The Myth of **FROZEN CONFLICTS**

Transcending Illusive Dilemmas

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he pernicious character of the term "frozen conflicts" is striking. Yet it is still largely employed even if manifestly inappropriate. Embracing the term frozen conflicts could amount to a *hypocritical approach* that claims the situation is frozen while the post-conflict effects are visible and evolving, an *ostrich approach* that pretends we cannot see the imminent danger, or a *cynical approach* that assumes that insofar as the conflict is not imminently re-erupting, this is someone else's problem.

The term frozen conflicts is deceiving; it erroneously suggests that a conflict could be put on hold as one could press the pause button of a remote control. Nothing remains unaltered *ad infinitum* in either the physical world or in the political world, either in a home refrigerator or in the Black Sea-South Caucasus area. The very existence of any form of life inescapably involves alteration and is manifestly placed under the sign of change. Territorial conflicts without lasting solutions could not escape the alterability of a lingering situation in which almost all sides, far from idly waiting, are attempting to differently affect a status quo that all directly involved parties equally find unattractive and distant to their ultimate goals. This profound discontent seems not to have a natural tendency to act as stimuli for negotiation and compromise as some players find this blurred situation to their interest.

Entities with ambiguous legal, regional and international status describe rather a protracted conflict with a high likelihood to be abruptly "de-frozen" without effectively transcending the "grey zone" condition, as has been the case with South Ossetia in 2008. In fact, since all directly involved parties feel disappointingly served by the status quo, the so called frozen conflicts are just postponed conflicts. There is a high probability of reigniting the conflict after years of time lost by dragging feet.

Starting from this standpoint, the paper aims at addressing four points:

- 1. What do protracted conflicts share as core elements? What features essentially distinguish them?
- 2. What are the implicit propositions of the illusive dilemmas regarding protracted conflicts?
- 3. What are the main impediments and obstructive factors? Who are the spoilers?
- 4. What solutions could be imagined?

TERMINOLOGY AND DEFINING TRAITS

JSTRATION

Alternative language has been put forward to describe the phenomenon: unsolved, protracted, stagnant, enduring, gridlocked or prolonged conflicts. Terminology will not lead to solutions through semantics, as taxonomies alone will not advance us much in interpretation. Then what is the benefit of a debate about the term frozen conflicts? The utility of questioning the term is that the expression frozen conflicts encapsulates the very essence of the unfortunate stereotypical approach to unsolved conflicts: The conflict remains on ice until a solution emerges. Two powerful interdependent myths foster this unrealistic approach: (1) solutions appear by themselves while (2) the motionless actors await the miracle. What could really help is acknowledging that frozen conflicts are not anodyne in their apparently polar stationary appearance. Time does not

necessarily positively contribute to conflict resolution and protracted conflicts are constantly germinating new outcomes and realities, which foments new instances for discontent and conflict.

The term protracted conflicts is often used to describe the disputes in the extended Black Sea area: Transnistria, South Ossetia, Abkhazia and Nagorno-Karabakh. There are other territorial disputes that haven't been resolved, such as the Western Sahara issue in the decolonization context, the Palestinian issue or Cyprus. Nonetheless, these cases have their own historically, geographically, demographically and politically distinctive traits. The Black Sea-South Caucasus protracted conflicts, while having their own peculiarities, share a number of common denominators. The most important are that the four entities declared their independence after violent wars at the beginning of post-Soviet era; all share a Soviet past; all experience the current reality of the paramount regional influence of Moscow in overtly or indirectly supporting the secessionists; and all find themselves at a confluence point between different regional and international actors' interests. The conflicts that arose in newly recognized states after the dismantling of the Soviet Union pitted inevitably fragile states against separatist entities supported by Russia (and Armenia in the case of Nagorno-Karabakh).¹Whereas parallels with other cases could be inapt, nonetheless it is not enough that some countries declare a case like Kosovo sui generis when there were signs that others will consider it rather a relevant precedent.²

DECODING PERVASIVE MYTHS ON FROZEN CONFLICTS

There are striking discrepancies as one compares the conflict moments and the post-conflict times. Usually, external actors, states and nonstate, international and regional organizations rush to stop the violence or limit the escalation of the conflict in the first stage (Rwanda and other cases notwithstanding). Subsequently, there is a certain complacency that annihilates further enthusiasm for decisive actions toward a durable solution. Resolution is delayed for another, more hopeful time under the pressure to put an end to the immediate political turmoil and the humanitarian urgency. Far from being resolved, the conflict becomes more pervasive and insidious. It carries on below the radars of the international media or international relations and will never cease to generate outcomes and new realities even if classified as a frozen conflict. The first false dilemma is how to transcend the post-conflict external actors' paralysis when faced with parties having such conflicting aims and strong resentments. How do you explain this lethargy beyond the facile justification of international fatigue or scarcity of resources easily perceived in similar cases in Africa or Asia?

First, protracted conflicts are complex conflicts. This implies they are not easy to resolve and require time to address all intricacies of the case. This raises the question of how to overcome a frozen framework when conflicting parties are reluctant to bridge their differences. Moreover, how do you achieve reconciliation and confidence building when there is no trust or will to engage?

Second, all these protracted conflicts share the inescapable influence of a protector state enjoying overwhelming regional clout and diverse and historical leverage on various local actors. The corollary of the second trait, and equally the traditional reasoning, is that no solution could circumvent the will and the interest of the protector regional power, i.e., the Russian Federation.

The first argument on complexity is generally valid. However, it tends to ignore that time could work in the sense of augmenting the complexity, not necessarily easing it in a natural, quasi-mechanical way. In the absence of adequate actions, trust and reconciliation do not present themselves unprovoked. On the contrary, propaganda on both sides could deepen the cleavages. The external actors commonly tend to limit official contacts with entities, while the parent states usually have pursued an isolation policy regarding separatists. Azerbaijan, Georgia and the Republic of Moldova hope that isolation will engender the failure of the separatist regimes and prompt the collapse of the de facto states. Quite the opposite, it inevitably turned the separatists toward illegal ways to get resources, undermining the parent state consolidation. It also strengthens the indispensability argument of the protector state and its control of the situation. The expectative and the reserved attitude of the international community with respect to official or unofficial contacts with separatists further strengthened the reality of a dilemmatic impasse. Hence, a better approach for external actors and parent states regarding separatists would be finding ways to engage with the population and the political actors in the entities, thus creating the capacity of leverage and multiple dependencies more likely to lead to a mediated, largely accepted cohabitation formula or compromise.

The second argument is a misleading approach to a false dilemma. Sensibly, Russia cannot be eluded in finding a durable, mutually acceptable solution to many regional protracted conflicts. Yet, it has to be encouraged to participate in finding one. It would be self-delusionary to expect that the protector state that guarantees the very existence of the separatist entity will not act in a conservative manner toward its own and the protected entity's interests. The patron state seems to have strong reasons in maintaining the status quo as it finds the current situation maximizing its capacity to keep control on the unfolding of the protracted conflicts' narratives and on what it perceives as expansionist tendencies of other organizations or states in its "legitimate sphere of influence." Moscow's strategic policy paradigm concerning the protracted conflicts has been described as a "controlled instability." ³

Consequently, other actors, mainly the EU, U.N., Organization for Security and Cooperation in Europe, or OSCE, Council of Europe and individual states should strive to create an environment conducive to stimulate not only the conflicting parties, but also the protector power to generate multifaceted solutions originated from several centers, not only from a unilateral stand. To that end, the regional and international actors genuinely interested in conflict resolution should multiply contacts, condition economic assistance, and apply political pressure instead of shielding themselves in an illusory protective retractile mood, hoping that parties or the protector power will find the solution.

In fact, it is very unlikely that directly involved parties will reach a solution as they have divergent aims, often with irreconcilable perspectives. Here the difficulty comes from the fact that the protector state argues that it is not officially involved on the side of one party, and pretends a neutral status. For example, once the Russian peacekeeping forces in South Ossetia and Abkhazia were relabeled after August 2008 as Russian military and border police forces, the international community faced a new paradigm: The protector state was acting at the request of the separatist regimes, which are now officially recognized by it. The protector state claims to be temporarily assisting the separatists to protect themselves. Even if one cannot simultaneously be judge and party, Russia is the only accepted security guarantor in South Ossetia and Abkhazia because the two separatist entities mistrust intervening organizations such as the EU Monitoring Mission, or EUMM, and the U.N. Observer Mission in Georgia, and thus limit their roles. EUMM, the only international actor remaining in Georgia, does not monitor the ceasefire agreement beyond the administrative separation line between the two separatist provinces and has a limited role through the Incidents Prevention Mechanism as it is confined to Georgia-controlled territory. Simply, de facto governments and Russia are interpreting EUMM's mandate as covering only Georgia proper. The expression "throughout Georgia" from the ceasefire agreement is interpreted by Russia and separatists through the prism of South Ossetia and Abkhazia now being recognized states with security guarantees provided by Russia.

DETERRING FACTORS FOR CONFLICT RESOLUTION

1. The prestige inhibition One dissuasive argument for dealing with protracted

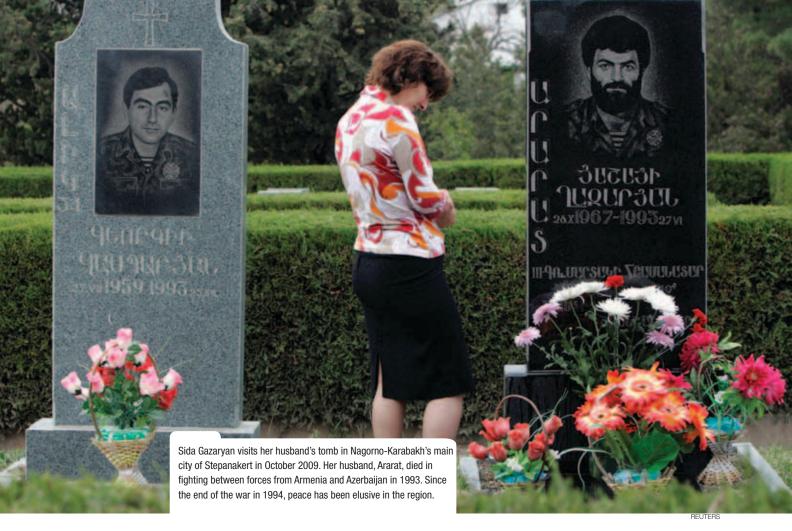


conflicts is the no glory expectation. For external actors, who could play a role in obtaining a settlement, the intricate protracted conflicts pose the challenge of investing time and resources without high likelihood of extracting international credit easily convertible in domestic political capital. Leaders of states or organizations could find appreciation if they end a conflict or successfully mediate a crisis. Dealing with protracted conflicts is less likely a glorious path as it does not guarantee immediate success. Moreover, the potential accord will likely take place behind the scenes, far from media coverage, and be the result of several actors' endeavors over an extended period of time. As preventing a crisis from erupting into violent conflict is less spectacular, ending a protracted conflict seems to be less heroic than ending an active conflict that could be displayed as a major accomplishment to the national constituency or to the member states.

Nevertheless, manifest dividends can be grasped by state actors' bureaucracies, or international or regional organizations less placed than politicians under the sign of ephemeral gains, and more concerned about the symbolic geopolitical display of capacity to persuade and exert power pressure. Because these organizations are also under the inescapable weight of the member states' collective decision-making process, the EU, U.N., NATO and OSCE could assume greater roles. At the same time, neighboring countries are concerned less with prestige bonuses and primarily preoccupied by the security in their proximity areas - therefore, directly and strongly attached to the idea of conflict resolution through a lasting mutually agreeable solution to protracted conflicts.

2. Influence of and relationships with the protector power

The separatist entities in the Black Sea and Caucasus area play a front-line role in the geopolitical grand design in the wake of the collapse of the Soviet Union. Moscow's once-undisputed hegemony in the region is now challenged by international and regional actors (United States, NATO and EU) and by regional powers (Turkey and Iran). The post-1989 clash of interests and projection of influence in Eastern Europe and the former Soviet Union between Russia and the West have been manifest in both antagonistic expressions (Russia reaffirming its strategic "near abroad" interests and denouncing Western interferences) and in terms of mutual interests (cooperation against terrorism and trafficking). Against the backdrop of a declining regional power, whose place is claimed by another established or emergent power, a peaceful transition of power in international relations is less likely to occur across "security communities" (those sharing different political and social organizational paradigms) but is more probable within "clubs sharing similar values and institutions" (inducing collective identities and trust).⁴ As Russia attempts to recreate its own "security community" and the separatist entities break away from Westernoriented parent states, it seems that the secessionist disputes are in the core of the new competitive geopolitics in Eurasia.⁵ Nevertheless, there is no reason to believe in an inescapable conflict between the West and Russia over separatist entities. On one hand, the ideological divide is not dramatic: Russia, despite the alleged recent democratic regress, is far from being a totalitarian state and its reassertion of past glamour is a way to overcome domestic economic problems as



well as its own separatist issues in the North Caucasus. On the other hand, the EU is not yet a global or regional political and military power matching its own economic strength. From this perspective, further democratic developments inside Russia and an engaging strategy by the Euro-Atlantic community could generate acceptance of a shared influence in the area based on common interests, as has happened in the Asia-Pacific region. That could set up a more promising prospect for protracted conflicts' resolution but will not automatically bring a solution.

Both the secessionist regimes and political and economic segments of the parent states entertain a complex network of ties with the former hegemon. One can notice a certain ambiguity and duplicity of former communists and special services in Moldova when it comes to the management of relationships with the West and Russia, and with separatist Transnistria. It seems unavoidable that some leaders in the parent state have double allegiances marked by close ties to the legacy Soviet apparatus and contemporary business interests. However, after the Rose revolution in 2003, a more trenchant (yet less effective) attitude has been adopted by the Georgian government toward Russia and the secessionist claims. Azerbaijan opened toward the West, but preserved political and oil ties with Russia, which can influence Armenia on the Nagorno-Karabakh issue.

Russia's support of separatist regimes thus far allows them to subsist, but not to flourish.⁶ The kleptocratic regimes benefiting from the unclear international status of the enclaves they run sometimes despotically are not in a rush for a definitive solution as they think time plays in their favor.⁷ The opposition in Transnistria states that the non-recognition is a "golden paradise" for separatist leaders who control industry revenues and own lucrative businesses.⁸ After the war in South Ossetia, there were allegations that its leader, Eduard Kokoity, and his acolytes diverted money from Moscow into private pockets instead of investing in reconstruction. Although Russian-led investigations were launched, Moscow seems to have accepted the fact that there is no other alternative to the loyalty of the former wrestler turned president.

The EU also has an ambiguous stand on protracted conflicts as various member states adopt different attitudes toward the protector state. Post-Lisbon Treaty common foreign policy should bring more action-oriented strategies on the Eastern Neighborhood policy. One important step EU leaders Catherine Ashton and Herman van Rompuy should embark upon is to extend and enforce the EU delegations in the countries in the region. A passive European Union merely acknowledging the Russian capacity to influence the protracted conflicts is in fact deceiving itself as it awaits a conflict settlement from existing Russian-dominated negotiation mechanisms, despite the fact that it recognizes that the protector state has little interest in finding solutions.⁹

3. New realities, old problems

The separatist entities' resemblance of statehood, with governments, constitutions, elections, armies, etc., creates new realities that are strong impediments for conflict resolution. The time legitimacy created by such actions is a predictable corollary.¹⁰

The post-2008, five-day war in South Ossetia created a new reality, but did not profoundly change the situation in its essence: The frozen war was refrozen after five hot-war days. The new reality features Georgia controlling less territory than before, Russia recognizing the two separatist entities and overtly being involved in supporting their regimes and enforcing its footprint in their territories. These are only the recent effects.

South Ossetia, Abkhazia, Transnistria and Nagorno-Karabakh are simulating quasi-independence and statehood by creating new realities and pushing into derision the false impression suggested by the term frozen conflicts. The Transnistrian separatist government accumulated a \$1.8 billion debt to Gazprom,¹¹ which will likely have some effect in the event of reunification with Moldova. Russia has more than 7,000 troops stationed in Abkhazia and South Ossetia, and 1,500 in Transnistria. Moscow will build or extend military bases in Ochamchire and Gudauta in Abkhazia and in Kanchaveti in South Ossetia. Abkhazia conceded its railway system to Russia for 10 years. The separatist de facto governments allegedly allowed properties of the displaced to be transferred to other people, making return problematic, if not impossible. The demographics of South Ossetia and Abkhazia changed radically. The U.N. High Commissioner for Refugees estimates that there are 230,000 displaced persons currently in Georgia.¹² More than 800,000 Azerbaijanis were displaced from Nagorno-Karabakh and the other six districts occupied by Armenia after the war; 230,000 Armenians who lived in Azerbaijan are trying to rebuild new lives. Moreover, hundreds of incidents are reported each year, such as shelling, shootings, kidnappings, explosions and mines placed along the administrative separation lines. Concerning Nagorno-Karabakh, in March 2009 alone, cross-boundary incidents claimed the lives of 16 people.13 According to EUMM records, there were 173 security related occurrences in December 2009 on the administrative separation lines between Georgia and the separatist regions. In addition, Russia issued passports to a large number of people living in the separatist territories, thus selfimposing the duty to protect its citizens.

Hence, the protracted conflicts produce various effects. The political effects range from legitimization *a contrario* of the separatist regime that opposes

the parent state and uses time in its favor in order to consolidate de facto authority. This impedes the parent state from fulfilling its democratic responsibilities and may result in the government yielding to the temptation to use state resources to undermine the opposition in the name of the fight against the separatists, thereby hindering achievement of its political cooperation agenda. In addition, the economic effects of protracted conflict include economic regress and redirection of resources committed to security.

4. Inconsistency and hesitations Hesitation by external actors and parent states to engage in extended dialogue with separatists and the protector power is justified by reservations for a de facto recognition. Faced with the dilemma of balancing the involvement and engagement of separatists with the political considerations of legitimacy and de facto recognitions of separatists, parent states and external actors have generally opted for isolation strategies.

Separatist governments have been in place for almost 20 years. To overcome this apparent dilemma, one has to admit that frozen conflicts cannot be solved through an approach based on the belief of a convenient self-fulfilling prophecy. Therefore, it would be productive to acknowledge their existence. While not amounting to recognition, admitting their existence and increasing assistance and contacts with civil society and certain political entities in the secessionist entities seems the most reasonable way to overcome the current stalemate.

The apprehensions and reservations of parent states are justified. Yet they have to acknowledge that neither force, nor political intransigence and isolation could bring about a viable and lasting solution. It makes acrimonies bitter and enroots the feeling that the separation is the unique solution, while legitimizing the protector state's influence. Isolation proves also to be counterproductive as it pushes the separatist entities further in the direction of the protector state. Isolation strengthens the status quo as both sides are further inescapably entrenched into their "fortified" clashing positions. The role of international actors in this context is also sensitive. International stabilization missions have only operated on Georgian territory, thus providing arguments to the de facto governments in Sukhumi and Tskhinvali that the EU and other Western entities are biased in favor of Georgia.

ENDING PROTRACTED CONFLICTS

Compared to the reforms and transformations it induced in Eastern Europe and the Balkans with the prospect of EU and NATO integration, the EU has a more limited maneuverability in its new Eastern neighborhood. The EU still has the option of increasing its political mediation efforts and economic assistance. As the first instrument has not proven itself to be effective, the EU should consider focusing on supporting further economic development in Moldova, Ukraine, Belarus and South Caucasus in exchange for extended democratic reforms in these countries. In return, this could become attractive for separatist entities and generate benign models to resolve protracted conflicts in the eastern EU's neighborhood.

In addition to political mediation, economic assistance, human rights and humanitarian assistance, the EU should continue to push to be a part of the peacekeeping missions or extended civilian monitoring missions. It should thus assume a greater security role within a consistent conflict resolution strategy in its eastern neighborhood. EUMM is not the best example to follow since it has no access to Abkhazia and South Ossetia. The EU Neighborhood Policy could be seen as a mechanism through which risks are diminished by promoting and supporting wide reforms that would transform the neighboring countries according to a normative EU framework.¹⁴ To that end, allotted resources should match promises.

A solution that is not mutually agreed upon is worse than delaying resolution as it is not sustainable, yet the indefinite postponement consolidates a non-agreed solution. Both options are perilous and unlikely to bring stability. The risk of a confrontational approach toward the regional major power and protector state is to engage in a zero-sum game, from a position of inferiority, not having the prospect to match its capacity for obstructionist moves. Consequently, the EU should gradually consolidate its capacity of influence, which requires greater involvement, including separatist entities.

A viable and enduring solution seems less likely to surface from a coercive approach than to emerge from two interlinked agendas. First, the parent state should be able to exert an irresistible attraction in terms of respect for individual liberties, rights, and living standards that can diminish the separatist appetite.¹⁵ The parent state has to focus on developing economically and strengthening democratic institutions and practices to marginalize propaganda used by separatists to discredit the parent state. Citizens in the separatist entity will then wield impressive pressure on the separatist leaders for a rapprochement that eventually could lead to a lasting solution. The underlying dilemma surrounds effectively navigating between not officially endorsing the secessionist regime or de facto recognizing it, while simultaneously creating opportunities to attract separatists by allowing a certain level of mutual trade, travel and property rights that will create a mutual-interest network. The alternative is that the secessionists will increasingly rely on a protector state and increase alienation in relation to the parent state. A prosperous and democratic parent state would alleviate the

concerns of the people in the separatist entities to such an alternative. Furthermore, parent states must resist the temptation to respond to nondemocratic de facto entities by transforming themselves into such regimes by using the "unity against separatists" rhetoric to justify deviations from democracy.

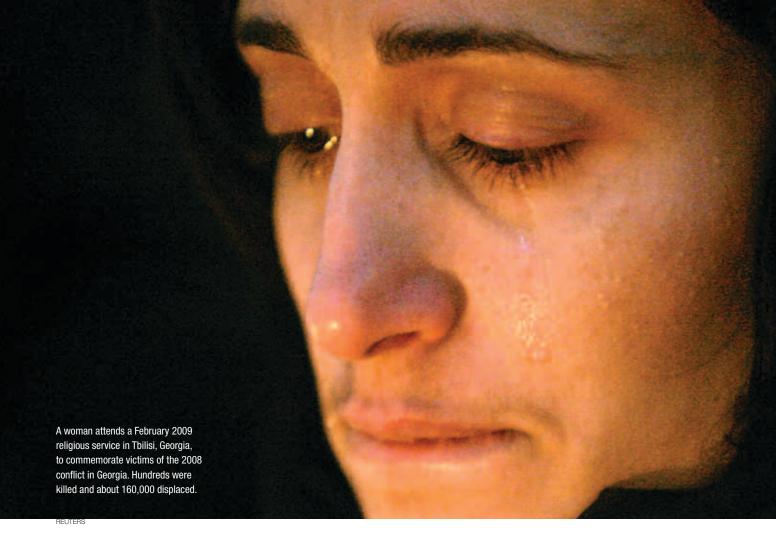
Second, the support of the international community should not be limited to refusing to recognize the separatists, but also to extend the support for democratization and institutional development of the parent state in order to create the premises for a *rayonnement* in the region, and to be attractive to separatists. At the same time, together with the parent state, it should try to encourage democracy and genuine pluralism in the separatist entities. This approach of winning hearts and minds is preferable to unofficially doing business with separatists without gaining any political leverage on the democratic path and undermining the possibility for the parent state to create benign interdependencies with separatists.¹⁶ The precondition then would be for the parent state to adopt a constructive approach, not to try to isolate and cut all contacts with people in separatists' controlled territory.

The separatist leaders should not be presumed irrational actors susceptible to irresponsive actions: They have much at stake, particularly those that came to power in the recent past. They may feel they have not been offered enough incentives to negotiate, or that they still feel threatened in their vital interests of survival and privilege. The vast majority of the population did not benefit from the de facto quasi-independence, and could be attracted by good examples from the parent state. The international community should also consistently support the parent state by marginalizing the patron state's intervention in separatist entities. The end result should be a power-sharing formula and inclusivity that would alleviate the apprehensions of persecution and guarantee secessionists participation or large autonomy rather than sovereignty.

CONCERTED STRATEGY

South Ossetia provides an illustrative and tragic example that contradicts the hypothesis that solutions to frozen conflicts could be postponed *sine die*, operating with the presumption that time will naturally fix the issue.

Unresolved conflicts are not socially or politically neutral. They constantly create new effects, consolidating a new situation. The term frozen conflicts per se is a preposterous oxymoron because the association it proposes between "conflicts," by their nature dynamic, and "frozen," a physical state suggesting immobility. An entire new generation of voters in breakaway regions knows only the reality of separation.



Cryogenics cannot be considered a viable response to protracted conflicts, which are perpetuated through a deceptive ember fire. The volcanic pressure of a protracted conflict could erupt anytime; a dormant volcano is not necessarily extinct. Contrary to the natural phenomena, the social and political spheres could escape implacability. Not acting to find a mutually agreeable solution to prolonged conflicts amounts to irresponsibly waiting for the inevitable to happen. There was nothing inevitable in the flareup of the August 2008 conflict in Georgia that killed hundreds and displaced 160,000.

Thus, the international community is not really facing a dilemma concerning the protracted conflicts. The myth of frozen conflicts, conflicts that in fact tend to thaw and perpetuate, is an illusion. Reconciliation and mutually acceptable compromise settlements are not emerging by themselves. In fact, not seeking to solve the conflict means supporting the status quo. Nevertheless, a concerted strategy combining sustained regional and international support for further stabilization and democratization of the parent states, pressure on the protector state and engaging separatists could work. \Box

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