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**The perpetuation of Frozen Conflicts by De  
Facto States to gain International Recognition:  
Case Studies of Transnistria and Somaliland.**

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## **Abstract**

This thesis has for major aim to present the de facto state through another approach, by placing their intrinsic frozen conflict situation as a rational choice rather than a symptom of the lack of recognition. To do so, the case studies of Transnistria and Somaliland have been chosen since, the de facto state's academic field had, so far, focus more on the Caucasus' cases – therefore lack of similar comparisons. It appears indeed that, both these cases possess numerous similarities – such as not basing their identity on ethnicity or religion. Thus, through an empirical research, it has been possible to approach the establishment of these two de facto states and the reason behind the lack of international recognition; but also the role and influence of the frozen conflict within their internal evolution as well as their role in its perpetuation; and finally, the place of their parent state and the international community in the continuation of the status quo. It seems thus that, if it remains unlikely to find out if Somaliland and Transnistria do use the frozen conflict as a political tool to reach their political goals – namely international recognition but also identity building –, it appears that all actors involved in these conflicts do benefit from the perpetuation of such status quo.

## **Keywords**

**De facto state, frozen conflict, Somaliland, Transnistria**

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## **Declaration of Authorship**

1. The author hereby declares that he compiled this thesis independently, using only the listed resources and literature.
2. The author hereby declares that all the sources and literature used have been properly cited.
3. The author hereby declares that the thesis has not been used to obtain a different or the same degree.

Prague 09/05/2019

**ROCHAMBEAU Mathieu**

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## *Introduction*

The recent ongoing events in Ukraine since the 2014's regime change followed by the annexation of Crimea by the Russian Federation and the establishment of two self-proclaimed Republics, the Donetsk People's Republic and Luhansk People's Republic, known together as the Federal State of Novorossiia – *Новоросси́я* in Russian –, brought a major light on an already dynamic field of study that is the study of de facto states (O'Loughlin & Kolossov, 2014; De Cordier, 2017). Defined by several academics under a plurality of appellations, the de facto states – also known as unrecognized states – have been characterized by Pegg (1998) as political entities meeting the Montevideo Convention's criteria for statehood while lacking from the international recognition of their independency. These secessionist regimes represent therefore a grey area for the international relations, explaining the recent development of this academic field since the 1990s partly due to their longevities – thus de facto integration within the international system. It appears in this context predictable that, it has been their desire of recognition and efforts toward such end – by meeting the mainstream criteria of statehood defined by the Montevideo convention – that have represent the major part of the researches regarding de facto states (Pegg, 2008). But after decades of existence and solid nation and state building – as well as the existence of few examples of recognition such as Kosovo or Eritrea – it became clear that it was unlikely that the international community will recognize these political entities out of the criteria that they already fulfilled. Wondering if the de facto states officials are already pursuing recognition through different policies and developing strategies to seek their aim seems then more likely – especially regarding the fact that their policy of state building can already be seen as achieved or soon to be. The academic approach of the intrinsic state of frozen conflict – what Özkan (2008) defined as a “no war no peace” situation – undergone by the de facto states as a symptom of the lack of recognition can also be challenged due to the lack of researches regarding this aspect of the question. This research will then try to determine if the state building can be considered as only a part of a broader strategy of de facto states that would be taking advantage of the long-term frozen conflict state against their parent states – and the securitization surrounded such situation – in order to seek a de facto status through their apparent stability and popular support – that should comes in opposite to their parent states, considered by many as instable or failed states by the very existence of de facto states on their territory (Hoch & Rudincová, 2015). To do so, and to further close the gap of the

de facto states' field of study, this research will take the form of a comparison between two case studies: Transnistria – or the PMR, Pridnestr Moldovan Republic or *Pridnēstrovskaja Moldavskaja Republika* in Moldovan – and Somaliland – *Jamhuuriyadda Somaliland* in Somali (Dembińska, 2008; Hoch & Rudincová, 2015). The choice of these two specific case studies is, furthermore, due to particular reasons that will be beneficial to the field of study by bringing the focus on new actors and aspects. First, it will stress the necessity, for the academic field, to diversify its researches that mostly focus on the Caucasus case studies. Somaliland is the only political entity located on the African continent that is unanimously considered as a de facto state by the academic community while Transnistria is the only European de facto state born from the collapse of the USSR in the early 1990s that is not located in the Caucasus (Kolstø, 2006; Fischer, 2016). Beside this notable geographical difference, these two case studies have a lot in common, which makes such comparison extremely rich by its potential. First and foremost these two political entities based their legitimacy on their past experiences of autonomy at some point in their colonial and postcolonial past – within the USSR for Transnistria or the United Kingdom's colonial empire for Somaliland. Furthermore, it is important to emphasize that these two de facto states benefit from popular support due to their efficient identity building processes – despite not being ethnic nor religious separatist states alike other de facto states. Transnistria is in fact populated by a multiplicity of ethnic groups, the three biggest being – in a comparable proportion – ethnic Moldovans, Russians and Ukrainians<sup>1</sup> (Dembińska, 2018). Somaliland presents another particularity compared to the other de facto states by being populated by the same ethnic group, sharing the same culture, language and religion as its parent state; but being part of other clan groups – identity factor that is still socially extremely present in the Somali culture and politics (Kolstø & Pegg, 2014). These two case studies do not meet, therefore, the ethnic or religious justification for independency that is used in the other de facto states' separatism. Alongside that fact, they do also both benefit from a solid level of state building that could be proved by the different democratic elections that have been held without violence or major issues, even during majority change, and thus, despite being located in highly instable regions – with the recent events in Ukraine in the case of Transnistria or Yemen, Ethiopia, Eritrea and the rest of Somalia for the case of Somaliland (Hoch & Rudincová, 2015). Another valuable similarity of these two actors is the existence of what could be described as a failed de facto state within their parent state – namely Puntland for Somalia and Gagauzia for Moldova –, particularity that can bring a

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<sup>1</sup> The nostalgia of the soviet historical background and the language, Russian, being in this case the social cement that built up the identity of the de facto state.

precedent or another example on how and why one situation escalated while the other did not (Hoehne, 2015; Fischer, 2016). Finally, it is also interesting to note that, if Transnistria is supported by Russia, especially on the military aspect, its parent state, Moldova, beneficiaries also from Moscow's support and close diplomatic ties. Tiraspol is however still not recognized by its patron state or any other country like Somaliland – that does not even have a patron state, rare case for de facto states and marking here a noteworthy difference between these two case studies. The similar longevity of these two actors that declared their independency in 1991 is also valuable for this research since it permits to fix a similar time delimitation even if it will be more likely necessary to look back to the colonial times and the decolonisation process that are both rich by the quantity of information they can provide to the actual study of these de facto states (Hoehne, 2015; Popescu, 2013).

## *Literature Review*

At the end of the 20<sup>th</sup> century with the collapse of the Soviet Union and Yugoslavia, numerous territories in these areas claimed their independence and managed to keep their autonomy over time through military means, and thus, despite the lack of international recognition and legitimization. This unique political situation – if it was already known through the cases of Taiwan or Northern Cyprus – led the academic community to organize the study, in the 1990s, of these new actors that became, by their longevity and numerous cases, an integrant and unavoidable part of the contemporary international political system. Pegg (1998) with his *International Society and the De Facto State* is here a reference in the theorisation of these new actors described as de facto states due to their lack of international recognition while meeting of most of the other Montevideo Convention's statehood criteria– such as having a permanent population, a defined territorial boundaries and a government. If this Convention was only signed between the United States of America and eighteen countries of Latin America in 1933, it is still considered as the de facto standard legal definition of statehood by many major authors focusing on de facto states, such as Pegg (1998), Toomla (2014) or Kolstø (2006)<sup>2</sup>. This situation led numerous authors to seek to develop and theorize a definition that would characterize the best de facto states. Kolstø (2006), for instance, presents a definition of de facto state as being a territory where the political leadership control the majority of the territory it claims, that has not achieved international recognition as an independent state and finally, that met these criteria for at least two years. In 2008, Pegg – as well as Toomla in 2014 – developed this definition partly in accordance with the Montevideo Convention and defined a de facto state as a territory where, “First, there is an organized political leadership which receives some form of popular support. Second, this leadership has achieved sufficient capacity to provide governance or governmental services to a defined population. Third, the de facto state effectively controls its territory or the large majority of it for at least two years. ... Fourth, the de facto state views itself as capable of entering into relations with other states. Fifth, the de facto state actively seeks widespread international recognition of its sovereignty. Finally, the

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<sup>2</sup> However, the very existence and survival of these political entities in the international system for decades might appears as the sign that the mainstream definition of statehood based on the Montevideo Convention would already been out-dated.

de facto state is, however, unable to achieve widespread recognition of its sovereignty and remains largely or totally unrecognized by the international society of sovereign states”.

The academic interest for these new actors is all the more important since, as Broers (2013) noted, their very existence result from a political paradox, the “de facto states present an existential paradox in their simultaneously transgressive and mimetic qualities: they both challenge the international state order by violating de jure borders, and replicate it by seeking to exhibit the normal appearance of a state”. These political entities are thus, despite requesting their integration within the international system, undermining and delegitimizing this very same system by their own existence. The recent development of the de facto state’s academic field led to numerous debates concerning the theorisation of this new kind of political actor, in particular when it comes to how they should be defined and which territories are fitting these theories. If authors like Pegg (1998) used the expression “de facto state”, some others like Caspersen (2013) or King (2001) would prefer the term “unrecognized state”, authors like Lynch (2002) “separatist states”, some like Kolstø (2006) “quasi states”, “contested states” for Geldenhuys (2009), “almost states” for Stanislawski (2008), and finally “pseudo states” according to Kolossov & O’Loughlin (1998). Despite the fact that none of these specific appellations are either intrinsically correct or wrong, they present the different aspects of such political actors and permit to understand their complexity and debates about their characteristics. However, the academic deliberations on which actors deserve the title of de facto states are here more interesting. Indeed, authors still argue on which political entities are or were meeting the criteria to be considered as de facto states – debate related to the definition of these actors. The limit between unrecognized states and the states that are not integrant part of the international community is, in fact, extremely blurry as Caspersen (2013) already emphasized it. The actual international community is for instance partly composed of states that are still not recognized by all of the UN members like the State of Israel, the People’s Republic of China, or North Korea. The theorization of this grey area – within which de facto states are located – is, therefore, leading to numerous debates and discussions in the academic field. Bahcheli, Bartmann & Srebrnik (2004) are, in this context, quite relevant when describing a “legal fog”. Regarding academic tabulations, if authors agree on including the actual cases of Abkhazia, South Ossetia, Nagorno-Karabakh, Transnistria, Somaliland, the Turkish Republic of Northern Cyprus, as well as the former cases of Chechnya, Tamil Eelam, Eritrea, Republika Srpska and Republika Srpska Krajina. Some of them already disagree on considering Kosovo and Taiwan as de facto states, like Caspersen (2013), considering them as “borderline” due to their recognition quite widespread. The cases of Western Sahara and Palestine are similarly

controversial in the academic field with Pegg (1998) and Caspersen (2012) not including them whereas other authors like Geldenhuys (2009) and Caspersen & Stansfield (2011) do so. Caspersen (2011) considered for example on her list of de facto states Biafra and Katanga, Anjouan, East Timor, South Sudan, Taliban-ruled Afghanistan, Bougainville, Gagauzia, and Iraqi Kurdistan as de facto states whereas Florea (2014) would only add to the classification the case Biafra and Katanga, and MacQueen (2015) the Iraqi Kurdistan. Pegg (1998) included also as further examples Biafra, Rhodesia – after its declaration of independence –, the “Greater Liberia” of Charles Taylor, and the Karen and Shan states of Myanmar. This academic deliberation on the exact definition and listing of de facto states led notable gaps between authors like Caspersen (2011) that presented 17 cases since 1991 when some others like Florea (2014) obtained a list twice bigger with 34 cases. Such situation contributes then to a concrete confusion when it comes to what could be defined or not as a de facto in the academic field. It also confirms Pegg’s (2017) vision of the evolution of the field these last years. He presented this confusion that explains, according to him, the weak progresses in this field due to these academic argumentations that wasted a lot of energy and time instead of developing studies and researches on de facto states. In order to avoid such controversies and focus on the research part, this study will use as terminology “de facto states”, since it is the one that seems favoured by a consensus of more and more authors (Pegg, 2017). Identically, the list of de facto states uses here will be the one of the actual cases that do not comport any major argumentations within the academics, namely Abkhazia, South Ossetia, Nagorno-Karabakh, Transnistria, Somaliland, and the Turkish Republic of Northern Cyprus.

Regarding the evolution of the academic field, the year 2008 represented a major development point with the partial recognition of Kosovo by the international community. This state, formerly considered by many major authors such as Kolstø (2006) as a de facto state, is now presented as an example of de facto state’s recognition under a patron support – here the United Nations and NATO that, according to Kolstø (2006), are running there an “international protectorate”. This example is also interesting regarding the fact that, as Closson (2013) emphasized it, “earned sovereignty from achieving “standards before status” referenced in Badinter Commission has only worked for Kosovo”. Furthermore, the events were followed, few months later, by the conflict between Russian and Georgia over the status of South Ossetia and Abkhazia, reinforcing then the autonomy of these two de facto states within the territory internationally recognized as being part of Georgia. The recognition by Russia of these two de facto states following this confrontation, as well as the annexation of Crimea in 2014 and the political proximity of the Kremlin with the Federal State of Novorossiia was then, according

to the Russian president Vladimir Putin, legitimized by the precedent of Kosovo (O'Loughlin; Kolossov & Toal, 2014). These events had a noteworthy implication on the academic field of de facto states by developing the focus of the studies on Eurasians and especially South Caucasians de facto states, namely South Ossetia, Abkhazia and finally Nagorno-Karabakh – last case that regularly undergo short and periodic military clashes between its army and the Azeri one, 2016 being the last episode of such escalation (Fischer, 2016).

A gap considering the frozen conflict's benefits for the de facto states; as well as their role in the perpetuation of such status quo can therefore be apprehended in this academic field. The necessity for the academic field to focus on new case studies is as well noticeable, particularly due to the gap that represents the comparison between cases like Transnistria and Somaliland – on account of their clear similarities in their particular identity building that is based on neither ethnicity nor religion alike most of the other de facto state.

Regarding the focus of the academic field toward de facto states, it appears indeed that the accent is particularly put on their place in the international system – and their interactions with it –, the nation and state building they are developing, as well as their relations with their parent and patron states like the work of Pegg (2017) tends to confirm the tendency. The frozen conflict situation is, however, not studied in details and is approached as a central part of the research only by few authors such as Pokalova (2015), Fischer (2016) and Özkan (2008) that based their studies on the conflict regulation, but also characterization and definition of this situation as “frozen” rather than “enduring, persistent, protracted, stagnant, gridlocked or prolonged” that could, furthermore, also be considered as a status quo or “no war no peace situation”. Finally, the recent apparition of the de facto state study field in the 1990s with the work of Pegg (1998) as theoretical pillar means also that the actual focus on the Caucasian de facto states is not an issue since the global research on this topic is still not furnished enough – alongside the fact that these cases remain the more actives. Therefore, blaming the researches on these case studies is counterproductive even if the lack of work on the other de facto states should still be addressed – in order to improve and develop the field of study of de facto states as a whole and not only through the Caucasians examples, as interesting as they can be. Similarly, if studying the place of de facto states in the international system and their level of state building can only be regarded as a solid progress for this field of study, it should not be without keeping in mind that, since the proclamation of independence by the de facto states' officials, the strategy of “standards before status” in order to obtain international recognition did not meet any successes or improvement over the years for the major part of the cases (Blakkisrud & Kolstø, 2011). Thus, the state building process should be perceived and

apprehended as a mainstream but also obsolete policy to obtain that recognition in the actual international system. The frozen conflict condition and the failure of peace negotiations could then, become the focus of more researches based on a new vision, perceived as a political choice and through a normalisation process rather than only as a failure of the political actors involved.

It is in this academic environment that this research will try to determine, through the comparison of the Transnistrian – also known as PMR, Pridnestr Moldovan Republic or *Pridněstrovskaja Moldavskaja Republika* in Moldovan – and Somaliland's – *Jamhuuriyadda Somaliland* in Somali – case studies, to which extent is it possible to apprehend the frozen conflict state as a political option from the de facto states officials to seek international recognition (Dembińska, 2008; Hoch & Rudincová, 2015)?

## *Methodology*

This research will present multiple objectives and will aim to develop and contribute to the academic field of de facto states. First and foremost by bringing the focus out of the Caucasus area by presenting an empirical comparison and thus, similarities and exceptions, of an African and European case study. The focus on these specific cases will also permit to build up a specific basis and a reference for other separatists movements that would meet the same particularities in the future, such as Novorossiia or Ambazonia that also based their autonomist claims on the ground of history and former colonial administrative delimitation motives rather than ethnic or religious ones (Riegl, Martin & Doboš, 2017; International Crisis Group, 2017). Furthermore, it will present a new perspective on the frozen conflict situation, approached here more as a choice and strategy of the de facto state's officials that benefit from it rather than being victim of such situation. And finally bring the light on a neorealist approach regarding the necessity to include these political actors in the international process of peacekeeping and development policies in these regions.

Different hypotheses can thus be addressed to develop and determine an answer to the research question. First and foremost, it will be stated that the frozen conflict situation – intrinsic to all de facto states' existence – could be approached as a political tool for de facto states' officials directed toward their recognition aims. Therefore, will be examined if there is a correlation between the longevity, intensity, deadliness of unresolved conflict, and the de facto state's degree of recognition. The second hypothesis will be based on the idea that Hargeysa and Tiraspol are contributing to prolong the frozen conflict through their measures of securitization, nation and identity building – in order to mobilize popular support, therefore internal stability. Nation building is often perceived through the lenses of the Montevideo convention – and thus as a policy to obtain international recognition – but this research will rather approach that process as a way to get popular support in order to continue the unresolved conflict – since obtaining recognition through this strategy appeared to have already failed. Finally will be proposed the correlation between the instability of the region where de facto states are located and the degree of de facto recognition and dialogue between the de facto state and the international community in the organization of peacekeeping, conflict resolution or development programs.

The study will therefore be ordered as follow. First, the secessionist failure of the de facto states will be emphasised by presenting the post-colonial identity and nation building, followed by the failure of the peace negotiations and international recognition. To do so, an emphasized on the nation and state building process is going to be presented followed by the evolution of the international negotiations regarding the de facto states' existence. The second part will focus on the frozen conflict situation by trying to determine its intensity and necessity. The role of securitization and policies on popular support will thus be analysed to understand its necessity as well as the role of the de facto state in the prolongation of this situation to understand the objective of these actors in such confrontations. Finally, in the last part, the study will emphasised the role and importance of the concerned regions' instability in the recognition process. The quality of the parent states – that might be approached as failed or partially failed – and their capacities to reintegrate the de facto states, but also the more global interests from external actors or the international community will therefore be stressed.

In order to verify these hypotheses, this empirical research will be based on different axes. First, by putting in relation already existing studies that focus either on frozen conflicts, Somaliland, or Transnistria like the quantitative studies of Bakke, Linke, O'Loughlin & Toal (2017) about Transnistria and other post-soviet de facto states to determine the popular support, trust and security feeling of their populations toward the de facto state, parent state and patron state. Also the qualitative work of Berg & Toomla (2009) about the normalisation level of de facto state's statehood or the quantitative one of Toomla (2014) about the conditions for recognition of the different de facto states. And the quantitative study of Kolstø (2011) about Russian minorities living in the former USSR states, the work of Sambanis & Schulhofer-Wohl (2009) about separatism as a civil war solution, or, finally, Reagan's (2000) work on the importance of time in the interstate conflict management. And finally the different data about Transnistria and Somaliland offered by the researches of authors such as King (2001), Pegg & Kolstø (2014) or Pegg (2017) that could become useful in order to compare these two case studies. But also through the UCDP mapping of the violence that happened – or still happen – as well as the repartition of the military means of both de facto states and their patron states. The intensity of the conflict through time with the mapping of the casualties and their evolution will furthermore permit to determine to which extend this military opposition can be considered as frozen. This research will indeed pursue to expose to which extend the ongoing frozen conflict situation might be considered as an actual war situation and a threat to the de facto states that would justify securitization policies, or, if these unresolved conflicts would be more symbolic or political – therefore somewhat perpetuated by Tiraspol and Hargeysa to reach their

political agenda. It will also give information on the capacities of de facto states to protect its population and if their parent states possess the military means to reintegrate by force de facto states. The comparison of the territory during the colonial time – on which de facto states based their legitimacy – as well as the one actually controlled will be as well interesting to determine the objectives pursued by the de facto states' governments, namely territorial or more ideological. Finally, the different policies of the de facto states and their parent states, the interference of external actors, as well as the international negotiations and peace processes about the unresolved conflicts will also be here useful to determine an answer to the different hypotheses.

# I. Secessionist victory, recognition failure

## *A. Nation/State building*

As a starting point for the research will be the presentation of the events of the early 1990s that witnessed the declaration of independence from both Transnistria and Somaliland and the military operations that permitted these two entities to preserve and secure their existence. These events represent the base for the following state and nation building already put in place by the elites of these territories while still fighting against their parent states for autonomy. It is these very policies and processes of state building and nation building that, by their efficiency in those two case studies, justify the de facto states' status of Transnistria and Somaliland.

Preceding the conflicts of the early 1990s, both Somaliland and Transnistria have in common the origins of the tensions with their parent states in their colonial past – within the Tsarist Empire and then the USSR for Transnistria and within the British Colonial Empire and then the Republic of Somalia for Somaliland<sup>3</sup> (Kolossoff & O'Loughlin, 1998; Blakkisrud & Kolstø, 2011). This confirms that if the question of identity in the different de facto states became obvious and claimed in the early 1990s, the origin of these tensions did develop in their colonial – and post-colonial for the case of Somaliland – pasts.

The question of a specific Transnistrian or Somaliland's identity – that is not based on any ethnic or religious basis – is mostly legitimized by their colonial past and in particular, the changes of border during the 19<sup>th</sup> and 20<sup>th</sup> century that led, eventually, both of these territories to already experienced a form of independence or autonomy from their actual parent state. In the case of Transnistria first, this territory located at the crossing point of the Roman cultural realm, the nomads of the Great Steppe and the East Slavic worlds has been the gateway from the East European plains to the Balkans and Southern Europe and has been, like Chechnya and Nagorno-Karabakh situated between the Russian and Ottoman Empires (Kolossoff & O'Loughlin, 1998). The area has been integrated within the Tsarist Empire step by step from

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<sup>3</sup> Even if, as presented by Blakkisrud & Kolstø (2011) for the Transnistrian case, the Transnistrian identity was dormant until the war with Moldova in 1992.

the end of the 18<sup>th</sup> century with the 1792's Jassy peace treaty between the Ottoman Empire and the Russian Empire (Cojocaru, 2006; Kolossov & O'Loughlin, 1998). If Romanians mostly populated this territory, its integration within the Russian Empire led to a Slavic immigration of Ukrainians and Russians, explaining its multi-ethnic aspect still presents nowadays. The remaining part of the actual Moldova<sup>4</sup> was only integrated within the Empire in 1812, but kept its strong Romanian linguistic and cultural influences (Cojocaru, 2006; Fischer, 2016; Kolossov & O'Loughlin, 1998). But this common history of what is today Transnistria and Moldova did not last since the Western part of Bessarabia became, already in 1859, part of the newborn Kingdom of Romania (Cojocaru, 2006). The remaining part of Bessarabia joined Romania after the Russian Revolution of 1917 and an official vote in 1918; Transnistria remained therefore the only part of Moldova in what was to become the USSR (Cojocaru, 2006; Fischer, 2016). During the interwar period and under the Soviet regime, in 1924, was created within the Ukrainian SSR, the artificially named MASSR or Moldovan Autonomous SSR<sup>5</sup> (Cojocaru, 2006; Dembińska, 2018; Voronovich, 2014). This became for Transnistria a first experience of political autonomy and a base for the identity of the "Transnistrian people" (Cojocaru, 2006). The Second World War brought changes with the annexation of Bessarabia by the Soviet Union the 2<sup>nd</sup> August 1940 and the creation of the Moldovan SSR (Cojocaru, 2006; Fischer, 2016). But following the Barbarossa operation, Romania – an ally to the Third Reich – regain control over Bessarabia until 1944 as well as the territory on the other side of the Nistru river, Transnistria, in the name of the Romanian unification despite Bucharest being seen as an occupant by the inhabitants of Transnistria<sup>6</sup> (Cojocaru, 2006; Fischer, 2016). Finally, the re-establishment of the Moldovan SSR in 1944 would not undergo any border change until the fall of the Soviet Union (Cojocaru, 2006; Fischer, 2016). But this episode during the Second World War remained active in the mentalities of Transnistrian, and were exploited by local mass media to developed the image of Romania, and to some extend Bessarabia, as "the Empire of Evil", "the country of Anarchy" in order to suppress any desire of reunification with Romania and leading to build up the Nistru river as a psychological border, despite the Moldovan SSR territorial unity (Cojocaru, 2006). If, as presented by Cojocaru (2006), the case of Transnistria

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<sup>4</sup> The territory known as Bessarabia, located between the Nistru and the Prut Rivers.

<sup>5</sup> The MASSR represented 8,500 square kilometer and had Balta as a capital until 1929 when the capital was moved to Tiraspol, actual capital of Transnistria. This measure of Moscow was, however, far from acknowledging a Moldovan identity or providing them with political autonomy, since this territory was only populated by around 30% of ethnic Moldovan, but was instead a response to the Romanian integration of Bessarabia in a Greater Romania after World War I and a way to justify an annexation of Bessarabia in the future according to Voronovich (2014).

<sup>6</sup> This period was the only time during which the other part of the Dniester River has been under the control of a Romanian or independent Moldovan state in its history.

is unique within the Eurasian de facto states for not having any open tensions prior to 1989 nor identity or term like “Transnistria” and “Transnistrian”, it is important to stress this history of constant modification of borders, identities and loyalties to understand the distinct development and experience of the people in Moldova and Transnistria as presented by Greame (2005) (Cojocaru, 2006; Fischer, 2006). The Republic of Moldova, successor of the Moldovan SSR formed in 1940 was thus an artificial state that has never been independent prior to 1991, fact that became central for the Transnistrian elite’s justification for independence<sup>7</sup> (Fischer, 2016; Cojocaru, 2006). Alongside the territoriality background of the Transnistrian-Moldovan tensions, the question of language is also a major issue that eventually led to an open military conflict. This process can be traced back to the Russification policies of the Tsarist Empire that was later employed and further implemented by the Soviet authorities (Zabrodskaia & Ehala, 2015; Blakkisrud & Kolstø, 2011). These policies contributed to build new identities but also to blur the lines between linguistic, national identity and ethnicity in the former Soviet Union like Zabrodskaia & Ehala (2015) stressed it. From the 1920s and thus the early existence of the Soviet Union, a policy of Soviet nationalities has been put in place through a mixture of concessions to ethnic groups in the very centralised nation that was the USSR<sup>8</sup> (Kolossoff & O’Loughlin, 1998). This policy explains as well the creation of the MASSR in 1924, example of the desire of Moscow to recognize groups within the Union and allocate special privileges in order to build up a Soviet mentality and identity that would supersede ethnic loyalties by promoting Russian as *lingua franca* and the settlement of Russians in all territories – policy at the very origin of the identity of Transnistria<sup>9</sup> (Kolossoff & O’Loughlin, 1998; Cojocaru, 2006). The Russification of Moldova under the Soviet regime contributed to build a differentiation between Transnistria and Bessarabia by choosing Transnistria as heart of the heavy industry and the military complex in Moldova while Bessarabia kept its agricultural economy (Cojocaru, 2006). It is during that time that the notion of “we, Transnistrian” and “they, the Bessarabian Moldovans” did spread<sup>10</sup> (Cojocaru, 2006). Even before 1989, tension broke out within Moldova because of the groupism promoted through cultural division of labour between

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<sup>7</sup> If Bessarabia and Transnistria shared almost half a century within the same political unit, the Moldovan SSR was clearly formed of two regions with different historical roots and traditions.

<sup>8</sup> Despite being based on the national ideology based on equality, the Russian minority kept a *primus inter pares* place, even though this did not concern the well-being and incomes.

<sup>9</sup> Later, the very own creation of the Moldovan SSR within the USSR was motivated by a will from the central authorities to build up a specific Moldovan identity, different from Romania, and thus despite the fact that it has never properly existed before – in order to justify the Soviet control over the region and deny any Romanian desire to reintegrate Bessarabia after 1945.

<sup>10</sup> Mostly influenced by the Soviet propaganda and the idea that Bessarabians were capitalists with a different culture and language.

Russians and Moldovans<sup>11</sup> (Cojocaru, 2006; Kolossov & O’Loughlin, 1998; Troebst, 2004). Thus, the addition of the historical and cultural cleavages between the two sides of the Dniester river and the socio-economic differentiation of the two part of Moldova during the Soviet Era contributed to developed a situation where the industrial cities were populated of multi-ethnic, de facto Russian-speaking, allochthonous economic, party and administrative elites, and on the other side, heavily agricultural areas populated by Romanian-speakers<sup>12</sup> (Fischer, 2016). But this social situation got challenged after 1989, when the National Movement started in Moldova and quickly launched Romanisation policies and an ethnic agenda, leading the Transnistrians intimidated and feeling manipulated by these new linguistic discrimination (Cojocaru, 2006; Fischer, 2016; Kolossov & O’Loughlin, 1998). Indeed the Moldova language law established a switch in the language policies in Moldova by giving Moldovan – which has prior a weaker position than Russian – an equivalent position in inter-ethnic communication<sup>13</sup> (Kolossov & O’Loughlin, 1998; Zabrodskaia & Ehala, 2015). These new policies resulted, similarly as in other former Soviet Republic, in the alliance between the Russian and “third-level” minorities – here the Ukrainian one<sup>14</sup> (Kolossov & O’Loughlin, 1998; Wallerstein, 1995). According to the security dilemma, for one group to improve its positions is considered as a loss by other groups<sup>15</sup> (Kolossov & O’Loughlin, 1998). This can partially explain the tension resulting from the development of the Moldovan National Movement at the fall of the Soviet Union – since this super-centralised state did successfully “froze” all traditional and potential conflicts such as the Moldovan multi-ethnic question as presented by Kolossov & O’Loughlin (1998). It was this context of the establishment by the Moldovan National Movement of aggressive anti-

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<sup>11</sup> Russians were mostly working in the industry and construction sectors, health care, science and applied technical research as well as teaching whereas locals were in majority working in the agriculture sector, research, and teaching in social sciences and humanities, cultural and state apparatus. But the rise of the educational level and the demographic pressure did affect that situation by opening competition for prestigious jobs and thus left the Russian minority with a feeling of deprivation that has been mobilized and instrumentalised. The ethnic Moldovans were thus mostly excluded by these unofficial policies from the decisional positions in industries, politics and the army and ethnic Russians favored since they were seen as more loyal by Moscow.

<sup>12</sup> With the exception of the Russian-speaking rural areas of Gagauzia and Taraclia and few Ukrainian speaking settlements.

<sup>13</sup> It can be explain by a combination of strong sense of belonging to a territory and resentment against the privileged Russian minority and led therefore to a national exclusion and ethnic based nationalism like in Central Asia or the Baltic States.

<sup>14</sup> As presented by Wallerstein (1995), the 1990s was the age of “groupism” during which the weakening of the state control and the economic globalisation altered the relationship between citizens and their government and led to the construction of defensive groups where the former certainties have collapsed, alike in Moldova and other former Communist states.

<sup>15</sup> This partially explains the tensions that emanated from Transnistria after the establishment of new language policies in Chisinau – as stressed by Kolossov & O’Loughlin (1998): “After the adoption by Moldova’s parliament of a series of discriminatory laws, especially the laws on languages and the ouster (of) regional deputies from Moldova’s parliament, the people of (the) Dniester region had no option but to seek adequate measures to protect their rights and human dignity”.

Russian language moves in 1989-1990 – while getting closer to Romania after 1989 during the perestroika – that eventually led to the declaration of independence of Moldova from Moscow in June 1990<sup>16</sup> (Dembińska, 2018; Cojocaru, 2006; Kolossov & O’Loughlin, 1998; Fischer, 2016). Meanwhile, a day before Moldova officially declared its independence from the Soviet Union, Tiraspol stressed its loyalty to Moscow and organised, later in 1990, a referendum to legitimize its independency from Chisinau<sup>17</sup> that was plebiscite by 90% votes “in favor”<sup>18</sup> (Blakkisrud & Kolstø, 2011; Cojocaru, 2006; Kolossov & O’Loughlin, 1998; Fischer, 2016; Troebst, 2003). As stressed by Dembińska (2018), Kolossov & O’Loughlin (1998), and Cojocaru (2006), this decision of independence and the conflict that followed had some ethnic component but was not based on ethnicity but rather a clash of two ideologies and identities or cultures: the idea of a Transnistrian Russophone ethnically heterogeneous pro-Soviet’s side against a pro-Romanian Moldovan’s one<sup>19</sup> (Dembińska, 2018). It is therefore not a surprise that the pro-Soviet industrial and military elites, fearing for their privileges and influence, benefited from a strong support in the territory of Transnistria, mainly Russophone, and took control over Tiraspol and the left bank of the Nistru river without violence (Fischer, 2006; King, 2001; Dembińska, 2018). However, the tensions between Tiraspol and Chisinau did escalated quickly with the arrival in power of the People’s Front government in Chisinau after the first democratic elections at the Supreme Soviet of the Moldovan SSR in 1990 and the decision to suppress the Transnistrian multi-ethnic culture – first numerically and then by the use of force – leading to an open conflict in 1992<sup>20</sup> (Kolossov & O’Loughlin, 1998; Fischer, 2016). The influence of the Soviet’s – and later Russian – interference and machination of the politico-military PMR’s elites has had as well a role to play in these escalations<sup>21</sup> (Kolossov & O’Loughlin, 1998;

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<sup>16</sup> This declaration of sovereignty was followed by a decision to declare all property on the MSSR territory as owned by the Republic, decision that triggered further the Russian-speaking minority of the country.

<sup>17</sup> The Transnistrian Republic, political entity within the Soviet Union was established the 2<sup>nd</sup> September 1990 by the second extraordinary Congress of Deputies – representing communities on the left bank of the Nistru river –, and led to the establishment of the independent Transnistrian Republic in 1991 when the PMR forces seized control of the remaining left-bank government agencies and police stations, shortly after the break-up of the Soviet Union and the failed August’s coup in Moscow. The establishment of Transnistria that “was given the Russian geographical moniker Pridnestrovye (Transnistria)” did not, first, led to an escalation but rather, as Fischer (2016) pointed out, appeared overnight during the late-Soviet convulsions.

<sup>18</sup> Supported by 85% of the electors. But the openness of this vote has been severely questioned by the Western observers and commentators.

<sup>19</sup> From Tiraspol’s perspective, this was a clash between the “real” Moldovans and Romanians.

<sup>20</sup> The explosion of hostilities happened quickly after the failure of the PMR’s demands of a “free economic zone” – a de facto separatism from the Moldovan authority –, meaning the establishment of a federal state or a confederation. The perception of menace following these political tensions, the complex inter-ethnic security dilemma, the hostile masses on both sides, as well as the lack of time contributed, according to Kolossov & O’Loughlin (1998), to create the right environment for an open conflict, happening after a vain attempt to recapture the right-bank city of Bender in mid-June 1992.

<sup>21</sup> Mostly due to the close pre-existing ties between the multi-ethnic Russian speaking urban population and Moscow, as well as the ideological dogmas of the Soviet nationality policy that spread in the Russian speaking

Fischer 2016). However, unlike the open conflict between Hargeysa and Mogadishu or the other post-Soviet conflict, the Tiraspol-Chisinau one was extremely brief and intense lasting only over few weeks in Spring 1992 until the ceasefire in June<sup>22</sup> (Cojocaru, 2006; Fischer, 2016; Kolossov & O’Loughlin, 1998; Chamberlain-Creanga & Allin, 2010; Blakkisrud & Kolstø, 2011). This conflict was also marked by the massive Soviet – Russian from April 1992 – military support of the 14<sup>th</sup> Army stationed around Tiraspol<sup>23</sup>, coupled with Russian peacekeeping forces, leading to the idea that Transnistria would be a Russian creation<sup>24</sup> (Chamberlain-Creanga & Allin, 2010; Kolossov & O’Loughlin, 1998; Fischer, 2016). This short war resulted in the control by Tiraspol of 12% of Moldova and most of its industrial areas, located on the left-bank as well as the control of certain agricultural areas on the right-bank<sup>25</sup> (Cojocaru, 2006; Kolossov & O’Loughlin, 1998; Fischer, 2016). The July 1992’s ceasefire between the Moldovan and Russian presidents established a Moldovan-Transnistrian-Russian border-monitoring regime with trilateral peacekeeping force that is still in effect today and contributed to cement the territorial division created by the military campaign (Fischer, 2016). According to Chamberlain-Creanga & Allin (2010), if the origins of the war in Transnistria reside on the shifts in the elite configuration, the languages rights and the geopolitics between Moldova and the collapsing USSR, it is the “mix grassroots socioeconomic and transnational dimensions” that contributed to the continuation of this conflict. However and similarly to the Somaliland case, it seems pointless to determine who started it since it would not have been possible without a reaction to the first threat; both actors are thus responsible of the emergence of violence (Kolossov & O’Loughlin, 1998).

Contrary to the Transnistrian case, Somaliland<sup>26</sup> did not undergo particular border changes during its colonial and post-colonial history. Hargeysa did as well enjoy 6 days of total

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urban population through propaganda, fear-mongering, chauvinism and fortress mentality and thus, to the fear of discrimination or the possible unification with Romania.

<sup>22</sup> The Moldovans, that have lived peacefully together suddenly turned against each other in 1992 but did not, however, led to any ethnic cleansing after the independency like in the Caucasus. The short war has caused more than 1,000 deaths, 100,000 people fleeing their homes, 10,000 injured as well as 380 millions USD worth of destruction.

<sup>23</sup> Army that quickly supplied arms, ammunition and expertise to the Transnistrian forces and increased their manpower. This military support permitted to Tiraspol to take control over Bender and the industrial cities West of the Dniester but not in Chisinau, Balti or smaller towns.

<sup>24</sup> If the Soviet officials rejected the secession, there are clear signs that Moscow did supported and encouraged it through high-ranking representatives of the KGB, defence and interior ministry, and members of the Supreme Soviet.

<sup>25</sup> If the initial goal of the Tiraspol’s elites was to take control of the whole republic, they did focus on the industrial centers after the realisation that their original goal was not reachable.

<sup>26</sup> Territory of 137,000 square kilometer located in the North of the Republic of Somalia, alongside the strategic Gulf of Aden and part of the former British colonial Empire in Africa contrary to the rest of the Republic of Somalia that was part of the Italian colonial Empire.

independence from the 26<sup>th</sup> June to the 1<sup>st</sup> July 1960<sup>27</sup> (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014). The newborn Republic of Somalia that Somaliland joined the 1<sup>st</sup> July 1960 did not last long since already in 1969, the Republic fell into the hands of the General Siad Barre and its repressive regime after a military coup (Hoch & Rudincová, 2015). However, despite that regime change, the territory of Somalia did not suffer from any modification until the fall of Barre in 1991 and the establishment of Somaliland as a de facto state (Hoch & Rudincová, 2015). Thus, if Somaliland did not undergo proper territorial changes, Hargeysa had enjoyed a proper territoriality independence from its colonial power and its future parent state contrary to the Transnistrian case study. However, from the very beginning of the voluntary union between the two former colonial territories into a Republic of Somalia, emerged social tensions and political dissensions between Mogadishu and Hargeysa starting with the decision to elect Mogadishu capital, which led to a marginalization of the second<sup>28</sup> (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Brons, 2001). After the military coup in 1969, the Barre's regime further exacerbated the tension between Somaliland and the central government. The most important factor was the politicization of clans in Somalia, which contributed to the marginalization of the Isaaq clan – most important clan in Somaliland – leading to the marginalization of this territory<sup>29</sup> (Hoch & Rudincová, 2015). Prior to the war leading to the independence of Somaliland, this situation led to the formation of opposition groups within the northern Somalia's clans and resulted in a violent campaign culminated in 1988 with the bombing of Burao and Hargeysa<sup>30</sup> (Hoch & Rudincová, 2015). It is thus interesting to note that contrary to the Transnistrian case, Somaliland experienced tensions and violence with its parent states already years before the declaration of independence. The clan based militia's violence escalated into an open military fight between Hargeysa and Mogadishu after the independence

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<sup>27</sup> During these 6 days, Somaliland had already obtained its independence from London and did not have yet joined the UN Trusteeship under the administration of Italy to form a common Republic of Somalia.

<sup>28</sup> These tensions can be witnessed by the vote of the North against the common Constitution the 20<sup>th</sup> June 1961, leading to the debate to know if the union was ever properly consumed. Despite numerous irregularities, being boycotted by half the voters in Somaliland, and a clear opposition from the remaining voters in the North, the 1961 Constitution was enforced thanks to the strong support from the South, explaining why a large number of Somalilanders consider it invalid and manipulated. The vote was therefore followed by an attempt of military overthrow – that ended without success and justified numerous measures to develop the unification of the whole country.

<sup>29</sup> Barre supported the other clans to undermine the influence of the Isaaq one, for instance by settling down refugees from the Ethiopian Ogaden region in Somaliland after the end of the war as well as members of the Dhulbahante clan. The key ministries and important political positions were as well held by representatives of southern Somalia.

<sup>30</sup> The bombings cost the lives of more than 50,000 persons and has been responsible of more than 500,000 displacements according to the Ethiopian branch of Human Rights Watch in 2006.

of Somaliland was declared on 18<sup>th</sup> May 1991<sup>31</sup> – in response of the repressive aspect that the regime of the General Siad Barre took after its military defeat in the Ogaden war (Hoch & Rudincová, 2015; Small Arms Survey, 2012; Bradbury, Abokor & Yusuf, 2003). This declaration resulted in an increase of violence and a large scale armed conflict, especially from the opposition under the SNM, the Somali National Movement, which eventually removed the regime in 1991<sup>32</sup> (Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015; Small Arms Survey, 2012). As stressed by Bradbury, Abokor & Yusuf (2003), from all the crisis and civil wars following the post-Cold War in the early 1990s, it is in Somalia that the state collapse was the most important, to such extent that Somalia was openly called “collapsed” or “failed”<sup>33</sup> (Brons, 2001; Bradbury, Abokor & Yusuf, 2003). This power vacuum, coupled with the challenge of the ideological basis of the Somali state – the ethnically homogenous society – did offer the chance for Somaliland to establish and preserve the independence declared the 18<sup>th</sup> May 1991 (Ahmed, 1995; Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015). But despite the obtainment of de facto independence, Somaliland had to deal with numerous backlashes from the Somali state collapse<sup>34</sup> (Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015). However, compared to the other regions of Somalia after the fall of Siad Barre, Somaliland has been relatively peaceful and managed to maintain a civil administration on its territory as well as a police force and an organised military – the Somaliland Armed Forces (Uppsala Conflict Data Program; Bradbury, Abokor & Yusuf, 2003). The decision of Hargeysa to obtain its independence from Mogadishu was not a will to secede from Somalia but rather a “reverts to the sovereign status [it] held at independence from Britain on June, 1960...” or a “voluntary dissolution between sovereign states”; in other words, a one side cancelation of the Act of the Union<sup>35</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf,

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<sup>31</sup> The declaration of independence was promulgated by the leaders of the Somali National Movement (SNM) and the elders of the Northern clans that revoked the 1960 Act of Union at the “Grand Conference of the Northern Peoples”, or *Shirweynaha Beelaha Waqooyi*, in Burco.

<sup>32</sup> At the foundation of SNM in 1981 and until the removal of Barre, the secession has never been the publicly stated objective.

<sup>33</sup> The Somali state ceased to function as an administrative, ideological, juridical and territorial entity after the overthrow of Barre since the legislative and judicial administrations as well as the army, the banks and the government-run welfare services totally disappeared.

<sup>34</sup> It led to a famine in 1992-1993, two internal conflicts between 1992 and 1996 that threatened its survival, a widespread displacement into larger cities and the destruction of public services. It has also been responsible to the development of “a range of governance systems – some effective, some destructive” such as warlord fiefdoms, long distance trading enterprises, Islamic-based organisations and nascent state-like polities – such as the Republic of Somaliland formed in 1991, Puntland in 1998, the Rahanweyn Resistance Army (RRA) in the south-western region of Bay and Bakool from 1992 and the Transitional National Government (TNG) in Mogadishu established at the peace conference held in Arta, Djibouti, in 2000 – leading to a competition for the seek of power in the former Somali state.

<sup>35</sup> Such decision was mostly legitimized and motivated by the desire to overthrow Barre’s authoritarian regime and guarantee the autonomy of Northern Somalia. However, with the United Somalia Congress, USC, quickly

2003). It is the fear of the continuation of the predominance of the Southern Somali clans in the Somali political life and the marginalization of the Northern parts of the country that convinced the SNM to definitely withdraw from the idea of a United Somalia and instead pursue the idea of an independent Somaliland<sup>36</sup> (Hoch & Rudincová, 2015). Thus, if the Transnistrian conflict has an extremely clear time's delimitation in Spring 1992 with no victims afterwards due to the establishment of a peacekeeping force under the control of a third actor – the Russian Federation – Somaliland had experienced a situation where the collapse of the state in Somalia after the fall of Barre led to a continuous series of skirmishes and small-scale conflicts from diverse actors seeking to seize power, following its war for independence (Uppsala Conflict Data Program). Both these actors have in common the extremely brief and intense fight against their parent state in a context of power vacuum that resulted in a victorious secession from Chisinau and Mogadishu, but also the frozen conflict situation that resulted from these open wars in the early 1990s with the resulting situation of “no more fights but no peace treaty” (Lynch, 2002; Dembińska, 2018).

If on the military aspect, both Transnistria and Somaliland managed to shortly secure their secession from their parent state, it seems important to approach the political and social aspects of this secession through the mainstream notion of statehood defined in the Article 1 of the Montevideo Convention<sup>37</sup> (Blakkisrud & Kolstø, 2011; Hoch & Rudincová, 2015; Kolossov & O'Loughlin, 1998). It is this seeks for statehood that represents, according to van Meurs (2002), the key to international recognition (Cojocar, 2006). In order to pursue this goal, the de facto states officials decided to base their strategy on the notion of “standards before status”, strategy that was successful in the case of Kosovo in 2008<sup>38</sup> (Blakkisrud & Kolstø, 2011). That process of state building – that requires several generations as stressed by Kolossov & O'Loughlin (1998) – is based for de facto states on the dilemma to create a state apparatus while keep fighting for its internal and external legitimacy. By developing its statehood, the de facto states benefit thus from more capacity that transform power into capability and authority and therefore rule by consent not coercion, central notion to justify their recognition<sup>39</sup> (Ali,

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seizing control over Mogadishu and the establishment of its leader, Ali Mahdi, as president without consultation with other opposition movements, it became obvious for the Northern clans that Somalia would remain in the hands of the Southern Somali clans.

<sup>36</sup> Idea of independence that had already emerged during the civil war and was supported by its inhabitants, as the demonstrations in big cities such as Hargeysa, Berbera or Burao tend to prove it.

<sup>37</sup> Define as a permanent population, a defined territory, a government and a capacity to enter into relations with other states – as well as the capacity to develop an army and taxes in a specific territory.

<sup>38</sup> Where state building led from what could be considered as a political black hole led to its recognition.

<sup>39</sup> Statehood prevents “growing violence, structural and latent conflicts draining the social capital and the ability of the state to penetrate society, create authority, maintain security, facilitate service delivery and organize development activities”.

2014). In the context of this research, it is useful to note that the state building's principal utility is to preserve the security of the citizens from external or internal dangers, the very situation of frozen conflict – therefore insecurity – seems then to facilitate the state building process (Ali, 2014; Cojocaru, 2006).

When it comes to the permanent population first, if Transnistria face a particular situation with the distribution of passports to its citizens by Moldova, Ukraine and the Russian Federation, the important control of the Moldovan-Transnistrian border by an international peacekeeping force gives Tiraspol a clear image of its population that only emigrate through official processes<sup>40</sup> (Blakkisrud & Kolstø, 2011; O'Loughlin & Kolossov, 2014). The case of Somaliland is, however, more complicated because of the nomadic way of life of the clans that inhabit that territory as well as the weak control over the Eastern regions of the de facto state<sup>41</sup> (Hoch & Rudincová, 2015). A more similar situation concerned the defined territory of these political entities since they both define their territory on their administrative pre-existence under the colonial rule of London or Moscow but without reaching the total control of these areas. In the case of Transnistria, Tiraspol declared the left bank of the Dniester River as its territory without fully controlling it while controlling land on the right bank (Fischer, 2016). If the de facto state controls a clear territory therefore, it is not exactly the one officially declared. For Somaliland, the situation is also ambiguous since its territory is clearly defined but the control of Hargeysa on it is quite variable. The Somaliland authorities defined their borders as the ones of the former British Somaliland founded in 1887 by London<sup>42</sup> (Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015). This has to be approached through the importance of the colonial frontiers in the African context that assures legitimacy for the establishment of new states in the continent (Hoch & Rudincová, 2015). However, the control of the eastern part of this defined territory, namely the Sool and Sanaag regions remained since 1991 a central issue for Hargeysa (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Small Arms Survey, 2012; Bradbury, Abokor & Yusuf, 2003). This threat to Somaliland's territorial autonomy has different aspect with first the fact that these areas are not only populated by two Isaac sub-clans, the Habr Jalo and Habr Yonis but also by the Harti clan group from the Daarood clan family,

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<sup>40</sup> With an estimation of 505,000 inhabitants in 2014, it is estimated that it represents a diminution of 30% since 1989.

<sup>41</sup> The estimations would therefore highly vary from 3,5 millions to 4 millions according to Abdillahi Duale – Somaliland's Former Minister of Foreign Affairs.

<sup>42</sup> Control officialised by treaties with its fellow European colonial powers in the region and Ethiopia between 1888 and 1897 that defined the borders of the new colony. These borders were confirmed by the Constitution of Somaliland in 2001 that clearly stated that “The territory of the Republic of Somaliland covers the same area as that of the former Somaliland Protectorate and is located between Latitude 8°00' to 11°30' north of the equator and Longitude 42°30' to 49°00' east...”

constituted of the Dulbahante and Warsangeli clans (Hoch & Rudincová, 2015). Secondly, Hargeysa is also challenged in these regions by Puntland<sup>43</sup> that based its legitimacy on clan-based borders – including the Harti clan group –, therefore clashing with the Somaliland’s border definition – as well as several independent states that have been declared there since the fall of Barre’s regime<sup>44</sup> (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Small Arms Survey, 2012). Interestingly in Somaliland, it is the argument of the British colonial borders that represents both a source of legitimacy and a threat to the integrity of Somaliland since its legitimacy is heavily challenged in the Sool and Sanaag regions (Kolstø & Pegg, 2014). If both Somaliland and Transnistria struggle to maintain a fully secure control over the territories they seek to represent, border disputes does not, according to Crawford (2006), deny control of claimed territory (Hoch & Rudincová, 2015). Both these de facto states can, therefore, be considered as meeting the Montevideo attributes of statehood concerning defined population and territory.

Concerning the establishment of a government – another attribute of statehood according to the Montevideo convention – Somaliland and Transnistria, despite the establishment of stable governments, witness a different evolution with the first one meeting a strong political legitimacy through an efficient democratisation process, while the second one being, so far, failing to establish and maintain a democratic regime<sup>45</sup> (Bradbury, Abokor & Yusuf, 2003; Freedom House, 2018). The lack of recognition and therefore, international help or support, was surprisingly a chance for Somaliland that, through local mediation process build up – alongside peace – a unique system of government based on the traditional role of clans for more than a decade, before being gradually replaced by a western-style democratic system (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Small Arms Survey, 2012). This “society-rooted process towards state formation” can be traced back to the Burco Conference in May 1991<sup>46</sup> and the January to May 1993 Grand Conference of the Communities in Somaliland in Borama, or *shirbeeleed*, that established through a National Peace Charter a government system

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<sup>43</sup> Puntland is another autonomist territory within Somalia established in 1998 and fighting for the reunification of Somalia.

<sup>44</sup> Such as Maakhir – established the 1<sup>st</sup> July 2007 –, that was eventually integrated within Puntland two years later, or Khaatumo that pose a threat to both Somaliland and Puntland since its proclamation in 2012 as part of Somalia without attachment to either Somaliland nor Puntland.

<sup>45</sup> The 2018 Freedom House report is here practical to establish a comparison and confirm that Somaliland, with a score of 44 out of 100, is considered as “partly free” with as central issue the fact that political figures stay in power longer than their mandate allow them, whereas Transnistria and its score of 24 out of 100 is considered as “not free” since the de facto state is heavily dependent on Russia, lack political pluralism and competition, and because of the strong ties between its politics and local business interests.

<sup>46</sup> The first government of Somaliland was elected during this conference.

based on the traditional clan principals, the *Beel* system, and the code of conduct *Xeer*<sup>47</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003; Small Arms Survey, 2012). After decades under the rule of Barre's centralist power and based on Weber's (1984) idea that democracy was not the only type of legitimacy, Somaliland established its new government system as a mix between traditional and rational legal, with the National Charter adopted by the clans conferences (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Ali, 2014). The Somaliland elites were aiming to build up a stable peace by encouraging the cooperation of the main clans – the necessary criterion for Somaliland's security and unity – through political structures such as the *Guurti*, the upper house of the Parliament as well as establishing a decentralised system of government to prevent the return of another authoritarian rule<sup>48</sup> (Small Arms Survey, 2012; Bradbury, Abokor & Yusuf, 2003; Farah & Lewis, 1993; Hoch & Rudincová, 2015). Clans' elders were traditionally ruling in the Somali culture – this system was maintained during the British colonialism in Somaliland unlike the rest of Somalia<sup>49</sup> –, more than a new system in place, this “pastoral democracy” as defined by Lewis (1988) is therefore more a decision to come back to the tradition for the Somaliland's elites – that were aware that the military could not control the whole de facto states without the approval of the elders (Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). The 2001 Constitution was therefore using the 1993 Boroma conference and the Transitional National Charter as a base and marked a marking point in the state building process of Somaliland that, switched from the power legitimacy based on the traditional authorities to a more classic system with the state as principal power (Kolstø & Pegg, 2014; Small Arms Survey, 2012; Bradbury, Abokor & Yusuf, 2003). But despite this evolution into a mainstream process of democratisation, Somaliland kept its particularity of traditional influence that can be exemplify by the fact that a lot of Somalilanders still turn to the elders rather than the police to deal with justice<sup>50</sup> (Small Arms

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<sup>47</sup> The code of conduct *Xeer* represents the unwritten contracts, laws, agreements or social codes between clans with principles from Islam.

<sup>48</sup> At Sheekh the *Guurti* of different clans were constituted as national *Guurti* and given control over clan militias in order to prevent aggressions with the other communities and defend Somaliland. The power being divided between clans to secure the balance of power and through different institutions such as the *Golaha Guurtida* – Council of Elders –, *Golaha Wakiillada* – Constituent Assembly –, and the *Golaha Xukuumadda* – the government and executive power. The Charter also established state offices and recognized the role of elders.

<sup>49</sup> The “problem of tribalism” for unity and modernisation was used by the Barre's regime to marginalise the role of the elders in politics.

<sup>50</sup> Numerous Somalilanders were critical about that change since the *Beel* system was considered as efficient and worked for 12 years – longer than the former Somali democracy. Its opponents therefore described this process as a ruse of Egal to keep power. But the democratisation process was justified by the ideas that the *Beel* system was “unequal to the task of modern government” according to the Academy for Peace and Development in 2000 since sultans were retaining authority and power leading to a lack of transparency, nepotism, corruption and a weak representative system. Democratisation was therefore seen as “resolving thorny issues of representation, equality and decentralisation”.

Survey, 2012; Bradbury, Abokor & Yusuf, 2003). This democratisation process started by Mohamed Haji Ibrahim Egal – former president of the de facto state and former Prime Minister of the Republic of Somalia – in 1999 did strengthen the state’s power and led to the transformation of the traditional hybrid political system into a multi-party parliamentary democracy – mostly directed toward Hargeysa’s desire to achieve international recognition<sup>51</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). It is in this context that the 2001 Constitution – also considered as referendum on Somaliland’s independency<sup>52</sup> – was accepted by referendum with 97,9% of support from the 1,18 millions inhabitants of the de facto states<sup>53</sup> (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Ali, 2014; Bradbury, Abokor & Yusuf, 2003). After these elections and with the fear to turn into the same situation undergone by Puntland – two years of internal conflict between 2001 and 2003 after a constitutional crisis –, it became clear for the population that violence was not an option to deal with political processes (Bradbury, Abokor & Yusuf, 2003). The efficiency of the state-building process driven by the government can be seen through the following elections – that complied with the democratic principles according to external observers –, but also through the numerous crisis – such as the 2002 death of the president<sup>54</sup>, the contested presidential elections in 2003<sup>55</sup>, the 2005 government loss of parliamentary majority or the delay for the presidential elections of 2008 – that did not resulted in violence but rather reinforced the state (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). Peace in Somaliland was, unlike in Transnistria, a long process since disputes between clans erupted already in 1992-1993 and continued during the whole 1990s – and was properly achieved only after 38 peace conferences between 1990 and 1997 through a process from the bottom of society<sup>56</sup> with the involvement of traditional clan elites<sup>57</sup> (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Ali, 2014; Balthasar, 2013). It seems also important to stress that, as pointed out by Ali (2014), building

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<sup>51</sup> In a context of creation of Puntland in 1998 at its eastern border and of the Transnational National Government, the TNG, in Mogadishu – both representing challenges for the de facto state’s authority and legitimacy.

<sup>52</sup> The Article 2 of the Constitution affirms the independent status of Somaliland.

<sup>53</sup> The UN Office of the Coordination of Humanitarian Affairs considered, however, the results as close to 70% since the elections were not hold in Sool and Sanaag regions for safety reasons according to Hargeysa.

<sup>54</sup> His death has been a test for Somaliland’s stability and the robustness of peace. The smooth transition proved that the de facto state was stronger than one individual and pursued the opposition to reintegrate the electoral process.

<sup>55</sup> These elections were, however, the first democratic elections in the region in 33 years as stated in 2002 the Somaliland’s Ministry of Foreign Affairs “Somaliland today is building a society founded on peace, justice and the rule of law. In 2003 we will complete a long and difficult transition from a traditional, clan-based political system to a stable multi-party democracy by holding the first general elections to take place on Somaliland’s soil for over 30 years”.

<sup>56</sup> But also through what Balthasar (2013) considers as “top-down” policies and “elitist power politics”.

<sup>57</sup> This process was highly different from the peace process in Somalia that did not reach success and was directed from abroad.

institutions – like it was the case in Somaliland after the state collapse of Somalia in 1991 – is far more difficult than rebuilding damaged infrastructure. Despite little opportunity to establish its authority in the first years – because of the little revenue, the administration and infrastructures, the numerous refugees and the risk of the freelance militias – Hargeysa met considerable progresses such as establishing government institutions, demobilizing militias, create a revenue system or providing a secure environment for economic recovery<sup>58</sup> (Ali, 2014; Bradbury, Abokor & Yusuf, 2003). But this apparent successful state-building process is also partially due to the civil war that gave the state the possibility to eliminate its opposition and take control of the country's assets – such as ports and airports (Kolstø & Pegg, 2014). However, this process does not come without issues. As Renders & Terlinden (2010) stressed it, the members of the House became urbanized, creating a risk that they will disconnect from their rural origins and therefore putting the traditional system at risk, or like Hoehne (2013) pointed it, that both the state and the traditional institutions become weak (Kolstø & Pegg, 2014). Furthermore, the place of women in society and particularly in politics – due to the influence of tradition and despite the absence of laws restricting their influence – is still an issue (Freedom House, Kolstø & Pegg, 2014). The diaspora can also be considered as posing a threat to the government's sovereignty according to Bradbury (2008) since some groups benefit more than others when it comes to their support, which can eventually lead to internal divisions (Caspersen, 2012; Kolstø & Pegg, 2014). The justice system continues as well to suffer from the existence of parallel system of justice – namely the Italian or British former colonial systems, the traditional clan-system *Xeer*, the Somali system or the Islamic sharia<sup>59</sup> (Hoch & Rudincová, 2015). Finally, the political system – if on the way to further democratisation – does not meet yet all the criteria to be considered as an exemplary regime<sup>60</sup> (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015; Ali, 2014). Put in the regional context, however, it appears that despite these numerous threats to an efficient state-building, Somaliland remain one of the first African country – the 4<sup>th</sup> one – to peacefully change its president majority through elections, confirming the efficiency of its system (Hoch & Rudincová, 2015). The Transnistrian state-

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<sup>58</sup> The government also managed to heavily improve the school and educational system from the 1990s by passing policies guaranteeing more establishments and making schools free. The Police was, as well, modernized and professionalized through police reform projects passing by the government with the support of international actors.

<sup>59</sup> The weak judicial system and the political manipulations increased the concern among the population as *The Somaliland Times* (2002) pointed out “Chronically corrupt and grossly under-qualified Judges, coupled with frequent interventions by the Executive Branch in the Judiciary process, have effectively reduced Somaliland courts to an open market where Justice is sold to the highest bidder”.

<sup>60</sup> The Upper House is not elected, freedom of speech is still not guarantee, the Somaliland project is still seen by many as an Isaaq project especially concerning the Eastern regions where the legitimacy of the government is weaker, the separations of powers not properly established and the system still lack qualified personnel, suffer from nepotism and corruption.

building process has been shorter in time since Tiraspol got support from Moscow from the very beginning and therefore did not have to deal with noticeable internal divisions like in Somaliland<sup>61</sup> (Chamberlain-Creanga & Allin, 2010; Kolossov & O’Loughlin, 1998; Blakkisrud & Kolstø, 2011; Freedom House, 2018). However, put in the context of the fall of the USSR, the degree of democratisation in Transnistria – alike the case of Somaliland in its regional context – has to be put in perspective. Indeed, based on the idea that a country is democratically stable after at least three consecutive legislative and, or, presidential elections including at least one successive and peaceful transfer of power, Transnistria cannot be considered as an efficient democracy, but neither do the other countries that succeeded from the USSR at the time of Kolossov & O’Loughlin’s (1998) article<sup>62</sup> (Blakkisrud & Kolstø, 2011). The government in Transnistria has, thus, more the form of the former bicameral Soviet system with a Parliament – still called the Soviet Supreme –, despite a recent incentive to change this system to meet – like for Somaliland – the international criteria for democracy in order to reach recognition (Blakkisrud & Kolstø, 2011).

Finally, when it comes to the relations with other states – the last Montevideo criterion for statehood –, if the mainstream idea is that de facto states are totally isolated, it appears that both Tiraspol and Hargeysa already manage to keep some forms of relations with their neighbours or external actors despite a lack of recognition from them. In the case of Transnistria, it has already be stated earlier that Moscow has always been a strong support for the young regime in Tiraspol and is, according to Fischer (2016), by its role as mediator and conflict party, directly responsible for the emergence and development of the de facto state’s statehood<sup>63</sup> (Fischer, 2016). The relations between Ukraine and Transnistria have been marked by passivity from Kiev, attitude that is, according to Fischer (2016), beneficial for the state-building process of Tiraspol that can work in impunity<sup>64</sup>. Tiraspol maintains as well informal relations with Moldova, Ukraine and Russia through the passports’ policies of these countries

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<sup>61</sup> Indeed there has been no political challenge within Transnistria since the establishment of the de facto state and the democratisation process has been at its early stages as the Freedom House (2018) report and numerous authors tend to confirm.

<sup>62</sup> Furthermore, contrary to Somaliland, the democratic system is a totally new process for Transnistria that did not experience it in the past and seems therefore as an external process.

<sup>63</sup> Moscow’s support takes the form of security guarantees by its military presence, diplomatic and propaganda backing of Tiraspol, political advice and cooperation as well as economic and financial support – in exchange of benefits from migrant workers from Transnistria. However, if Moscow influences the strategic matters of the de facto state, it lets the other matters – including state building – to the local actors. These close ties between Russia and Transnistria are even considered in 4 separate cases from the European Court of Human Rights as the demonstration of Russia exercising extraterritorial jurisdiction and therefore being responsible for the human rights violations occurring in Transnistria.

<sup>64</sup> But this situation has evolved in the recent years toward a more tense and conflictual relationship in the context of the ongoing conflict in Ukraine in which Transnistria has been involved.

that distribute passports to the Transnistrian population, policies on which Tiraspol rely to permit its population to travel (Chamberlain-Creanga & Allin, 2010). The numerous peace talks in which Tiraspol has been involved can be considered as a form of relation with other states as well<sup>65</sup> (Fischer, 2016). Regarding Chisinau, the relation of Tiraspol is more complicated since Transnistria remains economically highly dependent on its parent state, which is an issue for its state building process by undermining its imagined independence<sup>66</sup> (Blakkisrud & Kolstø, 2011; Fischer, 2016). But it has to be stressed that these relations between Tiraspol and its neighbours are not exactly relations between equal partners but rather Tiraspol tolerating the passports' policies from its neighbors for its own interests as well as symbolic relationship through international peace talks. However, being undisturbed by its neighbours seems to be the most favorable situation for the PMR in order to build and develop its statehood. Thus, if many consider Transnistria as an outpost of the "Russian world", the de facto state is rather squeezed between two states with opposite political strategies (Fischer, 2016). Concerning the second case study, as stressed by Kolstø & Pegg (2014), Somalia unlike Somaliland lost control over its state-building process that has been led by foreigners through international organizations. It is, indeed, this relative isolation that gave Hargeysa the chance to craft its hybrid system<sup>67</sup> that would not have get any support otherwise – since it was seen as conflict-prone by foreign actors<sup>68</sup> (Kolstø & Pegg, 2014, Bradbury, Abokor & Yusuf, 2003). According to Lewis (2010) and Eubank (2012), the lack of aid for Somaliland can also be considered as reducing the clans' greed and contentious, and supporting the openness to compromise and democratic reforms<sup>69</sup>, explaining therefore the stability of the peace and of the political system established in Somaliland and its weakness in Somalia<sup>70</sup> (Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). However, Hargeysa does maintain forms of relations with other

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<sup>65</sup> The peace talks between Moldova and Transnistria, with Moscow as a third party, became the 5+2 meetings with Ukraine, the European Union, the United States, and the OSCE in 2014. These peace talks, if they did not manage to resolve the conflict between Chisinau and Tiraspol, were a major symbolic achievement for Transnistria that is having a seat at the negotiation table as an equal of Moldova.

<sup>66</sup> Around half of the export from the de facto state goes to Moldova while the EU market is gaining influence at Russia's expenses, despite common efforts from Moscow and Tiraspol to stimulate their trade relationship. Transnistria is furthermore dependent from Chisinau since the de facto state can only get export certificates there as part of Moldova's foreign trade and it is Chisinau that was responsible for the creation of a Deep and Comprehensive Free Trade Area DCFTA between Moldova and the European Union in 2015 on which depend now Tiraspol for its access to the European trade market – despite being absent during the negotiations.

<sup>67</sup> Hybrid system rooted in traditional and local culture and values, and Western-style institutions.

<sup>68</sup> The Foreign and Finance minister of Somaliland even declared that foreign interference, like it has happened Somalia, would have weaken the legitimacy of the newly build institutions.

<sup>69</sup> Bradbury, Abokor & Yusuf (2003) even presented this lack of international support as a safety against authoritarianism since it limits the government role and keeps the center of power weak.

<sup>70</sup> A South African report tends to confirm that idea by affirming that international recognition would eventually boosts Somaliland's economy but arms the relation between the government and its population.

states<sup>71</sup> (Hoch & Rudincová, 2015). Somaliland possesses an international airport in Hargeysa, its passports are recognized by some states – such as the United Kingdom, France and Belgium – and student exchanges are organised with Ethiopia (Hoch & Rudincová, 2015; Ali, 2014). Through its ministry of Foreign Affairs and liaison offices opening in several states<sup>72</sup>, Hargeysa maintains a form of international relations (Hoch & Rudincová, 2015). From all of them, Ethiopia is probably the key partner to Somaliland, especially concerning security topics<sup>73</sup> (Hoch & Rudincová, 2015). If Addis Ababa does not recognise Hargeysa – mostly because the country hosts the African Union’s institutions – the common border is recognize and normalized<sup>74</sup> (Hoch & Rudincová, 2015). Somaliland is, as well, developing diplomatic relations with the Republic of South Africa (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). The highest representatives of Somaliland are therefore regularly traveling for official visits within the African continent to advocate for international recognition and further relations with its neighbours<sup>75</sup> (Hoch & Rudincová, 2015). But Hargeysa had also put effort to develop ties with non-African states, in particular the United Kingdom and the United States<sup>76</sup> (Hoch & Rudincová, 2015). The international community do not recognize the de facto state, but does support it through international schemes such as the United Nations Development Program, UNDP<sup>77</sup> or numerous international aid organisations that have been active in Somaliland since 1991<sup>78</sup> (Bradbury, Abokor & Yusuf, 2003; Ali, 2014). Therefore, if Pegg (1998) or Lynch (2004) perceived de facto states as surrounded by isolation, the situation appears more complex since both Tiraspol and Hargeysa benefit from various relations with their neighbours, international actors – and even beyond for Somaliland thanks to its diaspora (Hoch & Rudincová, 2015). Thus, it is important to state the paradox that if relations with other states – thus the international system – is considered as a criterion for statehood and an aim for

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<sup>71</sup> For instance the most important income of Somaliland is coming from its export of livestock to the Arab Peninsula, mostly to Saudi Arabia and Yemen.

<sup>72</sup> These countries being namely Ethiopia, the United Kingdom, the United States, Sweden, Kenya, France, Norway, Belgium, Djibouti, South Sudan and Canada.

<sup>73</sup> These relations are however mostly unofficial such as the 2006 agreement signed by the two governments permitting the access of the Berbera port by Ethiopia and customs offices along the common border.

<sup>74</sup> Particularly since Somaliland – unlike Barre’s regime – does not desire to unite with other Somali clans, therefore poses no threat to Ethiopia concerning the Ogaden region.

<sup>75</sup> These visits are mostly directed toward Addis Ababa, but also in other African nations like in 2006 during Kaahin’s eastern Africa trip in Tanzania, Kenya, Rwanda, Uganda and Zambia.

<sup>76</sup> In 2004, the President Kaahin was invited to make a speech in the British Parliament during which he explained that Somaliland already met the Montevideo criteria, followed four years later by a visit in the US where he stressed the importance of mutual contacts between Hargeysa and Washington.

<sup>77</sup> That helped in 2005 to establish the Somaliland civil service institute.

<sup>78</sup> That contributed to restore services, infrastructure, clear land mines, reintegrate displace population, promote local organisations and strengthen government bodies.

de facto states, it has been the relative isolation of Transnistria and Somaliland from that very same system that participated to the efficiency of their state building processes.

Thanks to these processes, both Transnistria and Somaliland developed and improved a socio-economic situation where the state gathered the monopole of violence and taxes – further supporting the argument that these two de facto states are now only missing international recognition. Transnistria for instance did stabilize its rouble in 1997 and established a tax system already in 1992<sup>79</sup> (Fischer, 2016; Kolosov & O’Loughlin, 1998; Chamberlain-Creanga & Allin, 2010). The de facto state possesses therefore numerous state-ness attributes such as a police system, passport – even if not globally recognized –, a currency, an army, a statistic bureau, a constitution and a welfare system (Chamberlain-Creanga & Allin, 2010). Somaliland reached the same situation with its constitution, a functional parliament, government, army, police force<sup>80</sup>, judiciary system and symbols of statehood – such as a flag, a currency, passports and vehicle licence plates (Bradbury, Abokor & Yusuf, 2003; Small Arms Survey, 2012). Hargeysa also highly increased its revenues in the recent years passing from 45 millions USD in 2010 to 85 in 2012 according to the Minister of Finance<sup>81</sup> (Ali, 2014; Kolstø & Pegg, 2014). The de facto state undergone early stage of industrialization already in the second half of the 2000s with the reconstruction of a public and private sector and benefiting from foreign investments<sup>82</sup>, and a new health and educational system that already shows convincing effects (Ali, 2014; Bradbury, Abokor & Yusuf, 2003). This ongoing development can also be acknowledged by the fact that Somaliland does not “produce” refugees anymore but on the opposite witnesses a return of the former displaced (Bradbury, Abokor & Yusuf, 2003). Thus, with limited means, Hargeysa fulfils state duties such as providing security, establishes infrastructure and basic health and educational services to its population despite being the 4<sup>th</sup> poorest country according to the World Bank in 2014 (Kolstø & Pegg, 2014). It appears therefore that both Somaliland and Transnistria managed to build up a political system meeting the attributes of statehood defined in the Montevideo Conference with a permanent population, a define territory, a government and the means to enter into relations with other states, making

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<sup>79</sup> Despite a fragile economy with 93% of deficit in 2014, a tax evasion issue, a serious need for reforms, lack of investments, a widespread corruption, and a global dependency on Russia for economy, health and education.

<sup>80</sup> The development of an efficient police system secured popular support and maintained peace among clans – despite the predominance of the Isaac clans in the ranks of the officers, the survival of traditional justice and a lack of equipment.

<sup>81</sup> Revenues from which 29% are invested in the governance expenditure and 50% in the security, rebuilt most of its cities after the civil war like Hargeysa, Burao or Berbera that are now economically flourishing, therefore securing the peace process and becoming economically self-sufficient.

<sup>82</sup> Such as 17 millions USD invested by the company Coca Cola.

these de facto states what Spears (2001) would describe as a “state within a state”<sup>83</sup> (Hoch & Rudincová, 2015; Fischer, 2016; Kolossov & O’Loughlin, 1998; Bradbury, Abokor & Yusuf, 2003; Kolstø & Pegg, 2014; Menkhaus, 2006/2007; Holsti, 1996).

It is important, however, to separate the notion of state and nation building since the first concern the formation of a state, while the second the establishment of popular support within its population as pointed out by Blakkisrud & Kolstø (2011) or Chamberlain-Creanga & Allin (2010). Indeed, as Kolossov & O’Loughlin (1998) explained it, the success of state building depends of the identity or *raison d’être* of the new state, meaning the efficiency of its nation building to secure popular support. These two nation building processes – based on the history and cultural heritage of each de facto states – have took quite different paths in a multicultural Transnistria and a Somaliland where clans define the social structure. The internal legitimacy coming from an efficient nation-building is an important part of the establishment of a legit statehood since it represents the “people’s acceptance and loyalty to the ruling authority” as stressed by Bakke et al. (2014) and “a sense of unity in a state’s population, through education, propaganda, ideology, and state symbols” (Kolstø and Blakkisrud, 2008; Dembińska, 2018). Tiraspol based its identity building strategy on a range of long-term historical, language, cultural, and political processes (Dembińska, 2018). The major aim for this identity building in Transnistria was to develop the notion in the popular mentality of an “us”, Transnistrians<sup>84</sup> or “true” Moldovans<sup>85</sup>, against “them”, the Bessarabian Moldovans, the “enemy” (Cojocar, 2006; Kolstø and Blakkisrud, 2008; Dembińska, 2018). This strategy<sup>86</sup> was employed by the elite of the young republic alongside the claim of a supra ethnic Soviet-like identification<sup>87</sup> (Blakkisrud & Kolstø, 2011; Zabrodskaia & Ehala, 2015; Dembińska, 2018; Troebst, 2003; Fischer, 2016; Comai & Venturi, 2015). Based on Wimmer’s (2008) taxonomy of boundary making, it is possible to understand the PMR’s strategy of identity

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<sup>83</sup> And thus despite some imperfections such as the fact that the eastern part of Somaliland are less integrated, therefore critical to the regime in Hargeysa as explained Menkhaus (2006/2007) and Holsti (1996) or the African Union report in 2005; or the fact that the authoritarian presidential system in place in Transnistria is characterised – alike in every other ex-soviet republic – by a contestation of all its element of state, namely its population, territory and regime.

<sup>84</sup> In 2003, Igor Smirnov, first president of the PMR declared that “Transnistrian are a people with a unique distinctiveness”.

<sup>85</sup> The Transnistrian Supreme Soviet adopted in 1991 – in order to oppose the Romanianizing process in Moldova – a resolution on “Urgent Measures for the Preservation of the Originality of Moldovans, their Language, and Culture” and therefore presenting themselves as the exclusive guardian of the authentic Moldovan identity.

<sup>86</sup> Decision justified since a mobilization on ethnicity is here impossible with a stable population of 31,9% ethnic Moldovans – the kin to the enemy – 30,4% Russians and 28,8% Ukrainians in 2004 according to Comai & Venturi (2015).

<sup>87</sup> By replicate the former Soviet system and dialectic – familiar to the population – for its nation and state building process, Tiraspol also benefited from a clear popular support.

building as a contraction process excluding the right-bank ethnic Moldovans while including the left-bank ones in “the fission of a category into two exclusively defined categories” (Dembińska, 2018). These strategies permitted Tiraspol to redraw ethnic boundaries and blur the existing ethnic division in order to pursue internal support through the formation of supra-ethnic divisions (Zabrodskaia & Ehala, 2015; Dembińska, 2018). Based on a “civic nationalism”, Tiraspol developed the idea that Transnistria’s identity was based on a local, non-ethnic history (Kolossoff & O’Loughlin, 1998). Therefore two different identity movements evolved in opposition within the new Moldovan state with the Moldovanism in Bessarabia and the Pridnestr Internationalism in Transnistria<sup>88</sup> (Dembińska, 2018). This nation-building, or what Cojocaru (2006) called “nation engineering”, has thus been institutionalized and shaped by Tiraspol through numerous policies and manipulations concerning history, education and culture<sup>89</sup> in order to pursue the development of an imagined identity<sup>90</sup> (Comai & Venturi, 2015; Dembińska, 2018; Dembińska & Danero Iglesias, 2013; Blakkisrud & Kolstø, 2011; Cojocaru, 2006; Zabrodskaia & Ehala, 2015; Kolossoff & O’Loughlin, 1998). The efficiency of these policies is, however, also dependent on the authoritarian aspect of the Transnistrian government that procures and censors any alternative sources of information for its population, securing therefore its own dialectic (Cojocaru, 2006). Alongside these different policies lay the three historical myths used to justify and defined the Transnistrian identity according to Dembińska (2018). The first one being the unique territorially based civic identity formed over thousands of years due to an interaction of both Slavonic and Romance cultures – even though Transnistrians would belong to the “Orthodox Slavic civilization” (Dembińska, 2018). The second one lays on the idea that the union between Transnistria and Moldova was motivated more by political reasons than historical necessities – justified by the fact that the post-war Soviet period was Transnistria’s Golden Age and industrialization while the agrarian Bessarabia was characterized by “archaic education institutions” according to Anna Volkova,

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<sup>88</sup> Two identities that cannot cohabite as stressed by a PMR’s official in an interview in 2011 presented by Dembińska (2018): “We have nothing against the Moldovan identity, yet, we can’t really promote it here as it would destroy the multi-ethnic character of Transnistria”.

<sup>89</sup> The Transnistrian elites support this narrative through the education system, with the obligation to learn two of the three official languages in order to develop the supra-ethnic identity, mass media and education operating in both Ukrainian, Moldovan and Russian and the research institute at Tiraspol University with ideologues such as Nikolai Babilunga, Boris Bomeshko, Anna Volkova or Ilia Galinsky – giving a scientific justification to the Transnistrian’s ideology. In a more cultural aspect, this process goes through the publication of books in accordance with the state doctrine such as the *Atlas of the Dniester Moldavian Republic* – in which it is possible to read “in 1924, (the) DMR region gained its first ever statehood, earlier than Moldova” – published by the Dniester State Corporative TG Shevchenko University in 1997 and in both Russian and English.

<sup>90</sup> Already under Stalin, de-nationalization and Russification projects, taking the form of large scale expulsions, deportation and ethnic cleansing, have contributed to the apparition of this new identity in the left bank, thus representing a continuation of the Soviet’s identity strategies by Tiraspol.

a major Transnistrian ideologue (Dembińska, 2018). The third myth concerns the 1992's war, considered as a national liberation and embodying the exacerbations of the differences between Bessarabia and Transnistria (Dembińska, 2018). This last myth is heavily employed by the PMR's authorities<sup>91</sup> to mobilize support by glorifying this war and common trauma into an "heroic war", a "sacred war against the genocide by nationalist Moldovans", and the "defence against Romanian fascists", making therefore a parallel with the liberation of Transnistria from the Romanian occupation during World War II and the Soviet liberators, experience that is still source of fear and suspicions in the population's memories<sup>92</sup> (Fischer, 2016, Cojocaru, 2006; Dembińska, 2018; Kolossov & O'Loughlin, 1998). Symbols and shared traumas alike those ones are important in the "cultural engineering" since success of these processes is related to memories (Dembińska, 2018; Schöpflin, 2000; Smith, 1999). This nation-building process has also been influenced by the Russian support to Tiraspol. Indeed, if for instance the PRM has tried to develop the influence of its three official languages recognized by the Constitution, Russian remains dominant in the everyday life for its inhabitants<sup>93</sup> (Cojocaru & Suhan, 2006; Comai & Venturi, 2015; Dembińska, 2018; Blakkisrud & Kolstø, 2011; Zabrodskaja & Ehala, 2015; Dembińska & Danero Iglesias, 2013; Fischer, 2016). And as presented by Dembińska & Danero Iglesias (2013), the Russification process seems to have turned the Moldovans into "an empty identity category in Transnistria" (Dembińska, 2018). Russia remains as well attractive for social mobility and job opportunities and Russian to access a wider audience for artists or writers<sup>94</sup> (Dembińska & Danero Iglesias, 2013; Dembińska, 2018; Fischer, 2016; Chamberlain-

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<sup>91</sup> Was present on the website of the president of the de facto state, according to Dembińska (2018): "people living on the left shore of Dniester were able to unite and halt the military aggression of Moldovan nationalism against the rights and liberties of Soviet people [...] To defend their homes, their land, stood all citizens of the republic, the guardsmen, militia, the Cossacks, Moldavians, Ukrainians, Russians, Bulgarians and other citizens of our towns and villages. It is precisely they who have defended our homeland and sacred right to live on their land, to speak their native language."

<sup>92</sup> Numerous symbols and iconography in Transnistria derived from this conflict with the Remembrance Day the 12 June in commemoration of the first day of the war that started what the president considered as the "bloody massacre unleashed by the official authorities of Moldova, that took the lives of hundreds of innocent people". The state has a major role in this remembrance policy and can be exemplified by the museum memorialising the battle of Bendery – most intense fight during the 1992's war – through commemorative banners, books, videos and picture albums. These events of 1992 and the myth of victimhood are even more symbolic in Tiraspol dialectic since the three first victims on the Transnistrian's side were a Russian, Ukrainian and Moldovan and fits therefore perfectly with the imagined Transnistrian supra-ethnic identity.

<sup>93</sup> This situation is visible in the education system where Moldovan schools refusing to abandon Latin script are suffering from forced closure since 2004 and the "linguistic cleansing"; and where Romanian and Moldovan history textbooks are forbidden in profit of the Cyrillic alphabet and Russian textbooks, often furnished by Russia, that represent a form of Russification with 82% of Russian speaking school and only 13,5% in Moldavian written in Cyrillic. The PMR's authorities started to address this issue such as the Minister of Education, Svetlana Fadeeva in 2014 when she stated that preventing further reduction of the students going through Moldovan and Ukrainian educations was a priority of her ministry.

<sup>94</sup> Moscow's influence is further reinforced by the fact that the close alliance between Russia and the de facto state is almost a "state doctrine" and its support necessary to the identity building process with as examples the opening

Creanga & Allin, 2010). Russia is as well a major passport procurer for Transnistrians with over 200,000 inhabitants of the de facto states owning one beside their national one<sup>95</sup> – representing as much as the Moldovans passports in the de facto state and twice more of the 100,000 Ukrainians ones (Fischer, 2016; Chamberlain-Creanga & Allin, 2010). If, as presented by Troebst (2003), the Transnistrianization process is still in progress – and considering that identities are chosen and therefore subject to change according to Haas (1986) –, it is already possible to observe an efficiency in the PMR’s nation building (Cojocaru, 2006; Kolossov & O’Loughlin, 1998). It is furthermore acceptable – according to Cojocaru (2006) – to acknowledge that state building leads to nation building: since there is a Transnistria, there are Transnistrians. The notion of territoriality developed by Sack (1986) is therefore central for identity building. In the case of Transnistria, based on the former boundaries of the MASSR founded in 1924 and later with the 1992 conflict with Moldova, the Nistru river has become a real psychological barrier (Cojocaru, 2006; Fischer, 2016; Kolossov & O’Loughlin, 1998). Based on different qualitative studies on young generations and Transnistrians in general, authors like Kolossov & O’Loughlin (1998), Cojocaru (2006), Fischer (2016) or Dembińska (2018) have concluded that there is in the PMR’s population a self-identification as Transnistrians or as “Soviet citizen” in accordance with the PMR’s ideology and the concept of “matrioshka nationalism”<sup>96</sup> (Nantoi, 2002). A major aspect of the nation building process for Transnistria was to depict Moldova as “the Empire of Evil”, or “the country of Anarchy” – as it was referred to in the media – to develop an aggressive image of Moldova and to pose the reunification with Romania as a threat – dialectic that started even before the 1992’s conflict (Cojocaru, 2006; Dembińska 2018; Kolossov & O’Loughlin, 1998). The idea that the PMR Republic was doing better than Moldova was also mobilized by presenting Transnistria as a “Riviera”, explaining why despite critics against Tiraspol, a majority of Transnistrians believe that the situation remains better than on the other side of the Nistru river (Popescu, 2006; Dembińska, 2018; Chamberlain-Creanga & Allin, 2010; Blakkisrud & Kolstø, 2011). Beside propaganda, Tiraspol based also its strategy through the destruction of the common culture heritage<sup>97</sup> (Cojocaru, 2006; Dembińska, 2018). However, this situation is likely to evolve in the

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of a Russian soft power radio in 2007 or the use of propaganda by Russian companies present in Transnistria and the socialist-style fashion in there.

<sup>95</sup> This phenomenon is widespread and necessary to travel outside Transnistria and represents, therefore, a big interest for Tiraspol since it is releasing frustration in its population.

<sup>96</sup> After decades of propaganda and bias education, the new generations are indeed supportive and loyal to Tiraspol and its Russian ally while developing hostility against the US, the EU, NATO, Romania, and of course Moldova.

<sup>97</sup> Efficient strategy since the Transnistrians that do not travel to Moldova have no knowledge of what is happening on the right-bank. This tactic has been completed by the progressive reduction of the relations with Romania since the Soviet times.

following years. It is, first, hard to access the actual attitude of the population in PMR due to the massive restrictions on freedom of opinion, expression, assembly and association, but it is especially the recent rapprochement between Chisinau and the European Union that could have incidences on the image Transnistrians have toward their parent state – there are already as many Moldovan passports as Russians in the de facto state (Cojocaru, 2006; Chamberlain-Creanga & Allin, 2010; Blakkisrud & Kolstø, 2011; Fischer, 2016). A lot of Transnistrians already emigrate massively out of the de facto state – mostly to Russia –, which raises questions on the effectiveness of the nation building (Chamberlain-Creanga & Allin, 2010). The situation regarding Ukraine is also at a turning point since the ongoing tension between Kiev – Tiraspol’s direct neighbour – and Moscow – its patron state<sup>98</sup> (Fischer, 2016). The academics concluded all, despite these uncertainties, that the Transnistrian nation building – alike the state building – process has been effective by creating the notion of “other” embodied by the Bessarabians (Blakkisrud & Kolstø, 2011). But it should be acknowledged, as Nairn (1977) pointed out, that nation building is a Janus-like phenomena that looks back to historical legacy and forward to a programme of continued national construction and is, therefore, never properly finished (Kolossoff & O’Loughlin, 1998). Unlike Transnistria, and exceptional case for the African continent, Somalia and therefore Somaliland have the uniqueness to be populated by a homogeneous population regarding ethnicity – the Somalis ethnic group – and religion – Sunni Islam (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). However, the clan-based society and traditional livelihood system based on nomadic pastoralism have here major social components and a similar role than ethnicity has in the rest of the continent (Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). Somaliland is thus mostly populated by three main “clan families” including the Isaaq clan – the largest one – the Dir clan including the Gadabuursi and the Ciise ones, and the Harti or Darood that include the Warsangeli and Dulbahante ones (Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015). The nation building process in Somaliland has, therefore, been considered by several critics as an Isaaq project<sup>99</sup>, but it appears that other clans are deeply integrated in the political life<sup>100</sup> (Kolstø & Pegg, 2014; Small Arms Survey, 2012). It has indeed become part of the

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<sup>98</sup> Until 2014, the PMR was pursuing close ties with Ukraine in accordance with its “state doctrine” but since the Russian and Transnistrian interference in the Donbas tensions have broke out between the Tiraspol and Kiev – threatening the situation of ethnic Ukrainians in the de facto states, thus the whole identity dialectic of Transnistria.

<sup>99</sup> The civil war that occurred from November 1994 to October 1996 leading to more than 180,000 displaced and the destruction of Burco and Hargeisa was for instance mainly triggered by the dissatisfaction of the Isaaq clans regarding power sharing.

<sup>100</sup> The second longest president was for example a member of the Gadabuursi clan, mostly present in the Western part of the country. The internal violence in Somaliland is, furthermore, more happening within the Isaaq clans

Somaliland political system to ensure a clan balance through the executive appointments and the seats distribution of the Upper and Lower houses from the very beginning of the state building process<sup>101</sup> (Bradbury, Abokor & Yusuf, 2003). However, the situation is more complex in the eastern part of the territory, mostly in the SSC region, where the Warsengheli and Dhulbahante groups are far less integrated to the Somaliland's identity building process (Kolstø & Pegg, 2014). Hargeysa's nation building is furthermore – and similarly to the Transnistrian case – based on its violent past through the shared experience of the struggle against Britain as a colonial power and later Barre's regime (Hoch & Rudincová, 2015; Small Arms Survey, 2012). It is indeed the common experience of persecutions and the life as refugees in Ethiopia<sup>102</sup> following the late 1980s repercussions of the Barre's regime such as the bombing of civilians in Hargeisa and Burco that represents the identity cement of the de facto states and the feeling that “everyone in Somaliland is like me” (Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). The identity building of Somaliland has been partly built in opposition to the Somalia's one, creating a notion of “us” and “other”<sup>103</sup> (Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015). This also explains why according to Abdillahi Duale, since the declaration of independence, the identity building of both Somaliland and Somalia took different paths with Somaliland embracing its traditional clan system while Somalia – under the patronage of the international community – took a more western-based form of political organization (Hoch & Rudincová, 2015). It is however possible to nuance the efficiency of this nation building in Somaliland since the patrilineal clan system or *Beel* system excludes women from the representative politics – despite representing the majority of the adult population (Bradbury, Abokor & Yusuf, 2003). But this lack of women representation in politics is currently being address by Somaliland's authorities that are, with the democratisation process, progressively including them<sup>104</sup> (Bradbury, Abokor & Yusuf, 2003). This efficient democratisation process is furthermore of a good information on the situation of the nation

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than between different clans, proof that the nation building is working in the sense that the society is not divided on clans' lines.

<sup>101</sup> Similarly to Tiraspol's will to keep a balanced representation of its three ethnic groups.

<sup>102</sup> The Somalilanders developed a political community and reinforced their experience of self-organization in Ethiopia's refugee camps.

<sup>103</sup> This dialectic is easy to establish since the way of life differ between the northern clans living mostly from pasture grazing and the southern clans that depend more from settled farming. Somalia appears as well as a counter example since Somaliland benefits from a globally uninterrupted peace since 1997 and a growing economy whereas Somalia is still struggling to secure and establish its control over its territory.

<sup>104</sup> Despite gaining the right to vote and hold public offices, they remain underrepresent with only two ministerial posts from 1991 to 2003 and thus despite the authorities efforts like the appointment of a woman, Edna Adan, as a Foreign Minister – “most senior post held by a woman in any Somali government” – following the electoral success of Kaahin.

building<sup>105</sup> (Ali, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). If the *Beel* system was based on the inclusiveness of every clan, democratisation means a risk to return to a system of clan-based or religious-based parties like in 1969 (Bradbury, Abokor & Yusuf, 2003). This justified the establishment of a three-party system to encourage multi-clan alliances despite a failure on the local scale with vote along clan lines and a clear division between the eastern and western part of the de facto state<sup>106</sup> (Bradbury, Abokor & Yusuf, 2003). The achievements of Somaliland as a political entity in opposite of Somalia's failures also participated in the development of a separate Somaliland identity through the feeling of self-reliance and explains why despite political divergences within Somaliland, the funerals of Egal in Berbera in 2002 were attempted by both his supporters and opponents (Bradbury, Abokor & Yusuf, 2003). Alike for Transnistria, the Somaliland's authorities managed to develop a high degree of legitimacy in its population, that is of a major importance for the state legitimacy and the efficiency of state building as well as stresses by Bakke et al. (2014) (Kolstø & Pegg, 2014). That horizontal and vertical legitimacies can also be explain by the fact that both the Transnistrian and the Somaliland authorities do not based their nation-building process on either ethnic nor religious factors – which could lead to rebellion, tension and civil wars –, reinforcing thus the feeling of community between the inhabitants of Somaliland (Kolstø & Pegg, 2014; Ali, 2014). Internal legitimacy became a strategic support for both Tiraspol and Hargeisa since none of them is supported by international recognition (Kolstø & Pegg, 2014). Thus, in such context of efficient nation and state building, both Transnistria and Somaliland hold the capabilities to maintain control over their self-proclaimed states.

Thus, despite a lack of international recognition, both Somaliland and Transnistria managed, within the decades of their existence, to develop with only little means and almost no historical background, an efficient state and nation building alongside a strong support in their population. It is therefore possible to cite King (2001) that stressed that the question of the ethnic or regional identity of these conflicts is here less important than the fact that in either ways, these new political entities moved from a racketeer state status to a de facto state one

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<sup>105</sup> The Constitution in 2001 that is also considered as a referendum for the independency obtained a 97% of support.

<sup>106</sup> The Sanaag and Sool regions are politically characterized by a high support to Mogadishu within the Warsangeli and Dulbahante clans. These geographical differences in Somaliland are, however, mostly reflecting socio-economic disparities rather than ethnic or clan based identities since elections are largely urban events, thus more developed in the Western part of the country.

(Blakkisrud & Kolstø, 2011). This situation thus leads to the question of their lack of recognition and the political reasons behind the perpetuation of the frozen conflict.

## *B. The failures of negotiations*

As pointed out in the previous part, both Somaliland and Transnistria developed, within the almost three decades of their existences, efficient state and nation building processes that could have lead to a similar situation undergone by Kosovo in 2008 with the strategy of “status before recognition”. However, in these two cases, the ongoing frozen conflict and the lack of any recognition are still present. The failure of negotiations carries therefore the question of the responsibility – or choice – of Hargeysa and Tiraspol in the failure of the negotiations that followed their military victory during the early 1990s independency conflicts.

In both cases, the timing of the negotiations represents a major criterion in the failure of the peace processes between the parent and de facto states. Indeed, with the state and nation building, as well as the internal situation of both parent states, the position and justification of both parties seems to have fluctuated through time. To understand the evolution of these negotiations regarding the conflict resolution as well as the recognition process would permit eventually to understand the responsibility of Transnistria and Somaliland in the failure of such processes.

When it comes to Somaliland, the clear military victory over the Barre’s regime in 1991 gave to this new political actor a position of strength toward Somalia at the table of the negotiations for the following peace processes (Small Arms Survey, 2012). This situation was furthermore due to the fact that Hargeysa had no one to negotiate with in the aftermath of the conflict since the fall of Barre’s regime led Somalia in a stage of failed state for years<sup>107</sup> (Brons, 2001; Ahmed, 1995; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). But it is surprisingly not only the lack of legitimate power in Mogadishu that represented the major issue in potential bilateral accords but rather that, as noted by King (2001), as the loser in the war with Hargeysa, Mogadishu had almost nothing to give in the negotiations, Somaliland would not accept anything less than its independence<sup>108</sup> (Kolstø & Pegg, 2014; Small Arms Survey, 2012). Proper negotiations have therefore always been problematic to establish between Somalia and Somaliland since the latter has required – under different Somaliland governments

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<sup>107</sup> The overthrow of the General Barre in 1991 stopped the Somali state to function as a proper state. That state collapse has been described as the most serious of all crisis and civil wars following the post-Cold War period.

<sup>108</sup> After years of violence – only surmounted by efficient peace processes – it was also unrealistic for Somaliland to reintegrate Somalia that would have put at risk its stability.

– the independence status as a precondition for the participation in Somalia-wide peace conferences (Bradbury, Abokor & Yusuf, 2003; Kolstø & Pegg, 2014). In the mean time, the international recognition of Mogadishu as the legitimate power of the former Somali state also blocks so far the access to recognized statehood for Hargeysa, a solution has therefore to be found commonly between the parent and de facto state<sup>109</sup> (Kolstø & Pegg, 2014). However, since Somalia is meeting a more stable situation, negotiations between Hargeysa and Mogadishu have been ongoing within the last decade<sup>110</sup> (Kolstø & Pegg, 2014). But despite symbolic victories for Somaliland in that ongoing process<sup>111</sup>, it will be extremely hard for any Somali leader to accept and recognize Somaliland as independent<sup>112</sup> (Kolstø & Pegg, 2014; Menkhaus, 2006/2007). When it comes to the international community, these actors would rather have the African Union to take a stand on this issue, therefore delegating the recognition question to a regional actor<sup>113</sup> (Bradbury, Abokor & Yusuf, 2003; Kolstø & Pegg, 2014; Hoch & Rudincová, 2015). Traditionally, the international system has always been more in favor of reunification processes, but this idea has been clearly opposed by Hargeysa in the aftermath of the independency in the context of the control of the United Somali Congress – USC – over Mogadishu, reactivating the fear to see Southern Somali clans concentrating power again – fear that eventually justified the decision of the SNM, developed and supported during the civil war<sup>114</sup>, to withdraw from the idea of a united Somalia<sup>115</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Somaliland remains thus still unrecognised by Somalia as well as foreign governments (Bradbury, Abokor & Yusuf, 2003; Kolstø & Pegg, 2014). This lack of recognition is mostly due to the failure of the “status before recognition” strategy from de facto states that had to rethink their strategies to reach international recognition<sup>116</sup> (Blakkisrud &

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<sup>109</sup> The only cases where sub-Saharan secessionist territories became states were Eritrea in 1993 and South Sudan in 2011, two cases where the parent states did not veto the demand of the separatist authorities.

<sup>110</sup> The first conference on Somalia attempted by a Somaliland president happened in February 2012 in London followed by a meeting between the two presidents in Dubai in June 2012 and Ankara in April 2013. Under Turkey mediation, a joint secretariat has been established in Istanbul alongside talks in July 2013 and January 2014.

<sup>111</sup> The April 2013 Ankara Communiqué is making reference of the government of Somaliland as equal as the Somali one. In the Istanbul II Communiqué of January 2014 there were four references to the government of Somaliland, implying equality of the two parties while refusing such status for Puntland.

<sup>112</sup> As emphasized by Menkhaus (2006/2007) only few support the idea of Federalism in Somalia.

<sup>113</sup> Thus, the African Union will have to decide if the Charter of the Organization of African Unity on Border Disputes between African States – adopted in Cairo in July 1964 – as well as the Constitutive Act of the African Union – adopted in Lomé in July 2000 – represent here issues – alongside the poor reputation of de facto states.

<sup>114</sup> Legitimized by demonstrations of the populations in the big cities such as Hargeysa, Berbera or Burao in favor of the independency.

<sup>115</sup> Obtaining recognition for Somaliland would mean, according to Bradbury, Abokor & Yusuf (2003), to convince the international community that the project of a united Somalia is dead and that the recognition would not lead to a destabilizing domino effect in Africa.

<sup>116</sup> As presented previously and presented by numerous scholars, Somaliland fulfils the criteria of statehood from the Montevideo conference with a permanent population and territory, a government and the means to enter into

Kolstø, 2011; Hoch & Rudincová, 2015; Kolstø & Pegg, 2014). Several criteria for statehood are defined to replace the Montevideo ones as presented by Jackson<sup>117</sup> (1990) that believes that states are recognized on their moral right to exist rather than on the basis of their ability<sup>118</sup> (Kolstø & Pegg, 2014; Fabry, 2010). This lack of legitimacy of the Montevideo criteria strategy contributed to promote new kinds of legitimation for Somaliland's recognition. The existence of colonial frontiers – like in the case of Somaliland, former colony of the United Kingdom unlike the rest of Somalia – represents as Abdillahi Duale stressed it, an important prerequisite for the establishment of new states in Africa (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014). Furthermore, between the 26<sup>th</sup> June 1960 and the 1<sup>st</sup> of July Somaliland also existed as an independent sovereign<sup>119</sup> states recognised by 35 states of the international community (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). Alongside this argument lays the one that Somaliland joined freely and willingly the Union within a united Somalia and could therefore, cancel it in the name of self-determination, as it has been the case in several other historical cases<sup>120</sup>; but also due to the extreme violence and discriminations from which Somaliland suffered under the centralist regime of Barre<sup>121</sup> (Pegg, 1998; Caspersen, 2009; Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003; Poore, 2009). These factors represent the main arguments in favor of independency from Hargeysa at the African Union (Hoch & Rudincová, 2015). A new recent strategy has been the process of democratisation established by Egal in order to pursue international recognition through standard of “good governance” with already notable achievements<sup>122</sup> (Hoch &

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relations with other states. The “status before recognition” justification for independency that legitimized Kosovo recognition does however not embody anymore the criterion for statehood in the international community.

<sup>117</sup> “The juridical cart is now before the empirical horse”.

<sup>118</sup> Several scholars have already criticized his vision such as Fabry (2010) that considers it untenable.

<sup>119</sup> After its independency from London but also before integrating the Union with the UN Trust Territory of Somalia forming the Republic of Somalia. It is this former sovereignty the authorities of Hargeysa are seeking as stated during the declaration of independency in 1991: “reverts to the sovereign status [it] held at independence from Britain on June 26, 1960...”

<sup>120</sup> The dissolution of a failed Union has history with the cases of Syria-Egypt, Cap Verde-Guinea Bissau and Senegal-Gambia as well as the USSR, Yugoslavia and Czechoslovakia without the consent of the parent state. Furthermore, Hargeysa argue that a proper Act of Union has never being signed by both Northern and Southern Somalia at the time of the unification. The North also strongly opposed to the Constitution of 1961.

<sup>121</sup> Despite having no legal footing in international law, what Poore (2009) called a “just theory of secession” would be justified in the case of Somaliland because of the gross human right violation of the Barre's regime and has already been used as an argument by Egal in his letter from the 24<sup>th</sup> May 1997 to the Organization of African Unity, and in 2001. If it has been argued that the violence argument is quite weak considering the establishment of a legitimate government in Mogadishu since the overthrow of Barre in 1991, Somalia is still characterised by a high degree of instability and violence with the existence of warlord, fiefdoms, Islamic-based organisations and nascent state-like polities, as well as the failure of several national peace conferences contrary to Somaliland.

<sup>122</sup> The efficiency of the democratization has been hard to ignore since the 2002's election has been “possibly one of the most peaceful elections in Africa for 20 years” and Somaliland being only the 4<sup>th</sup> African country to change its president majority in elections in peaceful manners.

Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003; Bradbury, 2008; Ali, 2014). Since 2006 there has been a clear increase of statements from the officials to emphasise the importance of democracy confirming the “democratization-for-recognition strategy” chose by Hargeysa that has already witnessed international support in this process<sup>123</sup> (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015). If these strategies have not been efficient yet – in the sense that Somaliland remains unrecognized – it has already shown numerous improvements for Hargeysa on the international scene. For instance the democratisation process – especially since the parliamentary elections of 2005 – caught the attention of the international community that is now providing assistance<sup>124</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). This process has furthermore been acknowledged and supported by international observers like an African Union fact-finding mission in 2005<sup>125</sup>, the international aid organisations active in Somaliland since 1991<sup>126</sup>, the European Union<sup>127</sup> and United Nations and finally through bilateral relations with recognized states and other international actors<sup>128</sup> – aid that contrast with the lack of support during the peace conferences in Somaliland or the 2001’s referendum (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Thus, if there is already a pragmatic acceptance of Somaliland as a political reality and the recent example of South Sudan that represents an optimistic historic for the Somaliland’s leaders, it remains unlikely for the de facto state to obtain a widespread juridical recognition in the actual international and internal context (Pegg, 1998; Caspersen, 2012; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003).

For the second case study, it appears that the strategies of Tiraspol to legitimize its independence and seek international recognition have not clearly changed through time – unlike Hargeysa’s decision to undergone a democratisation process in the early 2000s. First of all, the Montevideo criteria of statehood are in the Transnistrian case also met as presented earlier, the de facto state being nowadays characterized as an authoritarian presidential system reaching

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<sup>123</sup> It is already, as stressed by Kolstø & Pegg (2014), hard to find a better case of territory seeking recognition with a similar peace and democratization records.

<sup>124</sup> In particular in the context of the post-9/11 struggle against terrorism and piracy, policy joined by Somaliland for its own safety but also to seek foreign support.

<sup>125</sup> The African Union mission in Somaliland between the 30<sup>th</sup> April and the 4<sup>th</sup> May 2005 concluded that Somaliland fulfil many aspects of statehood and observed the positive devolvement made there that deserves therefore “special consideration and attitude”.

<sup>126</sup> Organisations active in restoring services, infrastructure, clearing land mines, reintegrate the displaced populations, promoting local organisations and strengthening government bodies.

<sup>127</sup> The delegation of the European Union Commission located in Nairobi supported Somaliland during the 2002 elections through the assignment of technical consultants, the funding of education and the training of over 3000 elections workers and domestic observers.

<sup>128</sup> The participation of South African observers at elections, support of the US International Republican Institute, low-key bilateral relations with Djibouti, Ethiopia or regional bodies like the IGAD for example.

almost all attributes and institutions of an independent state according to Fischer (2016). Similarly as Somaliland, its historical background plays a strong argument for its independency with the existence of the Moldovan Autonomous SSR formed in 1924, the differentiation between Bessarabia that used to be part of Romania unlike Transnistria but also the military victory of 1992 that is presented by Tiraspol as a righteous and sacred war, therefore a justification for independence (Cojocaru, 2006). Finally, its seek of recognition is also claimed in the name of the self-determination principles of Woodrow Wilson and in the name of the national policy of Lenin (Kolossoff & O’Loughlin, 1998). But that notion of self-determination brings the necessity to define who the people are, necessity that can explain the efforts of Tiraspol to build its identity through a nation building process (Kolossoff & O’Loughlin, 1998). But as presented by Chamberlain-Creanga & Allin (2010), or Cojocaru (2006), the new generation of youth feel really Transnistrian, which can be an issue for the conflict settlement process<sup>129</sup> (Kolossoff & O’Loughlin, 1998).

When it comes to the international talks, the major difference Transnistria has from the Somaliland case resides in the fact that the peace negotiations between the parent and de facto states already started in the early 1990s. But similarly to Somaliland, the international community – including Russia –, in front of what was consider a risk of “infection” of instability for the whole region<sup>130</sup>, quickly recognised the Republic of Moldova while the status of the “Transnistrian Moldovan Republic” remained unclarified alongside with the legal status of the Russian military presence in the region<sup>131</sup> (Kolossoff & O’Loughlin, 1998; Fischer, 2016; Cojocaru, 2006; Troebst, 2004). Since 1994, the negotiations are ongoing under the mediation of the OSCE and Russia – and Ukraine since 1995 – but have not, so far, reached an accord on Transnistria’s status<sup>132</sup> (Kolossoff & O’Loughlin, 1998; Fischer, 2016). This failure was partly due to the fact that Transnistria refused to sign a joint document with Moldova for nearly the half-decade following the war since it would be “anti-constitutional”<sup>133</sup> but also due to the ambiguity of the Russian foreign policy that helped to shape and stabilise the situation as well as the division of the responsibilities between Russia and the Western actors in the post-USSR

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<sup>129</sup> East Germany provide a great example on how fast identities can form making therefore future political-territorial resolutions more intractable. Loyalty and nationalism represent as well threats to a possible reintegration.

<sup>130</sup> According to Kolossoff & O’Loughlin (1998), the geopolitical system during the Cold War was taken for granted and the sovereign nation states expected to remain hegemonic in the twenty first century. The recognition of the new states was perceived as a risk to reanimate dormant conflicts.

<sup>131</sup> The international law, according to Troebst (2004), considers secession as a problem, not a solution.

<sup>132</sup> Despite positive evolutions in the 1990s with efforts from Yelstin, the OSCE and a less nationalist government elected in 1994 in Chisinau, the negotiations are meeting recently new complications with the Russian’s violation of central OSCE principles and the burden of the Ukrainian situation that participate to discredit this format of negotiation.

<sup>133</sup> Politically, despite a pluralism of ideas, there is a strong unity concerning the international goal that is statehood.

space (Blakkisrud & Kolstø, 2011; Kolossov & O’Loughlin, 1998). A step-by-step confidence building negotiation process was therefore opted for (Kolossov & O’Loughlin, 1998). In 1997, after Transnistria finally agreed on a joint document with Moldova, the position of Chisinau had toughened, leading to what Kolossov & O’Loughlin (1998) consider a “classic scenario”, namely the evolution of Tiraspol’s demands from a “free economic zone” – hidden form of separatism – to autonomy within Moldova through a federal or confederate system<sup>134</sup> (Kolossov & O’Loughlin, 1998). At the time of their article in 1998, the scenarios available to resolve the PMR’s status remained therefore the same as they were in 1992 with an Ukrainian one, a Russian one, a Moldovan one and finally the independency scenario<sup>135</sup> (Kolossov & O’Loughlin, 1998). In the early 2000s the negotiations evolved with the growing interest of the European Union in the region and a further internationalisation of the issue with the European Union and the United States joining the negotiations as observers in 2005, forming the 5+2 format, supported by special envoys from the EU and missions to support Moldova and Ukraine in the monitoring of their shared borders (Fischer, 2016). However, after 20 years of negotiations, no movements on the status question have been reached, primarily due to the divergence of interests from the involved actors<sup>136</sup> (Fischer, 2016). Kiev’s motivations are mostly based on the maintenance of security, the fight against corruption and illicit trade in the Odessa region, as well as fulfilling the requirements of the EU Visa Liberalisation Action Plan (Fischer, 2016). On the Moldovan perspective, there are only little signs of a clear Moldovan vision and no efforts are properly put in place to establish a strategy to reintegrate Transnistria<sup>137</sup>, despite a majority of supporter for the reintegration in the Moldovan political

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<sup>134</sup> The official position of Tiraspol in 1998 was in favor of “the creation of the common state on a confederal basis and on the issues of partition, of delegation and of integration of competencies by two equal subjects” – Private communication from the First Deputy-Chairman of Vladimir Atamaniuk, the Supreme Soviet of the PMR, 25<sup>th</sup> September 1997. This would mean that Tiraspol would keep a separate constitution, have its own state symbols and right to decide independently questions of domestic and foreign economic relations, as well as the demilitarisation of the whole territory of the former Moldovan SSR, proposition to which Moldova answered that its army was a necessary and obligatory element of its statehood.

<sup>135</sup>The Ukrainian scenario would be the inclusion of PMR within Ukraine as a “normal” oblast within the borders of a recreated Moldovan Autonomous Republic with its 1940 borders in exchange of the Kiliya territory of the Odessa oblast for Moldova – to have access to the Black Sea. The Russian scenario would be the inclusion of Transnistria within the Russian Federation. And the Moldovan one, the integration of the PMR with special rights for the Russian and Ukrainian populations and languages or the establishment of a confederation accepted by both sides.

<sup>136</sup> With the case of Ilascu and Others, the European Convention on Human Rights posed for instance a positive obligation to Moldova to take political, judicial and other measures at its disposal to re-establish control over the Transnistrian territory and refrain from supporting the separatist regime.

<sup>137</sup> The reunification presents numerous challenges such as the difference of development paths from both sides of the Dniester, the necessity of harmonisation of processes or the transitional arrangements. The Office for Reintegration benefits furthermore only from minimal resources. It is therefore not a surprise that the Prime Minister Valeriu Strele’s “integration roadmap” announcement or the August 2015 revival of the inter-ministerial reintegration commission did not reach any positive development.

parties<sup>138</sup> (Fischer, 2016). The society has thus accepted their path without Transnistria with only 9% of the population in 2015 considering the reintegration of the PMR as one of the three most important tasks of the government and no recent demonstrations or protests concerning this question<sup>139</sup> (Fischer, 2016). Beside its will for independency, Transnistria has for specificity its desires to integrate the Russian Federation despite Moscow's refuse to recognize or incorporate the de facto state so far<sup>140</sup> (Chamberlain-Creanga & Allin, 2010; Fischer, 2016). The loyalty to Russia – agreed by the population and official state doctrine – represents also a dilemma since it isolates Transnistria by exacerbating the alienation from Moldova and Ukraine – on which Tiraspol is dependent, therefore increasing its economic crisis (Fischer, 2016). The Russian perspective is therefore central in the negotiation process and is even considered by several scholars as a major reason for the failure of this process by its geopolitics in its “near abroad” and its role in the conflict settlement<sup>141</sup> (Fischer, 2016; Chamberlain-Creanga & Allin, 2010; Kolosov & O’Loughlin, 1998). Moscow has also a unique place as mediator as can confirm the Autumn 2003 Kozak Memorandum proposed by Russia outside of the official negotiating format<sup>142</sup> (Fischer, 2016). It is furthermore the escalation of the tensions between the pro-European coalition government in Chisinau and the Russian leadership following the Association Agreement between the EU and Moldova in November 2013 that worsen the negotiation process<sup>143</sup> (Fischer, 2016). In the context of these tensions and the emergence of the Ukrainian crisis, the Transnistrian Supreme Soviet revived its demand for Russian recognition without any success considering the emergence of complications in a brand new

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<sup>138</sup> The reintegration of Transnistria represents as well a dilemma for Chisinau since it would have an enormous economic cost through the growing debt and the loss of the Russian funding but would also mean including the pro-Russian electorate of the region posing therefore a threat to the Moldovan pro-EU political orientation.

<sup>139</sup> And thus despite 80% of the population in 2015 critical about the way the government is seeking a resolution to the conflict.

<sup>140</sup> This refuse was due, first, to the will of Moscow to move on from the 2008 Georgian war crisis, and the recognition of South Ossetia and Abkhazia situation but also to the risk that it could become an example within Russia and give too much independence to Tiraspol. The annexation of Crimea by the Russian Federation raised hopes in Transnistria to finally find their demands of integration met. For instance, the foreign Minister Nina Shtanski explicitly welcomed the annexation and pointed parallels between the PMR and Crimea, based on the 2006's referendum, without however, meeting any success so far.

<sup>141</sup> Russia is directly responsible for the conflict settlement with the July 1992 agreement with Moldova on a cease-fire and the trilateral border monitoring regime and peace-keeping force that is still in effect today and favorable to the pro-Moscow “forces of separation” according to its opponents.

<sup>142</sup> The Kozak Memorandum, from Dmitri Kozak – Vladimir Putin's confidant – proposed a federation with an autonomous status for the PMR including far-reaching powers and vetoes for Tiraspol as well as a long-term status for the military forces in the region. The Moldovan President, Vladimir Voronin, backed by the West withdrew his approval on this proposition.

<sup>143</sup> These tensions led to threats and anti-European propaganda from Moscow as well as a ban on the import of Moldovan wines. The Ukrainian crisis, the possibility for Moldova to join NATO and the repeatedly demands from Chisinau to withdraw the Russian military forces and replaced the trilateral peacekeeping forces with an international civilian mission also contributed to worsen the situation.

situation for the region<sup>144</sup> (Fischer, 2016; Chamberlain-Creanga & Allin, 2010). But, like in the Somaliland case, despite the failure of the negotiations to meet a resolution on the status situation so far, there are numerous benefits and hopes concerning this process. Russia for instance has also already used its central influence in the Transnistrian question to reach solutions such as the 1997's Memorandum on the relations between Moldova and Transnistria<sup>145</sup> or in 2008 when Moscow convinced Tiraspol to come back at the negotiation table – when it would fit with Moscow's interests (Chamberlain-Creanga & Allin, 2010; Kolossov & O'Loughlin, 1998). In June 2016 it was the intense efforts of the OSCE chairman that pushed to another round of the 5+2 talks in Berlin and eventually resolved a series of practical issues in a protocol wanted by both Chisinau and Tiraspol<sup>146</sup> (Fischer, 2016). Hope can also be found in the improved cooperation between the actors such as the various level of dialogue between Transnistria and Moldova like in the “1+1” format but also under the growing EU interest<sup>147</sup> in the issue and the establishment of international cooperation like the EU Border Assistance Mission – EUBAM<sup>148</sup> – or bilateral accords like the Deep and Comprehensive Free Trade Area – DCFTA<sup>149</sup> (Chamberlain-Creanga & Allin, 2010; Fischer, 2016). Chisinau's attitude toward Tiraspol's political position has also evolved through time to reach a less aggressive stand<sup>150</sup>, making an agreement on the ongoing conflict more realistic<sup>151</sup> (Fischer,

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<sup>144</sup> Russia has thus a dual role as mediator and conflict party.

<sup>145</sup> The Russian diplomacy persuaded Chisinau and Tiraspol to sign alongside the presidents Yelstin, Kuchma – president of Ukraine at the time – and the acting Chair of the OSCE, the General Petersen, in Moscow the 8<sup>th</sup> April 1997 the Memorandum establishing the relations between the de facto state and its parent state. The Article 11 of the Memorandum stipulated that both sides “will build their relations in the framework of a common state within the boundaries of the Moldovan SSR by January 1998”, confirming their common future and the autonomy of the PMR, but also accepting that the situation cannot be solved without Russia. Russia made Chisinau understand that it would continue to consider it as the sole representative of both Moldovan states as long as Moldova would reject any rapprochement with NATO and would not allow foreign military on its territory.

<sup>146</sup> Through the Berlin Protocol, the question of the Transnistrian vehicle registration plates and the recognition of its education qualification, as well as the reintegration of the telecommunications have been conceded by Chisinau without any mentions of Tiraspol's status on human right.

<sup>147</sup> Since the accession of Romania into the European Union in 2007 and the 2008 Georgia war, Brussels and Chisinau want to close the PMR issue.

<sup>148</sup> The EUBAM was established in November 2015 and took the form of data exchange on movement across the border with as main control point Pervomaisc-Kuchurhan, on the road to Odessa with an annual crossing of over three millions in order to improve transparency and security. This has been particularly beneficial for Chisinau that fulfilled its goal to extend the presence of its border police on the Transnistria-Ukraine border.

<sup>149</sup> Also established in 2015, the DCFTA was negotiated and signed between the European Union and Moldova but including Transnistria by establishing a new legal basis for its trade with Brussels.

<sup>150</sup> Moldova's minority policy as a whole is, according to Fischer (2016), moderate. The territorial autonomy has already been accorded in 1994 to the Southern Region of Gagauzia and its 150 000 Turkic Christians inhabitants and could be potentially accorded to Taraclia and Balti. The Russian language remains, furthermore, strong in the mass media and the commerce, often at the detriment of other minority languages. The idea of unification with Romania is, as well, not seen as a realistic short-term possibility despite a strong support in Romania.

<sup>151</sup> As could confirm the maintain of Chisinau in the July 1992 cease-fire agreement despite critics or the different symbols of goodwill from Chisinau toward Tiraspol like in 1994 – when Mircea Snegur, Moldovan leader during the 1992 conflict and against Transnistrian autonomy, changed its position in favor of this possibility in 1994 – or in 2005 – when Chisinau offered autonomy defined by a new law.

2016; Kolossov & O'Loughlin, 1998). Thus, the ongoing negotiations between Chisinau and Tiraspol that started in the aftermath of the cease-fire have still not reached any resolutions and can be characterized by numerous propositions from both sides that rapidly fail<sup>152</sup> due to the security dilemma<sup>153</sup> (Cojocaru, 2006; Kolossov & O'Loughlin, 1998). However, these recent outcomes and agreements in the context of rapprochement between Moldova and the European Union, if they improve the ongoing situation for both actors, represent as well a potential issue for Tiraspol since it narrows the scope open to the Transnistrian leadership in the negotiations process (Fischer, 2016; Chamberlain-Creanga & Allin, 2010; Blakkisrud & Kolstø, 2011). It is also a strategy from a considerable part of the Moldovan elites to grow the attractiveness of Moldova with its pro-EU stand to open the door for reunification (Fischer, 2016). This represents the most realistic outcome for the ongoing conflict since, according to Kolossov & O'Loughlin (1998), only an extreme economic crisis, a pressure from below or a common effort from outside could be a threat to the Transnistrian sovereignty or help to find a solution.

Considering the unsuccessful aspect of the negotiation process, it appears possible to consider de facto states' interests in maintaining the status quo, and thus, frozen conflict. Such situation permits indeed to Tiraspol and Hargeysa to weight in the negotiation process by representing a military threat to their parent states, while showing goodwill through their participation in these international talks and agreements to resolutions on practical issues. In the case of Somaliland for instance, if the lack of recognition represents an issue for its economic and social development<sup>154</sup>, this aim carries as well downsides<sup>155</sup> giving the status quo a most favorable aspect (Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003; Ali, 2014; Pegg, 1998). For instance, the lack of recognition gave Somaliland the opportunity to develop and craft its own political system rooted in local culture and values and build up an efficient state and nation building unlike Somalia<sup>156</sup> (Bradbury, Abokor & Yusuf,

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<sup>152</sup> Transnistria proposed a confederate model that was refused by Chisinau in the name of Moldova's territorial integrity, while Chisinau proposed the idea of a special status for Transnistria within Moldova, refused by Transnistrian leaders.

<sup>153</sup> The security dilemma leans on the idea that for one group to improve its position leads to a perception of a loss by the other group, therefore being an issue for peace agreements since leaders need to be perceived as winner to keep popular support.

<sup>154</sup> What Pegg (1998) presented as the "economic cost of non-recognition" means only little foreign direct investments, support from international financial institutions, banks, foreign aid and companies or NGOs, limits of export, movement of population and transport options due to the closed borders with the parent states and a threat for its health situation.

<sup>155</sup> For instance the switch to a multi-party democratic system represented a destabilization risk for Somaliland due to the lack of civic education, the low level of literacy, the underdeveloped civil society and the fear of the population to leave a political system that worked for over 12 years.

<sup>156</sup> This is worth stressing considering that the priority for many Somalis is the end of the foreign domination rather than development.

2003; Kolstø & Pegg, 2014; Hoch & Rudincová, 2015). That autonomous development has also permitted to establish a self-supporting budget and is; therefore, also a safety against authoritarianism since that apparent weakness limits also the role of the government and keeps the centre of power weak (Bradbury, Abokor & Yusuf, 2003; Ali, 2014). Despite the lack of recognition, Somaliland is also not totally ostracised since it maintains relations and liaison offices in numerous recognised states and is already reaching some forms of international aid as previously presented (Ali, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Recognition would also have backlash effects for Somaliland since it could, as pointed out by a South African's report, arms the relation between the government and the population<sup>157</sup> (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015; Hoehne, 2011; Bryden, 2003). If the status quo is therefore preferable for Hargeysa's authorities than give up its political power by reintegrating Somalia, it should not be taken as a proof that the population want their country to remain poor and unrecognized as emphasized by Kolstø & Pegg (2014). Transnistria has also interests to maintain such status quo considering the failure of international recognition or integration into the Russian Federation. On the economic aspect first, Transnistria – as well as other actors – benefits from the actual grey area of tax evasion, illegal cross border trade (Blakkisrud & Kolstø, 2011; Chamberlain-Creanga & Allin, 2010). Furthermore, with the Russian support – and dependency – Tiraspol managed so far to maintain a relative economic independency from Chisinau<sup>158</sup> (Blakkisrud & Kolstø, 2011; Chamberlain-Creanga & Allin, 2010; Fischer, 2016). The actual status quo is thus preferable both for Moscow and Tiraspol since the Russian support gives Transnistria the option to refuse its reintegration within Moldova or Ukraine while giving Russia leverage over Chisinau (Chamberlain-Creanga & Allin, 2010). Russia hold then the influence necessary to resolved the conflict, as the Kozak Memorandum in 2003 was an example, but benefits so far more from the ongoing situation (Chamberlain-Creanga & Allin, 2010).

But, as Fischer (2016) presented it<sup>159</sup>, the frozen conflict represents as well a threat to further negotiations while alimending the de facto states' internal instability. The continuation of the status quo can thus represents a danger for both Tiraspol's and Hargeysa's future. The

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<sup>157</sup> The democratisation process for example had for negative effects according to Hoehne (2011) and Bryden (2003) to hold the population hostage since the efforts to achieve recognition has been used to silence political opposition.

<sup>158</sup> Russia is for instance financing pensions and procuring Transnistria with gas at half the price that Moldova is paying, but the rapprochement between Chisinau and Brussels, the ongoing crisis in Ukraine and the building of new pipeline roads toward Europe might be a changing factor.

<sup>159</sup> As explained by the scholar, "this creates a vicious circle: The frozen conflicts prevent sustainable development of the affected states and societies, while political and economic instability in turn make constructive conflict regulation impossible".

importance of time in the negotiation process is therefore central since it permits to Tiraspol to win time to establish its state structure undisturbed while leading to a politic less and less keen on reintegrating with its parent state (Blakkisrud & Kolstø, 2011; Fischer, 2016). Regarding the length of the negotiation process, it is then possible to make a parallel with Özkan's (2008) research on the Nagorno-Karabakh's conflict negotiation process. He confirmed that the de facto states benefit more from the status quo, also presented as "no war no peace" situation – which meet their desire to stay on power –, than from the expected efforts from which would result a resolution for their ongoing conflict<sup>160</sup> (Özkan, 2008). It appears, therefore, that if both Hargeysa and Tiraspol would prefer gaining international recognition, resolving the question of their status does not seem to be worth making concessions since they already benefeciate from a stable situation due to their efficient nation and state building.

Thus, if both Somaliland and Transnistria obtained their independency through secessionist conflicts during the early 1990s and secured a stable state and nation building since then – meeting the Montevideo criteria on statehood –, both these case studies did not manage to reach international recognition, leading therefore to a perpetuation of the ongoing frozen conflict situation. It is, however, hard to characterise this situation as failure for the de facto states since they did also not make concessions<sup>161</sup> and thus, more interestingly, also had somehow a role in the lack of resolution in these talks.

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<sup>160</sup> For Özkan (2008), "The priority of the current political leaders in the region is the continuation of their rule instead of the creation of a democratic environment and a development of civil society. It is not likely that they will risk their status for a solution that require compromise from both sides".

<sup>161</sup> Maintaining therefore a strong position that they would have lost by reintegrating their parent states.

## II. A conflict frozen?

### *A. Keeping a popular support through securitization?*

If, therefore, the status quo is, so far, favored by the de facto states, it becomes interesting to take another approach concerning the frozen conflict situation by, first, analysing the real threats and risks undergo by the de facto states regarding their parent's states. But also to determine how, and to which aim, Hargeysa and Tiraspol might politicise that risks – real or not – to reach their political agenda.

By their very existence as de facto states, Somaliland and Tiraspol are intrinsically under a constant threat since they cannot beneficiate from international laws and conventions, therefore outside legal support (Blakkisrud & Kolstø, 2011). Worst, their very existence are denied by the international community that recognize their parent states are rightful owners of these territory, thus giving legitimacy to Somalia and Moldova for an hypothetical military reintegration. The capacities of Chisinau and Mogadishu to undertake such possibilities and the reality of these threats are thus to be defined.

Concerning Transnistria, the economic difficulties seems to represent the major non-military threat for its independency since it is responsible of the dependency of Tiraspol toward Chisinau – and Kiev – through recent economic agreements<sup>162</sup> (Blakkisrud & Kolstø, 2011; Fischer, 2016). Tiraspol is therefore stuck in an existential dilemma between its political orientation toward Russia<sup>163</sup> – its strategic ally – and a deeper – and probably more needed for its economy – connection with Moldova, Ukraine and the European Union (Fischer, 2016). Regarding the armed-related threats toward Tiraspol, it appears that the risk of an escalation of the frozen conflict into an open war remains a possibility and can be approached as the principle danger for the de facto state. Indeed, if the intervention of Moscow in 1992 ended the violence between Tiraspol and Chisinau, it did not resolved the core issue between the protagonists; this remaining of the tension between the de facto state and its parent state, coupled with the rapidity

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<sup>162</sup> The economic crisis can be imaged by the GDP decline of 20% in 2015, followed by another 5/6% in 2016.

<sup>163</sup> Its independency is further threatened by the fact that, according to Fischer (2016), many Transnistrians see the President Shevchuk insistent assertions of loyalty to Moscow as a “begging” for further aid, emphasising the already precarious diplomatic position of the de facto state.

of the escalation into a conflict in 1992<sup>164</sup> tend to confirm the high level of danger represented by the frozen conflict (Chamberlain-Creanga & Allin, 2010; Fischer, 2016; Uppsala Conflict Data Program). Furthermore, if Moldova's domestic and economic instability led the authorities – that are in majority supporters of a reintegration<sup>165</sup> – to put the conflict regulation on the back burner, several recent signs and evolutions can be approached as confirming the likeliness of a possible escalation of the tensions in the next years (Fischer, 2016). The renewal of the idea of unification between Moldova and Romania<sup>166</sup> – project that has always been a major fear for Tiraspol – for instance, can be responsible for the worsening of the situation (Fischer, 2016). But more importantly, it is the ongoing conflict in Ukraine and the risk of destabilisation for the whole region it represents that has influenced the most the Transnistrian situation with the worsening of the relations between Chisinau and Moscow<sup>167</sup> (Fischer, 2016). The Transnistrian support to Moscow during the crisis clearly armed the relations between Tiraspol and Kiev<sup>168</sup> and had for repercussions a clear improvement of the cooperation between Moldova and Ukraine – isolating Transnistria even more (Fischer, 2016). The Ukrainian government developed a series of counter-measures toward the de facto state, which clearly worsened its the already fragile economic environment<sup>169</sup> (Fischer, 2016). These measures<sup>170</sup> were particularly efficient since Odessa represents a major hub for the PMR's trade – particularly since illicit trade and smuggling represent big profits for numerous regional actors

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<sup>164</sup> The bloody war that cost the live of more than 1,000 people, injured 10,000 and led 100,000 other to flee happened within weeks after an attempt to recapture the right-bank city of Bender.

<sup>165</sup> Both the Pro-Russian and Pro-EU parties are in majority in favor of a reintegration and against the possibility for Russia to annexe Transnistria or a definitive separation, including within the pro-PMR and pro-Russia minorities.

<sup>166</sup> In November 2015, the support to the project of unification has evolved from the usual 5-6% to 21% while ¾ of the Romanian population remain supportive of this possibility.

<sup>167</sup> Following the crisis in Ukraine, Chisinau took measures toward Russia such as the prevention of clandestine entry of Russian soldiers in Moldova with the establishment of tight controls at Chisinau Airport in 2014 and the ban of male Russian citizens from entering the country. In the mean time, Chisinau repeatedly demanded the withdrawal of the Russian military forces in Transnistria and to replace the trilateral peacekeeping forces with an international civilian mission while the President considered the possibility for Moldova to join NATO.

<sup>168</sup> These relations were relatively close since Kiev's passivity helped the state-building process of Tiraspol, but also due to the benefits of the Ukrainian politicians and businesspeople from the legal and illegal trade with Transnistria. The common fear of Kiev and Tiraspol toward the establishment of a greater Romania and the close relations between Kiev and the president Yevgeny Shevchuk – ethnic Ukrainian – also contributed to these relations. But Kiev's "benign neutrality" changed for a hostile stance with the annexation of Crimea and the fighting in Donbass.

<sup>169</sup> These counter-measures include steeping up border controls at the PMR-Ukrainian border; the strengthening of the border fortifications –with deep trenches over 45.5 kilometers–; the establishment of an entry bans on PMR leadership members and males with Russian citizenship; a ban on Russian military through Ukraine –which represents a problem for the Russian forces in Transnistria–; the intensification of against corruption and illicit trading; and finally a ban on import/export of the most important categories of goods subject to excise duties like alcohol and cigarettes.

<sup>170</sup> Kiev's motivations were here mostly to fulfill the requirements of the EU Visa Liberalisation Action Plan that included therefore the improvement of security and the fight against corruption and illicit trade in Odessa region.

like the Transnistrian leadership<sup>171</sup> (Fischer, 2016). Because of its geographical situation and the political evolution of the Ukrainian crisis, Transnistria finds itself even more vulnerable and deliberately isolated and weakened by Kiev's strategy to use the de facto state as a levers against further aggression from Moscow (Fischer, 2016). The position of Transnistria is thus precarious and could be characterised, as Fischer (2016) pointed out, as squeezed between two states – namely Moldova and Russian – looking in different directions. The security situation of Tiraspol is therefore, more than ever, dependent on the Russian support. Hargeysa fears different risks and threats than Tiraspol. The major risk for Somaliland would be the “contamination” of the ongoing instability situation experienced by Somalia<sup>172</sup> with the emergence of militias or political entities within its territory<sup>173</sup> (Ali, 2014; Brons, 2011; Bradbury, Abokor & Yusuf, 2003; Small Arms Survey, 2012). This scenario represents still a serious threat by the widespread possession of firearms in Somaliland<sup>174</sup> (Small Arms Survey, 2012). It explains also the fragile peace undergone by Somaliland with the repetitive periods of killings – especially in the SCC region – since the end of the civil war in 1991-1993 and thus, despite the lack of data available on death incidents<sup>175</sup> (Somalia Report, 2011; Small Arms Survey, 2012; Kolstø & Pegg, 2014). The high number of displaced caused by those violent events further increase the risk of instability for Somaliland<sup>176</sup> (Bradbury, Abokor & Yusuf, 2003). The Eastern<sup>177</sup> part of Somaliland – particularly the Sool and Sanaag regions – is as well, as previously stressed, a major source of instability for the de facto state, due to the threat represented by Puntland<sup>178</sup> that challenged its authority in the region (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). The fact that Somalia and

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<sup>171</sup> Moscow criticized these measures characterised as a “blockade”.

<sup>172</sup> Following the overthrow of Barre in 1991, Somalia ceased to function as a state, leading to a famine in 1992-1993, a long-lasting civil war, and widespread displacements.

<sup>173</sup> The Somali state collapse was followed by the establishment of warlord, fiefdoms, long distance trading enterprises, Islamic-based organizations and nascent state-like polities – for instance Somaliland, Puntland, the Rahanweyn Resistance Army, or the Makhir State.

<sup>174</sup> Around 73% of Somaliland's households possess firearms.

<sup>175</sup> The lack of data is principally due to the fact that the data on Somaliland are collected combined with Somalia. The Small Arms Survey (2012), however, stressed the cases of the principals events such as the period covering the years 1992 and period 1994-1995 with a conflict death rate above 25 per 100,000 in Somaliland, but also the 2008 Al-Shabaab attack on Hargeisa with 28 deaths, the Kalshale 2010-2011 events with between 50 and 100 deaths in series of confrontations, but also due to the instability in the Sool region with the proxy war with Puntland responsible for around 100 deaths per year between 2003 and 2011.

<sup>176</sup> The war from November 1994 to October 1996 caused for instance more than 180,000 displaced and heavy damages to cities like Burco and Hargeysa.

<sup>177</sup> Alongside ambiguities regarding the Gadabuursi and Ciise clans in the Western region of Awdal although these groups are well included and represented in the administrations and state-building process.

<sup>178</sup> With its clan-based ideology, Puntland is seeking to control the Dulbahante and Warsangeli populated regions of Sool and Sanaag and is thus providing them with high-ranking administrative positions, posing therefore a threat to Hargeysa's support in the region. This influence can be exemplified by the attempt of assassination of the President Kaahin in the Sool region by forces loyal to Puntland, 10 days before the 2002's district elections.

Puntland possesses better weapons than Somaliland is furthermore a source of worry for Hargeysa that remains therefore under a constant threat of military invasion<sup>179</sup> (Small Arms Survey, 2012; Bradbury, Abokor & Yusuf, 2003; Bradbury, 1997). Surprisingly, the threat to Hargeysa's authority can also come from its seek for international recognition as the democratisation process – that was responsible for internal tensions and oppositions in a society attached to its culture and traditions, pillar stone of the de facto state nation-building process<sup>180</sup> – can confirm it<sup>181</sup> (Bradbury, Abokor & Yusuf, 2003). The democratic system established by Egal is, as well, a good indicator for Somaliland socio-economic situation and internal cleavages approachable through the voting patterns. It appears indeed that the society remains highly cleaved over geographical<sup>182</sup>, socio-economic<sup>183</sup> and clan lines, posing therefore a threat to the integrity of the de facto state that could possibly revive a clan-based civil war as it was already the case in the 1990s (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Finally, Somaliland's weak and isolated economy represents as well – similarly to the Transnistrian case – a threat to its independency<sup>184</sup> (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Thus, if Transnistria and Somaliland do not undergo the same situation, they both experience a context of instability and risks from both their parent states and from a hypothetical collapse of their authority over their territory and population. These threats seem therefore realistic scenarios, especially regarding Caspersen (2012) statement that violence remains “statistically the most likely outcome for unrecognized states” (Kolstø & Pegg, 2014).

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<sup>179</sup> If Somaliland is considered as one of the most stable region in the Horn of Africa while Somalia remains considered as a failed state, this scenario would be realistic due to the fact that the international community recognized and support Mogadishu as the legitimate authority in Somalia.

<sup>180</sup> The democratisation process carried a lot of uncertainty within the civil society. The opposition questioned it and stressed the risk of unfair elections or considered it as a ruse from Egal – characterised as autocratic and corrupt – to keep power. The president Egal was almost evicted by a motion against him in the Parliament in August 2001. This process also led a powerful group of clan's sultans backed by the Eastern part of the country to challenge Egal's authority until he eventually arrested several of these sultans when visiting the capital leading to the edge of a civil war. The fear to turn into a similar conflict situation as Puntland underwent in 2001-2003 due to a constitutional crisis was also widespread in Somaliland during the democratisation process.

<sup>181</sup> In January 2003, the United Nations news information service were talking about a year of “opportunities and dangers” for Somaliland. The presidential elections were supposed to “either demonstrate Somaliland's political maturity, or lead to fighting”.

<sup>182</sup> The geographical differentiation is principally drawn between the Eastern – in the Sool and Sanaag regions where the 2001 referendum on the Constitution and the first presidential elections were for instance not held – and Western – politically more integrated – regions of Somaliland.

<sup>183</sup> A major difference remains in Somaliland's social landscape between the urbanised areas, well provided in infrastructure and transport, and the rural and nomadic areas. These two differentiations are often the same since the Eastern population are more nomadic and are less populated regions while the West concentrate most of the urban and high-populated areas. For instance during the district elections, the UCID party reached the 3<sup>rd</sup> place just thanks to its support in the capital.

<sup>184</sup> The lack of investments and export options due to the “economic cost of non-recognition” explains partly why Somaliland was still, in 2014 according to the World Bank, the 4<sup>th</sup> poorest country in the world – mostly remaining on livestock and its diaspora.

Therefore, could securitization<sup>185</sup> policies be efficient to resolve the multiple political, economic and security threats experienced by Hargeysa and Tiraspol, thus justifying the paradoxical maintain of the frozen conflict situation (Kolstø & Pegg, 2014; Buzan, Wæver & de Wilde, 1997)?

The securitization dialectic, mainly based on the frozen conflict situation, represents a possibility for the de facto states to secure their political agenda and ideology on which the nation building – thus popular support – is built. The security priority of the population is, indeed, quite common to de facto states in reason of the precarious international situation but also its violent genesis (Kolstø & Pegg, 2014). In the case of Transnistria, this is well exemplified by the identity building that has been developed by the elites against the Bessarabian Moldovans characterised as “fascists” or Romanians<sup>186</sup> – Moldova and Romania being presented as the “nation’s enemies” – and around the dialectic of the “just” and “heroic” war of 1992, presented as the mythical foundation of the Transnistria and a parallel to World War II<sup>187</sup> (Blakkisrud & Kolstø, 2011; Cojocaru, 2006; Fischer, 2016; Dembińska, 2018; Wimmer, 2008). Moldova is then still perceived as a threat in the collective mind due to this dialectic based on the perception of menace<sup>188</sup> and according to the security dilemma – Transnistria can only improve its position by weakening the Moldovan’s one and vice versa (Cojocaru, 2006; Kolosov & O’Loughlin, 1998; Chamberlain-Creanga & Allin, 2010). This mentality is further alimented by official propaganda and ideology spread into the medias of the authoritarian regime<sup>189</sup> (Cojocaru, 2006). The propaganda is indeed meeting the emotional and symbolic needs of the population, thus creating loyalty and identification around state

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<sup>185</sup> The concept of securitization – developed by, Wæver & de Wilde (1997) – can be characterised as a “more extreme version of politicization”, that can be explained as such: “the issue is presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure”.

<sup>186</sup> According to Dembińska (2018) and on Wimmer’s (2008) taxonomy of boundary-making, the nation building process can also be a contraction or fission of a category alike the case of Transnistria where the construction of the Transnistrian identity has been conducted from above to blur existing ethnic divides. This contraction of the Moldovan identity targeted the Bessarabian Moldovans, the “enemies”.

<sup>187</sup> If this war still remains source of a strong fear, desperation, hatred, pain, sadness, betrayal, distrust and confusion among the population, it is also considered as just, sacred and legit, as well as an act of self defense alike the Second World War, an act of “defence against the Romania fascists”. This myth of victimhood is then put in direct relation with the Nazi occupation from 1941 to 1944 in which took part Bessarabian Moldovans from the Romanian army, explaining why the Romanians are associated with the “invaders”, the “enemies” or “fascists”. The 1992 war was therefore presented as just another proof of the continuous Moldovan national-fascist aggression.

<sup>188</sup> The perception of menace is particularly active in the de facto state’s elites since Chisinau is getting closer to the European Union, becoming therefore more attractive to the Transnistrian population. Tiraspol needs thus to mobilise all forces of the nation to face it. This menace can also take the form of a fifth column as it could be seen by Tiraspol in the education with the existence of private schools supported by Chisinau.

<sup>189</sup> There are no alternative sources of information beside the official ones for the population that is highly supportive of Tiraspol, especially the youth.

symbols<sup>190</sup> (Cojocaru, 2006; Dembińska, 2018; Kolstø & Blakkisrud, 2008; Cojocaru & Suhan, 2006). Transnistria is then, for its population, worth fighting for<sup>191</sup> (Blakkisrud & Kolstø, 2011; Dembińska, 2018). Therefore, the fear of discrimination and possible unification with Romania remain widespread in Transnistria – despite the fact that Moldova reversed the Romanisation course in the 1990s, that the unification with Romania is still unrealistic and that Chisinau increased concerns for its minorities<sup>192</sup> (Fischer, 2016). The propaganda dialectic is then clearly a choice from Tiraspol<sup>193</sup> to maintain the atmosphere of fear concerning the frozen conflict situation despite proofs of good will from Chisinau regarding the resolution of the conflict<sup>194</sup> (Fischer, 2016; Dembińska, 2018). The major strategy of Tiraspol is therefore to build a clear social separation between the two sides of the Dniester in order to maintain such fear and develop its own identity<sup>195</sup> – strategy that has already been proved efficient<sup>196</sup> (Dembińska, 2018; Dembińska & Iglesias, 2013; Troebst, 2003; Dembińska, 2012; Schöpflin, 2000; Smith, 1999). The frozen conflict situation, rather than a risk, represents therefore more of a chance

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<sup>190</sup> According to Kolstø & Blakkisrud (2008), beside the output legitimacy guaranteed by security and welfare, the support of the population can also be reached through the fostering collective identity and “a sense of unity in a state’s population, through education, propaganda, ideology, and state symbols”. For example, state symbols concerning the war have been established such as the 12 June – date at which the conflict started – established as Remembrance Day of what the president called on his website a “bloody massacre unleashed by the official authorities of Moldova, that took the lives of hundreds of innocent people” or the 9 May as the “liberation of the Transnistrian people” from the “fascist threat”. Even the website of the de facto state’s president used to talk about the 1992’s conflict in those terms to mobilize the population “People living on the left shore of the Dniester were able to unite and halt the military aggression of Moldovan nationalism against the rights and liberties of Soviet people [...] To defend their homes, their land, stood all citizens of the republic the guardsmen, militia, the Cossacks, Moldavians, Ukrainians, Russians, Bulgarians and other citizens of our towns and villages. It is precisely they who have defended our homeland and sacred right to live on their land, o speak their native language”.

<sup>191</sup> According to the website of the president, in 1992, “the PRM was the victim of an unprecedented military aggression from national fascist of a neighbouring state – the Republic of Moldova, accompanied by a massive genocide of the Transnistrian people [...] It was [...] an attempt to physically destroy the peaceful population of the young Republic”. But according to the state dialectic, “the approaching disaster did not frighten the people” that did “protect their freedom [...] from national totalitarianism” according to the official historiography of Babilunga and Bomechko (1993).

<sup>192</sup> The Russian language for instance is well represented in the mass media and commerce in Moldova. Outside of Transnistria, the Moldovan minorities including Ukrainians, Russians, Gagauzians, Bulgarians and others represent 22% of the population.

<sup>193</sup> Confirmed by the fact that the election of the opponent Vadim Krasnoselky in 2016 did not change the policies of his predecessor Yevgeny Shevchuk, those policies being therefore more the state doctrine rather than a political position. There are furthermore no challenges of the powerful security apparatus from politicians, NGOs or medias.

<sup>194</sup> The case of the DCFTA established in 2015 between Moldova and the European Union can be seen as a proof of good will from Chisinau that maintain – like all involved parties – the details of the agreements confidential to save Tiraspol’s face.

<sup>195</sup> Through the “cultural engineering” based on education and supported by academics from the Tiraspol University such as Nikolai Babilunga and Boris Bomeschko, and propaganda with ideologues such as Anna Volkova or Ilia Galinsky, the identity of Transnistrians have been developed against the Moldovan one with for instance the idea that the “true Moldovans write in Cyrillic” or through active measures in education such as the ban on Moldovan history textbooks or written in Latin – part of the “Urgent Measures for the Preservation of the Originality of Moldovans, their Language, and Culture” adopted by the Transnistrian Supreme Soviet.

<sup>196</sup> According to a Transnistrian Moldovan living in Chisinau interviewed by Dembińska (2018) in 2011, “post-1992 [those who do not cross the de facto (open) border] do not know what Moldova is!”

for Tiraspol to meet its political agenda of recognition by maintaining a strong popular support (Chamberlain-Creanga & Allin, 2010). But this securitization process has limits as the influence of the Ukrainian crisis over the de facto state's policies can confirm. Once close to Kiev, Tiraspol has had to rethink its relations toward its eastern neighbour to avoid any possible anti-Ukrainian propaganda<sup>197</sup> in a rising tension context due to Transnistria's involvement alongside Russia in the ongoing crisis<sup>198</sup> (Fischer, 2016). Alongside this securitization strategy, the frozen conflict also benefit to Tiraspol by increasing and securing Moscow's military support<sup>199</sup>, making the de facto state de facto militarily untouchable (Fischer, 2016; Chamberlain-Creanga & Allin, 2010; Dembińska, 2018; Blakkisrud & Kolstø, 2011; Kolossov & O'Loughlin, 1998). Politically, it also keeps Moscow as a strong ally that could possibly switch to support Chisinau if Moldova would defend a position more favorable to Russia or would resolve the conflict situation with Tiraspol<sup>200</sup> (Kolossov & O'Loughlin, 1998). Thus, the risk that represents the frozen conflict is paradoxically contributing to increase the security of the de facto state. Furthermore, this climate of fear due to Tiraspol's securitization policies also permits its government to avoid any strong opposition or critics towards its authoritarian regime as well as justify the lack of action toward numerous social issues faced by the de facto state<sup>201</sup> (Blakkisrud & Kolstø, 2011; Chamberlain-Creanga & Allin, 2010; Kolossov & O'Loughlin, 1998). The securitization process developed by Hargeysa is different from the Transnistrian one in the sense that it responds to Somaliland's particular and perceived threats and risks. Somaliland major fear being the renewal of instability and state failure – as it is still experienced by its parent state –, Mogadishu is therefore not perceived as a military threat for the de facto

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<sup>197</sup> The threat posed by Kiev's possible repercussions – particularly through the ethnic Ukrainian population of the PMR –, which could easily be used within Tiraspol's securitization strategy is thus denied in the name of security – good indication that the threat represented by Chisinau is then under control for Transnistria to take the risk to developed its propaganda toward its parent state unlike in the Ukrainian case.

<sup>198</sup> The state doctrine of Tiraspol was compatible to the activities of Ukrainian ethno-cultural organisations and Kiev's funding until 2014 – since Transnistria was pursuing close ties with Ukraine. The fear of further tensions with Kiev also explains the appointment of a pro-Ukrainian veteran political Vladimir Bodnar as the PMR president's parliamentary representative in November 2015, as well as the June 2015 policy requiring Ukrainian organisations to publically denied any discrimination and reaffirmed their loyalty to the PMR's authorities.

<sup>199</sup> Through its peacekeeping forces and the presence of the 14th Army.

<sup>200</sup> From the beginning of the Russian influence over the conflict, Moscow's position has been clear as Yelstin stated in a CIS summit in Chisinau in 1997: "The politics of russia towards Transniestria consists of the fact that Moldova is united and indivisible. We shall deal only with it in this way. All remaining questions will be solved only via Chisinau". As long as Chisinau would reject a rapprochement with NATO and foreign military on its territory, Moscow would keep considering it as the sole representative of both Moldovan states. Russia's influence in the region is more important than protecting the pro-Russian elites in Tiraspol.

<sup>201</sup> Some of those issues are, for example, the massive migration of the population – mostly the patriot youth – the widespread of foreign passports – particularly from the Moldovan "enemy" – that permit to release the social tension within the population, but also the existence of political movements willing to reunify with Chisinau.

state<sup>202</sup> (Menkhaus, 2012; Kolstø & Pegg, 2014; Loubser & Solomon, 2014). The securitization efforts of Hargeysa are thus more directed toward the maintain of an internal stability and peace through measures like the fight against the spread of small private arms and militias to avoid a new civil war for instance<sup>203</sup> (Small Arms Survey, 2012). The securitization measure<sup>204</sup> is here noticeable since the peace between armed groups – reached through the peace processes – has been maintain despite the remaining of huge amount of firearms through the population (Small Arms Survey, 2012; Bakke et al., 2014; Kolstø & Pegg, 2014). Such security-related policies are as well in full accordance with the population’s expectation that “do not care about much else from the government. The government handles security; otherwise it faces few demands or expectations from the people”, explaining further why Hargeysa beneficiates from one of the higher popular support in the whole continent (Kolstø & Pegg, 2014; Caspersen, 2012; Bakke et al., 2014). Another noticeable fact concerning the security of the de facto state is the low militarization of the society compared to other de facto states<sup>205</sup> as well as the clear support of the population in the maintain of stability<sup>206</sup>, confirming the efficiency and interests of Hargeysa’s securitization policies (Kolstø & Pegg, 2014; Small Arms Survey, 2012; Ali, 2014). This securitization process has also been efficient since Hargeysa is reaching stability through the legitimacy of its decentralised and bottom-up traditional clan-based system – unlike Somalia that challenged it<sup>207</sup> (Kolstø & Pegg, 2014; Small Arms Survey, 2012; Ali, 2014). This

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<sup>202</sup> There are practically no threats coming directly from Mogadishu due to the weakness of the state, as could the 2006-2009 unilateral Ethiopian invasion or the lack of control over its territory tends to confirm it. Furthermore, the relations between Somaliland and Somalia are getting less tensed with a more stable government in Mogadishu and already some agreements between them – in particular the one signed in Istanbul in July 2013 that removed the possibility of violent resolution. Finally, with the majority of Somalis considering the end of warlordism, jihadism and foreign dominance as priorities, Somalia is, for Somalilanders, not attractive and act as a counter-model reminding the colonial times.

<sup>203</sup> The policies of disarmament, demobilization and reintegration of the militias in the army in the mid-1990s contributed to reduce the number of violence while presenting a more “clean” image.

<sup>204</sup> As put by numerous scholars like Bakke et al. (2014), de facto states are characterized by violence and insecurities and have therefore to show proof of action toward peace such as the disarmament and demobilization ones organized by Hargeysa.

<sup>205</sup> With only 15,000 active troops and no reservists for about 3 millions inhabitant, Somaliland militarization is only of 0,5% – lower than any other de facto states such as Transnistria, second lower proportion with 4%.

<sup>206</sup> The support of the population permits to balance the inefficiency of the state. For instance, if the Somaliland Police has been a major player in the internal stability – and is acknowledged as such by both the international observers and the citizens –, the security is mostly maintained through popular support or watch groups working alongside the police, which efficiency has been for example confirmed during the 2010 presidential elections that has not been bothered by Al-Shabaab because “the people are our police”. The Police suffer indeed from a low level of education, a lack of professional integrity, a lack of discipline and from corruption. Both the Government National Policy and international donors like the DfID have already addressed those issues despite a lack of capacities from the authorities. A Police Reform project has been launched under the supervision and funding of foreign actors like the DfID and UNDP in order to provide more professionalism, efficiency, accountability and trust to the people as well as better infrastructures.

<sup>207</sup> The clans guaranteed the efficiency of the conflict management through a decentralized process in direct work with the Minister of Interior. It was, for instance, the clans that kept the guns of the militias to avoid the inter-clan violence to arise again.

delegation of security-related topics to the clans permitted for example to overcome the internal conflicts that threatened its survival between 1992 and 1996 by the establishment of a lasting peace – as could confirm the peaceful transition of power after the death of the president Egal in 2002<sup>208</sup> (Bradbury, Abokor & Yusuf, 2003; Farah & Lewis, 1993). The securitization process follow therefore a political agenda and explains why half the budget of Somaliland is still invested in security due to its population’s demands – although the strong peace and stability of the de facto state<sup>209</sup> – while other risks are not politically addressed – such as the death in childbirth<sup>210</sup> (Bradbury, Abokor & Yusuf, 2003; Bradbury et al., 2001; Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Ali, 2014). Such policy can therefore represents for Hargeysa – as it was the case for Tiraspol – a mean to avoid other socio-economic and state-related duties by presenting the unrecognised state of Somaliland as the security priority<sup>211</sup> (Ali, 2014; Hanson & Sigma , 2011). For example the securitization process could have been responsible for balancing the risk of the democratization experienced by Somaliland, leading thus to the smooth process experienced by the de facto state<sup>212</sup> (Bradbury, Abokor & Yusuf, 2003). Even more, it could have been a tool to silent the political opposition<sup>213</sup> – similarly to the PMR’s case (Hoehne, 2011; Bryden, 2003; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). The securitization dialectic of Somaliland – alike the PMR’s case – can also be approached as

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<sup>208</sup> This event represented a high-risk factor for the de facto state and has been resolved through the authority of the clans. Through their legitimacy the risk of instability has been instead transformed in greater stability with the re-joining of the opposition in the electoral process.

<sup>209</sup> A good indicator of this stability could be imaged by the fact that Somaliland does not “produce” refugees anymore but on the opposite became attractive to their return and for migrants from South neighbouring countries since Somaliland reached a better security and human development level than other regions of Somalia. Somaliland has been, furthermore, the fourth African country to experience a change of its majority and president in a peaceful manner with the election of Ahmed Mohammed Siilaanyo the 27<sup>th</sup> June 2010.

<sup>210</sup> The Somaliland’s budget for security remains at 51,1% at the time of Kolstø & Pegg (2014) and Ali’s (2014) articles leaving the government with only few resources for the remaining state’s expenditures.

<sup>211</sup> Security can be a way to avoid what the OECD 2008 “Concepts and Dilemmas of State Building in Fragile Situations” considered as “the state’s inability to meet people’s expectations” because of its lack of means. Security is central since “without providing a minimum level of security to the citizens, the state is unable to perform its regulatory function”.

<sup>212</sup> As presented earlier, the democratisation has been followed by a better inclusion of women in the de facto state’s political process, a support from the international community, and by a lack of violence supported by the population.

<sup>213</sup> Through the counter-example of Puntland’s constitutional crisis that led to a civil war, alongside the risk of Somaliland’s neighbour interference within its political life and the legitimisation of the democratisation process by its necessity toward international recognition, Hargeysa managed to justify an increase of the de facto state’s security – which eventually silent the political opposition and holding the population “hostage” of the democratization process. The massive use of police forces during the 2002’s elections, the postponing of several elections and the closure of numerous polling stations in the Sool and Sanaag regions – but also in parts of the Buuhoodle district, part of the Togdheer region – can exemplified this phenomena. According to the 2003b African Rights report, the government also invoked emergency laws, the control of the media as well as the harassment of opposition sympathisers and the expending of its internal security forces. Alongside the strengthening of Somaliland’s independence claims, this process also beneficiated to Hargeysa by making the Somaliland’s politics more exclusive, therefore increasing the authorities’ control.

the continuity of the security dialectic that eventually led to the de facto state's independency to keep the population mobilized toward the risk of a possible reunification with the parent state<sup>214</sup> (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015). After the control of its territory and the installation of peace, Hargeysa had therefore interest to use securitization by politicizing the fear of the renewal of violence to maintain a strong popular support – as the authorities efficiently did in the SSC regions where Puntland's influence and interferences strengthened Somaliland's control over the region<sup>215</sup> (Small Arms Survey, 2012; Kolstø & Pegg, 2014; Hoch & Rudincová, 2015).

It is thus possible to conclude that, if Somaliland and Transnistria experienced real threats for their independencies, it is also through this fear that the authorities maintain a strong popular support and are able to justify their actions and authorities while silencing the opposition. The de facto states have, therefore, total interest in maintaining the ongoing frozen conflict situation and status quo toward their parent states and would even benefit from a rise of the tensions.

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<sup>214</sup> For instance it has been the late 1980s Barre's regime attitude toward the North, especially with the bombing of civilians in Hargeisa and Burco that did bring the Somaliland's clans to make common front and eventually demands their independency from Mogadishu. A reunion with Somalia – that remains supported by a minority of the population according to a 2005 African Union's report – is therefore presented as a risk to revive such marginalization and oppression for the North.

<sup>215</sup> In accordance to its clan-based ideology and will of reunify Somalia, Puntland provided high-ranking administrative positions to the Dulbahante clan in the Sool and Sanaag regions. However, this interference has had the opposite effect by reinforcing Hargeysa's control over these territories.

## *B. Conflict as necessity?*

As already presented earlier, the status quo, particularly the frozen conflict situation, seems to benefit the de facto states' political agenda, especially their securitization measures. It becomes therefore interesting to approach this conflict as rather a rational choice, a political decision, or a risk-benefit bet from the de facto states' officials rather than as an ongoing suffering.

The perspective of the renewal of an open war between Transnistria and Moldova or Somaliland and Somalia represents an enormous risk for the de facto state's independency and security<sup>216</sup> (Blakkisrud & Kolstø, 2011; Small Arms Survey, 2012). The continuation of the frozen conflict tends, thus, to confirm this research's approach that both Hargeysa and Tiraspol favor such status quo that contribute to meet their political agenda –to keep their independency –, rather than settling down on an unsatisfactory peace even if it would guarantee security – the population's main desire<sup>217</sup> (Fischer, 2016; Kolossov & O'Loughlin, 1998). Keeping active the possibility of war through the frozen conflict situation has also the capacity to pursue the securitization policies for Hargeysa and Tiraspol and therefore the popular support and greater authority as it has been presented in the previous part of this research. The frozen conflict is particularly interesting for the de facto states since it permits with lesser risks and danger to keep the memory of the war of independence active in the common imaginary and thus the possibility for the authorities to capitalized on this memory of “violent genesis” and fear that would naturally diminish with time, through the reconstruction process or due to the lack of interest from their parent state – as it is the case in Moldova for instance – otherwise (Cojocaru, 2006; Ali, 2014; Kolstø & Pegg, 2014; Fischer, 2016). Through the dialectic of the common enemy, the de facto states' authorities are able to redirect the internal tensions and oppositions

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<sup>216</sup> An open war with their parent states would for instance be dramatic for Transnistria that is highly dependent economically from Moldova or for Somaliland that cannot buy arms abroad due to an arms embargo while Somalia could easily have access to the legal international arm trade.

<sup>217</sup> It appears here important to stress that this status quo, rather than a static and un-temporal phenomena, is characterized by a constant evolving relation between the de facto state, its parent state and the international context as the influence of the Ukrainian crisis on Transnistria seem to confirm it. According to the authors Kolossov & O'Loughlin (1998) for instance, if violence was unlikely to happen again, the status quo between Transnistria and Moldova at the time of their article was likely to evolve, especially concerning the economic situation of these two actors.

toward this external threat embodied by the parent state<sup>218</sup> (Small Arms Survey, 2012; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015).

The notions of territoriality and identity of the de facto states are furthermore central in the question of the perpetuation of the frozen conflict. Indeed, the self-perception of these de facto states based on their colonial past and experience, both Somaliland and Transnistria consider their historical territory as a central part of their independency legitimation. The fact, therefore, that both Hargeysa and Tiraspol do not control the entirety of these territory would already play in favor of the continuation of the conflict with their parent states in order to meet their strategic territorial objectives<sup>219</sup> (Small Arms Survey, 2012; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015; Blakkisrud & Kolstø, 2011). The observation of the UCDP database brings further interesting information concerning the territorial and quantitative aspects of the frozen conflict of both Somaliland and Transnistria<sup>220</sup>. The fact that both Transnistria and Somaliland did not launch major attacks to take control of the areas they covet, alongside the fact that the victims from the conflict are noticeably low since the independency wars – and the civil war for the Somaliland’s case – tend to present the frozen conflict as rather defensive for the de facto states that desire to keep leverage over their parent state by showing strength<sup>221</sup> without risking their earlier military successes and positions or international image. Through this status quo, the de facto states are therefore able to keep the means to eventually take control over the territory they seek, while not risking the revival of the open-war with their parent state. This defensive strategy is furthermore accentuated by the contextual evolution of the conflict with the intervention of third actors – such as Puntland for Somaliland and potentially Ukraine for Transnistria – that have the capabilities to bring

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<sup>218</sup> In the case of Somaliland it has for instance permit to maintain an apparent internal stability despite the widespread of personal arms alongside the threat of clan-based violence that has been responsible of a civil war, conflict that has paradoxically strengthen the power.

<sup>219</sup> Somaliland already control the territory it claims, and therefore does not have any needs for expansions since alike Transnistria its aims are territorial and neither ethnic nor religious. However the threat of Puntland in the SCC disputed territories as well as the numerous cases of new political actors in the regions alike the Makhir State of Somalia or the Khaatumo undermine Hargeysa’s control and legitimacy over these territories – despite a gradually improvement of Somaliland’s control in the region since the end of the civil war in 1997. The case of Transnistria is more complex since Tiraspol do control territories on the right bank of the Dniester river such as the city of Bender and its surroundings but lack control over left-bank territories like in the Dubăsari and Slobozia regions.

<sup>220</sup> The situation is different between the two case studies with a short open war between Transnistria and Moldova in 1992 responsible for around 600 victims – mostly on the front line, the Dniester River, as well as in the major urban areas. While the Somaliland’s case is characterised by more victims in the urban areas and the continuation of the war after 1992 through sporadic military clashes in the SCC regions.

<sup>221</sup> Alongside territorial control on the right-bank of the Dniester in the Transnistrian case.

instability in the de facto states and weight in the status quo balance<sup>222</sup> (Small Arms Survey, 2012; Hoch & Rudincová, 2015; Fischer, 2016). The territorial aspect of the de facto state is therefore central in the continuation of the conflict and represents as well a major issue for the conflict management process since both these actors based their legitimacy on their proclaimed territory – giving up on their control would therefore be seen as a weakness or an abandon of their recognition claims.

The prolongation of the war through the frozen conflict situation is, as well, a way for the de facto state to mobilize and gather further external support. It secures for Transnistria the strong military support of Moscow – its patron state – that has, since its intervention in 1992, maintained military troops on the de facto state’s territory alongside its peacekeeping forces – that plays a clear deterrence role toward Chisinau<sup>223</sup> (Kolossoff & O’Loughlin, 1998; Chamberlain-Creanga & Allin, 2010; Fischer, 2016). This Russian interference and role in the conflict is however mostly directed to meet its own interests – highlighting therefore the fact that Moscow is more, rather than a patron state, a pragmatic ally to Tiraspol since it maintains as well relations with Moldova<sup>224</sup> (Kolossoff & O’Loughlin, 1998; Chamberlain-Creanga & Allin, 2010; Fischer, 2016). Moscow is thus rather trying to keep in its lap Transnistria, considered as a strategic territory given its location<sup>225</sup>, intersecting identity<sup>226</sup> and for the influence over Chisinau it represents<sup>227</sup> (Fischer, 2016; Kolossoff & O’Loughlin, 1998;

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<sup>222</sup> This has already been the case in Somaliland with the interference of Puntland in the Sool and Sanaag regions or the support of the diaspora to militias. And in Transnistria due to the Ukrainian crisis that worsened Tiraspol and Kiev bilateral relations.

<sup>223</sup> Transnistria was already during the time of the USSR the Headquarter of the Southern Strategic Direction of the Soviet Army with a major springboard of all operations in the Balkans and Southern Eastern Europe. It is this 14<sup>th</sup> Army, already present on Transnistria’s territory in 1992 that supported Tiraspol by supplying arms, ammunitions, expertise and increased manpower; and represented the core of the Russian forces in the trilateral peacekeeping forces under the control of the Russia’s Western Military District. Alongside this military exists the “Operative Group of Russian Troops in Moldova” charged with the protection of weapons’ warehouses and military equipment accumulated during the USSR’s time – like in the village of Cobasna/Kolbasna. Moscow’s presence in PMR represents therefore over 2,500 troops – from which 400 are part of the peacekeeping forces –, and several military facilities like an airfield in Tiraspol, a military court and an FSB military counter-espionage center.

<sup>224</sup> Russia does still not recognize nor integrate Transnistria and the president Yeltsin officially declared in 1997 during a CIS summit in Chisinau “The politics of Russia towards Transnistria consists of the fact that Moldova is united and indivisible. We shall deal only with it in this way. All remaining questions will be solved only via Chisinau”. If Moscow has close political ties with Tiraspol, it is important to note that it does not mean that Russia is strongly opposed to Moldova – as the Russian soft power toward Moldova, the refusal to establish a Russian consulate in Tiraspol as asked by Chisinau, or Moscow’s economic control over Tiraspol through the gas debt tend to confirm it.

<sup>225</sup> Transnistria represents – more than Russia’s “Near Abroad” – the “key to the Balkans” at the junction between the great macro regions of Europe according to the former commander of the 14<sup>th</sup> Army, the General Alexander Lebed.

<sup>226</sup> According to its post-1989 policies in Eurasia, Russia’s support to Transnistria is also motivated by the presence of ethnic Russians in the de facto state.

<sup>227</sup> It is especially as leverage on Chisinau – to avoid any further influence from NATO in its “Near Abroad” that Moscow’s support to Tiraspol is directed.

Chamberlain-Creanga & Allin, 2010). The Russian support to the PMR is therefore to be approached on Moscow's perspective that is based on the historic frame of reference of the Soviet Union through revisionist policies towards its Eurasian neighbours – such as Moldova – and against the growing influence of what is considered as the West – justifying Moscow's interference in Transnistria to maintain its hegemony in the region<sup>228</sup> (Fischer, 2016; Kolossov & O'Loughlin, 1998). If the Kremlin's interferences within the conflict are thus central, it also has to be approached as defending its own interests rather than as a formal patron state. The frozen conflict can therefore become a way for Tiraspol to guarantee Moscow's support against Chisinau and its rapprochement toward the West. The close alliance with Russia is almost considered as a "state doctrine" by Tiraspol that uses this "humanitarian assistance"<sup>229</sup> – particularly economic – from its "big brother" to assure a broader popular support and keep the critics about the Transnistrian regime silent – despite the downsides of such dependency<sup>230</sup> (Fischer, 2016; Chamberlain-Creanga & Allin, 2010; Dembińska, 2016; Dembińska & Iglesias, 2013; Blakkisrud & Kolstø, 2011; Cojocaru & Suhan, 2006; Comai & Venturi, 2015). But it also stressed the vulnerability of the de facto state since Transnistria is strongly dependent on this only external support (Kolossov & O'Loughlin, 1998). This is particularly interesting regarding the frozen conflict evolution. Indeed it appears that a détente in the frozen conflict situation and therefore the establishment of a peaceful status quo has already been responsible in the late 2000s of a withdraw of Russian troops present in the de facto state, undermining therefore Tiraspol's security (Blakkisrud & Kolstø, 2011). This disinterest of Moscow due to the détente can also be seen in the declaration of Medvedev in 2008 that Russia would favor a reintegration of Transnistria within Moldova since it would give Moscow further influence over Chisinau (Chamberlain-Creanga & Allin, 2010). Keeping the fight active is thus not

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<sup>228</sup> The Kremlin's major objective since 2011-2012 has been to secure the post-Soviet space as its sphere of influence by claiming a role of "natural integration center". Transnistria beneficiates therefore – alike the three Caucasus' de facto states – from Moscow's "central and highly ambivalent role" through political, military and economical support. In Transnistria similarly to South Ossetia, Russian influence is the strongest. Moscow's influence is furthermore really flexible and depends on its internal situation and international policies. For instance the weaknesses of Russia in the 1990s were followed in the mid-2000s by a more assumed Foreign Policy with the recognition of South Ossetia and Abkhazia and the annexation of Crimea – in order to avoid to be replaced by the West in the post-Soviet space. Controlling its neighbours' domestic and foreign policies remains therefore a priority and motivated Moscow to convince both Moldova and Transnistria to return to the negotiation table in 1997 as well as maintaining their territorial integrity and the status quo.

<sup>229</sup> The support of the Russian "big brother" made possible for Tiraspol to create elements of statehood – political institutions, administration and secured borders. This help took different forms with the strengthening of the de facto state's military, an economic and financial aid, a political support, and through more indirect support – such as Moscow's passportisation policy, the propaganda favorable to Tiraspol in the Russian owned companies located in the PMR, or by the payment of the pensions. This support fits with Moscow's dialectic of protector of the Russians minorities and Russian-speakers abroad – developed in the 2009 Tagliavini Commission.

<sup>230</sup> Such proximity endangered the PMR's identity because the Russification process it experiences but also alienated Kiev against the de facto state due to Tiraspol support to Moscow in Ukraine.

favorable for Moscow that would rather find a solution for its own interests – that would threatened Tiraspol’s ones (Kolossoff & O’Loughlin, 1998). However, with the ongoing crisis in Ukraine, it appears that Moscow’s interest in the Transnistrian conflict has increased – due to the de facto state’s location at the periphery and its participation in the crisis; and its similarities with the territories of Crimea or Novorossiia (Fischer, 2016). This crisis marked a new phase in the revisionist policy of Moscow toward its neighbouring state with the first annexation of a part of a neighbouring country as well as the active instigation of a secessionist conflict in it<sup>231</sup> (Krastev, 2014; Wright, 2015; Kakachia, 2014; Fischer, 2016). If Moscow did not change, however, its policy toward Transnistria, these events are to be approached as a symbol of hope for Tiraspol that could consider its desire to be integrated<sup>232</sup> into the Russian Federation as a possibility<sup>233</sup> (Fischer, 2016). The Ukrainian crisis carries the idea that it is not necessary for Tiraspol to pursue its conflict toward Chisinau to bring further Russian support since another crisis involving the de facto state would lead to similar benefits for the PMR. The case of Somaliland is however different since the efficiency of its peace and state building has been partly due to its relative isolation. Therefore, the existence of a patron state might have had harmful repercussions on its development – it would have for instance clashed with the population’s desire of autonomy<sup>234</sup> (Kolstø & Pegg, 2014; Lewis, 2010). The war and the frozen conflict that followed – instead of bringing support alike in the Transnistrian case – has therefore secured the isolation of Somaliland, which has been paradoxically proven preferable for the de facto state development and internal security. This isolation is also – as previously presented – only partial and has, thus, not been an issue in the continuation of the conflict since access to external resources and material has been guaranteed by the Somaliland’s diaspora and

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<sup>231</sup> This switch into Moscow’s policy is to be related, according to Fischer (2016), to the authoritarian turn in the Russian political system. This has to be approached as a new phase of the Russian revisionism of the European order started in 1989-1990 according to Krastev (2014), Wright (2015) or Kakachia (2014). Thus, as presented by Fischer (2016), “the way the annexation of Crimea was ideologically embedded in the discourse about reintegrating “New Russia/Novorossiia” suggest that Russia had now struck a course of systematic territorial expansion driven by nationalism” including therefore the Transnistrian case. This can be explain by the Kremlin’s vision of Russia, a democratic state, protecting the international law from the violations of the West in what is seen as a prolongation of the Cold War. Within this international policy of “selective revisionism” therefore, “frozen conflicts have become an important instrument of an increasingly revisionist policy toward its neighbours”. This has for major short/medium-term goal for Moscow to preserve the possibilities of interactions with Transnistria, explaining the ongoing status quo of Russia toward the de facto state.

<sup>232</sup> Desire that also explains why the rouble already hold a status of second currency in the de facto state and why the Russian political system, legislation, political parties and institutions are used as models by Tiraspol.

<sup>233</sup> Here again, Moscow’s intensions towards de facto states are to defend its own interest by avoiding to be involved in conflicts with greatest security risks and to establish a policy that is “tactically adapted to the conflict structures, with the aim of keeping the affected neighbouring states in a state of controlled instability” – policy for which the case of Transnistria would be a great example.

<sup>234</sup> As presented by Kolstø & Pegg (2014), the priority for Somalis is the end of the foreign domination, the jihadism and warlordism.

neighbouring states<sup>235</sup> (Small Arms Survey, 2012; Hoch & Rudincová, 2015; Kolstø & Pegg, 2014; Bradbury, Abokor & Yusuf, 2003). The de facto state is therefore well connected to its surrounding giving Hargeysa a serious interest for its direct neighbours that are seeking stability and security – which explain Ethiopian’s involvement in Somaliland (Pegg, 1998; Lynch, 2004; Hoch & Rudincová, 2015). Through security arrangements in exchange of the access to Somaliland’s port, alongside civil and military exchanges between the de facto state and its southern neighbour, Hargeysa secured a quite serious ally that instability in the region could put even closer<sup>236</sup> (Small Arms Survey, 2012; Hoch & Rudincová, 2015; Ali, 2014). In this case then, it is not the war in itself that has been beneficial for Somaliland but rather the continuation of instability in Somalia compared to the relatively peaceful situation of Somaliland. The participation of Somaliland in the joined struggle against terrorism and piracy in the region can therefore be approach, further than a policy for its own safety, as a way to mobilize foreign support (Hoch & Rudincová, 2015). Hargeysa’s efforts to maintain peace through an increase of security had therefore lead to an international support<sup>237</sup>, which could be approached by a de facto recognition of its authority over the region (Ali, 2014). If the prolongation of the conflict seems thus necessary for Hargeysa’s political agenda to reach support, it does not have to be directed against its parent state but possibly any regional threat to stability.

Beside these different beneficial aspects of a prolongation of the war leans the fact that the de facto states possess the capabilities to support the frozen conflict – and possibly a theoretical return to war with their parent state. Indeed, in the case of Somaliland for instance, the state collapse of Somalia led to an ongoing anarchical situation while Hargeysa managed within a decade on its own to establish peace and security<sup>238</sup> (Kolstø & Pegg, 2014; Hoch & Rudincová, 2015). The idea of an open conflict between the de facto state and Somalia can therefore be taken as an acceptable eventuality for Hargeysa that can lean on its armed forces

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<sup>235</sup> The Somali diaspora has, for Somaliland, a central political and economical role, making the de facto state a transnational entities well connected to London – where the diaspora has major roots.

<sup>236</sup> The agreement signed in 2006 between Somaliland and Ethiopia guarantee Addis Ababa the access to the Somaliland’s port of Berbera as well as customs offices along the common border in exchange of weapons for Hargeysa. These relations are also taking a civil aspect with academic exchanges in the Ethiopian Civil Service University, the Defense University in Debre Zeit, the Ethiopian Federal Police Academy in Sendafa, the Jimma University, Bahir Dar University or the Hawassa University alongside Ethiopian’s help concerning terrorism and piracy, milestone of their cooperation.

<sup>237</sup> Mostly through the support of Somaliland’s police by the United Nations or international NGOs that, in a way, legitimized Hargeysa’s security policies.

<sup>238</sup> According to Kolstø & Pegg (2014), “As long as the parent state is mired in political chaos and economic misery, it is not only prevented from launching a new war to recapture the lost territory but also fails to attract the population of the breakaway region”.

and numerous militias – due to the high popular support rate unlike in its parent state<sup>239</sup> (Kolstø & Pegg, 2014; Small Arms Survey, 2012). Similarly, Transnistria possesses alongside the strategic presence of Russian troops on its territory – that have already been a major support since the 1992 war –, a strong military power<sup>240</sup> (Fischer, 2016; Kolossov & O’Loughlin, 1998). Furthermore, if Moldova is not characterized by anarchy – like Somalia –, the ongoing Ukrainian crisis made a Russian destabilization campaign over the country – through a “Ukrainian scenario” – imaginable, particularly within the Gagauzia district, with the help of Transnistria if necessary<sup>241</sup> (Fischer, 2016). If the Ukrainian crisis could have an impact on a theoretical war by joining Moldova – leaving Transnistria in a critical situation – it has to be stressed that an open war scenario is at the moment not a realistic threat since Moldova delegated the Transnistrian topic on the back burner of the political agenda due to its internal situation (Fischer, 2016). The ongoing frozen conflict remains therefore acceptable for the de facto states that have the capabilities to undergo its following risks of open war.

Therefore, it is possible to conclude that the theoretical return of an open war between the de facto states and their parent states would be highly risky for the de facto states – despite their chances to win such conflict and the strategic benefits they would obtain out of it. In the mean time, a peace treaty or a deeper détente might paradoxically represent for both Somaliland and Transnistria a further marginalization on the international scene and an undermining of their securitization policies – therefore popular support. Thus, maintaining the frozen conflict and therefore status quo has the double advantage to maintain the advantages related to the threat of war without suffering from it and putting at risk the security of the state.

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<sup>239</sup> Alongside its 11,000 to 15,000 troops into its Armed Forces, Somaliland can count on about 6,000 actives and local allies that are already fighting against Puntland. Watch groups second as well the 6,000 members of its Police Forces. Finally, the high rate of small arms in the country – mostly from Yemen, Ethiopia or Mogadishu – gives the population a strategic aspect in case of a theoretical open war with its parent state.

<sup>240</sup> The Transnistrian Armed Forces represents about 7,500 members as well as the custom service, the police and various paramilitary units.

<sup>241</sup> This scenario is realistic in Gagauzia, region populated by Bulgarian in the southern district of Taraclia, as well as in the city of Balti populated by a majority of Russians.

### III. The place of the instable region in the recognition process

#### *A. Failed states as parent states?*

Finally, the role of the parent state, as well as the whole region, have to be put in perspective when it comes to the behavior and situation of the de facto state, especially when it comes to the perpetuation of the frozen conflict situation in which these actors have a major influence.

Concerning the parent state for instance, its policies, strength and internal situation participate – equally to the de facto state – to shape the ongoing frozen conflict. As previously presented, the de facto states positioned themselves in opposition to – and were formed mostly in reaction to – Chisinau’s and Mogadishu’s policies and actions. Furthermore, the evolution of the peace negotiations and the lack of recognition of Somaliland and Transnistria are dependent of political decisions that are made in Somalia and Moldova. It is therefore possible to consider to which extent the weaknesses and strength of the parent states are playing a role in the continuation of the status quo – therefore frozen conflicts – with their de facto state. The perpetuation of the frozen conflict can, for instance, be partly explained by the military weaknesses of the parent states – that are unable to re-conquer these separatist regions by force despite the diplomatic backing they benefit from. In the case of Moldova this military weakness can be clearly point out due to the deterrence role of the Russian military present in the de facto state (Fischer, 2016; Blakkisrud & Kolstø, 2011; Dembińska, 2018). The role of Russia in the conflict – through its military presence, peacekeeping role and interference within Moldova<sup>242</sup> – had participated to cement the territorial division between Tiraspol and Chisinau and froze the ongoing conflict situation (Fischer, 2016). This Russian’s place in the frozen conflict explains also the influence that had the Ukrainian crisis over the relationship between Chisinau and Tiraspol (Fischer, 2016). It reminded Moldova as well the considerable military potential of Transnistria with its 7,500 members, various paramilitary units, and noticeable

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<sup>242</sup> Moscow has participated to keep the conflict open by influencing Moldovan politics through propaganda and supplying political, practical and financial support to the pro-Russian actors.

military means and Russian support but also convinced Chisinau to take series of measures targeting Moscow to prevent any Ukrainian scenario on its soil<sup>243</sup> (Fischer, 2016; Blakkisrud & Kolstø, 2011). The Somali case is clearly different due to the absence of foreign military support on the ground or interference in the conflict between Hargeysa and Mogadishu. However, one similarity between Transnistria and Somaliland is the de facto state's military advantage over its parent state. Somalia has not, unlike Moldova, the military means to reconquer Somaliland, due to the total collapse of the state after the fall of Barre and his regime in 1991 that led to a series of internal fights and instability<sup>244</sup>. Beside that aspect, Somaliland possesses a quite organised security system – with 51,1% of the budget injected into its defense –, a strong popular support alongside its police and armed forces<sup>245</sup>, and an efficient security agenda – with the demobilization and disarmament of the majority of the local paramilitary groups for instance, hence avoiding a return to warlordism or civil wars<sup>246</sup> (Small Arms Survey, 2012; Pegg & Kolstø, 2014). Thus Somaliland – contrary to Somalia – has been described by many as an “island of relative peace” and “one of the most stable polities in the Horn”, even by its own population – from which 50% observed in 2004 and confirmed in 2009 an improvement in security during the last 12 months<sup>247</sup> (Small Arms Survey, 2012). This apparent weakness of both Somalia and Moldova compared to their separatist regions can be a reason for the perpetuation of the frozen conflict with these de facto states. Indeed according to Caspersen (2012), violence is “statistically the most likely outcome for unrecognized states” (Pegg & Kolstø, 2014). Moldova and Somalia are therefore left without this option and can be approached as stuck in the actual situation of frozen conflict until the context and the balance of power evolves to their advantage.

The socio-economic situation of the parent states can equally participate to understand the incapability for Moldova and Somalia to deal with the separatist regions – particularly due to their lack of economic means and attractiveness. If both Somaliland and Transnistria have weak economies – mostly due to their isolation as presented earlier – they do experience a

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<sup>243</sup> To prevent the clandestine entry of Russian soldiers, the control at the Chisinau Airport have tightened in 2014 with the ban of male Russian citizens to enter Moldova. Chisinau has also repeatedly demand the withdrawal of the Russian military forces in Transnistria and its replacement by an international civilian mission.

<sup>244</sup> When the Somalilanders' local actors managed to secure peace and stability in the 1990s.

<sup>245</sup> This support takes the form of neighbourhood watch groups without firearms that work in support of the police forces, but also the inclusion of the clans in the security building, policies that managed to establish security in most of the towns in Somaliland.

<sup>246</sup> If firearms are widely spread in both Somaliland and Somalia, the criminality rate is much higher in the latest.

<sup>247</sup> But this apparent peaceful context in Somaliland should be put in perspective with the population point of view that might be biased by the traumatic experience of civil war and instability following the fall of Barre's regime. The stability rate depends also on the area concerned - Buraq for instance is safer than the rest of the country. Finally, if violence is still present, the political violence that represents a threat to the state has diminished.

situation that is close enough to their parent states for not suffering from any socio-economic threat<sup>248</sup> – despite an evolution in the Moldovan case since the rapprochement between Chisinau and the European Union<sup>249</sup> (Fischer, 2016; Cojocaru, 2006; Dembińska, 2018; Chamberlain-Creanga & Allin, 2010; Pegg & Kolstør, 2014; Popescu, 2006).

The tenuousness of the parent states' political situation hold as well a responsibility in the lack of reaction and solution brought by these actors toward the de facto states. For example, if Moldova does better than Transnistria concerning its degree of democratisation<sup>250</sup>, the parent state struggled more than the de facto state to define itself and its identity<sup>251</sup>, being therefore less attractive to the PMR's population and lack of support within its own (Dembińska, 2018; Troebst, 2003; Blakkisrud & Kolstør, 2011; Fischer, 2016; Chamberlain-Creanga & Allin, 2010). The dependency on Russia – similarly to what is experienced by Transnistria – is as well responsible for Chisinau political immobilism toward the separatist region in order to maintain good relations with Moscow<sup>252</sup> (Fischer, 2016). However, with the ongoing crisis in Ukraine and the rapprochement with the European Union, Moldova is more and more politically polarised between the pro-EU and pro-Russia forces that can eventually have destabilising repercussions for the country<sup>253</sup> (Fischer, 2016). All those reasons explain partly why the

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<sup>248</sup> Transnistria benefited from being the center of Moldova's industrial areas, giving the de facto state a clear advantage compared to a more rural Moldova. The de facto state benefited as well of a strong Russian economic support that pay all the pensions, provide gas supplies, unserviced loans, direct financial aid, invest in infrastructure, or social welfare, and keep therefore the regime economically afloat. Somaliland was still, in 2014, the 4<sup>th</sup> poorest country according to the World Bank and remains mostly dependent on Ethiopia, its diaspora and livestock. However, compared to Somalia, it appears that the multidimensional poverty rate of Somaliland is for instance noticeably lower with 72% than the 89% of Somalia.

<sup>249</sup> The economic relation between Tiraspol and Chisinau has evolved with the Ukrainian crisis leading to an increase of the dependency of the de facto state toward its parent state with half of its export going to Moldova. The rapprochement between Moldova and the EU since the creation of the DCFTA in 2015 is also responsible for a growing market gain in Transnistria at Russia's expenses – despite common efforts of the de facto state and its patron to stimulate their trade relationship. In total it is more than two third of the “real” exports that go to the European Union while only 16% to its Eurasian Customs Union, supposedly ally. In a context where Transnistria is more and more dependent on its parent state, and with a GDP decline of 20% in 2015 and another 5-6% in 2016, Tiraspol's insistent assertions of loyalty to Moscow are more and more seen as “begging” for further aid.

<sup>250</sup> Transnistria – that suffers from a noticeable corruption – is not considered as a democracy but rather as an autocratic presidential regime with a critical human rights situation. The elections there are not free nor fair and the failure of the Kosovo's strategy might as well weaken further the option of democratisation.

<sup>251</sup> From the very beginning, Transnistria did not struggle to establish its own identity and narrative by re-using the Soviet-like multi-ethnic identity already present in the time of the USSR. Tiraspol managed from the beginning to incorporate Moldovans in its cause, despite being the core “enemy” whereas Moldova struggled to do the same with its minorities. Chisinau's narrative varied throughout the years with a switch from Moldovanism to a “neo-Moldovan” dialectic in 2001 – at the arrival of a Communist majority at the government – stressing the modulated aspect of the young Republic's identity. Galinsky's (2007) quote “There are two post-Moldovan states: the Republic of Moldova and the Pridnestr Moldovan Republic” acknowledge therefore Transnistria's success since Tiraspol managed to differentiate itself enough from Chisinau to be considered as a different entity.

<sup>252</sup> On a lesser extent than Transnistria that is heavily backed by Moscow, Chisinau depends on the Russian energy supplies.

<sup>253</sup> In April 2014, 43% of the population feared the spread of the Ukrainian crisis in Moldova. In the mean time 40% approved the Russian annexation, in particular the minorities of the countries, while 43% were opposed to it.

Transnistrian case remains on the political “back burner” for Chisinau (Fischer, 2016). On the opposite, Somaliland does better politically than its parent state thanks to its particular political system based on clans but also since its efficient democratisation process while Mogadishu – despite international support – still lack control over its own territory and already suffered from multiple regime changes since the fall of Barre in 1991<sup>254</sup> (Pegg & Kolstø, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Naturally therefore, Hargeysa benefits from wider popular support than Mogadishu, which makes a common political project between the parent and de facto state quite unpopular among the Somalilanders. Thus, in this case, Somaliland appears to be politically stronger and more attractive than its parent state – that remains politically powerless to act on the frozen conflict situation, at least not until its control over the rest of Somalia has been restored. Both Moldova and Somalia struggle with their own internal political issues, which eventually gives the de facto states’ question of Transnistria and Somaliland a secondary position on their parent states’ political agendas – contributing to the continuation of the status quo and frozen conflict situations.

These political weaknesses of Chisinau and Mogadishu can as well be exemplified by the presence of other separatist regions in their own territories outside Transnistria and Somaliland, in particular Gagauzia in Moldova and Puntland in Somalia. Indeed, the presence of these political entities support the idea that both Mogadishu and Chisinau lack the capabilities and are politically unable to resolve the question of Somaliland and Transnistria; but it is also a sign that Somalia and Moldova might have a form of responsibility in the establishment of de facto states within their territories. However, if Somalia is still struggling with the existence of Puntland and its ambiguous position toward the Somali authorities – since

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The Russian media’s propaganda – in the radio or television – remains extremely powerful in Moldova especially toward the minorities and openly supported during the 2014 parliamentary elections and the 2015 local elections the pro-Russian opposition of the Party of Socialists of the Republic of Moldovan PSRM. Important political personality such as Renato Usatii, left populist, Russo-Moldovan businessman member of the formation “Our Party” and mayor of Balti since 2015 has for instance very good connexions to Moscow. In the meantime the fear of an “Ukrainian scenario” in Moldova has also put the country closer to the European Union with a lifting of visa requirement for Moldovan citizens with biometric passports to the Schengen area and the signature of the Association Agreement with Brussels in 2014 as well as the signature of the DCFTA in 2015. The pro-EU elite of the Democratic Party of Moldova, the Liberal Democratic Party of Moldova or the Liberal Party also suffered from discredit due to their reforms, and the oligarch system experienced by the country also fed a growing popular opposition – exemplified by the largest protest movement in the country’s history in 2015 and an overall political instability with 88% of the population believing the country being in the wrong direction.

<sup>254</sup> According to Freedom House, Somaliland is reaching a better score than its parent states when it comes to its level of democracy. Unlike Somalia, Somaliland benefits now from a stable democracy that has already managed to peacefully change its political majority – being therefore the 4<sup>th</sup> African country to do so –, organise the first democratic elections in the region for 33 years, overcome political violence, is gradually including women, has now a plural democracy with more than 7 parties, and has been celebrated by several international observers as complying with international recognized democratic principles.

Garowe supports the idea of a united Somalia unlike Somaliland<sup>255</sup> –, Moldova managed so far to respond to Gagauzia's political aspirations and deal with these demands without leading to an armed conflict which could set an example for a common ground with Tiraspol<sup>256</sup> (Pegg & Kolstø, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003; Fischer, 2016).

Considering the realist aspect of a possible reunification, it appears that such event is, at the moment, still unlikely due to numerous reasons that are proper to Moldova and Somalia. In the case of Moldova first, the nationalism and identity building that has been going on in Transnistria since 1992 has led to a deep differentiation between the population of the de facto states and its parent state that have evolved separated since the war<sup>257</sup>, despite Moldova's efforts on minorities' rights and the possibility for autonomy for Transnistria<sup>258</sup> (Kolossoff & O'Loughlin, 1998; Cojocaru, 2006; Fischer, 2016). The legacy of that conflict prevents as well any reintegration similar to the German one since the events of the war remain widespread in the mentalities of the concerned populations<sup>259</sup> (Kolossoff & O'Loughlin, 1998; Cojocaru, 2006). The place of Russia as third actor in the conflict also have incidences on possible reunification scenarios, especially due to the Russian military presence on the Transnistrian ground and its influence over the de facto states' internal affairs that could contribute to further Russian interference in Moldova in case of reintegration<sup>260</sup> (Kolossoff & O'Loughlin, 1998;

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<sup>255</sup> Puntland is supporting the idea of a united Somalia while being at the same time the spearhead of the fight against Somaliland since its formation in 1998. Mogadishu has therefore only little need to deal with this second de facto state so far that is politically supportive and military already fighting for its interests without involving Somalia.

<sup>256</sup> Gagauzia received territorial autonomy already in 1994 when Chisinau's minority policy became moderate. Russian language remains for instance socially important in the mass media and commerce – to the detriment of other minority languages. However, despite this particular status, Gagauzia remains – alongside the Bulgarian-populated southern district of Taraclia or the heavily Russian-populated city of Balti – a potential source of instability with the risk of an Ukrainian scenario there – as confirmed by the Russian support to a referendum in favor of Moldova joining a custom union with Russia in Gagauzia regarded as illegal by Chisinau in 2014.

<sup>257</sup> The loyalty and nationalism – generated by the regime's propaganda and the lack of alternative sources of information – influence highly the population of the de facto state, in particular the younger generations that have never been nor lived in Moldova. The self-identification and differentiation between “us” and “them” represents therefore an argument against the reunification for the local populations.

<sup>258</sup> As presented by Fischer (2016), Moldova has adopted a moderate approach toward its minorities with an already existing territorial autonomy in Gagauzia and the proposition to Tiraspol for autonomy according to the 2005 law that has been passed by the Moldovan Parliament in 2005.

<sup>259</sup> The 1992's conflict remains a source of proud but also fear for the Transnistrians which raise questions about the possibility of a reintegration with Moldova as presented by Cojocaru (2006): “Is it possible to establish harmonious reintegration and coexistence? Are the residents able to overcome their memory of the conflict? Would those who consider themselves citizens of a “patriotic” and “heroic” Transnistria ever view themselves as citizens of the “nationalist-fascist Moldova”? When such feelings are still so strong, can they become loyal “citizens” of Moldova? Would the 1940 territorial scenario repeat itself or would this be a permanent cause of threat and tension? How would inter-group relations between the inhabitants from the left and the right banks evolve in the future?”

<sup>260</sup> The fear of Russian interference is mostly justify by the deep economic dependency of the de facto state toward its patron state, to its military presence, but also to the pro-Russian electorate that Transnistria would represents – thus influencing the actual pro-EU orientation of Moldova.

Fischer, 2016; Chamberlain-Creanga & Allin, 2010). But Moscow could also represent a political support for Moldova in case of a reintegration of Transnistria since the Russian Federation recognizes Chisinau as the legit representative of the country and support the country as long as it remains in its domain of influence<sup>261</sup> (Kolossoff & O'Loughlin, 1998). Including Russia to a possible reintegration scenario remains therefore necessary for Chisinau<sup>262</sup> (Fischer, 2016). The internal dissensions in Moldova could as well complicate such scenario, especially due to the polarisation of its politics<sup>263</sup>, the lack of interest and means for such project<sup>264</sup>, but also due to the growing idea of a unification with its Romanian neighbour<sup>265</sup> – major source of fear for the Transnistrians at the fall of the USSR (Fischer, 2016; Kolossoff & O'Loughlin, 1998). Finally the ongoing crisis in Ukraine has complicated the OSCE's negotiations due to the participation of both Ukraine and Russia in the 5+2 programme (Fischer, 2016). But it also put Transnistria in a difficult economic situation<sup>266</sup>, which, coupled with the rapprochement between Moldova and the EU, is forcing the actors to move on from the actual status quo – movement that will rather be characterised by a growing attraction of Transnistrians toward Moldova and potentially lead to a solution for the ongoing conflict<sup>267</sup> (Fischer, 2016; Kolossoff & O'Loughlin, 1998; Chamberlain-Creanga & Allin, 2010; Cojocaru, 2006). Concerning Somaliland and Somalia, several issues are also problematic for a potential reintegration of the de facto state's scenario. The first one being probably that, as presented by

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<sup>261</sup> Russia openly supported Chisinau as the sole representative of both Moldovan states – as voiced by Yeltsin during the 1997's CIS summit in Chisinau – as long as the latest would reject any rapprochement with NATO or foreign military on its territory since the Russian influence over the region remains the Kremlin's priority.

<sup>262</sup> Russia holds already a particular place in the negotiation process – as the Russian's Kozak Memorandum proposition presented outside the official negotiating format tends to prove it. The lack of resolution can therefore be understood by Fischer (2016) following statement: "To that extent a resolution would only be acceptable to Moscow if the terms spelled out in the Kozak Memorandum – continuing Russian military presence and de facto guarantees against Western integration of Moldova – were fulfilled".

<sup>263</sup> If both political groups support the reintegration of Transnistria within Moldova, the pro-Russian groups are traditionally understanding toward Tiraspol's positions while the pro-EU ones stress its lack of legitimacy and the influence of Russia over the de facto state.

<sup>264</sup> The Moldovan society has already accepted a path without Transnistria since only 9% put reintegration as one of the 3 most important tasks of the government – despite more than 80% of population addressing critics toward the government's way to reach a resolution and the clear opposition to a Russian annexation of the de facto state. The Office for Reintegration only benefits from minimal resources as well as a lack of clear realistic strategy from the government – and thus despite the "integration roadmap" of the Prime Minister Valeriu Strele in August 2015 – in a context of domestic and economic instability.

<sup>265</sup> If the unification remains unrealistic, the idea is supported by three quarters of the Romanian population and a growing part of the Moldovan one.

<sup>266</sup> The Moldovan leadership is betting on these economic difficulties to force Tiraspol into a reunification process.

<sup>267</sup> The population of the de facto state is, as presented by Cojocaru (2006) tired of the state of uncertainty about their future, the rapprochement between Moldova and the EU represents therefore a game changing, in particular regarding the Moldovan passports that might turn more attractive than the Russian ones in a context of economic crisis in Transnistria and its parent state. As voiced by Fischer (2016), a reunification between the de facto state and Moldova is conceivable since the differences between the societies are not unbridgeable. A compromised based on existing federal or autonomy is therefore a possibility for a resolution of the conflict.

King (2001), as “loser” of the conflict, Somalia has nothing to give or bargain in negotiations with Somaliland (Pegg & Kolstø, 2014). Furthermore, Somaliland needs a legit interlocutor in Mogadishu to negotiate with; the actual weaknesses of Somalia can thus be an issue in that context (Menkhaus, 2006/2007; Pegg & Kolstø, 2014). The separation of the two entities has also served the reconstruction of the de facto state and its efficiency; a reintegration is therefore not an attractive project for Somaliland’s elites at the moment (Bradbury, Abokor & Yusuf, 2003; Hoch & Rudincová, 2015). Similarly to the Transnistrian case, the traumas from the war are still present in the population’s mentality and have to be overcome to pursue a reintegration scenario<sup>268</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). Somalia has therefore the necessity to become attractive again for the separatist region in order to establish a new union similarly to what has been done after the decolonisation process<sup>269</sup> (Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). But the Somaliland’s case, similarly to the Transnistrian one, also harbours some arguments that could be approached as optimistic for an eventual reintegration of the de facto state. Indeed, there are still in the de facto state some political entities supporting the idea of a united Somalia, even in the Isaaq clan<sup>270</sup> (Pegg & Kolstø, 2014; Bradbury, Abokor & Yusuf, 2003). The idea of a possible reintegration is therefore not dead yet (Bradbury, Abokor & Yusuf, 2003). But as presented by Pegg & Kolstø (2014), since Mogadishu refuses to recognise the independency of the de facto state and is too weak militarily to re-conquer it by force, the reintegration scenario remains the only political one available for Somalia (Bradbury, Abokor & Yusuf, 2003).

Finally, in order to fully understand the capabilities of the parent state to influence the ongoing conflict, and in relation to what has been pointed out earlier, it becomes necessary to determine to which extent these states can be defined as “failed states”<sup>271</sup> (Toomla, 2014; Gros, 1996; Loubser & Solomon, 2014). Indeed, if the very existence of a de facto state on their

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<sup>268</sup>The experience of the bombing by Barre’s regime and its marginalisation and repression of northern Somalia clans, followed by the civil war between 1994-1996 are major reasons for Somaliland reticence of a reintegration within Somalia even if this possibility is not impossible in the long term “in times when the wounds of the present have been healed”.

<sup>269</sup> The independency of British Somaliland on the 26<sup>th</sup> of June 1960 and its voluntary Union with Mogadishu represent the Hargeysa’s main arguments for independency. Only a similar democratic union as it has been established in 1960 would thus be considered as legit by the de facto state.

<sup>270</sup> According to an African Union report from 2005, if Somalilanders are attached to independence, there is still a minority – mostly members of the Isaaq clans – that support the idea of a united Somalia. This idea is also supported by members of the Warsangeli and Dulbahante clans in the Sanaag and Sool regions, political actors within Somaliland – like the Khaatumo state –, and has as well been responsible for political dissension and fed violence alike the civil war in 1994-1996.

<sup>271</sup> As presented by Toomla (2014), a failed state – like Somalia – “possess juridical aspects, but lack the empirical institutions and capabilities”. According to Gros (1996), Somalia would fit in between the anarchic and phantom types of failed states.

territory could easily be related to a state of institutional failure, it appears that Moldova and Somalia carry very different situations. In the Moldovan case, according to Van Meurs (2002) it is not Chisinau but rather Tiraspol that is a “successful failed state” – therefore a threat for Moldova’s stability in case of reintegration (Cojocaru, 2006). If Moldova can be describe as a fragile state<sup>272</sup>, and undermining risks of instability in its regional context<sup>273</sup>, Transnistria is characterized by a less appealing situation (Fischer, 2016; Chamberlain-Creanga & Allin, 2010). On the opposite, Somalia remains one of the best examples of failed state, as its position as the least efficient state by the Failed State Index in 2013 tends to confirm it<sup>274</sup> (Pegg & Kolstø, 2014; Bradbury, Abokor & Yusuf, 2003; Brons, 2001). The country’s lack of control over its territory<sup>275</sup>, the continuation of power vacuum after the fall of Barre in 1991<sup>276</sup>, the numerous regime changes<sup>277</sup>, foreign invasions<sup>278</sup>, lack of data and the weakness of the central power to gather information make this case a very good example of a failed state, contrary to Somaliland that could be considered as an example to follow in the region despite its lack of recognition<sup>279</sup> (Small Arms Survey, 2012; Pegg & Kolstø, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003; Bradbury et al. 2001; Bradbury, 1997; Reno, 2002; Bradbury, 1994; Ahmed, 1995; Loubser & Solomon, 2014).

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<sup>272</sup> Moldova’s weak economy can be exemplified by the “theft of the century”, the fraudulent loans in November 2014 that have been estimated to a total of 1\$ billion representing 20% of the state budget.

<sup>273</sup> In particular the ongoing war in Ukraine and its repercussions for Moldova.

<sup>274</sup> The fall of Barre and its regime in 1991 led to what Brons (2001) considered as the most important state collapse of all crisis and civil wars following the post-Cold War period in the 1990s. The situation remains for decades since in October 2002, during the 14<sup>th</sup> Somali national peace conference in Kenya, the internal conflict was more widespread than any time since the mid-1990s. The Failed State Index, by its definition of legitimacy based on the level of corruption, the government effectiveness, the political participation, level of democracy, illicit economy, protest and power struggle, was thus still placing Somalia at the last place of its index.

<sup>275</sup> The very basis of the Somali state, the homogenous society model, has been challenged by the civil war, leading to a myriad of political actors controlling their own territories such as Somaliland, Puntland, the Rahanweyn Resistance Army, as well as Islamic-based organisations and the central authorities in Mogadishu. In the 2000s, Mogadishu was thus only able to keep control over the capital and few localities over the countries.

<sup>276</sup> The fall of the General Mohamed Siad Barre in 1991 led to a total collapse of the Somali state that ceased to function as an administrative, ideological, juridical and territorial entity, followed by a decades-long civil war, famines and instability.

<sup>277</sup> Contrary to Somaliland, Somalia has experienced, since the fall of Barre and its regime, numerous regime changes from Ali Mahdi – from the United Somalia Congress – that seized control over the capital after the collapse of the state in 1991, to the Transitional National Government formed in 2000 and finally the Transitional Federal Government established in 2012. Those longevities participate to the lack of legitimacy from these authorities. This instability denotes from the optimism of the international community that quickly supported and recognised the TNG at its formation for example.

<sup>278</sup> Alongside the African Mission in Somalia (AMISOM), it is particularly the Ethiopian unilateral invasion of a part of the country between 2006 and 2009 – to reach its own security considerations – that is representative of Mogadishu’s weakness.

<sup>279</sup> Somalia remains a counter-example for Hargeysa’s authorities and population.

Thus, if Somalia and Moldova do not experience the same level of state failure and weaknesses, it appears that both Mogadishu and Chisinau lack the capabilities, so far, to attract peacefully or through military means their de facto state into a reintegration process due to their own internal issues – even if these solutions are not unimaginable in the long term. This issue has already been perfectly voiced by Kolstø (2006) who explained that, “As long as the parent state is mired in political chaos and economic misery, it is not only prevented from launching a new war to recapture the lost territory but also fails to attract the population of the breakaway region” (Pegg & Kolstø, 2014). If the actual situation – in particular with the rapprochement between Chisinau and the European Union – can evolve in the following years or decades, the status quo remains so far the only and probably the most favorable situation for the parent states, as it is for the de facto states.

## *B. Unavoidable actors in the regional context?*

Finally, due to their location at the border of Moldova and Somalia and to the regional instability context they contributed to, it seems necessary to look into the regional and international interests Transnistria and Somaliland are part of to determine the external factors influencing the status quo of the frozen conflict status.

As already presented and according to Hoch & Rudincová (2015), if de facto states are presented as isolated actors by many authors like Pegg (1998) and Lynch (2004), it appears that these territories are well connected to the regional and international context. If the dominant approach toward the de facto states remains a diplomatic ignorance of their existence, numerous bilateral relations are already existing and the frozen conflict part of broader international conflict resolution processes (Hoch & Rudincová, 2015). It becomes thus interesting to focus on these external influences and interests over the perpetuation of the frozen conflict and status quo.

Looking at Somaliland first, the major regional involvement in the ongoing conflict is by far Ethiopia that, by its proximity and history with the region remains Hargeysa's principle interlocutor and support in the region. If this relation is principally economic<sup>280</sup>, it appears also that Addis Ababa hold strong interests in Somaliland's security, stability and development<sup>281</sup> and represents therefore a clear support in favor of the status quo<sup>282</sup> (Pegg & Kolstø, 2014; Ali, 2014; Hoch & Rudincová, 2015; Loubser & Solomon, 2014). Furthermore, Djibouti – other direct neighbour and ally of Hargeysa – is mostly dependent on maritime trade – via its port – and as a host from different military bases (Pegg & Kolstø, 2014). Maintaining peace and stability at its borders represents therefore a priority for the country and could explain why Djibouti would rather adapt to the status quo than risking instability – through a possible spread

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<sup>280</sup> Through investments in Somaliland's banks, and the importation of coffee, oil seeds and particularly Khat on which Somaliland population highly depends – with a conception of more than 54,000 US\$ a day just in the city of Burao.

<sup>281</sup> A wide range of unofficial political relations connect the two neighbours, particularly concerning the security with the support of the police and the army against terrorism and piracy, the university exchanges and support to Somaliland's institutions to improve the stability and development of the de facto state, or the 2006's agreement on the use of the Berbera port by Addis Ababa and customs offices alongside the common border. The Ethiopian invasion of Somalia between 2006 and 2009 can also be approach through this lens of guarantor of the security in its near abroad.

<sup>282</sup> This is mostly due to the fact that Ethiopia, as the host of the African Union, cannot risk recognizing Somaliland in order to keep unity within the international organization. The existing tension in the Ogaden region in Ethiopia represents a further argument to support the status quo in its Eastern limits.

of the Somali situation or by a risk of reintegration of the de facto state within its parent state (Pegg & Kolstø, 2014). The recognition of Hargeysa would as well risk a further concurrency for the state due to Somaliland's integration into the international trade system (Pegg & Kolstø, 2014). Alongside those bilateral relations, the Gulf States and Middle East offer another example of regional influences over the Somali conflict. As member of the Arab League, Mogadishu is naturally favored by Somaliland's Arab neighbours that have already weakened Hargeysa's economy through series of economic bans based on health grounds<sup>283</sup> (Pegg & Kolstø, 2014; Ali, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). By these low-key measures to weaken Somaliland economically, these regional actors clearly stand in front of Hargeysa's autonomy and in favor of an evolution of the status quo toward a solution involving a united and stable Somalia. The growing involvement of Hargeysa in the broader region with several official visits in the whole continent and beyond, and the establishment of informal bilateral relations with new countries is as well contributing to increase the number of actors involved in the frozen conflict<sup>284</sup> – with South Africa as a good example<sup>285</sup> (Ali, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). For Transnistria, the involvement of regional actors in the frozen conflict concern principally Russia, but also Ukraine, direct neighbour – involved like Russia into the 5+2 regional negotiation process –, and Romania due to the ongoing idea of union between Moldova and its neighbour (Chamberlain-Creanga & Allin, 2010). Russia as Tiraspol's patron state is deeply involved economically<sup>286</sup>, politically<sup>287</sup> and militarily<sup>288</sup> through numerous programs of aid and

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<sup>283</sup> And thus despite the fact that Somaliland's economy remains mostly on livestock export to the Arab peninsula that represented 65% of its GDP in 2014.

<sup>284</sup> The import of food and manufactured foods into the de facto state already involved for example Ethiopia, Yemen, Brazil, Thailand, China, South Korea, Oman, Kenya, Saudi Arabia, Egypt, Malaysia, India, Pakistan, Turkey, the UAE, Japan, Malta, France, Germany, the United Kingdom and Italy. And Somaliland holds bilateral relations with regional bodies like the IGAD, the African Union and several European – the United Kingdom, France and Belgium already recognized Somaliland's passports –, American and African states through liaison offices that opened in Ethiopia, the UK, the USA, Sweden, Kenya, France, Norway, Belgium, Djibouti, South Sudan and Canada, as well as several visits like the 2006's eastern Africa trip of the president Kaahin.

<sup>285</sup> This deepening of the relations between South Africa and Somaliland has been the result of the involvement of South African observers at the de facto state's election in the context of democratisation launched by Egal, but also due to a pragmatic approach of Hargeysa to promote its recognition case abroad to this state that has a central aura within the African Union.

<sup>286</sup> The grant of economic and financial aid has been going on since the 1990s in order to bring these secessionist territories closer to Russia – as advocate by political actors like the former Mayor of Moscow, Yury Luzhkov. The energy subsidies are for example crucial for Transnistria's industries, political and business elites but also private consumers.

<sup>287</sup> Through its support to Tiraspol's state building process – that adopted a Russian-style political model in order to eventually integrate the Russian Federation.

<sup>288</sup> Through its "Operative Group of Russian Troops in Moldova", the Kremlin aims to strengthen the separatist militaries alongside assuming a role in the peace process as a peacekeeping force.

symbolic measures<sup>289</sup> as previously developed (Chamberlain-Creanga & Allin, 2010; Fischer, 2016; Kolosov & O’Loughlin, 1998; Dembińska, 2018; Blakkisrud & Kolstø, 2011; Dembińska & Iglesias, 2013; Cojocaru & Suhan, 2006; Comai & Venturi, 2015). However, the Kremlin’s position can be seen as ambiguous since Moscow’s desires to keep Moldova in its sphere of influence in accordance to its “Near Abroad” geostrategic policy<sup>290</sup> explains the lack of recognition of Russia toward Transnistria as well as the remaining low-key political support to Moldova<sup>291</sup> (Kolosov & O’Loughlin, 1998; Fischer, 2016). Moscow’s position toward the ongoing frozen conflict in Moldova has been however evolving through time, depending mostly on Russia’s internal situation<sup>292</sup> (Fischer, 2016). Thus, if Russia defends the status quo based on the idea that the country is experiencing a continuation of the Cold War dynamic<sup>293</sup>, it is also motivated by the maintain of its influence and own agenda in the region that is considered its domain of influence as part of the former USSR’s territory<sup>294</sup> (Kolosov & O’Loughlin, 1998; Fischer, 2016). As explained by Fischer (2016), for Moscow “Frozen conflicts have become an important instrument of an increasingly revisionist policy towards its neighbours”. It is however this proximity between Moscow and Tiraspol that led to a deterioration of the relationship between the de facto state and its eastern neighbour, Ukraine, in the context of the war in Donbas and the annexation of Crimea by Russia. Indeed, Kiev’s interests within the frozen conflict situation switched from an overall “benign neutrality” to a clear hostile stance

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<sup>289</sup> Symbolic measures like the Russification process underway in the PMR’s society and education system, Moscow’s passportisation – passportizatsiya – policy, the establishment of the rouble as a second currency, infrastructure projects, or the payment of pensions and social benefits to passports’ holders.

<sup>290</sup> If the annexation of Crimea and the war in Donbas represent a first case of Russian’s actively instigating a secessionist conflict and annexing part of a neighbouring country, its policy toward other frozen conflicts remained unchanged due to its “selective revisionism” policy that “tactically adapted to the conflict structures, with the aim of keeping the affected neighbouring states in a state of controlled instability”.

<sup>291</sup> Moscow is instrumentalizing wars and uses them as lever to influence domestic and external development of these states’ parties in order to meet its own interests.

<sup>292</sup> In the 1990s, in a context of internal weakness, Moscow’s stand was mostly based on cooperation with the Western actors in order to avoid escalation and further destabilisation in its immediate neighbourhood. This policy shifted in the 2000s – when Moscow become politically and economically stable – toward a competitive policy over the regional influence of NATO, the USA and the EU to secure the post-Soviet space as an Eurasian sphere of influence from the early 2010s – which eventually led to the outbreak of the Ukrainian crisis in 2014. That policy might again evolve, especially considering the current struggle of the deepening economic crisis in Russia that already affect its relations with the de facto states and could force the Kremlin to make compromises on its Foreign Policy as presented by Fischer (2016).

<sup>293</sup> Keep its influence and avoid the implementation of NATO and the influence of the West over the region is, for Moscow, more important than to protect the PMR’s pro-Russian elites.

<sup>294</sup> As presented by Fischer (2016), Moscow’s objectives in Eurasia are the stabilisation and expansion of its sphere of influence through a political and economic integration of its neighbours – explaining the establishment of the Eurasian Economic Union in 2015 or the Collective Security Treaty Organisation –, but also through soft power directed toward the Russian-speaking communities outside the Russian Federation – with the use of mass media, the state agency Rossotrudnichestvo to promotes culture and languages ties, or the World Congress of Compatriots Living Abroad established in 2001 –, and finally through the use of coercion – taking the form of economic pressure and sanction, and increasing military forces.

toward Tiraspol<sup>295</sup> (Chamberlain-Creanga & Allin, 2010; Kolosov & O’Loughlin, 1998; Fischer, 2016; Blakkisrud & Kolstø, 2011). The status quo that was previously favored by Ukraine represents therefore another risk of further instability for Kiev and explains the recent insistence of the regime to a resolution of that issue alongside its rapprochement with Chisinau<sup>296</sup> (Fischer, 2016). Finally, Romania as the third major regional actor due to its cultural, geographic and political proximity to Chisinau, and the idea of unification between Moldova and Romania – but also due to Tiraspol’s dialectic against what is considered as the “Romanian fascists” – is, since its accession within the EU in 2007, included within the negotiation process and might therefore see its influence over the conflict grow in the following years.

But rather than through bilateral interests involved in the frozen conflict situation, it is the broader picture through the prism of the international relations that gives an overview of the interests at stake in these two ongoing conflicts. This is particularly approachable in the case of Transnistria due to the location of Moldova at the crossroad between the Russian sphere of influence and the European Union. Indeed, in the context of the war in Ukraine, annexation of Crimea by Russia and expansion of the European Union and NATO eastward since the fall of the USSR, Moldova – and therefore the ongoing situation with Transnistria – has been more and more polarised between what would be presented as the West on one side and Russia on the other<sup>297</sup> (Fischer, 2016). The conflict in Moldova that was once marginalised by the international community – leading to a continuation of the status quo – sees its importance

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<sup>295</sup> Kiev’s passivity over the de facto state permitted Tiraspol to develop its state-building undisturbed. This position of Ukraine was motivated by its economic interests in the PMR – partly due to the small scale legal and illegal trade in the region of Odessa –, by Tiraspol’s multi-ethnic policy – particularly after the election of Tiraspol’s president Yevgeny Shevchuk, ethnic Ukrainian in 2011 – but also by the concern about the possibility of a greater Romania in case of unification between Chisinau and Bucharest. The Ukrainian’s participation to the peacekeeping force since 1996 has even been used by Tiraspol to demonstrate independency from Russia. But the political interference of Russia within Ukraine changed this dynamic and contributed to reinforce political ties between Kiev and Chisinau.

<sup>296</sup> This rapprochement is due to Tiraspol’s involvement alongside Russia in the destabilization campaign directed toward Ukraine since 2014 – in the region of Odessa and the Donetsk People’s Republic – that push Chisinau and Kiev closer against the threat represented by Tiraspol. This led to several counter-measures from Kiev like steeping up the border controls, strengthening the border fortifications – with deep trenches over 45,5km –, an entry bans on PMR’s leadership members and inhabitants with Russian citizenships, banning Russian military transport through Ukraine – threatening Moscow’s military presence in the de facto state –, the intensification of actions against corruption and illicit trade with Tiraspol and the ban the important and export of the most important categories of goods. These measures were mostly motivated by the desire to isolate and weaken Tiraspol – therefore acting as a lever toward Moscow – but also to pursue a rapprochement toward the European Union – to fulfill the requirements of the EU Visa Liberalisation Action Plan for instance.

<sup>297</sup> Transnistria is stuck in an existential dilemma between its political orientation toward Russia and its economic connection and dependency with Moldova, Ukraine and the European Union – the PMR having the most diverse external economic relations of all de facto states. This situation can be well exemplified by the OSCE negotiation process involving alongside the conflict parties, Russia and Ukraine – since 1995 –, several representatives of the West to form the 5+2 format – with the integration of the USA and the EU in 2005.

increasing in this regional context and could now be approached as a proxy opposition between these two political forces pushing toward a resolution of the conflict at their advantage<sup>298</sup> (Chamberlain-Creanga & Allin, 2010; Kolossov & O’Loughlin, 1998; Fischer, 2016; Blakkisrud & Kolstø, 2011). Unlike in Moldova, Somalia remains mostly spare from global politics and proxy oppositions but rather globally supported in its fight against terrorism, piracy and instability – as is Hargeysa<sup>299</sup> (Pegg & Kolstø, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003). The international interests involved in the Somali frozen conflicts are less confrontational since the major international organizations alike the United Nations, the Arab League and the African Union do already pragmatically accept the existence of the de facto state and support it through numerous aid programmes<sup>300</sup> (Pegg & Kolstø, 2014; Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003; Ali, 2014; Small Arms Survey, 2012). This support can be credited to the peaceful aspect of Somaliland<sup>301</sup> that is therefore nothing close to a priority for the international community but rather a possible model for the Somali stabilization process and a source of stability for the region<sup>302</sup> (Hoch & Rudincová, 2015; Pegg & Kolstø, 2014; Bradbury, Abokor & Yusuf, 2003). Thus, it appears quite clear that, the status quo is likely to be favored by international actors involved in the Somali conflict – at least as long as Somaliland remains peaceful and Somalia is not stabilized<sup>303</sup> (Pegg & Kolstø, 2014;

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<sup>298</sup> Kolossov & O’Loughlin (1998) were already considering the conflict in Moldova as the more “internationalised” due to the high level of involvement from external parties contrary to the Caucasian cases. It is also possible to note an increase of foreign interest in this conflict since the West’s attention was more focused on the wars in Yugoslavia in the 1990s, leaving the monopoly of the Moldovan situation to Moscow. After the 1999 war in Kosovo and the following deterioration of the relations between the West and Russia, it was finally the 2008 Georgian crisis and the colour revolutions that convinced the international system that de facto states represent a threat to their regional stability – thus needed to be deal with – leading to the cooperation with the UN and the OSCE to broken off. This lead to a situation of proxy opposition within Moldova with the Russian interference in Transnistria and Western investment in the right bank but also to the soft power battlefield that represent the passportisation policies in Transnistria between Russia, Moldova and Ukraine. Moscow consider defining its “natural integration center” according to its evolving Foreign Policy toward revisionist policies based on the historical frame of reference of the Soviet Union and by the use of what Vladimir Putin described in 2007 as the “uncontained hyper use of force” – without seeking classical territorial control but rather by controlling its neighbours’ domestic and foreign policies through new hybrid warfare.

<sup>299</sup> This international support is coupled with the high political and economic support from its diaspora.

<sup>300</sup> This support has been mostly justified by Somaliland’s democratisation process – supported by the European Union, the African Union and the United Nation – and security related policies – such as the control of firearms – but also to its efficient and stable state building process – with the United Nations Development Program supporting the Somaliland Civil Service Institute established in 2005 for example. This de facto recognition of Hargeysa can be identified by the Istanbul II Communiqué that refers to the “people of Somaliland” and accord Somaliland a status that has, for instance, not being accorded to Puntland.

<sup>301</sup> Beside Kenya, Somaliland has – according to the Freedom House – the better score on its Freedom Index in the whole region – since 2001 the de facto states overcome multiple political crisis on its one. Several international observers have therefore already saluted Hargeysa’s political situation.

<sup>302</sup> While the international community has already organized 15 peace conferences for Somalia, that eventually all failed, Somaliland is characterized by peace and a relative prosperity that even attract migrants from neighbouring countries.

<sup>303</sup> It is even possible to approach the situation as a decision of the international community to remain distant toward Somaliland since according to Lewis (2010), a South African report on the recognition of the de facto state,

Hoch & Rudincová, 2015; Bradbury, Abokor & Yusuf, 2003; Lewis, 2010). Finally, the strategic localisation of the de facto state<sup>304</sup> beneficiates to Hargeysa – that obtained the support of the international community through numerous security projects (Hoch & Rudincová, 2015). Indeed, due to its position in a surrounding tainted by global security issues – such as piracy, terrorism, arms smuggling and drug trafficking<sup>305</sup> – and its stability<sup>306</sup>, the international community did invest<sup>307</sup> in the potential of the de facto state that could participate to resolve these regional threats (Hoch & Rudincová, 2015; Ali, 2014; Huliaras, 2002; Bradbury, Abokor & Yusuf, 2003; Bradbury, 1997). Somaliland’s participation to such campaign does, therefore, plays in favor of a possible recognition for the de facto state<sup>308</sup> (Hoch & Rudincová, 2015; Shillinger, 2005).

Thus, it appears that the status quo between the two de facto states and their parent state has, for numerous actors of the international community, a particularly favorable aspect that could have participated to the perpetuation of the frozen conflict situation. This is particularly due to the fear of infection to the surrounding instable areas and dormant conflicts in case of recognition – and the issues that secession represents within the international laws<sup>309</sup> (Cojocaru, 2006; Kolossov & O’Loughlin, 1998; Knight, 1982). Furthermore, several actors – as presented earlier – already benefit from these grey areas that are the de facto states<sup>310</sup> (Chamberlain-Creanga & Allin, 2010; Kolossov & O’Loughlin, 1998; Fischer, 2016; Small Arms Survey, 2012; Pegg & Kolstø, 2014). The delegation of the negotiation process to other actors like the

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or the Somaliland’s Minister of finance, “the lack of attention from the international community has been a blessing”. Indeed, it seems that foreign intervention in Somalia in the early 1990s did, instead of establishing a stable peace, reinforce the power of local warlords.

<sup>304</sup> Somaliland is located on the coast of the Gulf of Aden, on important sea routes from the Indian Ocean to the Mediterranean Sea through the Suez Canal – therefore on the way to the oil trade from the Arab Peninsula.

<sup>305</sup> Campaign that benefits international actors but that would also contribute to stabilize the region – further arm by the ongoing conflict in Yemen.

<sup>306</sup> The de facto state remains one of the most stable regions in the Horn of Africa since 1996.

<sup>307</sup> Alongside international aid organisations that contribute since 1991 to restore Somaliland’s services, infrastructure, clear landmines, reintegrate displaced population, promote local organisations and strengthen government bodies.

<sup>308</sup> According to Shillinger (2005), recognize Somaliland would participate to create a barrier to the penetration of Islamic terrorist organisations in the region.

<sup>309</sup> According to Knight (1982), the international community is naturally motivated to maintain the status quo. It is only due to their semi-permanence that de facto states like Transnistria and Somaliland become normalised and integrated to what Kolossov & O’Loughlin (1998) described as the “underground international”.

<sup>310</sup> It is the case of some Moldovans, Russians and Ukrainians due to “pocket offshore” that represents Transnistria – businesses or individual profit from the economic chaos through money laundering, illegal imports and exports, and the expropriation of money allocated to the pacification of the region. It is also a way for the Kremlin to keep its influence over Chisinau by keeping the conflict open. In the case of Somaliland it permits Ethiopia to benefit from Somaliland as a major support without recognizing it and thus risking its influence toward the African Union, but also for Djibouti to avoid further concurrency of its ports. The instability situation is, finally, a way to continue the arm trafficking between Yemen, Ethiopia and Mogadishu, therefore giving access to Hargeysa to further military equipment.

African Union for the case of Somaliland<sup>311</sup> and somehow to Russia for the case of Transnistria<sup>312</sup> can as well participate to the maintain of the status quo (Pegg & Kolstø, 2014; Hoch & Rudincová, 2015; Chamberlain-Creanga & Allin, 2010; Fischer, 2016; Kolossov & O’Loughlin, 1998). However, the situation is likely to evolve in the next years especially in Transnistria, since the economic difficulties of Tiraspol, the expansion of the European Union eastward, the 2008 war in Georgia and the ongoing crisis in Ukraine have had for major incidence to convince the international community of the urgency to resolve the frozen conflict in Moldova<sup>313</sup> (Chamberlain-Creanga & Allin, 2010; Fischer, 2016; Kolossov & O’Loughlin, 1998). For these reasons it appears, therefore, that the frozen conflict between the de facto states and their parent states is not only an intrastate issue but is well integrated in the regional and global political context – and is thus influenced by numerous interests and policies going way beyond their borders.

It seems therefore that, if the perpetuation of frozen conflict in already instable regions might appears as a risk for regional stability and international interests, the efficiency of the de facto states’ stability alongside the numerous benefits coming from these grey areas contribute to a common understanding toward the maintain of the status quo.

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<sup>311</sup> The international community would rather have the African Union to deal with the Somaliland question.

<sup>312</sup> As presented by Fischer (2016), and already accepted by a part of the Moldovan political class – such as the former president Luchinschi –, “a resolution would only be acceptable to Moscow if the terms spelled out in the Kozak Memorandum – continuing Russian military presence and de facto guarantees against Western integration of Moldova – were fulfilled”. A conflict resolution seems therefore quite unlikely without a shift in the Russian politics.

<sup>313</sup> Since the accession of Romania within the EU in 2007 and the 2008 war in Georgia, the European Union – that want a safe and predictable border – and Moldova want to close the PMR issue. Several arguments further confirm the necessity to resolve this issue due to plausible risk of instability within the next year. For example the construction of a new pipeline that would avoid the region, therefore weaken Tiraspol, the ongoing war in Ukraine, or the massive emigration of its elites.

## *Results*

From this empirical research, it is possible to partially answer the thesis' research question and hypotheses. When it comes to the first hypothesis, it appears that, if it cannot be proved that the de facto states' officials do use the frozen conflict as a political tool, this situation does carry numerous benefits for both Somaliland and Transnistria and permits them to come closer to the possibility of recognition. Indeed, it keeps their parent states in difficulty, while benefiting both Hargeysa's and Tiraspol's state and nation building. Therefore it becomes possible to answer the second hypothesis by saying that the frozen conflicts seem not perpetuated through the securitization policies but rather necessary to them. Thus, a resolution of the frozen conflicts would represent a political issue, rather than an improvement, for Transnistria and Somaliland. For the third hypothesis then, it would seem that the instability of their surrounding regions does not have a strong impact on the frozen conflict situation – since Somaliland represents a stability factor for its surrounding while Transnistria is considered as source of further instability. It is indeed rather the international interests at stake within the region that represents a major factor of differentiation – this can be observed by the fact that the Transnistrian situation deeply depends on foreign interests, due to the clash of influence from Russia and the West, while Somaliland has so far not involved oppositional influences.

Finally, to answer the research question, it appears that if it is impossible to clearly defend the idea that the frozen conflict situation can become a political tool, it seems clear that the ongoing status quo benefits to numerous actors involved within the de facto states' conflict, particularly Tiraspol and Hargeysa, but also the international community that has adapted to such political entities – especially in the case of Somaliland. Reaching international recognition or resolving these conflicts might thus hurt the de facto states more than pursuing the status quo.

## *Limits*

Finally, it is important to emphasize the several limits undergone by this research. First of all, by focusing only on two cases, Transnistria and Somaliland, the study will difficultly come up with answers and knowledge regarding de facto states as a whole – particularly due to their noteworthy particularities compared to the other de facto states. Making generalities out of this research's different results become thus illegitimate. Furthermore, this approach might remain partly inaccurate due to the fact that it is almost impossible to determine the de facto states' veritable strategies for secrecy motives. For these actors to reveal it would utterly forsake their whole strategies. The research suffers as well from a lot of unknowns regarding the predictions about the future – the cases of Abkhazia, South Ossetia or Novorossiia proved that anything could happen out of a sudden or never happen at all – political majorities of actors involved could change and therefore lead to a new balance of power and aims. The international context and external actors have also an important role and predicting their behavior and actions remains pure prognostics and hazard, as well as the future of the negotiations. Finally, as a master thesis, this research – mostly based on self-reported sources – remains eventually biased and incomplete when approaching such a complex and deep topic.

## *Conclusion*

This thesis had for major aim to present the de facto state through another approach, placing their intrinsic frozen conflict situation as a rational choice rather than a symptom of the lack of recognition. To do so, the case studies of Transnistria and Somaliland have been chosen since, the de facto state's academic field had, so far, focus more on the Caucasus' cases – and is therefore lacking from similar comparisons. It appears indeed that, both these cases possess numerous similarities, which legitimize such comparison. Indeed, by developing an identity building based on civic or territorial criteria, Transnistria and Somaliland differ from the other de facto states that justified their independency through ethnic or religion components. Through an empirical research thus, it has been possible to approach the establishment of these two de facto states and the reason behind their lack of international recognition. This permitted to understand the role of the frozen conflict in the establishment of efficient nation and state building but also the failure of the de facto states' international recognition – despite meeting the mainstream criteria for statehood. The focus has, therefore, be put on the frozen conflict as a beneficial tool for both Hargeysa and Tiraspol that gain from such situation – particularly due to their securitization measures –, therefore contributing to its continuation. And finally, the role of the parent states, namely Somalia and Moldova, as well as the international interests and interferences have been presented in order to understand the broader picture and the international implications of the perpetuation of the status quo. It seems thus that, if it remains unlikely to find out if Somaliland and Transnistria do use the frozen conflict as a political tool to reach their political goals – namely international recognition but also identity building –, it appears that all actors involved in these conflicts do benefit from the perpetuation of such status quo and did not, therefore, put efforts in possible resolutions.

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