



## Geopolitics in the de Facto States

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# GEOPOLYTICS OF THE DE FACTO STATES

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***Abstract.** In this abstract, realized by a graduation thesis named: "Transnistria in the geopolitics of the de facto states" discussed in July 2021 (Supervisor: prof. Daniele Paragano, Niccolò Cusano Telematic University - Rome), I examined the various aspects that characterize the genesis and evolution of the de facto states (eg: Transnistria, Donbass, Abkhazia, South Ossetia, Artsakh), observing the geopolitical scenery which prepared the ground for the dramatic events in the current conflict between Russia and Ukraine.*

*It will be illustrated some passages useful to understand, but not to justify, the Russian point of view that underlies the military aggression to the Ukraine.*

**Keywords.** de facto (or almost) states, frozen conflicts, nationalism, near abroad, soft power, Crimea, Transnistria, Donbass, Ukraine, Russia, UN, NATO, EU.

## 1 The genesis of de facto states

### 1.1 Nationalism and protection of minorities

The birth of the de facto states<sup>1</sup> has highlighted in a striking way the failure of the doctrine of perfect symbioticity and superimposition between state and nation, with state including physical and juridical elements and nation considering aspects of socio-cultural identity. Among the various aspects that constitute the litmus test of this crisis, there is often the language, which has always been considered a central element for the determination of identity but now present and widespread in territories different from the original ones. These phenomena take on an even more amplified dimension in the Eurasian space, incubator of most de facto states, characterized by the almost total absence of natural borders, by a territorial continuity between the center of power and the subjugated regions, as well as by a multi-ethnic reality which saw, at the time of the Russian Empire first and then of the USSR, a forced coexistence between Russians and other populations.

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<sup>1</sup> De facto states are countries sovereign and independent from a Mother State but not recognized by the International Community (UN). De facto actual states are: Somaliland, Sahara Occidental, Taiwan, Kosovo, Northern Cyprus and Post Sovietic de facto states such as: Transnistria, Lugansk and Donetsk (Donbass), Abkhazia, Southern Ossezia, Artsakh (official name of Nagorno-Karabakh).

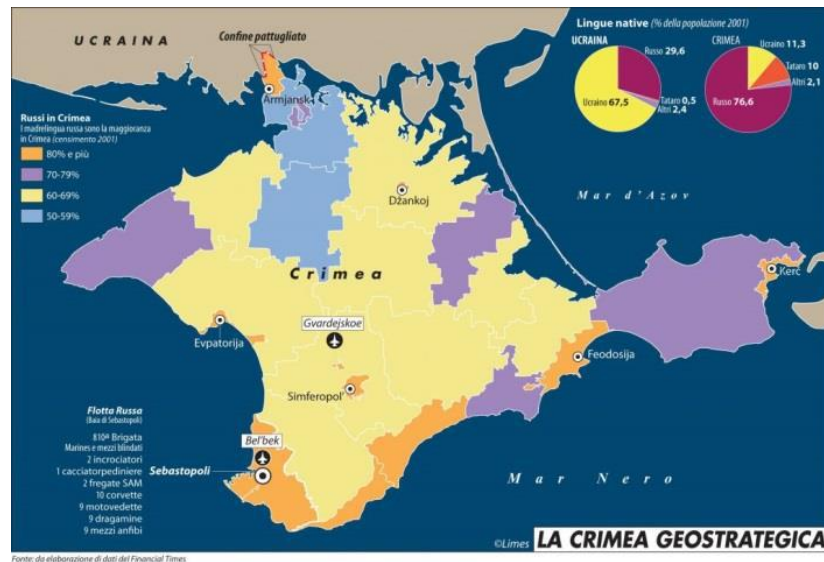
The military political line that has been adopted by Russia over the centuries and which is difficult to read compared to that one adopted in the rest of Europe cannot be fully understood if the particular nature of the geomorphological structure of this wide territory is not examined; a structure that has greatly contributed to determining the Russian attitude tending to justify the expansion in every direction to ensure a suitable defense to the beating heart of the country.

In this sense, the progressive expansion of the Russian Empire and subsequently of the Soviet regime made it necessary to prepare a highly centralized organizational apparatus, the only one way for limiting decentralized democratic forms able of undermining the multiethnic physiognomy from its foundations.

The territorial structure of the country that followed, in reality, appeared to be based on a certain cultural homogeneity in which substantial differentiations were not made between the various ethnic groups, however, offering to the Russian one a role of “primus inter pares”.

This gave birth to a federal organization with territorial delimitations that were the expression of arbitrary organizational-administrative choices as a result of the stalinist politics.

In this sense, political operations well tolerated in that context, such as the Khrushchev donation of Crimea to Ukraine in 1954, inhabited, after the tatar people deportation, mainly by Russian people, would have been difficult to read today, to the point that some historians believe that the action pursued by Putin in 2014 is entirely reasonable and resulted in the Russian occupation and subsequent annexation of the Black Sea peninsula<sup>2</sup>.



**Figure 1.** Russians in Crimea - 2001 census (Laura Canali map by Limes)

<sup>2</sup> Also Mikhail Gorbachev declared the belonging of Crimea to Ukraine a historic mistake.

The political and administrative system on which the USSR was based, accompanied by other measures such as the stalinist purges and deportations, ended up stifling any possible nationalist ambitions which, however, invariably from time to time arose in different parts of the vast territory and which had an automatic consequently the persecution of ethnic minorities, expression of the nascent separatist movement.

With the disintegration of the USSR, we are witnessing a policy that apparently wants to recognize the self-determination of the peoples of the former USSR; proof of this is a soviet law of 1990 which provided for the possibility for the same oblasts (autonomous regions) not to follow a secessionist republic on its way out of the Soviet Union and in this sense we understand for example the choice of Nagorno-Karabakh oblast not to follow independence proclaimed by Azerbaijan<sup>3</sup>, and the different choice made by South Ossetia respect Georgia; but which is actually instrumental to a russian foreign policy dominated by the fear of losing control over the “Near Abroad”, characterized by very young states and for this reason highly unstable, often attracted by standard of the western model and in any case almost always motivated by strong resentments consolidated over the decades against the former dominant russian ethnic group relegated now to a poorly tolerated minority in the new neighboring countries<sup>4</sup>.



**Figure 2.** Russian “Near Abroad”

<sup>3</sup> Documenti giuridici: *l'Oblast del Nagorno Karabakh* – KARABAKH.IT

<sup>4</sup> Melody Wenz: *L'estero vicino. La politica regionale russa nello spazio post-sovietico* - FUOCO EDIZIONI 2019.

It is in this atmosphere that the so-called nationalisms assert themselves.

This phenomenon betrays negative aspects linked both to the risk of the affirmation of one nation over another with inevitable consequences on international equilibrium, activating a process of exclusion and discrimination towards people who are not included in the same country<sup>5</sup>.

An example is the movements of moldovan nationalists and their dream of building a Great Romania with the romanian brothers at the expense of turkish, ukrainian and russian minorities, which triggered the war in Transnistria<sup>6</sup>.

Other example, even outside the post-soviet model, of greek nationalism whose political plan to annex Cyprus determined Ankara's reaction to protect the turkish minorities present on the island.

The very concept of nationalism from the russian perspective justifies one of the cornerstones of the "Putin doctrine" consisting in preserving and defending russian civilization and the vital interests of the Russians who have found themselves, against their will, to live beyond the borders of the Federation<sup>7</sup>.

It is on the basis of these assumptions that both the annexation of Crimea, a territory that as already mentioned above, is historically Russian, and the current presence of russian peacekeepers ready to monitor the continuation of the status quo is partly explained in the post-Soviet "frozen conflicts".

The scenario that is being prepared in the near future appears unsettling, especially if we take into account the continuous and inexorable erosion of the post-Soviet space witnessed by the recent crises in Belarus, Armenia and Kyrgyzstan that could bring these countries, traditionally aligned with the decisions taken by Moscow to adopt an abrupt geopolitical turnaround<sup>8</sup>.

The hope is to avoid for the second time, the mistake already committed during Yeltsin's post-Soviet leadership, of mortifying Russia's role as world power.

This is a warning that involves all the actors involved, both because it would be very risky to bet on a dangerous failure to react by the mortally wounded russian bear, and because international multilateralism, in which it is necessary to recognize a leading role to Russia, helps to buffer the increasingly important weight that China is assuming in world geopolitics.

## 1.2 Foreign patronage and mother state in the de facto states

Trying to investigate the most widespread genetic cause of the de facto states, linked to the post-Soviet states, it will be useful to understand the reasons why Russia has gone so far as

<sup>5</sup> Carolina De Stefano: *Dissoluzione ristrutturazione statale sullo spazio ex sovietico* DIRITTO PUBBLICO COMPARATO ED EUROPEO 2015

<sup>6</sup> Sergej Markedonov: *Formazione degli Stati de-Facto dello spazio post-sovietico: vent'anni di State Building* – INSTITUT KAVAKZAAYEREVAN 2012

<sup>7</sup> Vitalij Tret'jakov: *La dottrina Putin* – LIMES 2018

<sup>8</sup> Filippo Costa Buranelli, Carolina De Stefano, Aldo Ferrara, Carlo Frappi: *L'influenza della Russia nel vicinato: tra minacce di erosione e adattamento alle nuove sfide* APPROFONDIMENTO ISPI MARZO 2021

to guarantee these entities which undeniably constitute an anomalous factor on the international scene.

The collapse of the Berlin Wall and the communist regimes in Europe, the result of the reform and democratic drive promoted by the last Soviet leadership, was accompanied by the unsuccessful attempt by Mikhail Gorbachev to safeguard the integrity of the Soviet Union.

The separatist thrusts and radical reforms wanted in several parts of the immense territory of which the Russian Republic and its leader Boris Yeltsin became the spokesperson, gave the final blow to the soviet giant with clay feet.

The transition from the “plan economy” to the “market one”, which with Gorbachev had experienced a slow and tortuous trend, so as to arouse the intolerance of those who wanted to proceed without delay, was now happening in a stormy way and without rules, causing economic and social upheavals of enormous scope<sup>9</sup>.

The rush to capitalism without rules ended up lending its side to economic chaos by creating the ideal substrate for organized crime and for an easy enrichment by the political leadership, ready to acquire, at liquidation prices, significant portions of the state industry.

On the international front, the United States and the West, instead of taking note of the courage of the choices made in the last period by the Soviet leadership, paid at a high price both politically and economically, chose to turn their backs on the Russian Federation and rather than promote solutions similar to those adopted after World War II with the Marshall Plan, decided to take advantage of the weakness of the new state by humiliating its role on the world stage.

On a military level, NATO, taking advantage of the deep crisis of the former rival superpower and increasingly convinced of having to stand as champion of a new unipolar world order, had no scruple in expanding the sphere of influence of the Atlantic Treaty to include the Republics Baltic countries as well as numerous countries of the former Warsaw Pact<sup>10</sup>.

In this climate it is possible to better understand the attitude assumed by Russia of Vladimir Putin forced to renounce the Gorbachevian dream of the "European Common Home" to fall back on a more traditional vision, which considers Russia an Eurasian power, consistent with its projection geographical area and the composition of its population, with its own cultural, social and religious specificities.

As such, Russia has been forced to defend its traditionally attacked territories in several eras (think of the conflicts it has sustained with Napoleonic troops and with Nazi Germany) and as already mentioned above, rather than adopting an aggressive policy of expansion towards its global antagonists, it has tried to preserve the borders belonging to the sphere of russian interests as the maximum guarantee against the aggressive policy of third parties.

Faced with the undoubted military superiority of NATO and the economic superiority of the EU, Russia had no choice but to preserve its sphere interests by blocking the

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<sup>9</sup> Carolina De Stefano, Aldo Ferrari: *Lo spazio post-sovietico, verso nuovi confini* –  
ATLANTE GEOPOLITICO 2015

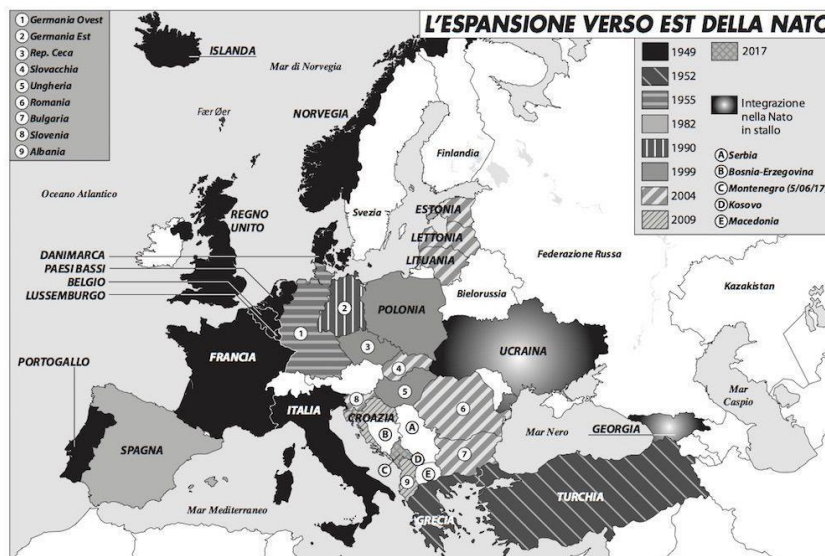
<sup>10</sup> Mark Franketti: *Putin, l'URSS e il tradimento di Eltsin: parla Gorbaciov* –  
PANORAMA 13 GIUGNO 2016

progressive western advance through areas whose legal definition remains uncertain, not allowing a precise alignment in favor or against the main actors of world geopolitics<sup>11</sup>.

All the more reason, this strategic approach finds its logic in the de facto states bathed by the Black Sea, where the Turkish aggressive policy of "Sultan" Erdogan, sometimes different from that of the Western allies, and the centrality of the area from an energy point of view, both for the presence of gas and oil fields and for the crossing of the transport routes of Russian and Caspian resources towards Europe, makes Moscow's attention even more necessary in the chessboard of Southeast Europe; attention further shown by the recent events in Crimea for which some observers speak of the Black Sea as a new Russian lake<sup>12</sup>.

On the political level, the status quo that characterizes the de facto states allows the patron-state to discourage the mother-state from making changes in traditional alliances not only military but also economic (think of the expansion of the EU and NATO in Eastern Europe) and for which the adhesion of the entire territory legally recognized at international level would be necessary.

This allows us to understand the choice in the post-Soviet space, of the patron-state Russia which, except for what happened in Crimea, preferred a solution of supporting the de facto states rather than a direct annexation of the separatist territories, operation that would have been dangerous and that would have opened new inevitably international crises that the Kremlin evidently intends, right now, to avoid<sup>13</sup>.



**Figure 3.** NATO expansion into Eastern Europe (Laura Canali map by Limes)

<sup>11</sup> Carolina De Stefano, Aldo Ferrari: op. cit.

<sup>12</sup> Alberto De Sanctis: *Il mar nero "lago russo"? Una sfida per l'occidente e un dilemma per Ankara* – LIMES 2 NOVEMBRE 2016

<sup>13</sup> Vitalij Tret'jakov: op. cit.

## 2 The European Neighborhood Policy in the post-Soviet space and the geopolitical perspectives in the 21st century

The undeniable role of leading power exercised by Russia in the Russian “Near Abroad”, more or less corresponding to the territories of the Soviet Socialist Republics, must at this point be compared with the role of economic power played and carried out in the future by the EU in the territories of space post-Soviet with consequent influences on the de facto states present in this area.

The strategy chosen by the European Union was to activate a soft power with mainly economic initiatives represented by the Eastern Partnership<sup>14</sup> (EaP)<sup>15</sup> in the context of the European Neighborhood Policy (ENP)<sup>16</sup>.

It is a multilateral approach towards the following six post-Soviet countries: Moldova, Ukraine, Belarus, Georgia, Armenia, Azerbaijan.

The declared objective is to provide a series of “final products”, included in the following macro-categories:

- a) institution building and good governance (fight against corruption, public administration reform and capacity building to fight terrorism);
- b) economic development and market opportunities (sustainable diversification of the economy and improvement of the business and investment environment);
- c) connectivity, energy efficiency, environment and climate action (logistics and transport support, regulatory assistance, sustainable resource management);
- d) mobility and interpersonal contacts (support for education and human capital)<sup>17</sup>.

From a socio-economic point of view, the Partnership has met moderate successes in the region; in fact, beyond the difficulties of relations encountered with Alexander Lukashenko's Belarus, considered the head of a totalitarian regime, and the low interest shown by Azerbaijan towards the market European; important economic agreements, culminating in the DFCTA (Deep and Comprehensive Free Trade Area), have been signed with Moldova, Ukraine and Georgia<sup>18</sup>.

As regards Armenia, the political and economic pressures by Moscow have pushed the country to join the Eurasian Economic Union (UEE) led by the Russian Federation, abandoning the negotiations for entry into the DCFTA and concluding with the EU a less compromising Comprehensive and Enhanced Partnership Agreement (CEPA).

Here we can say that the soft power exercised by the EU, which certainly offers attractive market outlets, is held back by a series of factors fundamentally linked to both the excessive Byzantine and bureaucratization that characterizes the actions of Brussels, aimed

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<sup>14</sup> Commissione europea: *Eastern Partnership*, EC OFFICIAL WEBSITE.

<sup>15</sup> Elena Korosteleva: *Eastern Partnership: Bringing “the political” back in*, EAST EUROPEAN POLITICS 2017.

<sup>16</sup> George Christou: *European Union security logics to the east: the European Neighbourhood Policy and the Eastern Partnership*, EUROPEAN SECURITY 2010.

<sup>17</sup> Yauheniya Dzemianchuk: *La politica europea di vicinato: Caucaso meridionale* – LO SPIEGONE 13 NOVEMBRE 2019.

<sup>18</sup> Davide Bevacqua: *La Politica Europea di Vicinato a Est: Il Partenariato Orientale* - LO SPIEGONE 11 NOVEMBRE 2019.



at mostly to impose their own ideas and interests rather than opening up to a field of sharing initiatives with potential new partners, and to the weakness and inconsistency in the foreign policy adopted by the EU, the result of a line of action not always fully supported by all its member states and which crashes with the coherent and realist Russian pragmatism also willing to resort, if necessary, to the use of force, as occurred in the Crimea and in the frozen conflicts in Moldova, Ukraine, Georgia, Armenia and Azerbaijan, giving rise to the de facto post Soviet states we know of.

It is no coincidence that the three countries of the Russian “Near Abroad” most attracted by western sirens (Moldova, Ukraine and Georgia), were the ones that suffered the most significant “territorial amputations” with the frozen conflicts.

The message sent by the Kremlin is clear, more a state plays a strategic role in its “near abroad” space and more difficult it will be for that country to leave the alliance with Moscow.

Kiev is well aware of this, whose openings to the West have been paid dearly with a pincer encirclement entrusted to the pro-Russian separatist regions of Transnistria and Donbass<sup>19</sup>.



**Figure 4.** East-West pincer action on Russian-speaking Ukrainian regions and Ukraine's risk of losing its outlet to the Black Sea.

<sup>19</sup> Jean-Arnault Dérens, Laurent Geslin: “*La Transnistria in ostaggio della Guerra in Ucraina*” LE COURRIER DES BALKAN 23 OTTOBRE 2014.

Beyond the economic aspects, it is therefore European political immobility that plays a decisive role in the freezing of de facto states and, as seen previously, this inability to play an adequate role at the international level ends up negatively conditioning the lifestyle in the territorial realities that are not recognized by the same subjects who for their faults have made a non-secondary contribution to the maintenance of this dramatic condition.

The European Union, ignoring the political multilateralism that is becoming more and more consolidated in world geopolitics, in a completely myopic way stands as a mere economic and normative power, exalting its role as defender of international law and human rights but glossing over its geopolitical potential role that is handed over to the United States through a NATO which, with the disappearance of the cold war bipolarism, appears increasingly obsolete and at least requires a re-foundation on entirely different pillars.

This choice, based on the erroneous belief in the persistence of the American leadership, in a scenario increasingly aimed at polycentrism<sup>20</sup>, allows us to better understand the Russian reactionary policy to protect its own space against American expansionism exercised through the "Colony Europe".

### 3 Conclusions

What emerges from the examination of the problem of de facto states leads to an in-depth and very critical reflection on the current international order and on the organizations responsible for regulating and normalizing the resigned anomalies.

Indeed, it is noted how the traditional figure of the State and specifically of the "Patronate State" works validly in compensating for the shortcomings and difficulties faced by the territories involved in frozen conflicts and it is undeniable that this intervention takes place more efficiently than to any other subject of international law.

In any case, it is always a help that is not disinterested and markedly instrumental to the achievement of one's own geopolitical and economic aims. In that sense, I would consider it more of a wicked stepmother attitude than a caring mother.

However, what most of all does not convince is the role played by international organizations such as the UN, EU and NATO which repeatedly invested as intermediaries or conflict resolvers, cause organizational structures that are no longer in step with the times and promptly unable to provide answers. appropriate to the issues, they often end up lending their side to the will of individual states having a hegemonic role in the conflict region.

Among other things, the decision-making void of international organizations often ends up being filled by unofficial organizations or by power lobbies that inevitably bend them to their own logic of personal interest rather than solving the problems.

In this scenario, a reorganization of the role of the subjects of international law is urgent, which is a real expression of the world community, which operates in a streamlined and de-bureaucratic way, which allows to give pre-eminent importance to the right of existence

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<sup>20</sup> Pierre-Emmanuel Thomann: *Il sonno della geopolitica genera mostri* – IL MURO PORTANTE n.10 2019.

and equal dignity for any state legal entity expression of the real will of the community that insists on a specific territory.

In this sense, what mortifies the experience of the de facto states is the failure to recognize the fundamental rights of the members of the communities involved, who despite the grief caused by armed conflicts, despite the diasporas suffered, despite the conditions of extreme misery and impossibility to move freely out of their state, they proudly claim their right to exist.

The term de facto state has often been associated with that of "rogue state" but the international community that prefers to turn its back on requests for independence should not be considered even more "rogue", perhaps cheering for a permanence of the current status quo, giving life to a distinction between communities of A and B level?

Projecting these reflections for example on the case of Transnistria, talking about the next solution to the thirty-year crisis between the two banks of the Dniester certainly appears premature but one thing is certain, in Priednestrovie, as in all the other de facto states, the passage of time strengthens more and more the identities of peoples and this constitutes a step in favor of the recognition of states.

In this regard, it appears singular to note that the international system has not yet found a legal solution aimed at defining situations of uncertainty about territorial sovereignty and able of not perpetrating such circumstances indefinitely.

In this sense, it would be enough to model the typical characteristics of the institution of "usucapion", adapting them to a similar hypothetical institution of international public law able of guaranteeing, in the absence of legal recognition by the international community, the original acquisition of the title of de jure status following the expiration of an adequate uninterrupted period of time, during which de facto sovereignty over a given territory was with no doubt exercised.

Current experience would demonstrate how the stability acquired by an almost state, self-proclaimed independent for more than 30/40 years, can consider itself sufficient to consider this entity ready to act as a valid recognized interlocutor on the international scene.

The hope is that regardless of the theoretical solutions proposed or those currently existing, linked to the official recognition by the UN of the de facto states, we can arrive at a rapid definition of frozen conflicts such as to allow one day, the current B level citizens, to be able to play a role of respectable international protagonists.

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