

Chapter 6

Elements of Comparison and Synthesis

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This last chapter is a summary of main ideas developed in the rest of the study, with emphasis on setting out the analytical approach, comparisons of the four case studies, and some general observations that result from the comparisons. The project has privileged the ‘Europeanization’ aspect of the processes of conflict settlement and resolution in secessionist crises, while acknowledging that other important aspects could not be covered thoroughly. In particular this chapter applies to the four cases the matrix developed in Chapter 1, which set out three models of EU conditionality and socialization in relation to the pursuit of conflict settlement and resolution. The four cases show that conventional notions of how the EU is acting in relation to secessionist conflicts in its periphery need a more rigorous and complex specification. The EU’s revealed preference in practice is not always its official first preference according to official discourse. Moreover there emerge some negative unexpected effects of EU actions, which have to be borne in mind alongside the presumption of a beneficial influence.

No frozen conflicts. At least there is no war any more in any of the four cases¹. Yet, while the ‘frozen’ word is often used, the four cases are actually boiling with political movement. Underlying pressures for change are present in all cases. The negotiations on the constitutional arrangements for Cyprus were ‘frozen’ for several decades, but the perspective for EU membership radically modified the situation. The tensions

¹ A first difference between Serbia and Montenegro and the other cases is of course that while secession is an issue, there has been no violent conflict between them.

between Serbia and Montenegro lessened after the fall of the Milosevic regime in 2000, paving the way for EU mediation and the creation of a Union state between the two republics, but there is a rendezvous clause for possible secession after three years. The conflict between Moldova and Transnistria attracted increasing attention from the European Union in 2003, and there was a dramatic but unsuccessful attempt by Russia to force through a solution at the end of that year. Even in the Georgian-Abkhaz conflict, where no negotiations on the political status of Abkhazia have taken place since its unilateral declaration of independence in 1999, the situation has been profoundly changed through the rise to power in Tbilisi of a new leadership in November 2003.

Successes elusive. The performance of the principal parties, external actors and multilateral organizations with respect to the objective of conflict resolution in the four cases, up until now, is poor. A degree of success may be seen in the Union of Serbia and Montenegro, whose sustainability however is uncertain, and the issue of secession is certainly not resolved. The case of Cyprus saw a serious proposal submitted by the UN in 2002, which performed as a model mediator. However the chance to adopt the Annan plan was missed in 2003, and again in April 2004, when a final revised plan was put to referenda. The plan received majority support in the north, but then the Greek Cypriots voted no. In Moldova talks have at least been continuing, but the parties are nowhere near agreement. In Georgia it is not yet evident whether the change of regime in Tbilisi will facilitate settlement of the conflict over Abkhazia.

Stylization of the processes of conflict, and their settlement and resolution. All cases started with the collapse of imperial or authoritarian regimes – British, Soviet, Yugoslav – which had previously held together ethnically complex societies. Sometimes the authoritarian regime had actually prepared the troubles to come through various divide and rule policies. All conflicts are identity and security driven, amongst other motives. In this research it has not been attempted to go into all the factors favouring conflict settlement and conflict resolution, given its focus on the intended and unintended effects of Europeanization.

Three cases saw short ethno-political wars that led to de facto secessions (Cyprus, Moldova-Transnistria, Georgia-Abkhazia), and three cases saw overlap of these conflicts with the travails of the post-communist transition (Moldova, Georgia, Serbia and Montenegro). These three conflict cases emerged from the dissolution of ethno-federations, which were designed and ruled according to the needs of the ruling communist party. Two cases saw territorial ethnic cleansing and refugees on a large scale (Cyprus, Abkhazia). This all made for widespread changes in occupation or ownership of land, property and economic assets, which in turn created new structures of vested interests and resulted in a distorted incentive structure for negotiations, making compromises extremely difficult.

In two cases (Cyprus, Georgia-Abkhazia) the conflicts were driven by the minority party's fear of extinction. This means that strong intervention by the external powers is likely to be a necessary condition for successful settlement. Security guarantees provided by external powers to these small and weak ethnic communities become a crucial element for a settlement. In extreme cases federative solutions can be directly imposed, as happened in the case of the Dayton Agreement for Bosnia. However there are severe constraints on the imposition of solutions, both as a matter of realistic diplomacy (whether the external powers have the capacity to enforce a settlement), and as a matter of the international political norms for such forceful intervention (see chapter 1). Supposing that a settlement is imposed or very heavily mediated, there remains the issue whether the new political structures can ensure or at least favour a transformation of the situation that produced the initial conflict, creating new interests and incentives to overcome or displace past enmities. It is here that the Europeanization phenomenon is potentially valuable, and most immediately relevant to the cases of Cyprus and Serbia-Montenegro.

It is also possible that one or other of the unresolved conflict situations may prove unsustainable at the level of domestic politics, with the non-recognised secessionist entity perhaps not able to provide a viable future for its population. Such state failure could lead eventually to regime collapse, with the secessionist regime incapable of negotiating or of implementing any settlement. Alternatively, according to a more positive scenario, there may be a change of regime, with its successor proving more

flexible over the conditions of a negotiated compromise. This may also depend on whether the recognized government is able to offer a sufficiently attractive model in terms of good governance and economic development for the seceding party to agree on a compromise formula. In the case of Cyprus conflict, the attractive model for the Turkish Cypriot community is shared EU membership. More generally a minimal convergence in domestic political regimes between the entities over the degree of democratization seems to be one of the conditions of conflict settlement. This consideration is most relevant in the cases of Moldova and Georgia.

The Europeanization phenomenon - principles. The term 'Europeanization' has in recent years come to be used by political scientists to represent processes of political, economic and societal transformation at work in contemporary Europe, in particular in the context of integration within the EU and with the accession of new member states. These processes are most dramatic for countries changing political regime, and were first analysed in the case of the enlargement of the EU to Mediterranean countries such as Spain, Portugal and Greece. The field of analysis now extends to the newly acceding central and eastern European countries, and thus links to the post-communist transition. In the present study it is extended into the specific field of conflict settlement in secessionist conflicts.

The mechanisms of Europeanization change combine rational institutionalism (i.e. through policies of conditionality) and sociological institutionalism (through norm diffusion and social learning). Changes through policies of conditionality may occur in the short to medium run. The more deep-rooted change, which occurs through an actual transformation of identity and interests, may only be expected in the longer run. There may be an early change in political discourse, which over time is internalized and results in genuine identity and interest change. While in the initial phases of Europeanization a rational institutional account may better capture the mechanisms of change, over the longer term endogenous processes may become the main motors of domestic transformation. This phasing of the process supposes that political leaders are actually willing and able to give lead. However, as the analysis of the four conflict cases shows, this may not always be so, in which case a reverse sequence may emerge. The people may tend towards 'socializing' with modern Europe, for example

partly as a result of the experience of the diasporas. The leadership may only enter into cooperative negotiations with the European institutions later.

Europeanization and conflict resolution: intended and unintended effects. It might be supposed that increasing integration with the EU will be a favourable factor for the resolution of Europe's outstanding unresolved conflicts. The EU itself represents conflict resolution on a grand scale, from the mega case of Germany and its neighbours, through to many smaller cases where complex ethnic and border situations have been problematic in the past (Italian South Tyrol with its German speaking population is one of many examples), but have found peaceful solutions in the contemporary European context. The EU has also espoused the cause of conflict resolution as a foreign policy objective under the norms of democracy and respect of minority rights, and seeks to employ its instruments of conditionality to this end.

Our findings are, however, not so simple. Europeanization in the four case studies turns out to be a highly complex set of mechanisms and influences, not all of which work in the expected direction of favouring conflict settlement. Looking at the four case studies, there emerges a pattern of both intended and unintended effects, either already in practice, or as a matter of serious risks. As Chapter 1 analyses in detail, the EU's first line of doctrine (Model I) is to favour negotiated re-unification as a strong preference, if not pre-condition, where the question of candidacy for accession is relevant. However in practice this first model is seen to be only one of three strategies. The Cyprus case has revealed the possibility for one party to win privileged treatment (Model II), whereas the Czechoslovakia case is a reminder that an agreed separation may lead to both parties meeting with an equally favourable response from the EU (Model III). In each of these three strategies, however, one can detect a pattern of intended and possibly perverse unintended effects.

For example under Model I, in conditioning access to the EU and its resources on a common state solution rather than secession, the EU may create a superficial and dysfunctional layer of common institutions, or trigger domestic political dynamics that may be less in line with EU norms. Alternatively, if under Model II the EU accepts the accession of one entity without resolution of the conflict, and is unwilling to recognize the secessionist entity, the latter may react in one of two directions:

either for the weakened position of the excluded community to lead to a more flexible negotiating position, or for it to become more deeply entrenched into its secessionist position. In the third case (Model III) the EU may be faced with the hazards of proliferating fragmentation and ‘balkanization’.

Europeanization is thus not a uni-directional influence. Alongside its important potential benefits there are some serious unexpected and more troublesome aspects, which have to be countered by adequate EU policy if negative effects are to be avoided. The play of EU conditionality and socialization in practice in each of the four cases is sketched in Tables 6.1-6.4.

Only in the case of Serbia and Montenegro is it possible to observe a serious application of the EU’s preference for reaching a federative settlement as pre-condition for integration with the EU (Model I), but even in this case both of the unintended negative effects that have been identified as possibilities are seen to be at work (dysfunctional common state institutions, and empowerment of domestic political parties that are not the most reformist or ‘European’ in their priorities). These weaknesses leave open the possibility that Serbia and Montenegro might switch to a velvet divorce (Model III) after the three year stand-still clause has expired, although it is by no means certain that the requisite referendum majorities would be obtained. However the option of velvet divorce and recognition for the two entities is regarded as inconceivable in all the other three cases.

In the case of Cyprus the pre-condition of reunification before accession was virtually abandoned in the 1999 Helsinki decision of the EU to admit the possibility of the southern Greek part of Cyprus acceding alone to the EU. Although the EU would still have preferred a re-unified island acceding as a single member state, the Helsinki stance effectively saw the EU taken hostage to the priority of the entire enlargement process over which Greece had a veto power. With the EU thus strategically favouring one party (Model II), the Greek Cypriot bargaining position could harden with impunity. This led into the new dynamics of the Turkish Cypriot and Turkish government positions, with Ankara inviting Annan to ‘fill in the blanks’ after a last round of negotiations, but this could not avoid the negative referendum result by the Greek Cypriots in the south. However the negative Greek Cypriot vote led to a further

unexpected turn, with the EU switching to help to a certain extent Northern Cyprus (thus moving closer to Model III), without however recognizing secession.

What has been emerging in Moldova, in the wake of the Kozak memorandum affair of late 2003, is an explicit interest in the ‘Cyprus model’. Whereas this might be supposed to mean an interest in a variant of the Annan plan as a constitutional design, the reality is otherwise, with Cyprus of Model II seen as relevant, rather than the illusory Model I. Thus increasing voices in Chisinau argue for integration with the EU irrespective of whether the conflict with Transnistria finds a solution. The president of Moldova now leads with a political discourse that is classic Europeanization, all about the transformation of the state and society in line with EU standards.

Similarly it may be that Georgia will tend more towards Model II, given that the new leadership in Tbilisi gives first priority to strengthening the performance of the Georgian state and deeper relations with the West. This already translates into explicitly Westernizing and Europeanizing discourse on the part of the new president, alongside a normalization discourse in relation to Russia. It seems that there are no early prospects for an agreement over a federative constitutional agreement with Abkhazia, even if various schemes for asymmetric solutions can be envisaged in theory.

Table 6.1
Alternative EU conditionality and socialization models applied to Serbia and Montenegro, and their consequences

<i>Serbia & Montenegro</i>	<i>Model I</i>	<i>Model II</i>	<i>Model III</i>
EU policy	EU favours one common state Strong EU conditionality & mediation	EU favours one entity. Would depend on who may be judged unreasonable in case of a crisis of the State Union	EU accepts secession, and favours both entities equally Possible after 3 years
Intended effects	Settlement reached, secession avoided, transformation follows State Union of Serbia & Montenegro agreed	One entity is isolated, weakened, returns to the negotiation table later Possible	Conflict resolved with velvet divorce Likely
Unintended effects	Creation of dysfunctional state, empowerment of ‘wrong’ political parties	Excluded entity becomes more entrenched as failing state, or 3rd party’s protectorate	Domino effect, destabilising Balkans and other regions, favoring the proliferation of micro-states

	Both problems emerge	Possible	Possible
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Table 6.2
Alternative EU conditionality and socialization models applied to Cyprus and their consequences

Cyprus	Model I	Model II	Model III
EU policy	EU favours one common state Rhetorical support only, since the Helsinki decision of 1999 undermined Model I	EU favours one entity. Model II prevails after 1999; the position of Northern Cyprus considered by the EU as 'unreasonable'	EU accepts secession, and favours both entities equally Secession not recognized, but Northern Cyprus receives some support
Intended effects	Settlement reached, secession avoided, transformation follows Ineffective	One entity is isolated, weakened, returns to the negotiation table later In February 2004, Turkey supported a return to the negotiation table	Conflict resolved with velvet divorce -
Unintended effects	Creation of dysfunctional state, empowerment of 'wrong' political parties Possible	Excluded entity becomes more entrenched as failing state, or 3rd party's protectorate The favoured party then becomes 'unreasonable' and partition consolidates.	Domino effect, destabilising other regions, favoring the proliferation of micro-states -

Table 6.3
Alternative EU conditionality and socialization models applied to Moldova and Transnistria, and their consequences

Moldova & Transnistria	Model I	Model II	Model III
EU policy	EU favours one common state Support	EU favours one entity. Chisinau's integration into Europe alone, with support from Romania after its EU accession in 2007	EU accepts secession, and favours both entities equally Inconceivable at present

Intended effects	Settlement reached, secession avoided, transformation follows EU not deeply involved so far	One entity is isolated, weakened, returns to the negotiation table later Unlikely without profound changes in the Transnistrian regime	Conflict resolved with velvet divorce -
Unintended effects	Creation of dysfunctional state, empowerment of 'wrong' political parties Both problems would arise with a federalization of Moldova according to the Kozak memorandum	Excluded entity becomes more entrenched as failing state, or 3rd party's protectorate. Kaliningrad Mark II	Domino effect, destabilising other regions, favoring the proliferation of micro-states -

Table 6.4
Alternative EU conditionality and socialization models applied to Georgia and Abkhazia, and their consequences

<i>Georgia & Abkhazia</i>	<i>Conditionality Model I</i>	<i>Conditionality Model II</i>	<i>Conditionality Model III</i>
EU policy	EU favours one common state Rhetorical support, but without significant incentives	EU favours one entity. Tbilisi integrates into Europe alone	EU accepts secession, and favours both entities equally inconceivable at present
Intended effects	Settlement reached, secession avoided, transformation follows Impasse	One entity is isolated, weakened, returns to negotiate later Possible, but Russia protects Abkhazia	Conflict resolved with velvet divorce -
Unintended effects	Creation of dysfunctional state, empowerment of 'wrong' political parties -	Excluded entity becomes more entrenched as failing state, or 3rd party's protectorate Abkhazia, despite economic integration with Russia, fails to consolidate its statehood.	Domino effect, destabilising other regions, proliferating micro states -

In the cases of both Abkhazia and Transnistria the question remains posed what their futures are to be if agreement over federative solutions proves impossible. Here the role of Russia as external protector is crucial in both cases, yet they differ significantly as regards the viability of the status quo. Abkhazia is in a relatively favourable situation, given its geographic contiguity and open frontier with Russia and potential for developing economically as an extension of the Sochi tourist region.

Transnistria on the other hand has an external frontier only with Ukraine, with plans now being discussed (but not yet agreed operationally) for Ukrainian cooperation with Moldova to control the Ukrainian-Transnistrian frontier, with financial support from the EU.

Since Russia does not want to depart from its official discourse about respecting the territorial integrity of sovereign states, the *de facto* links of Abkhazia and Transnistria will remain informal, even if they deepen in practical ways (economics, citizenship etc.). On the other hand it has often been written into draft agreements over Transnistria that if Moldova acceded to a union with another state, Transnistria would have the right to secede from Moldova. The approaching 2007 target date for the EU accession of Romania now begins to revive thoughts of Moldova's union with Romania in unofficial circles, as the only conceivable fast track route for its EU accession.

These several examples in the category of Model II mean a drastic change in the logic of Europeanization and EU conditionality in relation to conflict resolution. The model initially presumed is that Europeanization works through EU conditionality in favour of reaching a federative settlement in a first phase, and then leads to transformation through socialization in the longer run. What is beginning to emerge as a more prevalent model is the reverse. More precisely this is the case where EU conditionality under Model I fails to have effect. The strategy then switches to Model II, in which one party is favoured without conflict settlement, and the other party is left to adapt its position as the weaker party, possibly to return to the negotiating table later.

Four meanings of the term 'periphery'. The four case studies presented in this volume are all dealing with European peripheries. The concept of a periphery may have different meanings in the context of European integration. It refers first of all to something marginal, which is not of a great importance to the European centre. Secondly, the term periphery is used in the centre-periphery model of European integration, where the centre is assimilating the periphery by progressive waves of enlargement. Third, the term periphery is referring to the fault lines of Europe, to the boundaries where confrontation takes place or where Europe has to confront external

threats. Fourth, there is also a centre-periphery model expressing the inequality in material and normative resources between the centre and the periphery. All four meanings are relevant to our comparison between secessionist conflicts.

The Cyprus question has been marginal to EU policies up to the moment that a settlement of the conflict became part of the EU enlargement policies and more particularly of EU-Turkish relations. As far as Serbia and Montenegro are concerned, the EU has been confronted for more than a decade with violent secessionist conflicts in the Balkans. This experience of a sudden outbreak of ethnic wars at its borders has profoundly modified the EU perception of European security and of the need to be directly involved in state building processes in the region. The EU has progressively been taking a leading role in reconstruction policies and in the prevention of new Balkan conflicts. The secession of Montenegro threatened to have a destabilizing impact on the future status of Bosnia and Herzegovina, Kosovo and Macedonia. In this respect the State Union of Serbia and Montenegro is not peripheral to EU's interests. But the post-Soviet republic of Moldova seemed further away. In 2003, the European Commission was not even being represented in the Moldovan capital Chisinau. The secession of Transnistria and the creation of a *de facto* state on the left bank of the Nistru did not attract much attention from Brussels until the Dutch OSCE chairmanship in 2003 proposed to involve the EU in a future peace-keeping operation in Transnistria after a settlement. The South Caucasus, despite its crucial location for the transportation of the Caspian's energy resources to EU energy markets, has not attracted a major interest from the EU member states either. Confronted with a lack of efficiency and continuity in its policies towards the South Caucasus, the EU appointed in 2003 a Special Representative to this region. He will have to ensure that the EU speaks with one single voice with South Caucasus governments and to guarantee EU support to the mediation efforts of the UN and the OSCE in secessionist conflicts, including the one on Abkhazia. 2003 also saw the exclusion by the European Commission of the South Caucasus region from its Wider Europe – Neighbourhood policy framework, which aims at promoting enhanced economic integration and cross-border cooperation with the EU. This was first confirmed by the Council, but it decided in early 2004, following the political changes in Georgia in late 2003, to discuss a possible revision of this decision by the middle of 2004.

Thus conflicts that were at first perceived as being peripheral to the interests of the EU member states are progressively coming to the forefront of the EU's security agenda. The way in which these conflicts affect the EU policies is strongly determined by geographical considerations. The various conflicts are more or less peripheral to the EU, depending on the geographical expansion of the EU over the years. Other factors determining the relevance of particular secessionist conflicts for the EU security agenda are the leverage of individual Member states (Greece in the case of Cyprus, the Netherlands in case of Moldova and Transnistria), the fear for state failure (Moldova and Georgia), or rising expectations in the EU in particular regions due to important political events (such as a regime change in Georgia).

In the European context, the term periphery also refers to the idea that the European Union has the capacity to transform progressively all European states into member states. According to the centre-periphery view of European integration, a core group of six countries, created in 1956, has progressively been able to enlarge itself to neighbouring countries, up to 25 members in 2004. The new members include Cyprus, and it is not unreasonable to expect that it will include Serbia and Montenegro. The perspectives for Moldova are less clear, whereas the countries of the South Caucasus can only count on very limited support for their membership within the European Union.

Perspectives for membership have substantial consequences for the settlement and the resolution of secessionist conflicts. As far as the settlement perspectives are concerned, an agreement on Cyprus is more attractive to the Turkish Cypriot side within than outside the European Union. As far as the questions of conflict transformation and resolution is concerned, the European Union may become for both Cypriot communities a framework organization that facilitates the search for compromise solutions between them, principally through the creation of a third level of governance. This means that membership increases the attractiveness of a settlement and is able to reframe the whole question of sovereignty in an institutional setting that favors conflict transformation and resolution. In the other secessionist conflicts addressed in this research, the European Union is presently only active as an actor, but its potential role as a framework organization for Serbia and Montenegro has facilitated the creation of a loose state union between them. Perspectives for EU

membership may, however, also strengthen arguments for secession and independence as the most effective way to integrate into the European Union. These arguments are now widely used in Serbia (by the political party G17) against the State Union and are also to be found in Moldova amongst those who are opposed to a federalization of the state.

In the Cyprus case, the question of EU accession also involves Turkey both for its own candidature as well as its role as external actor and guarantor for Northern Cyprus. This has given the EU leverage over Turkey that is not available *vis-à-vis* Russia in the Abkhaz and the Transnistrian conflicts, as Russia is not seeking EU membership. In the case of Moldova and Transnistria, however, this is relevant for both of the neighbouring countries. Romania is a candidate for EU accession and Ukraine is also seeking to become an EU member.

The efficiency of the Europeanization mechanisms of conditionality and social learning in a secessionist conflict largely depends on the specific role of the European Union and of the perspectives of membership. The EU can restrict its role to the one of an actor organization mediating between the parties. But it can also be involved in secessionist conflicts by presenting itself as a potential framework organization, where the parties would be represented at the European level of governance through specific federal mechanisms. In the first case, the mechanisms of conditionality and social learning will be maximally effective when perspectives for EU membership are considered to be sufficiently attractive and realistic by public opinion and the political elites. In the second case, the perspective for EU membership is an absolute condition for effectiveness.

According to a third meaning of the term ‘periphery’ in the context of European integration, peripheries are fault lines or places of confrontation. The Cyprus case, which involves the complex question of membership of Turkey to the European Union, could figure prominently in an analysis starting from Huntington’s vision of a ‘clash of civilizations’. But it could also – particularly if next to the reunification of Cyprus Turkey would also become a member – figure prominently in an analysis critical of Huntington’s vision, defending the thesis that the idea of Europe and the European institutions are able to overcome civilizational and religious divisions. The

idea of ‘fault lines’ does not only refer to civilizational divides. It has received a new meaning after the terrorist attacks of 11 September 2001, when terrorist threats are seen as emanating from failed and collapsed states. Moldova and Georgia are weak states, that may fail in establishing sovereign statehood or even collapse, largely due to the secessionist conflicts they are involved in. Their failure to establish sovereign statehood would create a direct threat at the borders of the European Union. Indeed neither Transnistria nor Abkhazia are integrated into international efforts to combat international crime, including arms and drug trafficking.

According to a fourth meaning of the term periphery, centre-periphery relations are basically unequal. The periphery has less material and normative resources to its disposal than the centre. A centre-periphery relationship may for instance be characterized by domination and exploitation of the periphery by the centre, as it was the case for European colonialism. This particular type of colonial relationship between centre and periphery would not apply for any one of the four conflict regions analysed in this book. These divided states have no real significance for the European Union as consumer markets or as producers of raw materials. But this centre-periphery model may be seen in the basically unequal relationship between the European centre and its peripheries as far as the process of Europeanization is concerned. The efficiency of the Europeanization mechanisms of conditionality and social learning are based on such an inequality of material and normative resources. This is true for all four conflict cases in this book. The European centre exercises hegemony over its peripheries as far as political decision making is concerned. Non-members striving for closer integration to the European Union have to accept an *acquis communautaire* that has been developed by the centre. This is a far reaching limitation to the sovereignty of periphery countries, particularly in respect to the question of equal status among sovereign states. It is only through full EU membership that European periphery states may become equal to the states of the European centre.

Institutional models. The primary set of institutional options that emerge as relevant in the four cases are (1) a two tier federative structure, of which there are many possible sub-variants, (2) a three tier federative structure, with integration into the EU,

(3) continued de facto secession, unrecognized internationally, but in implicit association with an external power, and (4) recognized secession and independence.

Variants on the two tier federative model have been discussed in all cases. An agreement in this category has only been agreed in the case of Serbia and Montenegro, and this was conditioned on the inclusion of clause providing a procedure for possible secession later. A key sticking point in all cases is over trying to reconcile the asymmetry between the small size of the seceding entity compared to the main entity with the demands of the small seceding entity for equality of political status. The options range between the extremes of an associated state (a federacy) that has no voice in the governance of the central government and the symmetric model of complete political equality within a confederation. Other options include symmetric and asymmetric federations.

The three tier federative model can in principle solve certain constitutional impasses by introducing, for example in the case of accession to the EU, new political and institutional dimensions and resources. This may allow the parties to see possibilities for a positive sum outcome, breaking out of the paralyzing logic of the zero sum game. In fact the EU has some highly developed institutional models of this three tier federalism that actually work.

Features of this model can be combined with that of the ‘common state’, which has been the subject of several proposals for the four cases. The common state idea is a compromise between federation and confederation, in the sense that there is only one state in international law, but its competences and powers are rather thin, more like those found in a confederation. The common state may be seen as performing important coordination functions between the entities. The weakness of this common state model in a two tier setting is that it may not be robust enough to hold the entities together. It is here that the Belgian model is interesting as an example where the three tier structure within the EU sees the federal level performing important coordination functions especially over EU policy. The general idea is that a thin common state may be more viable in a three tier federative structure than in a two tier one.

The Annan plan for Cyprus explicitly drew on these features of the Belgian model, and the proximity of accession to the EU has given this proposal extra plausibility. Yet its incentive effect on the UN negotiations was vitiated by the quite separate matter of the EU being in the end willing to admit Greek Cyprus only (as in Model II above). The Union of Serbia and Montenegro is also framed as a thin common state aiming at EU accession and therefore becoming a three tier federative structure, which would have the advantage of dissolving some important points of present discord between the parties (like on the level of trade protection, which becomes the EU external tariff for all). The problem here is that the incentive of ultimate EU accession is undermined by being still remote and uncertain in timing, and by the fact that the institutional structures express symmetry between the parties whereas their relationship in terms of territorial size, population and economic resources is highly asymmetric.

For the former Soviet republics of Moldova and Georgia one can in principle imagine a ‘Russification’ version of the Europeanization process, on the basis of integrative structures emerging among groups of CIS states. Some voices in Russia express such expectations. However, the chances of this materializing seem remote, given the sharpness of Moldovan opposition to the Kozak memorandum, and the difficulties for Moscow to find equal acceptance among both parties for its mediation efforts in the Georgian-Abkhaz conflict.

The third case is that of *de facto* association and protection of the seceding entity with an external power, which would be Russia in the case of Abkhazia and Transnistria, Turkey in the case of Northern Cyprus, and might have been the European Union in the case of Montenegro had Milosevic remained in power in Belgrade. Citizenship is here one of the indicators to watch. Most of the Abkhazian population now acquires Russian citizenship, as do significant parts of the population of Georgia itself and of Transnistria. In Northern Cyprus most Turkish Cypriots have Turkish passports to travel abroad. Turkish Cypriots have the option to obtain republic of Cyprus citizenship, while many Moldovans have acquired Romanian citizenship. In the absence of a conflict settlement the seceding entities become increasingly dependent on their external patron. The language of diplomacy may still be that about respecting the territorial integrity of states, but the facts of the matter drift towards informal

association and protection. However, in the case of northern Cyprus this logic is being overtaken by Turkey's own EU accession ambitions, which push aside the old threat of virtual annexation, and instead has seen a political majority in Ankara favouring a settlement.

Finally, the only serious candidate for secession (or dissolution) and internationally recognized independence is Serbia and Montenegro, because there is a mutually agreed provision and procedure in the Union's constitutional act that could be used after three years, and there are no territorial or refugees issues outstanding. This means that the possible dissolution of the Union state would not be a classic case of unilateral secession.

Complications in relation to other entities. In all cases except Cyprus there are complications in the pursuit of solutions coming from other entities whose status is unsettled. In Serbia and Montenegro not a little political and diplomatic debate links the Montenegro question to the Kosovo question, with other Vojvodina and Sanjak also looking for degrees of autonomy within Serbia. In Moldova various proposals envisage that Gagauzia would be a federated state alongside Transnistria. For Georgia South Ossetia has also *de facto* seceded, whereas the Armenian populated Javakheti region is also a candidate for a high degree of autonomy.

One tendency in face of these multiple autonomies is to consider the option of associated states that are only loosely linked to the central government. This type of federal arrangement does not demand the same degree of involvement in the decision making of the central state structures as a classic federation. Another option is the creation of a multi-entity federation, according to an asymmetric model, rather than to seek first solutions just for a single secessionist entity. The model of Switzerland is often cited here to suggest that multi-entity federations may be viable even with very small federated states. However this model is contested by those who argue that regionalization would better fit the needs of these small states. For Moldova proposals have been made for a state with five to ten regions, including Transnistria (that might be divided then into two or three regions).

For Georgia there is the urgent need to order better the status at least of Ajara and South Ossetia. In this case there seems to emerge the idea of a sequential model, in which the least difficult cases are taken first, for example normalizing the situation with Ajara, which has not declared independence. This actually began in May 2004 with the peaceful overthrow of the Abashidse regime in Ajara. Negotiations are necessary with the authorities of South Ossetia, where at least the frontier with the rest of Georgia remains open and the refugee problem is relatively tractable. The better ordering of these two entities might go with a general improvement in the governance and performance of the Georgian state, which might lead to more plausible prospects for negotiations with Abkhazia.

In the case of Montenegro's aspirations for independence the international community has even wider concerns beyond Kosovo, with fears for renewed destabilization of Bosnia and Macedonia. These concerns may relax gradually over time, yet the fear of domino effects and renewed Balkanization remains vivid for many foreign ministries. Since it is unfair as a matter of principle for one case to be kept hostage to concerns over other separate cases, there is a need for the criteria justifying secession (or not) to be more fully worked out at the official level.

Role of the external powers. All of the four cases concern small states confronted with the secession of micro-entities, and thus differ from many other contemporary cases, where secession from a big state (for instance Chechnya from Russia, Taiwan from China and Kashmir from India) is the aim of a strong nationalist movement in the smaller entity, and where the international community is not involved in mediation efforts. The external environment is likely to play a more prominent role in the case of micro states seceding from small states. In the two cases already engaged in the EU integration process – Cyprus and Serbia-Montenegro – there have been reasonably coherent and well coordinated positions between the EU and US, with Russia's role only marginal. On the other hand in the two cases of the former Soviet states there has been only superficially cooperative diplomacy, masking lack of commonality of purpose or trust on matters of strategy between Russia and the Western powers.

The results are clear to see. In the case of Serbia and Montenegro the EU has had a fairly clear run at mediating and offering incentives for a solution, although the US has not always been perceived as being entirely on the same wave length (maybe at times less reluctant to Montenegrin independence).

In the case of Cyprus, the EU and US have been mutually supportive and have worked together well with the UN. Turkey has been a key determinant of the Turkish Cypriot position, yet the Turkish position itself has been one of shifting divisions and alliances in the politics of Ankara. If Turkey had already allied earlier with the EU and US over a desirable solution, that could have made a crucial difference. Yet the EU-Turkish relationship has been also part of the problem, since the EU has been unable so far to give clear assurances over Turkey's accession prospects. Greece has played a prominent role concerning most aspects of the Cyprus conflict, both through its own Europeanization process and its role in de-linking Cyprus EU accession prospects and conflict resolution.

In the case of the two former Soviet republics the lack of commonality of purpose and trust between Russia and the West has been important in entrenching the divisions. Diplomacy has been clouded by underlying sphere of interest competition, with Russia perceived as wishing to retain a dominant regional role, with the EU and US being responsive to Moldova and Georgia's Westernizing and Europeanizing aspirations, and with the US also promoting some overtly strategic moves (for example the Baku-Tbilisi-Ceyhan oil pipeline, and introduction of the US military into Georgia). These tensions have been also explicit over the issue of withdrawal of Russian military forces from Transnistria and Georgia. All this has meant that the secessionist parties - Transnistria and Abkhazia – have clearly looked to Russia as their protectors against Chisinau and Tbilisi respectively. Russia has for its part viewed its presence as part of its defences against Western encroachment in its near abroad. In the case of Moldova and Transnistria, the two direct neighbours Ukraine and Romania are important, although the latter has been less active diplomatically. This role is likely to grow as Romania gets closer to EU accession, and eventually, Turkey could become a more important actor in Georgia as its Europeanization process advances.

The conclusion here is that only in the case where there was no severe conflict of interest between the external parties was there even a half success (Serbia and Montenegro). In all other cases divergences of interest on the part of the external powers have coincided with entrenchment of the conflicts – in fact this seems hardly a coincidence. The corollary may then be that only when the external powers find common ground are the conflicts going to have any chance of resolution. In fact in the case of Cyprus and Turkey this convergence materialized in the first half of 2004, but too late to secure political agreement on the Annan plan. For Moldova and Georgia there remains the fundamental challenge for Russian-Western relations, whether the external powers might manage a reassessment of their interests in order to favour sincere and effective cooperation. So far the answer seems to be negative, and so we return at the end of these conclusions to the longer term trends that might eventually provoke such reassessments.

Role of the multilateral organizations. Cyprus, Georgia, Moldova and Serbia-Montenegro are all members of European framework organizations such as the Council of Europe and the OSCE. Mandates have been granted for mediation and peace-keeping roles: to the UN in Cyprus, OSCE in Moldova, and the UN and OSCE in Georgia. The EU's role in Serbia & Montenegro has been self-mandated. The record is very mixed and the effects of the UN, OSCE and Council of Europe on the Europeanization of secessionist conflicts remain marginal in all the four cases considered. This reflects precisely the foregoing question whether the major external powers work in harmony or at cross purposes. The multilateral organizations – or framework organizations – are hardly actors in their own right. They can only operate in the space they are given.

In the case of Serbia and Montenegro the EU is a main actor, albeit speaking at times with the diverging voices of the Commission and the Council; with the perspective of EU membership for the State Union it is also a framework organization. It was certainly effective in pushing the parties into their state union. However, as noted, even in this case the Europeanization paradigm turns out to be more complicated with some contradictory effects. In the case of Cyprus there was good coordination between UN and the EU over the production of the Annan plan. The UN mediator was given a clear mandate to produce a comprehensive proposal in the absence of

agreement between the two principals, and did this most professionally. The proposal was successfully crafted to draw advantage from the context of EU accession (e.g. drawing on the Belgian model). But still it was not able to overcome the strategic problem of the EU ready to take in part of the island only, and the lack of convergence with the Turkish side until the last minute.

In the cases of Moldova and Georgia the role of the multilateral organizations has been much less effective. They have not been given clear political space, or working structures, conducive to producing well-developed proposals as in the UN Cyprus case. In Moldova the OSCE has been party to a three-mediator team with Russia and which means committee diplomacy and drafting, even before being undercut by Russia with the Kozak memorandum in November 2003. In negotiations on Abkhazia, the UN representative has to work in the mode of committee diplomacy with Russia, the US and three EU states (France, Germany and the United Kingdom). Its military presence is reduced to an unarmed monitoring of certain regions where Russia maintains a real military presence (formally under a CIS flag). It seems extremely difficult for these mixed committee structures, with the framework organizations sitting alongside the powerful external actors, to work effectively. Either the powerful external actors can agree on fundamentals, in which case the multilateral organization can be given a clear mandate to get on with the job; or they disagree, in which case these committee structures are doomed to fail.

Regional multilateral structures. These are potentially a further level to the multi-tier governance structure, between tiers two and three in the institutional framework identified above, and are relevant for all the four cases except Cyprus. These initiatives are normally supported explicitly by the EU and form part of its conditionality package for closer association or future membership. The idea is to provide for practical initiatives, such as for regional infrastructure networks, and the promotion of a common culture of regional cooperation, thus helping replace old enmities with positive common interests.

This regional dimension is already significant in South-East Europe for both Serbia and Montenegro and Moldova in different ways. The Stability Pact for South East Europe, which was strongly sponsored by the EU and US after the Kosovo war, is

gradually giving way to an entirely regionally owned South East European Cooperative Process (SEECP). Cooperation with these regional initiatives is an explicit condition that the EU writes into its Stabilization and Association Agreements in South East Europe. In the case of Moldova the government sees inclusion in these regional initiatives also as a first step on the EU accession ladder.

For the South Caucasus the idea of a further regional Stability Pact has been advanced, and has some obvious rationale given the economic geography of the region. However it is evident that the perceived advantages of regional cooperation are quite insufficient to become a decisive incentive for conflict resolution. On the other hand the secessionist entities are attracted to the idea of regional cooperation in the Caucasus as a way of achieving a voice and status alongside the recognized states, which however refuse this ploy. In the case of Abkhazia there is interest in the (highly theoretical) idea of West Caucasus regional cooperation, which would bring in Russian entities of the northern Caucasus, yet stop before Chechnya.

Default scenarios and medium to long-term evolutions. In the case of persistent failure to agree political settlement to the conflict, what are the prospects?

While the cease-fire line from the war may remain frozen, the domestic politics of the two opposing parties are not frozen, and continue to evolve, and may become the key factor, with the technical issues for negotiation between the parties such as land, refugees, property and constitutions fading into the background. Here there is the possibility that one party proves more capable of political and economic modernization and progress than the other. Cyprus already exemplifies this, with the south of the island forging ahead as a matter of economic performance and now through gaining accession to the EU without the north. In this case the north may wither away with emigration, although it could also be restocked with new waves of Turkish settlers. The ‘rose revolution’ in Tbilisi prompts radical changes in the governance of Georgia, which already has had consequences for Ajara. In principle the options seem open as to which way the trends might go in the negotiations with South Ossetia and Abkhazia, between the emergence of a new political environment favourable to fresh inter-entity negotiation, versus the case where de facto secession is

deepened with stronger dependence of the seceding entity on informal association with an external power.

But the role of the external actors may also change over a medium term horizon too, notably as regards the EU, Russia and Turkey. The EU may advance in terms of becoming a more credible and effective actor in the wider Europe. This seems already to begin for Moldova, with the obvious possibility of offering Moldova stronger incentives to enter into a virtuous circle of Europeanization processes. The EU and Turkey might succeed together in consolidating Turkey's progress along a pre-accession trajectory, returning as part of this process to the re-unification of Cyprus in due course.

Finally there remains the question whether Russia and the West – be it the EU and/or the US – can find the basis for effective cooperation over the unresolved conflicts of the Caucasus and Moldova. The rhetoric of the official declarations of Russia and the EU together go in this direction in principle, but the realities are for the time being not really positive. Some of our interlocutors in Transnistria and Abkhazia readily embrace the idea of Europeanization, as long as it goes with (they say) the Europeanization of Russia itself. Such trends are at some stage highly probable, although the time horizon may be many years. Expressed in less euro-centric terms, the issue becomes how far or fast the EU and Russia might converge in the underlying paradigms of their foreign policies in the wider Europe. The spectrum of foreign policy frameworks runs in theory from idealism at one extreme to Realpolitik at the other. In this respect neither the EU nor Russia represent pure model types, although the EU is undoubtedly closer to the former and Russia closer to the latter. As the EU develops as an external actor increasingly involved in issues of strategic security it may become somewhat more realist in behaviour, whereas Russia's ongoing transition may lead it gradually, if perhaps unevenly, into a deeper participation in an integrated Europe. While these notions may be presented here in academic language, in fact they are identifying driving forces that can determine the chances of success for this or that option in the range of federative institutions to Europe's unresolved conflicts.

Box 6.1: Alternative scenarios for the four cases

Cyprus

No agreement before May 2004, Greek Cyprus has acceded alone to the EU. Greek-Cypriot conditions for re-unification have hardened, aiming at a stronger federation. However the EU rewards Northern Cyprus for their Yes vote in the referendum over the Annan plan. Next scenarios:

- (a) Partial normalization of conditions for Northern Cyprus, as the EU is removing blockade and giving economic aid. This allows entity to survive, with indefinite continuation of the new status quo.
- (b) Change of government or policy in Southern Cyprus, opting to return to negotiations over something close to the Annan plan.

Serbia & Montenegro

- The State Union survives the three year probationary period, improves its institutional functioning, and progresses on its way to EU membership.
- At the end of three year period, the dissolution clause is activated by common agreement and following correct constitutional procedures. International recognition is reluctantly granted to both parties.
- Montenegro is the seceding party, with options for EU response: (a) full recognition with own EU membership chances, especially if adverse Serbian politics is seen as the cause; (b) no EU membership chances granted, but association perspectives offered, strengthening micro-state model tendencies; (c) no recognition but isolation, especially if Montenegro is perceived to be the unreasonable party causing the dissolution of the State Union.
- If Serbia is the seceding party, its EU membership perspectives may be affected, depending on which party might have been perceived by the EU to be unreasonable.

Moldova & Transnistria

- Negotiations over an asymmetric federative solution are resumed and succeed. Reunified Moldova deepens EU relationship, joining the Stabilization and Association Process.
- Negotiations remain deadlocked. Transnistria is perceived by EU as unreasonably refusing to compromise, and is subject to increasingly severe constraints/sanctions. Transnistrian regime gets into increasing difficulties, leading to regime change. Negotiations over re-unification with Chisinau resume later on different terms.
- Negotiations remain deadlocked, and Transnistria drifts towards an informal Kaliningrad (Russian enclave) model, but without EU cooperation as for Kaliningrad.
- With Romanian accession to the EU expected in 2007, Moldova returns to the idea of union with Romania, with or without Transnistria, as the only fast track into the EU (East German precedent of reunification with West Germany).

Georgia & Abkhazia

- New regime in Tbilisi results in re-activation of proposals and then negotiations over asymmetric federative solution to Abkhazian and South Ossetia problems. Settlement on Nagorno-Karabakh, paving the way for regional cooperation in the Caucasus. Russian-Western cooperation, also including in reconstruction of the communication and transport links between Russia, Armenia and Turkey, which are passing through Abkhazia.
- New regime in Tbilisi results in deepened de facto secessionist associations between Abkhazia and S. Ossetia with Russia.
- No negotiations on the political status of Abkhazia, but practical measures of cooperation.