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CHALLENGES AND PERSPECTIVES OF POST-CONFLICT STATENESS: THE QUARTET OF POST-SOVIET SPACE

The establishment of the state is the main aim of each nation as a main mechanism of its safety, prosperity and natural development, but is everything that smooth in real life? After the collapse of the Soviet Union more than two dozens of countries declared their independence and had to undergo a unique process throughout the history of mankind: post-Soviet transformation. The societies of these countries faced unprecedented challenges along the way of formation of statehood and stateness, as neither experience, nor knowledge of previous decades was applicable, at the same time being compelled to cope with another not less intricated transformational process: globalization. But the problem is even more complicated for the group of those countries, which haven't been recognized yet, as there exist additional difficulties for stateness (particularly, conditioned by stringent limitation of international relations).

Key Words: *Post-conflict stateness, non-recognized states, Abkhazia, South Ossetia, Transnistria, Artsakh*

Պետրոսյան Վիոլետտա
Միջազգային հարաբերություններ,
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ՉՃԱՆԱՉՎԱԾ ՊԵՏՈՒԹՅՈՒՆՆԵՐԻ ՀԵՏԿՈՆՖԼԻԿՏԱՅԻՆ ԿԱՅԱՑՄԱՆ ԱՌԱՆՁՆԱՀԱՏԿՈՒԹՅՈՒՆՆԵՐԸ ԵՎ ՄԱՐՏԱՀՐԱՎԵՐՆԵՐԸ: ՀԵՏԽՈՐՀՐԴԱՅԻՆ ՏԱՐԱԾՔԻ «ՔԱՌՅԱԿԸ»

Պետության ստեղծումը յուրաքանչյուր ժողովրդի գլխավոր նպատակներից է՝ որպես իր անվտանգության, բարեկեցության և բնականոն զարգացման ապահովման հիմնական մեխանիզմ, սակայն արդյո՞ք դա այդպես է գործնականում: ԽՍՀՄ փլուզումից հետո անկախություն հռչակեցին երկու տասնյակից ավելի պետություններ, որոնք ստիպված էին անցնել մարդկության պատմության ողջ ընթացքում եզակի գործընթաց՝ հետխորհրդային տրանսֆորմացիա: Այդ պետությունների հասարակությունները պետականության ձևավորման ու կայացման ճանապարհին բախվեցին աննախադեպ մարտահրավերների, քանի որ կիրառելի չէին նախորդ տասնամյակների ո՛չ փորձը, ո՛չ գիտելիքները՝ միաժամանակ ստիպված լինելով հաղթահարել ոչ պակաս բարդ տրանսֆորմացիոն գործընթաց՝ գլոբալիզացիան: Խնդիրն առավել բարդ է պետությունների այն խմբի համար, որոնք դեռևս ճանաչված չեն, քանի որ առկա են կայացման լրացուցիչ բարդություններ (մասնավորապես, պայմանավորված միջազգային կապերի խիստ սահմանափակվածությամբ):

Բանալի բառեր `Հետկոնֆլիկտային պետության կայացում, չճանաչված պետություններ, Աբխազիա, Հարավային Օսիա, Մերձդնեստր, Արցախ*

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Международные отношения

ТРУДНОСТИ И ПЕРСПЕКТИВЫ ПОСТКОНФЛИКТНОЙ ГОСУДАРСТВЕННОЙ СОСТОЯТЕЛЬНОСТИ НЕПРИЗНАННЫХ ГОСУДАРСТВ: КВАРТЕТ ПОСТСОВЕТСКОГО ПРОСТРАНСТВА

Создание государства является главной целью каждой нации как основного механизма своей безопасности, процветания и естественного развития, но все ли так гладко в действительности? После распада Советского Союза более двух десятков стран объявили о своей независимости и должны были

пройти уникальный процесс на протяжении всей истории человечества: постсоветскую трансформацию. Общества этих стран столкнулись с беспрецедентными проблемами на пути формирования государственности и государственной состоятельности, поскольку ни опыт, ни знания предыдущих десятилетий уже не были применимы, в то же время будучи вынужденными справляться с другим не менее запутанным трансформационным процессом: глобализацией. Но проблема еще сложнее для группы тех стран, которые еще не были признаны, поскольку существуют дополнительные трудности для государственной состоятельности (в частности, обусловленные строгим ограничением международных отношений).

Ключевые слова: Постконфликтная государственная состоятельность, непризнанные государства, Абхазия, Южная Осетия, Приднестровье, Арцах

The study of the complex and multi-vector political processes as stateness should be carried out comprehensively, i.e. by reviewing all the fields of it. It is noteworthy, that though the concepts and models of assessment of stateness have started to develop since the 60s of the past century, they are still in the stage of elaboration and improvement. So, there has been a great controversy on the given problem – 'what is stateness', since the second half of the previous century. Some authors tend to refer to stateness only from economic perspective, whereas the others only from political one, but stateness level is feasible to determine, if all the fields of state activity are reviewed. No discovery, that all of them are highly interconnected, and leaving out any of the fields may result in distorted image of stateness level. So, we will try to overview the stateness level of non-recognized states of post-Soviet space through all the four fields of statenes: political, economic, social and security – trying to distinguish the features, which are especially vital within the connection of stateness level and international recognition and outlining the threats that can arise because of post-conflict features and non-recognized status.

Political field: Within political factors from the perspective of the connection with the international recognition of notional importance are state legitimacy and government effectiveness. One of the most fragile points in all the non-recognized states are indeed the issues of good governance and government effectiveness. As a rule the governments of these entities find themselves incapable and/or non-reluctant to work on that issue. No doubt, the most difficult are the cases when we have to deal with their non-willingness (reasons and opportunities as described in the previous chapter), as the cases with incapability or lack of knowledge/experience can be easily addressed in the case of international community's 'willingness' to assist. Abkhazia, South Ossetia and Transnistria are characterized by rather bad governance – permanently facing problems like inability to fulfill their basic functions and provide public goods and services, poor administrative coordination, high rate of corruption, etc. At the same time, governments' activities are limited by the influence of Moscow, which funds the significant portion of the budget of these states. In these circumstances the representatives of political elite of these states are not trying to undertake any amendments and reforms to handle the situation, but are rather fighting with one another for stepping into position and gaining the best possible profit of it. Nagorno-Karabakh, on the other hand, is registering outstanding results in democratic good governance – having established effectively functioning state institutions and civil organizations. However, the established good results and further development are constantly at risk because of the tension across the borderline, as the resumption of large-scale armed conflict would not only stop the development, but also collapse the established through decades effective system (and any other success in any other field).

In the states, where the state institutions haven't still been fully established, the non-state actors – e.g. warlords, rebels and criminal networks – can take the advantage of lack of state capacity and legitimacy, and offer alternative governance systems. Therefore, the issue of legitimacy is very complex in fragile post-conflict entities - with different sources of legitimacy coexisting, competing and conflicting – and interacting with other sources of power and interest. This further complicates external actors' effective intervention during the post-conflict period[1]. Especially after armed conflict very often power is focused in the hands of the actors, who, in their turn, control the armed groups[1], unless the Constitution and relevant laws haven't been adopted and the elections haven't been held on their basis. Hence, in the first phase the key actors are the warlords, whose role in the second phase should gradually decrease, of course, if the process is moving in the right direction. But there are examples, when the warlords are not very eager to relinquish from the attained power and fight for it through all the possible means, e.g. in Nagorno-Karabakh Republic the Self-Defense Forces Commander Samvel Babayan launched an assassination attempt on then president Arkadi Ghukasyan – leaving the president alive and Babayan sentenced to 14 years in prison. This was the last chord of post-conflict features' influence on

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[1]Paris R., Sisk T., The Contradictions of State Building: Confronting the Dilemmas of Post-War Peace Operations, Routledge, London, 2008.

governing process: afterwards NKR was able to fully 'clean up' and rehabilitate the governance system – showing spectacular results in good governance.

All in all, legitimacy issue is, indeed, a very vulnerable point for all of these states, as nether their sovereignty, nor their elections are perceived as legitimate by the international community. What about legitimacy issue in Abkhazia, then here a problem is emerged not only with the elections or sovereignty, but the process of declaration of independence itself: the referendum for independence was held after the majority of the population of the region was set to ethnic cleansing and about 250.000 ethnic Georgians were made to leave the region.

Economic field: For each state economic factor is undoubtedly of high significance, especially the issues of trade and investments. But the non-recognized states are, in fact, facing almost absence of the afore-named relations, particularly conditioned by stringent limitation of any type of international relations, apparently including the economic relations too. But if we take into account, that these states in this cumbersome plight should develop their economy along with the 'ideal' pack of challenges: reconstruction and rehabilitation of the whole country after the military phase, worldwide deepening of the globalization process, in the context of still "a frozen conflict" the process of extensive and intensive armament and in the case of the countries of Post-Soviet space the pack accrues with the process of Post-Soviet transformation, the international community is, in fact, directly putting these states under the threat of becoming fragile and even failed, as this 'ideal' pack of challenges is too much even for a recognized state – with its already firmly established international relations, what to say about the ones which have a lack of them.

The major problem, that all the four non-recognized states of Post-Soviet space share, is the non-ability to ensure own state budget. The state budgets of Abkhazia, South Ossetia and Transnistria to greater extent rely on the financial aid from Russia. Abkhazia's economy comprises agricultural products (tea, tobacco, wine and fruits), tourism (again financed by investments from Russian businessman) and financial aid from Russia (more than half of the budget). Russia's aid comprises almost entirety of South Ossetia's budget: the region was once rich with factories, but the few factories, that function nowadays, are in need of repair, have depts and scarce workplaces – leaving very many people once working there jobless. As Georgia has cut off the supplies of electricity, they had to run an electric cable through South Ossetia, thus even more enhancing dependency level from Russia. The electricity, however, is yet not supplied to all the parts of the state. Transnistria's budget is mainly comprised of heavy industry (steel production), electricity and manufacturing (textile production). After Moldova signed Association Agreement with the EU in 2014, Transnistria - de-jure part of Moldova, enjoyed tariff-free exports to the EU, which resulted in decline of export to Russia (7.7%) and rise of export to the EU (27%) in 2015. It may seem that it would have resulted in the recession of Russia's influence, but Russia still has a major stake in Transnistrian economy through direct subsidies, loans and natural gas supplies. The bright manifestation is the fact, that because of economic downturn in Russia and subsequent lesser financial support from it, Transnistrian government found itself incapable to fully pay the pensions and salaries in 2016. Indeed, pretty many problems, but Transnsitria has to face another one too: the debt of about 4 billion dollars to Russian energy supplier – Gazprom.

Despite the registered good results in political and social fields, Nagorno-Karabakh still faces issues with economic field, as it is yet not able to compile its state budget and relies on Armenia's aid. The economy is still small, but it is noteworthy, that it is rapidly growing. The budget is mainly comprised of mining (gold, copper), manufacturing industries, agriculture, construction, jewelry and diamond polishing. The government is trying to address the issue with a number of economic rehabilitation projects.

Social field: Overall, without ensuring public security, the economy and public services simply cannot work and peace cannot be obtained. Bright examples are Somalia and Afghanistan. But the difficulties of the limited public representation and capacities in fragile post-conflict states facilitate the process of focusing the provision of key activities and services in the hands of some non-state actors – including international and local non-governmental organizations, inherited power holders and in some cases criminal or armed groups, who are challenging and competing with the elected authorities[2]. But the elected authorities also do not restrain from taking the advantages of misusing the public goods for the sake of their own interests. The afore-mentioned is not acceptable, as state should be able to protect itself from both internal and external threats, while simultaneously being obliged to protect the population – regardless of ethnicity[3].

However, Abkhazia and South Ossetia fail to fulfill their basic functions and provide public goods and services, in fact, not taking any steps towards meeting the society's expectations. The workplaces in Abkhazia

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[1]Goldstone J., Pathways to State Failure, *Conflict Management and Peace Science*, Vol. 25, Issue 4, 2008, 285-296.

[2]Batley R., Mcloughlin C., Engagement with Non-State Service Providers in Fragile States: Reconciling State-Building and Service Delivery, *Development Policy Review*, 28 (2), 2010, 131-154.

[3]Sisk T., Wyeth V., Rethinking Peace-Building and State-Building in War-Torn Countries: Conceptual Clarity, Policy Guidance, and Practical Implications, Draft discussion note for the OECD DAC International Network on Conflict and Fragility, 2009.

are few in number and to greater extent are related to the sphere of tourism and services. The salaries are low, the workplaces and opportunities – scarce, corruption – extensive. Government officials are not even required to provide declaration of incomes. But the issues with workplaces is even more complicated in South Ossetia, which is characterized by a very high rate of unemployment: a region once rich with factories, industrial units and the workplaces they offered, is nowadays facing an almost total lack of them and leaves the majority of the population to live on subsistence farming. The afore-mentioned situation drives to frequent protests on high rate of poverty and unemployment, for which population blames the government and its economic and budgetary mismanagement, corruption, poor administrative coordination, slow post-war reconstruction and related embezzling of the aid (particularly Russia allocated 2.8 billion rubles in 2009 for rebuilding and restoring infrastructure, social amenities and utilities destroyed or damaged during 2008 war), no efforts to address the issue with lack of industry and, what is of exceptional importance, ceding too much control to Moscow. At the same time protests are held on nationalist incentives as well: one of the recent most major protests was held in 2014 in Sukhumi (Abkhazia) with 10.000 supporters of Abkhaz opposition storming the office of then president Aleksandr Ankvab and making him ultimately resign. The mass demonstration was attributed to the public anger raised by the treaty signed with Russia (giving broader economic and military power to Russia), lack of economic reforms and Ankvab's liberal policy towards ethnic Georgians (decision of granting Abkhaz citizenship and passports to ethnic Georgians living in Gali region).

The same holds truth for Transnistria, which is also failing to provide key services and goods and fulfill its basic functions. As it was already mentioned, Transnistrian government found itself incapable of fully pay the salaries and pensions in 2016, and though government blamed the economic blockade imposed by Moldova and Ukraine, the society, in its turn, blamed the government for embezzling public assets and the aid from Russia. The society also suffers from human rights abuses, politically motivated arrests and detentions. Whereas, Nagorno-Karabakh shows totally different results, as it has established effectively functioning state and social institutions, which do their best to meet the needs and expectations of the society. Year-by-year development of industry is offering new workplaces for the citizens, which is manifested in the low rate of unemployment (about 5%). The work of the government is transparent and has high level of accountability: every year detailed reports on all the state activity and especially expenses are represented (also always available on the official websites). Though there were claims about the privatization of major industries and economic activities by a small group of powerful elite, the government was able to address the following accusations by presenting precise documentation denying all the claims and accusations. The government also tries to stipulate birth rate by granting couples money after marriage and additional funds for the birth of each child.

But at the end of the day one thing is unchangeable: no matter how effectively any type of positive changes and amendments are implemented, the political voice is formed not only through political processes, but also by the mobilization possibilities of society, especially - civil society. It's yet early to talk about 'civil society' in Abkhazia, South Ossetia or Transnistria, but the societies of these entities constantly raise voice about different issues. However, the suppression from the government has yet hindered the creation of any basis for civil society. What about NGOs, then one may fund harsh restriction policy towards them from the governments of Transnistria and South Ossetia. In Transnistria the activity of IOs and NGOs is year-by-year colliding with increasing challenges: they need the approval of authorities for all their projects and even meetings, visits. The few NGOs operating in South Ossetia receive funding mainly from Russia and are subject to government influence (whereas should be vice versa). NGO legislation amendment made in 2014 is very similar to Russia's 'foreign agents' law of 2012, and deliberately increased the oversight capacity over NGO activity, especially the ones with foreign funding – constraining them to broader and more frequent reporting. Whereas NGOs functioning in Abkhazia get the funding mostly from abroad and are able to execute certain influence on the government's policies. In Nagorno-Karabakh civil society is ascribed with important role in state and civil activities, the authorities do not restrain the activity of any civil society organizations.

Yet another important point: where the society is fragmented by conflicts and violence, the possibilities for political voice and social accountability are often eroded. A matter of special concern are the issues of mobilization capabilities of vulnerable and marginalized groups, especially in post-conflict entities. In post-conflict fragile states the continuous disregard of fundamental rights, including the violation of children's rights, gender inequalities and the systematic expulsion of indigenous peoples and vulnerable minority groups, is largely conditioned by the absence of voting rights and legal channels for participation[1].   In Abkhazia and South Ossetia the ethnic Georgians, being excluded from the region and unable to come back, are, in fact, totally excluded from the political process. In Abkhazia ethnic minorities (Armenians, Russians, Georgians) are under-represented in the People's Assembly.

Security field: The most troublesome issues of non-recognized states are mainly referring to security field. The absence or underdevelopment of international and local control mechanisms over the non-recognized

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[1]Migdal J., *op. cit.*

entity, as well as the fact that fragile post-conflict states are likely to have limited authority over some regions within their own territory, becomes a truthfully prolific basis for the emergence and development of illegal groups and activities. As a rule, the process of state-building and afterwards stateness is more visible in the capital, whereas the population of the peripheries typically has a limited and insufficient interaction with the state. As a result, informal or regional authorities are more actively particpating in the management of these regions. In such context, not only the traditional model of "top-down" state-building and governance is put under a risk, but also the threat of non-stability is increasing. At the same time, it's worth mentioning, that even the existence of international control and administration mechanisms isn't yet a guaranty for stability. Even UN, OSCE, EU and NATO efforts weren't sufficient to make Kosovo, located in the centre of Europe – the cradle of democracy, to retrain from being cradle of illicit activities like illegal arms trade, drugs, trafficking. Plus, the issue is more troublesome because of the problem of not only the disability, but first and foremost non-willingness of formal authorities to address the issues, as they may themselves run, have share in illicit activities and/or special agreements with the groups managing such kind of activity.

Another feature of non-recognized states is the high level of military potential – mainly conditioned by the fact, that these states have gone through phase of armed conflict (and not once) with their 'mother' states. Of course, the existing military potential may become the primary means of ensuring state sovereignty and national security, in particular in the cases of major failures of international administration bodies and efforts of peace maintenance, especially in the context of current rise of terroristic attacks. However, there are some states, where the size of military forces is bigger comparing to the population, but still it doesn't guarantee the absence of problems associated with stateness in these countries. On the other hand, some recognized states (mainly European) have the lack of military strength, whereas some non-recognized states do not. For instance, in a number of recognized states (e.g. Switzerland) the existence of the armed forces, especially its size, are indeed not vital factor for stateness., as they successfully use other mechanisms, particularly supranational bodies and security guarantees. While observing the question from another angle, it can be stated, that the military potential, which doesn't get precise economic support (especially taking into account that non-recognized states in the majority of cases are not even able to fully ensure themselves their state budgets), can become fragile and quickly lose its significance, as the process of extensive and intensive armament is expensive and at the same time encounters the problem of unceasing equipment upgrade.

When referring to the sources of security issues of non-recognized states of post-Soviet space, we can distinctly divide them into two groups: inner and outer threats. The inner sources of security threats are witnessed in Abkhazia, South Ossetia and Transnistria. All the three non-recognized states share the problems with contraband, money laundering (especially in Transnistria), trafficking, sale of drugs and weaponry and functioning of criminal organizations on their territory. Yet another interesting fact about Transnistria: it has a truthfully explosive 'inheritance' from Soviet era, particularly 40.000 tons of weaponry and ammunition left by Soviet 14th Army. About 20.000 tons of it are yet to be removed, however, there are growing concerns about it, as there have been multiple cases of registered illegal sale of weaponry from Transnistria, e.g. claims that this weaponry was even illegally shipped to the Balkans and used during the war in Yugoslavia. The concerns were and are heated by the constant denials of full investigations by Transnistrian authorities. Whereas Nagorno-Karabakh is suffering from the security threat coming from outside: the tension along the cease-fire line and day-by-day increasing threat of war resumption. What about inner threats, the only one is the presence of land mines, which NK forces and HALO Trust continue to clear.

All in all when talking about threats, what stays unchangeable is the fact, that both inner and outer threats are not only jeopardizing the non-recognized states' security - condemning people living in those regions and already suffering from post-conflict consequences to even more torments, but also puts under the risk regional and international security.

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