (or proxies) who receive support from the beneficiary of the conflict. However, we should not overestimate the role of external

factors in proxy wars because the roots conflict always lie in internal instability, so it cannot be entirely imposed from the outside. These internal factors can be seen in both Syria and Ukraine, as the conflicts are deeply rooted in domestic conflicts within the society which are being fueled by external actors.

Charles Tilly's theory of state building is used to refer to the process of the collapse of state institutions. He argues that state building is a result of organised crime as war-making gradually leads to the creation of the central organisational structure of a state. He identifies four separate activities conducted by state agents: war-making, state making, protection, and extraction, and states that *"the costlier the activity [...] the greater was the organisational residue"* (Tilly 1985, 181). Therefore, if war-making no longer needs extraction from the population to wage war, the organisational structure of a state will degrade. In the era of transnationalised conflicts, we observe that war preparation and war-making can be done with the help of external actors without any need to extract resources from within the country. As a result, the elite is no longer subject to negotiations with the population or regulations. This leads to the perception that the state institutions are more likely to collapse.

As can be seen, engaging in war does not mean merely direct armed participation in the conflict, provision of weapons, or funding armed battalions. It also involves a settlement process and informational strategy. Some political scientists state that war has become transnationalised rather than internationalised as its preparation and conduct engages a wide variety of actors (both states and non-state) and must obey international legal norms and restrictions (Heydemann 2000).

Moreover, transnationalisation has become a strategy which elites tend to use broadly. For example, seeking support abroad can help states to overcome the shortage of resources (people or economic) or legitimise a political regime by earning international recognition. Non-state actors can also seek the assistance of foreign actors to expand their resource base. Also, it does not have to be states or political entities. For example, Islamist organisations often raise funds through religious institutions or diaspora mobilisation. Recruiting has also become a transnationalised process as the Internet facilitates recruiting fighters from all over the world.

The transnationalisation of war also means it functions in the global rather than local economy. We can observe this through the evidence of foreign funding of governmental and rebel forces as well as terrorist organisations. However, the latter often create their economies on the foundation of state infrastructure, for example, oil production and trade by ISIS and coal mining on the Luhansk People's Republic (LPR) and Donetsk People's Republic (DPR) territories. Despite the political isolation and

non-recognition of these entities, they manage to find consumers for their fossil fuels abroad. Therefore, we see widespread involvement in the conflict by foreign states who are attempting to achieve their own strategic goals by using internal political instability.

In considering the Syrian and Ukrainian conflicts, we should start with the levels of foreign involvement and its influence on the conflict's dynamics and state institutions, and then proceed by comparing these two cases. Foreign involvement can be seen at three levels: global, regional, and local. In Syria, we can observe tensions between "superpowers" on the global level. It could be perceived as a war for resources and political influence in the Middle East between the Russian Federation and China (who support Assad's government) and the so-called "Western countries" (who support rebels).

One source of tension, which is continuously present in the UN Security Council concerning Syria, is a question of the possibility of applying and interpreting international norms of warfare. Here, we observe the contradictions between the United States, France, and Britain on one side and the Russian Federation and the People's Republic of China (PRC) on the other side. The first group of countries declares the need for a peacekeeping mission in Syria while the Russian Federation and the PRC disagrees with this idea (Asseburg/Wimmen 2012, 53). The Russian Federation opposes this idea, as it was perceived as a serious threat to Assad's regime and Russian strategy concerning the Middle East. China's interests are more economical than political, so its position on this issue is an attempt to support Russia and counterbalance Western countries.

Recently, direct participation in the conflict is not a debatable question as the appearance of ISIS provoked an increase of American and Russian military presence in Syria. It provided grounds for not only Russian and American airstrikes within Syrian territory but also cooperation between two geopolitical blocks. The most recent initiative is a joint military operation that would include Russian, Turkish, and Iranian forces.

On the regional level, we see an intersection of the interests of many states who seek regional leadership. In general, we can divide these countries into two blocks – Sunni and Shia. The first one is led by Saudi Arabia and the second one by Iran. In the Gulf States' (primarily Saudi Arabia and Qatar) opinion, the Syrian conflict can serve as a basis for weakening Tehran's influence, which has recently begun the process of assimilating into the global economic and political system. Furthermore, the Gulf States are interested in strengthening their political positions with Saudi Arabia as a

regional leader. For the Western block, the war in Syria is considered a factor that can weaken Iran enough to prevent it from developing a nuclear program. Therefore, they support the Sunni countries at this point.

However, Tehran hopes to be a leading force in the Arab world regarding the fight against Israeli-American influence in the Middle East. Syria is a crucial part of this ambition as it has Shia leadership and can support Iranian politics. The war in Syria is perceived as an element of the Israeli and American policy of isolating Tehran, aimed at further regime change in the state. Thus, Iran positions itself as a stronghold of ideological and strategic struggle against US-Israeli hegemony in the region (Asseburg/Wimmen 2012, 54).

The position of Iraq and Lebanon is peculiar because these two states support both the Syrian government and the opposition. Lebanese Hezbollah and the Iraqi government are assisting the Assad regime, while Sunni politicians in Lebanon and Sunni tribes and jihadists in Iraq stand on the side of the rebels. Thus, here we see the logic of political mobilization on confessional grounds.

Turkey is one of the most engaged and inconsistent actors in the Syrian conflict. From the first stages of the conflict, the country was home for the Syrian National Council and the Free Syrian Army's operational base. Therefore, it supported the rebels. Of course, Turkey was significantly affected by both the spillover of the conflict near its Syrian border and the multitude of refugees fleeing the conflict zone. The presence of Syrian refugees contributes substantially to destabilizing the situation in border areas between Syria and Turkey because the Allawi population lives there; the Allawis are afraid of the rebels and are often sympathetic towards Assad. Turkey is also fearful of potentially exacerbating the Kurdish problem, which might cause the emergence of another autonomous Kurdistan, but now within Turkey's territory.

Turkey's position changed significantly after a military coup attempt and cooling of its relationship with the West. The country began actively cooperating with the Russian Federation in Syria. Heretofore, the global media has suspected Turkey of assisting ISIS in fighting with Rojava. Turkey has been directly engaged in the conflict since it launched Operation Euphrates Shield in August of 2016. This operation was useful not only for fighting ISIS but also for dividing parts of Rojava (self-governing territory on the north of Syria under Kurds control) as its militias no longer can act together as a united front. Thus, Turkey has become one side of the conflict, as it occupied parts of Syria's territory. Therefore, we suppose that the Turkish strategy is domestic and aimed at stabilising the situation on the Syrian border. For this reason, Turkey tends to collaborate with whoever helps to weaken the Kurds.

On the local level, we observe the active involvement of foreign armed battalions, militias, and foreign fighters. For example, the Arab Nationalist Guard, Popular Front for the Liberation of Palestine, Kata'ib Sayyid al-Shuhada, Quds Force, Basij, Hezbollah, Badr, Liwa Fatemiyoun, Slavik corps and others operate on the side of Assad's government. On the rebels' side, we see the broad engagement of Jaish al-Muhajireen wal-Ansar, Ahfad al-Rasul Brigades, Hizb ut-Tahrir, Tehrik-i-Taliban Pakistan and others. An Al-Qaeda network stands separately; it was part of the rebel movement but later started its own struggle. Jabhat Fateh al-Sham remains involved but is a relatively independent actor.

The transnationalised aspect of the Syrian war can be seen in Assad's request for foreign support. He used Russian and Iranian support to overcome the shortage of a social base and resources. Also, it allowed him to pursue his policy by exploiting the conflicts between his "sponsors" without losing his subjectivity. Nevertheless, this led to a complete dismantlement of state institutions as waging war was not connected to internal resources and extracting them from the population.

From the Syrian conflict's very beginning, there were no fully autonomous actors who were not engaged in global political strategizing of some kind. The self-governed Kurds, which can be perceived as an almost autonomous player exclusively pursuing its interests, receives direct military support from the Kurdistan Regional Government in Iraq (the Kurdistan Democratic Party and the Kurdistan Patriotic Union) and the Kurdistan Workers Party (Skidmore 2014). Moreover, Kurds are materially supported by the US in fighting ISIS.

The role of transnationalisation of the conflict is broad. One of the consequences, which we observed during the early stages of the conflict, was the opposition's radicalisation and Islamisation. This happened due to the unevenness of external aid, which was largely given to the Islamist organisations (Holliday 2012, 14). As a result, religious factor came on top in both domestic and regional relations. Therefore, owing to broad external participation, the religious component of the conflict became more prominent, although it was not the case in the very beginning of the civil war.

Also, since it is perceived as a zero-sum game by its sponsors, the conflict has become much more severe and prolonged due to foreign involvement. The interested parties have not hesitated in investing more resources into their proxies in case rapid changes occur in the status-quo. This means the situation is hard to change as any intervention causes counterbalancing interventions from another party.

In Ukraine's case, we observe almost the same structure of foreign interests, although it is substantially subtler as we do not have such broad direct military participation in the conflict. Of course, the issue of external interference cannot be bypassed as one reason for the escalation in fighting, as it is known that the leaders of the insurgent groups have extremely close relations with the Russian Federation. They have also requested military assistance in Moscow repeatedly and received it.

External factors in the conflict's dynamics can also be considered multilevel, including geopolitical, regional, and local. The geopolitical confrontation between Russia and the West plays an important role regarding the collision of two civilizational perspectives attempting to preserve and expand their influence in Eastern Europe. The Russian Federation cannot allow NATO to move closer to its borders because it would remove the buffer zone existing between the two blocks. Among the Russian elite, it is also believed that Ukraine should be part of the "Russian world" not only semantically, but also physically. This notion is supported by the religion and history they have in common. Therefore, any Western intervention is perceived to be a violation of the natural course of things. Moreover, the names of the supra state entities DNR and LNR proves a strong link to the Russian Federation (Novorossiya).

In investigating Russia's strategy concerning Syria and Ukraine, Oleg Kondratenko points out that these two regions are connected as they are both the objects of geopolitical struggle among the so-called Western block and the Russian Federation. He states that Moscow wants to use Syria as leverage in negotiating with the West along with diverting the Russian people's attention from domestic problems (Kondratenko 2016, 60). The first goal is connected to the Russian elite's desire to present themselves as inevitable players in all regions of the world. Thus, any Western politics should be aligned with Russia's position. The second goal is internal as conflicts have always served as a means of domestic mobilisation and unification against a common foe. Moreover, it has been stated that Russia wants to ensure its naval presence in both the Mediterranean and the Black Sea. This is one reason for keeping a military base in Tartus and the annexation of Crimea. Moreover, we suppose that Russia's concessions on Syria and active participation in fighting ISIS can be part of the strategy, with the goal of getting the economic sanctions imposed for annexing Crimea withdrawn.

The regional dimension of the conflict highlights internal divisions in the post-Soviet and European space, as there is a struggle between two economic and political blocks. In the EU, not all member-countries support sanctions against Russia, so this struggle also takes place inside Europe. However, the post-Soviet space is also divided to "pro-Europe" and "pro-Russian" blocks.

At the local level, we can discuss the participation of foreign volunteers and military contingents of foreign countries in the armed conflict in Donbass. Foreign militants are heterogeneous groups that vary from terrorists and professional soldiers to ideological groups and criminal elements. For example, there are Chechen battalions named after Dzhokhar Dudayev, Legion of Saint Istvan, Squad Jovan Sevic, Almighty Don Host, Cossack National Guard and others. At this level, these organisations are mere tools of proxy warfare. However, it is important to note that foreign volunteers also participate on the side of the Ukrainian army.

Furthermore, international observers confirm the presence of Russian troops in the Eastern Ukraine. Direct intervention in the conflict can also be proven by the supply of weapons and fighters to the DPR and LNR, recruitment of insurgent forces in Russian cities, and funding the insurgents. Also, Russian soldiers have repeatedly been seen and seized by Ukrainian security forces within Ukraine's territory.

Considering the role of transnationalisation as a strategy, we can state that Ukrainian and DNR/LNR elites both tend to use it broadly. However, Ukraine is not wholly dependent on the external support, and the latter primarily comes in the form of humanitarian aid, defensive weapons, training military forces, and consulting. Additionally, the Ukrainian government succeeded in mobilising society to support the military. For example, a mandatory military tax was introduced. Moreover, many volunteer civil society organizations were formed, who provide military funding, material aid, provisions, medicine, and so on. We can also observe the emergence of volunteer battalions for territorial defence. Therefore, the state did not weaken, but rather it strengthened.

Additionally, we see similar effects of external intervention on the dynamics of conflict. Fighting in Donbass has also become more intense as Russian military aid increased. We also observe the extension of the conflict as the Ukrainian Army's military success leads to intensified Russian participation.

To summarise, the similarities between the Syrian and Ukrainian conflicts lies in their hybrid and proxy nature which emphasises a wide scope of foreign involvement in the conflicts. One can see that the significant role of foreign actors in the course and settlement of conflicts can lead to the situation stagnating as the lack of internal resources and capabilities to resolve the disputes can result in a stabilisation of the status-quo. Moreover, this status-quo may not be a result of the disposition of forces; it can be an outcome of negotiations and arrangements between external parties. This means that a high level of transnationalisation in a conflict is more likely to turn it into a protracted one.

This hypothesis is consistent with the findings of Patrick M. Regan (2002). He states that *“either type of intervention [biased or neutral] alone greatly increases the expected duration of a conflict”* (2002, 28). However, the time of intervention does not matter. Also, he concludes that a biased intervention is likely to shorten the duration of a conflict compared to a neutral one (Regan 2002, 29). Idean Salehyan and his co-authors suggest that transnational linkages *“can lengthen conflicts through increasing the capacity of insurgents to resist government suppression”* (Salehyan/Gl-editsch/Cunningham 2006, 20).

In Ukraine, a proxy strategy is used by the Russian Federation, whereas in Syria some neighbouring states are struggling either for regional leadership or against Shia countries. In this case, direct use of a military contingent is not applicable to achieving these goals. Hence, individual military units, which are coordinated and trained by armed forces of the beneficiary and do not have to insignia are much more useful. The direct use of armed forces within Syrian territory under the auspices of fighting ISIS can also be part of the hybrid strategy, as these forces are also used to weaken the counterparts.

In considering the differences between the conflicts, we should note that during the years of conflict, the Syrian army has degraded and, consequently, this has led to the government’s inability to implement independent policy. We can state that behind every armed battalion or faction there is a certain external interest or support. Furthermore, state institutions and the economy have disintegrated, and this can be proven by the emergence of several political organisations and parallel economies (like ISIS) within Syria. In Ukraine, this did not happen. The army’s organisational potential and the state institutions’ ability to control the territory of Ukraine have increased tremendously compared to 2014. However, one can observe that a resource-extractive economy also exists in DNR and LNR.

We assume that the subject of struggle in these conflicts are citizens of the countries, while the existence of purely internal subjects is doubtful. On the other hand, in Syria, we cannot say that all internal parties in the conflict turned into the tools of proxy warfare as their interests are not so blurred. Still, there are some actors who use turbulent situations in regional and world politics to manoeuvre between interested parties and promote their interests (e.g. Kurds, An-Nusra). At the same time, ISIS becomes increasingly Syrian as Syria becomes the main place of their activity after its failure in Iraq and the fall of Mosul. This means that essentially, the external player becomes an internal one. The Kurds, another party in the conflict, tend to fall under the influence of the United States. However, they continue to be relatively independent as they pursue their own interests.

In Ukraine, due to the fewer number of external beneficiaries, rebel forces in the eastern areas turned completely into an instrument of foreign intervention (since 2015, when the rebel forces began to suffer defeat, and the extent of Russian military participation has increased). Currently, the rebel forces are no longer independent. One piece of evidence that proves it is the assassination of field commanders (e.g., Mozgovoy, Bednov, Dremov) and Strelkov’s escape. The remaining rebel “elite” fully supports pro-Kremlin policy.

As in Syria, there were initially more parties in the conflict compared to Ukraine, and this enabled them to balance the interests of external actors and skillfully manipulate them. There was also no initial disparity between the rebels and the government in Syria. In Ukraine, the imbalance between governmental and rebel’s fighting strength and economic capacity was severe, so the degree of external support was initially higher.

One social force being used for fulfilling the goals of international actors are refugees. In Syria, refugee camps became a social base for recruitment into battalions and terrorist organisations. In Ukraine, this did not happen as refugees did not leave the country’s borders. Refugees are an inevitable tool of hybrid and proxy warfare, which can be used for both accomplishing military goals and consolidating the political regime within the beneficiary country (as the presence of refugees contributes to the destabilisation of the situation).

To conclude, the transnationalisation of Ukrainian and Syrian conflicts contributed to their high intensity, as counterparts became stronger with external support. Moreover, external intervention prolonged them. Furthermore, extensive international influence changes the strategy of local actors as they do not extract resources from the population and choose to rely on external money instead. This means their connection to the population blurs and they do not represent any social groups. As a result, these groups do not develop state institutions, so over time they start to degrade. However, these effects may vary depending on the number of external actors and strategies employed by political elites.

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## LUCIA LEONTIEV

## THE APPLICATION OF INTERNATIONAL HUMAN RIGHTS LAW IN DE FACTO STATES

*This paper aims to explore whether and, if so, on what basis international human rights law applies to de facto territorial entities such as ex-Soviet Union de facto states. The paper first defines de facto states, which is followed by a short presentation of their status under international law. The paper then argues that despite their unrecognised status under international law, de facto territorial entities have human rights obligations, and they are required to respect and protect human rights. The article concludes by stating that because the existence of the de facto states cannot be denied, the international community should grant them a legal personality. This measure would ensure the protection of human rights and the liability for human rights violations that occur in these territories.*

**KEY WORDS:** *human rights, de facto states, legal personality, protection, liability*

## INTRODUCTION

*"The existence of human rights does not depend on the will of a state. A state or states are not capable of creating human rights by law or by convention; they can only confirm their existence and give them protection"* (South West Africa Case, 2<sup>nd</sup> phase, International Court of Justice Rapport 1966, Separate Opinion of Judge Kotaro Tanaka, 297). In making this statement, Judge Tanaka reaffirmed the central place of human rights in the national and international legal systems. Furthermore, human rights protection shall be ensured no matter whether the entity governing the territory and population is a state, a non-state armed group, an international territorial administration, or an unrecognised entity. In the field of human rights, *"there should be no legal vacuum in their protection"* and *"the concept of human rights and their protection is included in the general principles mentioned in [Article 38(1) (c) of the International Court of Justice (CIJ) Statute]"* (South West Africa case, 2<sup>nd</sup> phase, ICJ Rapport 1966, Separate Opinion of Judge Kotaro Tanaka, 297).

Under international human rights law, states are considered duty-bearers. They must respect, fulfil and protect human rights. In other words, in cases of human rights violations, the state can be held accountable. Nowadays, with the emergence of various non-state actors, states are no longer the only entities that may interfere with human rights. Moreover, the responsibility of specific categories of non-state actors under international human rights law can be engaged.

The paper focuses on de facto territorial entities which exist in a “no war, no peace” situation. It aims to examine transitional and post-conflict societies which are committed to establishing the rule of law and are not supported by the international community. In this paper, the term de facto state is used generically to refer to polities that exist within the boundaries of an internationally recognised state. A de facto state can be defined as a political entity “*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*” (Pegg 1998, 26). Cullen and Wheatley argue that “*a de facto regime is organized in accordance with its own constitution and system of law; has the capacity to regulate social, economic and political life within a defined territory and to exclude executive action by other political authorities, including the sovereign state in which the self-proclaimed authority is formally located; but does not enjoy recognition by the international community as a state*” (Cullen/Wheatley 2013, 700). In this article, the de facto state is deemed to represent a territorial entity which has broken away from a parent state without the consent of the latter.

De facto states usually fulfil the traditional criteria of statehood as defined by article 1 of the Montevideo Convention on the rights and duties of states: 1) a permanent population; 2) a defined territory; 3) a government; and 4) capacity to enter into relations with other states. They have achieved de facto independence but are not recognised as states by the international community. These territorial entities do not have rights and obligations as such under international law, and their attempt to accede to international human rights treaties is unsuccessful. In this regard, it is of interest to determine whether these entities are bound by the provisions of international human rights law. Thus, the article analyses the issue of the application of international human rights law in de facto states, particularly the de facto territorial entities in the post-Soviet Union region. Currently, this region includes four unrecognised breakaway states which have proved their longevity over time. Shortly after

the communist collapse in 1989, Abkhazia and South Ossetia proclaimed their independence from Georgia, and Nagorno Karabakh separated from Azerbaijan. Transnistria seceded from Moldova and proclaimed its independence in 1990. An overview of the international status of such de facto states will be given (section II), followed by an analysis of the application of international human rights law in de facto states (section III) in order to understand the nature and the peculiarities of the application of international human rights law in such territories.

## THE INTERNATIONAL LEGAL STATUS OF DE FACTO STATES

In general, self-proclaimed authority<sup>1</sup> is the result of actions such as separatism or secession in the attempt to establish an independent sovereign state and its recognition by the international community. De facto entities also can be seen as peoples that exercise the right to self-determination outside the context of decolonisation (Cullen/Wheatley 2013, 698). This issue is very controversial issue under international law because no *opinio juris* exists concerning the existence of such rights under the customary international law. Moreover, in the case of Abkhazia, the Independent International Fact-Finding Mission on the conflict in Georgia underlined the unlawfulness of Abkhazia’s secession, stressing that “*the right to self-determination does not entail a right to secession*” (Independent International Fact-Finding Mission on the Conflict in Georgia 2009, 147).

International law does not recognise a right to secession, but it is “*equally established that it does not prohibit secession or, consequently, a proclamation of independence by a part of the population of a state*” (Written Opinion of France Concerning Kosovo ICJ Advisory Opinion, point 2.8, 38). As some scholars argue, the standard position of international law on this matter is one of neutrality. According to Cullen and Wheatley (2013, 698), “*where a political entity achieves de facto independence and fulfils the criteria of statehood, it is a State*”. However, the International Court of Justice (ICJ) emphasises that the creation of a political entity in violation of a *jus cogens* norm is void and without legal effect (ICJ Advisory Opinion on the Accordance with International Law of the Unilateral Declaration of Kosovo Independence 2010). In Canada’s Supreme Court decision on the secession of Quebec, the Court stated, “*although there is no right, under the Constitution or at international law, to unilateral secession, the possibility of an unconstitutional declaration of secession leading to a de facto secession is not ruled out. The ultimate success of such secession would be dependent on recognition by the international community, which is likely to consider*

1 This expression can be found in ECHR jurisprudence in reference to de facto states. It was used for the first time in *Ilaşcu and Others vs Moldova and Russia*.

*the legality and legitimacy of secession*” (Reference re Secession of Quebec, Supreme Court of Canada 1998, case 25506, 2 SCR 217, 2<sup>nd</sup> question).

In case of genocide or massive, flagrant, and systematic violations of human rights some forms of *opinio juris* arise concerning the existence of the right to secession under external self-determination or so called remedial secession (Christakis 1999, 300-303). However, as Christakis argues, we cannot speak of a customary rule on the subject, considering the absence of a practice on the matter which seems to negate the existence of such right. Currently, this theory is not a part of positive law, whatever favours it enjoys from the part of legal doctrine.

Although the de facto state has internal sovereignty, its external sovereignty is conditional on its recognition as a state. Article 3 of the Montevideo Convention on Rights and Duties of States provides, “*the political existence of the state is independent of recognition by the other state*”. The recognition is mentioned in the Convention as an acceptance on behalf of the state which recognises the territorial entity. It is established in article 6, which provides, “*the recognition of a state merely signifies that the state which recognises it accepts the personality of the other with all the rights and duties determined by international law*”. According to Hillgruber (1998, 492) recognition “*is an act that confers a status [:] a (new) State is not born but chosen as a subject of international law*”. General recognition is defined as a method of accepting certain factual situations by giving them a legal meaning (Shaw 2010, 207) that has a constitutive or declarative nature. According to the constitutive theory, the existence of a state begins with its recognition by other states. The declarative theory asserts that recognition is a political act by which a state can exist without being recognised. Although the debate concerning the difference between these two theories in their recognition and the formation of a state has been ongoing in international law, no resolution has been achieved. Nevertheless, the position accepted by several scholars is that because the creation of a state and its recognition are two independent concepts, the real creation of a state is inconceivable without recognition by the international community. As Hillgruber (1998, 494) argues, the practice of collective non-recognition confirms the importance of recognition in the construction of a state as a legal person in international law. It is relevant to note the conclusion of Judge Pettiti, who in his dissident opinion in the case of *Loizidou vs Turkey*, affirmed that non-recognition was “*no obstacle to the attribution of national and international powers*” (*Loizidou vs Turkey* 1996, Dissenting Opinion of Judge Pettiti, § 56). Moreover, Shaw (Shaw 2010, 448) underlines the practical importance of the recognition, saying, “*if an entity, while meeting the conditions of international law as to statehood, went totally unrecognized, this would undoubtedly hamper the exercise of its rights and duties, especially in view of the absence of diplomatic relations*”.

An example is the case of de facto states in the ex-Soviet Union. For example, Armenia is Karabakh’s only economic partner, and Russia is the only trading partner of South Ossetia, Abkhazia and Transnistria. Thus, they have economic and political relations mainly with the state that supports the separatist regime. In addition, these entities established and maintain economic and political interrelationships. The fact that their existence relies on the assistance of a third country calls into question their de facto independence.

It is therefore of interest to know whether the self-proclaimed authorities analysed in this paper qualify as state-like entities or not. In its report, the Independent International Fact-Finding Mission on the Conflict in Georgia underlined that Abkhazia was more advanced “*in the process of state-building*” and thus could be assumed to be a state-like entity. In contrast, South Ossetia represents only “*an entity short of statehood*” (Independent International Fact-Finding Mission on the Conflict in Georgia 2009, 147).

Some international legal scholars have indicated that law matters in the quest for statehood, either as an element of government or as a stand-alone category. For example, some scholars (Waters 2006, 419) have argued, “*if an entity has its organs, such as law courts, legal system, and law of nationality, then one could say that there is a prima facie case of statehood*”. Others have gone further, suggesting that adherence to democracy and legality (and not just law as an instrument of control) is an emerging criterion of statehood or at least of recognition (Murphy 1999, 545).

By following this reasoning and examining the national legislation of the de facto states analysed in this paper, it is possible to conclude that there is no lack of legal provisions. As Waters points out, the small jurisdictions in the former Soviet Union were challenged in establishing coherent legislative regimes. These regimes are characterised by the fact that they transposed the legislative schemes of neighbouring metropolitan states into national systems, (Waters 2006, 410). In such cases, this legal transplantation can be explained by the “*lack of maturity of these de facto republics to create their own comprehensive or coherent national legal regime*” (Waters 2006, 410).

## HUMAN RIGHTS OBLIGATIONS OF DE FACTO STATES OBLIGATIONS UNDER INTERNATIONAL HUMAN RIGHTS LAW

Nowadays, the application of international human rights law is no longer limited to states; as practice shows, its applicability to de facto territorial entities can also be attested. From the perspective of international society, to ensure the protection of

the human rights of the population of de facto states, imposing international human rights obligations on de facto states seems a vital necessity. When the parent state cannot control the territory or exercise governmental functions, the obligations originally assumed by such states should be transferred to the entity that exercises effective control over the territory and can assure the protection of human rights. Regarding the opposability of general international human rights law to non-state entities, the International Commission of Inquiry, which investigated the alleged human rights violations in Libya, stated, “it is increasingly accepted that where non-state groups exercise de facto control over territory, they must respect fundamental human rights of persons in that territory” (Report of the International Commission of Inquiry to Investigate All Alleged Violations of International Human Rights Law in the Libyan Arab Jamahiriya 2011, § 72).

Recently, the Senior Expert on Human Rights in Transnistria, after three missions in the region, wrote a report in which it was concluded that the Transnistrian de facto authority should be bound by “customary international law obligating [them] to uphold the most fundamental human rights norms” (Report on Human Rights in the Transnistrian Region of the Republic of Moldova 2013, 4). Thus, this conclusion supports the argument that even if a de facto territorial entity is not recognised as a state, it is bound by customary international human rights law. According to Heintze, the respect for human rights is needed as a matter of customary law. It is not necessary for non-state actors to make any kind of commitment to respect (Heintze 2004, 272); however, they need to adhere to such obligations. Because many unrecognised entities have not expressed their consent to be bound by international human rights treaties, the opposability of the customary norms to de facto territorial entities is of great importance. Even if an unrecognized entity expresses its consent to be bound by all existing international human rights treaties, according to Sinclair, “customary law itself, operating alongside the codifying convention, has its role to play in filling the legal gaps which any exercise in codification and progressive development inevitably leaves” (Sinclair 1984, 258).

Similarly, the general principles of international law apply in the case of de facto states. According to Judge Tanaka, because the general principles of international law have the character of natural law, they compensate for the gaps in the protection offered by real sources of law (South West Africa case 1966, ICJ Rep 6, 298f). Bassiouni (1990, 769) identified human rights as one of the four fields where the general principles of international law play a particularly important role in response to the increased interdependence of the world and the need to adjudicate disputes involving human rights issues.

Peremptory norms are the rules categorised by treaties and state practice as absolute (Kadelbach 2006, 40), and they are characterised by their unconditional application. Thus, peremptory norms are opposable to de facto territorial entities. In the field of human rights, those stipulated in Article 4 (2) of the International Covenant on Civil and Political Rights<sup>2</sup>, such as the right to life, prohibition of torture or cruel, inhuman or degrading treatment or punishment, prohibition of slavery and servitude, etc., have been referred to as examples of peremptory norms having a *non-derogable* nature.

Another question is whether de facto states can be considered subjects of human rights regimes that are established by an interstate agreement. Therefore, we must determine the relationship between de facto states and such instruments in order to consider the enforceability of human rights agreements to de facto regimes that are seen as a third party in relation to such agreements. The position of international law in this respect is not clear. The Vienna Convention on the Law of Treaties does not contain provisions to regulate situations led by separatist territories. However, the question is whether the *tabula rasa* or *acquired human rights* doctrine applies to de facto states concerning the provisions of human rights treaties. Apparently, there is no automatic succession to treaties, including those concerning human rights, in the case of a new state. Crawford notes that in case of separation, recent state practice shows that the successor state will accept the human rights obligations of their predecessors “although this is arguably contingent on the successor state’s consent rather than a rule of automatic succession” (Crawford 2012, 440). Judge Weeramantry, in his Separate Opinion in the Application of the Convention on the Prevention and Punishment of the Crime of Genocide case before the ICJ, remarked that it would be a “strange situation” if a population which had enjoyed the protection of human rights would be deprived of it if the principle of automatic succession were not accepted in the case of human rights treaties by the new states. Such a position “seems to be altogether untenable, especially at this stage in the development of human rights” (ICJ Reports 1996, § 649).

According to Jenks (1952, 105), when a treaty confers rights on individuals, “it’s another reason to watch the treaty obligations as a continuous character” and therefore must be applied to de facto states. The acquired human rights doctrine can be used as an argument to explain the automatic succession to the human rights treaties approach. According to this doctrine, the laws of state succession do not affect the

2 Article 4 (2) lists the rights that cannot be suspended even “in time of public emergency which threatens the life of the nation”. It refers to the rights protected under Articles 6, 7, 8 (1) (2), 11, 15, 16 and 18 of the ICCPR.

recognised human rights of the population of a territory once they were acquired. In this respect, Müllerson (1993, 493) argues that in the case of de facto states, succession to multilateral human rights instruments should be applied because the rights and freedoms of the population of a de facto state constitute “*acquired rights*” which “*the new state is not at liberty to remove*”.

This approach is shared by the Human Rights Committee, which established that the rights provided by ICCPR “*belong to the people living in the territory of the state party*” and “*such protection devolves with territory and continues to belong to them*” (Human Rights Committee, General Comment No 26 1997, § 4) even if the state’s territory underwent significant changes.

Another concern is the capacity of de facto states to engage in the law-making process. Because de facto entities lack legal personality, they do not have treaty-making capacity. States are usually reluctant to grant them this capacity because it could lead to the improperly legitimised international status of de facto entities and the acknowledgement of their capacity to bear international obligations.

There is little evidence to suggest that unrecognised entities necessarily lack the capacity or willingness to provide human rights protection and would, therefore, support the downgrading of standards. On the contrary, it can be argued that unrecognised entities, especially those seeking the recognition or approval of the international community, might have strong incentives to align themselves with existing international human rights standards.

### THE EX-SOVIET UNION DE FACTO STATES COMMITMENT TO INTERNATIONAL HUMAN RIGHTS LAW

To demonstrate their commitment to democracy and human rights, the de facto states of the ex-Soviet Union transposed several international human rights covenants into national legislation<sup>3</sup>. Thus, it can be stated that in general, their municipal laws contain some international human rights law provisions.

It is important to underline that in the case of de facto states in the ex-Soviet Union region, apart from the parent state from which the territorial entity seceded, the existence of a third country, that is, a patron state must be considered. The European

<sup>3</sup> Transnistria transposed in ordinary laws: UDHR, ICCPR, ICESCR, CPPCG, ECHR (September 22, 1992) and CRC (May 23, 2002); South Ossetia: UDHR, ICCPR, ICESCR, CPPCG and ECHR (November 15, 2007); NKR: UDHR, ICCPR, ICESCR in 1994.

Court of Human Rights (ECHR) pointed out that it has in many cases “*effective and overall control*” over these territories<sup>4</sup>. Because both parent and protective states are members of the Council of Europe, the European Convention on Human Rights is applied in these territories. The Court’s position is that the Convention aims to avoid a gap in the protection of Convention rights in circumstances that “*would normally be covered by the Convention*” (Banković and Others vs Belgium and Other 16 States 2001, § 78). According to the ECHR, when part of the territory of a state that is party to the Convention is under the effective control of another state, the territorial state is relieved of its international responsibility (Cyprus vs Turkey 2001, § 77-78). The situation is different when a de facto regime operates with the support of a third state. In this case, the territorial state (Assanidze vs Georgia 2004) maintains a positive obligation to take appropriate diplomatic steps to support the application of the European Convention of Human Rights<sup>5</sup>. The ICJ, in its opinion concerning Namibia, concluded that the basis of the liability of a state is the proven effective control over the territory and total dependence and not the sovereignty or legitimacy of the state. The ECHR has departed somewhat from the general rules laid down by the ICJ by stating that it is not necessary to have the proof of complete dependence and control. This approach is justified by the desire of the Court to avoid a regrettable gap in the system of protection of human rights in this territory. However, the judge of the Strasbourg Court still refused to clarify the question of whether the self-proclaimed territory is a new state; therefore, the lack of recognition by the territorial state and the international community is seen as a determinant of the status question.

Because Russia and Armenia control the separatist territorial entities<sup>6</sup> from ex-Soviet Union region, their state responsibility for any wrongs committed in these territories will be engaged. This reasoning was highlighted by the 2004 decision of the ECHR in Ilaşcu and Others vs Moldova and Russia. The applicants, in that case, argued that they had been wrongfully convicted by a court in the unrecognised Moldavian Republic of Transnistria. Because the secessionist territory was not a state party to the European Convention on Human Rights, the applicants sought to hold Moldova

<sup>4</sup> Pisari vs the Republic of Moldova and Russia, 2015; Chiragov and Others vs. Armenia, 2015; Catan and Others vs the Republic of Moldova and Russia, 2012; Mozer vs the Republic of Moldova and Russia, 2016.

<sup>5</sup> Loizidou vs Turkey 1996; Ivanțoc and Others vs Moldova and Russia 2011; Ilaşcu and Others vs Moldova and Russia, 2004.

<sup>6</sup> Russian Federation has effective and overall control over Transnistria, Abkhazia and South Ossetia; Armenia is the patron state for Nagorno Karabakh.

and Russia responsible. The Court found that despite the fact that Moldova did not hold control over the territory, Moldova as a parent state had not taken sufficient steps to redress the applicants' situation. Moreover, the Court found that the Transnistria Republic "*remains under the effective authority, or at the very least under the decisive influence, of the Russian Federation, and in any event that it survives by virtue of the military, economic, financial and political support given to it by the Russian Federation*" (Ilașcu and Others vs Moldova and Russia 2004, § 92). This "effective control" test was previously used by the Court to hold Turkey responsible for human rights violations in the separatist state it sponsors, namely the Turkish Republic of Northern Cyprus.

Consequently, in accordance with the ECHR case law, with regard to the populations of de facto states, the issue of human rights protection must be addressed from the perspective of the state parties to the Convention and its effectiveness against de facto states. Thus, the Court reaffirmed the principle of subsidiarity and the importance of the margin of appreciation, which are fundamental principles of the human rights protection legal regime. Finally, it is necessary to stress that the obligation to ensure the full enjoyment of human rights is also required of de facto states.

## CONCLUSIONS

The phenomenon of the de facto state challenges international society from different perspectives. Regarding this challenge, according to Pegg (1998, 177-181), "*international society has traditionally chosen to respond to the existence of de facto states in three main ways: actively opposing them through the use of embargoes and sanctions; generally ignoring them; and coming to some sort of limited acceptance and acknowledgment of their presence*". De facto states are usually treated as anomalies that cannot be explained by state-centred theories, and they are considered temporary arrangements. However, their high viability is evident in practice. In fact, the state in which the territory of the self-proclaimed entity is created does not have adequate measures to act in the territory ruled by the de facto entity. Therefore, it can be argued that because of the weakness of the state it can fail to ensure the full enjoyment of human rights for the people in de facto entity territories that are legally within state jurisdiction.

The de facto territorial entities analysed in this paper, even if they proclaim themselves as independent states, do not fulfil all the criteria of statehood as stated in the Montevideo Convention. The capacity to enter into relations with other states is absent. Although the de facto states in Eastern Europe are recognized among themselves, they are not recognized by international community and in some cases not

even recognised by their protective states (e.g. Transnistria has not been recognised by Russia).

This paper has examined the applicability of international human rights law to ex-Soviet Union de facto states in the context of both conventional and general international human rights law. Regarding human rights treaties, this paper has argued that the principle of the continuity of international human rights obligations should be applied in the case of de facto states. Furthermore, in the opinion of the international community, it is necessary to acknowledge the capacity of de facto states to participate in human rights treaties because the unrecognised entity is the best entitled to implement human rights obligations. In addition, the de facto states adopted several human rights treaties in their national legislation, which indicates their willingness to be bound by international human rights treaties provisions.

Concerning the application of general international human rights law in the de facto states analysed in this paper, even if there is no such practice in this regard, it does not mean that customary law, general principles and *jus cogens* are not applied.

De facto states the ex-Soviet Union region have shown little commitment to the application of international human rights law at the national level. An important aspect regarding de facto states in the ex-Soviet Union region is the existence of protective states that maintain effective control over their territory. Because these third-party countries are members of the Council of Europe, cases against them can be brought before the ECHR. Therefore, the liability for human rights violations occurring in the territory of the de facto state can fall on both the parent state and the protective state. In general, the international community should reconsider its position regarding de facto states, by recognising them as having a limited legal personality.

Furthermore, with regard to the municipal regulations of de facto states, the degree to which the rule of law exists in these republics could be questioned. As previously shown, their adequate legislative basis can be attested in cases where the national legislation is the result of legal transplantation. It is not unusual for internationally recognised micro-states that cannot build up a comprehensive legislative regime to transplant their national legislation from that of a protective state.

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ANDREI IOVU

## A LEGAL OVERVIEW OF THE SITUATION OF NATIONAL MINORITIES IN TRANSNISTRIA

*The present study seeks to elucidate the situation of national minorities in Transnistria by considering the region's legislative framework. The primary objective of the research is to explain how national minorities' rights are regulated in the context of secessionist Transnistria, which is de jure a territory of the Republic of Moldova. The paper examines the legal framework of the region by using the de facto doctrine. In particular, the research highlights that while the Republic of Moldova's normative aligns with international standards, its application in the Transnistrian region is limited. At the same time, the de facto region's legislation is ambiguous and lacks regulations regarding people belonging to national minorities. Finally, the study presents legal and institutional recommendations that aim to improve the situation of national minorities in the region.*

**KEY WORDS:** *national minority, de facto authorities, de facto legislation, Transnistrian region*

### INTRODUCTION

The changing context of the Soviet Union in the last years of the 1980s allowed the formation of political movements in the Moldavian SSR which had divergent views, especially concerning the national identity. As a result, the Transnistrian region declared independence on 2 September 1990 which fuelled a conflict with Moldovan authorities. The active phase of the conflict started on 2 March 1992 and ended with the Agreement on the Principles of Peaceful Regulation, signed in Moscow on 21 July 1992. This document formally concluded the military phase of the Transnistrian conflict. It created the Security Zone, tripartite peacekeeping forces and established the crossing points between the two sides. At the end of the hostilities, the Transnistrian secessionist authorities controlled most of the territory on the left bank of the Nistru River and retained control over several adjacent communities on the right bank. Virtually all of the public and economic institutions in these territories became subordinate to the newly established Transnistrian de facto authorities. Only a small number of institutions remained under the effective control of the Moldovan authorities.

The inability of the Republic of Moldova to uphold its human rights commitments in the Transnistrian region has led to the introduction of disclaimers in the ratification of international documents that limit Moldova's liability for human rights violations in the territory until the final settlement of the dispute. Accordingly, the legal and institutional framework created by the Moldovan authorities is inapplicable in Transnistria. Instead, the de facto authorities have created their own legislative and institutional framework that has limitations and infringes the rights of people belonging to national minorities.

The constitutional provisions of the two sides reveal distinctively different approaches to the state's policies towards national minorities. Respectively, the foundation of the Republic of Moldova as a state represents the titular ethnic group – Moldovans (with the Constitution of the Republic of Moldova “taking into account the continuation of the statehood of the Moldovan people in the historical and ethnic context of their becoming a nation”). To preserve the cultures, languages and identities of other nationalities, the State of the Republic of Moldova accepted the obligation to ensure that the specific rights of these individuals were respected by developing a comprehensive legal and institutional framework. Moreover, because Moldova's national minorities are mostly Russian speakers, the state granted this language the status of a “language of communication among nations”<sup>1</sup>. Gagauzia, in the southern part of the country, which was granted territorial autonomy on ethnic grounds, completes Moldova's ethnic landscape.

However, the approach taken in the Transnistrian region was different. The de facto Constitution refers only to the unifying element of territorial identification and peaceful cohabitation of different “nationalities”. The Constitution and the legislation set out three official languages, which are declared to have equal status: the Moldovan language written in Cyrillic script, Russian and Ukrainian. The region lacks a legal framework on people belonging to national minorities and tries to portray through legislation and institutional setting the non-existence of national minorities.

<sup>1</sup> Art. 3, Law of the Republic of Moldova No 3465 on Functioning of Languages on the Territory of the Moldavian SSR.

Consequently, in the context of the present research, the main research questions are:

- How is the legislation of the Republic of Moldova regarding national minorities applied on the left bank (Transnistria)?
- What is the legal framework (if any exists) regulating the treatment of national minorities on the left bank?

## METHODOLOGY

This paper's methodology relied on qualitative and quantitative approaches. The author used an interdisciplinary approach to produce the findings and make recommendations for relevant stakeholders as well. The initial stage of the research included gathering information that offered initial insights into the situation of national minorities in Transnistria. The desk research included an analysis of the following sources: legislation, census data, an overview of the institutional framework, open source information on the authorities' actions in this area, and information published on the websites of the Moldovan authorities and the de facto authorities of the Transnistrian region. Reports of international organisations and non-governmental organisations (NGOs) in the field of human rights, scientific articles and rulings of the European Court of Human Rights (ECHR) and the International Court of Justice were used as well.

Upon completion of the desk research, field research was conducted by organising meetings with the main actors that provided information on the situation of national minorities in Transnistria. The objectives of the field research phase were to assess institutional and legislative frameworks, to meet with representatives of the relevant institutions to better understand how their policies and procedures are designed to meet the needs of national minorities and to uncover the main limitations/challenges. Twelve interviews were organised with representatives of governmental agencies on both sides, including those from international organisations and civil society. An impediment to the research process was the low transparency of institutions in the Transnistrian region, limited visibility of the activities of NGOs in Transnistria and reduced willingness to answer questions on the part of the de facto authorities.

## FINDINGS

Speaking about ethnic statistics, the censuses organised in 2004 and 2014 by the National Bureau of Statistics of the Republic of Moldova did not include the residents of the Transnistrian region. Instead, the de facto authorities of the Transnistrian region organised a separate census in November 2004; however, it was not recognised by the authorities of the Republic of Moldova. It was carried out by Transnistria's State Statistics Service and covered the communities under the control of the de facto authorities, and only part of the census data was made public.

Referring to the application of legislation, the Moldovan law does not apply in the communities that fall under the control of the Transnistrian de facto authorities, and Moldovan agencies do not have access to the region. At the same time, the Transnistrian legal framework lacks regulations on interethnic relations and policies on national minorities. The Moldovan authorities use disclaimers in their ratification of international agreements stating that it will not be possible for them to ensure their commitments are respected in the territory under the control of the de facto authorities before the conflict is finally settled.

The situation of the schools functioning under the jurisdiction of Moldovan authorities in Transnistria remains complicated. The ECHR issued a decision on this situation, stating that the treatment of these schools and the situation of the children who attend them violate the provisions of the European Convention on Human Rights.

Finally, according to the legislation of the Republic of Moldova, citizens who belong to an ethnic group other than Moldovan are considered "national minorities". The state has developed a comprehensive legal and institutional framework that protects their identity. In the case of the Transnistrian region, the de facto authorities have opted for the nonexistence of national minorities which means the lack of recognition for the people belonging to national minorities. In the law, the terms "nations" and "nationality" are used to refer to those belonging to a particular ethnic group. At the same time, the legislation does not define these terms, nor is there any legal basis for the protection of their specific rights. Transposed in practice, the approach of Transnistrian de facto authorities limits the access of national minorities to rights that preserve their cultural, linguistic and religious identity.

## DISCUSSION

### THE APPLICATION OF THE LEGAL FRAMEWORK OF THE REPUBLIC OF MOLDOVA IN TRANSNISTRIA

A comprehensive legal framework for protecting the rights of national minorities has been approved in the Republic of Moldova but is not applied in the Transnistrian region. Therefore, within the process of monitoring the implementation of the Framework Convention for the Protection of National Minorities in the Republic of Moldova, both the Moldovan authorities in their periodic reports, as well as the Opinions of the Consultative Committee, reiterate that the implementation of the Convention in the Transnistrian region depends directly on the settlement of the conflict (ECRI 2008).

The exemption of liability of the Republic of Moldova in the case of the Transnistrian region also applies to the International Convention on the Elimination of All Forms of Racial Discrimination, which reads that the region is beyond the effective control of the Republic of Moldova and it is not possible to monitor its application/implementation in this territory (Committee for the Elimination of Racial Discrimination 2011). The same clause also applies in the case of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the ratification document for which reads that it will not be possible for Moldova to ensure the respect of the provisions of the Convention *“for opt-outs and acts committed by the bodies of the self-proclaimed Transnistrian republic on the territory under the control of these bodies, until the final settlement of the conflict in the region”* (Human Rights Centre of Moldova 2001). In fact, this formulation became standard wording in the ratification of the international treaties and conventions to which the Republic of Moldova is a party.<sup>2</sup>

The institution in charge for the application of the State policy in the area of interethnic relations and functioning of the languages on the territory of the Republic

2 The author believes that the exemption of liability on human rights violations on behalf of the de facto authorities in the region was introduced into the ratification instruments after the Republic of Moldova was convicted by the European Court of Human Rights in the case *Ilascu et al. vs. the Russian Federation and the Republic of Moldova*. The European Court established the liability of the Russian Federation for the violation of fundamental rights in this region, starting from the effective exercise of its jurisdiction on this territory, for its military, economic and other support measures provided by the Russian Federation to the separatist regime. At the same time, the Court found the Republic of Moldova liable for violating positive obligations from the moment it was established that the Republic of Moldova had ceased making further efforts to reestablish the violated rights.

of Moldova – the Bureau for Interethnic Relations – cannot monitor the state of play in the Transnistrian region, which has been confirmed in the periodic reports submitted to the Council of Europe. The Human Rights Centre (Ombudsman institution) does not have access to the left bank of Nistru, nor do the citizens residing there dare to call upon the Ombudsman in the Republic of Moldova (Human Rights Centre of Moldova 2001). In the activity reports of the Human Rights Centre of the Republic of Moldova, it is highlighted that very few complaints are received from the Transnistrian region. The documents read that this is because the authorities of Chisinau have limited credibility in terms of settling issues that arise in the region, where the laws of the Republic of Moldova do not apply, and also because people fear persecution by the authorities of Transnistria for having called upon Chisinau for help (Human Rights Centre of Moldova 2001).

Therefore, one can conclude that the international and Moldovan legal frameworks on the protection of national minorities do not apply to the Transnistrian region and that there is no efficient and institutionalised monitoring of the state of affairs in the region.

### PREVIEW OF THE DE FACTO LEGAL FRAMEWORK

Besides the customary international law, which obliges the de facto authorities to support the fundamental human rights norms, the de facto authorities have also unilaterally committed to respecting some essential international treaties. In this regard, several international human rights agreements have been ratified in the Transnistrian region, among which are the following (Minority Rights Group International n.d.):

- Convention on the Prevention and Punishment for Crimes of Genocide
- International Covenant on Civil and Political Rights
- European Convention on Human Rights
- International Covenant on Economic, Social and Cultural Rights (Decision on unilateral decision n.d.).

Regarding national minorities, there is no legal framework in the region that explicitly regulates interethnic relations or ensures the rights of persons belonging to national minorities. The legislation of the region does not offer any definition for what constitutes a “national minority” or an “ethnic minority”; nor does it offer alternative terminology. To refer to ethnic groups, the legislation of the region uses the lexeme “nationalities” (without explanation).

The Constitution of the Transnistrian region, adopted on 24 December 1995 and amended in 2000, recognises the multi-nationality of this entity by specifically setting it out in the preamble: “*the multinational people of the Transnistrian Moldovan Republic*”. There are three official languages in the region: “*Official language status with equal weight is granted to Moldovan, Russian and Ukrainian languages*” (art.12). The document sets out that “The protection of human and citizen rights and freedoms represents the supreme value and is an obligation of the state” (art. 16). The non-discrimination clause is worded as follows: “*All have equal rights and freedoms, all are equal before the law without distinguishing based on sex, race, nationality, language, religion, social background, beliefs and social status*” (art. 17).

The principle of self-identification with an ethnic group is formulated in art. 43: “*Everyone is entitled to preserve their national affiliation; no one can be obliged to identify himself and specify a certain national affiliation*”. The same article regulates the right to free use of language in private and public, verbally and in writing, is stated by the following: “*Everyone is entitled to use their mother tongue and chose their language of communication*”.

As regards the linguistic legislation, the *Law on Languages (1992)* is the main document in this respect. The preamble of the law reads that the de facto authorities assure equal development and preservation of the languages used in the respective territory. It is emphasised that since 1924 there has been a precedent of using the three official languages. The law reconfirms the freedom to choose the language of expression (art. 1) and the status of Russian, Moldovan and Ukrainian as official languages (art. 3). It is noted that the communities have the right to independently choose, based on a referendum, which language will take priority. The languages used for interethnic communication are the three official languages (art. 5).

The working language of the state administrative bodies is one of the official languages, which is decided by each body in part (art. 9). The document reads that the laws and other acts issued by the state administrative bodies shall be published in the three official languages (art. 10). When organising elections, the competent bodies, or the population of the community where the elections are taking place, shall choose one of the official languages in which the ballots are to be printed (art. 11). It is noted that for the activities of the judicial bodies, notary services, and in the areas of services, transportation, etc., only one of the three official languages is used.

The *Law on Education (2003)* sets out in art. 7 that the language of instruction in the education system is established in compliance with the *Law on Languages (1992)*. In the schools, where studies are organised in one of the official languages of the region,

an additional second official language is taught. If the language of instruction in a school is different from one of the three official languages, then the law states that it is mandatory to teach one of the official languages of the Transnistrian region as well.

The *Law on Citizen Complaints (2003)* states in art. 5 that citizens’ complaints may be submitted to the state administrative bodies in one of the three official languages of the region. Respectively, the answer to the complaint shall also be submitted in one of the official languages (art. 9-1).

The *Law on the Functioning of the Constitutional Court (2002)* reads that the operation of this institution is to be carried out in Russian (art. 40). Parties to proceedings that do not speak Russian are entitled to provide their statements in another language and use the services of an interpreter. At the same time, applications to the Constitutional Court shall be made in Russian (art. 45, g).

Similarly, the *Law on the Judiciary Proceedings (2005)* states in art. 15 (1) that the judiciary proceedings are to be conducted in one of the official languages. At the same time, art. 15 (2) stipulates that the parties involved in the judiciary proceedings that do not speak the language in which the proceedings are conducted shall be entitled to make their testimonials in their mother tongue or another tongue that they speak, with the services of an interpreter being allowed. In practice, these provisions are not observed. The highlighted cases are explained in some reports drafted by human rights organisations.<sup>3</sup>

The *Civil Code (2002)* reads in its art. 56 (2) that the name of an enterprise shall be written in one of the official languages. The *Labour Code (2002)*, through its art. 54 (2), bans direct or indirect discrimination in employment based on sex, race, nationality, spoken language, etc.. The *Law on the Coat of Arms (2013)* in the art. 1 mentions that on the coat of arms of the region the inscription of the name of the entity shall be made in the official languages. The *Law on the Anthem (2013)* in the art. 1 approves the text of the anthem in the official languages. The *Law on the Passport of the Citizen (2002)* sets out that in the passport the one “nationality” shall be included and the line can be filled in according to the holder’s wishes. It is noted that the inscription of the nationality can no longer be changed. The passport is filled out in the three official languages. The *Law on Legislative Acts (2002)* in the art. 15 reads that laws can be published in Russian, Moldovan, and Ukrainian. The *Law on the Notary (2007)* in art. 12 reads that notaries may operate in one of the three official languages.

<sup>3</sup> See UN, OSCE, Promo-Lex reports.

As concerns the development of the territory's cultural and linguistic heritage, significant efforts were made mainly in the early 1990s. For instance, a set of measures to encourage the Ukrainians' cultural-linguistic heritage was approved by Order of the President no. 34 of 12.02.1992 (*The Order on Measures to Encourage Cultural-linguistic Heritage of the Ukrainians 1992*) for a period of ten years. However, no other documents followed to either complement or further these initiatives. Also, similar decisions were taken to promote and protect Moldovan (*The Order on Measures to Encourage Cultural-linguistic Heritage of Moldovans 1992*) and Jewish (*The Order on Measures to Encourage Cultural-linguistic Heritage of the Jews 1992*) cultures (in both cases in 1992); but similar to the above-quoted cases, there was no continuity.

To conclude, the legislation of the region concerning national minorities and use of languages is ambiguous. Despite the fact that at the legal and declarative level the equal status of all three official languages is highlighted, the language that is used in practice in the public arena is Russian. The situation in the region can be described as declared trilingualism, de facto monolingualism, based on the widespread use of the Russian language both in public and in private. Moreover, the websites of the state institutions, decisions and documents issued by public administrative bodies, as well as the declarations and interviews of the officials of the region are written in the Russian language without translation into the other two languages.

Another major challenge to assess the application of the legal framework concerning the rights of persons belonging to national minorities in this region is the fact that no reports on how the linguistic legislation is implemented have been made, and there are no studies or reports on the situation of the national minorities in the region.

#### THE SITUATION OF THE SCHOOLS UNDER THE JURISPRUDENCE OF THE REPUBLIC OF MOLDOVA

Regarding schools attempting to teach using Latin script, the situation is dire. The issue dates back to the first years following the secession of the region when the de facto authorities took action to halt the operation of these schools. For instance, the de facto authorities approved the decision of Executive no. 332 of 15.09.1995 on the Operation on the Territory of the Transnistrian Moldovan Republic of Schools on Teaching in Romanian (Decision of the de facto Executive no. 332 1995).

In the preamble of the document, it is noted that these entities disregard the provisions of the *Law on Languages (1992)* and the *Law on Education (2003)* by expressly deciding to:

- Prohibit the operation of these schools in the territory of the region;
- Take punitive measures against the management of these schools;
- Cease funding these schools as of 10.11.1995.

As a result, these schools are managed by the authorities of the Republic of Moldova. Two out of the eight schools, those in Dubăsari and Grigoriopol, were previously closed by the Transnistrian authorities and they had to move into the territory controlled by the Moldovan authorities. The other remains in the region under the control of the Transnistrian authorities. The schools experienced a range of difficulties with the authorities; there were disputes related to their buildings, teachers and parents were intimidated, and there were obstacles to gaining access to the schools. In 2004, there was an attempt to close the schools in Tiraspol, Tighina and Rybnitsa forcibly.

The European Court of Human Rights expressed its opinion on this situation, invoking that the treatment of these schools and the situation of children who attend these institutions violates the provisions of the ECHR. A more detailed description of the situation of schools in Transnistria is presented in a study prepared by the Organization for Security and Cooperation in Europe (OSCE) Mission to Moldova in cooperation with the OSCE High Commissioner on National Minorities (OSCE 2013).

#### RECOMMENDATIONS

Based on the findings of this study, it is recommended to take into consideration the following steps, which refer to the situation of the national minorities. The implementation of these recommendations shall contribute to improving interethnic relations and building confidence between the two sides.

### RECOMMENDATION FOR THE AUTHORITIES OF THE REPUBLIC OF MOLDOVA:

- Exemption from liability in the case of the Transnistrian region should not impede the responsible public institutions from enhancing their efforts to monitor the situation of the ethnic groups in the Transnistrian region.
- It is necessary to introduce specific measures that would encourage the initiation of cooperation projects between associations of national minorities to improve the data collection process, and to enhance the implementation of the Framework Convention for the Protection of National Minorities, etc.
- As a complementary action, it is necessary to enhance inter-agency cooperation, especially the cooperation between the Reintegration Bureau within the State Chancellery and the Bureau for Interethnic Relations to realise measures that refer to the reintegration of the country regarding national minorities and interethnic cooperation.

### RECOMMENDATION FOR THE DE FACTO AUTHORITIES OF THE TRANSNISTRIAN REGION:

- This study highlighted the absence of a legal framework that would regulate the area of interethnic relations and protect the status of national minorities. Therefore, it is necessary to develop a legal basis that would assure the protection of national minorities' rights in line with the provisions of the Framework Convention for the Protection of National Minorities and other international documents. It is also necessary to incorporate mechanisms into the legislation to limit the number of cases of discrimination based on different criteria.
- Given the precedent of the unilateral ratification of conventions by the de facto authorities, it is recommended to extend this practice to the ratification of the Framework Convention for the Protection of National Minorities.
- This present study highlighted a range of drawbacks to the implementation of the legislation. Therefore, it is necessary to monitor the process of the implementation of legislation, particularly in the area of languages and how the declared balance in the equality of the three official languages is ensured.
- It is necessary to de-politicise the misunderstanding concerning the schools teaching using the Latin alphabet in the region and to approach this situation from a human rights perspective. It is also necessary to identify solutions in the spirit of human rights to all issues related to the schools' status, educational activities and operation until a final solution to the Transnistrian conflict is found.

- The legislative emphasis on the three ethnic majority groups and the declarative balance between the three official languages in the region overshadow the need to protect the cultural rights of other ethnic groups, especially those that are smaller in size. It is necessary to protect the rights of all ethnic groups and adopt measures aimed at supporting, protecting and developing their cultural heritage.
- This study revealed limited transparency within the decision-making process, the activities of public institutions, the monitoring of the enforcement of legislation, ethnic statistics, and more. Therefore, it is necessary to improve this situation by enhancing transparency and by offering access to the relevant information to the wider public.

### RECOMMENDATION FOR CIVIL SOCIETY ORGANISATIONS:

- Civil society organisations on both sides should draft (alternative) reports on the implementation of the Framework Convention for the Protection of National Minorities in the Transnistrian region and on the situation of national minorities in the region in general.
- It is necessary to enhance the contact between associations of national minorities on both sides by organising joint events and inviting organisations from both sides to discuss the implementation of the Framework Convention for the Protection of National Minorities and the implementation of legislation on national minorities.

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SHUSHAN GHARIYAN / ANNA ATOYAN

## WAR AND PEACE IN KARABAKH: AN ANALYSIS OF WOMEN'S PERCEPTIONS

*Women, as full-fledged members of society, are considered to be active participants in post-conflict settlement and peacemaking. In the case of the Nagorno-Karabakh conflict, the negotiation process has produced no significant results, and women's experiences have been missing from this agenda. Thus, this article aims to reveal the experiences and perceptions of war and peace of Karabakhi women. A qualitative methodology was chosen for this study. Forty-eight in-depth interviews were conducted with Karabakhi women and eight interviews with experts possessing professional and practical knowledge of this topic. The research results show that although women contribute to war, they see their role more as connected to the peacemaking process. The results also provide evidence that women would like to participate in formal as well as informal sectors of decision-making and peacemaking processes. However, they are excluded from these processes and have little access to power.*

**KEY WORDS:** Nagorno-Karabakh, war, peace, peacemaking, gender

### INTRODUCTION

Many researchers and policymakers have drawn attention to the role of women in war, but they have done so mainly by highlighting the risks and consequences threatening them (Goldstein 2001; Prugl 2003; Rehn/Johnson Sirleaf 2002). Over time, the focus has shifted from women in war to women in peace, highlighting women's potential value for peacemaking and peacebuilding processes. As a result, the UN Security Council adopted Resolution 1325 (2000). It should be noted that women and men experience conflict differently and therefore understand peace differently (Salman 2016). In fact, women are more peace-oriented regarding nurturing international understanding, building consensus through cooperative efforts, open and regular communication, reducing military budgets and desiring a more equitable distribution of resources (Brock-Utne 1989). Thus, to build comprehensive images of both war and peace, the perceptions of women, as full-fledged members of society, must be considered.

The leading theories are focusing on the revelation of the role of women in times of war fall within the frames of feminist discipline (Buzan/Hansen 2009). Ann Tickner's (2007) views deserve special mention in this context. According to her, security issues should be observed at the micro level, and the sectors to which security is applicable should be widened. This means that the referent object of security is changing, including gender as well (Hudson 2010). Giving importance to women's lives also helps to create a more objective and comprehensive image. Women are considered to be active participants in, and contributors to, conflict prevention, peace negotiations, conflict mediation and post-conflict reconciliation (Marshall 2000; Nilsson 2011). A focus on women can assist in the process of devising new structures and ultimately improve the chances of building a lasting peace (Dolgopol 2006). Therefore, women's role in peacemaking as part of post-conflict reconstruction is crucial (McKay 2004). Certain international examples support the effectiveness of women's participation in peacemaking. The case of Liberia shows how the Women's Peace Initiative managed to reach a peaceful resolution by pushing for the disarmament of the fighting factions before a peace agreement was signed to end 14 years of conflict. Furthermore, in countries such as Guatemala, Burundi, Cyprus, Bosnia and South Africa, women's peace organisations and coalitions have played a significant role in reaching peace (Women and Conflict 2007). A unique success story of women's involvement in peacemaking is that of Anahit Bayandur and Arzu Abdullayeva, heads of the International Helsinki Citizens' Assembly representing Armenia and Azerbaijan, respectively. Working in the informal sector, they organised the exchange of 500 prisoners of war (Abdullayeva 2011). This example emphasises the necessity of studying the experience and potential of Karabakhi women, taking into account that the context is a low-intensity conflict marked by periodic escalations. Though the Nagorno-Karabakh case has been studied extensively, less research has been done on women's role in the peacemaking process and their perceptions, opinions and attitudes relating to the conflict resolution process. Also, when discussing events during wartime via mass media, for instance, the primary emphasis is always on the role of men. This creates a masculine image of heroism that marginalises women, ignoring their experiences and excluding them from direct participation in peacemaking. Hence, this research is aimed at filling that gap.

### METHODOLOGY

A qualitative methodology was chosen for this study. The method of qualitative interviews allowed for conducting an in-depth and comprehensive study of women's social experiences of war and peace. It also allowed for interpreting their lives while taking into account their social context by addressing the following themes: women's experiences of the "first" Karabakh war, the four-day war, real and expected

forms of women's participation in war, perceptions of peace, participation in peace-making and decision-making processes, and visions of, and concerns about, the future.

In total, 48 semi-structured, in-depth interviews were conducted with women living in Nagorno-Karabakh. The sampling procedure accounted for the interviewee's age (18–36 years, 36–55 years, 56 years and older), place of residence (close to the frontline, non-frontline) and involvement of a family member in the armed forces (a family member serving in the army, none of the family members involved in the armed forces). As the research results show, the women's opinions differed only in relation to their age. That is why the younger and elder generations are distinguished in the analysis, where the younger generation comprises women between 18 and 35 years old (who were born during or after the war) and the elder generation comprises women 36 years and older (who were mature enough to remember the war). In addition, expert interviews were used to contribute an objective assessment based on the experts' professional and practical knowledge of this topic. Eight expert interviews were conducted with representatives of NGOs, media and foundations working in the field of peace-building, and scholars. The interviews were conducted in October and November 2016.

## FINDINGS

The beginning of the war in Nagorno-Karabakh (1991–1994) can be traced back to the Karabakh Movement which was initiated in 1988. After three years of clashes, on 5 May 1994, both sides signed a ceasefire agreement in Bishkek, Kyrgyzstan, which went into force on 12 May 1994. However, the ceasefire did not defuse tensions across the border. Indeed, in some cases, the situation escalated sharply. Particular prominence should be given to the latest events that occurred at the beginning of April 2016. Tensions peaked during this period, even in the political discourses of Armenia and Azerbaijan, and the conflict was considered a four-day war. This short-term war had severe effects on the region in general, dividing the history of the low-intensity Nagorno-Karabakh conflict into two parts: from 1994 to April 2016 and from April 2016 to the present. As the April clashes are officially the latest escalation of the conflict, in this article, we will refer to the four-day war as the “first”<sup>1</sup> Karabakh war.

The primary focus of wartime is on men as active participants (subjects), leaving women marginalised. However, women engage in war as well, and they experience it

1 The name is given conditionally to distinguish between the fighting in 1991–1994 and the clashes in April 2016.

uniquely. In the case of the April escalations, it should be considered that the main clashes were far from places of residence, thus ensuring the physical security of women. Consequently, this research underlines the social-psychological effects of women's experience of the war, including the perceptions, attitudes, perspectives and visions of these women.

To consider the experiences of the four-day war, the background of the war in the Nagorno-Karabakh region should be re-examined, since some of the interviewees witnessed the “first” Karabakh war, and this affected their perceptions and expectations. Thus, the elder and younger generations of women should be distinguished. In the case of the elder generation, it is important to mention the direct and indirect ways in which they participated in the “first” war. Regarding direct participation, on one side, women could be found on the frontline as nurses, cooks, etc., while on the other side, women were directly involved in the fighting. In fact, some even held positions as military squad commanders (Osyan/Ghahriyan/Babayan 2014). According to the Encyclopedia of Liberation War, in Karabakh in 1988–1994 (Ayvazyan 2004), more than 200 women performed combat roles. Their indirect participation was no less meaningful, because by staying in their places of residence and tending to the household, women supported their men, giving hope and a reason for the fighting.

*“When the war started, I was involved in one of the military squads... the men asked me to go to military positions with them [...] I was a nurse, and then I became a shooter...”*  
(Askeran region, 56 years old)

*“One day, I was going home from work and met Artur Mkrtychyan<sup>2</sup>, and he told me that the men had liberated one of the villages and were hungry and tired. So, I told other women, and we cooked a meal and sent it to them [...] and women's participation in the war started from that point [...]”*  
(Hadrut region, 54 years old)

The younger generation did not see the war but has been socialised in conditions where everything reminds the public of the war, and everybody talks about the war. Therefore, despite not having been directly involved in the war, or not having been born by the time the war occurred, the young generation has an experience and perceptions of the first war through agents, such as family, school and media. Thereby, the younger generation's experiences are formed through collective and historical memory (Halbwachs 1980; Marutyan 2006) transmitted from generation to generation.

2 Artur Mkrtychyan was the commander of a military squad and the first Chairman of Supreme Council of the Nagorno-Karabakh Republic.

*"I even remember [...] I was born in 1987 [...] some things that my family told me, but very vaguely... but the first time Martuni [the city she was born in] was bombed, and we escaped to the cellar... I remember that clearly. I was four or five years old at that time [...]"*  
(Stepanakert, 29 years old)

According to Luhmann (2000, 1), "all we know about our society or the world in which we live, we know through the mass media". That can be applied to the April clashes, as the media was the primary source of information from the frontline for civilians. Thus, since the media provides the first response to any event that occurs, thereby forming initial notions about the event, this research was partly dedicated to revealing the main sources of information. During the April escalation, the internet (including social networks and news websites) have been particularly important for Karabakhi women. Before the news was disseminated from the border, those who had a family member serving in the army learnt about the clashes later that night. Aside from the mentioned sources, women also discussed the events with their family members and neighbours. This discussion, according to women, had a sedative effect, though such a function was not pursued intentionally.

Since the elder generation of women survived the war, its members were mainly concerned about the lives of soldiers and the consequences that the war could have on those who did not directly experience it. Thus, these women were thinking about the possible ways to support those involved in clashes, rather than leaving for their own safety. For the younger generation, this escalation was new; thus, their notions were more militaristic in the emotional context. Moreover, members of the younger generation mentioned the clashes that happened in August 2014<sup>3</sup> as their first experience of war, contributing to the collective memory which shaped their attitudes towards the situation.

*"The only concern was about the young generation. We [the elder generation] all experienced war and saw many hardships. I was 24 when the other war started [1988-1994], but I was the mature person at that time [...] our children now face war as well, and they have not seen a peaceful life. This is one of the biggest worries for me [...]"*  
(Askeran region, 54 years old)

*"We saw the escalation in August [2014]... the war [...] we know what it is, but my main concern is that my sister's child is four years old – the same age as was my sister when the first war started... It seems like everything is repeating itself."*  
(Stepanakert, 29 years old)

3 At the end of July 2014, clashes broke out on the Armenian–Azerbaijani border, as did the line of contact between Nagorno-Karabakh and Azerbaijan, which lasted until the beginning of August. The clashes were the most intense since the ceasefire agreement (1994).

To sum up, when discussing the "first" Karabakh war and the four-day war, all respondents mentioned some apparent similarities and differences. Regarding the similarities, it was mostly mentioned that the April war was the subsequent escalation of the same conflict. The most remarkable difference was the fact that unlike the "first" war (1991–1994)<sup>4</sup>, which had been anticipated since the beginning of the Karabakh Movement (1988), the April clashes (2016) were unexpected after 22 years of ceasefire.

*"The difference was that the April war, to be honest, was unexpected. For instance, in 1988 [when the Karabakh Movement started], we were preparing [...] we felt that the war was inevitable. But in April [...] It was at once and unexpected."*  
(Shushi, 56 years old)

Other differences included the period, the military equipment used and the ways of communication (sources of information). Significant differences were the types of weapons used by both sides. In particular, the Karabakhi side did not have a regular army and appropriate equipment during the "first" war. However, this was not the case during the April events. As for communication, it should be noted that today, the most widespread source of information is the internet. It provides opportunities to obtain detailed information about events as they occur. The internet and telecommunication provide a connection to the external world. Thus, it has become easier to access necessary information even for those in a conflict zone, whereas during the "first" Karabakh war, people had to wait for days to receive information. The "first" war lasted four years, while the second one just four days.

*"The only difference is in time [...] four years and four days. When the April war started, there was such a feeling that we did not have peaceful years."*  
(Hadrut region, 53 years old)

The "first" war, which lasted four years, forced women to shoulder responsibilities undertaken by men. On the contrary, during the April war, which lasted only four days, there were no role changes in families.

As mentioned above, the April war was short; hence, women did not have to go to the frontline, in contrast to the "first" Karabakh war, where there were some notable examples of women directly involved in the fighting. However, women found an alternative way to have an impact on ongoing processes, taking secondary functions and ascribing new responsibilities to them. These secondary functions comprised cooking and baking, preparing necessary supplements for soldiers and sending provisions to the military.

4 Although officially, it is stated that the Karabakh war started in 1991, people date its outbreak back to 1988 – that is, the beginning of the Karabakh Movement.

The interviews revealed other crucial latent functions of women, such as not leaving their homes, continuing to go to work and living their everyday lives, thus contributing to the minimisation of panic and maintaining a relatively peaceful atmosphere. It should also be noted that most of the interviewed women had liberal views towards women's participation in the war. According to them, whoever wants to fight should do so, regardless of gender or any other characteristic.

The representatives of both generations agreed that the whole population of Nagorno-Karabakh needed training in first aid and safety during the wartime. They also emphasised the importance of systematic social and, particularly, psychological consultation during the postwar period, since this time is as stressful as the war itself. The experts shared this opinion. As they mentioned, the postwar period has risks that may lead to violence in the family or other social groups. This affects men directly and is explained by the fact that by fighting for the land and taking heroic actions, men gained social recognition. In the postwar situation, the process of re-socialisation is not always smooth and, in some cases, does not happen because of issues associated with adapting to the new social life. This could be explained by the loss of social recognition men used to have, by facing challenges, such as unemployment, and difficulties regarding social integration, all of which may lead to an increase in violence in the society.

*"Of course, it is important for the people to know how to defend themselves during such situations, and psychological consultation is also necessary, as there are people who need such consultation."* (Hadrut region, 48 years old)

*"Yes, we require training. If the training is impossible, we all, at least, need a psychologist."* (Martuni region, 54 years old)

Also, the interviews revealed expectations about women's participation. In this context, there were differences regarding the desired participation mainly among the younger generation. Some interviewees mentioned that they would like to leave for the frontline, and others even wanted to be listed as volunteers, but they were not allowed. Such a willingness to be directly engaged in war is linked to the fact that these young women (who had not seen the war) grew up hearing heroic stories about the war and sought to experience it themselves and be in the situations described to them.

*"[...] even we had a friend [...] she lives in Stepanakert [...] who was thinking to go to the frontline with me and other girls, if we were allowed [...]"* (Shushi, 25 years old)

Those who wished to support men on the frontline, but could not, listed several barriers affecting their decision. Some of them had young children whom they cannot leave alone, some were taking care of their parents, and others mentioned that someone must stay and organise household chores. In comparison to the young ones, the elder women, based on their social experience, claimed that it is better for a woman to stay away from the frontline and provide support from home.

*"[...] if I had an opportunity [...] [children are underage; the little one is two years old] [...] if I could, I would rather go and participate in the April war and support my husband."* (Martuni region, 31 years old)

Nevertheless, the research results evince a tendency to see and highlight their participation more in peacemaking than in war. According to scholars, women are better positioned to trust conflict resolution initiatives and engage in activities that will further the prospects for peace (Burton 1990). Moreover, women's involvement in all spheres of society and access to power, particularly in decision-making processes, are essential for the achievement of equality, development and peace (Beijing Declaration 1995). To understand women's visions of involvement in the peacemaking process, it is essential to clarify their perception of peace. By peace, women of Karabakh mean, firstly, certainty concerning the future – which includes the wellness of their children and predictability of their lives – and, secondly, the absence of ceasefire violations and any loss across the line of contact. Overall, their notions of peace coincided mainly with negative peace (Galtung/Fischer 2013), which infers the absence of war. This shows that the situation is so complex, the absence of clashes and shootings is equated to peace. However, a non-war situation is not peace. Peace in its complete meaning comprises the absence of violence in all forms and solidarity in different aspects of social life (positive peace). It should also be noted that peace is a dynamic social construct requiring tireless efforts towards building a relationship and trust among conflicting parties (Ayunts/Zolyan/Zakaryan 2016).

*"Peace is when I will be sure that the future of my children is ensured. This is the most important thing."* (Martakert region, 36 years old)

*"In our case, peace is so relative that the absence of shootings, not participating in soldiers' burials are considered as peace here."* (Martuni region, 22 years old)

Women's perceptions of peace should particularly be considered because women appear to be the primary agents of socialisation and identity construction. The latter suggests framing a model of thinking about the future generation. It can have constructive as well as destructive functions correspondingly, contributing either to the deepening of the conflict situation or leading to the establishment of peace. The opinions of women on this topic mainly fall within the frame of a constructive

approach. Two main opinions can be distinguished. The first one assumes that history should be told to children as it is, without exaggerations and myths. This also underlines the importance of not dehumanising the other side by presenting them as aggressors or enemies. According to the women in this study, this dehumanisation further spreads hatred and hostility. Yet they simultaneously claimed that it is necessary to be vigilant and always ready for unexpected behaviour. Moreover, of note is that the women did not differentiate between girls and boys in the early stages of socialisation, mainly when having discussions about the history.

*"The history should be told as it was, without distorting it; their misdeeds as well should be told, and then let the children choose what they want. However, we should always explain that in every nation, there are good as well as bad people, and you should not perceive the whole nation as an enemy."*

(Askeran region, 44 years old)

According to the second opinion, children growing up in a conflict zone, especially the after April clashes are aware of the situation, have formed an image of the enemy and, therefore, have an attitude towards the issue; thus, it is pointless to speak about it in general.

*"In my opinion, children should not be told anything as they know everything. You know, Karabakh is a country where nearly 80–85% of children's fathers are serving in the army... So, what to tell the children? They see everything and know everything [...]"*

(Hadrut region, 54 years old)

However, the women expressed certainty that Azerbaijan presents its version of this history. Thus, there is dissonance between two different social realities that determine the formation of different attitudes towards the history of Nagorno-Karabakh. These differences in history may hinder the conflict resolution and reconciliation processes. Furthermore, the experts mentioned that the absence of intersections and interaction hampers dialogue and further communication between the two sides.

The women in this study also expressed a remarkable attitude towards how peace could be reached. To establish peace in the region, they thought that Nagorno-Karabakh should be involved in negotiations<sup>5</sup>, which would be possible only if Karabakh is recognised internationally as a sovereign state. They thought that such recognition would determine Karabakh's participation as an essential actor on a political platform. To perform as such, Karabakh should reach a high level of development (social, economic, educational, etc.) and have a robust civil society.

<sup>5</sup> Currently, Armenia and Azerbaijan are the chief negotiating parties, while Karabakh as a full-fledged party is excluded.

*"Today, the biggest guarantor of peace is sovereignty."*

(Martakert region, 53 years old)

*"Our society should educate itself. To create a strong civil society, every person, every citizen should fight for their rights and also fulfil their duties."*

(Hadrut region, 48 years old)

The success of the peacemaking process is partly dependent on women's participation in formal and informal sectors. In fact, women are usually excluded from the formal peacemaking process (Stewart 2010; Freizer 2014), though they have high potential. The failure to include women often begins at the ceasefire stage, and this makes it more difficult to broaden the range of participants at the peace negotiation stage (Dolgopol 2006). This exclusion later continues in the sectors of formal and informal institutional power. The exclusion of women from power limits their access to peacemaking and negotiation processes, and exclusion from such processes prevents women's empowerment.

The majority of the interviewed women thought that in negotiation and decision-making processes, priority should be given to knowledge, skills and competencies, rather than to gender or other characteristics. Moreover, as Ní Aoláin (2016, 8) mentions, *"if women become a code for 'doing' inclusion better, it disappoints precisely because sex alone fails to capture the complexities of women's situated political positions in violent societies"*. These interviewees stressed the importance of equal involvement of both women and men, as their attitudes and opinions can complement each other. At the same time, they pointed out several characteristics specific to women that can contribute to more efficient solutions. For example, they claimed that women are more flexible, peace-oriented and able to think of solutions in a short period. Also, women tend to seek peace because it is their fathers, husbands and sons that are serving in the army and participating in the fighting.

*"First of all, women should be educated and, in particular, they should get a political education."*

(Stepanakert, 19 years old)

*"Women see the situation differently from men, as their sons are on the front-line. Women know what their sons want and what will save their lives"*.

(Hadrut region, 54 years old)

Although there are some examples of women's involvement in formal sectors, they thought that they should be involved more broadly in decision-making processes (e.g. formal and informal negotiations and discussion tables). The analysis of the findings shows that women of Nagorno-Karabakh have a willingness to get involved and

see the necessity of their involvement in such processes. These women are divided into two categories. The first category comprises those who claim that they have the proper knowledge and, thus, are ready to participate in negotiations. The second category consists of those who mentioned specific factors limiting their opportunities. On the one hand, there is a lack of knowledge and skills; on the other hand, women are the primary carriers of household responsibilities and cannot combine both. Interviewees indicated that because of their low representation in government, their voices would not be taken into account. Accordingly, they saw their role as being stronger in informal sectors. Once again, the question of power is raised. Being excluded from the peace process, formal sectors and institutional power since the ceasefire agreement, which was signed almost 23 years ago, women of Karabakh do not even think about the possibility of gaining access to power and managing and exercising it in various societal contexts. Moreover, this is the reason why, when talking about participating in peacemaking, they mentioned only being able to act in the informal sector.

As Lederach (2001) mentions, peacebuilding must be undertaken at numerous levels of society simultaneously. He states that when discussing reconciliation and settlement, we should not only reflect the objectives of the ruling body and formal negotiations. He suggests three approaches for reaching peace: top-down, middle-out and bottom-up. In the bottom-up approach, peacemaking is recognised as a multi-level activity carried out by different groups of people, such as women, who can become more active participants working towards peace and reconciliation in the region (Freizer 2014). In addition, women of Karabakh expressed that an alternative type of informal participation could be realised by forming a platform allowing the women of Karabakh and Azerbaijan to meet, share opinions, discuss issues and create new paths for peaceful solutions to the conflict. At the same time, they emphasised the importance of Azerbaijan being willing to do the same. They especially mentioned that the current political regime of Azerbaijan is authoritarian and stifles its citizen's initiatives for dialogue. Besides, the role of third parties (state actors) is no less critical, as they also have interests in the region and their own visions/versions of conflict resolution.

*"It is also important that there should be an Armenian and Azerbaijani women's, mothers' group in the negotiation process, because, in my opinion, there [in Azerbaijan], no one wants a soldier to be killed either. The role of women [...] although in Karabakh we have a female minister and there is a little discrimination towards women, I think that women should be more engaged in different spheres, at least in NGOs."*  
(Shushi, 26 years old)

On the whole, from the perspective of the women in this study, the future of the Karabakh conflict is unpredictable, especially since the April escalation, which has affected the planning of people's daily lives, thereby creating a sense of uncertainty. Besides, the constant fear of war does not allow for thinking about the future or making any long-term plans.

## CONCLUSION

The Nagorno-Karabakh conflict is a low-intensity conflict, which means that the line of contact is in constant tension, marked by periodic escalations. The existing uncertain "no war, no peace" situation, which has been ongoing for many years, has become a part of everyday life. People in Nagorno-Karabakh continue to live such that they must predict when clashes and fighting will restart. Moreover, their future plans are always conditioned by the threat of war. The negotiation process has yielded no significant results, as peacemaking should be not only top-down but also bottom-up, engaging different social groups in the process. Both the literature and the analysis of the research results show that women have high potential in the peacemaking process and that potential should be harnessed properly. However, currently, women of Nagorno-Karabakh are excluded from peacemaking and decision-making processes, which, in turn, limits their access to power. Yet women's willingness to participate in peacemaking in both the formal and informal sectors is not enough, as the governments on both sides should also be willing to take a step forward. Moreover, a policy of inclusive peacemaking should be adopted, as the effectiveness of such processes is based on various experiences of different social groups affected by war. Inclusiveness means engaging various parties, such as women, representatives of civil society and other affected groups, in the peacemaking process.

Thus, to improve relationships, build confidence and establish sustainable peace in the region, tireless efforts and willingness are needed from both sides. The formation of a robust civil society and social and economic development in both countries could form a ground for the realisation of all the aforementioned goals. Furthermore, it would be desirable to conduct similar research in Azerbaijan and combine the data from both studies. This will provide a detailed and comprehensive image of the situation, which may lead to new alternatives for peacemaking in the region.

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ANATOLIY DIRUN

## POLITICAL PARTIES IN THE SYSTEM OF SETTLEMENT OF ETHNO-POLITICAL CONFLICTS: THE CASE OF TRANSNISTRIA

*Ethno-political conflicts are vital factors for regional security. Due to their complexity, they often acquire a protracted character in the process of their settlement. The settlement of protracted conflicts through political means is a crucial challenge for scholars in the field of conflict research and political science in general. This paper argues that the stability and effectiveness of the conflicting parties' institutions play an essential role in conflict resolution. Institutions ensure both, the stability of the conflicting sides and the stability of the relations between them. The purpose of this paper is to analyse the relationship between the development of political parties in Transnistria and the implementation of social and economic reforms in the republic. I argue that the lack of programmatic vision to modernise political institutions and the party system limits the possibilities for the leadership in Tiraspol to stabilise the sociopolitical system in Transnistria. This shortcoming destabilises institutions in Transnistria and negatively affect the Moldovan-Transnistrian settlement process.*

**KEY WORDS:** *political parties, political institutions, electoral system, Transnistria, protracted conflicts*

### INTRODUCTION

#### DE FACTO POLITICAL PARTIES: BETWEEN STATISM AND CONSISTENCY

Experience shows that for more than 25 years of the existence of unrecognised states in the post-Soviet space the perception of de facto states on international law has changed. Preserving their statuses of unsettled conflict for all these years, unrecognised states have evolved from their original concept of self-proclaimed states to a new concept – the de facto state. Distinctive features of the de facto state include “the minimum sufficient level of political and legal order, as well as the resources for its provision, including the high level of its legitimating by the population of the relevant territories” (Ilyin/Meleshkina/Melville 2010).

25 years since the dissolution of the Soviet Union confirmed another trend: “The diplomatic and legal refusal to recognise de facto states is an indirect confirmation of the forced recognition of the fact of its existence and, thereby, the ability to recognise

*it when certain conditions change”* (Ilyin/Meleshkina/Melville 2010). In this regard, the question is topical – what helps to ensure a minimum political and legal legitimacy during these years? The answer, in our opinion, lies in understanding the causes, origins and mechanisms of the functioning of the de facto state's political institutions. The duration of the “frozen conflicts” indicates the need to study the effectiveness of the conflicting parties' political institutions and their impact on the dynamics of conflict development. We can distinguish three main tasks that have to be addressed by institutions in the context of conflict:

1. Ensure legitimate support from citizens.
2. Preserve the competitiveness of institutions regarding conflictual contact with the second party to the conflict.
3. Develop international cooperation with the goal of step-by-step external legitimisation of the de facto state.

For the de facto state, ensuring the legitimacy of the political regime is the primary factor that demonstrates the level of citizens' trust in acting institutions, the quality of the institutions' work and their ability to influence the formation and implementation of policies. In this connection, investigating the activities of political parties under the conditions of an unrecognised state is topical.

The party system is an inalienable attribute of any democratic state. This is primarily because it carries out the task updating the management class, as well as ensuring the stability of the political institutions necessary for the successful implementation of reforms. The tasks of the party include nominating new personnel, developing socio-economic programs and participating in the election of a team of like-minded people. Undoubtedly, each country has its model of party building. However, regardless of the format of the party system, it must be recognised that political parties are the only effective institutions for mediating legitimate power struggles due to their complex mechanisms of checks and balances both within the party and within the political system.

For Transnistria, a discussion about the role and significance of political parties has been ongoing since the establishment of the state. At different stages of building Transnistrian state, this discussion has always been on the agenda. This issue is relevant because, after the election of Vadim Krasnoselsky to the presidency of Transnistria on 11 December 2016, all political power was concentrated in the hands of the party Obnovlenie and the holding company Sheriff that supported it. With such political dominance, there are always additional opportunities for

solving the stated problems as well as potential challenges for their implementation (NewsMaker 12.12.2016).

The experience of the reign of the second president, Evgeniy Shevchuk (2011 – 2016), clearly demonstrated that the inability to build a capable management system and use modern tools for working with parties and movements led to a critical mass of managerial errors. As a result, Shevchuk was defeated in the 2016 election. Speaking of interaction with political parties, it is worth noting the fact that Evgeniy Shevchuk, in fact, himself dissolved in 2016 his own pro-presidential party Revival. Without creating a new political project, he remained without political support from his supporters in the presidential election in 2016. At the same time, we noted that in 2011, Evgeniy Shevchuk received more than 70% of the population's support (Izvestia 26.12.2016). In contrast to the situation six years ago, today, the formation of the government and the mandate of the parliamentary majority in the Supreme Council by the Obnovlenie in themselves may imply effectiveness in their ability to implement public policies.

In the medium term, however, the social and economic situation in Transnistria may become more complicated. The issue here, in our opinion, is not only in external challenges but also traditional challenges. Furthermore, the complicated relationship with the European Union on the part of fulfilling Tiraspol's obligations to implement the DCFTA. Installation of joint Moldovan-Ukrainian customs and border posts, which took control of imports into Transnistria. The issue of the ability of the Government to build effective work of political institutions to solve economic problems.

For the successful implementation of a socio-economic strategy, three conditions must be met: the mobilisation of power, knowledge and the public. If there is an evident concentration of power, but there will be discussions on the question of what needs to be done to address the socio-economic issue? However, the issue of how to mobilise the public during a post-election period to resolve and support the stated goals and objectives remains open. Public mobilisation, in this case, can be described *“as ensuring broad public participation in the process of developing solutions and monitoring their implementation, as well as being aware of a personal interest in the welfare of the state”* (Malgan 2011, 48).

Today, the modern condition of the party landscape in Transnistria allows us to characterise it as a half-party system. It includes one dominant political organisation, as well as several small satellite parties.

Despite the fact that today the government of Transnistria is building new forms of dialogue with representatives of the business community and non-governmental organisations. However, neither active dialogue nor discussion of problems in social networks can replace the activity of political parties capable of consolidating the efforts of various groups of the society to solve the strategic tasks facing the state. Why exactly are political parties able to solve this problem? Established political parties reduce the risk that discussions and public participation on socio-economic challenges are gradually phased out of the life of the state. The activities of a political party form a system of checks and balances, which provides mechanisms for the consolidation of society through the competition of ideas and projects. For example, the consent of political parties played an essential role in transforming Denmark into one of the most competitive economies in the world. This is required for implementing a coherent strategy for more than 20 years, as well as obtaining broad consensus in other areas, from childcare to environmental protection (Malgan, 2011). The central question here is what factors hamper the development and implementation of a competitive party system in Transnistria, which could serve as a room for discussion to generate of new ideas and initiatives to tackle the current deadlock. We can find the answer in analysing the influence of the electoral system on the development of political parties.

#### **THE MAJORITY ELECTORAL SYSTEM: FROM STABILITY TO MONOPOLY**

The electoral system is one of the primary factors shaping the institutional design of the state. It strongly influences the development of political parties, the degree of fragmentation or plurality of the party system. In the Transnistrian experience, the development of the electoral system and party system proceeded in three stages.

The first stage, which lasted from 1989 to the autumn of 1990, was connected with the election to the Transnistrian Supreme Council, which passed by an absolute majority. According to the results of the election campaign, 64 deputies entered the first convocation of the Supreme Council. In the second stage, December 24, 1995, a referendum was held in Transnistria where the constitution of the state was adopted, which consolidated the parliamentary-presidential form of government. Soon after, the law On the Election of People's Deputies of 12 September 1995 for the use of a mixed electoral system provided for the formation of the parliament. The lower chamber – the Legislative Chamber – consisted of 32 deputies and was formed by an absolute, while the upper chamber – the House of Representatives – consisted of 35 deputies elected by regional districts where the first five candidates for deputy mandates became winners. The third stage of the electoral reform refers to the year 2000

and is related to the law On Amendments and Additions to the Constitution of the Pridnestrovskaja Moldavskaia Respublika, dated 21 June 2000. With this, the presidential form of government was established in the republic under which the Cabinet of Ministers is an executive body under the president. Also, the Supreme Council was reformed into a unicameral legislative body consisting of 43 deputies whose elections are held by the majority system.

The theoretical justification of the influence of the electoral system on the development of parties was developed by M. Duverger (1954). The French researcher deduced a regularity known as M. Duverger's Law. Its essence lies in the fact that the majority system in single-seat constituencies leads to the formation of a two-party system. He proposed a law and a hypothesis about the relationship between the number of parties in the country and its electoral system. The law boils down to the following: *"The principle of a simple majority and elections, providing only one ballot, lead to the emergence of a two-party system"* (Duverger 1954). The hypothesis suggests that *"a simple majority system, elections that provide for a second ballot and proportional representation, lead to a multi-party system"* (Duverger 1954). On the contrary a proportional system promotes the development of a multiparty system.

Ever since the majority system was administered in Transnistria (i.e., 2000), four electoral cycles have already passed: 2000, 2005, 2010 and 2015. Fifteen years is a sufficient period to analyse the effectiveness of the relative majority system and its influence on the dynamics of the development of political parties. Table 1 presents the results of elections to the Supreme Council of Transnistria for each electoral cycle from 2000 to 2015.

Table 1

Election date	The leading political organisations participating in the elections	The parliamentary majority	Leadership (belonging to the party)
2000	– <i>Edinstvo Pridnestrovia</i> – <i>Obnovlenie</i>		Grigori Maracutsa
2005	– <i>Respublica</i> – <i>Obnovlenie</i>	<i>Obnovlenie</i>	Evgeniy Shevchuk / <i>Obnovlenie</i> (2005–2009) Anatoliy Kaminskii / <i>Obnovlenie</i> (2009–2012)
2010	– <i>Partia Patrioticheska</i> – <i>Obnovlenie</i>	<i>Obnovlenie</i>	Anatoliy Kaminskii / <i>Obnovlenie</i> (2009–2012) Michail Burla / <i>Obnovlenie</i> (2012–2015)
2015	– Supporters of <i>Evgeny Shevchuk</i> – <i>Obnovlenie</i>	<i>Obnovlenie</i>	Vadim Krasnoselskiy (elected with the support of deputies from <i>Obnovlenie</i> ) (2015–2016) Aleksandr Serba / <i>Obnovlenie</i> (2016–today)

An analysis of the presented data allows us to draw the following conclusions:

1. The only political organisation participating in every election since 2000 is the *Obnovlenie* party. The stability of this organisation is connected to the financial support from the firm Sheriff as well as to systemic work in the field of party building. The current regional distances, humanitarian actions, information support of candidates and other resources allowed the party to form a parliamentary majority from 2005 to 2015.
2. The presidential form of government in Transnistria, as well as the lack of the right to form a government with the party through a majority in the parliamentary elections, limited the ability of *Obnovlenie* to develop and implement political decisions.
3. The main competitors of *Obnovlenie*, as a rule, were created by the team that controls the executive branch. Such a political technology attitude to parties as exclusively pre-election projects, apparently, was based on the belief in the

omnipotence of administrative resources and backroom arrangements and on the desire to avoid investing in and developing party projects. Despite this fact, the presence of a second political force is considered today in Transnistria as an integral part of the electoral process.

It should also be noted that, despite the opposition of the two main party projects from 2000 to 2015, during this period, ten political parties were established in Transnistria. To date, some of them have ceased to exist, and the activities of others are fading. The most stable is the Transnistrian Communist Party, which has close relations with its Russian counterparts. Thus, the majority system established since 2000 created the prerequisites for a two-party format. However, the lack of additional mechanisms to strengthen the activities and significance of parties, in fact, has transformed the two-party system into a conditionality that will arise before the next parliamentary elections. Before the parliamentary elections in 2010, this pre-election competition between the two political projects ensured the stability of the institutions. This system has become a compromise between the leadership and the citizens of the republic. First, it retained high chances for re-election, but at the same time, it supported competition between candidates, thereby increasing the legitimacy of the elections. The activation of the parties only during the pre-election period blurred the system of checks and balances created in the middle of the 1990s. That, in turn, provoked the emergence of political crises in the Republic, which could no longer be regulated exclusively by non-public instruments.

#### MODERNISATION OF THE PARTY SYSTEM OF TRANSNISTRIA AS A SYSTEM CALL

After 15 years of domination in the parliamentary elections, the party *Obnovlenie* (with the support of the Sheriff company) finally gained control of the presidential institute in Transnistria. Such concentration of power created favourable opportunities for realising the declared reforms. However, in the absence of other active political projects in the country, this dominance destabilised the political system of Transnistria.

The absence of a consolidated political opposition in Transnistria creates three potential challenges for the government: First, the absence of public discussions around the government's plans and constructive criticism. The lack of public discourses on the legislative agenda leads to low public support of government initiatives and creates vulnerability. Second, despite the victory of the *Obnovlenie*, it is important to remember that the party does not represent the interests of all citizens. In this regard, it is essential to create the conditions for representatives of other political as-

sociations and leaders of public opinion to participate in political life. Otherwise, elections to the Supreme Council will become the procedure for appointing deputies. Third, the presence of protest moods in society and criticism of government policy makes it necessary to legalise the concept of opposition in Transnistria. Due to the unresolved conflict the political primacy of consolidation of power, such a concept was practically excluded from the political process in the republic.

In Transnistria, distrust of the authorities can also take different forms, from mass demonstrations to criticism on the internet. Examples such as the cancellation of the results of the presidential elections in South Ossetia in 2011 and the holding of a referendum on early presidential elections in Abkhazia in July 2016 confirms the relationship between institutional weakness and political instability (RIA Novosti 10.07.2016). Against this background, the localisation of the crisis in Transnistria during the presidential election campaign in 2016 was the result of Russia's successful mediation, rather than the willingness of politicians in Tiraspol to compromise and modernise the political system (RIA Novosti 56 11.10.2016).

Today, the emergence of new external challenges requires the leadership of Transnistria to generate new mobilisation public projects. In this regard, the activity of only one party against the backdrop of the absence of other political forces' activities, reduces, in general, the possibilities for consolidating the Transnistrian society and promptly responding to threats.

To what degree it will be possible to implement public policies is an open question. The difficulty lies in the fact that after the departure in 2011 of the first president, Igor Smirnov, the system of checks and balances has changed in the republic, which in turn caused a prolonged political crisis between the parliament and the second president, Evgeniy Shevchuk, for five years (2011 – 2016). To build a new, active configuration of power, first of all, the productive work of political institutions based on the trust of citizens will be required.

In turn, a necessary condition for the effectiveness of institutions is their competitiveness. Politically, competition is a particular set of tools and qualities. First of all, it is a choice, a feedback between the authorities, society and the opposition. One can agree with the position of Alexei Kudrin, the head of the Center for Strategic Research, on the possibility of carrying out reforms in Russia, who stated that *"it is difficult to carry out reforms without trust [...]. Lack of trust is an additional tax on any public transaction [...], we have a high level of trust in the president, but if you look at the level of confidence in the government, the parliament, the police, then it is lower – about 30–20%, sometimes even 15%"* (Vedomosti 13.01.2017).

The total dominance and influence of one political party and the absence of real competition lets limited involvement of the public in the political process. This passiveness manifest in a low voter turnout in elections. Traditionally, the most active electorate in Transnistria are pensioners and people close to retirement age. Less active are middle-aged people, the youth and active labourers. They are indifferent to the political process, and this is highly undesirable. For Transnistria, the real threat of the active population's non-participation in the political process is the growing migration.

Undoubtedly, this issue is complicated, but migration is also an indicator of citizens' lack of vision in how they can participate in the life of the state, as well as their future there. It is necessary for the president, the government and the Supreme Council to solve economic problems effectively, to think through a set of measures and to enhance the effectiveness of political institutions. To date, we can consider three scenarios of how this situation may develop. First, leave everything as is, i.e., maintain the existing majority system (relative majority). This option is comfortable, but how much it can provide citizens' support for reforms is questionable. Second, modernise the electoral legislation to stimulate the development of new political projects in the country. In this context, norms can be adopted stipulating that only members of political parties, can be members of the parliament. Also, the state should promote the development of other political parties and establish fixed procedures for primaries of candidates and deputies. Third, change the electoral legislation in association with the transition to a mixed system.

Transnistria's transition to a mixed system is, in our view, capable of carrying out the following two tasks: First, the proportional part will stimulate the development of political parties as the leading actors of the political system. In this case, the activity of the parties in proportional elections will undoubtedly be more long-term since the agenda of the party will have to overcome barriers in the whole republic, not only today but also in five years. That will allow for better reflection upon long-term interests and strategies in political programs. The development of mid- and long-term visions for the development of the policy is not only crucial for the socio-economic development of the region but also for any future settlement of protracted conflict between Moldova and Transnistria. Second, the majority part of the electoral system will, in our opinion, ensure stability for the political system as a whole. This stability will be possible because the majority part includes the election of a candidate; a direct representative of voters.

We do not idealise one kind of electoral system. The main thing, in our opinion, is to create conditions for the efficient operation of state institutions and ensure their legitimacy. This issue will require constant analysis and response since these results,

in fact, will determine the results of the announced reforms. Imitation of these activities will not only aggravate problems but provoke distrust on the part of citizens. Experience shows that the desire to rely on old management schemes and decisions may hold the situation to some extent, but it will not lead to its qualitative improvement. Alternatively, as Abraham Lincoln wrote, *"the dogmas of the quiet past are losing power in the turbulent present"*.

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## PROTRACTED PEACEBUILDING OF PROTRACTED CONFLICTS: DEVELOPING THE CONCEPT OF SPOILING (USING THE UKRAINIAN CASE)

*The peacebuilding process tends to create spoilers. Traditional theory interprets spoilers as non-state actors. At the same time, this pattern has already been broken, as has been demonstrated in the area of the former Soviet Union in recent years, particularly in Ukraine. The existence of a powerful state actor opposed to a peace agreement, which can be proved using a rhetorical analysis of failed negotiations, creates a spectrum of new challenges. To interpret and overcome this tendency, the traditional theory of spoiling behaviour should be elaborated into a conception with three levels, which will address all parties either directly or indirectly involved in a given conflict.*

**KEY WORDS:** *spoiler, spoiling behaviour, Minsk agreements II, frozen conflict, Ukraine, Russia*

### INTRODUCTION

The peacebuilding process itself carries the tendency to create spoilers; dialogue and cooperation are impossible without addressing spoiling behaviour. At the same time, current definitions of the terms “spoiler” and “spoiling behaviour” carry unfortunate limitations, which can be seen particularly in the course of recent conflicts in post-Soviet countries (especially in those involving Ukraine).

### RELEVANCE OF THE TOPIC

The main reason to rethink the traditional concept of spoiling is that it focuses exclusively on domestic, non-state spoilers. Meanwhile, many conflicts world-wide feature international state spoilers. This is precisely what we see in recent conflicts in Eastern Partnership countries, especially conflicts involving the creation of “states” that currently lack widespread international recognition: the Republic of Moldova – Transnistria (the Pridnestrovian Moldavian Republic), the Republic of Azerbaijan – Nagorno-Karabakh Republic (the Republic of Artsakh), Georgia – Abkhazia (the Republic of Abkhazia) and South Ossetia (the Republic of South Ossetia – the State of

Alania), Ukraine – Crimea (the Republic of Crimea) and Ukraine – Donetsk and Luhansk regions (the Donetsk and Luhansk People’s Republics). In all of these conflicts, the same powerful international actor – the Russian Federation – was involved. Using the concepts of “protecting the Russian-speaking population” and status of the kin-state, Russia openly annexed Crimea and launched debates on whether to include South Ossetia into the Federation. These actions are creating a new paradigm. Traditionally, support of separatist groups by international actors has been covert. While patron states sometimes admitted to supplying resources and endorsed the legitimacy of the goals of rebel groups, they usually denied any direct intervention. Recent actions by Russia have raised serious issues about the principle of territorial integrity and have created precedents according to which international support for separatists may become less and less covert.

### RESEARCH OBJECTIVE

This project aims to find an instrument to theorise the actions of Russian actors in protracted conflicts within the post-Soviet zone, notably the recent conflicts in Ukraine.

### PRACTICAL IMPORTANCE OF THE TOPIC

In the Ukrainian Case, the paradigm of Protracted Peacebuilding was only applied after the failure of the Minsk Agreements. An important aspect to this problem is the inability to determine all parts of conflict:

- In Ukrainian official discourse, an “Anti-Terrorist Operation” is being conducted;
- The international community typically employs the term “Ukrainian-Russian hybrid warfare”;
- The Russian Federation is manipulating the concept, “Responsibility to Protect” a civilian population, in its public discourse.

Addressing this problem of theoretical categorisation will contribute to empirical peacebuilding practice, offering the opportunity to develop more specific bargaining strategies regarding each party involved in the conflict.

## RESEARCH QUESTIONS

1. Is any theoretical concept able to assemble all parties involved in the Ukrainian conflict into one framework?
2. What kind of gaps must be filled to apply such theoretical concepts to the Ukrainian case?
3. How can other, invisible parties to the conflict be identified and theorised?

## THEORETICAL BACKGROUND

Stephen John Stedman (1997, 5) first raised the debates on spoiling. According to him, *“Peacebuilding is a risky business [...] the greatest source of risk comes from spoilers – leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it”*. Though S.J. Stedman created this essential concept, his views can nevertheless be subject to criticism.

Critics observe the susceptibility of this definition to manipulation. As it was pointed in a study (Goren/Elman (eds) 2012, 170), *“S.J. Stedman’s definition focuses on spoilers (as a noun), and not on spoiling actions (spoiling as a verb). Labelling groups or individuals as spoilers insert bias because it can be a means to exclude specific groups from the post-conflict reconstruction effort”*. Therefore, focusing on actions instead of actors will prevent unacceptable impacts this concept can have on propaganda narrative creation.

The second point critics make is that spoilers can exist only in the context of actual peace negotiations, when accord has been signed or at least after parties to the former conflict publicly proclaim their willingness to solve the dispute. This requirement emerges from Stedman’s conceptual framework discussed above. At the same time, it makes sense to broaden the definition of spoiling to include the actions of third parties that prevent the initial preparations for peacebuilding negotiations – so-called pre-settlement spoiling.

The limitation noted is that this definition emphasises the violent means of spoiling the process. Information attacks, propaganda and some forms of cyber-attacks attempting to prevent the peacebuilding process are therefore excluded. In reality, however, the more developed a country is, the greater the extent of non-violent means that can be used by spoilers to achieve their goals.

Finally, Stedman’s definition identifies spoilers as leaders or parties. Such approach does not reflect the reality in which more powerful states interfere in domestic conflicts of weaker countries to achieve their geopolitical, economic and military goals, and the same might be true for certain international or transnational organisations.

As Stedman’s theory proposes (1997, 16), spoilers can be identified from different points of view. First of all, it can reflect the position these actors take, either inside or outside the peacebuilding process. In one case, they are party to the negotiations, while in the second they have been excluded from it, or have excluded themselves for their own reasons. The positionality of spoilers often determines the means they use. Insiders more often work with peaceful instruments to prevent a deal, while outsiders can use all types of violent, aggressive methods.

From a quantitative perspective, a spoiler might be one political actor or many. The latter case creates a much more complicated obstacle for peacebuilding, because different spoilers may aim at opposing objectives, so that a deal with one spoiler can result in more significant problems with another one.

Stedman (1997, 9) also identifies several different types of spoiling behaviour depending on the goals the actor aims to achieve, and the level of intransigence, or the degree of goal achievement that the spoiler insists on. Therefore, Stedman identifies a spectrum of spoiler types, with “limited” actors at one end of the spectrum whose goals are circumscribed, such as basic needs and security of their followers, recognition, a share of power, etc. While these goals are circumscribed, “limited” spoilers may nevertheless insist that their modest requirements be fully met: they can be non-negotiable.

Meanwhile, “total” spoilers represent the opposite end of the spectrum. Their goals may include aggressive demands, such as particular preferences or even total power. Negotiating on these goals is impossible, in extreme cases. Moreover, such spoilers often support radical ideologies, so that their goals may be instruments on the path to radical social transformation.

On the continuum between these two types, “greedy” spoilers are found. They try to achieve as much as possible within the context of the risks and costs they perceive. This type of spoiler can have restricted (“limited”) goals that expand in a low-risk environment. Alternatively, they might begin with “total” goals but limit them when they face high costs.

Different types of spoilers raise different obstacles for peacebuilding. According to Paul C. Stern and Daniel Druckman (2000, 178–225), *“The ‘total’ spoilers by nature are against any compromises. Any commitment to peace by a total spoiler is a tactical move to gain an advantage in a struggle to the death. The ‘limited’ spoilers can conceivably be included in peace processes, if their limited nonnegotiable demands can be accommodated by other parties of the conflict. The ‘greedy’ spoilers can be accommodated in peace processes if their limited goals are met, and they are constrained from making added demands”*. Consequently, different spoiling goals create contrasting challenges and shape divergent opportunities simultaneously.

Taking into consideration these observations, more recent research proposes that the complexities of violent conflict require a broader definition of spoiling behaviour. Current theorisations consider activities of any actors opposed to peaceful settlement, for whatever reason, as spoiling. These actors might be within or outside the “peace process”, and use violent or non-violent means to disrupt the process and to achieve their goals. Parties that join a peace process but then withdraw and obstruct the process, or threaten to obstruct it, may also be termed spoilers. Similarly, groups that are a part of the peace process but are not seriously interested in making compromises or committing to a peaceful endgame are also included. They may use the peace process to obtain material benefits or to gain time, recognition or legitimacy or simply to avoid international sanctions. Finally, spoiling includes actors that are geographically external to the conflict but support internal spoilers and spoiling tactics (Newman/Richmond 2006, 1f.). Moreover, according to Nina Caspersen (2017, 55), *“Separatist conflicts are often fuelled by the involvement of external actors such as patron states, who may have an interest in ongoing conflict and contribute to its continuation, either directly (through military action) or indirectly (through support for leaders adopting maximalist positions)”*. Such ideas tend to shift the focus of traditional understanding of spoiling from local to global level.

It is important to notice that some scholars, including Stedman, consider identity issues to be crucial for understanding the type of spoiler. Stedman uses goal-driven analysis to make these distinctions, and believes that analysts and mediators should study closely the characteristics of the actors themselves, which requires in-depth fieldwork. Critics of this understanding say that it is much more important to understand the general environment in which spoilers operate. From this perspective, analysts only need is to identify the military capabilities of possible spoilers. This interpretation does not allow for “total” spoilers at all; spoilers are always understood to be rational actors (Goren/Elman 2012, 11).

Meanwhile, other critics observe that spoiling behaviour is often designed to shape a peace process, rather than to end it (Newman/Richmond 2006, 6). Disputants recognise the potential assets the process may offer even as they attempt to pre-empt certain possible outcomes.

## METHODOLOGY

To develop a theorisation of different levels of spoiling, the Ukrainian case (conflict with DPR/ LPR) was analysed, relying primarily on secondary sources. To investigate the spoiling pattern of behaviour by Russia, the speeches made by leaders after the Cease-Fire Negotiations in Minsk about the Ukrainian crisis, on 12 February 2015, were transcribed and analysed using rhetorical analysis and media content analysis.

## FINDINGS

### ANALYSING THE MINSK NEGOTIATIONS II

Analysing the rhetoric of key leaders within the Minsk process, the fragile character of the negotiations themselves should be emphasised. Despite the fact that agreements had been signed, the Russian leader used phrases in his interview underlining the “guilt” of the Ukrainian leadership. This rhetoric did not smooth the peacebuilding process. Meanwhile, the Ukrainian leader referred to the “presence of pressure”, while European representatives did not give a confident assessment, relying on the word “hope” (New York Times, 12/02/2015) (Table 1).

**Table 1**  
Analysis of the speeches of leaders after the cease-fire negotiations regarding the Ukrainian crisis in Minsk on 12 February 2015

Leader	Script of Speech	Key Words / Phrases
<b>Vladimir Putin</b>	It was not the best night of my life, but the morning in my view was kind, because, despite all the difficulties in the negotiation process, we managed to agree on the main issues. By the way, speaking of why the agreement took so long, I think it is connected to the fact that, unfortunately, the Kyiv authorities up until now refused direct contact with Donetsk and Luhansk People's Republics.	<i>difficulties, wasn't the best night of my life</i> <i>unfortunately</i> <i>Kyiv authorities refused contact</i>
<b>Petro Poroshenko</b>	(It includes) pulling out all foreign troops from the territory of Ukraine, all mercenaries from Ukrainian territory – they should be pulled out as soon as possible. It is very important that for the first time a detailed implementation of the Minsk agreement, of the Minsk memorandum, is spelled out regarding how to secure the national border. Despite the strong pressure, we did not agree to any autonomous status (for Donbas). We have noted that we will do so in the framework of constitutional changes aimed at decentralization that relates to the whole country. We did not agree to any mention of federalisation either. There will be no autonomy and no federalisation.	<i>despite all strong pressure</i> <i>we did not agree</i>
<b>Angela Merkel</b>	Now we have a glimmer of hope. We agreed on a comprehensive implementation of the Minsk agreement, but concrete steps must of course be taken and big hurdles still lie ahead of us. But overall, I can say that what we have achieved gives us a lot more hope than if we had not achieved anything. That's why it can be said that this initiative was worth it.	<i>glimmer of hope</i> <i>a lot more hope</i>
<b>Francois Hollande</b>	This afternoon we will go to the European Council. We will give a briefing about the work we've done. And with President Poroshenko we will work to ensure that Europe gives its support to this process. So I think there is real hope, even if we're not there yet, there is real hope for Ukraine.	<i>hope</i> <i>we are not there yet</i>

This finding is supported by the observations of Neil MacFarquhar, who paid additional attention to non-verbal communication during Minsk negotiations on 12 February 2015: *“Body language alone might prove a telling indicator. Mr Putin and Mr Poroshenko avoided eye contact as they shook hands at the outset of what proved to be more than 16 hours of difficult negotiations. In the end, each man stood wanly in a different room of the grandiose Independence Palace to announce that a deal had been reached. None of the leaders themselves signed the agreements – that was left to other representatives of the antagonists and the European truce observers – sending a discreet signal that they were not taking full responsibility for the outcome”* (New York Times 13.02.2015).

This clause makes it clear that the lack of proper non-verbal communication was observed during negotiations.

Not only the format of negotiations, but also agreements themselves, tended to lead the conflict to remain unresolved. Russian leaders insisted that control of borders by the Kyiv government should be allowed only after other issues had been settled. The Lithuanian leader stated that she felt threatened by Russia's treatment of Ukraine and called the agreement weak (MacFarquhar, New York Times 13.02.2015).

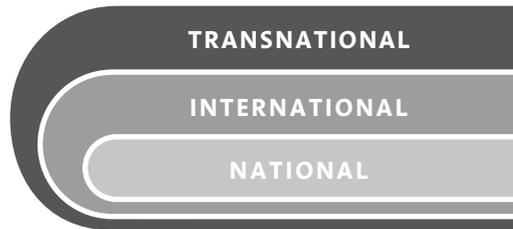
*“The practical, realistic expectation is a frozen conflict with no effective control by Kyiv over those areas, but no formal Russian responsibility”* said Fyodor Lukyanov, the editor of the journal Russia in Global Affairs. (New York Times, 13.02.2015). At the same time, Russia denied all accusations that it had supported the separatists (MacFarquhar, New York Times 13.02.2015). Therefore, we can observe the situation of “local” conflict, where an “international” actor not only plays one of the leading roles in negotiations, but also shapes the process itself while trying not to settle the conflict, but to freeze it.

#### ESTABLISHING THE EXTENDED WORKING CONCEPT OF SPOILERS

Taking into consideration all critical responses to Stedman's theory and the recent cases that have arisen in the area of the Eastern Partnership countries (notably in Ukraine), it is reasonable to complete the traditional concept of spoiling (Diagram 1).

**Diagram 1**

Types of spoilers in protracted conflicts regarding their geopolitical level of influence



The classification given above is intended to enrich Stedman's concept of spoilers by incorporating the international and transnational levels. Spoiling at the national level remains the heart of the concept. This represents the lowest level at which actors employ spoiling behaviour to influence the process. Also, without these actors, internal spoiling would be replaced by direct external intervention. The international level is the second level at which spoilers can operate. Various more specific dynamics can be differentiated here. Depending on the situation, international spoilers may include non-state actors (such as diaspora communities, for example) as well as state actors (other national governments) as spoilers. Moreover, several types of spoiling behaviour are at stake, including covert support and military support. The former is much more traditional and may include various types of propaganda, financial support, etc. At the same time, the recent actions of Russia has brought attention to the growing weight of international support that uses military force to support the annexation of parts of other countries.

Moreover, the third – transnational – level of spoiling can potentially be the most dangerous because it includes representatives of different political actors (countries, political alliances, etc.). As a consequence, their ability to interfere is not limited by the ideology, capacity, and political will of a single power, even an important international player. Two sub-levels can be identified here: international organisations and transnational corporations. The actions of the former are based more on political goals, while the latter is more affected by economic objectives. It should be noted that economic motivations for spoiling are the most challenging for any peacebuilding process. Once such goals appear the objectives of peace-building will almost never be fulfilled. Weapon trafficking, smuggling, illegal extraction of minerals, etc., flourish in the context of protracted conflicts.

Therefore, while national-level spoilers can exist independently, international ones need domestic allies so as not to convert local conflict into open warfare. Transnational agents in turn should coordinate their efforts, with the political will of the countries they represent, not to promote war within their countries to achieve political objectives. However, the degree of danger in a particular conflict increases with the involvement of the powerful actors at higher levels. The more powerful the actors involved in spoiling, the more likely it is that the conflict will become a protracted one.

**RESULTS**

1. The concept of “spoiling” gives Ukraine the opportunity to build relations with the Russian Federation based on evidence, rather than perceptions.
2. To apply the concept of “spoiling” to the Ukrainian case, different levels of spoiling should be recognised, including international and transnational levels.
3. Implementation of the spoiling concept into peacebuilding practice can give the opportunity to develop instruments to address the different types of spoilers using different methods.

**CONCLUSION**

The concept of spoilers in a peacebuilding process is a powerful theoretical instrument that gives the opportunity to name and address all parties involved in the conflict. At the same time, the recent Ukrainian case shows that Stedman's theory cannot fulfil those requirements without additional development. The central theoretical gap is his exclusive focus on non-state actors, while frozen conflicts in the post-Soviet area show the existence of states as spoilers. Adding the transnational level to this theorisation would help to address other types of spoiling behaviour, which will become the subject of further studies.

Taking all these aspects into consideration, it can be stated that the theoretical concept of spoilers may be developed further, especially in light of specific features of protracted conflicts. In the post-Soviet area, it is apparent that traditional practices do not work. Protracted peacebuilding is observed in the context of protracted conflicts. To counter this terrible cycle, reworked theoretical approaches are needed, including the promising opportunity to redevelop the concept of spoilers.

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ELENA ANTOHI

## UNDERSTANDING THE CENTRIFUGAL FORCES IN ASYMMETRIC POWER-SHARING ARRANGEMENTS. THE CASE OF GAGAUZIA

*The aim of this work is to understand the main centrifugal forces in the dialogue between the autonomous region of Gagauzia and Moldovan central public authorities. Although one of the few cases of the peaceful mitigation of an ethnic conflict in post-Soviet space, this autonomous arrangement was established with loose requirements that have resulted in only a superficial mechanism of integration for Gagauzia. This provides the grounds to consider Gagauzia, although a different case, in reintegration policies parallel to the Transnistrian issue. This analysis describes the irregularities, tensions and threats to regional stability posed by Gagauzia. While attempting to depict the complex picture of the factors hindering the functioning of the autonomous region, the present work sheds light on the informal practices and the lack of political will to efficiently implement the special legal status of Gagauzia.*

**KEY WORDS:** *centrifugal forces, power-sharing arrangements, Gagauzia, Republic of Moldova, inter-ethnic tensions, minorities*

## INTRODUCTION

The Autonomous Territorial Unit of Gagauzia (ATU Gagauzia) is a discontinuous region in the southern Republic of Moldova and the only case in Central Eastern Europe in which an ethnic group has been granted territorial autonomy. Established in 1994 as a compromise with secessionist desires, Gagauzia stands as a prominent example of the Moldovan central government's neglect of and inadequate efforts to integrate minorities. Although the settlement prevented replication of the Transnistrian scenario, the loose settlement of Gagauzia has persistently challenged the national and territorial integrity of the Republic of Moldova (Goda 2016, 209).

The adoption of the Law No 344/1994 on the Special Legal Status of Gagauzia institutionalized the compromise, granting the region the status of a territorial autonomous unit and entitling it to its own executive and legislative bodies: the governor, Executive Committee and Popular Assembly. The aim of the law, which prevented

conflict, lessened ethnic tensions and provided a mechanism to protect the interests of the Gagauz minority, was to suspend the conflict and move it to a post-agreement phase (Protsyk 2010, 235). The compromise, though, resulted in the lack of specific, clear provisions (Weller 2008, 391; Jävre 2008, 311, 313) and in ambiguous and extensive competences for the executive and legislative authorities of the autonomous region (Venice Commission 2002). Consequently, *“the lack of specific details regarding relations between the central authorities and the autonomous administration, especially in terms of competencies and finances, once again created a space for mutual mistrust, suspicion, and blame”* (Goda, 211).

Despite its initial mandate was limited on the Transnistrian issue, the Organisation for Security and Cooperation and Security in Europe (OSCE) decided in 2000 to monitor *“the political situation in the autonomous region [...] and] the centre-region relations in the areas of tax revenues, budget allocation, public property ownership, and adjustment of legislation”* (OSCE 2000, 75). The OSCE efforts to consolidate the confidence-building measures intensified after the signing of the Association Agreement in 2014. Regional development policies and the requirement to strengthen political dialogue revealed the strained relations between the Gagauz leadership in Comrat and the Moldovan Government in Chisinau. Subject to policies of social cohesion and uniform regional development, Gagauzia was also expected to serve as a positive example for the settlement process in Transnistria.

In the debates on the centrifugal forces around Gagauzia, Chisinau has been criticized for being *“uninterested in the Gagauz issue, relying mainly on political control technologies over the Gagauz elites and ignoring the Gagauz society”* (Ciurea/Berbeca 2015, 5). It is important to note that the use of political leverage, as well as administrative and financial centralization, has pervaded Moldovan public administration. This does not excuse government’s failed integration policies, but it does highlight that the conflict over Gagauzia, including the ethnic factor, has been highly politicized (Botan 2014) and stirred up by political leaders.

To identify the sources of tensions, this work looks at the legislation regulating the arrangements for the autonomous region to analyse the impediments to implementation of its special status. Moreover, this work examines the performance of the cooperation mechanisms in representing Gagauzia’s interests within central representative bodies to identify the factors leading to their underperformance. These arguments emerge from the interviews with both Gagauz and Moldovan civil servants and civil society representatives and an analysis of legislation of both the autonomous region and the national government, as well as from the author’s observations and previous scholarly work on the issue of Gagauzia.

## WHY IS IT WORTH KEEPING AN EYE ON GAGAUZIA?

Largely populated by the Gagauz people, Turkic-speaking Orthodox Christians, the region also contains significant populations of Ukrainians, Bulgarians, Roma and other ethnic minorities. The autonomous region is one of the poorest in Moldova, with the least dense transport infrastructure, yet it possesses the best supplies of water and gas reserves. Its administrative centre is the city Comrat.

Like the other minorities in Moldova, the Gagauz people have poor knowledge of Romanian and receive education mostly in Russian. Preferred among the young, urban population, Russian has overtaken the Gagauz language, whose existence is threatened because it is used mostly by the aged population, in rural areas and in private life (Cantarji 2016, 19). Given the scant knowledge of the Romanian language, Russian media are highly popular in the region and the main opinion-forming source (Nantoi, et al. 2016, 28). This situation not only fosters one-sided views among Gagauzia’s population but also threatens their linguistic identity. Another factor bringing the region closer to Moscow is the anti-Western discourse inherited from the russification policies and later reinforced by politicized discourses surrounding national identity. In the times of national awakening that followed perestroika, the Gagauz people, like the Transnistrians, associated desires for cultural associations or unification with Romania (advocated by the National Front of Moldova) as a threat to their culture leading only to eventual oppression<sup>1</sup>.

Gagauzia’s close ties with Russia become evident in times of geopolitical unrest and internal power struggles. For instance, when banning Moldavian wine in 2013, Russia made an exception for Gagauz wine factories (Prina 2014, 10). Also, the results of the Gagauz referenda<sup>2</sup> organized on the eve of the signing of the Association Agreement in 2014 revealed residents’ strong sympathy for Russia (Cațus 2014) and disapproval of foreign policy that would distance Moldova from the Russian sphere. Gagauzia’s overwhelming support for membership in the Customs Union was driven by *“the tradition-*

1 This resulted in the autonomous settlement granting the right to external self-determination if Moldova lost its sovereignty (in case of unification with Romania or, more recently, admission to the European Union) in art 1(4) of Law No 344/1994 on the Special Legal of ATU Gagauzia.

2 The consultative referendum asked: *“Do you agree with the choice of Moldova’s foreign development course aimed at joining the Customs Union (Russia-Belarus-Kazakhstan)?”* The legislative referendum asked: *“Do you agree that the ATU Gagauzia should adopt a law allowing the Gagauz people to exercise their right to self-determination in case the Republic of Moldova changes its status as an independent state?”* The referenda results are unavailable on the Gagauz Central Electoral Commission’s website. According to media reports, however, 98.47% of the voters agreed that Moldova should develop an external policy favouring eventual membership in the Customs Union (Russia-Belarus-Kazakhstan), and 98.9% supported Gagauzia’s right to declare independence should Moldova lose or surrender its independence.

ally pro-Russian attitude of the local population; a fear of the potential unification of Moldova and Romania (fuelled by local officials and compounded by statements released by Bucharest); a fear of a further drop in trade with Russia and restrictions on access to the all-important Russian labour market; and also poor knowledge about the European Union and the process of European integration” (Cațus 2014, 1).

Preservation of the close ties with Russia was also a major theme in the 2015 campaigns in the elections for governor. For instance, while declaring openness to cooperating with any party willing to invest in the region, then-Governor Irina Vlah stated in her election manifesto that the Russian Federation was the guarantor of Moldovan statehood and Gagauz autonomy. Her campaign was also known to have received financial support from Iurii Iakubov, a Russian oligarch with Gagauz roots (who also financed the referenda), and her candidacy drew unanimous support in the Russian mass media (Chamber of Regions 2015; Pilgrim-Demo 2012, 13), which devoted unprecedented, intense reporting to the gubernatorial elections (Berbeca 2015, 12).

Within Gagauzia, the Soviet legacy (i.e. the collective consciousness and memory), language and perceptions of the West act as centripetal forces, but these become centrifugal forces in relation to the centre. Although true to a large extent for all minorities in Moldova, these aspects have a higher resonance in Gagauzia due to the fusion of sensitivity to geopolitical struggle and the leverage of enhanced powers that come with asymmetrical power-sharing. This fusion serves the interests of the political cartels that reinforce and perpetuate those centrifugal forces, primarily through the mass media, discourses and simple inaction.

## LEGISLATIVE FRAMEWORK

Other centrifugal forces that affect the functioning of the Gagauz autonomous region emerge from loopholes in the functioning of the public administration. For instance, the National Strategy on Decentralization highlights issues that point to the main sources of tensions in Gagauzia. Among the most prominent are: “the unclear, incomplete delimitation of competences between public administration authorities of different levels”<sup>3</sup>; “the excessive intervention of central public administration and local public administration (LPAs) of the second level in the process of financial re-

3 The territorial administration in Moldova differentiates between administrative territorial units (ATU) at the first level (cities/municipalities and villages/commune) and the second level (Rayons, Balti and Chisinau municipalities and an autonomous territorial unit with special status, i.e., Gagauzia). According to Law No 436/2006 on Local Public Administration, local public administrations (LPA) are also organized at the first level (executive and deliberative authorities in towns and villages) and at the second level (executive and deliberative authorities in Rayons, Balti, Chisinau and ATU Gagauzia).

sources management by LPAs of the first level”; and “the budgetary dependence of each level of the public administration on the higher one”<sup>4</sup>. The following sections elaborate on these issues.

## INCOMPLETE DELIMITATION OF COMPETENCES

Law No 344/1994 is the primary law regulating the peculiarities of Gagauzia’s autonomy, in particular, the competences of its public authorities and their relationships with the other local and central public authorities within the state. The law addresses only the domains in which the representative bodies of the autonomous region hold competences to perform. The most illustrative example is art 12 (2), which lists the areas where the Popular Assembly can issue normative acts (local laws): “a. science, culture, education; b. housing and utilities, amenities, [...] e. economy and ecology”. Gagauz regional authorities have adapted to the ambiguity of Law No 344/1994 by interpreting “power in their own way, developing it for other local legislative acts”, resulting in the extension of regional autonomy (Cioaric 2016, 33). The ambiguity of power sharing is also reflected in the Gagauzia’s inaccurate status in the hierarchies of both the territorial and the public administrations and the unclear legislative hierarchy of the Law on Local Public Administration<sup>5</sup>, Law on Special Legal Status of Gagauzia and Legal Code of Gagauzia<sup>6</sup> adopted by the Popular Assembly, which “amounts to a constitution for the autonomous region” (Venice Commission 1999).

## UNCLEAR STATUS IN THE TERRITORIAL-ADMINISTRATIVE ORGANIZATION

The territorial-administrative organization provides more grounds for tension between the centre and the autonomous region. Gagauz authorities’ main complaint is that in funds transfers from the central national budget, Gagauzia is treated as one administrative unit (Ekspres-Kanon 2016), although, from its point of view, it comprises 3 *raions*<sup>7</sup>. Annex no 4 of national Law no. 764/2001 on Administrative-

4 Law No 68/2012 on the Approval of the National Decentralization Strategy and the Action Plan for Implementing the National Decentralization Strategy for the Years 2012–2018, at: <<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=344005&lang=1>>.

5 Law No 436/2006 on Public Administration.

6 Law No 28-XXX/1998 of Legal Code of Gagauzia (Gagauz Yeri) (tr.ru), at: <<http://www.halktoplushu.md/index.php/ulozhenie-gagauzii>>.

7 According to art 10(1), Law No 764/2001 on Administrative-Territorial Organization of Republic of Moldova, a *raion* (district) is an administrative division comprised of villages and cities united through territorial, economic and socio-cultural relationships.

Territorial Organization presents Gagauzia as one territorial unit with three cities. The regional law<sup>8</sup> of the autonomous unit, however, uses the same wording as art 10 of Law No 764/2001 to define *dolay* (*raions*) and list the three cities as *dolays*. Some officials from the central administrative bodies think that the Gagauz elites insist on recognition of three *raions* for financial interests as more territorial divisions mean more personnel and money transferred from the central budget<sup>9</sup>.

### UNCLEAR HIERARCHY OF INSTITUTIONS

Within the national public administration system, Gagauzia's Executive Committee and Popular Assembly are hierarchically equal to other second-level LPAs. According to the Gagauzia's Legal Code, however, within the autonomous region, the same bodies stand as the supreme representative bodies in relation to both first- and second-level LPAs<sup>10</sup> elected following national elections. Stated first in Law No 344/1994 and expanded in the Legal Code of Gagauzia, the competences of the Popular Assembly, Executive Committee and governor overlap with the competences of the national representative bodies and contradict the provisions regulating their functioning. These overlaps violate the principle of public authorities' decisional autonomy stated both in the European Charter of Local Self-Government and in the national legislation regulating the public administration.

8 Law No1-III/1995 of ATU Gagauzia on the Territorial-Administrative Unit of Gagauzia (Gagauz Yeri) (tr.ru.), at: <<http://halktoplushu.md/index.php/zakonodatelstvo-ato/zakony-ato-gagauziya/925-ob-administrativno-territorialnom-ustrojstve-gagauzii-gagauz-eri>>.

9 Information from the author's interview with an official.

10 Art 51 of the Legal Code of Gagauzia sets out the powers of the Popular Assembly. Its right to "revoke in whole or in part, decisions and orders of the Executive Committee and of local authorities if they conflict with the legal code and the laws of Gagauzia" (§9) conflicts with the courts' jurisdiction to rule on the legality of a particular decision. Another competence allows the Popular Assembly to "determine the functioning of local authorities" (§7) and "dismissal of persons holding positions of responsibility in authorities of public administration of Gagauzia" (§8).

Or: The status granted to the governor in art14(1) of Law 344/1994 and art 58 of the Legal Code stipulates that "all bodies of public authority of Gagauzia submit to him/her [the governor], although only members of the Executive Committee may be subjected to the governor's authority".

Or: The Executive Committee's right to "cancel the decision of any local government body if it contradicts the current legislation and interests of society", provided in art 78(2) of the Legal Code of Gagauzia, violates the principles of the division of power and local autonomy.

### UNCLEAR LEGISLATIVE HIERARCHY

The unclear legislative hierarchy affects the naming of the decisions issued by the Popular Assembly, given the interchangeable use of the terms "normative acts" and "local laws" within the Moldovan legal system. This ambivalence reveals conflicting views about the implementation of Gagauzia's special status. The Gagauz insist on the recognition of local laws as a type of law (Berbeca 2016, 46), while the central government argues that no such category of law exists in the national legal system<sup>11</sup>. Moreover, the national Parliament is the only representative body entitled with legislative powers, so any legal acts issued by the other bodies of public administration<sup>12</sup> are normative<sup>13</sup>, not laws.

It is important to emphasise that this issue is also rooted in the general principles ruling the hierarchy of legal norms: namely, when legislative acts with equal juridical force conflict, subsequent normative acts hold priority. In the absence of coordination, this situation has led to a multitude of (national) legislative acts adopted after the Law No 344/1994 which are detrimental to the autonomous region and ignore the legislative competences of the Popular Assembly (Cuijuclu/Sircheli 2015). At the same time, though, it is worthwhile to consider that the acts issued by the Popular Assembly, such as the Law on Legal Acts<sup>14</sup> and the Education Code<sup>15</sup>, not only duplicate the national laws but also assign powers that make the autonomous region more of a state-in-state structure.

In the absence of a strongly consolidated status and clear legislative and institutional hierarchies, the arrangements for Gagauzia seem to be a back-and-forth issue. In other words, both sides follow contrasting interests and views, which explains their firm stance and low receptivity to compromise. The dialogue between the centre and the autonomy thus is defined by arguments that inhibit any efforts to settle the dispute.

11 The Constitution (art 72) and Law No 780/2001 on Legal Acts (art 7) endorse only three categories of legislative acts: constitutional, organic and ordinary laws.

12 Law No 317/2003 on Normative Acts of the Government and Other Bodies of the Central and Local Public Authorities.

13 Art 10(c) of Law No 317/2003 ranks the legal acts adopted by the Popular Assembly alongside the decisions made by the representative bodies of second-level public authorities.

14 Law No37- XIV/III/2005 of ATU Gagauzia on Legal Acts (ru), at: <<http://halktoplushu.md/index.php/zakonodatelstvo-ato/zakony-atogagauziya/918-o-zakonodatelnykh-aktakh>>.

15 Law No 27-28(235-236)/2016 on the Education Code of Gagauzia (ru), *Ekspres-kanon*, official gazette of Gagauzia, at: <<http://halktoplushu.md/index.php/zakonodatelstvo-ato/zakony-ato-gagauziya/1343-ob-obrazovanii>>.

## BUDGETARY DEPENDENCE ON HIGHER LEVELS OF THE PUBLIC ADMINISTRATION

Despite several provisions on taxes and duties<sup>16</sup> granting autonomy over funding sources<sup>17</sup>, Gagauzia remains highly dependent on transfers from the central national budget. For instance, 62.47% of Gagauzia's budget for 2016<sup>18</sup> came from transfers from the national central budget (special destination 61.60% and social assistance 0.87%) and 37.5% from proper earnings (Ekspres-Kanon 2016).

A major claim on the centre made by Gagauz representatives is the right to receive more financial aid for capital investments and reparations. They argue that too few infrastructure projects have been developed or successfully completed in their region and that too few foreign grants have been distributed to Gagauzia. The absence of formalised procedures for making decisions about transfers *"increases the central government's leverage over local governments across the country as well as over the Gagauz leadership"* (Protsyk 2010, 247). Nevertheless, Berbeca (2013) insists that the problem is not entirely the fault of central authorities. He argues that Gagauzia's low funding is also explained by the lack of established projects or, in general, a lack of project proposals that comply with eligibility criteria (Berbeca 2013, 11). In addition, low knowledge of Romanian affects the autonomous region's capacity to receive funds from the national central budget as project applications are required to be written in Romanian.

Tensions over the distribution of financial resources concern not only the central authorities but also emerge within the autonomous unit, primarily in relation to access to the reserve fund. Intended to be used for humanitarian aid after acts of God<sup>19</sup>, it is equally divided between the Popular Assembly and the Executive Committee. Of the Popular Assembly's reserve fund, 90% is assigned to deputies divided propor-

16 The composition of Gagauzia's budget is determined by art 18, 344/1994 Law on Special Status of Gagauzia and arts. 2(1).2 and 5(3) of the 397/2003 Law on Local Public Finances. According to art 18, Law No 344/1994, Gagauzia's budget consists of *"all types of payments established by the legislation of the Republic of Moldova and the People's Assembly"*.

17 With the exception of custom taxes and penalties, the following taxes and duties collected within Gagauzian territory and jurisdiction go directly to its central budget: all value-added taxes, excise duties and income taxes from physical and juridical persons and half of road taxes.

18 Annex no1, ATU Gagauzia Law No 1-3(209-211)/2016 on the Budget of Gagauzia for 2016 (tr.ru).

19 Art 3, Local Gagauz Law No 11/2013 of UTA Gagauzia on Reserve Fund (tr.ru), Law No 11/2013, at: <<http://halktoplushu.md/index.php/zakonodatelstvo/zakony-ato-gagauziya/914-o-rezervnom-fonde>>.

tionally among the population of the 35 electoral districts. This allows deputies to decide the management of the financial resources within the electoral districts they represent. Doubts have arisen about the degree of transparency of expenditures and the legitimacy of the Popular Assembly's competence as a deliberative institution to manage budgetary funds (Sirkeli 2016). Criticism has been levelled against using money from the reserve fund for publicity purposes on the eve of electoral campaigns. Deputies have frequently directed money to infrastructure construction (Pilgrim-Demo 2016, 4-5), attributing the benefits and the spending to their names.

The governor administers the rest of the reserve fund allotted to the Executive Committee. The lack of clear provisions regarding the distribution of financial resources leads to tensions between the mayors and the Executive Committee. For instance, the mayor of Vulcanesti has accused the Executive Committee of favouritism and centralisation of decision-making and has argued that the mayors best know localities' issues and thus are more competent at deciding where to assign the money.

## UNDERPERFORMING COOPERATION MECHANISMS

The dialogue between Gagauzia and the centre is institutionalised though the following mechanisms of cooperation: the Popular Assembly's right of legislative initiative in the National Parliament; the inclusion of the governor as a representative of the autonomous region in the Moldovan government; and the appointment of the heads of the Executive Committee's branch divisions as members of the Moldovan government within the ministries' boards<sup>20</sup> and departments. However, a series of shortcomings in the activity in these mechanisms reveals the absence of a contractual relationship and the failure to establish a constructive dialogue and promote the Gagauz minority's interests.

## THE POPULAR ASSEMBLY

The Popular Assembly of Gagauzia is both the autonomous region's deliberative body and a mechanism intended to represent its interests in the national legislature. Like the government, the Popular Assembly has the right of initiative, while the assembly chair is responsible for introducing and advocating draft laws during the parliamentary sessions. The assembly also has the right to participate in the implementation of national foreign and domestic policy relevant to the interests of the autonomous unit.

20 Ministries' boards have advisory status and are empowered to make decisions on major issues in the areas of competences belonging to the ministries, hear reports on the activities of heads of departments and their subordinated administrative bodies and supervise implementation of their decisions.

Scholars point out the Popular Assembly's lack of professionalism and its failures to identify the current issues of the autonomous unit, adopt a comprehensive approach to solve them, use appropriate terminology when drafting the bills and promote the adoption of draft laws (Cuijuclu/Sircheli 2015, 16). Moreover, the Popular Assembly has missed a series of legislative procedures, including monitoring draft laws, leading to inefficiency in realizing the right of legislative initiative. These circumstances explain why most draft laws submitted in the Parliament have been cancelled on technical grounds (Cuijuclu/Sirkeli 2015). Most drafts submitted by the Popular Assembly refer to Gagauzia's electoral system, public administration or financial issues (Parlamentul Republicii Moldova 2015); (Cuijuclu/Sircheli 2015, 22–32). While claiming to respect the principles of equity and equality, some legislative initiatives have been, in fact, tendentious<sup>21</sup> and aimed at increasing political and economic leverage of Gagauzia (Cuijuclu/Sircheli 2015, 16).

### THE EXECUTIVE COMMITTEE

Acting on the governor's proposal<sup>22</sup>, the Executive Committee's heads of branch divisions are appointed as members of the Moldovan government within the boards of ministries and departments. Not only are the autonomous region's issues rarely discussed, but the lack of any reports on the ministries boards' activities and meetings makes it *"difficult to assess the performance of the Executive Committee within the Ministries' boards"* (Cuijuclu 2015, 16). There is no standing practice for the organisation of regular meetings, and the frequency of the Ministries boards' meetings varies from a monthly basis to a gap of more than two years (ibid). Also, both the poor training of personnel and the lack of documents regulating employees' activities (e.g. professional development plans and duty regulations) affect the performance of the Executive Committee (Levitskaia 2016, 68).

A former member of a ministry board explained that while the environment within the boards is usually favourable for dialogue, there are issues in cooperation between

21 Initiative no 277 on 13 June 2014 required amending National Law No 847/1996 on Budgetary System and Budgetary Process to stipulate that not less than 5% of the public money assigned for local capital investments should be allotted to ATU Gagauzia. The intention was to give the autonomous region preferential treatment compared to other territorial divisions. As well, initiatives nos 266 and 228 on 13 June 2014 called for amending national laws to harmonize national legislation with the regulations of the Law on Special Legal Status of Gagauzia. The intent was to transfer the *"institutions of Police, Prosecutor and other [state] bodies"* to the absolute control of the autonomous region, which would conflict with the national legal system and foster practices of patronage.

22 Art 19 of Law No 344/1994 on the Special Legal Status of ATU Gagauzia.

the offices of the government and of the Executive Committee<sup>23</sup>. The ambiguities in laws and power devolvement and simply civil servants' poor knowledge of the autonomous region's issues hinder the interaction between the authorities in public administration. As well, the ministries' board meetings are conducted in Romanian, so language is another impediment to active involvement by Gagauz branch-divisions heads in the boards' discussions. Given their low proficiency in the state's official language, the heads of branch divisions often prefer to stay quiet or even not attend the meetings, thinking they will be unable to have a say in the outcomes of the discussions.

In the absence of a consolidated, transparent procedure, the dialogue between the government and the regional executive bodies is highly vulnerable to tensions. For instance, following the issuance of the Gagauz Education Code, tensions increased to the point where Gagauz stated that the head of its Education Division had not been invited to the board meetings of the Ministry of Education (Guvernul Republicii Moldova 2016). For its part, the Ministry of Education argued that it had sent an invitation. While the truth is hard to determine, such an atmosphere clearly cannot lead to constructive dialogue.

### THE GOVERNOR

The governor is the head of the Executive Committee, holds an *ex-officio* mandate in the national government and enjoys the status of a minister. Despite the governor's competence to address the interests of Gagauzia during government meetings and parliamentary sessions, this mechanism of cooperation is inefficiently used (Cuijuclu 2015, 9). The main hindrances to successfully implementing these mechanisms are the limited human resources in the autonomous region's executive authorities to facilitate the process and effective participation and the governor's failure to elaborate a clear vision of Gagauzia's main interests and a strategy to promote them in cooperation with the central government (Cuijuclu 2015, 9). Also, during the period analysed (October 2014–November 2016), the governor neither introduced any issues in the government meeting agenda nor questioned any issues regarding the protection of minority rights (Guvernul Republicii Moldova 2016).

### THE WORKING GROUP – A HOPE?

With the signing of the Association Agreement, Gagauzia, like Transnistria, became an important element in the European Union's (EU) efforts *"to strengthen the*

23 Information from the author's interview with a former member of the ministry board.

*sovereignty and territorial integrity of the Republic of Moldova and to contribute to the reintegration of the country*”. Considering the EU’s priorities in Moldova, improving the functioning of Gagauzia’s autonomy ranks high on the agenda of the EU-Moldova Human Rights dialogue and is addressed in the confidence-building process and the creation of an inclusive society. To improve the dialogue between the central and regional authorities, a working group consisting of members of the national Parliament and the Popular Assembly was created in 2015. Unlike earlier joint commissions that ceased activities after the elections and lacked a strategy, this permanent working group aims to define the competences of the autonomous region within the constitutional norms of the Republic of Moldova (PRM; GHT 2016).

The group seems to be promising and has been praised for its systematic, pragmatic approach. It has addressed socio-economic issues, and according to the activity report for the first year of activity (2015 – 2016)<sup>24</sup>, the group made the decisions on the following issues:

- the use of international loans and sources of road funds in the ATU Gagauzia
- distribution of money to the National Ecologic Fund for the past five years
- establishment of the Gagauz Agency for Regional Development, which gives the autonomous region direct access to capital investment and is intended to eliminate tensions with the Centre and suspicions of favouritism
- implementation of the 2016–2019 action plan to improvement the socio-economic situation of the autonomous region
- adoption of three draft laws to consolidate and define the special legal status of the autonomous region<sup>25</sup>

Moreover, at the request of the working group, the National Justice Institute will provide specialized training to aspiring judges and prosecutors willing to work in Gagauzia. Also at the working group’s request, civil servants working in the Popular Assembly can receive training in the Secretariat of the Moldovan Parliament.

24 Activity report of the working group for the first semester, 2016 (trad.ro), at: <<http://parlament.md/LinkClick.aspx?fileticket=H4E1lno%2fgRk%3d&tabid=237&language=ro-RO>>.

25 *Nr.318 on 15/7/2016* – on amendment to art 27, Law No 344/1994, implying the need for a positive statement from the Popular Assembly on any amendments to Law No 344/1994; *Nr.319 on 15/7/2016* – on administrative decentralization of LPAs, excluding the institutions of the governor, Popular Assembly and Executive Committee from second-level LPAs and categorising them as LPAs of a special level; *Nr.354 on 17/08.2016* – on territorial administration, delimiting Gagauzia from an ordinary territorial division of the second level.

Although the working group has created a more positive political environment, it requires permanent experts to assist with analysis and evaluate the feasibility of the decisions taken (Cuijuclu 2015, 14). Also, incongruities in the appointment of deputies<sup>26</sup> have led to “*new changes in the composition of the Commission, which may affect the decision-making process and the continuity of its functioning*” (Cuijuclu 2015, 14). Unlike earlier joint commissions, this working group has produced evidence of attempts to improve the dialogue between the two centres of powers and harmonise the legislation regulating the special legal status of ATU Gagauzia. However, given the weak governance, the group risks becoming an illusionary model of minority rights protection, attracting the appreciation and support of international actors. A thorough analysis of the group’s effectiveness, therefore, is needed to avoid further misuse of the international budget support.

## CONCLUSION

The ATU Gagauzia is an intriguing case to observe the functioning of territorial autonomies, the more so in the context of democracies in transition and geopolitical struggles. Although a successful case of inter-ethnic conflict mediation, the Gagauzia autonomous region is a modest example of harmonious asymmetric power-sharing. Socio-economic, political and geo-political factors fuel constant discord between Comrat and Chisinau. Although the formal arguments concern the implementation of the autonomous region’s special legal status, in practice, divergent views on resource distribution generates most of the tensions.

Given the uncertainty throughout the national legal system and the conflicting provisions regulating Gagauzia’s special legal status, the region’s relationship with the centre produces many, contradictory arguments that hinder the efforts to reach compromise. The formal debate revolves around arguments on irregularities in the laws regulating the region’s special legal status. Yet, in practice, each side’s interests in keeping and obtaining more decision-making power and influencing the distribution of political and economic cause the dispute of decisions.

Intended to support dialogue between the central and regional authorities, the co-operation mechanisms clearly underperform and are instead used to increase leverage in national institutions and over economic matters. Moreover, the lack of initiative and skilled staff can be understood as indicating a general lack of interest in improving the status quo. Legislative inconsistencies and ambiguous power devolvement thus favour the private interests of both national and regional shareholders.

26 “According to art 16 of the Regulation of the Parliament, members of the commission (group) are appointed by the Parliament for the period of convocation of the Moldovan legislature, which does not coincide with the period of convocation of the Popular Assembly” (ibid).

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## CIVIL SOCIETY AND PEACEBUILDING: THE CASE OF THE POST-SOVIET SPACE

*Official and unofficial strands of mediation and dialogue each have their potential, but also their limits, and should not be seen as competing, but as complementing one another. However, the fact is that the different “tracks”, or political levels of peacebuilding, often act in isolation from, or even in opposition to, one another. Civil society could play an interesting role in mediating the different levels, and therewith make the effort for peace more effective. However, as the example of the post-Soviet space shows, civil society peacebuilders are in a deep crisis due to internal weaknesses, repression by the government and donor exigencies. Whether civil society will succeed in breaking free from this vicious circle depends to a large extent on its ability to re-invent itself.*

**KEY WORDS:** *peacebuilding, “tracks” of mediation, civil society, people’s diplomacy, post-Soviet space*

### INTRODUCTION

Armed conflicts, especially those that span a long period of time, deeply affect the population’s social, political and economic life and thus earn the dramatic epithet of “protracted”,<sup>1</sup> are not easy to deal with. A large spectrum of bilateral and multilateral mechanisms and instruments have thus been developed in recent decades, not only to stop the armed phase of conflicts, but also to seek sustainable ways to build new frameworks for a comprehensive peace, where a relapse into violence is not probable.

The “track” model of diplomatic initiatives to end war and bring peace was developed in the early 1980s. It distinguishes between two different levels of peace interventions that were later complemented by a third. “Track 1” mediation processes bring together top decision-makers that officially represent the parties to a conflict; “track 2” initiatives facilitate dialogue between civil society representatives of the different sides, at the level of influential elites; and “track 3” mediation, also called “people’s diplomacy”, refers to unofficial trustbuilding and dialogue among members of civil society at a grassroots level.

<sup>1</sup> For an in-depth discussion of the term “protracted conflict”, see Azar (1990).

Civil society has without a doubt played – and still plays – an important role in peacebuilding, although its contribution is not always acknowledged by all actors. This paper traces the role of civil society in the different approaches to peacebuilding and reflects on the effectiveness of such an engagement before, during and after the escalation of a conflict.

The article is organised along the lines of two sets of research questions:

- What are the prospects and limits of the different tools of mediation (tracks 1 to 3)?
- What is civil society and what role can or could it play in peacebuilding?
- What is the role of civil society in the conflicts of the post-Soviet space?

The first two general questions trace recent academic debates on peacebuilding and the role of civil society, drawing on the abundant scholarly literature on peacebuilding and mediation. A special focus will be placed on the track model of peace mediation developed by Joseph Montville. *“The institutions of state, diplomacy, the military, and intelligence [thus, what is understood under ‘track 1’] are engaged for the most part in deterrence and defense. [...] Track two diplomacy is a process designed to assist official leaders to resolve or, in the first instance, to manage conflicts by exploring possible solutions out of the public view and without the requirements of formal negotiation or bargaining for advantage”* (Montville 1990, 162–163). The third question is dedicated to the specific setting of the post-Soviet space. This second part of the analysis will rely on the small body of literature that exists on the topic, which includes newspaper excerpts and reports by international non-governmental organisations (NGOs), as sources.

### THE THREE TRACKS OF PEACE MEDIATION: PROSPECTS AND LIMITS

Peace has many different faces, and so does the analytical discourse on “making” or “building” it. Much of the academic writing on peacebuilding refers to Norwegian peace researcher Johan Galtung and his concept of “negative” and “positive” peace. According to Galtung, if an initiative aims at building negative peace, it attempts to obtain the *“absence of organised violence between such major human groups as nations, but also between racial and ethnic groups”* (Galtung 1975, 29). Positive peace, on the other hand, is defined as a *“pattern of cooperation and integration between major human groups”* (ibid), which means that positive peacebuilding aspires to move beyond the purely military sense of the term and addresses the root causes of the conflict.<sup>2</sup>

2 For a discussion of Galtung’s concept of “negative” and “positive” peace, see Chetail (2009, 1).

Within the vast strategic field of peacebuilding, the focus of this paper is on mediation and dialogue activities, although they are far from the only tools that are needed to build peace.<sup>3</sup> The track model was developed in the early 1980s by the diplomat Joseph Montville; initially, he distinguished between two different levels, or “tracks”, of peace intervention: official and unofficial ones. During the decades that followed, Montville’s model was complemented by further tracks of peacebuilding that made the concept even more comprehensive.<sup>4</sup> The aims, the actors involved and the methodological setting of the different tracks of mediation and dialogue strongly differ; however, they should not be seen as competing, but as complementing one another.

Track 1 interventions are the classic tools of peace mediation initiatives; they are a *“technique of state action, [which] is essentially a process whereby communications from one government go directly to the decision-making apparatus of another”* (Said/Lerche 1995, 69). They bring together official representatives of conflict parties and are normally convened by high-level politicians or diplomats, themselves acting in an official capacity (usually as representatives of a state or a multilateral organisation). Such official processes are clearly results-oriented; thus, they aim at stopping violence or reaching an agreement on specific issues that are of interest to the conflict parties (e.g. territory). Ideally, they are formalised in an official and binding accord. Official peace talks are often supplemented, especially when they are in a deadlock, by confidential negotiations between influential representatives of the conflict parties that are acting in an unofficial capacity.

Track 2 mediation initiatives are implemented beyond the government sphere and were defined by their founding father as the *“unofficial, informal interaction between members of adversary groups or nations that aims to develop strategies, influence public opinion, and organise human and material resources in ways that might help resolve their conflict”* (Montville 1990, 162). Track 2 mediation processes do not replace, but complement, formal “government to government” or “leader to leader” negotiations that are initiated at the track 1 level. They bring together civil society representatives of the different parties at the level of influential elites, such as former politicians, religious leaders, artists, scholars, etc. (Chigas 2003, 5).

3 According to today’s approach to peacebuilding, which is also shared by the relevant multilateral actors, such as the UN and the OSCE, conflict can only be resolved in a sustainable way when stability is rebuilt in all spheres of political, social and economic life before, during and after the armed phase of conflict. Building a stable state and democratic institutions is thus part of the peacebuilding endeavour, as well as mediation and dialogue efforts that end violence with a ceasefire agreement or rebuild trust among the different parties of a conflict.

4 For the concept of track 3 mediation, see: Chigas (2003), Mirimanova (2009) and Paffenholz (2010). For more on “multitrack diplomacy”, see Diamond/McDonald (1996).

The concept of track 3 mediation, or “people’s diplomacy”, gradually evolved as an analytical concept in line with the emergence of civil society as an independent and important element in peacebuilding. Track 3 initiatives differ from other unofficial methods of mediation and dialogue because they are usually locally, rather than internationally, driven, and because they bring together “simple” civil society representatives from different sides of the conflict, such as NGOs, religious groups, etc. The implementers of these track 3 activities usually react to local initiatives and practice a “facilitative”, rather than a “authoritative” approach to mediation, building upon the voluntary engagement of the conflict parties and leaving the authorship of the process in the hands of the participants.<sup>5</sup> Activities at the track 3 level rarely take the form of classical peacebuilding, but they build trust in a very concrete, down-to-earth way, such as through professional exchanges, joint humanitarian or political actions or other cooperation projects. Jean-Nicolas Bitter refers to such initiatives of crossboundary networking as “diapaxis”, combining dialogue with practical cooperation issues (Bitter 2011).

Each track has its advantages, but also its limits. Agreements reached at a track 1 level are efficient in the sense that they are authoritative and can “freeze” violence, formalise the parties’ commitments to peace at the leadership level<sup>6</sup> and make the negotiated compromise legally binding. However, track 1, which is the classic format of leadership-to-leadership peace intervention, is very much state-centred. Furthermore, it often only focuses on the immediate (military) security context and thus limits itself to merely building “negative peace”. This “realpolitik” bias also runs the risk that the negotiations and the agreements reached mainly reflect the (geo-) political interests of the state actors involved, whereas other, non-governmental issues, such as human security needs in conflict zones, are pushed into the background.

Track 2 and 3 initiatives, implemented by civil society actors and the private sector, can create or rebuild relationships, build networks across conflict lines and foster understanding of the interests of the “other side”; thus, they are in a position to inspire what Diana Chigas calls “attitude changes” (Chigas 2003). Furthermore, track 2 and 3 activities can maintain channels of communication during phases of radicalisation, or when official talks are in a deadlock, and they can prepare the ground for negotiation at a track 1 level. Unofficial mediation and dialogue activities fulfil a specific (and limited) function, in that they are not politically binding for the conflict

5 The concept of “facilitative” mediation encourages the parties to solve the problems themselves, by helping them recognise each other’s needs and interests; see Nauss Exon (2008, 592).

6 Here, “leadership” refers not only to the government level; in intra-state conflicts in particular, track 1 can also include the leaders of separatist groups or other de facto state entities.

parties and should in no way be considered alternatives to the official peace process.<sup>7</sup> Furthermore, in comparison to officially led initiatives, mediation and dialogue efforts at track 2 and 3 levels often lack funds and infrastructures, which in fact tend to be a general problem for peacebuilding. As Louise Diamond, one of the originators of the concept of “multitrack diplomacy” notes:

*“The forces of war have an existing infrastructure that enables them to mobilise and actualise their aims – they have armies and arms suppliers; transportation, commerce and communication systems; banking, taxing and other funding methods; media, education and propaganda systems; and government ministries, clans, villages, political parties and other entities capable of taking action. Forces of peace have little of this [...] Much more needs to be done to create both a human and an institutional infrastructure for peacebuilding, in order to concretise these methods and approaches in social, political and economic systems that can both stand on their own and work together to-wards a shared goal.”*

(Louise Diamond as quoted in Chigas 2003, 9)

## CIVIL SOCIETY AS A CONCEPT

The following sections will discuss the evolution of the concept of civil society in Western, as well as in non-Western, authoritarian settings. This will serve as a starting point for a general (re-)assessment of the role that civil society plays, or could play, in the different tracks of peacebuilding.

Looking at the notion of civil society from a historical perspective, it becomes evident that it has been perceived differently in different periods and by different ideologies. These concepts usually remain quite Eurocentric, as most of them have emerged in the Western political sphere. Early philosophers, such as Aristotle (384–322 BC), Jean-Jacques Rousseau (1712–1778) and Immanuel Kant (1724–1804), refer to civil society as synonymous with the state and with political society (Keane 1988, 36). Later, it is considered independent from or even opposed to the state, in either a positive or a negative way. Friedrich Hegel (1770–1831) holds that the period of economic and political modernisation produced civil society as a new social group, characterised by its political activism paralleling that of the state (Keane 1988, 50–55). Karl Marx goes one step further, viewing civil society as a phenomenon of the capitalist and bourgeois society that threatens and undermines the state; putting it in Marxist terms, civil society is seen as “*the structural base, and the state belongs to the superstructure that ensures capitalist domination by force*” (Spurk 2010, 5).

7 There is the risk that informal dialogue activities might be used by conflict parties as the pretext for cancelling their commitments to peace negotiations on an official level, as was evident in the example of the Arab–Jewish dialogue activities in the 1990s (Abu-Nimer 1999, 152).

Although Marxist in his ideology, the Italian philosopher Antonio Gramsci (1891–1937) is conceptually located at the intersection of these two approaches: he sees civil society not as opposed to the state, but as an integral part of the state’s “superstructure”. According to Gramsci, both society and the state fulfil specific roles that complement each other: whereas the state is responsible for security and (economic) power, civil society should protect the cultural values and the identity of a social group or nation (Gramsci 1971, 445-557).

The recent academic discourse also reflects this dual view on civil society. The earlier, Gramscian–Kantian approach (i.e. civil society as part of the state system), is still present as a concept of political philosophy. However, the Hegelian–Marxist understanding (i.e. civil society as opposed to the state) clearly dominates the discourse of researchers and practitioners, as is witnessed by the recent developments in the post-Soviet space.

While recognising this conceptual dichotomy, it remains useful to adhere to one particular definition. As it is understood in the present paper, civil society is not a clearly delimited social group or economic actor that is located within, or opposed to, the state; rather, it has to be understood more broadly as a “space”, rather than an “actor”. It allows for reflection, criticism and political action. A useful definition in this regard is provided by Christoph Spurk, who holds that:

*“civil society is a sphere of voluntary action that is distinct from the state, political, private and economic spheres, keeping in mind that in practice the boundaries between these sectors are often complex and blurred [...]. Thus, civil society is independent from the state and the political sphere, but it is oriented towards and interacts closely with them.”* (Spurk 2010, 8f.)

Over the past few decades, civil society organisations have been increasingly involved in different tracks of peacebuilding, conflict prevention and peacemaking, fulfilling functions such as early warning, prevention diplomacy, networking activities and initiatives for cross-cultural understanding and relationship building (Fischer 2011, 290). In its 2010 “Critical Assessment”, a research team under the conceptual lead of Thania Paffenholz elaborated a comprehensive model summarising the different ways in which civil society can or could contribute to peacebuilding. It includes the following seven societal roles or functions: 1) protection; 2) monitoring; 3) advocacy; 4) in-group socialisation; 5) inter-group cohesion; 6) mediation between states and society; and 7) service delivery (Paffenholz 2010, 65-76). In any case, it is emphasised that the (real and potential) role of civil society in peacebuilding has to be adapted to the specific local context.

It is evident that most of these peacebuilding functions are located at the track 2 and 3 levels, whereas the gaps between the tracks, and especially between civil society and decision-makers, pose a serious problem (Kyselova/von Dobeneck 2017, 12). However, following the logic of the 2010 model, civil society can or could fulfil the important function of “linking the tracks”, which means that it “mediates” between state and society and informs the different tracks about the perspectives and interests of the respective other. For example, it is important that a peace agreement concluded at track 1 reflects not only the state’s interests, but also the perspectives of the local communities that are directly affected by the conflict. On the other hand, civil society can also sensitise the local populations to the advantages of deals that are concluded at the government level, which minimises the risk that official mediation efforts will be boycotted by the local constituencies and that peace deals concluded at the track 1 level will be prevented from ever being implemented. Thus, the monitoring, advocacy, sensibilisation activities, etc. of civil society are essential for making the tracks more permeable in both directions, which enhances the efficiency of the peace efforts instead of locking the different tracks into their own independent bubbles.

Most conceptualisations of civil society, including those considering its role in peacebuilding, are born in a Western political and socio-economic context. Hence, they present concrete ideas about what a civil society should look like and how it should act in order to become an “agent of change” for political and socio-economic stability (which is largely what is meant by the term “positive peace”). At the same time, most of these concepts exclude other forms of societal networks (e.g. groups based on religion, kinship or historical traditions), especially when they emerge(d) in authoritarian settings. These groupings are considered to be “un-civic” and “non-democratic”, because they are less political and do not act in opposition to, but rather within, the structures of authoritarian states. Moreover, traditional and religious networks are often not open to the world and are critical of or even hostile towards the “West”. In some cases, however, the networks that have developed under the cover of authoritarian and non-democratic regimes might be more strongly rooted in society than classical, Western-type civil society organisations or NGOs. Thus, they could become effective agents for social change in peacebuilding as well.

Hock Guan Lee’s argument is in line with the above-mentioned conceptual dichotomy when he states that basically two understandings of civil society exist: one focuses on the dual affiliations of the “civil” as located at the intersection of the “private” and the “public” spheres (see also Gramsci’s ideas on a fruitful interaction between state and civil society). This type of civil society can be referred to as the

“compromise” or “social capital” approach. The other, more political, approach understands civil society as a body that stands in opposition to or even in conflict with the state (see the Hegelian-Marxist view of civil society as a by-product of modernisation); this type can be called the “opposition” or “conflict” approach (Lee 2005, 2).

This dual understanding of civil society leads to a fatal error committed by most Western “industries” of peacebuilding and development aid, especially in settings that are located far removed from industrialised urban centres. By focusing on a purely Western concept of civil society (thus, on the “conflict” type), they create an artificial dichotomy between “government” and “non-government”, “profit” and “not-for-profit” and “private” and “public” spheres which is completely alien to the traditional understanding of the local societies that they aim to help (Wai-bel/Ehlert/Feuer 2014, 5).

As a preliminary conclusion, it should be noted that the general “Westernisation” and “NGOisation” of the concept has led to the domination of the Eurocentric, or “conflict”, approach to civil society and its role in peacebuilding. In non-Western, authoritarian settings, civic NGOs are often artificially pushed, thereby bypassing the state and other, more traditional networks of social and political action. However, they often remain weakly rooted in the local constituencies and make little impact in terms of creating social change. Thus, in order to increase the efficiency of their efforts, the peacebuilding and development aid industries should adapt, or even re-invent, their concepts of civil society to better suit their immediate contexts.

### ATTEMPT OF A CONTEXTUALISATION: THE (POST-) SOVIET EXPERIENCE

With the gradual disintegration of the Soviet Union in the late 1980s, the concept of civil society as a tool for peace and stability gained strength around the world, but especially in the post-communist realities of Central and Eastern Europe (Celichowski 2007, 143). Civil society was hoped to provide the thrust behind socio-political and economic change, and propel the post-Soviet countries’ transition toward free markets and Western-style democracies. The result, however, was disappointing: the marketisation of the economies led to widespread privatisation and the reinforcement of socio-economic inequality and oligarchic systems.<sup>8</sup> Political liberalisation and the disappearance of the exclusive monopoly of the Communist party resulted in the increased potential for (armed) conflict to occur between the central state and

<sup>8</sup> See for example the case of Ukraine’s oligarchs who built up their network of flourishing economic contacts that existed in parallel to the country’s increasingly impoverished state structures.

separatist minorities, especially in the former Soviet south, and they reinforced the cleavages between civil society and the representatives of what soon became even more authoritarian and traditionalistic regimes.<sup>9</sup>

Against this backdrop of armed conflict and neo-authoritarianism, it is not surprising that the “space” of civil society is shrinking, and it is often said that throughout the territory of the former Soviet Union (except the Baltics), civil society suffers from a notorious weakness (Aliyev 2011, 2015). Further, after the first blush of enthusiasm for political liberalisation had ebbed and nationalism was again on the fore, the voices who spoke not only about “civil”, but also “uncivil society” louder (Bob 2011).

This begs the question of how to react to this lamentable situation. Should civil society activists and peacebuilders give up their oppositional role and close down their organisations, because the concept has failed and is not applicable to the authoritarian settings of the post-Soviet states? Or, is there another way to imbue the “space” of civil society with new meaning, and again make it a critical, but constructive, complement to the state that contributes to peace and stability in situations of conflict and political crisis?

When looking for answers to these questions, inspiration can be found in Central Asia. As Boris Petric argues, the example of post-Soviet Kyrgyzstan demonstrates that the crisis of civil society applies less to the local communities themselves, than it does to the concept that the Western research and development “industries” designed for them. In post-Soviet Kyrgyzstan, the international donor community has built up a new sector of civil society organisations that stands in artificial opposition to the state, and often also to other, genuinely local, collective projects. Obsessed with the “de-communisation” and “de-Sovietisation” of society, these new organisations avoid cooperating with local groups that are based on existing Soviet or pre-Soviet structures, such as religious or former Communist networks, Kolkhoz communities, etc. (Petric 2005). Thus, when designing initiatives at tracks 2 and 3, international and local peacebuilders should make sure that their activities respond to the local commonalities; otherwise, they will be perceived as artificial super-structures, which hampers their backing in society.

The question about civil society is also one of “positive peace” (and “positive peacebuilding”). Is it applicable at all to the post-Soviet space? The views on the desired nature of “peace” by the Western states and strategic alliances, and by the Soviet and later Russian state strongly diverge. This has made, and continues to make, it

<sup>9</sup> Some observers call these increasingly authoritarian and traditionalist regimes the “neo-sultans” of the post-Soviet space; see Eke/Kuzio (2000).

impossible to opt for universally recognised and efficient formats of peacebuilding in the conflicts of the South Caucasus and Moldova, and (since 2014) in Ukraine. On the one hand, the Western states and the big multilateral organisations, i.e. the UN and the OSCE, traditionally aspire to a “positive” peace or peacebuilding format. As in the case of the post-Soviet space, this requires the full-fledged “transformation” of the conflicts at all levels of state and (civil) society.<sup>10</sup> The Soviet, and later Russian, leaders, on the other hand, adhere to a clearly realist view on the conflicts and have a “negative” concept of peace, which mainly aims at achieving military stability. Hence, the Kremlin’s peacebuilding efforts, for instance in South Ossetia, Abkhazia and Transnistria, largely reflect a traditional “conflict management” approach.<sup>11</sup> Further, they mainly focus on the short-term (military) management of the conflicts while failing to address the sociopolitical resolution of the conflicts. Thus, the conflicts are militarily “frozen”, with the possibility of becoming “unfrozen” in the future, if so required by geostrategic considerations.

This divergence between Soviet/Russian and Western concepts of peace is also reflected in the roles that they foresee for civil society in peacebuilding. All peacebuilding formats of the post-Soviet space show a clear concentration on track 1, whereas the other tracks of peacebuilding are not trusted, or even diabolised as “agents” of the West, as not conforming to the national interests. For example, in the Ukraine conflict, the government-controlled contacts that are convened under the auspices of the “Minsk Process” are the only format admitted by the Russian government to normalise the relations with Ukraine. Civil society activities seeking to build bridges with Ukraine at track 2 and 3 levels are heavily pressurised to either yield to the stated process (so-called GONGO, or “government-organised non-government organisation” initiatives), or they risk facing criminal charges (Kavkazskiy Uzel 2017).

Under the umbrella of the Soviet Union, the dominant Marxist approach views the emergence of a politically active civil society as a by-product of capitalism and thus as belonging to a phase of development that has to be overcome (Spurk 2010, 5). This realist, statecentric attitude to society persists. Since the mid-2000s, as they did under communism, the Russian and other post-Soviet governments have multiplied the socio-political and legal mechanisms to systematically pressurise and mar-

10 The “conflict transformation school” holds that external actors can transform protracted violent conflicts into peaceful ones through the creation of the required local infrastructure (Lederach 1997).

11 The “conflict management school”, among others, implies the potential for external peacebuilders to use “carrots” and “sticks” to put pressure on the conflict parties (Zartman/Touval 1985, 263; Richmond 2005, 89-96; Paffenholz 2010, 51) – a tactic which is largely applied by the Russians in all conflicts of the post-Soviet space.

ginalise civil society as an active and critical voice in the public sphere.<sup>12</sup> Non-governmental organisations and individuals active in peacebuilding are especially vulnerable to this development.<sup>13</sup>

## CONCLUSION

Both official and unofficial strands of mediation and dialogue have their own value at specific moments and should not be considered as alternatives to one another; rather, the different types and tracks of peace interventions should be viewed as complementary: peace has to be built from both top-down and bottom-up perspectives. The different tracks, or political levels, of mediation each have their strengths, but also their limitations. Track 1 activities bring together representatives of the conflict parties at a decision-making level and usually negotiate a certain product, such as a peace agreement. While decisions reached at a track 1 level are legally binding, they often fail to take root in society. Track 2 activities bring together civil society groups of the different parties at the level of influential elites. While they are important because they can influence public opinion and have an impact on decision making, they are often also far removed from the realities of the population that is directly affected by the project; moreover, due to their proximity to decision makers, they are vulnerable to the influence of political interest groups. Track 3 diplomacy builds concrete cooperation networks and addresses the conflict and its consequences from a grassroots perspective. It can make a valuable contribution to the “peace constituencies” that are necessary to embed a peace process in society; however, they often remain very technical and local in scope, without developing an influence on other spheres of public life.

That the different tracks and their respective actors frequently act in complete isolation from, or even in opposition to, one another continues to be a general problem in peacebuilding. Civil society actors have the potential capacity to mediate between the different tracks and thus make the peace efforts more efficient by exchanging information and raising awareness of the views and interests of the “other”.

It was hoped that civil society would be the impetus behind the transition towards economic and political liberalisation in the post-Soviet space. However, after the

12 A good example in this regard is the Russian foreign agent law (2014) that has systematically cracked down on civil society organisations accused of criticising the government (RFE/RL 2016).

13 For example, Swisspeace partner organisations in Russia are often insulted or even physically threatened due to their engagement in a dialogue with their Ukrainian counterparts.

initial enthusiasm for transition had waned, the voices warning of a radical and uncontrollable “uncivil society” became more powerful, which was further complicated by the fact that civil society in the post-Soviet space is said to suffer from notorious weakness. This means that in the (frozen) conflicts of the post-Soviet space, the civil society actors engaged in peacebuilding face two main hurdles. On the one hand, they are urgently required because only they can bring about reconciliation and sustainable stabilisation of the situation in the sense of creating a “positive peace”. At the same time, however, they are being weakened and attacked from both the inside (nationalist radicalisation) and the outside (state repression), which prevents them from exercising their peacebuilding role. The coming years will reveal whether and how civil society succeeds in re-inventing itself and breaking free from this vicious circle.

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ANDREA ZEMSKOV-ZÜGE

## CONTRARY MEMORIES: BASIS, CHANCES AND CONSTRAINTS OF DEALING WITH THE PAST IN GEORGIAN-ABKHAZ DIALOGUE

*In my paper, I will focus on the transitional justice mechanisms of truth finding and reconciliation. In recent years, there have been some fruitful attempts to transform the perception of past violence and enable processes of reconciliation between Georgian and Abkhaz stakeholders of war memorialization. The Berghof Foundation has engaged in the wide-scale process of tackling these issues by taking into account differing – even contradictory – perceptions of past events on both sides of the conflict divide. I will explore the predominant “conflict supporting narratives” (Bar-Tal 2014) in perceptions of the parties to the conflict and their common (violent) past. Subsequently, I will share some lessons learned and basic working principles in addressing these contradictory perceptions and creating space for innovative approaches to the deadlock of competing narratives in the Georgian-Abkhaz conflict setting.<sup>1</sup>*

**KEY WORDS:** *dealing with the past, narratives, reconciliation, conflict resolution, peacebuilding, dialogue, Caucasus, history*

### INTRODUCTION

In 2009, Magdalena Frichova conducted a study on the applicability of transitional justice mechanisms to Georgia's conflicts. She concluded rather vaguely:

*“In practical terms, using transitional justice here would be fraught with challenges. Transitional justice approaches would have to be introduced slowly, with carefully managed expectations in terms of acceptance and impact. The capacity of political actors and communities to maintain the procedural integrity required for a transitional justice process is limited.”* (Frichova 2009, 24)

Today, eight years later, neither the Georgian Civil War nor the Georgian-Abkhaz or Georgian-South Ossetian Wars have been systematically assessed, their heritage has

<sup>1</sup> This paper was presented at the ECPR general conference in Prague, in September 2016. The original text has only been slightly adjusted. I want to thank Ingra Schellenberg for her critical remarks and language correction on the original draft.

yet to be fully explored, and many taboos and “blank spots” remain in the official discourses of all three societies. While certain features of transitional justice mechanisms can be seen in Georgia, currently these are single initiatives that do not add up to a full-fledged system of transitional justice.<sup>2</sup>

In this paper, I will not provide a complete map of the current transitional justice mechanisms in Georgia. Instead, I will introduce you to some of the observations and insights made by the Berghof Foundation Caucasus Programme in its efforts build up and maintain a network of young people and war witnesses in Abkhazia, South Ossetia and Georgia. These programme participants exchange and discuss war memories and experiences across conflict lines in an activity we call “History Dialogue”.

In this context, I want to concentrate on the Georgian-Abkhaz conflict setting. There are two reasons for this. First, as many of you will know, the space for civil society activities in South Ossetia has narrowed significantly in recent years. It is therefore much riskier for our partners in the region to be associated with our project, and the results of our work must be kept confidential. Second, the war in 2008 left wounds so deep in South Ossetian society that it is still very difficult to address the events linked to the conflict. In Abkhazia, the war ended over 20 years ago, meaning that today, even though the legacy of war is ever-present, people have had time to recover, thereby making it easier to discuss the violence of the past.

In the beginning of this paper, I will provide some insight into the history of the conflict and of the Berghof Foundation’s work in the Georgian-Abkhaz conflict setting. As a second step, I will focus on the history and main features of the war narratives that are common today in Georgia and Abkhazia. Afterwards, I will present some practical experiences of using these discourses in workshops and on a television talk show in the region. Finally, I will offer some conclusions and provide some perspectives on further work.

## HISTORICAL BACKGROUND

To begin, let me provide you with some key information on the history of the Georgian-Abkhaz conflict. Its roots date back to the nineteenth century when the integration of the Caucasus into the Russian Empire caused about 500,000 Abkhaz to leave Abkhazia. Over the following decades, and also during the Soviet period, Georgians and other nationalities settled in Abkhazia. In 1989, only 17 percent of the population was ethnic Abkhaz, while 47 percent was Georgian (Fischer 2016, 47-49).

<sup>2</sup> In its newest report, ICTJ suggests a whole range of measures including National Dialogue on the Past and the Future, see: Varney 2017.

During Soviet times, ethnic tensions repeatedly arose, but were effectively suppressed.<sup>3</sup> The Georgian-Abkhaz War in 1992 – 1993 was a consequence of the disintegration and clash of the Soviet Empire. In 1991, Georgia became an independent state. The first few years of Georgian independence were accompanied by massive nationalist euphoria in the Georgian population and civil war under the presidency of former dissident Zviad Gamsakhurdia. At the same time, drawing on experiences of oppression, the Abkhaz nationalist movement started to push for more political power and independence in a federalist state, initially as part of the Georgian territory. State institutions were weak, and this confrontation led to repeated violent clashes in 1989. After Abkhaz independence had been declared, these clashes were followed by outright war, which lasted from August 1992 to September 1993. In addition to about 10,000 war dead on both sides, about 250,000 ethnic Georgians were displaced. To date, only between 40,000 and 50,000 of them have been unofficially allowed to return (Fischer 2016, 50). Most of them live in the Gal’i region, but are denied passports by the Abkhaz government, which fears for its political power. Abkhazia is currently acknowledged as a state only by Russia and few minor states.<sup>4</sup>

## THE BERGHOF HISTORY DIALOGUE PROCESS

The Berghof Foundation has been working in the Georgian-Abkhaz conflict setting since 1997. In our engagement as an organization, we began by co-facilitating the “Schlaining Process”, bringing together state and administration officials from Georgian and de-facto authorities. In 2006, we started to conduct dialogue study travels for young professionals, and in 2012, we began our trilateral work on history, memory and identity that we still pursue today. This recent work can of course be seen as a transitional justice mechanism, and I would like to explain how it came about.

In 2012, a new Georgian government was about to be elected. After the aggressive nationalist line that the previous government had been following, the political space for dialogue work had begun to widen. The Berghof Foundation had previously worked with and trained a pool of young people in dialogue meetings, the “Young Facilitators Group”, who were ready to engage in their societies. Simultaneously, during these dialogue meetings, participants and facilitators experienced a subtle, yet significant, challenge. On a superficial level, good contact between the conflict sides could be made, but the development of deeper trust did not happen. One obstacle was a reluctance in discussion to tackle those war-related events that had most significantly influenced the families of the young people gathered at the meeting. Another obstacle was the significant pressure on Abkhaz youth from within their

<sup>3</sup> For a comprehensive overview of Georgian-Abkhaz relations in history, see: Auch 2004.

<sup>4</sup> Venezuela, Nicaragua and Nauru.

society, especially from victims' organizations, who would criticize young people for their readiness to meet and engage with people representing the Georgian side.

To further develop our work, we identified the following aims:

- Deepen dialogue within the societies and spread more information about both sides' views and experiences.
- Win over war victims as dialogue supporters.
- Deepen the dialogue between conflict sides.
- Enhance the awareness and acknowledgement of atrocities and trauma on all sides.

In response, the Berghof Caucasus Programme developed a new dialogue process designed especially to tackle the difficult topic of war history and enhance intergenerational discussion in this field. Target groups and key actors were young adults, as well as war witnesses. The main features of this dialogue process have remained the same since it was implemented in 2012. The process works on four levels that are conducted simultaneously:

1. Young people in all three regions interview their elder peers, recording their entire biography.
2. Young and old listen to interesting excerpts from the interviews together – we call them episodes – and discuss them together in workshops.
3. Interview episodes are exchanged across the conflict line, so the voices of the “other side” are also heard and discussed in workshops.
4. Twice a year, young people and war witnesses from all three sides meet in Yerevan to discuss interview episodes from all three sides.

A central feature of this peacebuilding process is that the main work is conducted not in direct encounters between representatives of the three sides, but rather indirectly, during the internal workshops within each of the three regions. This method of discussing one's own narrative (and the other sides' narratives) through interviews, without the actual representatives of those other sides being present, is what we call “indirect dialogue”. In our experience, it creates the space for listening, commenting on and discussing the other sides' memories and views, while simultaneously reflecting on how the conflict is treated in one's own society. In indirect dialogue, the audience can hear voices from the other sides, even though the speakers themselves are absent. This means that there is space to express freely all kinds of

emotions in response, without the risk of harming those speakers or their broader communities. Once scepticism, anger, disappointment or other negative and critical responses have been articulated, other feelings and thoughts can usually be perceived and the space widens for more open and genuine discussion.

People meet face-to-face only after they have heard and discussed their own and the other sides' narratives. Only a small group of project participants actually meet the other side directly. The main work is conducted locally by insider facilitators of indirect dialogue from our team. Since the first project, we have established a network of young people and war witnesses in Abkhazia, Georgia and South Ossetia, who work together and exchange their experiences. Our work is covered by local media in Georgia and Abkhazia. In addition, we have developed the television show “Biographical Salon” in Abkhazia, and the radio show “Cross-point” in Georgia, in which interview sequences are discussed. “Biographical Salon” also includes a physical space that serves as a meeting centre that we operate in Abkhazia, together with our local partners. During workshops and evening meetings where witnesses of the war share their experiences, people are encouraged to speak about their own memories and exchange their views of the past. In 2017, the Berghof Foundation will start cooperating with the Georgian Ministry of Youth and Sports. Since then, with support of the ministry, additional workshops and discussion rounds on war experiences will be conducted in Georgia proper.

Today, the Georgian and Abkhaz communities are isolated from one another. This isolation has had, among other things, a huge influence on the contradictory perceptions of conflict history on both sides. Since contact between the Georgian and Abkhaz populations is sparse and informal, myths and idealization of own side's behaviour are common, along with the demonization of the other side. Events and stories that do not fit into one's own perceptions can easily be displaced, even though those events and stories may be of great importance to the other side. These opposing narratives set the foundation for current personal and political challenges and must be the subject of any efforts to engage in a history dialogue across the lines of conflict. Consequently, I investigate them more thoroughly in the following section.

## CONFLICT-SUPPORTING NARRATIVES ON BOTH SIDES

Differences in Georgian and Abkhaz perceptions of their shared violent past go back far, preceding even the escalation of the conflict in the late 1980s. Georgian and Abkhaz nationalist movements developed under different circumstances. To understand their origins, one has to take into account relations between the Georgian and Abkhaz communities during the Soviet period. In 1921, both Georgia and Abkhazia were subsumed as part of the Soviet Union.

Abkhazia was initially a Soviet Republic, but became integrated into the Georgian Soviet Republic in 1931. After this event, the political efforts pushing for an Abkhaz ethnic and cultural identity were set against the backdrop of Georgian efforts toward self-determination, within the framework of the Georgian Soviet Republic. The Abkhaz, as a minority in the Georgian Soviet Republic, relied on the support of Soviet state institutions in Moscow to widen and reinforce their minority rights (Fischer 2016, 47). At the same time, the Georgian nationalist movement was ultimately a dissident movement, directed against Soviet (and implicitly Russian) domination. It must be noted that the Georgian nationalist movement was in essence anti-Soviet, while the Abkhaz nationalist movement was pro-Soviet. These general historical alliances continue to impact how the history of the Georgian-Abkhaz War is perceived today. After Georgian independence was achieved, nationalistic Georgian narratives were disseminated.<sup>5</sup> These discourses also contributed to the deterioration of Georgian-Abkhaz relations.

Mutual development influences how the war is perceived in Georgia and Abkhazia today. In Georgia, the common community discourse(s) sees the war in Abkhazia as a civil war that was set up by the Russians. In Georgian memory, Abkhaz and Georgians used to live peacefully together before and during Soviet times. Mainly Russian and North Caucasian fighters are remembered as military actors. Members of the Abkhaz community are seen as “brothers” and “friends”. From the Georgian perspective, these ties were not destroyed by the war. Instead, Abkhazia has been “taken away” and is today “occupied” by the Russians.

The common Abkhaz narrative represents an entirely different worldview in which many individuals remember being discriminated against by Georgians during Soviet times. From this perspective, Georgian nationalism was the reason for the violent escalation that the Georgians consider to be the Russian-driven civil war. Today, the war is called the “Abkhaz Fatherland War”; it was fought by Abkhaz soldiers (and civilians) against Georgian invaders, and won by heroic Abkhaz defenders. In the Russian cultural context, the first “Fatherland War” was the war against Napoleon, and the war against Nazi Germany is called the “Great Fatherland War”. The term “Abkhaz Fatherland War” therefore suggests the defence against an external power. In Abkhazia, the war destroyed trust in the Georgians and good neighbourhood relations can only be imagined under the hypothetical pretext that Georgia acknowledges Abkhazia as an independent state.

<sup>5</sup> Nino Chikovani describes them as “essentialist”, ethnocentric, exclusivist and politicized with no space for ethnic diversity (Chikovani 2013, 81-83).

Georgian Narrative	Abkhaz Narrative
Before the war, Abkhaz and Georgians lived in harmony.	Before the war, Abkhaz were discriminated against by Georgians.
The conflict was set up by the Russians. If anyone should take responsibility, it must be shared equally between Georgians and Abkhaz.	Georgian nationalism was responsible for escalation of the conflict.
Civil War	“Abkhaz Fatherland War”
The war was fought mainly by Russian and North Caucasian fighters.	The Abkhaz soldiers were heroic defenders of the Fatherland.
Abkhazia was “taken away” by the Russians.	The Georgians were foreign occupiers.
Georgian and Abkhaz peoples are linked by familial and emotional ties that were not severed by the war. Abkhaz people are brothers and friends.	Since the war, Abkhaz and Georgians cannot live together. Positive neighbourhood relations depend on the recognition of Abkhaz statehood.

As can easily be seen, these narratives are contradictory in various ways. Moreover, both versions can be identified as “conflict supporting narratives”, as described by Israeli researcher Daniel Bar-Tal (2014a; 2014b). As I will elaborate, in the Georgian Abkhaz context, I see three qualities that have been named by Bar-Tal:

1. They justify the violence and destruction committed by the group’s own members.

In the Georgian version, violence is justified because Georgians needed to defend what they perceive as Georgian territory against Russian invaders. In the Abkhaz case, the Abkhaz population had been suffering from Georgian nationalism and bigotry, so when the Georgians invaded, they needed to fight back.

2. They enable the maintenance of positive personal and collective identities.

The Georgian friendship narrative completely ignores the damage caused to Georgian-Abkhaz relations as a result of the violence of war and Georgian bigotry that preceded the war. Representing themselves as friends and brothers of the Abkhaz people helps the Georgians to project a positive image of their own side. All violence is externalized. In the Abkhaz case, the violence is not concealed, but integrated into their heroic self-perception. Building on the Soviet myth of the “Great Fatherland War”, the war is symbolically charged and all doubts concerning one’s own side’s failure or faults are extinguished.

3. They help each group to position itself as a victim when presenting itself to an international audience.

The Georgian narrative, by concealing pre-war interethnic problems and the role played by Georgian nationalism during the escalation phase, shows the Georgians as victims of Russian expansion. This perception, of course, has recently been enhanced in the international community by Russia’s hybrid war in Ukraine. The Abkhaz narrative also fails to recognize its own nationalism as the motive behind escalation. The motive for the Abkhaz Fatherland War characterizes the Georgians – in the role of the “fascists” – as the sole aggressor. This perception certainly appeals to the Abkhaz, as well as the Russian, public, who are Abkhazia’s only significant international allies.

In juxtaposing these two positions, it becomes clear that each side displaces precisely those aspects of past events that are crucial for the other side.<sup>6</sup> While delivering understandable and convenient explanations to the parties to and allies in a conflict, these conceptions become impediments to constructive dialogue in cross-conflict communication (Bar-Tal 2014b, 666). It must be kept in mind that these basic assumptions and views are adopted by wide segments of the population and are not usually questioned or even perceived as interpretations. Also, in the Georgian-Abkhaz context, the other side’s views are not generally widely known. To set up and facilitate a dialogue on these issues, three elements are therefore crucial:

1. To raise awareness of one’s own discourses and interpretations of war history.
2. To raise awareness of events and aspects central to the other side’s view.
3. To show that on each side there are people who reflect critically on their own assumptions and stereotypes.

<sup>6</sup> I have developed this idea in my article „Erinnerung, Geschichtsbilder und zivile Konfliktbearbeitung – Ein Erfahrungsbericht zur Anwendung theoretischer Konzepte in der friedenspädagogischen Praxis“, Zemskov-Züge 2012.

The goal is not to entirely change each side’s narrative. It would, however, be a positive result if the participants in indirect dialogue could see some aspects of the other side’s experiences and include them in their own perceptions. Therefore, using the Berghof History Dialogue approach we have consciously decided not to work with official history narratives themselves, but with individual memories. Stef Jansen has described how official narratives and individual memories are linked in the case of the Serbs and Bosnians, which I believe similarly applies to the Georgian-Abkhaz context:

*“[...] individuals engage actively with official histories they encounter, incorporating some elements in their personal narratives, while ignoring others. [...] people’s engagement with such discourses depends not only on their nationality, but also, among other things, on their personal experiences during the war and on their current circumstances.”*  
(Jansen 2007, 207)

For working in the field of history dialogue, this means that individual narratives reveal the essence of national discourses. At the same time, they are refracted by an individual’s experiences. Moreover, in biographical narratives, it is often possible to understand how a person has come to hold a certain view, and also how those views have changed over a lifetime. In this regard, they are more flexible than official narratives and show potential for individual change to take place. To illustrate and deepen these reflections, I will provide some examples taken from our work.

## PRACTICAL EXAMPLES

The first example I want to introduce is from an interview with a Georgian ex-combatant who used to live in Abkhazia.<sup>7</sup> During the interview, he repeatedly mentions his “Abkhaz brothers”. He states:

*“An excellent military leader from monarchical times once said, that those who cannot love, cannot fight. You cannot fight without love. The ones who are capable of loving – they fight. Luckily this is true. And we – I – say what happened in Abkhazia, we know ourselves, anyway, there is one advantage we both have, both of us are capable of loving.”*

<sup>7</sup> The interview quotations in this paper refer to the Berghof Caucasus Program internal interview archive, the quotations have been taken from interview episodes, marked by the number of the interview and minutes in the original audiofile.

He finishes this line of thought, saying that in the end it became clear that both sides were “stupid” and had been caused to clash by a “villain” (Interview G109, 11.00-13.59).<sup>8</sup> The respondent’s account is remarkable for several reasons. First and foremost, he rejects the violence of the war. Instead of saying, we have lost, but we will come back, he says that it was wrong to fight. This must be underlined, because not long ago, under the presidency of Mikheil Saakashvili, aggressive rhetoric, including the phrase *“What’s lost by war can be won by war”*, was widespread in Georgian society. In this interview, however, the main basis for the dialogue is fulfilled: refrain from violence.

Yet, at the same time, the interview does not condemn violence in principle, but conceals it as an act of love, therefore justifying it to a certain extent. Interestingly, the respondent justifies it on both the Abkhaz and the Georgian sides. He does not distinguish between the Abkhaz and the Georgian sides, but speaks mainly about “us”. Even after the interviewer interjects, asking him to formulate the lessons learned from the war on the Georgian side, he explicitly refuses. It seems to be unbearable for him to admit his (or his people’s) own wrongdoing or even express regret, without including the other side. In constructing his narrative like this, he underlines his own conviction that the war has not separated the sides. He ends this sequence with the evaluation: *“and now, if we want it or not, if we say it, or not, deep in our souls, in our hearts, we despise ourselves.”* (Interview G109, 11.00-13.59)<sup>9</sup>

This is a widespread feature in the Georgian narrative about the war, but it ultimately supports the conflict. While critically reflecting on Georgian failures, the respondent includes the Abkhaz side, stating that they have the same reasons to express regret. Thus, he basically occupies the space of the other side’s regret by making it virtually impossible for the other side to formulate its own shortcomings for itself. This discourse constructs a setting in which the Abkhaz people are not seen as an independent party to the conflict. Paradoxically, by insisting on formulating regrets

8 Меня с детства учили любить родину, и не только любить – уметь любить родину. Любить так – нельзя. Любовь сама по себе не одно чувство, а сочетание двух. Сама по себе любовь и отвага. Если и я кому то говорю что люблю и ничем не могу пожертвовать, ради этой любви, это ни чувство тогда. Это просто красивая картина перед моими глазами, насмотрелся и ушел. А за любовь надо бороться. Даже один из выдающихся полководцев в монархические годы, говорил, что кто не умеет любить, не умеет воевать. Не сможет воевать без любви. Воюет тот, кто умеет любить а это – к счастью это так. И мы вот, я говорю в Абхазии что произошло мы сами знаем, значит, один плюс, все таки, у нас, у обоих есть, мы оба умеем любить. (смеется) и начали воевать к сожалению. Доказывать, кто больше умеет. И доказали, что никто ничего не умеет. [...] мы оба дураки и какой то злодей нас – за крючок и поспорил между собой.

9 И теперь, хотим или не хотим, выражаем это или не выражаем, в глубине души, в сердце, мы оба презираем себя.

for the Abkhaz, he simultaneously robs the Georgian side of the possibility of receiving that which is most desired: a self-critical, voluntary sharing of responsibility on the part of the Abkhaz people.

There is also an additional element to insisting on speaking for both sides: it evokes the impression that the respondent is grappling with his own fear that relations have broken down between Georgians and Abkhaz permanently. He says:

*“We are both indispensably guilty in having shot each other and having had a fight (undec.); but, however softly you speak, there was a war between us. It was not a fatherland war, it was civil war. Now that’s the right way to put it – a civil war between brothers.”*  
(Interview G109, 25.17-31.28)

Therefore, he argues that all medals earned in the war should be thrown away – on both sides. Such demands, of course, are contrary to the heroic Abkhaz discourse, where medals play a crucial role. This manner of speaking suggests the unification of both sides.

Using this interview in workshops in Abkhazia triggers different discussions (depending on the group). A trainer who discussed this interview in a group with ethnic Abkhaz wrote in her report:

*“The interview evoked turbulent emotions with nearly everybody. Especially when he says that all medals must be thrown away. Also the expression ‘there was no fatherland war, it was a civil war’, because that means that there is no Abkhazia at all, that we are all citizens of only one country – Georgia. [...] If that’s true, then what did Abkhazia’s sons die for? He must answer that question.”*<sup>10</sup>

This reaction shows that the overbearing unifying effort is perceived clearly by the Abkhaz listeners.

In such a group, the goal of this discussion would be to challenge one’s own established discourses. The trainer can facilitate a discussion about the meaning of medals in Abkhaz society, but also ask what might be the reasons for a Georgian ex-combatant to reject their medals. Interestingly, the argument about violence and love as a justification for the war evoked no protest. It does not contradict the Abkhaz narrative, in which the soldiers defended their country for love of their homeland. This

10 Интервью Е. вызвала в группе бурные эмоции почти у всех. Особенно когда он говорит, что нужно выкинуть все ордена, если они еще висят на груди. А таже болезненно было воспринято выражение “Не было никакой Отечественной войны, эта была гражданская война” Т. е получается, что нет никакой Абхазии, мы все граждане одной лишь страны - Грузия. Столько времени прошло как он мог, если он грамотный человек так мыслить. За что погибли сыновья Абхазии. Пусть он тогда даст ответ на этот вопрос.

construction, of course, conceals the fact that in Abkhazia, in many cases, neighbours who had previously lived alongside one another on the land they loved ended up fighting against one another. So, paradoxically, this “love of the land narrative” leaves no space for discussing nationalism, where it is assumed that if your neighbour belongs to another ethnic group, he or she loves the land less, or has less of a right to live there than you do.

The same interview was used in a workshop in an Abkhaz area where many Georgians live, as well as Mingrelians, who associate themselves with the Georgians. As the trainer reports:

*“Some in the group fully agreed with the respondent. They held the view that it was a civil war that happened in Abkhazia, and not a fatherland war. Some agreed on several points; for example, on the necessity of friendship and mutual understanding, even between those who stood face-to-face with weapons drawn. The younger participants believe that there was a fatherland war, but the respondent can hold a different view. [...] At the same time, the question was raised about the citizenship of Georgians in Abkhazia. It was said that they do not have passports. “Who are we without passports and citizenship?” they asked.”<sup>11</sup>*

This discussion demonstrates a much more diverse group response. Interestingly, this group was able to value the fact that the respondent underlined the need to refrain from violence. Also, the links between historical policies, national policies and ethnic affiliation played a bigger, more definite role in the discussion. While the younger participants have already adopted the Abkhaz narrative of the fatherland war, the older generation seems to cling more to the Georgian perspective. Since the Georgian minority is denied citizens’ rights in Abkhazia, they have more reason to see themselves as Georgian citizens, because they carry Georgian passports. This affiliation, of course, directly affects their views on conflict history.

11 Были в группе, которые были согласны с респондентом полностью. Они были согласны с тем, что в Абхазии была гражданская война, не было отечественной войны, были и такие, которые были согласны частично в некоторых моментах, например, как о необходимости дружбы и взаимопонимания даже среди тех, кто стоял с оружием друг против друга. Более молодое поколение считает все таки, что в Абхазии была Отечественная война, а респондент имеет право говорить как он думает, это его право. Возможно респондент имел ввиду, что когда началась война Абхазия еще была в составе Грузии, соответственно можно назвать гражданской войной, которая постепенно переросла в Отечественную- так интерпретировали некоторые. Поднимался вопрос параллельно о гражданстве грузин, проживающих в Абхазии, о том, что они до сих пор без паспортов, без гражданства, кто мы? – ставили вопрос.

In such a group setting, focusing the group’s attention on the respondent’s manner of subsuming both Abkhaz and Georgian people under the “we” umbrella is the trainer’s goal. If there are ethnic Abkhaz and ethnic Georgians in the room, it would be interesting to ask them about the feelings that the account evokes. Thus, it could be shown that regret can be formulated solely on one’s own account (not on behalf of others), and only on a voluntary basis. The interview and workshop settings are suitable forums for reflecting on and discussing these issues. It is here, in direct contact with the group and the facilitator, while listening to the interview excerpt, that processes of recapitulation and integration of the other side’s experiences into one’s own perceptions can occur. The direct presence of representatives of the other side, in triologue meetings or in an internal Abkhaz dialogue between ethnic Abkhaz and ethnic Georgians living in Abkhazia, reinforces this effect.

## CONSTRAINTS

In our process, however, we have still another level that needs to be served: this is the level of broader public discussion. To achieve sustainable change and raise awareness of conflict-supporting mechanisms in public discourses, it is important that reflection and reconsideration take place not only in a closed room, but are also shared publicly. Additionally, for our work to be accepted politically, we cannot be perceived as a closed group – instead, our work must be transparent and understood by the wider public. Moreover, one of the goals of our process is that controversial and new thoughts and reflections are made publicly available. Obviously, this is more prone to constraints than the workshop setting. As Foucault notes, in every society, discourses are canalized, controlled and selected in order to control their forces and dangers (Foucault 2003, 11).

In our process, the line along which we experience these control mechanisms most acutely is the line between interviews and public statements made in the radio or television programmes. This is true for each of the participating societies. To illustrate this point, I want to quote an Abkhaz ex-combatant who, during the biographical interview, states in a somewhat ironic tone:

*“Well, that’s what happened, I finished the war, a shame that I didn’t maraud. Thank God they gave me no medals. That means I fought badly. There are many things that happen in war. You know, honestly speaking, you can get away, like born again, I mean regenerated, and you can die. I mean die and stay alive at the same time; that means you are not the same, as a person.”<sup>12</sup> (A032, 10.50-21.58)*

12 “[...] ну так сложилось и всё, отвоевался, жаль, что не смородёрил. Слава Богу, никаких медалей не дали, значит плохо воевал. Очень много там событий на войне, вот вы знаете как, честно говоря, с войны можно уйти заново родившись, ну т.е. переродиться, можешь умереть, ну т.е. как умереть, при этом ты живой, но как человек, т.е. ты не тот”.

Against the background of the Abkhaz hero narrative, these remarks are quite atypical. In fact, the respondent completely reverses the usual assessment criteria. In saying that it was *“a shame that I didn’t maraud”*, he indicates that he takes a critical stance against those in Abkhaz society who currently live off the wealth they accumulated during the war. The remark, *“Thank God they gave me no medals”* becomes understandable, at the end of the episode, when he mentions his brother, who had been given the title “Hero of Abkhazia” but committed suicide three years before the interview was recorded. About him, the respondent states: *“He was just not needed anymore. It was not what he lived for. Times change so quickly today, and it was hard to survive, to cope”* (A032, 10.50-21.58).<sup>13</sup>

Questioning the outcome of the war in such a way is highly atypical in the Abkhaz war narrative. We invited this respondent to be a guest on the television talk show “Biographical Salon”. When he was approached, he asked why we wanted to talk to him and explained that he was not a hero. During the show, he did not repeat his critical remarks, did not mention his brother, and hardly spoke about the war at all. Finally, the show was recorded, aired and was well received by the audience. While he did not speak as openly as he did during the interview, the audience in the room still perceived and ultimately addressed the difference in his tone. During the question segment, one person in the audience asked the respondent if he would characterize the veterans as a “lost generation”. He agreed with this assessment and added that many of the things that have not gone so well since the war are not openly discussed in Abkhazia today. Following this comment, another audience member stated: *“I heard an opinion that makes me think”*. Therefore, although the full deconstruction of the leading discourse observed in the initial interview was not transferred to the television interview, some smaller steps were made.

This experience led me to the conviction that, for an outsider, it is difficult to assess which forces are exerted on individuals who start testing the boundaries of the leading discourses in their communities. Moreover, indications of change in a narrative can be slight and easy for an outsider to miss, even if one knows the subject quite well. Insiders sometimes do perceive them and can react to even the smallest changes in the dominant narrative.

13 У меня брат, он герой Абхазии, старший брат. После войны, недавно, года 3 назад, он покончил с собой, т.е суицид, он просто, он стал ненужным, это не то за что он жил, тем более, время меняется очень быстро в наше время, это сложно пережить, переварить.

## PERSPECTIVES

In reporting on his experiences with German–Israeli and Israeli–Palestinian dialogue, Dan Bar-On underlined that it is the dialogue participants’ task to listen to each other and evoke stories from the other side. Only in doing this can each side gradually overcome the paradigmatic accounts of their respective societies (Bar-On 2004, 34f.). This is also the goal of the Berghof Foundation’s work in the Georgian–Abkhaz conflict setting. The workshops and exchanges of stories, as told in the interviews, can help individuals to broaden their views of the conflict. Perhaps most importantly, it can help them to reflect on their own side’s contribution to the escalation and maintenance of the conflict.

In my paper, I have argued that it is possible to address even difficult and painful topics if a constructive atmosphere of trust can be built up. At the same time, there are constraints to transferring these confidential processes to the broader public. The only answer I have to overcoming this dilemma is to suggest that a tactic in which small steps are taken must be pursued. While conducting trilateral meetings and workshops, over the years I have heard the Abkhaz mother of a fallen soldier say that she is ashamed of the deaths of innocent Georgian civilians who had sheltered Abkhaz citizens during the war and were killed in the last days of the conflict by Abkhaz troops. I have heard Georgian Internally Displaced Persons assume responsibility for having had to flee South Ossetia, because they had engaged in nationalistic rhetoric, and I have heard the parents of fallen soldiers extend condolences to their counterparts across the conflict divide. While these are big steps for individuals to take, in the grander scheme of the international conflict system that is presently developing on the borders between the spheres of Russian and Western influence, they are small and tentative steps. They can easily be reversed and undone through violent dynamics and propaganda. At the same time, I firmly believe that exchanging and discussing wartime experiences is crucial for any constructive development to take place between Georgian and Abkhaz communities. Ultimately, I am convinced that the sincere recapitulation of their own past is perhaps the only thing that Georgians have to offer that is presently of vital interest to the other side.

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SHALVA TABATADZE

## MOTHER TONGUE EDUCATION IN CONFLICT-AFFECTED REGIONS: THE CASE OF ABKHAZIA

*Language education in conflict and post-conflict societies is one of the main sources of inter-ethnic tension. However, non-discriminative language education is also an opening for the improvement of inter-ethnic relation and reconciliation. This paper outlines the positive effects of mother tongue education and bilingualism for conflict-affected societies. Analysing statistical data on the educational system of Abkhazia, the paper identifies significant shortcomings in the field of mother tongue education for ethnic Armenian, Georgian and Abkhazian schoolkids. The author argues in favour of a developmental approach to education towards the de facto republic, to support a non-discriminative mother tongue-based multilingual approach to education for all ethnic groups. This approach could increase the quality of education and linguistic tolerance in the region.*

**KEY WORDS:** *Mother tongue education, bilingualism, ethnic conflict, Abkhazia, Georgia*

## INTRODUCTION

Language education in conflicted societies is an essential topic of discussion. Researchers have attempted to establish the role of education in bridging and integrating divided societies and have defined several important practices of school and education management in conflicted regions. According to Zymbalas and Bekerman (2013), integrated bilingual schools and multilingual education are one of the widely spread language policies in conflicted regions, and they proposed three theoretical frameworks for justifying integrated bilingual schooling. The first framework is social cohesion theory, which implies the integration of society as the cornerstone for overcoming social, ethnic or political tensions. However, the approach is questioned because “the full complexity of heterogeneity remains unacknowledged and the emergence of a majority view of integration is infused into the societal and educational practices of every day” (Zymbalas/Bekerman 2013, 406). As the second main base of educational programmes in divided societies, contact hypothesis, proposed by Allport (1954), implies that interaction between divided societies can relieve the conflict. The third important theory for designing integrated bilingual schools in conflicted regions is Berry’s (1997)

acculturation theory, which implies the promotion of biculturalism, “where people maintain values and customs of their native culture” (Zymbalas/Bekerman 2013, 407). The objectives of educational policies are frequently justified by a theoretical framework. A bilingual educational programme implemented in an additive context can benefit from social, cultural and educational benefits of bilingualism (Baker 2006). As additive bilingualism falls under the acculturation theoretical framework, it can become the basis for designing bilingual integrated programmes in conflict-affected regions.

Georgia, which is located on the east coast of the Black Sea at the crossroads of Western Asia and Eastern Europe, borders Armenia, Azerbaijan, Russia and Turkey. Georgia has a population of approximately 3,700,000 (National Office of Statistics of Georgia 2014) and is a multi-ethnic country, in which ethnic minorities constitute 13.2 percent of the total population (2014 state census). The two largest ethnic groups, the Armenians and Azerbaijanis, reside in two regions of Georgia and together constitute 10.8% of the total population (Tabatadze 2017; Tabatadze/Gorgadze 2017). Two regions in Georgia, Tskhinvali and Abkhazia, have not been under control of the Georgian government since the conflict in 1990. Language issues were essential in the dynamics that led to conflict in Abkhazia (Comai/Venturi 2015).

The de facto Government of Abkhazia is striving to build its educational system and develop language policy in the multi-ethnic context of Abkhazia. The de facto Constitution of Abkhazia and law on State Language regulates the language issues in education. The language educational policy in Abkhazia does not entirely fall into any of the abovementioned theoretical frameworks; however, these frameworks can be used for developing future educational and language policies in Abkhazia.

Using content and statistical data analyses research methods, this study (1) discusses the importance of mother tongue education and the positive effects of bilingualism, (2) analyses and describes the development of mother tongue education in the de facto Republic of Abkhazia and (3) provides recommendations on how to address the current situation. The following sources were used for the content analysis: (a) legal acts; (b) scholarly articles and books; (c) reports of non-governmental and international organizations; and (d) articles from newspapers, magazines and online agencies. Statistical data were obtained from official sites of the Department of Statistics of the de facto Republic of Abkhazia, the de facto Ministry of Education of Abkhazia and Educational Department of Sukhumi, and from the Department of Statistics of Georgia and Gali Educational Resource Centre of Georgia. Statistical data were also obtained from news agencies working in the territory of Abkhazia. The primary statistical data obtained were elaborated and tables were developed for analysing the statistical data in accordance with the objective of the study.

## IMPORTANCE OF MOTHER TONGUE EDUCATION

Scholars of bilingual and language education underscore the importance of mother tongue education (Baker 2000, 2006, 2016; Cummins, 1986, 2000, 2001; Skutnab-Kangas, 2000). As Cummins (1986) pointed out, “The first language is so instrumental to the emotional and academic well-being of the child, that its development must be seen as a high, if not the highest, priority in the early years of schooling” (101). UNESCO has highlighted the importance of mother tongue education since 1953, stating the following in its monographs in the fundamental education series, *The Use of Vernacular Languages in Education* (1953):

*“It is axiomatic that the best medium for teaching a child is [the] mother tongue. Psychologically, it is the system of meaningful signs that in his mind works automatically for expression and understanding. Sociologically, it is a means of identification among the members of the community to which he belongs. Educationally, he learns more quickly through it than through an unfamiliar linguistic medium.” (11)*

The development of the first language is crucial for bilingualism, academic success and achievement, as well as for self-confidence and emotional well-being. As Cummins (1986) noted, “Whether directly or indirectly, explicitly or implicitly, that your language and the language of your parents, of your home and of your friends is non-functional in school is to negate your sense of self.” (101)

The second argument to justify mother tongue education is rooted in teaching academic subjects (Cummins 2001; Baker 2011). When using their native language, students will be able to understand the content of other subjects (math, science, arts, music, sports) and, accordingly, they will not fall behind. Mother tongue education in the primary grades is an essential cornerstone of students’ academic achievement in different subjects in the school curricula (Cummins 1986).

The third argument relates to the results of research on the importance of the mother tongue in developing bilingualism. Developing full proficiency in the first language will promote the same in the second language. This point assumes the existence of an underlying proficiency that is common to both languages. Once students learn to read as a skill and as a knowledge source, it becomes a relatively simple matter of transferring the skill and knowledge to the context of a second language. Similarly, once one has learned the way in which to use language as a tool to conceptualise, draw abstract inferences or express complex relations in one language, these processes or language functions apply to any language context. Several relevant studies have suggested that the implications of the role of the first language in bilingual education are profound (Cummins 1984; Cummins et al. 1984). Learning in the first

language benefits first and second language development; thus, when more time is spent developing the first language, it has significant positive effects on learning the second language.

As mother tongue education provides students with a suitable social-emotional environment for learning and opportunities for linguistic and cognitive development, the knowledge and skills acquired in the first language transfer to the second language. Acquisition of two languages enables students to benefit from the cognitive, academic and socio-cultural advantages of bilingualism.

### POSITIVE EFFECTS OF BILINGUALISM: ADDITIVE AND DYNAMIC BILINGUALISM

Lambert (1974) distinguished between *subtractive* and *additive* bilingualism. Subtractive bilingualism is a form of bilingualism in which the state or official language is learnt, and the mother tongue is lost. Typically, children from minority communities who speak their native language substitute it with the majority language. The bilingual education programmes for minority students are mainly characterised by this subtractive approach. Additive bilingualism, on the other hand, focuses on the mother tongue and the educational programme is built to learn two languages. In addition to the mother tongue, the student learns the official, state or other foreign language (Garcia 2014). As Garcia and Lin (2016) stated,

*“Throughout history, bilingual programmes had usually encouraged additive bilingualism for language majorities where an additional second language was simply separately added to a first. However, for language-minoritised people, schools had tended to pursue subtractive bilingualism, taking away the child’s home language.”* (3)

Garcia (2009) challenged the additive and subtractive models of bilingualism and indicated that while these models might have been sufficient during the twentieth century, they do not reflect the full nature of bilingualism and bilingual education in the twenty-first century. Garcia elaborated further that bilingual education cannot merely be subtractive or additive, and she proposed two other types of bilingualism for schools recursive and dynamic bilingualism.

*Recursive bilingualism* refers to the bilingualism of ethnolinguistic groups and is designed to revitalise their native languages. Garcia (2009) suggested using immersion and developmental bilingual education programmes for these groups. *Dynamic bilingualism* is the situation in which multilingual speakers use multiple languages for interactions in different settings and spaces, and at different times. Students from

dominant and non-dominant cultural groups are enrolled in programmes and interact with each other in different languages and therefore develop multilingual skills. Bilingual education programmes, such as *dual-language*, *two-way bilingual education*, *two-way immersion*, *poly-directional bilingual education* and *bilingual immersion* are recommended to achieve dynamic bilingualism (Garcia 2009). In these settings, three or more languages can be used as the language of instruction when the student population is not homogenous.

Research findings have mostly demonstrated positive effects of bilingual education on children’s language awareness and cognitive functioning (Bialistok, 2001, 2007, Bialistok/Craik/Klein/Viswanathan, 2004). However, despite these positive findings and the benefits of bilingual education, it remains a controversial field in educational policy (Bekerman 2005). Recent studies, which have compared the results of cognition among bilinguals and monolinguals, have found mostly positive results for bilinguals (Bialistok, 2001, 2007, Bialistok/Craik/Klein/Viswanathan, 2004). Baker (2011) compared language acquisition, information processing and memorisation on the part of bilinguals and monolinguals. According to the results, bilinguals achieved better results in problem-solving and solving mathematical problems correctly (Baker 2006). In 2003, McLeay (cited in Baker 2006) showed that “balanced bilingual” adults can cope better with complex mathematical and spatial problems. Similarly, Kessler and Quinn’s (1982) research indicated that bilinguals demonstrate superior ability in solving scientific problems compared with their monolingual counterparts (cited in Baker 2006).

Positive effects of bilingualism have also been observed in studies of bilingualism and metacognitive awareness. Several studies conducted by Bialystok (2007) investigated the development of stable executive processing and the protection from the decline of executive processes among bilingual and monolingual children. The author found that bilingual children outperformed monolinguals in understanding word meanings and could determine the number of words in a sentence better. Bilingualism also facilitates memorisation (Tabatadze 2014). This positive effect of bilingualism relate to balanced bilinguals, whose competences in both languages are developed well, such that they are “[...] *approximately equally fluent in two languages across various contexts*” (Baker 2006, 9). Accordingly, it is essential to focus on the development of bilingual education programmes designed to raise balanced bilinguals. Programmes that promote additive bilingualism are essential for raising balanced bilinguals and are therefore necessary for acquiring the positive cognitive and socio-cultural effects of bilingualism.

## THE ETHNIC COMPOSITION OF ABKHAZIA

Abkhazia is the Autonomous Republic of Georgia. Abkhazia's ethnic composition has long been a topic of debate and manipulation. The first data on the Abkhazian population were available in 1886 (Trier/Lohm/Szakonyi 2010); however, Abkhazians and Georgians fiercely debate the first population census because they consider the data inaccurate and open to interpretation (Trier/Lohm/Szakonyi 2010; Muller 1999). The first of six censuses conducted during the Soviet Union era was conducted in 1926. Table 1 shows the ethnic composition of Abkhazia's population during the Soviet times.

**Table 1**  
Ethnic Composition of Abkhazian during the Soviet Union

Year	Total Population	Georgians	Abkhazians	Armenians	Russians
1926	212,033	33.6 %	27.8 %	12.8 %	6.1 %
1939	311,900	29.5 %	18,0 %	15.9 %	19.3 %
1959	404,700	39.1 %	15.1 %	15.9 %	21.4 %
1970	487,040	40.0 %	15.9 %	11.4 %	19.1 %
1979	486,082	43.9 %	17.1 %	15.1 %	16.4 %
1989	524,161	45.7 %	17.7 %	14.6 %	14.3 %

After the collapse of the Soviet Union, the de facto Government of Abkhazia conducted population censuses in 2003 and 2011, which also evaluated the population's ethnic composition. The censuses showed an increase in the Abkhazian ethnic population and a decrease in the Georgian population because of their displacement from Abkhazia after the war in 1992-1993. Most Georgians left Abkhazia, and only approximately 55,000 returned to the Gali district (Chirikba 2009).

Many researchers have questioned the validity of the census data and the magnitude of the population increase (e.g. Trier et al. 2010; Clogg 2008). The European Centre for Minority Issues (ECMI 2009) estimated Abkhazia's population distribution by ethnic background based on data available to the organisation, as shown in Table 2.

**Table 2**  
ECMI Estimation of Population of Abkhazia by Ethnic Background (2009)

Ethnicity	Population
Abkhazians	65,000 – 80,000
Georgians	45,000 – 65,000
Armenians	60,000 – 70,000
Russians	10,000 – 15,000
Greeks	1,500
Others	5,000
<b>Total</b>	<b>186,500 – 236,500</b>

## RESEARCH RESULTS

### LANGUAGE EDUCATION LEGISLATURE IN GEORGIA AND IN THE DE FACTO REPUBLIC OF ABKHAZIA

According to Article 8 of the Constitution of Georgia, Georgia's state language is Georgian, and Abkhazian is the language used in the Autonomous Republic of Abkhazia. The laws on General and Higher Education of Georgia also stipulate the usage of Georgian and Abkhazian languages in the educational system of Georgia. As Georgian legislature does not function in the Abkhazian Autonomous Republic, this article briefly reviews the latter's language education legislature. Abkhazia's Constitution was adopted in 1994; Abkhaz is the state and, while Russian is an official language of the de facto Abkhazia, Article 6 of the Constitution guarantees the right to use the native language freely. The language of instruction in schools is regulated by the law on state language adopted in 2007. Article 7 of the law stipulates the following: *"The language of instruction in the Republic of Abkhazia is [the] State Language as well as Russian"*. The same law indicates that citizens of Abkhazia *"[...] have the right to obtain education in their mother tongue within the limits of possibilities offered by the system of education"*. Learning Abkhaz is mandatory in all schools, and the final exam system was introduced to assess students' proficiency in the Abkhazian language in Abkhazian public and private schools.

### EDUCATIONAL SYSTEM OF DE FACTO ABKHAZIA

The process of building Abkhazia's educational system did not begin until the Soviet

era. The first attempts to establish education in Abkhazian emerged at the beginning of the nineteenth century (Gvantseladze 2010). On 30 May 1851, the first four-year school was established in the village of Likhni, and the study of the Abkhazian language was introduced in this school (Gvantseladze 2010).

During the Soviet era, the educational system and language instruction in Abkhazian schools largely reflected the Republic's multi-ethnic composition, and its principal ethnic groups had opportunities to be educated in their mother tongue. Georgian, Russian, Abkhazian, Armenian and even Greek schools functioned in the Autonomous Republic of Abkhazia until 1938 (Comai/Venturi 2015). Before the collapse of the Soviet Union, the 313 schools in Abkhazia provided instruction in Abkhazian, Georgian, Russian, Russian-Georgian, Georgian–Abkhazian, Russian-Georgian-Abkhazian and Russian-Abkhazian. Table 3 shows the breakdown of languages used in Abkhazian schools at the end of 1980.

**Table 3**  
Schools by Language of Instruction in 1980

Language of Instruction	Number of Schools	% of Schools
Georgian	165	53 %
Abkhazian	52	17 %
Armenian	43	14 %
Russian	21	6 %
Georgian-Abkhazian	3	1 %
Georgian-Russian	19	6 %
Russian-Abkhazian	7	2 %
Russian-Georgian-Abkhazian	3	1 %
<b>Total</b>	<b>313</b>	<b>100 %</b>

As Table 3 shows, 53 percent of the schools used Georgian as the language of instruction and 17 percent used Abkhazian as the language of instruction. These figures are comparative with the Georgian and Abkhazian populations of Abkhazia, which were 45.7 percent and 17.7 percent, respectively. The same pattern was observed among the Armenian schools, which constituted 14 percent of the schools, while the ethnic Armenian population in Abkhazia was 14.8 percent in 1989.

Detailed statistical data on schools in Abkhazia after the war became available in 2008 (Department of Statistics of Abkhazia 2016). As shown in Table 4, although the number of schools dropped from 169 in 2008 to 156 in 2017 (Department of Statistics of Abkhazia 2017), the number of students increased by just under 3 percent, from 26,220 in 2008 to 27,000 in 2017.

**Table 4**  
Number of Schools and Students in Abkhazia in 2008 – 2017

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
<b>Number of Students</b>	26,220	25,558	26,282	26,315	26,138	25,969	25,577	26,696	26,611	27,000
<b>Number of Public Schools</b>	169	169	169	168	165	166	165	159	159	156

Officially, the schools in Abkhazia are differentiated by the language of instruction used, which includes Abkhazian, Russian, Abkhazian-Russian, Armenian and Georgian. Table 5 lists the number of schools in Abkhazia by their current language of instruction.

**Table 5**  
Number of Schools by Language of Instruction in Abkhazia

Language of Instruction	Number of Schools	% of Schools
Abkhazian	59	36.5 %
Abkhazian-Russian	15	9.6 %
Russian	46	30.2 %
Armenian	25	16.7 %
Georgian	11	7 %
Russian-Abkhazian	7	2 %
Russian-Georgian-Abkhazian	3	1 %
<b>Total</b>	<b>156</b>	<b>100 %</b>

It is also worth noting the number of students by their ethnic background in Abkhazia and analysing the possibility of each ethnic group receiving instruction in their mother tongue. As Table 6 shows, of the 26,611 students in 2016, 53.5 percent are ethnic Abkhazians, 17.8 percent are Georgians, 17.1 percent are Armenians and 7.9 percent are Russians. Other ethnic minority students are also represented in Abkhazia's schools.

**Table 6**  
Ethnic Composition of Students in Schools of Abkhazia

Ethnicity	Number of Students	% of Students
Abkhazian	14,234	53.5 %
Armenians	4,548	17.1 %
Georgians	4,743	17.8 %
Russians	2,097	7.9 %
Others	989	3.7 %
<b>Total</b>	<b>26,611</b>	<b>100 %</b>

(based on Sputnik-Abkhazia, 2016)

However, the ethnic composition of the student population does not match the distribution in schools with instruction in their mother tongue. For example, while Abkhazian students constitute 53.3 percent of the student population, only 31.5 percent is enrolled in Abkhazian schools, and even though only 7.90 percent of students with a Russian ethnic background study in Abkhazia, 40.5 percent of the student population is enrolled in Russian schools. Similar disproportionate rates of student ethnic composition are evident in the Armenian and Georgian schools. Table 7 presents the distribution of schools and students in Abkhazia by language of instruction and by districts.

**Table 7**  
Distribution of Schools by Language of Instruction and District of Abkhazia

District / City	Number of Schools	Number of Students	Number of Students in ...				
			Abkhazian schools	Russian schools	Russian-Abkhazian schools	Georgian schools	Armenian schools
Sokhumi	16	7,407	2,696	3,224	1,278	0	209
Sukhumi district	11	488	111	116	0	0	261
Gudauta	29	3,614	1,902	298	1,187	0	227
Gagra	18	4,412	954	2,456	330	0	672
Tkvarcheli	29	1,904	459	1,259	186	0	0
Ochamchire	17	2,177	1,417	510	132	0	118
Gali	20	3,255	0	2,128	0	1,127	0
Gulrihshi	14	1,597	187	67	856	0	487
<b>Total</b>	<b>154</b>	<b>24,854</b>	<b>7,726</b>	<b>10,058</b>	<b>3,969</b>	<b>1,127</b>	<b>1,974</b>
<b>Percentage</b>		<b>100 %</b>	<b>31.1 %</b>	<b>40.5 %</b>	<b>16 %</b>	<b>4.5 %</b>	<b>7.9 %</b>

(based on Sputnik-Abkhazia, 2016)

The statistical data are used to calculate how many students receive education in their mother tongue. Table 8 presents the data for Abkhazian, Armenian and Georgian students.

**Table 8**  
Ethnic Background of Students and Mother Tongue Instruction

Ethnicity	Number of Students	Number of Students at schools with mother tongue instruction	% of Students with mother tongue education
Abkhazian	14,234	7,726	54 %
Armenians	4,548	1,974	43.4 %
Georgians	4,743	1,127	23.7 %

(based on Sputnik-Abkhazia, 2016)

As Table 8 shows, the education system is unable to provide mother tongue education for the different majority or minority ethnic groups; however, the reasons for this failure differ depending on the ethnic group and can be divided into three categories: (1) voluntary refusal, (2) semi-voluntary refusal and (3) involuntary inability to receive mother tongue education. Further analysis will be made in subsequent sections that address each specific ethnic group of students.

### ARMENIANS AND ARMENIAN SCHOOLS IN ABKHAZIA

The Soviet Union's 1989 census showed that 76,541 Armenians were living in Abkhazia; however, this amount decreased to 44,860 by 2004 and to 41,867 by 2011 (Census of Abkhazia 2003; 2011). Despite this decrease, the proportion of Armenians among the total Abkhazian population has increased since 1989 (Matsuzato 2011). Armenians live primarily in the Gagra, Gulripshi and Sukhumi districts of Abkhazia.

Official data indicates that there are currently 26 Armenian language schools in Abkhazia with 1,974 students (Sputnik-Abkhazia, 2016). According to UNICEF survey data, the number of Armenian schools has decreased from 34 with 2,312 students in 2006 (cited in Trier/Lohm/Szakonyi, 2010) and from 32 in 2011 with approximately 2,000 students (Comai 2011). Additionally, only 43.4 percent of Armenian students receive their education in their mother tongue. Unofficially, that number is much lower, and it is likely that only 25 percent of Armenian students are educated in their mother tongue (Comai/Venturi 2015; Comai 2011). According to a survey conducted by Goncharova et al. (2007), slightly less than half (44.9%) of young Armenians included in the survey stated that they had a good oral and written command of Armenian, and approximately 10 percent admitted that they do not know it at all. A significant proportion of the Armenian population in Abkhazia speaks Russian in the home (Comai 2011).

Existing literature provides four main reasons why Armenians prefer to be educated in Russian rather than in their mother tongue. First, the Armenians living in Abkhazia today migrated from the Ottoman Empire in 1915 (Matsuzato 2011; Trier et al. 2010). The native language of this group is Western (Anatolian) Armenian, which is quite different from the Eastern Armenian used in the Armenian educational system (Matsuzato 2011; Trier et al. 2010). Moreover, there are three different "Hamshen" groups in Abkhazia (Chirikba 2008). Although these groups are culturally and linguistically close, their language differs significantly from Eastern Armenian, and their vocabularies include many Turkish and Russian loanwords (Chirikba 2008). Accordingly, the language taught in school is unlike the one Armenians in Abkhazia speak at home (Vaux 2007; Vaux/Bert, 2007). *"When they go to school, they basically learn a foreign language. They do not use their native tongue, but literary Eastern Armenian"* (Karslian, cited in Comai 2011).

Second, Armenian language instruction is conducted only in grades 1–4, and the students must switch to Russian in grade 5 despite their insufficient academic language proficiency. *"There are concerns about the difficulty of switching to what is mostly a Russian language education after four years, and there is a widespread understanding that Russian language education will offer considerably more opportunities later in life"* (Comai/Venturi 2015, 897).

Third, the Armenians in Abkhazia are increasingly inclined to send their children to Russian schools because they believe their prospects in Russia are ultimately better than in Armenia. As former chairman of the Armenian diaspora in Abkhazia, Suren Karslian stated: *"Russia is a big, solid and neighbouring country with many study and work opportunities. Parents believe Russian-schooled children will be better off in furthering their education or finding employment"* (cited in Comai 2011). This belief likely relates to the fact that most Armenians living in Abkhazia are Hamshen Armenians, with closer links to the Armenian communities in southern Russia than to those in Armenia. At the same time, the Russian government provides quotas for Abkhazian school students at institutions of higher education in Russia, while the Armenian government policy offers no reserved higher education places or grants for students from Abkhazia (Comai/Venturi 2015).

Finally, scholars have highlighted the lack of teaching and learning materials and the lack of opportunities for teacher education and professional development in Armenian schools (Trier et al. 2010, Comai 2011). The Chairman of the Union of Armenians, Galust Trapizanian, pointed out, *"The main problem is lack of pedagogical cadres. Mostly teachers are in the age close to pension age or they are pensioners"* (Yerkramas.org 2016). The lack of teachers of different subjects in Armenian schools or their ages

were highlighted in an interview with Suren Karslian: “The teachers’ average age is becoming higher and higher, so we have to hire Russian teachers for some subjects” (Comai 2011). To solve the problem of human resources, the Armenian language division was opened at Abkhazian State University; however, it is difficult to attract students to this programme (Yerkramas.org 2016); in 2016, only 13 Armenian students were enrolled in the university’s teacher education programme (Armeniasputnik.am 2016). Armenia provides the teaching materials for Armenian schools; however, even this is problematic: *“We receive school textbooks from Armenia. We have the textbooks, published in 2005–2007, in all grades. I’ve heard there are problems with textbooks in the districts. It would be nice if we were provided curriculums from Armenia”* (Armenian language teacher, Jam-news.net 2016). The Armenian diaspora in Abkhazia largely blames the Georgian government for the problems in providing Armenian textbooks from Armenia and challenges the implementation of different programmes with Armenia in general: *“Each time, we try to initiate the programmes with Armenia, [the] Georgian Government destroys these plans pressuring on Armenia”* (Member of de facto Parliament of Abkhazia, Levon Galustian, Armeniasputnik.am 2016).

In summary, several pressing social, political, cultural and educational problems and challenges for mother tongue education exist in the Armenian language in Abkhazia. It is essential to solve these problems to implement effective mother tongue-based multilingual educational programmes for Armenians living in Abkhazia.

### GEORGIAN SCHOOLS AND MOTHER TONGUE EDUCATION FOR GEORGIANS IN ABKHAZIA

The Gali district, the southernmost district of Abkhazia, is one of the largest districts in Abkhazia encompassing approximately 1,000 square kilometres. In 1993, nearly all of Abkhazia’s pre-conflict ethnic Georgian population was forced to leave from Abkhazia, and thereafter, the Abkhaz authorities allowed Georgians to return only to the Gali district (Human Rights Watch 2011). During the pre-war period, the Gali District had 58 schools, with 13,180 students and 1,638 teachers. Of the 58 schools, 52 were Georgian language schools, two were Russian, three were Russian-Georgian and one was a Georgian-Abkhazian language school. The Gali district also had 76 kindergartens with 1,125 students and 300 teachers and other personnel (Gali District Educational Resource Centre 2017).

Today, the former Gali district has 31 schools, with 4,363 students. Of those, 4,272 are Georgians, 70 are Abkhazians, 18 are Russians, 1 is Greek and 2 are Ossetians (Gali Educational Resource Centre 2017). In 1994, de-facto Abkhaz authorities changed the borders of the Gali district, reapportioned some of its villages to the Tkvarcheli

and Ochamchire districts and divided the Gali district into “upper” and “lower zones”. Since this change, nine schools are now in the “upper zone” and 11 are in the “lower zone”. Ten schools originally located in the Gali district are now in the Tkvarcheli district and one is in the Ochamchire district (Public Defenders Office of Georgia 2015; Gali Educational Resource Centre 2017). Table 9 shows the student distribution by zones.

**Table 9**  
Numbers of Students in Schools of the Former Gali District by Current Zones

	Lower Gali	Upper Gali	Ochamchire	Tkvarcheli	Other districts and cities	Total
<b>Number of Students (Georgians)</b>	1,037	2,117	75	1,043	471	<b>4,743</b>

(based on information from the Gali Educational Resource Centre)

Abkhazian authorities developed the policy of Russification of Georgian schools in Gali (Georgia’s Reformers Associates, GRASS 2015), which introduced Russian as the language of instruction in Georgian schools in three stages: (1) 1995–1996 academic years – Georgian language schools in the Tkvarcheli and Ochamchire zones switched to Russian as the language of instruction because of pressure from de facto Abkhazian authorities; (2) 2005–2006 academic years – the de facto Abkhazian authority changed the language of instruction to Russian in Georgian schools in the upper zone of Gali; and (3) 2015–2016 academic years – schools in the lower Gali zone switched to Russian as the language of instruction in grades 1–4. Today, in 11 so-called Georgian Schools in lower Gali, only 513 of 1,127 students in grades 7–11 are instructed in the Georgian language, and there will be no instruction in Georgian in Abkhazia in the 2022–2023 academic years (GRASS 2015, Ombudsman Office of Georgia 2015). In grades 7–11, of 11 so-called Georgian schools in the lower Gali zone, there is limited teaching of the Georgian language and literature as a separate subject, and only two hours per week are allocated to teaching Georgian as a mother tongue in these schools (Gali Educational Resource Centre 2017). The same pattern is observed in schools in the upper Gali zone, and the Georgian language is not taught as a subject at all in the Tkvarcheli and Ochamchire zones. Table 10 illustrates the staging of the Russification policy. Today, Georgian students in the Tkvarcheli, Ochamchire and upper Gali zones do not receive education in their mother tongue, and only a small number of Georgian students in the lower zones are taught in their

native language. Therefore, Georgians' access to mother tongue education is restricted offensively and discriminatively by the de facto Abkhazian authorities (Abkhazia Human Rights Watch 2011; GRASS 2015; Public Defenders Office of Georgia 2015; Sinergy Network 2015; Comai/Venturi 2015).

**Table 10**  
Mother Tongue Education of Georgians in Abkhazia

	Lower Gali	Upper Gali	Ochamchire	Tkvarcheli	Other districts and cities	Total
<b>Number of Students (Georgians)</b>	1,037	2,117	75	1,043	471	<b>4,743</b>
<b>Number of Students in classes with Georgian language of instruction</b>	513	0	0	0	0	<b>513</b>
<b>Number of Students in classes with Russian language of instruction</b>	524	2,117	75	1,043	471	<b>4,230</b>

The introduction of Russian language instruction in Georgian language schools has created significant problems for several reasons: (1) teachers in these Georgian language schools have insufficient knowledge of the Russian language; (2) students are unable to speak and understand either conversational or academic Russian language skills; and (3) as parents are not fluent in Russian, they are unable to assist their children and become involved in their children's school life (Human Rights Watch 2011; GRASS 2015; Public Defenders Office of Georgia 2015; Sinergy Network 2015; Comai/Venturi 2015).

Access to education in the Zugdidi district on the other side of the de facto border is also restricted for Georgian students of the Gali district because of the changes and complications involved in moving across the de facto border. Although some parents prefer to send their children to schools in Zugdidi, the number of students

crossing the border has decreased considerably during the past several years because they were unable to move smoothly and thus missed their classes (GRASS 2015; Gali Educational Resource Centre 2017). Table 11 shows the decrease in the number of students attending Zugdidi schools from the Gali district.

**Table 11**  
Comparison of 2011 and 2017 Data on the Number of Gali Students attending Zugdidi Schools

Village of Zugdidi District	Number of Students from the Gali district	
	2011	2017
Tskhoushi	68	8
Pakhulani	16	4
Ganmukhuri	36	6

(based on information provided by the Gali Educational Resource Centre)

Nevertheless, the Abkhazian de facto Government's Russification policy has not deterred Georgian students' from seeking higher education in Georgian institutions. A comparison of 2007–2012 and 2013–2017 data on school graduations shows that the number of applicants from Georgian schools in Abkhazia to Georgian institutions of higher education and the number of students admitted barely decreased from 2007 to 2017. Table 12 illustrates the comparison.

**Table 12**  
Comparison of Admission Data at HEI in Georgia between 2007–2012 and 2013–2017

	2007 – 2012	2013 – 2017
<b>Graduates</b>	1,797	1,544
<b>Applicants for HEI of Georgia</b>	1,096	926
<b>Applicants admitted</b>	562	439

(based on raw statistical data from the Gali Educational Resource Centre)

While the data confirm that graduates of Georgian schools continue to aspire to attend Georgian institutions of higher education, the policy effects differ in different zones in the former Gali district. As mentioned previously, the first stage of the Russification of Georgian schools began in 1995 in the Ochamchire and Tkvarcheli zones and continued in 2005 in the upper Gali zone and 2015 in the lower Gali zone. The differences in the percentages of applicants from different zones to Georgian institutions of higher education reflects this staging, as only 40 percent of graduates from the Tkvarcheli and Ochamchire zones applied to these institutions in 2007–2017 compared to approximately 74 percent of the graduates from the lower Gali zone.<sup>1</sup>

In attempt to justify their Russification policies in Georgian schools, Abkhazian authorities claim that (1) Georgian textbooks, especially in social sciences, are unacceptable for the Abkhazian educational system; (2) integration of Georgians from the Gali district is important, and education in Russian can promote the process of Georgians' integration in Abkhazian society; and (3) the Abkhazian legislature protects minorities' rights to education in accordance with international standards, and the law of the State language of Abkhazia is not violated (GRASS 2015; Comai/Venturi 2015). However, these arguments lack substantive justification because different approaches are applied for different ethnic groups (GRASS 2015; Comai/Venturi 2015).

Many international governmental and non-governmental organizations' reports, as well as those of many local NGOs working on conflict and human rights issues, have described the problems of Georgians' mother tongue education in de facto Abkhazia (Human Rights Watch 2011; OSCE 2016; OSCE High Commissioner on National Minorities 2008; GRASS 2015; Public Defenders Office of Georgia 2015; Sinergy Network 2015). As Comai and Venturi (2015) indicated, *“Overall, it seems that the right to have education in one's own mother tongue is generally respected for non-Georgians. On the contrary, artificial obstacles to Georgian language education in Abkhazia are confirmed by various reports”* (898).

### ABKHAZIAN SCHOOLS AND MOTHER TONGUE EDUCATION FOR ABKHAZIANS IN ABKHAZIA

As Abkhazians are the majority cultural group in Abkhazia today, it is worth analysing the opportunities of mother tongue education for the majority ethnic group in the de facto Republic of Abkhazia. The first real attempt to establish Abkhazian schools occurred during the first years of the Soviet era (Linguapedia.info 2011), when strong emphasis was placed on teaching minority languages (Trier et al. 2010). As a minority

language, Abkhazian was protected, and instruction in the language was introduced in Abkhazia in grades 1 and 2 until 1932, when Abkhazian instruction was expanded to grades 1–4 in Abkhazian language schools (Linguapedia.info, 2011).

The situation changed when a strong Russification campaign was rolled out across much of the Soviet Union (Comai/Venturi, 2015). The Soviet authorities decided to change the language of instruction in the Autonomous Republics to Russian or to the language of the Republic to which the autonomous Republic belonged. Based on the 12 June 1945 decree by the Central Committee of the Georgian Communist Party, in which the language of instruction in Abkhazian schools was changed to Georgian from the 1945–1946 academic year (Papaskiri 2010), 81 Abkhaz language schools changed the language of instruction to Georgian, and the Abkhazian alphabet was changed to the Georgian script in 1937; from 1945 to 1953, Abkhaz was taught as a separate subject in these schools (Comai/Venturi 2015).

After the political changes in the Soviet Union, Abkhazian schools re-opened for the 1953–1954 academic year, and the Abkhazian alphabet based on Cyrillic was re-introduced (Trier et al. 2010). Abkhazian schools operated in Abkhazia until the end of the Soviet era; however, the Abkhazian language was only used for instruction in grades 1–4 (Gvantseladze 2010; Papaskiri 2010; Comai/Venturi 2015). All subjects were taught in Russian in grades 5–11, except for Abkhazian language and literature, and by the end of the Soviet era, 52 Abkhazian language schools and 13 Abkhazian sectors still operated in the Autonomous Republic of Abkhazia.

Today, there are 59 Abkhazian language schools and 15 Abkhazian-Russian language schools in Abkhazia (Department of Statistics of Abkhazia 2017). While 7,726 Abkhazian students are enrolled in the Abkhazian language schools, the number of Abkhazian students in Abkhazian-Russian language schools in the Abkhazian sectors is extremely low. For example, in the sector of Sukhumi, of the 1,278 students attending the Abkhazian-Russian schools, only 115 are in the Abkhazian sector (Department of Education of Sukhumi 2016). Additionally, the number of Abkhazian students in the Abkhazian language schools is decreasing. As shown in Table 13, 31 percent of Abkhazian students did not attend Abkhazian language schools in 2008 (Chirikba 2009), which increased to approximately 46 percent in 2016.

<sup>1</sup> based on raw statistical data from the Gali Educational Resource Centre.

**Table 13**  
Number of Abkhazian Students in Abkhazian Language Schools

Year	Number of Abkhazian Students	Number of Abkhazian Students at schools with mother tongue instruction	% of Abkhazian Students getting education in their mother tongue
2008	15,185	10,567	69 %
2016	14,234	7,726	54 %

Table 13 highlights the challenge of incorporating the Abkhazian language into Abkhazia's educational system; however, further analyses reveal a worse situation. Among the 57 Abkhazian schools and the 15 sectors of Abkhazian-Russian schools, only grades 1–4 are taught in Abkhazian, and grades 5–11 are taught only in Russian (except for Abkhazian language and literature). There are no more than 3,500 students in grades 1–5 in the 57 Abkhazian schools and 15 Abkhazian-Russian sectors. Accordingly, of the 14,234 Abkhazian students, only 3,500 – 25 % of the total Abkhazian student population of Abkhazia – receive their instruction in Abkhazian.

The decline in the student population in Abkhazian language schools is a concern for Abkhazian society (Apsnypress.info 2012), which acknowledges that the number of Abkhazian students in Russian schools is increasing dramatically. As Zakan Agrba, a member of the Council of Elders of Gagra District stated, “[A] good example is the school #2 in Gagra District. The school is Russian and 38 % of school students are Abkhazians” (Apsnypress.info 2012). The same pattern prevails in the Gudauta district. By 2012, 370 students were attending Russian schools in Gudauta, 296 of whom were Abkhazians (Apsnypress.info 2012).

The poor infrastructure and the lack of teaching and learning materials are cited as the factors on which parents place most importance. Thus, unlike Russian schools, Abkhazian schools require improved facilities and materials. As the Head of the Educational Department of Gagra district indicated, the material-technical equipment of schools is an important factor in parents' decisions: “We had only 300 students in Russian School of Gagra District #2 in 2009. After the renovation, the number of students increased and now there are 600 students enrolled [...] Parents choose the schools with better infrastructure” (Apsnypress.info 2012).

The educational models and programmes in Abkhazian schools are also causes for concern, alongside the decision to switch from Abkhazian to Russian. On the one

hand, students need to develop sufficient academic language skills that allow them to switch to Russian, and those instructed in Abkhazian may have difficulty switching to instruction in Russian. According to Baker (2006), it takes five to seven years to acquire academic language skills, and conversational language skills are insufficient for academic achievement. On the other hand, students are unable to develop academic knowledge in their mother tongue. The Abkhazian language final exam conducted annually proves this assumption. For example, in 2015, in Sukhumi school #10, 15 of 21 students failed the exam in the Abkhazian language (Sputnik-Abkhazia 2015). The school principal largely blamed the families for this result and did not question the effectiveness of the school model: “Parents want their kids to study native language only at school. If students are not able to hear native speech at home, it is difficult to work with these students. The results of Abkhazian language exam proved this assumption” (Sputnik-Abkhazia, 2015). Unlike the school principal, teachers and parents indicated that there are educational problems in teaching the Abkhazian language: “Our kids cannot speak Abkhazian. The program of Abkhazian language is developed for kids who already speak Abkhazian; therefore, our kids [are] unable to learn their mother tongue. We need the program for the kids who do not speak Abkhazian and starts learning of this language. Without such program, kids will never learn their native language” (Sputnik-Abkhazia 2015).

The prestige and power of the languages have been mentioned as important hindrances to mother tongue education in Abkhazia. As Baker (2006) indicated, “The social status of a language – its privilege value – will be closely related to the economic status of a language and will also be [a] powerful factor in language revitalization. When one language is perceived as ‘giving higher social status and more political power,’ shifting towards this language is natural” (Baker 2006, 55f.). The assumption of the status and prestige of languages applies to the case of Abkhazian in Abkhazia. The high status of Russian as an official language is established firmly: all governmental structures work in this language, higher education is provided only in Russian and these facts define society's attitudes toward the languages. As one Abkhazian language teacher stated: “Kids of high officials of Abkhazia study in Russian schools. This is an example for the society and population started to follow them and they take their kids in Russian schools. Another example is a language of communication. Even the school principals and teachers of Abkhazian schools communicate with each other in Russian. This is also [an] example for parents and students” (Apsnypress.info 2012).

During the Soviet era, 98,448 of 105,308 ethnic Abkhazians claimed that their mother tongue was Abkhazian and that they spoke in their mother tongue, 5,135 indicated that Russian was their mother tongue, and 1,725 claimed other languages as their mother tongues (Grenoble 2003). As mentioned previously, the situation changed

dramatically following the collapse of the Soviet Union. Abkhazians in urban areas speak and use Russian largely because of its economic and social status and the language's prestige, while rural populations are more inclined to use Abkhazian in daily life (Chirikba 2008). Urbanization in Abkhazia is occurring at a rapid pace, indicated by an increase in inhabitants of urban areas from 44.9 percent to 51 percent of the total population in 2016 (Department of Statistics of Abkhazia 2016). As the Abkhazian-speaking population will likely decrease with the rise of urbanization, this process has important educational implications for bilingualism and mother tongue-based multilingual education. The prestige of a language is important in language acquisition (Baker 2006), and the economic and social status of languages is important in language revitalization (Baker 2006). In the case of Abkhazia, the Russian language is ascribed an economic status and social prestige. In similar situations, *“Economic growth may be in the urban ‘core’ rather than rural periphery [and] the higher grade jobs may be in relatively affluent city areas and the lower grade, poorly paid work in remote areas”* (Baker 2006, 435). These differences in languages' economic status, and the differences in their use in urban and rural areas cause geographical separation and division, such that *“each language is identified with greater or lesser affluence, higher and lower status, more or less power”* (Baker 2006, 435). The subordinate economic and social status of Abkhazian is an important obstacle to the creation of the additive context of bilingualism at the individual and societal levels. The subtractive context of bilingualism promotes monolingualism in a prestigious language at the individual level, but at the social level, the endangered language is less likely to be revitalized. Accordingly, a shift in the economic and social status of Abkhazian is necessary to achieve the additive context of bilingualism and implement strong mother tongue-based multilingual educational programmes in the Abkhazian language.

The inability to reform the Soviet Education System and the problems of teacher education and professional development in Abkhazia can be classified among the most critical obstacles to mother tongue education in Abkhazian. As the Director of Sukhumi Youth House, Elena Kobakhia, stated in an interview: *“It is not [a] secret, that [the] current educational system of Abkhazia still has the main characteristics of [the] Soviet educational system. Only minor changes were undertaken in the field”* (Abkhazinform.com 2015). No system of teacher education and professional development has been developed in Abkhazia, and what does exist is mainly based on the Soviet experience of teacher education in institutions of higher education. Even the teacher education process is problematic, as teaching is not a prestigious profession among the young generation of Abkhazia (Kobakhia 2015, Abkhazinform.com).

## DISCUSSION / FINDINGS AND FRAMEWORK FOR THE FUTURE

The study has significant findings and implications for the Abkhazian educational system. While it is clear that mother tongue education is limited in de facto Abkhazia for Georgians, Abkhazians and Armenians, the reasons for this and the educational policies are different and selective for each group. Three types of educational policies can be identified: (1) involuntary/oppressive inability to receive education in the mother tongue, (2) semi-involuntary inability to receive education in the mother tongue and (3) voluntary refusal to receive education in the mother tongue. The limitations for Georgians are based on the negative aspects of education. Discrimination and oppression are the guiding educational policies toward Georgians, who are denied mother tongue education in Abkhazia. The Abkhazian case differs and can be referred to as a semi-involuntary inability or a structural/institutional inability to receive mother tongue education; the system is not developed sufficiently to provide education in the mother tongue. The case of Armenians differs entirely. Despite some challenges and shortcomings in the process, their rights to education in the mother tongue are guaranteed, and Armenia provides structural and institutional support. Nevertheless, families refuse to receive education in their mother tongue voluntarily and prefer to be educated in Russian.

The second significant finding is that the case of the Abkhazian educational system is an excellent example of distinguishing between the majority and dominant cultural groups. The majority cultural group does not always prevail over the dominant cultural group and vice versa. If we examine the educational policies in Abkhazia, Russians are the dominant cultural group, and their rights to education are guaranteed. Abkhazians, who are the majority in Abkhazia today, are not guaranteed education in the mother tongue fully for political, institutional/structural and pedagogical reasons. The domination of the cultural group is not based on numbers, but on political and economic circumstances.

The third important finding is that the transitional model of bilingual education is used in all cases of mother tongue education in Abkhazia. Armenian and Abkhazian schools switch to Russian-only language instruction from grade 5, and Georgian schools have been switched to Russian even without a transition. The goal of transitional bilingual education programmes is assimilation: *“Students are taught briefly through their home language until they are thought to be proficient enough in the majority language to cope in mainstream education”* (Baker 2006, 221). Transitional programmes in bilingual education have their limits and problems concerning bilingualism and academic achievement and are referred to as “weak” programmes (Baker 2006). Research in the field and meta-analyses have shown the ineffectiveness of transitional bilingual educational programmes (Baker 2006). As Baker pointed out, *“Minority language children*

*taught through the second language [...] fail to develop sufficient competences in their second language and fail to benefit from 'weak' forms of bilingual education [...]. Their low level of proficiency in English, for example, limits their ability to cope with the curriculum*" (2006, 173). Four academic years are insufficient to develop native language academic skills and Abkhazians fail in mother tongue language exams (Sputnik-Abkhazia 2015). However, the introduction of Russian as the language of instruction in grade 5 is also problematic. The transition to Russian language instruction, when the student's language competence may not be developed sufficiently (the case for Georgians, Abkhazians and Armenians can be applied to this situation) can limit their ability to excel in the curriculum. A lack of specific research and data on Abkhazian schools prevents comparisons of graduates' results being made according to the language of instruction; however, based on existing research data, transitional bilingual educational programmes are open to serious question, even in the de facto Republic of Abkhazia.

The future framework for the development of de facto Abkhazia's educational system is an important issue. As Pigozzi (1999) stated, *"The education system must be rebuilt rather than merely re-instituted; it must change in profound [ways]"*. He called for the international society to view education in emergencies from a long-term perspective and, rather than taking an assistance approach, use a developmental approach to education in such circumstances. *"Education in emergency situations has frequently been viewed as a short-term response that is a stop-gap measure [...]. Any emergency education programme must be a development programme and not merely a stop-gap measure"* (Pigozzi 1999, 3). Bush and Saltarelli (2000) supported Pigozzi's views and proposed a developmental approach to education in areas of conflict with a focus on the positive aspects of education, which includes *"[...] the provision of good quality education. These include the conflict-dampening impact of educational opportunity, the promotion of linguistic tolerance, the nurturing of ethnic tolerance, and the 'disarming' of history"*. However, according to Bush and Saltarelli (2000), education in emergencies can also have negative effects, which *"[...] shows itself in the uneven distribution of education to create or preserve privilege, the use of education as a weapon of cultural repression"* (V). Seitz (2004, 11) also emphasised the developmental approach to education in conflict areas: *"Through support for education [...] development agencies have a crucial [...] role to play [...] This can range from support for the development of non-partisan curricula and textbooks, to help cultivate and disseminate shared values such as tolerance and pluralism"*. Versmesse, Derluyn, Masschelein and De Haene Versmesse (2017) developed the role of international organizations and developmental agencies further and proposed an umbrella for their activities: *"Equal rights to education are worth fighting for [...] crisis-affected people acquire little chances for their 'truths' to be heard [...] it would then not solely be about 'their' education, but could as well be about the education of all of us"* (16f.).

Georgian authorities have few instruments to influence the processes; however, the Georgian government could still implement the following tools:

- Support teaching in Abkhazian and Georgian languages through online and technological resources, and develop the technological programmes of virtual schools.
- Support non-formal educational programmes and people to people approach in project implementation.
- Create a flexible system of education recognition including distance education.
- Develop a flexible system for international cooperation for people living in Abkhazia and involved in educational and research and development sectors.

The most important instruments are under the control of the international developmental organisations. In the Abkhazian context, international organisations can play a vital role in building an educational system and using a developmental approach to education. The guiding principles in building de facto Abkhazia's educational system should include a non-discriminative mother tongue-based multilingual approach to education for all ethnic groups in Abkhazia, additive or dynamic multilingualism, quality of education and linguistic tolerance. Political, institutional/structural and pedagogical reforms are thus necessary to achieve the goal of developing a new educational system that uses these guiding principles.

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RUSTAM ANSHBA

## MULTILINGUAL EDUCATION IN ABKHAZIA: CHALLENGES AND OPPORTUNITIES

*Language education in conflict-affected regions can become a tool not only of segregation but also for positive changes, especially in ethnically and linguistically diverse societies such as Abkhazia. Mother Tongue Based Multilingual Education (MTB MLE) has proven itself a very effective education model that can preserve linguistic diversity, as a cornerstone of identity formation of respective ethnic groups, and promote social inclusion. This paper analyses the current challenges of the education system, which is not fully addressing the linguistic diversity of Abkhazia. Based on own work experience of the author in the field of MTB MLE, this research explores challenges and opportunities in relation to how to improve the existing model of multilingual education in order to ensure a high level of academic and linguistic results throughout all of the ethnic groups. The author argues that MTB MLE in Abkhazia has a great deal of potential and can contribute to overcoming many existing challenges and linguistic and ethnic tensions within society.*

**KEY WORDS:** *Language education, mother tongue based multilingual education, Abkhazia*

### BACKGROUND AND INTRODUCTION

Depending on to whom one talks, one can obtain a very different description of what Abkhazia is: from an independent and recognised state to an "occupied territory". If one removes the political context, Abkhazia is a partially recognised state located in the South Caucasus on the coast of the Black Sea. The status of Abkhazia is the result of the unresolved protracted conflict between Georgia and Abkhazia. The Georgian-Abkhaz conflict broke out in the months following the collapse of the Soviet Union. The bloody war started by the leadership in Tbilisi lasted for 13 months and resulted in the victory of the Abkhaz. The war has reduced immensely the overall socio-economic conditions of a once booming tourist heaven of the Soviet elite. The war has also led to massive shifts in the once diverse composition of Abkhazia: Georgians, Greeks, Armenians, Germans, Estonians and Ukrainians fled Abkhazia.

Today, even after a quarter of a century following the described events, Abkhazia has not yet recovered from the hardships and aftermath of the war. The war and the economic blockade that followed had immense and dramatic results for Abkhazia and its population. The unresolved ethnopolitical conflict with Georgia, international isolation, and economic instability have had a significant effect on the situation in Abkhazia; however, slow and visible progress and development have attracted a number of those who had to leave Abkhazia during the outbreak of the war. Even though Abkhazia has not yet managed to re-establish its pre-war diverse composition, today it is a multiethnic society with four primary ethnic groups: the Abkhaz constituting the majority (51%), Georgians (18%), Armenians (17%), and Russians (9%) (Управление Государственной Статистики Республики Абхазия 2016).

The education sector suffered immensely during the war and the isolation that followed. A great number of schools were heavily damaged by warfare and the aftermath. In recent years, the situation has been steadily improving, with many schools being refurbished or even built from scratch. However, even though the physical conditions of schools have been slowly improving, academic isolation has had a much longer-lasting effect: being part of the Soviet Union, Abkhazia has developed an education system very much focused on factual materials, with all of the “rights and wrongs” provided by the teacher and very little space for “maybes”; the contemporary education system of Abkhazia is representing a model based on the main pillars of Soviet education with minor localisation additions. Many experts in Abkhazia agree that the contemporary education system of Abkhazia is lacking ability to address the issues that current society of Abkhazia is facing; it does not take into consideration the existing strong and weak sides of society, and allows for a very little individual approach. A great deal of these issues are linked to the limited financial and human resources or a lack of incentives to introduce any changes.

Among the challenges that Abkhaz society is facing today, and which the education system is not fully addressing, is the linguistic diversity of the Abkhaz population. The education system does have a form of multilingual education, with almost all of the local languages being used in one way or another in schooling; however, the existing multilingual education system does not produce good student achievements and results in languages and knowledge at the same time. This paper examines not only ways in which to improve the existing model of multilingual education in order to ensure a high level of academic and linguistic results throughout all of the ethnic groups residing in the territory of Abkhazia, but also the possibilities that such a system creates for society in general. In order to do so properly, one has to take a detour into the linguistic situation of the three major ethnic groups of Abkhazia: Abkhaz, Armenians and Georgians.

## THE LINGUISTIC DIVERSITY OF ABKHAZIA

The territory and the size of the population of Abkhazia can be compared to those of a medium-sized city somewhere in Europe or elsewhere in the world; nonetheless, Abkhazia is very diverse ethnically and rich linguistically. On a Saturday morning, local farmers’ markets represent a moving beehive with the nonstop flow of faces and languages from a number of very distant locations. Abkhaz is the only state and official language of Abkhazia; Russian is recognised as being equal to Abkhaz (though does not have the status of an official language) by official institutions and, in practice, is the language of inter-ethnic communication; Armenian and Georgian are widely used by the representatives of their respective ethnic communities. However, if one takes a closer look, the linguistic situation is much more complex, with further gradation within the groups.

### ABKHAZ LANGUAGE

Abkhaz is a language that belongs to the small North Caucasian family of languages. Abkhaz is spoken in Abkhazia and by the Abkhaz diaspora in Turkey and neighbouring countries. In accordance with the constitution, Abkhaz enjoys the highest level of state support and is the only official language; however, the situation on the ground is very much different from the one outlined on paper. The majority of the population of Abkhazia possess only a passive knowledge of Abkhaz. Some understand but never use it, and state institutions rarely use the official language and prefer to subsidise it with Russian.

The present-day situation with the Abkhaz language has deep roots in the history of the population of Abkhazia: being a meeting point of many ancient trade roads, the Abkhaz were never strangers to other languages and cultures; the Abkhaz easily picked up foreign languages and spoke them like their mother tongue. The 19<sup>th</sup> century brought upon the Abkhaz the most devastating tragedy: the forced exile, where most of the population of Abkhazia at that time were put on ships and sent off to what is modern Turkey. The language has suffered tremendously, since most of its speakers were scattered throughout the former Ottoman Empire. The 20<sup>th</sup> century brought about development and modernisation; however, a number of repressive policies were introduced against the usage of Abkhaz; overnight, Abkhaz schools were converted into Georgian. The deliberate repressive policies were only lifted following the death of Stalin; however, the damage was already done, that which the Abkhaz language has not been able to recover even today. The Abkhaz language was diminished to the level of a cultural language, where the exactly sufficient amount of literature was produced so as to keep the language alive, but not enough to develop it into a fully functioning modern language. The language policies and resentment

fuelled by the growth of national self-awareness in all corners of the former Soviet Union led to the beginning of the Georgian-Abkhaz war.

In the last quarter of a century, modern Abkhazia has done a lot to preserve and develop the Abkhaz language to a level where it can be used in all domains of life. However, little progress has been made in that regard; even the introduction of the law “*on the state language of the Republic of Abkhazia*” in 2007 did not achieve its goal of making Abkhaz a language of official communication by 2015 (Gogorian 2007).

Little progress has been made in the education sphere as well. There are a number of schools that are considered to be Abkhaz; however, education in Abkhaz is only developed for the first four years of primary school. Russian becomes the language of instruction in middle and high school (from grade 5) and Abkhaz is only taught in the form of two subjects: Abkhaz Language and Literature. Graduates of these schools are fluent in Abkhaz; however, very few are experienced enough to use and apply the language to higher-level discussions in the workplace or elsewhere.

In all other schools in Abkhazia, Abkhaz is a mandatory second language, starting from the second grade; upon graduation, very few are fluent in the language. In the cities, in the majority of families, Abkhaz is rarely used outside of the classroom; the situation is different in rural areas, where the population uses Abkhaz for communication. Due to the complexity of the language, very few children manage to master the language without outside-of-the-classroom exposure, which is rarely found in the cities.

Being a language spoken by very few, Abkhaz does not enjoy the pleasure of having mass media in respect of the language. Abkhaz TV airs in two languages: Abkhaz and Russian. Apart from that and occasional film translations, there are few media outlets in respect of the language that attract children and help them to master the language. Many Abkhaz parents opt for Russian when they choose the language of instruction in the schools to which they send their children. This is related to the fact that Russian is a language that provides access to the greater world, providing better chances in higher education and job opportunities, not only in Abkhazia but also in Russia. Other groups of parents who were themselves victims of the deliberate language policies of the last century, and who chose Russian in order not to learn Georgian, today do not have the command of the Abkhaz language in order to support their children’s education in Abkhaz schools.

There is a certain frustration among the general population with regard to the wasted years and the failed attempt of the revitalisation of the Abkhaz language. In this

situation, not all Abkhaz are very sympathetic towards and understanding of the concerns of the other linguistic groups residing in Abkhazia. Therefore, addressing the legitimate worries of Abkhaz and helping to revive and develop the language can lay a very solid foundation for voicing and addressing concerns of all of the other linguistic groups of Abkhazia.

## ARMENIAN LANGUAGE

Armenian is an Indo-European language, a language with its own script and many dialects. The Armenian used in Abkhazia by the representatives of the Armenian community is very different from the Armenian spoken in Yerevan. Hamshen Armenian is a very distinct dialect of Armenian, spoken by the Armenians who fled the territory of what used to be the Ottoman Empire in the early 20<sup>th</sup> century. Therefore, the Armenian spoken at home and that which is taught in schools are very different forms of the same language.

Armenians are very much integrated into society and are the only ethnic community of Abkhazia that enjoys all schooling in the mother tongue. Armenian schools in Abkhazia teach 11 years with Armenian as a language of instruction. This is linked with a number of challenges, one of which is the fact that literary Armenian is very different from Armenian spoken at home in Abkhazia; therefore, a lot of children struggle with the simultaneous grasping of the language and the concepts when they start primary school. The lack of modern textbooks is also a major issue that all Armenian schools in Abkhazia are facing today; it used to be the Ministry of Diaspora of Armenia that supplied the Armenian schools of Abkhazia with textbooks; however, this initiative also fell victim to the unresolved conflict.

These factors drive a large proportion of Armenian children out of Armenian schools and into Russian ones, as the level of education there is considered to be higher and ensures good command of Russian, which can be helpful in the future. In order to prevent the desolation of Armenian schools, a number of parents and local Armenian officials made proposals to move from schools with all 11 years being in Armenian to only primary school being in Armenian, switching to Russian in secondary school (similar to Abkhaz schools)<sup>1</sup>. Such initiative shows the need for reform, as the existing model does not provide for the needs of society. However, it requires proper planning; if implemented incorrectly, it will lead to devastating outcomes.

1 Interview with a member of the Parliament of Abkhazia.

## GEORGIAN LANGUAGE

The southernmost part of Abkhazia is populated by ethnic Georgians; Georgian is a Kartvelian language which uses its own script. However, most of the Georgian population of Abkhazia belong to the group called Mingrelians (Megrels); they also have a distinct language, which belongs to the same Kartvelian language family as Georgian, but they are not mutually understanding languages. Almost all of the Mingrelians are bilingual and speak Georgian as well; however, Mingrelian remains the language of daily communication within the community. There are no sound data available on the actual figures and distribution of the languages, but from discussions held with parents and teachers, it became apparent that a lot of children struggle with schooling even in Georgian once they enrol in primary school.

Until 2015, 11 schools in Abkhazia used Georgian as the language of instruction; in 2015, these schools moved into Russian as a medium of instruction. The move was explained as an attempt to help the population of the district to be better integrated into the rest of the population of Abkhazia. Most of the Georgian population of Abkhazia do not speak either Abkhaz or Russian; therefore, it all significantly reduces the chances for continuing education in Abkhazia (university primarily uses Russian and Abkhaz as the languages of instruction) and further job placement. However, such an abrupt policy of language changes will lead to poor results in their academic achievements and their language acquisition. Georgian is taught in schools as a language and literature subject.

Such an extensive detour into the historical background is necessary so as to understand how much the language is tied to the identity of each of the ethnic groups. One thing that is widely acknowledged and shared by the three main ethnic groups of Abkhazia is the fact that language goes beyond linguistic knowledge and skills, playing a major part in self-identification and the sense of belonging. The language that most of the ethnic groups have in common is Russian, which, in practice, is a language of daily communication among all of the communities.

## SCHOOLS IN ABKHAZIA

There are four types of schools in Abkhazia today: Abkhaz, Russian, Abkhaz-Russian, and Armenian. All schools follow the same curriculum and working plans and have equal standards and exam requirements. The schools follow the same pattern: four years of primary school; five years of secondary school, and two years of high school (11 years in total). Abkhaz and Armenian schools, for the most part, only have Abkhaz and Armenian children respectively. Meanwhile, Russian and Abkhaz-Russian schools are the most diverse ones, with students coming from various ethnic backgrounds.

All schools use the textbooks developed for schools in Russia, and the Ministry of Education and Science of Abkhazia every year releases a recommended and approved list of textbooks that schools can use; all of the textbooks in Abkhaz (with all textbooks for all subjects taught in Abkhaz for native speakers and Abkhaz language and literature for non-native ones) are being developed and printed by the ministry and are distributed free of charge.

## MOTHER TONGUE BASED MULTILINGUAL EDUCATION

Languages can easily become a tool of segregation or an element of establishing a cohesive and strong society. Abkhazia is not unique in its linguistic diversity. There are many places around the world with similarities, where the strategic, well-planned and well-implemented policies of multilingual education have worked and brought about positive change. There are certain aspects that allow the Abkhaz case to stand out slightly, one of which is a protracted political conflict with Georgia. The unresolved conflict does not always allow accepting the most needed and direct decision, but rather forces choosing the easiest solution that, from the short-term perspective, might “cool down” some of the concerned ones but will bring little positive change. Another aspect that singles out Abkhazia slightly is the situation wherein there is full-fledged leadership support and legislation is in place, but the situation in respect of language development is not improving anyhow. Out of the four main languages of Abkhazia, the situation of Abkhaz is the weakest one. A number of efforts have been made to improve the situation with the language, but due to the lack of international exposure and international best practices, the measures have not brought the expected results.

Keeping in mind all of the challenges and complexities of the situation, there is a solution that can lay a foundation for the initial steps towards the improvement of the overall relations between ethnic communities of Abkhazia. Education is one of the most responsive and most rewarding areas, bringing about positive changes and shifts that affect the whole of society in the long term; education is one of the areas that requires reform and modernisation in order to address the ever-growing challenges that a contemporary young person is facing. In the modern world, knowing one language is not sufficient anymore – people should speak at least three languages in order to be able to fully benefit from the goods and opportunities that the world in which one lives offers. Abkhazia is not an exception to this. Abkhaz is a state language; therefore, to acquire an official position, one is required to have at least fluent knowledge of oral language. Russian is a language of everyday use, a language that opens opportunities beyond Abkhazia. Furthermore, as well as one’s respective mother tongue, at least one foreign language (e.g. English) is necessary.

Since Abkhazia already has experience with multilingual education, it should be easier to improve it and ensure that all graduates of all schools in Abkhazia have equal opportunities to receive high-quality education. Mother Tongue Based Multilingual Education (MTB MLE) has proven itself to be a very effective education model that allows students to construct knowledge of the new language atop the knowledge that they have in their mother tongue. A proper MTB MLE model allows students to speak three or even more languages fluently upon graduation from school. MTB MLE allows students to master and understand the world in their mother tongue; in parallel, a gradual introduction of the second language is taking place. Numerous researches carried out in a number of countries show that students of MTB MLE display higher learning achievements across all subjects than do those students who have to study in a language that they do not know when they start school (Tran Ringrose 2017).

Once applied to the Abkhaz background, the need for adaptation becomes rather apparent; once asked to identify one's mother tongue, almost all of the respondents define a mother tongue by ethnicity (even if they do not speak it at all)<sup>2</sup>, which is not that common, since in most cases the mother tongue is considered to be the language that a person knows best. In order for the student to succeed and be able to transfer knowledge and skills from one language to the other, they first need to master their first language (Malone/Malone 2017); therefore, it means that additional explanation is needed in respect of the context of Abkhazia. Since all of the respondents cite Abkhaz, Armenian or Georgian (sometimes Mingrelian) as their mother tongue, they would be considered MTs; however, when asked about their first language (L1) the picture becomes completely different, with many Abkhaz and Armenian respondents considering Russian to be their first language. Another interesting factor that became apparent was the fact that none of the respondents of whom Russian was L1 wanted to refer to Russian as an MT, instead stressing the difference between an L1 and MT, wherein an MT is understood much more widely than are language knowledge and proficiency; it incorporates mentality and a sense of belonging.

Mother Tongue Based Multilingual Education is still applicable to the context of Abkhazia, but requires additional clarification – a child will enrol in a school in which their first language is used. The first language will be used to learn all of the other languages and by the end of elementary school, a student will be able to easily shift to studying in the second language. When applied to the context of Abkhazia, this means that the L1 (the language that a child knows best) will be the language of in-

<sup>2</sup> Meetings with parents, teachers and education experts.

struction in primary school; L2, which becomes the language of instruction in secondary school, is gradually introduced into elementary school, providing a child with a chance to master an L1 and transfer such knowledge and skills to L2, L3, etc.

The MTB MLE model applied to the context of Abkhazia means that the three mother tongues – Abkhaz, Armenian and Georgian – will be taken as school language models. However, one school will have different first languages (L1), depending on the child's command of the language. Russian remains the language used in secondary education and for the time being will remain the same. The following school models are proposed to be established:

1. Abkhaz (L1), Russian (L2), English (L3);
2. Armenian (L1), Russian (L2), Abkhaz (L3), English (L4);
3. Georgian (L1), Russian (L2), Abkhaz (L3), English (L4);
4. Russian (L1 – all of those of whom Russian is an L1), Abkhaz (L2), English (L3).

This is a very simplified schematic plan for the models of the language schools and only provides for a basic language sequence and introduction in primary and early secondary school. The L2 (Russian) becomes the main language of instruction in upper secondary and high school, while subjects in the L1 are still taught in all years of schooling. This table requires further elaboration that takes into consideration the smooth transition and introduction of each of the languages, depending on the structure of each of the languages. All languages used in Abkhazia are written in four different scripts: Cyrillic with unique Abkhaz letters; Armenian; Georgian, and Latin in case you add a foreign language. When such a variety exists, it might take children longer to move from one language to the other (Malone/Malone 2017), but international experience shows very encouraging results of similar MTB MLE programmes, primarily in the countries of South East Asia (Peace and Reconciliation through Bilingual Literacy and Education 2016).

All of the mother tongues in Abkhaz have a wider and deeper meaning than language knowledge; they are the cornerstone of identity formation of respective ethnic groups. Therefore, this should be taken into consideration when any school model is developed (Malone/Malone 2017). All mother tongues, including dialects and languages without written systems, in the official education system should be made available as selective classes upon request.

The proposed model is not yet a proper model, but more of a guideline of elements that should be taken into consideration when a full-fledged model is developed; it requires further elaboration and clarification on the language transfer periods. The MTB MLE approach is a rather new one to education practices, especially in this part of the world (South Caucasus and CIS); the overall instant complexity of the MTB MLE education models might discourage a number of education policymakers and implementers from supporting this approach to education, but at the same time, it leads to very positive results that go way beyond the academic sphere. Any strategic planning requires proper identification of the challenges and issues that might be encountered during the implementation phase. The Abkhaz context has its own challenges that one should address in order to show the opportunities and positive results that MTB MLE can bring to Abkhazia.

### CHALLENGES AND OPPORTUNITIES

There are many challenges that are related to the possible introduction of MTB MLE in Abkhazia: some are related to resources, others to the lack of understanding and motivation. This part of the paper will explore some of the issues and challenges and ways in which to overcome them.

One of the main challenges mentioned by many, once presented with the concept of MTB MLE, concerns the complexity and multiple layers of language teaching. A large number of local education experts consider that MTB MLE models are not sustainable and that learning in more than one language is very challenging for a student. Teachers and local-level education experts play a central role in the introduction of MTB MLE in schools, and should be equipped with the required knowledge and pedagogical skills so as to be more effective in teaching in the multilingual context. The majority of teachers in Abkhazia have very little exposure to international experience and contemporary student-centred teaching methodology; the introduction of MTB MLE will require all teachers to undergo extensive training in order to acquire the necessary skills and techniques.

Time and limited financial resources are other factors halting the process of the MTB MLE introduction: the results take a long time to manifest themselves and a great deal of resources are required so as to address the issues of schooling. MTB MLE in the long term is much more cost-effective than are other language education models, and allows governments to spend less on each student (Malone 2016), but in the context of Abkhazia, the pilot phase of MTB MLE will require the accumulation of additional financial resources. Pilot or model schools can be a very positive start; if they prove positive and productive, they can be further extended to include other schools.

Another major factor is the political will of the government to introduce an education system that might be initially not very popular among the general population due to the fact that many think that the introduction of MTB MLE in Abkhazia will provide support to all other languages and result in the deprivation of Abkhaz, since at this point it is the weakest language out of all four used in Abkhazia. The situation regarding the level of usage of Abkhaz is also a factor that does not support the idea of MTB MLE, as there is more or less a consensus among a large number of people that the initial support should be given to Abkhazia, and once it reaches the level of other languages used in Abkhazia, one can start talking about the challenges of other languages. The proposed MTB MLE model plays an opposite role: by providing space and opportunity for everyone to learn in their first language, it allows each language to be used and provides incentives to speak such languages more effectively. By focusing on giving those people who do not speak Abkhaz a chance to learn it, it gives a much bigger impulse for the development of the language. The unresolved conflict with Georgia is also a factor that negatively affects the overall situation, as it does not allow for pragmatic and straightforward action, even when the conditions allow for it.

Certain hesitation towards any change and reform in the education system, not only in the sphere of languages of instruction, is related to the fact that there is not yet a developed concept of the Abkhaz education model, a system that will address the challenges and needs of society. On the other hand, the existing education system, which is a sort of hybrid (with elements of the Soviet education system mixed with few touches of national and modern education), has been in place for a long time and does provide solid, factual knowledge. Any shifts and changes might undermine and weaken the existing education model; without adequate financial and human resources, such changes might drive the situation out of control. Therefore, slow-paced single and spot changes are preferred.

Multilingual and multiethnic societies benefit a great deal from proper multilingual education systems, those that address the needs of all of the languages and support the respective language domains. Multilingual education allows for higher learning outcomes throughout all school subjects and provides for higher language proficiency in two or more languages. MTB MLE can improve significantly the level of general education in Abkhazia, especially in rural areas; it can help to strengthen the Abkhaz language's position in society by providing more opportunities and incentives to learn the language.

## CONCLUSION

Abkhazia is, indeed, a very interesting case study, be that for political scientists or linguists. The linguistic and ethnic diversity of Abkhazia is a challenge and opportunity for society at the same time. Once the language becomes an instrument with which to single out certain groups, it can easily become a weapon that can be used against one or another language group. In the situation of the unresolved conflict and significant isolation from the world, it does not take more than a spark to flame the entire thing. However, once the language diversity is embraced and supported, it will give incentives for all linguistic groups to contribute to society, rendering it stronger and more resilient. Education plays a major role in achieving such unity of society. An education system that bases itself on the strengths and existing linguistic knowledge of students allows students to achieve better results in education and a better command of two or more languages.

MTB MLE in Abkhazia has much potential and can contribute to overcoming a lot of existing challenges and linguistic and ethnic tensions within society. Successfully introduced MTB MLE will ensure equal access to mother tongue education for all linguistic groups, supporting the development and usage of Abkhaz among non-speakers and allowing for equal opportunities for students upon graduation from high school. Therefore, it will contribute to the establishment of a resilient and coherent society.

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