

The Fourth IOS Annual Conference organized by the Research Group on “Frozen and Unfrozen Conflicts”

## Breaking the Ice of Frozen Conflicts?

### Understanding Territorial Conflicts in East and Southeast Europe

30th June to 2nd July 2016



The aim of the Fourth IOS Annual Conference, titled “Breaking the Ice on Frozen Conflicts? Understanding Territorial Conflicts in East and Southeast Europe,” was to shed light on the general nature of conflicts in the post-Soviet space and help understand their origins, possible future developments, and solutions. The conference sought to deepen the understanding of conflict dynamics as well as introduce new ideas of identifying ways to break away from the perpetuated conflict cycle. Bringing together academic researchers, representatives of the international community, civil society, peace mediators and facilitators, discussions centered on identifying obstacles for reconciliation during conflict and exploring strategies and approaches to finding the best solutions. The conference revealed the complexity of actor constellations as well as the ambivalent nature of international conflict resolution efforts with respect to de facto states, while at the same time calling for both the need and further opportunities for international engagement.

At the welcome dinner reception that took place at Parkhotel Maximilian, distinguished keynote speaker, then Deputy, now

**DSG Schmid (EEAS), Prof. Brunnbauer**

General Secretary of the European External Action Service, Helga Schmid officially opened the conference. In her speech, she encouraged continuing cooperation between academics and practitioners, and emphasized the necessity of achieving diplomatic and long-lasting solutions in protracted conflict regions. Schmid concluded that despite its problems, the EU still remains a powerful actor with the ability to have significant influence on peace processes.



**P. Schumann, M. Schmunk, D. Boden**

Friday, 1st July



T. Tamminen's opening speech

The first official conference day, Friday 1st July, was devoted to the general nature of conflicts and the actors involved in the post-Soviet space. The different interests and dynamics inherent to “frozen conflicts”, as well as the problematic nature of the term itself, were discussed in detail.

## Panel 1: Conflict Dynamics

The first panel Conflict Dynamics focused on the concept of frozen conflict, the role of local and global players in conflicts, and on the conflict in Ukraine.

**Stefan Wolff** (University of Birmingham) specialist in International Security challenges, elaborated on the role of local and global players in the region. According to Wolff, the current situation can be best described with the German word *Unübersichtlichkeit*, referring to a diversity of actors that pursue their own individual agendas and objectives in diverging alliances not only on the ground but also at the regional and global level. In this context, two mutually constitutive trends can be observed: the increasing globalization of local self-determination conflicts as well as the localization of regional and global geopolitics. These two trends are not new since they increasingly appear in parallel and have become much more intense in the last 5–10 years. Wolff pointed to the example of Ukraine where many actors engage with each other in different settings and frames. The situation in Ukraine is characterized by a massive geopolitical game, which contributes to a further weakening of local state institutions. International conflict management efforts should concentrate on containing the conflict in order to ensure the situation does not get worse.

Critically assessing the concept of frozen conflict, **Rafael Biermann** (University of Jena) argued that the concept of frozen conflict has very serious conceptual as well as, particularly, political weaknesses in terms of conflict prevention, and therefore should be replaced by other terms that better reflect the realities in the post-Soviet space. The terms *de facto* states and secessionism would be able to better grasp the same phenomena. According to him, in particular, the term frozen conflict is misleading in the sense that it creates the impression that the situation on the ground is stable and static, thus contributing to a certain habituation effect. In contrast to the requirements of conflict prevention including access to steady resources for monitoring and early warning, it is assumed that the situation will not change in the future, leading to a prioritization of ceasefires instead of conflict resolution. The problem with alternative concepts is that academia has already too many overlapping concepts with little dialogue among these concepts.

Nevertheless, the other concepts that are in use can be better conceptualized and tested than the concept of frozen conflicts.

The last speaker **Oleksandr Tytarchuk** (Ukrainian Foreign Policy Research Institute) highlighted the situation in Ukraine, elaborating on the ideas of hybrid peace and hybrid war. According to Tytarchuk, protracted conflicts constitute a permanent external irritation factor as part of Russia's hybrid peace scenario for the West. In this context, the conflict in Ukraine serves as a distinctive case: Russia annexed part of the Ukrainian territory, the Crimean peninsula, openly challenging the current international legal regime and potentially affecting the entire European continent. In Moscow, the Minsk agreements are seen as instruments of a temporary freezing of the conflict, during which Russia is trying to force Ukraine and the West to fulfill all Kremlin's demands. Simultaneously, Russia is preparing its proxy forces in Donbas for further escalation. According to Tytarchuk, for Kyiv "freezing" the situation seems to be the only acceptable choice at the present stage. Since Russia wants to change the international order, the final solution for the conflict could be found only in the wider international context, with engagement from outside players – both Russia and the West as well as international organizations.

## Panel 2: International Discourses and Domestic Realities

The second panel International Discourses and Domestic Realities focused on the discrepancy between international discourses on "frozen conflicts" and local realities.

**Bruno Coppieters** (Vrije Universiteit Brussel) discussed the concept of a frozen conflict. It is a powerful and useful metaphor, provided that it is used correctly: the lack of any prospect of settlement in the conflicts over sovereignty in the South Caucasus freezes conflictual processes, but it does so only at the surface. It does not suspend the movement below the ice, and it is this movement that eventually counts in conflict dynamics. There are also numerous analytical concepts in circulation, such as 'de facto states', 'occupied territories' and 'protectorates'. The use of each of these concepts has specific consequences for our understanding of the conflict dynamics. They have also normative implications. Their use by third parties will likewise reflect distinct political practices.

**Guilia Prelz Oltramonti** (Université libre de Bruxelles) asked how internal politics in de facto states can be categorized. She started from the example of informal and illegal activities, which tend to blur together unfrozen conflicts. Using the example of Georgia and Abkhazia, she showed how the line between informal and illegal is blurred as a means of securing power, and that this grey zone has become a way of living in the area.

**Cindy Wittke** (University of Konstanz) focused on international discourses that characterize frozen conflicts. In particular, she drew attention to the diverse discursive clashes between Russia and the West, among others, with respect to basic notions of sovereignty and territorial integrity, stressing the different views of Russia and the West regarding how the post-Soviet world order should look like. For Russia, the concepts of "Near Abroad", "Russkij Mir", "Eurasianism" and the "Fourth political theory" are important ideas. According to Wittke, these concepts, although based on Western thoughts, interpret international conventions differently.

In essence, they tend to be anti-modernist, anti-western and against US hegemony. Russia sees itself as a heartland with hegemonic leadership over a Eurasian Union. Its own “exceptionalism” justifies this Schmittian view, which can be seen prominently in the thought of Alexander Dugin. The strict legalism, which Russia emphasizes with respect to international law, while differing sharply in its understanding, raises doubts as to whether a basic consensus on the meaning of international law had ever existed between Russia and the West.

## Panel 3: External Stakeholders and Regional Competition



P. Remler, S. Markedonov

The current confrontation between the East and West, the role of patron states and external actors, as well as Russia’s motivations were central themes of the panel External Stakeholders and Regional Competition.

**Philip Remler** (Carnegie Endowment for International Peace) elaborated on the role of patron states in frozen conflict situations. All of the unrecognized polities (Transnistria, Nagorno-Karabakh, Abkhazia, and South Ossetia) differ from recognized states in three respects: the conflict which they are engaged in; the relationship to a larger state

that the entity wants to secede from, and the relationship with the outside patron state that guarantees their security. According to Philip Remler, the major question concerning unrecognized states is whether they are independent of their patrons, or indeed, whether the original goal was independence or incorporation into a patron state in the first place.

The next speaker **Sergey Markedonov** (Russian State University of the Humanities) drew attention to Russia’s motivations with respect to frozen conflicts. According to him, there are three basic reasons for Russia’s behaviour, which explain the evolution of the Russian approach in the last 25 years after the collapse of the USSR. The first aspect is the domestic agenda: Russia has faced the problem of nation-building since the collapse of the USSR. This has been in due part of the domestic security agenda and one of the drivers behind Russia’s behaviour towards protracted conflicts. The second factor behind the Russian attitude towards these conflicts is the bilateral relation between Russia and maternal/parent states like Georgia and Azerbaijan. The last factor influencing Russian behaviour with respect to frozen conflicts is the relation between Russia and the West. Differing opinions between Russia and the West as well as divergent approaches to conflict resolution are evident in protracted conflict contexts. In general, Markedonov emphasized that if two states are not ready for a compromise, “freezing” is better than escalation.

**Franziska Smolnik** (Berlin-based Stiftung Wissenschaft und Politik) finally addressed the question of the influence that regional competition exerts on the dynamics of frozen conflicts from a micro-level perspective. The Georgian-Abkhaz conflict was chosen as an example. Franziska Smolnik illustrated the dynamic interdependence between actors from Turkey, Russia, Abkhazia, and Georgia and elaborated on the diverse adaptation strategies of local actors to changes on the international level. According to Smolnik, dealing with questions related to external actors and factors requires focusing on the local level.

**Saturday, 2nd July**

## **Panel 4: (Non)Recognition and International Engagement**

The fourth panel (Non)Recognition and International Engagement was concerned with the relationship between de facto states and recognized states and how diplomatic relations between the two and international actors can be managed.

**Eiki Berg** (University of Tartu) stressed that de facto states are usually ignored or even met with open hostilities. Official recognition is not an option for “parent” states as this de-legitimizes them. Thus, “backdoor” diplomacy is the most common form of relations between the two actors. This can be seen not only in the political, but also in the economic and communications sphere. The practical implications of such an approach were demonstrated by the example of the United States’ foreign policy towards de facto states, which focuses on engagement without recognition in a mostly neutral tone. The parent states react differently to diplomatic relations conducted behind their backs. The more the parent states oppose an independent diplomatic engagement with de facto states, the less likely that the US is to engage. Furthermore, certain conditions shape the behavior towards de facto states: secession of these territories is usually seen as a last resort, with the power calculus on behalf of the parent state or possible patron state as well as the time frame of interaction shaping whether and how the diplomatic engagement is pursued.

Dealing with the similar question of how states interact with de facto states, **James Ker-Lindsay** (London School of Economics) stressed that there was no “accidental recognition” of de facto states and that informal engagement, no matter how intense, could not lead to recognition. Yet there are many ways of engagement short of recognition. In particular, he introduced ten factors, which influence when and how engagement towards de facto states is managed, including the reaction of major hegemonic powers (e.g. Russia in the post-Soviet space), the internal constituency of de facto states as well as the links to the patron state or the reaction of the UN. Ker-Lindsay underlined the crucial importance of de facto states’ respect for international law; otherwise, they tend to be isolated.

Stressing that non-recognition does not mean isolation but is only the tip of the iceberg of foreign relations, **Sebastian Relitz** (IOS) started his talk by arguing that focusing solely on issues of (non-)recognition means asking the wrong questions. Relitz focused on the largely unexplored question of the relation between (non-) recognition and international integration of de facto states. According to Relitz, de facto states and the contradiction between the norms of self-recognition and territorial integrity challenge the international community, which in the absence of a common understanding tends to contribute to the freezing of such conflicts. Despite this “frozen” state, behavior towards de facto states can change, as shown by the example of Russia. Obstacles to fruitful engagement are seen through zero-sum assumptions of conflict parties and the general political framework, which focuses too much on recognition and less on forms of integration, which are possible without full recognition. Thus, proposed solutions are to de-geopolitize relations and identify more flexible and practical ways of engagement that focus more on local needs. As an example, Relitz mentioned academic and cultural exchange as well as sporting events.

## Roundtable 1: The Influence and Role of International Organizations



D. Boden, J. Domanski, P. Schumann, A. Gawrich, P. Nikander

The first roundtable on Saturday focused on the role and influence of international organizations working in de facto states. It became clear that while international actors are a very important factor in the engagement with de facto states, they are also often limited in their resources and face various obstacles which can hamper the effectiveness of their work.

**Dieter Boden** (retired German Ambassador to Russia and in the Caucasus) elaborated on the experience he gained during his work for the UN in the South Caucasus. According to Boden, conflict settlement work is carried out in a two-track approach. One is from the headquarters: there are regular debates, UN Security Council

resolutions, all sorts of meetings. The problem of such work is that there is barely any contact with the two conflicting sides. The work conducted in an organization's headquarters is too abstract, too ad hoc. Nonetheless, the headquarters usually has missions that have close contact with conflict parties. However, often these missions are considered by the host country as a showing of weakness, because such a mission means that the country is not able to cope with its domestic problems.

By contrast, the secessionist entities often feel like “underdogs” since they are not allowed to participate in official activities. Notwithstanding these problems, according to Boden, international missions are only one of several interlocutors that can serve as bridges between the non-recognized entities and the outside world. He also stressed that the host country should take its commitments seriously. Two lessons can be learned: Firstly, confidence-building is very important for peace building. Secondly, it requires great effort to change the attitudes of the parties when it comes to possible compromise, which could mean defeat for one and victory for the other party.

**Päivi Nikander** (Deputy Head of the OSCE Mission in Kosovo) presented the OSCE Mission's work in Kosovo, which is based on the Security Council Resolution 1244. The mission is working predominately on issues of institution-building and peace-making in general. OSCE is helping out in the practical implementation of dialogue agreements facilitated by the EU, as well as trying to facilitate non-political activities like sports events to enhance mutual trust and understanding. The monitoring and enhancement of good governance and human rights is the main goal of the OSCE mission. While significant progress is achieved on various levels of government and civil society, there are also setbacks, as demonstrated by a growing threat of Muslim radicalization due to ISIS and funding from fundamentalist organizations from various Gulf States.

**Jarek Domanski** (EU Delegation to Moldova) elaborated upon the work of European Union in Transnistria. Domanski mentioned several programs such as conflict management attempts in the 5+2 format, the Deep and Comprehensive Free Trade Area (DCFTA), EU Border Assistance Mission (EUBAM) and EU's program of confidence-building measures. According to Domanski, one of the most successful products the EU has recently extended to Transnistria is the ERASMUS Plus. Furthermore, Domanski discussed the problems and limitations of EU's work in Transnistria. First, there is the problem of a lack of vertical coherence, lack of

synergy between EU member states and EU institutions, which limits engagement. The second problem is geopolitical confrontation. The third limitation are the differences in public opinion. When compared to other frozen conflicts, the conflict in Transnistria has low priority. Fourth, Transnistria and Moldova face the issue of public resistance to modernization. The last problem mentioned by Domanski relates to economic interest on all sides.

**Andrea Gawrich** (Justus Liebig University Giessen) focused on the potential role of international organizations as conflict spoilers. In the post-Soviet space, there are several international organizations who are involved, each with their own set of different expectations and partly in competition with each other. Moreover, some of these organizations are perceived as spoilers or as unhelpful in international conflict management from the perspective of the EU and the OSCE. For instance, the CIS (Commonwealth of Independent States) and, in particular, the CSTO (Collective Security Treaty Organization) are young organizations dominated by Russia and have ambitions in peacebuilding. They work in the same regions as OSCE and partly the EU, but in contrast to these institutions they prioritize a narrow, traditional security approach to the comprehensive security approach promoted by the EU and OSCE. According to Andrea Gawrich, one should not limit debate on the dichotomy of what Russia does inside the OSCE, but also look at these counter organizations and their effects on conflict resolution.

**Wolfgang Zellner** (The Institute for Peace Research and Security Policy at the University of Hamburg) presented various functions that international organizations can serve as well as their limitations. The first political function is providing legitimacy. The second dimension is power. International organizations command more power than nations can on their own. Thanks to international organizations, international communication is possible. However, there are couple of limitations as well. First, limitations can arise from disagreements within international organizations. The second limitation is that international organizations cannot resolve conflicts but can only provide a framework for resolving them. Conflict resolution has to be reached by the parties themselves. Moreover, since there are operational constraints of international missions themselves, better capacities are needed. Wolfgang Zellner also emphasized that the contribution made vis-à-vis academic research is quite limited, as it misses innovative concepts.

## Roundtable 2: Cooperation and Dialogue Across Conflict Lines – Opportunities and Limits

Whereas the first roundtable focused on international actors like the UN, EU and OSCE, the second roundtable sought to shed light on the work of NGOs in the field. Therefore, the table consisted of practitioners who shared their experiences of dealing with de facto states.

**Iulia Cozacenco** (The Causeway Institute for Peacebuilding and Conflict-Resolution International) explained the importance of confidence-building measures between the de facto state and their parent state. This is often a long, ongoing process, its success difficult to measure: Mostly a quantitative approach is used, which cannot measure the quality and the extent to which confidence-building occurs in specific activities. The example of Moldova and Transnistria shows that even with a quantitative increase of joint activities, trust between the actors can nonetheless deteriorate. Confidence-building measures are even still seen as effective, even if it is difficult to measure this.

**Walter Kaufmann** (Heinrich Böll Stiftung) discussed the problem of trust-building and referred to the problems faced by international actors and NGOs when working in de facto states: On one hand, one needs a closed group of partners which trust each other in order to be able to make progress. On the other hand, it can be potentially damaging for the legitimacy of internationally facilitated peace processes to always talk to the same people. The incorporation of new people willing to work in the trust-building process between conflict parties is nonetheless difficult and frustrating at times, especially when established trust is destroyed by political decisions, as was the case with Saakashvili in Georgia and following the Russian intervention. Thus, processes of trust-building are two steps ahead and one step back.

As **Karoline Gil** (Institut für Auslandsbeziehungen, Stuttgart) emphasized, these efforts to work with civil society actors to increase trust are often hampered by insufficient funding and planning. This is also due to the nature of media coverage reporting on frozen conflicts, which often focuses on negative aspects and neglects positive results. This decreases the civil society actor's influence in the region, as local partners are then less willing to work with foreign NGOs. Thus, more support for this type of work is needed.

At the end, **Sascha Düerkop** (Confederation of Independent Football Associations) presented the work of CONIFA, which aims at bringing together non-recognized states and sub-state entities by means of football. In doing so, the focus is to step away from political messages and focus on sports. The World Championship of the participating countries, held in Abkhazia in 2016, was a good example. The problems with organizing such events are mainly about receiving financial support, as many possible sponsors refuse to support CONIFA due to some of its members. While one sponsor may only have a political problem with one participating non-recognized entity, this still affects the work of CONIFA as a whole.



K. Jüngling, S. Wolff, J. Ker-Lindsay and E. Berg

## Key Findings

The leader of the IOS research group on “Frozen and Unfrozen Conflicts,” **Tanja Tamminen**, summarized the lessons of the three day discussions. She especially highlighted the question of who is talking on behalf of whom, and the need for inclusive peace processes and local ownership. Thanking the participants for extremely interesting debates, she also stressed that further engagement is needed in these regions, isolation is not a solution. According to Tamminen, what is needed are dialogue processes that do not always focus on problem-solving but leave room for listening and local agenda setting. Also, continuous multi-level, multi-actor dialogue processes that extend beyond protracted conflict lines should be enhanced.

In his closing remarks, **Michael Schmunk** (German Institute of Global and Area Studies) summarized the dynamics of “frozen” conflicts – conflicts that are not frozen in reality. The probability of finding a political solution on the local level decreases with the involvement of territorial claims. In addition, when international actors strive to achieve such a solution, they do so vaguely. Thus, many windows of opportunity are missed. He emphasized the role that Russia can play if allowed to contribute constructively to these processes. Facilitated contact between conflict parties with assistance from civil society is an important factor, as well as efforts to look for a better international conflict resolution framework which would focus more on sustainable long-term solutions. Nonetheless, it has to be acknowledged that international actors have become more a part of the problem than part of the solution, as the example of the Minsk group since the 1990s has shown. Thus, the cooperation between scholars and practitioners has to be strengthened in order to better assess the effectiveness and efficiency of current peacebuilding operations.



DSG Helga Schmid (EEAS) with part of the group

## Conference Overview:

### *Key Note Speech*

Helga Schmid (Deputy Secretary General for the External Action Service)

### *Opening speech of the Conference*

Tanja Tamminen (Leader of the IOS research group on “Frozen and Unfrozen Conflicts”)

### *Panel 1: Conflict Dynamics*

Chair: Tanja Tamminen (IOS)

Stefan Wolff (Univ. Birmingham), The new complexity of self-determination: dynamics of conflict and conflict mitigation practices in the post-Soviet space

Rafael Biermann (Univ. Jena), De facto states – conflict dynamics and resolution

Oleksandr Tytarchuk (EESRI Kiev), Ukrainian conflict: on the edge between hybrid war and hybrid peace

### *Panel 2: International Discourses and Domestic Realities*

Chair: Bogdan Zawadewicz (IOS)

Bruno Coppieters (Vrije Univ. Brussel), Secessionist conflicts and debates on terminology: ‘frozen conflicts’, ‘de facto states’, ‘contested states’ and ‘occupied territories’

Cindy Wittke (Univ. Konstanz), (Re-)conceptualizing territories, boundaries, and sovereignty – (frozen) conflicts in the Post-Soviet space

Giulia Prelz Oltramonti (Univ. Libre Bruxelles), Conflict protraction and the illegality/informality divide

### *Panel 3: External Stakeholders and Regional Competition*

Chair: Konstanze Jüngling (IOS)

Philip Remler (Carnegie Endowment), Frozen conflicts: Are we asking the right questions?

Sergey Markedonov (Russian State Univ. for the Humanities), Territorial integrity or self-determination? Russia’s and the West’s instrumental approaches

Franziska Smolnik (Stiftung Wissenschaft und Politik), Bound by the ‘bear’? Turkey and the Georgian-Abkhaz conflict

### *Panel 4: Non(Recognition) and International Engagement*

Chair: Michael Schmunk (Ambassador/GIGA)

Sebastian Relitz (IOS): De facto states in International Relations – Between non-recognition and international integration

James Ker-Lindsay (London School of Economics), Opprobrium as a factor in international engagement with contested/de facto states

Eiki Berg (Univ. Tartu), Back-Door Diplomacy: US direct engagement with de facto states

*Roundtable 1: The Influence and Role of International Organizations*

Chair: Peter Schumann

Päivi Nikander (OSCE Mission in Kosovo)

Jarek Domanski (EU Delegation to Moldova)

Dieter Boden Ambassador (ret'd)

Andrea Gawrich (Univ. Gießen)

Wolfgang Zellner (IFSH)

*Roundtable 2: Cooperation and Dialogue across Conflict Lines – Opportunities and Limits*

Chair: Sebastian Relitz (IOS)

Walter Kaufmann (Heinrich Böll Stiftung)

Karoline Gil (Institut für Auslandsbeziehungen)

Sascha Düerkop (CONIFA)

Iulia Cozacenco (Causeway Institute for Peace-building and Conflict Resolution)

*Concluding Remarks*

By: Tanja Tamminen (IOS); Michael Schmunk (GIGA)

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