

DE FACTO STATES IN THE EUROPEAN NEIGHBOURHOOD: BETWEEN RUSSIAN DOMINATION AND EUROPEAN (DIS)ENGAGEMENT. THE CASE OF ABKHAZIA

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Abstract: *With the ratification of the Association Agreements with Georgia and Moldova in 2014, the European Union (EU) has been confronted in its integration policies with several post-Soviet de facto states (Abkhazia, South Ossetia and Transnistria). The paper clarifies the concept of the de facto state and discusses how non-recognition affects the sustainability and international position of these entities. It will be argued, that de facto states can be considered as a permanent part of the international system rather than just temporal anomalies and that they confront the EU with a serious action dilemma. Based on the Abkhazian case study, I will analyse the strategies and instruments the EU is implementing to achieve its policy objectives, identify key obstacles such as the growing Russian presence in the region and highlight the practical consequences of the action dilemma.*

Keywords: *de facto states; secession; conflict; Abkhazia; Georgia; Russia; European engagement*

Introduction

The ongoing secessionist conflicts in eastern Ukraine and the recent escalation in Karabakh (2016) have drawn the attention of world politics towards the unresolved territorial conflicts in the post-Soviet space. Similar to the Western Balkans, which saw the demise of a multinational state (Yugoslavia), the conflicts from Eastern Europe are secessionist by nature. The concentration of secessionist conflicts in a confined space and the high number of state breakdowns make both of these regions unique. In the post-Soviet space, various and mostly ethnic groups were able to break away from their parent state, for example in Abkhazia (Georgia), South Ossetia (Georgia), Nagorno-Karabakh (Azerbaijan) and Transnistria (Moldova), similar to Kosovo (Serbia) and former Republika Srpska

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Krajina (Croatia) in the Balkans. The ‘People’s Republics’ of Donetsk and Lugansk in Ukraine could now also follow this path. Parallels are often drawn between the Ukrainian conflict and the other secessionist conflicts in the European neighbourhood. It was seen particularly important that the West learned from the so called ‘frozen conflicts’ when it came to dealing with Russia (Cornell, 2014; Ortung and Walker, 2015; Malling, 2015). Thus, the term ‘frozen conflict’ has experienced a revival in political and academic debates.

‘Frozen conflicts’ are the ethno-political conflicts of the former Soviet Union territory which resulted in a secessionist region permanently separated from its internationally recognised ‘parent state’ (Nodia, 2004). These conflicts are not temporary phenomena, rather they exist for over twenty years. The conflicts in the European neighbourhood have a far-reaching impact on local, regional and international structures of security and are one of main obstacles in the development of these regions. Subsequently, they also determine the realities of the daily lives of millions of people and confront the international community with serious challenges. However, our understanding of the phenomenon is limited, which is reflected in the dominant terminology we use to discuss the issue. Contrary to its literal meaning, the ‘frozen conflicts’ are in no way static – they are dynamic. Although large-scale hostilities of the past were ‘frozen’, they can always break out again as in Georgia 2008 and Nagorno-Karabakh 2016 since mutual solutions for ending the conflicts have not been brokered yet. This is due to internal and external dynamics. Therefore, ‘frozen’ does not refer to the developments in the respective conflict zones or to conflict dynamics, but rather to the process of conflict resolution and the positions of the parties involved in the conflict. The conflict remains unresolved and is usually continued on a level of low escalation and with political means without realistic perspective for settlement. The concept of ‘frozen conflicts’ is therefore misleading and reflects a limited understanding of conflict dynamics and a narrow focus in academic analysis and political debate regarding those regions. It makes more sense to refer to general secessionist conflicts than frozen conflicts.

Secessionist conflicts, caused by the pursuit of self-determination and independence by ethnic, linguistic and religious groups, remain the primary method of attaining statehood and the dominant form of contemporary domestic violent conflicts (Holsti, 1980, pp. 48-49; Marshall, 2005). In an almost completely nationalised world, new countries can evolve mainly due to secession or state dissolution. Approximately half of the currently existing states and the majority of the fifty-one founding members of the United Nations have emerged from imperial or national fragmentation (Doyle, 2010, p. 4). Secessions and secessionist movements are a highly topical phenomenon and one of the main challenges confronting the international community. Gurr (2005, p. 27) identifies over one hundred secessionist movements, of which almost half strive for independence by violent means. Secession is a global phenomenon, which occurs in both the global North and the global South. In more than a dozen African countries, we can identify significant secession movements and likewise in over twenty European states



(Chijioke Njoku, 2010). Over ninety per cent of the states are multi-ethnic in constitution, and in approximately one third of these cases, the largest ethnic group does not constitute the majority of the population (Ker-Lindsay, 2012, p. 5).

Despite this trend, only very few secessionist movements managed to attain a degree of territorial control and political autonomy that allows them to permanently escape the legal claims of the state they are seceding from (parent state). Although these secessionist entities may have the key features and structures of statehood, they are not recognised by the vast majority of the international community as independent states. Those established secessionist entities are known as ‘*de facto* states’, a particular expression of the progressive fragmentation and destabilisation of the international system. They are valid in popular political and academic discourse as temporary anomalies of the international system and the antithesis to the stability of sovereign statehood (Kolstø, 2006, p. 735). They are often regarded as illegitimate anarchic regions, strongholds of smuggling and shadow economy, and as potential safe havens for international agents of violence (Steinsdorf, 2012, p. 201). However, both current political developments in these regions, as well as recent research, have shown that despite extensive non-recognition, ‘*de facto* states’ are not temporary anomalies, but a permanent part of the international system (Caspersen, 2012). This suggests that a multitude of established ‘*de facto* states’ (Abkhazia, Kosovo, Nagorno-Karabakh, South Ossetia, Transnistria and Northern Cyprus) can be identified in the European periphery. With the ratification of the Association Agreements with Georgia (Abkhazia and South Ossetia) and Moldova (Transnistria) in 2014, the European Union (EU) has been confronted in its policy of differentiated integration with several post-Soviet ‘*de facto* states’. In view of the current secessionist conflicts in eastern Ukraine, this issue has gained particular urgency. Despite this urgency, international community and the EU in particular struggle to find appropriate answers to the challenges posed by ‘*de facto* states’. This becomes even clearer in regard to the Russian policies towards ‘*de facto* states’ and the unresolved secessionist conflicts.

In the paper it will be argued that because of the complex relations between secession, non-recognition and international (non)engagement the international community and the European Union in particular is confronted with an action dilemma when dealing with ‘*de facto* states’. To explore that dilemma, I ask: in what way challenge ‘*de facto* states’ the international community and the European Union in particular?

To address this question, I clarify the concept of the ‘*de facto* states’ and argue that these entities can be considered as a permanent part of the international system rather than just temporal anomalies. I will discuss how non-recognition affects the sustainability and international position of ‘*de facto* states’, explain the main action dilemma and investigate the relationship between non-recognition and international isolation. Based on the Abkhazian case study, I will show the strategies and instruments the EU is implementing to achieve its policy objectives,



identify key obstacles such as the growing Russian presence in the region and highlight the practical consequences of the action dilemma.

1. De Facto States: More than Temporal Anomalies

'*De facto* states' are the focus of a relatively young (but growing) research field in political science. Charles King (2001) once described them as informational black holes - an assessment that even a decade later is shared by Nina Caspersen (2012, p. 23). However, studies of *de facto* states have gradually increased in recent years. The core of the literature on '*de facto* states' are the monographs from Pegg (1998), Lynch (2004), Geldenhuys (2009) and Caspersen (2012) and the edited volumes from Kingston and Spears (2004), Bahcheli, Bartmann and Srebrnik (2004) and Caspersen and Stansfield (2011).

Within '*de facto* states' literature there is a common understanding of the basic characteristics of the phenomenon. They typically have a political leadership which exercises permanent control over its claimed territory, but have been largely unsuccessful in gaining international recognition (Kolstø, 2006, pp. 725-726). A '*de facto* state' is thus characterised by a political leadership which is considered as the legitimate political power by the local population, as well as the ability to build sufficient state capacities to permanently provide fundamental government services in a defined territory and for the people living there. A '*de facto* state' is able to enter international relations and actively seek recognition, but this is denied by the majority of the international community (Pegg, 2008, p. 1).

'*De facto* states' are often equalised with the popular concepts of fragile statehood (Schneckener, 2004) and failed states (Rotberg, 2001). Although, they share certain common features and often result from similar conflicts, it is important to distinguish them from each other (Caspersen, 2012, p. 7). Fragile states, on the one hand, exhibit international recognition as sovereign states, although they exercise very limited control and authority over their territory and the population living within. Therefore, fragile states feature *de jure* sovereignty despite extensive deficits and in extreme cases (failed states) a complete lack of internal sovereignty. On the other hand, '*de facto* states' fulfil basic, and at times, advanced characteristics of statehood, but they do not or only partially achieve international recognition and *de jure* statehood (Stanislavski, 2008, pp. 367-438). Although Stanislavski's argument is somewhat schematised as '*de facto* states' can indeed have symptoms of fragile statehood, he clearly illustrates the main division between the concepts – a '*de facto* state' lacks international recognition, no matter how strong the internal sovereignty; fragile and failed states enjoy international recognition, no matter how weak their internal sovereignty. This can be exemplified by comparing Somalia and Somaliland. While Somalia as the prototype of a failed state has full legal statehood, Somaliland is not recognised by any other country, although it has a high degree of empirical statehood – especially in regional comparison. The constitutive element of a '*de facto* state' is therefore



their widespread non-recognition. They differ from regular states in principle only by the lack of international recognition or external sovereignty (Lynch, 2004, p. 16).

In summary, a ‘*de facto* state’ is an independent political entity, which does not achieve recognition of its independence from the international community. It permanently exercises effective territorial control over a well-defined territory and is capable of providing central government services and publicly legitimised rule for the population living within. Following the definition laid out here, a number of ‘*de facto* states’ can be identified for the period from 1945 onwards (Table 1). Three basic scenarios can be distinguished for their path of development. Firstly, they are reintegrated into the Metropolitan State (Scenario 1), gain international recognition (Scenario 2) or continue to exist long-term as a consolidated ‘*de facto* state’ (Scenario 3).

Table 1. ‘*De facto* states’ since 1945

| De facto state | Parent state | Time | Scenario |
|------------------------------|------------------------|----------------------|----------|
| Abkhazia | Georgia | Since 1993 | 3 |
| Anjou | Comoros | 1997-2004 | 1 |
| Biafra | Nigeria | 1967-1970 | 1 |
| Bangladesh | Pakistan | 1971-1974 | 2 |
| Bougainville | Papua New Guinea | 1975-1997 | 1 |
| Eritrea | Ethiopia | 1991-1993 | 2 |
| Gagauzia | Moldova | 1991-1994 | 1 |
| Herceg-Bosna | Bosnia and Herzegovina | 1993-1996 | 1 |
| Katanga | Congo | 1960-1963 | 1 |
| Kosovo | Serbia | Since 1999 | 3 |
| Kurdistan | Iraq | Since 1991 | 3 |
| Nagorno- Karabakh | Azerbaijan | Since 1994 | 3 |
| Eastern and Western Slavonia | Croatia | 1995-1996 | 1 |
| Palestine | Israel | 1988-2012 | 2 |
| Republika Srpska | Bosnia and Herzegovina | 1992-1995 | 1 |
| Republika Srpska Krajina | Croatia | 1991-1995 | 1 |
| Rhodesia | Great Britian | 1965-1980 | 1 |
| Somaliland | Somalia | Since 1991 | 3 |
| South Ossetia | Georgia | Since 1992 | 3 |
| Tamil Eelam | Sri Lanka | 1986-2009 | 1 |
| Taiwan | China | Since 1971 | 3 |
| Transnistria | Moldova | Since 1991 | 3 |
| Chechnya | Russia | 1991-1994, 1996-1999 | 1 |
| Northern Cyprus | Cyprus | Since 1974 | 3 |
| Western Sahara | Morocco | Since 1976 | 3 |

Source: Relitz, 2016

This quick overview shows that some of the claims for general recognition, for instance, in Eritrea, Bangladesh and most recently, Palestine, have been successful. In the majority of cases, one of the two main scenarios happened. A ‘*de facto* state’, such as Tamil Eelam, Chechnya or Rhodesia is reintegrated in the Metropolitan State, mostly under the use of force. Alternatively, entities such as Abkhazia, Transnistria or Taiwan have maintained their independence for several decades despite it being heavily contested. This clearly shows that ‘*de facto* states’ are a permanent part of the international system and we cannot assume that they will disappear any time soon. Rather, it can be assumed that due to the numerous self-determination movements worldwide and the fragmentation of the international system, their number will grow. Therefore, *de facto* states are more than temporary anomalies. Despite their limited recognition, ‘*de facto* states’ are a permanent feature of the international system. Six of them are located in the close European neighbourhood, which highlights once again the great relevance of this topic for the EU.

1.1. ‘De facto states’ and Sustainability

The lack of international recognition has a range of adverse consequences. As we have seen in the historic overview, the most serious consequence of non-recognition is the increased likelihood of the ‘*de facto* state’ extinction. They lack the protection of international law from external takeovers linked to recognition. In the modern international system, sanctions against external takeovers and ‘encroachment on the territorial integrity of all recognised states are so powerful that even the weakest are guaranteed a continued life’ (Kolstø, 2006, p. 727). ‘*De facto* states’ find themselves in a position where they are legally exposed to forcible displacement from their territory and reintegration into the state recognised as the sovereign by the international community of states. In contrast, successful external takeovers and the long-term illegal extinction of recognised states have been a rarity in the modern state system (Fabry 2010, p. 7). Recognition and non-recognition matter, therefore, when it comes to the legal protection against external intervention and the likelihood of long term survival of an entity. Recognition has security implications as well, and the absence of recognition is often associated with external threat and security dilemmas for the ‘*de facto* state’. The main source of this security dilemma is the metropolitan state which is often actively combating their existence and trying to restore its territorial integrity through military means (Lynch, 2004). The most recent example of this is the distinction of Tamil Eelam in 2009. After more the twenty years of intensive fighting, the army of Sri Lanka defeated the Tamil Tigers and restored Sri Lanka's territorial integrity. This was synonymous with the end for the ‘*de facto* state’ of Tamil Eelam.

Due to the inherent security dilemma, mainstream IR tend to portray ‘*de facto* states’ as transient phenomena or anomalies which will disappear sooner or later. The brief historic overview and current political developments challenge this



assumption fundamentally. Cases such as Taiwan and Northern Cyprus have existed for more than forty years without widespread international recognition, and many of the post-Soviet ‘*de facto* states’ have also existed for more than twenty years. This shows that they are more than temporary anomalies. Rather, they form a group of entities that are permanently part of the international system. However, their existence is not guaranteed by the norms of territorial integrity. The sustainability and survival of ‘*de facto* states’ is primarily based on internal support and successful nation-building, as well as the weakness of the metropolitan state and external support from a strong patron (Kolstø, 2006).

1.2. International Response and European Perspectives on Contemporary De Facto States

‘*De facto* states’ challenge the international state system. Their mere existence introduces serious challenges and dilemmas of action for recognised states. Regionally, they are seen as security threats due to conflict between the ‘*de facto* state’ – and in many cases its patron – and the metropolitan state. ‘*De facto* states’ are portrayed as areas of insecurity or unlawfulness due to the perceived and often overstated limited statehood in these entities. To limit and prevent negative consequences and spill over effects, stabilisation and conflict management should be in the interest of the international community. On the other hand, ‘*de facto* states’ are mostly considered to be illegal under international law and a violation of the metropolitan state’s territorial integrity. Accordingly, the stabilisation of the status quo stands in contrast to the preservation of the territorial integrity. As a result of this dilemma, we can identify a diffuse mix of policies by the various actors of the international system. At first glance, three basic strategies for dealing with ‘*de facto* states’ can be identified: ‘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’ (Pegg, 1998, p. 4). Lynch (2004) supplements these three strategies (sanctioning, ignoring and accepting) in respect to the states affected by secession with active antagonising by military means. Non-recognition can therefore not be equated with isolation per se, but presents both international and local actors with demanding challenges, constrains their room for manoeuvre and requires specific strategies, policies and instruments for engagement.

Although ‘*de facto* states’ lack international recognition or de jure statehood, they do not exist outside the international system and are linked in multiple ways to the international community (Frowein, 1968). Firstly, we have to understand that recognition is not a dichotomous dimension which is either present or not. International recognition can instead be described as a continuum with the extremes of full international recognition and complete repudiation. Within this continuum the position of the various ‘*de facto* states’ varies considerably. Entities like Kurdistan, Nagorny Karabach, Somaliland and Transnistria are fully unrecognised and have no



diplomatic relations with any UN member state. On the other extreme of the recognition continuum, we can find Kosovo which is recognised by 109 UN member states, Western Sahara by forty-five and Taiwan recognised by twenty-one. Between these two extremes, we find cases which are recognised only by their keen state like Northern Cyprus and its patron state (Turkey) plus few others, such as Abkhazia and South Ossetia. Thus, the degree of international recognition and therefore the opportunity to build diplomatic relations differs considerably between the various cases. Some of them, for instance Taiwan, have found a restrictive place in the international state system even when full membership is not realistic in the near future. Others, such as Abkhazia, just manage to find a position on the edge of the international system due to the support of their patron.

The EU is challenged in a particular way by the specific forms of statehood described in this paper. Cyprus, a ‘*de facto* state’ – the Turkish Republic of Northern Cyprus – is constituted within the EU member state Cyprus. With Moldova (Transnistria), Serbia (Kosovo), Georgia (Abkhazia and South Ossetia) and Ukraine (Donetsk and Lugansk), four countries in the EU association process have to deal with established or evolving ‘*de facto* states’. While the EU response was united and coherent in the cases of Abkhazia, South Ossetia, Transnistria and Northern Cyprus, where all member states choose collective non-recognition, the picture in the case of Kosovo is diverse. Although Kosovo is recognised by the majority of EU member states as an independent state, this view is not shared by Spain, Greece, Cyprus, Romania and Slovakia. Moreover, with Ukraine, Moldova, Georgia and Serbia, four countries in the EU association process do not recognise Kosovo as an independent state. The diversity in the response to unilateral secessions can partially be explained due to the extent of own domestic separatist movements and different strategic cultures in dealing with secessionist entities (Coppieters, 2010, p. 239).

2. Abkhazia between International Isolation, Russian Domination and European Engagement

Through the case study of Abkhazia, I will examine which problems arise for the EU in dealing with post-Soviet ‘*de facto* states’. To clarify the specific context conditions, the chapter starts with a brief synopsis of the foreign relations of Abkhazia and its special relationship with Russia. Based on this we will analyse the strategies and instruments used by the EU to achieve its policy objectives in Abkhazia.

2.1. International Isolation and Russia as a Patron State

The small republic of Abkhazia (Apsny) extends from the southern foothills of the Greater Caucasus and the Eastern coast of the Black Sea in an area of 8.600 km². It is also situated in the northwest of the internationally recognised territory of Georgia. According to the official Abkhaz census of 2011, the region inhabits



about 240 thousand people. The roots of Abkhaz-Georgian conflict and the historic narratives are highly disputed between both sides.¹ But by the breakup of the Soviet Union, the two conflicting nation-building projects started to radicalise and tensions arose. Following the invasion of the Georgian National Guard in August 1992, the Abkhaz-Georgian conflict escalated. Both sides engaged in full-scale civil war, fought with great intensity and brutality. During the course of the war, Georgian troops and with them the majority of the Georgian population, were forced to flee. Officially, the war ended with the ceasefire agreement in Moscow in April 1994. After smaller escalations in 2001 and 2006, the conflict escalated again in the aftermath of the Georgian offensive in South Ossetia and the subsequent Russo-Georgian war in 2008. Abkhaz forces started a military campaign into the upper Kondori Gorge, driving the last Georgian troops in Abkhazia to withdraw and two thousand Georgians living there to flee (Human Rights Watch, 2011, p. 12).

Even after more than twenty years of independence from Georgia, the ‘*de facto* state’ Abkhazia is still largely internationally isolated (Trier, Lohm, Szakonyi, 2010, p. 7). Throughout this period, however, the degree of international isolation varied considerably. After the end of war in 1994, Russia restricted freedom of movement for the Abkhaz population; all male residents between sixteen and sixty years were prevented from entering Russia, international phone connections were severed and in 1996, the sanctions on trade and financial transactions from the Commonwealth of Independent States (CIS) were initiated. During that period, the war-torn Abkhazia was highly isolated and relied nearly exclusively on informal connections with the northern Caucasus. To the same extent that Russian-Georgian relations worsened, Russia became closer to Abkhazia. Moscow gradually lifted the sanctions and strengthened its political, economic and military support for Suchum(i) and unilaterally removed the CIS sanctions in March 2008 (Kizilbuga, 2006, pp. 83-89). Following the events in August 2008, the situation of a ‘*de facto* state’ fundamentally changed. Two opposing trends can be observed in this situation: increasing Russian influence and patronage, and the reduced international presence in the region.

Although the recognition of only Russia and three other members of the international community (Nicaragua, Venezuela and Nauru) looks minor, it changed the Abkhaz situation considerably. Russian recognition demonstrated a strong commitment towards the entity of Abkhazia. Its dominant role in Abkhazia is particularly evident in the security sector. Russian recognition, along with mutual defence and cooperation agreements are the main security guarantees for the ‘*de facto* state’. According to official figures, Russia has stationed five thousand soldiers in Abkhazia, and invested around 350 million Euros between 2009 and 2012 in the construction and restoration of military infrastructure. This

¹ For a more detailed description of the historic roots of the conflict and the Abkhaz nation see Relitz (2015) and for the historic conflict dynamics Relitz (2011).



includes a military airfield in Gudauta and a small naval base in Ochamchira (International Crisis Group, 2013, pp. 3-4). The strong military presence – seen by Georgia as military occupation – works for Abkhazia as a guarantee of security and protection against any outside aggression.

Similarly, the Russian influence on welfare, economy and reconstruction is huge and Abkhazia is largely supported from Russia. Russia provided around six hundred million Euros between 2008 and 2013 alone. This amount is fed from three different sources: Russia pays pensions on a continuous basis for thirty-two thousand Abkhaz citizens in a total volume of 1.8 billion roubles. This corresponded to almost forty-five million Euros during the investigation period. Moreover, Russia bankrolled the Abkhazian budget with 1.9 billion roubles (forty-seven million Euros) annually. In addition, Russia invested 4.9 billion roubles (120 million Euros) between 2010 and 2012 as investments in the reconstruction of ailing Abkhaz infrastructure – a result of massive war demolition between 1992 and 1994 and decades of isolation (International Crisis Group, 2013, p. 6). For the full implementation of the association agreement between the two countries – signed at the end of 2014, after the Abkhaz rejection of the first draft – Russia will have spent another twelve billion roubles by 2017. Ultimately, Russia is also responsible for the majority of the Abkhazian foreign trade and almost all foreign direct investment. While there is a low level of trade with Turkey and Georgia, this usually does not go through official channels and is therefore difficult to quantify. Ergo, Russia remains by far the dominant economic contributor in Abkhazia and around eighty per cent of the consumed goods in Abkhazia are imported from its northern neighbour (International Crisis Group, 2010, pp. 6-7).

The huge economic dependence on Russia is especially problematic in times of crises like the current Russian recession. Furthermore, Abkhazia's economic prospects seem to worsen because of growing tensions between Russia and Turkey. Unofficial trade ties with the Abkhazian diaspora in Turkey have been one of the only possibilities for economic diversification for a long time. This will become more difficult if regional competition between Russia and Turkey grows. Moreover, increasing Russian influence is being critically received in Abkhazia (Erememko, 2014). Tensions over the issue of property rights for foreigners – particularly Russians – and fears of an economic and cultural sell-out have arisen in recent years. However, the security provided by the Russian presence has so far prevailed over those negative aspects (Kereselidze, 2015, p. 311).

2.2. The European Union struggle in Abkhazia

The current developments in Eastern Ukraine and the war over South Ossetia in 2008 demonstrate the destabilising effects posed by secessionist conflicts in the European neighbourhood. These asymmetric conflicts are characterised by an intense history of violence and an extensive international isolation of one conflict party. Four core elements can be identified for this type of



conflict, as identified by Berovitch (2005), Zartmann (2005) and Broers (2015). Many of these conflicts take, first of all, a very long time and gain chronic, intergenerational character, developing inter alia socialisation effects and also multiple interests in a continuation of the conflict. Secondly, it alternates between phases of relative calm and long-lasting peace with outbreaks of violence of varying intensity. These conflict episodes are interconnected in many ways and trigger path dependencies. Thirdly, the emotional polarisation between the parties of the conflict is extensive, which is reflected in stereotyping, segregation and in pursuit of retaliation. Finally, in most cases, multiple external mediation efforts were made without major success. When analysing the EU policies towards Abkhazia and the Abkhaz-Georgian conflict, we have to keep these specifics in mind. As has already been shown, dealing with ‘*de facto* states’ is not only an economic and political issue, but also one of the main European security challenges (Hoch, 2011, p. 75).

The EU did not engage until 1997 in the now independent but war-torn Caucasus republic of Abkhazia. Limited EU engagement started very hesitantly with the set-up of a Rapid Response Mechanism (RRM) between Suchum(i) and Tbilisi in a region that was largely perceived to be conflictual, unimportant and peripheral. Eventually in 2004, European focus shifted towards the South Caucasus and engagement increased with the integration of Georgia, Armenia and Azerbaijan in the European Neighbourhood Policy (ENP). In the previous year, the EU installed a Special Representative for the South Caucasus (EUSR), which was a new mechanism in the region. The EUSR has a regional mandate which explicitly includes the processing of the South Caucasus secessionist conflicts. Unfortunately, the EUSR received little political attention in Tbilisi and Brussels (Kereselidze, 2015, p. 312). However, he played a crucial role in building and maintaining the relationship between the EU and Abkhazia. He is neither affiliated with the European Union delegation in Tbilisi, nor with any European embassy in Georgia and can therefore act more independently and with greater room for manoeuvre (Smolnik, 2012, p. 3). At the same time, the EU also increased its financial commitment in the conflicted region. Under the auspices of the EU Humanitarian Office (ECHO), it started to support humanitarian programs in the sector of economic rehabilitation and community development with two million Euros a year. ECHO focuses mainly on the Gal(i) region in eastern Abkhazia. This region was predominantly inhabited by ethnic Georgians who were expelled from the border region at the end of war in 1994. Consequently, the main objective is to promote the gradual return of Georgian Internally Displaced Persons (IDPs) to Gal(i) region, mostly Mingrelians, in a technical way and as apolitical as possible (Popescu, 2007, p. 13).

In 2005, the EU expanded its engagement within the framework of the Instrument for Stability and began to promote through projects outside Gal(i) and in the Abkhazian capital Sukhum(i). As stated in the Action Plan for Georgia in 2006, the European Commission demand a solution of the Abkhaz-Georgian



conflict within the internationally recognised borders of the Georgian state. Consequently, the EU made clear that any engagement and support would be completely apolitical and should focus only on projects in the field of human rights protection, humanitarian aid and trust-building (Hoch, 2011, p. 78). However, there are clear policy objectives behind those initiatives, for example, (1) reducing the financial dependence on Russia by diversifying developmental opportunities, (2) the strengthening of the EU's reputation and spreading European values and (3) promoting the development of civil society relationships between conflict parties and conflict management. Therefore, the EU invests in decentralised cooperation projects and civil society development, income generation and confidence-building (Popescu, 2007, p. 13). In this way, the EU becomes the biggest donor of the active Abkhaz civil society.

The Russian recognition in 2008 changed local realities and the framework for international cooperation in Abkhazia. With ceasefire negotiations led by the former French President Nicolas Sarkozy, the EU took the driving seat in the mediation of the Abkhaz-Georgian conflict. This was further reflected in the deployment of the European Union Monitoring Mission (EUMM). The EUMM makes an important contribution to stability in the region, especially through the Incident Prevention and Response Mechanism (IPRM) meetings. These meetings open a communication line between Abkhaz, Georgian, Russian and European security representatives. They are held regularly to build confidence between the parties, promote the exchange of information, and to establish informal relations between the EUMM and Abkhazian and Russian security actors.² Initially held in Gal(i), the IPRM had to move to Ergneti near Tskhinvali, and is now co-chaired by EUMM and OSCE. During the 35th round of the Geneva International Discussions (Geneva Talks) in March 2016, Georgian and Abkhaz participants have reached an agreement, on the resumption of IPRM meetings in Gal(i). Furthermore, as co-chair of the Geneva Talks, the EU participates in the only political format that brings Abkhazian, Georgian and Russian representatives together under UN, OSCE and EU facilitation. Even though little progress has been made towards a mutual settlement of the conflict within the Geneva framework, this ongoing communication mechanism is a value in itself.

Despite EU commitment in the region, its influence in Abkhazia is rather low. After 2008 in particular, the EU has experienced a strong decline in standing for several reasons. Firstly, the clear commitment to Georgia's territorial integrity is perceived as one-sided support for the Georgian position by the Abkhaz (Council of Europe, 2008). This is reinforced by the official political discourse in Brussels, where even highly controversial Georgian policies, such as the 'law on occupied territories', are endorsed by the highest authority. Due to these one-sided statements from headquarter-level authorities aggravating the work on the field-level, the majority of Abkhazians do not distinguish between the various EU

² Interview with Steffen Hedemann (EUMM).



institutions and levels. Each statement from Brussels is interpreted as an official position of the EU which complicates the work of the delegation in Tbilisi.³ Since 2008, the EU has been increasingly seen as a supporter of Georgia and ultimately, as a partner of the other side of the conflict (Dzhopua and Agbra, 2008, Shakryl and Kerselyan 2012). Therefore, a growing majority of Abkhazians meet the EU with a combination of mistrust, misunderstanding and disappointment.⁴ Nevertheless, the EU has been responsible for about eighty per cent of the external funding for civil society activities and is thereby the second largest foreign donor (EU AAP, 2011). In comparison to Russian assistance, the EU financial commitment, however, has declined and remained rather low.

A large portion of EU funds is allocated for projects in the context of relationship development with Georgia. Because of the conflict, this relationship is very difficult and burdensome for both Abkhazians and Georgians. For the majority of Abkhaz society, the conflict with Georgia has been solved by Russian recognition. For these citizens the primary focus should lie within domestic development and building neighbourly relations with Georgia, instead of conflict reconciliation within the borders of Georgia.⁵ However, there is hardly any EU programme in the field of development cooperation. Thus, the EU is mainly funding projects which objectives lack public and sometimes political support in Abkhazia. As a result, engagement with civil society becomes more complicated and room for manoeuvre in the given framework is limited. For instance, most of the funds for projects in Abkhazia originate from the EU delegation in Georgia. Abkhaz NGOs applying for these funds are increasingly facing problems from within Abkhazia. Some political and social actors denounce this as a betrayal of national ideals, accusing project participants and NGOs of undermining the independence of Abkhazia, thus creating pressure⁶.

With regards to the EU objectives, the results of its policies in Abkhazia are sobering. The EU clearly missed the goal of diversification of development opportunities. Abkhaz economic and financial dependence on Russia has been consolidated and depended on greatly in recent years, and there are no trade and direct investments between the EU and Abkhazia. Restrictive visa regimes imposed by Georgia and the EU also limits the freedom of movement for people living in Abkhazia and therefore possibilities to physically overcome international isolation (Kereselidze, 2015, p. 314). Most of the non-Georgian population relies on Russian passports for travelling abroad and all initiatives to issue neutral travel documents have been blocked by the conflicting parties. It becomes clear at this point that the EU does not provide the Abkhazians with significant opportunities to reduce their dependence on Russia. Rather, it is losing influence due to the decline

³ Interviews with Mira Sovokar (Conciliation Ressources).

⁴ Interview with Mira Sovokar (Conciliation Ressources).

⁵ Interview with Oliver Wolleh (Berghof Foundation).

⁶ Interview with Frederik Coene (EU Delegation Tbilisi).



in financial commitment and growing Russian engagement. Likewise, it has not been possible for the EU to strengthen its position as a conflict mediator. Instead, scepticism towards the EU is growing in Abkhazia. Due to its commitment to Georgia's territorial integrity and the support for the Georgian position in the conflict, the EU is increasingly seen as party to the conflict and less as an impartial mediator. Nonetheless, the support of local civil society is an achievement on the part of the EU. The level of civil society activity and democratic development in Abkhazia is noteworthy, especially in a regional perspective, and it would be difficult to envisage without European support (Hoch, 2011, pp. 78-79). In 2010, the EUSR promoted under the slogan 'engagement without recognition', an alternative policy approach towards Abkhazia to open up new paths of engagement without exceeding the red line of recognition. One goal was to reduce Abkhaz isolation and its dependence on Russia through projects in the field of political, economic, social and cultural integration, and in the development of frameworks for academic and civil society exchange and access to the European visa regime (Caspersen and Herrberg, 2010). So far, the discussion is mostly of a theoretical nature and the approach has not manifested in any differentiated policies so far. It seems as if the initiative has come to a standstill.

Conclusions

Within this paper I have shown that the EU is confronted with several '*de facto* states' in its neighbourhood which are no temporary anomalies of the international system, but a rather permanent phenomenon. Their statehood differs in one key element from 'normal states'; the lack of international recognition. Non-recognition affects the sustainability, domestic development and international integration of '*de facto* states' on multiple levels. In most cases, the military, economic and political support from a powerful external patron is the main guarantee for their long-term survival. However, the common image of a 'puppet state' is largely overstated in most cases. Non-recognition does not necessarily lead to fragile and ineffective political systems, especially on the domestic level. It has a minor effect on the nature of political systems and is not a pre-condition for stability and democratic development, as various cases show. Nevertheless, both non-recognition and unresolved conflict with the 'parent state' have major impact on people's lives and on the international integration of '*de facto* states'. Moreover, they challenge the international system and their mere existence poses a serious action dilemma for recognised states and international organisations like the EU. The recent events in Karabakh and Eastern Ukraine highlight that the conflicts around '*de facto* states' pose significant security risks, and are therefore one of the main obstacles in the European integration process for countries like Georgia, Moldova and Ukraine. To limit and prevent negative consequences and spill over effects, stabilisation and conflict management should be in the interest of the EU. On the other hand, '*de facto* states' are mostly considered to be illegal under



international law and a violation of the metropolitan state's territorial integrity. Accordingly, the stabilisation of the status quo stands in contrast to the preservation of the territorial integrity. As a result of this dilemma, we can identify a diffuse mix of policies by the various actors of the international system. As a consequence of this dilemma, we can identify a diverse mix of policies from international actors from sanctions, to both ignorance and acknowledgement when dealing with '*de facto* states'. As there is no adequate legal and political framework to cope with unilateral secession, conflicts around '*de facto* states' are a challenge for international organizations and the EU in particular.

The case study of Abkhazia clearly shows the problems the EU is facing in dealing with the '*de facto* states' in its periphery. For over twenty years, this '*de facto* state' has existed independently from Georgia; largely isolated and under increasing Russian patronage. Russia supports Abkhazia due to its strategic interests in the South Caucasus, through military, economic and diplomatic assistance. Particularly after the Russian recognition of Abkhazia's independence in 2008, the EU is facing new realities. The EU reduced its activities in Abkhazia and changed its focus to conflict resolution. Although the EU remains the largest sponsor of the active Abkhaz civil society and new projects to promote rural development are initiated its influence and reputation is shrinking. Therefore, the EU is not able to meet its policy objectives in diversifying the Abkhaz development opportunities, strengthening the reputation of the EU and promoting conflict transformation. While the EU struggles to find an effective policy of engagement, Russia is pursuing a policy of increasing economic, financial and political integration. The EU has been strongly perceived as a one-sided supporter of Georgia since 2008 and consequently, large parts of the population perceive the EU with a mixture of mistrust, misunderstanding and disappointment, and therefore turn towards Russia as the only source of external support. Abkhazia's international isolation leads to an even greater dependence on Russia

Yet, the development of open and democratic societies on both sides of the conflict are a pre-condition for a long-term peaceful and mutual conflict settlement. To achieve this, the EU should intensify its efforts in the region to counter the growing Russian influence and find a more balanced position in the conflict in order to regain trust in Abkhazia. The economic crisis in Russia and growing fears of 'Russification' in Abkhazia, however, do open a window of opportunity for the EU to regain influence in the region. This does not involve competition with Russia in terms of economic or even military means. Instead, the EU can offer knowledge transfer, cultural and academic exchange, and an increase of the freedom of movement for Abkhazian citizens due to more flexible and creative engagement policies. To open such new corridors for engagement and cooperation the willingness to compromise has to be strengthened on all sides of conflict.



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