Reflections on Negotiation and Mediation
The Frozen Conflicts and European Security

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Abstract: Geopolitical competition between Russia and the US and EU on the periphery of the former USSR has complicated efforts to resolve lingering conflicts in Abkhazia, South Ossetia, Nagorno-Karabakh, and Transnistria. Regional and great power rivalries often obscure the distinctive local factors in each of these conflicts, which are ultimately crucial to their resolution. In addition, changes in local circumstances and adaptation of local elites during the two decades since the disintegration of the Soviet Union now tend toward preservation of the status quo in and around these largely unrecognized entities. The best chance for resolution at the moment seems to be coordinated engagement and cooperation by the major external powers.

Keywords: Armenia/Azerbaijan/Nagorno-Karabakh, conflict resolution, frozen conflicts, Georgia/South Ossetia/Abkhazia, Moldova/Transnistria, Russia/near abroad

For most of the twentieth century, the major threats to European security and stability came from great power conflicts. The first half of the century was dominated by the drive of newly-united Germany to achieve a position of primacy on the European landmass, and the second half by the standoff between the Soviet Union and the United States.¹ However, with the end of the Cold War, threats to the peace in Europe have increasingly arisen from within existing states in the processes of disintegration or transition, in particular the collapse of the Soviet Union and the violent break-up of Yugoslavia. These disintegrative and transitional processes have been met by both great power cooperation...
and, more recently, misunderstanding and competition. I would like to offer a few select observations on some of my own experiences in working with the conflicts that sprang up around the periphery of the USSR as the Soviet Union disintegrated. I offer these reflections in the hope that, while anecdotal, they may shed some light on the current nature of east-west relations in Russia’s “near abroad” and offer some insight on how to manage these relations more successfully in the immediate future.

The dissolution of the Soviet Union and Yugoslavia in the early 1990s produced a spate of conflicts, from small and obscure to large and well-documented. One thing that all these diverse disputes have in common is the fact that they ultimately required or provoked external intervention to try to mitigate or resolve them. The Balkan wars in Bosnia and Croatia required the involvement of all the major powers in the Euro-Atlantic space to stop the fighting and negotiate a (so far) lasting peace. On the other hand, it took almost twenty years for Moscow’s intervention in the ethnic dispute between South Ossetians and Georgians, dating from the disintegration of the USSR, to gain similar international notice, following the August 2008 Russia-Georgia War.

Though the conflicts in the former Yugoslavia and Soviet Union arose out of much the same politico-economic milieu, their domestic causes and internal dynamics varied widely. Similarly, the rest of the world responded to the crises and violence in the former Soviet Union and Yugoslavia in various fashions. Clearly, some of the conflicts were far less tractable to outside mediation and far more violent than others. Nonetheless, the world’s major international organizations and individual countries became involved in almost every one of these conflicts. These international efforts have provided experts in conflict prevention and resolution, scholars and practitioners alike, with a plethora of living laboratories in which to apply existing theories and—taught by time and experience—to develop new ones.

As a practitioner of diplomacy, working out of Washington and in the field, I either took part directly or had a front row seat in four of the major disputes on the territory of the former Soviet Union—Nagorno-Karabakh, South Ossetia, Abkhazia, and Transnistria. (I also worked extensively during the 1990s with all of the conflicts in the former Yugoslavia.) Without claiming exhaustive research or scholarly depth and precision for the effort, I have over time attempted to develop a general set of lessons learned from repeated engagement with these particular conflicts. There are two aspects to this process: first, to determine commonalities and differences in the specific development of each of the conflicts, with an eye to deriving a greater understanding of historical causality; and second, to ask whether all these specific events, taken in the aggregate, teach us anything about the broader theory and practice of conflict resolution and mediation.

Looking at post-Soviet conflicts along both these lines, my own experience leads me to three general observations. First, the local causes, conditions, and course of each conflict are key to its resolution, a factor not always recognized or understood by the nations and international bodies that have sought to act as mediators. Second, the testy, confrontational
nature of east-west relations in the region from about 2004-2005 on, especially follow-
ing the 2008 war in Georgia, has not always been the case and thus may not necessarily
be the inevitable or natural state of affairs. Third, it seems to me that especially in more
recent years a focus on geopolitical competition between major regional and global pow-
ners—such as Russia, the EU, and the US—in these conflicts has distracted the attention
of both analysts and practitioners from a real shift in the internal nature and dynamics of
the disputes, which are crucial to their resolution.

The overall experience of working with participants and mediators in all these cases sug-
gests to me that resolving these conflicts depends at once upon several factors and requires
simultaneous, sustained attention and engagement at several different levels. These factors
include: (1) regional and great power differences and conflicts of interest; (2) specific
local conditions unique to each of the conflicts, in addition to broad similarities springing
from their common Soviet heritage; and (3) the personalities of key figures involved in the
conflicts and settlement processes.

While the dissolution of the USSR into its major constituent republics was accom-
plished peacefully, the determination of ultimate political authority in a number of small
areas on the periphery led to violence. Wars of various size and duration were fought over
the Nagorno-Karabakh region in Azerbaijan, South Ossetia and Abkhazia in Georgia,
and Transnistria in Moldova. In addition, a full-scale civil war erupted between factions
in Tajikistan, while ethnic-national discontent in the Crimean peninsula in Ukraine was
ultimately resolved short of violence. The specific historical development of each of these
conflicts depended inseparably on both the correlation of the interests of external powers at
that particular moment in history and on the dynamics of the individual internal political,
economic, and social conditions in each country and/or region.

For example, take Nagorno-Karabakh—this is the most clearly ethnic-national of
all the conflicts, and the only conflict that involved hostilities between two recognized
independent states. More than any of the other conflicts, in my estimation, this one
is driven from the bottom up by popular fears and hostilities. In addition, the war in
Nagorno-Karabakh went on longer, the casualties on both sides were higher, and the
numbers of displaced persons were larger than in other conflicts—all internal factors
that exacerbated suspicion and bitterness, making reconciliation and resolution of the
conflict extremely difficult.

On the other hand, the Nagorno-Karabakh (and Armenia-Azerbaijan) conflict has to a
significant extent escaped the external geopolitical rivalries and ambitions that can com-
plicate resolution of such geographically limited regional disputes. From the beginning
to the present day, this conflict has seen the best US-Russian cooperation. For example,
I was involved in the establishment of the Minsk Group (Minsk Conference at the time)
and its early mediation efforts from 1991 to 1993. My perception at the time of US,
Russian, and European cooperation was quite positive. Certainly there were disagreements,
but our common attention was focused on preventing a wider war between Azerbaijan and
Armenia and seeking a compromise solution (we failed in both, but not—in my view—
because of competition between external powers).

The Minsk Group still works fairly amicably (at least until very recently)—perhaps
because US, Russia, and France collaborate at the working level as true equals in this
format. In addition, the US and Russia in the early 1990s both perceived it in their interest
to avoid Iranian involvement in mediating in the Caucasus, and therefore agreed from the
very start on the CSCE/OSCE as the forum for conflict resolution efforts between Armenia and Azerbaijan.6

The South Ossetian and Abkhaz conflicts in Georgia also include considerable ethnic content.7 Given the history of Russian persecution of the Abkhaz minority during imperial rule from Moscow in the eighteenth and nineteenth centuries (including mass flight of the Abkhaz to the Ottoman Empire in the mid-nineteenth century), it seems a great irony that the Abkhaz now seem to find Russia as their protector against Georgian monoethnic nationalism. The South Ossetian motivation is slightly different—the Abkhaz sought preservation as an endangered nationality, while many Ossetians in the south wished to join with their ethnic kin to the north in Russia. In the end, both conflicts in Georgia also owe a great deal to the influence and personality of leaders, in particular President Zviad Gamsakhurdia, but also the Georgian warlords of the early 1990s and Presidents Eduard Shevardnadze and Mikheil Saakashvili. For example, in a meeting in May 1991, I heard then-President Zviad Gamsakhurdia speak of the need to “eliminate enemies” as he discussed the conflict with South Ossetia and the recent fighting in Tskhinvali.8 How much of the fighting in Georgia in this and other cases might have been avoided with different personalities in charge?

Given continued international condemnation after Russia’s war with Georgia in August 2008, it is interesting to recall that there was considerable Western cooperation with and support for Russian peacekeeping interventions in Georgia in the early 1990s. Western and in particular US forces were tied up elsewhere, including Iraq, Somalia, and then Bosnia. The US was worried about the threat of proliferation of nuclear materials, and hoped Russia could assist by helping to ensure reliable control of former Soviet facilities.9

Thus, at the beginning of the 1990s a number of US policymakers and practitioners perceived common interests with Russia in Georgia involving both conflict resolution and nonproliferation. It is worth recalling that in 1992-1993 the situation in Georgia was chaotic, with civil war extending well beyond the boundaries of the two breakaway entities. Once the wars in Ossetia, Abkhazia, and the Mingrelian region had abated, Russian and Western views of how to deal with the aftermath began to diverge. My American and Western colleagues involved in OSCE and UN intervention stressed the need to support Georgian territorial integrity and for return of refugees. They increasingly criticized Russian diplomats and military involved in Abkhazia and South Ossetia for unduly favoring the positions and interests of the separatists.

Russian interlocutors countered that their Western colleagues catered too much to impatient demands from leaders in Tbilisi to restore Georgian control over the two separatist regions, and by this inflamed the ethnic fears among the Ossetian and Abkhaz minorities that had produced the violence in the first place. Meanwhile, in the absence of political settlements, internal developments in South Ossetia and Abkhazia took quite different paths. South Ossetia is a very small enclave, and the local elites were entirely too limited in numbers and expertise to run a quasi-state. Consequently, many “Ossetian government” personnel were imported from Russia. Lacking local industry but sitting on a major north-south highway, the enclave’s economy increasingly depended on trade, much of it illegal (with the apparent cooperation of Russian and Georgian officials).

Abkhazia, on the other hand, developed something more akin to a system of real politics, despite the heavy dependence of its economy on Russia. With its leaders
unwilling to accept the return of large numbers of ethnic Georgian refugees, the region suffered an ongoing labor shortage. The Abkhaz arguably also had a sharper sense of their own history and ethnicity, and took their independence seriously, despite their great political and economic dependence on Russia. By 2004-2005 there was real political competition within Abkhazia’s political elite, to the extent that Sergei Bagapsh ended up the surprise winner in a presidential election over the candidate favored by Moscow. Separatist contacts from Transnistria and Abkhazia regaled me at the time with explanations and tales of clan rivalries within Abkhazia and how they were reflected in local politics. Meanwhile, many of my Western colleagues portrayed Abkhaz leaders as nothing more than Russian puppets.

With particular reference to US-Russian relations, Washington’s support for Georgian independence, including strong personal support at the highest levels for President Shevardnadze, gradually made cooperation with Moscow on the Georgian conflicts more difficult. Highly publicized attempts to assassinate Shevardnadze, including a spectacular attack on his motorcade, were widely attributed to former Soviet security personnel bitter at the Georgian president’s role in the demise of the USSR and helped to poison Tbilisi’s relations with Moscow. Nonetheless, the US continued to work with Russia in collective efforts to seek a peaceful settlement for both conflicts. The US provided personnel for the OSCE Mission in Georgia, which was the focal point for Western efforts to engage in resolution of the Ossetian conflict, and to the UN monitoring mission in Abkhazia. Along with Russia, the US pursued a political settlement for Abkhazia in the so-called Friends of Georgia in the UN.10

It is worth noting that strong US support for Georgian territorial integrity and personal support for the Georgian president did not originate with Mikheil Saakashvili’s ascent to power in November 2003. I would also argue that the differences between Washington and Moscow over how to deal with South Ossetia and Abkhazia, and US criticism of perceived Russian protection of these de facto entities, also pre-date the Saakashvili administration.11 In my personal observation, the crucial difference after 2003 was President Saakashvili’s more activist, impatient, and confrontational approach to resolving Georgia’s internal separatist conflicts. Unfortunately, what worked successfully in 2004 in Adjaria (in the end with Moscow’s facilitation) produced entirely different, disastrous results in South Ossetia in 2008.

The Moldova-Transnistria conflict is unusual in that ethnicity played and still plays only a minor role—language is an excuse for elites to mobilize supporters on both sides, but is not the cause of the conflict.12 During the 1980s the Moldovan Romanophone national movement developed in reaction to widespread Russification in the republic and the denial of Romanian ethnic identity during most of the Soviet period. Opposition to the historical consequences of the Molotov-Ribbentrop Pact was important in the development of the Moldovan national resistance to continued Soviet rule, but my
personal understanding of the history of the period is that in the end most Moldovans did not wish to join Romania—they desired the right and ability to use their own language, but preferred independence, first from Moscow, but ultimately also from Bucharest.¹³

It is also important to remember that the initial Transnistrian ambition was not independence, but to remain with the Soviet Union; Moscow’s involvement in the dispute was initially to use the separatist movement to press the leadership in Chisinau to support Mikhail Gorbachev’s proposed union treaty. The charge that Chisinau’s leaders were bent on joining Romania proved an effective tactic in mobilizing popular support on the left bank of the Dniestr.¹⁴ However, the most immediate fear of both leaders and followers in Transnistria was the loss of employment and status should the predominant language switch from Russian to Romanian (i.e., “Moldovan in Latin script”).

After spending the better part of a decade on the ground in Moldova, my personal conclusion is that the Transnistrian conflict began as and remains a case of elite manipulation. For a nation that fought a brief but bitter internal conflict, post-Soviet Moldova revealed remarkably low levels of ethnic, linguistic, communal, or religious hostility. Barriers to contacts, commerce, and cooperation between Moldovans and Transnistrians were and are imposed entirely from above. In the absence of such impediments, there is little difficulty between the populations on the two banks.

Throughout its involvement as a mediator in the Transnistrian conflict, Russia has offered de facto support for Transnistrian authorities, from Alexander Lebed’s intervention in June 1992 to extensive direct and indirect economic assistance today.¹⁵ Nonetheless, I would argue that Russia’s attitude on Transnistria is formed and influenced more by the economic and commercial factors involved in the continued existence of an unrecognized, unregulated entity in southeast Europe with an economy based heavily on foreign trade. The inherent business potential in such an arrangement has not been lost on commercial actors in other neighboring states, too. Indeed the chief problem with the Transnistrian conflict may well be that it is in no one’s vital interest to resolve it, even for many leading business and political figures in Moldova itself.¹⁶

Over time, each of these post-Soviet conflicts experienced similar patterns of development:

• Cooperation between the US and Russia has diminished as strains have developed in their bilateral relationship over other issues.

• Europe (in particular institutionally as the EU) has become more interested and involved in conflict resolution mechanisms and efforts in the former Soviet area—a development not always welcomed by Russia.

• As the situations in the conflict regions themselves have stabilized, the entrenched interests of elites, rather than the original causes of the conflicts, have become the greatest obstacles to resolution.

Some of my own personal experiences illustrate these trends and developments. For example, on a 1993 group CSCE visit to the Caucasus, I had personally good relations with my Russian colleague and an open, useful encounter with the chief Russian negotiator Vladimir Kazimirov (who was very blunt about his pursuit of Russian security interests in the region).¹⁷ A few years later, in 2000, while serving as head of the OSCE Mission to Moldova, I worked closely with former Russian Prime Minister Yevgeny Primakov, the Russian Ministry of Defense, and the Russian Ministry of Foreign Affairs to craft an agreement on the use of OSCE assistance to support the withdrawal and destruction of Russian arms and
ammunition in Moldova. During this time I enjoyed great informal access to the Russian Ministry of Defense and the Operational Group of Russian Forces in Transnistria. As a veteran of the US Embassy in Moscow and Consulate in Leningrad in Soviet times, I found these contacts and cooperative working relations an especially new and striking development. However, as US-Russian relations cooled over the past decade, this institutional cooperation gradually disappeared. In the case of Moldova, after the failure of the Kozak Memorandum in November 2003, Russian and Western mediators were increasingly at odds. For my successors, the access and cooperation I had enjoyed gradually disappeared.

As for the European involvement, in 1999 the Finnish EU Presidency tried to interest the EU in Moldova-Transnistria after a troika visit at the political director level; unfortunately there was absolutely no interest in a follow-up at the 1999 Helsinki summit. However, by 2005, after the 2004 round of EU expansion and on the eve of Romanian and Bulgarian accession, the Black Sea region became of great interest to the EU—witness the appointment of special representatives for Moldova and the Caucasus. The institutional involvement of the EU, along with the changing atmosphere in US-Russia relations, has in my perception produced a more marked zero-sum, confrontational approach in efforts to resolve all of these conflicts.

In my opinion, one of the most important developments in each of these conflicts has been the growth of entrenched interests and the accommodation of elites on all sides to the protracted existence of unrecognized separatist entities. For example, South Ossetia gradually became a giant duty-free zone for political and economic elites in both Georgia and Russia. Similarly, the existence of an unregulated de facto Transnistrian state has facilitated smuggling and tax evasion for Moldovan, Ukrainian, Russian, and Romanian businesses by allowing undocumented or falsely documented diversion of goods in transit.

The bulk of the populations of these states and unrecognized entities deal with the situation by migration, seeking survival through foreign employment and remittances. This solidifies even more the support of the elites for the status quo.

The vicious cycle of financing the state budget through emigration and remittances also constitutes an exceptionally graphic real-life example of the cynical theory that politicians in pluralist environments (even authoritarian and/or semi-open) tend to opt for their short-term interests and protection of their current positions rather than pursue the long-term interests of their polities or the populations they represent.

Taken all together, these factors have produced rather depressing present-day situations in the conflict areas I have been discussing. The separatist entities are content to protect the status quo, but will accept more if they can get it. To date both South Ossetia and Abkhazia seem pleased with Russia’s recognition of their independence, though it has not necessarily been the panacea local leaders might have expected and wider recognition seems no closer than before the 2008 war. The recognized states—at least Georgia and Moldova—continue to seek victory on their own terms imposed by an external power, rather than by negotiations on real power-sharing with their separatist rivals. Armenia and Azerbaijan are prisoners of the popular myths they have created about the inadmissibility of compromise, as well as elite accommodation with the unresolved conflict. The involvement of external powers has so far complicated rather than facilitated the process of reaching settlements, particularly in a time of exacerbated east-west tensions. In fact, external intervention may prevent a settlement (for example, US/EU opposition to the Kozak Memorandum, or
Russia’s support for separatist entities in Georgia), but external dictates alone do not seem to be sufficient to overcome local resistance and produce peaceful settlements.

Looking to the future, it seems to me what is needed is coordinated pressure from large external powers—Russia, the EU, the US—on all parties in each conflict to negotiate seriously; without such engagement and commitment, those supporting the status quo will win. In an atmosphere of poor relations between Russia and the EU and US, we are unlikely to see such external cooperation in influencing the internal dynamics of these conflicts so that real negotiations can take place. Resolution of at least some of these conflicts ought to be a win-win scenario for Russia, the EU, and the US; however, given the current international environment, the best we can probably hope for is to manage the issues successfully for the time being without making them any worse.

NOTES


2. There is an already large and growing literature on the conflicts resulting from the break-up of federal Yugoslavia and the Soviet Union. One of the best studies (in my estimation) which deals with all the cases I discuss in this paper is Stuart J. Kaufman, *Modern Hatreds: The Symbolic Politics of Ethnic War* (Cornell University Press, Ithaca N.Y., 2001).


4. While the following observations and conclusions—whatever their accuracy and merit—are entirely my own, I found particular inspiration and illumination in fashioning my own approach to apprehending and analyzing these conflicts in the perceptive analysis in Charles King, “The Benefits of Ethnic War: Understanding Eurasia’s Unrecognized States” in *World Politics* 53, no. 4 (July 2001), 524-552.


6. This preference was made abundantly clear to me in February-March 1992 by officials from a number of CSCE participating states while, as CSCE Coordinator in the State Department, I contributed to developing a proposal for a CSCE-sponsored peace conference on the Karabakh conflict. This proposal eventually prompted the CSCE decision in March, 1992, to hold a peace conference in Minsk. The war between Armenia and Azerbaijan flared up, the conference was never held, and the states preparing it became the Minsk Group.


9. U.S. concerns about proliferation were expressed to me by a range of officials in Washington, Moscow, and Tbilisi with some frequency between 1992 and 1998. On Western and in particular U.S. support for Russian peacekeeping in Georgia, for example see Carolyn McGiffert Ekedahl and Melvin A. Goodman, *The Wars of Eduard Shevardnadze*, 2nd edition (Brassey’s, Washington DC, 2001), 270-277.


15. Lebed himself left no comprehensive memoir or analysis of his time as commander of the Russian forces in Transnistria. However, his long-time aide de camp and deputy, Colonel Mikhail Bergman, has left a fascinating memoir of Lebed’s career, including a detailed account of his service in Moldova: Mikhail M. Bergman, *Vozhd’ v chuzhoi stae* (Bioinformresurs, Moscow, 2004), 8-260.

16. For example, King, “The Benefits of Ethnic War,” 545-547, points out the complicity of the recognized governments in both Moldova and Georgia in the maintenance of systems of illegal trade and tax evasion.


19. Although the EU had previously designated ad hoc special envoys for portions of the former Soviet Union, the 2005 appointments of Ambassador Adriaan Jacobovits (Netherlands) and Ambassador Peter Semneby (Sweden) to cover Moldova and the Caucasus respectively marked a quantum leap forward for EU involvement in the region and in conflict resolution.

20. King, “The Benefits of Ethnic War,” op. cit. In addition, during the course of my seven years in Moldova numerous Moldovan and Transnistrian officials and businessmen explained to me the mechanics of the region’s widespread system of illegal trade and tax evasion. With the deployment of the EU Border Assistance Mission (BAM) in November 2005, for the first time impartial observers were able to gather significant data about the nature and scope of the smuggling: see especially bi-weekly EU BAM reports for the first half of 2006. In similar fashion, colleagues who had served with the OSCE Mission in Georgia have provided extremely detailed descriptions of the mechanics, participants, nature, and scope of the illegal trade through South Ossetia. Unfortunately there are few, if any, dispassionate factual studies of this illegal trade in Moldova’s and Georgia’s unrecognized regions. In my experience most accounts are based on journalistic reports of polemical charges made by parties to the conflict for political effect, with relatively little attention to fact. This is not to give Tiraspol or Tskhinvali a clean bill of health, but rather to note that the issue has become so politicized that it is difficult if not impossible to distinguish fact from political embellishment—or, to quote W.S. Gilbert’s *Mikado*, to distinguish the “corroborative detail designed to lend artistic verisimilitude to an otherwise bald and unconvincing narrative.”