

II - Stability Pact Project for the South Caucasus

2.1 Project introduction

The CEPS project has six chapters, three of which focus directly on the South Caucasian countries and three on the broader regions of the Black Sea and Southern Russia. The central thrust of this pact is conflict resolution. In the supplement written in September 2000, the authors set out the principles that should lead to the settlement of the Nagorno-Karabakh, Abkhazia and South Ossetia disputes under the aegis of a South Caucasus Community (SCC). Negotiations in each of these conflicts are stalled due to positions deemed irreconcilable, with the principle of self-determination locked in opposition to the preservation of border integrity. The original states from which the secessionist republics come are in agreement on a way of sharing power by federalizing their territories and introducing a division of powers between a centre and regions. The secessionist republics have rejected any proposal of the sort, arguing that without full sovereignty they would face major security problems. Their bargaining position is to call for total independence or at least a confederation of equal partners that includes the original states.

Given these rigid models, negotiations are bogged down. Using a vague "common state" concept suggested by the Russian Federation as a solution to the Abkhazia and Nagorno-Karabakh conflicts, the CEPS has attempted to get beyond the traditional notions of *federation* and *confederation*. The main point of this new interpretation relies on the distinction between *de jure* and *de facto* status. Both Abkhazia and Nagorno-Karabakh would be parts of their original state *de jure* while being *de facto* independent. This is a somewhat vague constitutional arrangement that is closer to confederation than federation, though excluding the secessionist option for secessionist entities. The power structures would be essentially horizontal with very limited central features. As well, refugees and displaced persons would be granted the right to return to regions like southern Abkhazia and the Azerbaijani provinces occupied by Armenian troops.

To make this solution palatable for secessionist groups who have already won their independence and see this solution as a symbolic loss of a sovereignty won by arms, the model has to be rounded out by introducing a regional superstructure, the SCC, which remains to be created from scratch. An SCC could serve the interests of both the secessionist republics and the original states. Through an SCC, the outward appearance of sovereignty could be maintained for the secessionist republics and give them direct access to a supranational forum. Meanwhile, the original states would not see the secessionist entities in this forum as a threat since they would be forum members themselves.

In their supplement, the CSP authors changed the structure they want to give this entity, shifting from an original 3 + 3 + 2 formula (the 3 South Caucasian states, the 3 neighbouring states – Iran, Turkey and Russia – and 2 outside powers – the European Union and the US) to 3 + 3 + 3 + 2 to include the three secessionist republics. These republics could participate in the regional component of the SCC, which would be institutionalized by a government Council and possibly a parliamentary Assembly. By and large, the idea of this SCC is to form a local copy of the European Union (EU) model. The SCC countries would