

# **Europeanisation and Conflict Resolution:**

## ***Case Studies from the European Periphery***

**Authors: Bruno Coppieters, Michael Emerson, Michel Huysseune, Tamara Kovziridze, Nathalie Tocci, Gergana Noutcheva and Marius Vahl**

### **Introduction**

This study explores if and how European integration policies and multi-tier governance structures can contribute to sustainable solutions to four outstanding ethno-secessionist conflicts on the European periphery: Cyprus, Serbia-Montenegro, Georgia-Abkhazia and Moldova-Transnistria. It studies the relevance of the process of Europeanization and makes a comparative assessment of the potential for supra-national and international conflict settlement in these conflicts. It focuses on the potential role that EU integration policies and institutional models from the EU and its members, in particular federations, and mechanisms from other European institutions, such as the OSCE or the Council of Europe, may play in the design of institutional solutions to such conflicts. In all these cases, conflict settlement may have to be facilitated by the intervention of third-party actors.

The selection of the four case studies rests on two essential presuppositions. First of all, we are interested in secessionist conflicts in divided states that were taking place at the time of our research (2003) outside the institutional boundaries of the EU. Each one of the four case studies displays a different degree of integration with the EU. Second, this comparative study focuses on secessionist conflicts involving non-recognized *de facto* states or federated states. We assume here that the process of Europeanisation and particularly the application of the mechanisms of conditionality and socialisation have different effects on state structures led by recognized governments or secessionist authorities than on secessionist movements outside state structures.

The research has been carried out by combining theoretical expertise with the perceptions and experience of key local actors, who have been consulted through focus groups held in each of the four countries in 2003 and at a workshop in Brussels in January 2004. By these means, the project intended to identify more precisely the problems that are raised by EU policies and by proposals to introduce European institutional models as instruments of conflict-resolution for secessionist crises in the European periphery.

### **Europeanization**

It might be supposed that increasing integration with the EU would be a favourable factor in the resolution of Europe's outstanding 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, 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 for minority rights, and seeks to employ its instruments of conditionality to this end.

The term 'Europeanization' has in recent years come to be used to refer to changes of domestic structures and policies that occur in response to policies and practices institutionalized at the European level. Initially focusing on 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. Here it is extended into the specific field of conflict settlement in secessionist conflicts on the European periphery.

The mechanisms of Europeanization change combine rational institutionalism and sociological institutionalism. Changes through policies of conditionality may occur in the short to medium run, while more deep-rooted change 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 provide leadership, but, as the analysis of the four conflict cases shows, this may not always be so. In that case, a reverse sequence may emerge in which the society tends towards 'socializing' with modern Europe while the leaders only enter into cooperative negotiations with the European institutions at a later stage,.

### **Case studies**

*Cyprus.* Since 1974, the UN has developed increasingly detailed proposals for a bi-zonal, bi-communal federation. But throughout the decades of failed negotiations the main parties have essentially stuck to their negotiating positions. In the 1990s, with Cyprus' application for EU membership, the EU became a key external actor in the evolution of the conflict. The parties to the conflict equate Europeanization with EU-ization, which has two dimensions: the impact

of the EU as a framework on conflict resolution efforts, and the impact of the accession process on the parties in conflict.

***Serbia-Montenegro.*** A precarious common state structure was put in place in 2002. The State Union of Serbia and Montenegro is a hybrid institutional model combining federal features and confederal elements. It has failed to generate consensual political support in either of the republics, and its viability has been questioned by political formations on both sides, while pro-independence forces have been strengthened after the creation of the common state. The future of the State Union depends critically on the capacity and willingness of the EU to supervise the implementation and arbitrate disagreements between the two republics on issues related to their joint EU membership bid.

***Moldova-Transnistria.*** The conflict emerged with the dissolution of the Soviet Union in the late 1980s. The two sides have been unable to agree on any of the proposals tabled by the international mediators, Russia, Ukraine and the OSCE. Disillusionment with the negotiations has grown in Moldova, increasing support for Europeanization of Moldova independently of settlement. The EU has recently become more engaged, which has led to a growing resentment towards the EU in Transnistrian political discourse. Differences among the major external actors have become more pronounced, with Russia disapproving of the growing engagement of the EU.

***Georgia-Abkhazia.*** The Georgian-Abkhaz conflict is an identity- and security-driven conflict that failed to be solved within the Soviet state. Abkhazia seceded from Georgia as a result of the 1992-93 war. UN mediation has failed so far to come closer to a political settlement. The UN proposals for a settlement make it possible to envisage the future of Abkhazia either as a federated state or as an associated state to Georgia, but it remains difficult to predict the precise outcome of the conflict as long as the external powers are not able to devise a common approach to overcome the present deadlock in the negotiations.

### **Comparative analysis and synthesis**

***No frozen conflicts, but success is elusive.*** There is no longer war in any of the four cases. Ironically the “frozen” word is often used to characterize these conflicts, whereas all four cases are actually boiling with political movement. Underlying pressures for change are present in all cases. Nevertheless, the performance of the principal parties, external actors and multilateral organizations, with respect to the objective of conflict resolution in the four cases has so far been poor. A degree of success may be seen in the Union of Serbia and

Montenegro, but its sustainability is far from certain, and the issue of secession is certainly not resolved.

***Stylization of the processes of conflict, and their settlement and resolution.*** All cases started with the collapse of imperial or authoritarian regimes which had previously held together ethnically complex societies. 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-Montenegro). Two cases saw territorial ethnic cleansing and refugees on a large scale (Cyprus, Abkhazia). All of this 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. Security guarantees provided by external powers to these small and weak ethnic communities become a crucial element for a settlement, although there are severe constraints on the imposition of solutions, both as a matter of realistic diplomacy and as a matter of the international political norms for such forceful intervention. 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. It is also possible that one or another of the unresolved conflict situations may prove unsustainable at the level of domestic politics, with the non-recognised secessionist entity perhaps being unable to provide a viable future for its population. This could lead to regime collapse or 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.

***Europeanization and conflict resolution: intended and unintended effects.*** The four cases show that conventional notion of how the EU is acting in relation to secessionist conflicts in its periphery needs a more rigorous and complex specification. Europeanization 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. The EU's revealed preference in practice is not always its official first preference.

Looking at the four case studies, there emerges a pattern of both intended and unintended effects, either already in effect or pending. Alongside important potential benefits of Europeanization, there are some serious unexpected and more troublesome aspects, which have to be countered by adequate EU policy. In the case of Cyprus, the pre-condition of reunification before accession was virtually abandoned in 1999. The EU's decision to concede the possibility of the southern Greek part of Cyprus acceding alone to the EU allowed the Greek Cypriots to harden their bargaining position with impunity. In the case of Serbia and Montenegro, one can observe a strong preference on the part of the EU for reaching a federative settlement as a pre-condition for integration with the EU, but weaknesses leave open the possibility that Serbia and Montenegro might switch to a velvet divorce. The option of velvet divorce and recognition for the two entities is regarded as inconceivable in all the other three cases.

In the cases of both Abkhazia and Transnistria, the role of Russia as external protector is crucial, yet they differ significantly as regards the viability of the status quo. Abkhazia is in a relatively favourable situation, given its geographical contiguity and open frontier with Russia. Transnistria on the other hand has an external frontier only with Ukraine. 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.

***Four meanings of the term 'periphery'.*** The four case studies presented in this volume are all dealing with European peripheries, and one can identify four different meanings of the concept 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. All four conflicts were at first perceived as being peripheral to the interests of the EU member states, but they have progressively moved to the forefront of the EU's security agenda.

In the European context, the term periphery refers also to the idea that the European Union has the capacity to transform progressively all European states into member states, principally through EU enlargement. The efficiency of the Europeanization mechanisms of conditionality and social learning in a secessionist conflict largely depends on the specific role of the EU and on the region's prospects to become a member. An agreement on Cyprus is more attractive to the Turkish Cypriot side within rather than outside the EU as a framework organization that facilitates the search for compromise solutions between them, principally through the creation of a third level of governance. In the other secessionist conflicts

addressed in this book, the EU is at present 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. 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 its neighbours. Romania is a candidate for EU accession and Ukraine is also seeking EU membership.

According to a third meaning of the term ‘periphery’ in the context of European integration, peripheries are fault lines or places of confrontation. The idea of ‘fault lines’ has taken on a new meaning following the attacks of September 11<sup>th</sup>, with terrorism seen as emanating from failed and collapsed states. Moldova and Georgia are weak states, but due to the secessionist conflicts they are involved in, they may become ‘failed states,’ which would create a direct threat on the borders of the EU. According to a fourth meaning of the term periphery, centre-periphery relations are basically/inherently? unequal. The efficiency of the Europeanization mechanisms of conditionality and social learning are based on such an inequality of material and normative resources. The European centre exercises a hegemony over its peripheries, and it is only through full EU membership that European periphery states may become equal to the states at the European centre.

***Institutional models.*** The institutional options that emerge as relevant in the four cases are (1) a two-tier federative structure, (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. Agreement in this category has only been reached in the case of Serbia and Montenegro, and this was conditional on the inclusion of a clause providing a procedure for possible secession later. A key sticking point in all cases is the difficulty in reconciling 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 from the formation of an associated state that has no voice in the governance of the central government at one end of the spectrum to 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 a constitutional impasse by introducing new political and institutional dimensions and resources. In fact the EU has developed some institutional models of this genre that actually work. Features of this model can be combined with those of the 'common state', where there is only one state in international law, but with limited competences and powers. This has been the subject of several proposals for the four cases. It is here that the three-tier Belgian model is interesting in which the federal level performs important coordination functions, especially with respect to 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 model.

The third case is that of *de facto* association and protection of the seceding entity with an external power. In the absence of conflict settlement, the seceding entities become increasingly dependent on their external patron.

***Complications in relation to other entities.*** In all cases except Cyprus, there are complications in the pursuit of solutions arising from other entities whose status is unsettled. In Serbia and Montenegro there is the Kosovo question. In Moldova various proposals envisage Gagauzia becoming a federated state alongside Transnistria. In Georgia, South Ossetia has *de facto* seceded. One possibility in the face of these multiple autonomies is to consider the option of associated states that are only loosely linked to the central government. Another option is to create a multi-entity federation, according to an asymmetric model, rather than to seek first solutions just for a single secessionist entity. However this model is contested by those who argue that regionalization better fits the needs of these small states.

***Role of the external powers.*** All of the four cases concern small states confronted with the secession of micro-entities, and the external environment may therefore be expected to play a more prominent role. In Cyprus and Serbia-Montenegro there have been reasonably coherent and well-coordinated positions between the EU and US, with Russia playing only a marginal role. In the two cases of the former Soviet states there has been only superficially cooperative diplomacy, masking a lack of commonality of purpose or trust on matters of strategy between Russia and the Western powers. In Serbia-Montenegro, the EU has had a fairly clear run at mediating and offering incentives for a solution. In Cyprus, the EU and US have been mutually supportive and have worked together well with the UN. Turkey is seen as key determinant of the Turkish Cypriot position and Greece has played a prominent role concerning most aspects of the conflict. In Moldova and Georgia, diplomacy has been

clouded by an underlying sphere-of-interest competition, with Russia perceived as wishing to retain a dominant regional role. In Moldova, the two direct neighbours, Ukraine and Romania, are also important, although the latter has been less active diplomatically. This role is likely to grow as Romania gets closer to EU accession. 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 has there been even a half success (Serbia and Montenegro). In all other cases, divergences of interest on the part of the external powers have coincided with the entrenchment of the conflict. The corollary may then be that only when the external powers find common ground will the conflict have any chance of being resolved.

***Role of the multilateral organizations.*** 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 and 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 four cases considered. Similar conclusions may be drawn concerning regional multilateral structures. This reflects precisely the foregoing question whether the major external powers work in harmony or at cross purposes. The multilateral framework organizations are hardly actors in their own right, and can only operate in the space they are given.

***Default scenarios and medium to long-term evolutions.*** While the cease-fire line from the war may remain frozen, the domestic politics of the two opposing parties continue to evolve, and may become the key factor if one party proves more capable of political and economic modernization and progress than the other. It seems an open question in which direction the trend might go, between the emergence a new political environment favourable to fresh inter-entity negotiation, versus the entrenchment of de facto secession leading to a stronger dependence of the seceding entity on informal association with an external power. But the role of the external actors may also change in the medium term, notably as regards the EU, Russia and Turkey. The EU may advance in becoming a more credible and effective actor in the wider Europe. There is also the question whether Russia and the West 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 suggests they have found a common



ground, but this is not yet reflected in their efforts to solve the secessionist conflicts on the European periphery.