

Turkey and Ukraine have started to show their ambitions in the Black Sea Region's energy dynamics by seeking cooperation with producers such as Azerbaijan and Iran that also want to have their say in the new energy politics along with the major consumer, the EU. Advances in technology and the preferences of big actors are the factors to affect the course of the relations among the states of the region. For a while, thus, the issue of regional and global energy security will continue to take a large place in the security agenda.

About the author

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Conflict Resolution Trends in the Black Sea Region

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Abstract

The article assesses the main trends of the various conflict resolution processes in the Black Sea region. It emphasizes the transformation of the mediators' role, including the increase of the EU efforts in the various peace processes. The author states that the absence of military actions, the narrowness of the existing peace formats and competition between the various mediating parties for leadership lead to the militarization of the region, the absence of the conflicts' 'ripeness', new peace initiatives and an 'all or nothing' position on the part of the conflicting parties.

The Black Sea – Caspian Sea region emerged on the international arena after the collapse of the Soviet Union with a series of so-called 'ethnic conflicts' in Abkhazia, South Ossetia, Nagorno-Karabakh and Transnistria. From the very beginning these conflicts attracted the attention of the world community, leading to a number of

different mediation and peacekeeping efforts. Despite the efforts of concerned state actors and relevant international organisations the prospects for the final resolution of these conflicts remain distant.

The Russian-Georgian conflict of 2008 and the recognition by the Russian Federation of the independence of two former Georgian

territories (Abkhazia and South Ossetia) have not led to dramatic changes in the security situation of the region. In fact, the aforementioned events reflected the limited capabilities of the international organisations active as mediators and peacekeepers in the region (the United Nations, the Commonwealth of the Independent States and the Organization for Security and Cooperation in Europe). They also demonstrated the evolution of the European Union as a peace broker.

The conflicts in the Black Sea region led to the introduction of a new term in the academic discourse – the term ‘frozen conflicts’. Despite the numerous protracted conflicts on the world map, only these conflicts in the post-Soviet space are traditionally regarded as ‘frozen’. The most acceptable explanation for this term is that regardless of the ceasefire agreements signed by the parties in the early 1990s and the absence of military action or fighting until 2008, the real peace and final resolution of the conflicts is still on agenda of the negotiations of all interested parties and mediators.

Nevertheless, several years ago both academics and political elites started to use a new term – conflicts with a frozen solution, meaning that the ‘freezing’ is less in the conflict behaviour of the parties themselves but in the process of the negotiations, with the presence of a number of external parties. Although there have been numerous peace initiatives, none has received solid support and been fully implemented.

The crisis of August 2008 in Georgia and the sporadic fighting on the Azeri-Armenian border have raised the question anew – how easily can a ‘frozen’ conflict become ‘unfrozen’ and turn into a ‘hot’ conflict? Have the conflicts in question ever been frozen or were they just another type of ‘protracted’ conflicts? The development of these conflicts has imposed

certain particularities not only in the relations between the parties to the conflict, but even more on the process of conflict management and resolution. If one of the main conditions for successful conflict resolution is usually described as the ripeness of the conflict or the conflicting parties, in these four conflicts, at a certain stage we could witness a situation where the conflicting parties may not be ready for a final resolution but the mediators and other interested parties, who have struggled hard to resolve the conflict, are. The difficulties of such a conflict resolution effort stems, primarily, from the fact that the absence of military actions and a prolonged status quo of sorts start satisfying both parties at some point, thereby leading to a situation where the bargaining can continue forever. There is no urgency in conflict resolution, so the conflicting parties start to promote an ‘all or nothing’ approach instead of searching for a win-win situation and an eventual compromise. The best example here is the Transnistrian conflict where the period between 2005 and 2011 can best be characterized as one of ‘talks for the sake of talks’, where every new initiative was declined without a justifiable explanation and most of the conditions put forth by the conflicting parties were procedural rather than substantive.

Prior to the 2008 summer war, the main third-party interveners in the Caucasian territorial conflicts were the United Nations Mission and the OSCE. The European Union played a secondary role. The EU’s role in conflict resolution and peace building has evolved in response to the changes in the international system, its own internal political dynamics, and the EU’s capacity and willingness to play a major role in regional and international

conflicts.¹ De facto until 2008, the European Union was providing mostly confidence-building measures in the region. It was generally more comfortable with a post-conflict rehabilitation and peace building role, and had been wary of becoming directly involved in conflict resolution. Yet, it could offer added value to the efforts of the UN and OSCE.² This policy upgrade notwithstanding, Brussels neither had an operational role with regard to peacekeeping forces in the two breakaway republics of Georgia nor was it a member of the principal multilateral negotiation formats dealing with the management and resolution of the conflicts – the Joint Control Commission (JCC) and the Geneva process.³

However the situation changed. This was due, in part, to the external conditions which the EU had to address after the latest round of enlargement. It also stemmed from an internal understanding of the changing role of the EU, the necessity to assume a bigger responsibility in world affairs, and a certain accommodation of the different national policies towards the crisis regions.

At times we can witness the substitution of notions, when other actions, which come under the category of peace building or prevention, are considered to be mediation. Thus, before 2008, the EU played the role of the sponsor of peace building and reconstruction efforts and

restoring the confidence between the parties. All these indirectly influenced the possible settlement of the conflict at hand, but were not the mediation process itself, as they mostly dealt with people-to-people contacts.

Despite the limited capacity of the various international organisations, they are still perceived as the best candidates for the role of mediator, as most state actors, such as the Russian Federation, the United States and Turkey, have either lost their credibility or are perceived to be partial.

While the UN and the OSCE thus have to be considered among the losers of the Russia-Georgia conflict of 2008, the EU, somewhat unexpectedly, was able to impose itself as a peacemaker. Due to the policy entrepreneurship of the French Presidency, the EU played the key role in bringing the short war to an end, in monitoring the ceasefire and in leading the international talks that were convened to deal with the fall-out from the conflict.⁴

This first attempt 'inspired' further EU involvement in the settlement of the Transnistrian conflict. However this time, even though there is a general agreed position regarding the territorial integrity of Moldova, one can notice a 'three-faces-situation', where the EU, Germany and Romania are simultaneously pretenders to the role of mediator. This complicates the general peace process, as all three have a different level and quality of relations with the Russian Federation, a key party to the Transnistrian conflict. Moreover, Romania tries to be a provider of information for Brussels and in this way to enhance its position within the EU. In the Nagorno-Karabakh the possibility exists for the EU to replace France in the

1 Mehmet Bardakçı, "EU Engagement in Conflict Resolution in Georgia: Towards a More Proactive Role," *Caucasian Review of International Affairs* 4, no.3 (Summer 2010): 214-236. http://cria-online.org/12_2.html.

2 International Crisis Group, "Conflict Resolution in the South Caucasus: The EU's Role," *International Crisis Group/Europe Report*, 173, 20 March 2006: 2.

3 Michael Merlingen and Rasa Ostrauskaite, "EU Peacebuilding in Georgia: Limits and Achievements," *CLEER Working Papers*, 2009/6: 9.

4 *Ibid.*, 10.

Minsk Group (where France, Russia and the USA share the co-chairmanship of this OSEC-led peace process). Factors such as the desire to utilise the gravitas of the EU and to decrease the influence of the French Armenian lobby on the peace process are behind the call for a greater role for the EU. However the EU's internal crisis has delayed initiatives on this front. This conflict has also demonstrated that sometimes it is necessary to mediate between the mediators such as the OSCE, and the Minsk Group, while Russia and France have at times launched separate peace efforts sometimes without even notifying their partners.

Taking into account that all four conflicts involve separatist movements, their resolution is closely connected with the issue/challenge of the status of the struggling territories. Transnistria, Nagorno-Karabakh, South Ossetia and Abkhazia have been de facto independent for years, even if the latter two were not formally recognized by a few countries until after the 2008 war. This special status presents additional difficulties to the process of conflict resolution, such as the concern of how the parties are seated at the negotiation table to the necessity of accommodating the different levels of political and economic development of the territories (such as, for example, the desire of Tbilisi and Chisinau for European integration with the Russian-led subsidiary status of Tiraspol and Tskhinvali). Since 2008 and the recognition of Kosovo, there are academic and political disputes on the similarities and differences of these cases. By pretending that Kosovo is a unique case for many years, Western states could not clearly explain the core of this uniqueness. As a result, Abkhazia, South Ossetia and Transnistria with the support of the Russian Federation have regularly used the Kosovo precedent as a justification for their own actions. While some

87 states have already recognized Kosovo's independence, only four (Russia, Nauru, Venezuela and Nicaragua) have recognized the independence of South Ossetia and Abkhazia while no country has recognized Transnistria and Nagorno-Karabakh. Also, in the case of Transnistria and Nagorno-Karabakh there is an acceleration of Russian mediation efforts; while in case of the former Georgian regions, in the diplomatic activity towards further recognition has stagnated.

The militarization of the region is one of the results of the unsolved conflicts both due to the countries involved and an inadequate peacekeeping format. In some way, all peacekeeping missions in the region should have been transformed many years ago into civilian missions. The militarization of the peacekeeping missions has not led to confidence-building in the regions but is further 'proof' of the hard security challenges and threats. However at the current stage of negotiations, a change of the peacekeeping format is possible only in Transnistria, with its transformation into civilian or civil-military mission and a change of the mandate with a more active role for the European Union.

Moldova, Romania, the United States and the EU have recently been forcefully insisting on the withdrawal of Russian troops from Transnistria as a fulfilment of the obligations agreed upon in 1999 at the OSCE meeting in Istanbul. They also promote the possibility of the transformation of the current peacekeeping format into a more international one, preferably under an EU mandate or the expansion of the OSCE mandate. De facto, this mission should be changed from a military one to a police mission with observation and monitoring functions, control of the borders (some of the functions of EU Border Assistance Mission – EUBAM), human rights monitoring, etc.

Ukraine, as one of the official peace guarantors and mediators, still hesitates with supporting such statements, even though it could easily justify its support as Ukraine is set to assume the Chairmanship of the OSCE in 2013. Thus, this can be presented as a proposal of the next Chairmanship within the framework of its obligations rather than perceived as an anti-Russian initiative. This would also be seen as a continuation of the Irish Chairmanship's agenda in the OSCE in 2012, as Dublin would like to share its conflict resolution experience in Northern Ireland in the post-Soviet space.

At the same time, one of the main challenges to institutional mediation today is that the mandate of an international organisation can be stopped at any time and its missions recalled. This occurred with the United Nations Mission in Georgia in 2008, when one of the Security Council's permanent members – Russia – vetoed its prolongation. The same fate was reserved for the OSCE Mission to Georgia in 2009. The second weak point of international organisations as mediators is their need to maintain a constant balance between the national interests of member states and the general mission of the organisation. This is a usual problem for the European Union, as is evident with its efforts in the Transnistrian peace process.

Today, the mediators of the Black Sea conflicts can act in two directions; they can be either “builders” or “gardeners”. Both create something. However, if the “builders” are creating a structure or framework of the future peace, they very often appear blocked within the very framework they have themselves built. On the other hand, “gardeners” create the conditions within which the peace can continue “to grow” and develop constantly, as well as generate the proper conditions for its durability. In the Black Sea conflicts today most

of the parties involved still act as “builders” by creating frameworks and conditions which influence the process but do not allow for its evolution outside or beyond their framework. Consequently, none of the ongoing initiatives presents something new. They simply repeat old peace plans with updated variations. None of the conflicting parties, both in Transnistria and in the Caucasian conflicts, are ready for substantial negotiations; they are instead trying to make use of the situation for bargaining and gaining the support of third parties which themselves seek regional leadership.

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