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Ion Marandici

Georgetown Journal of International Affairs, Volume 23, Number 1,
Spring 2022, pp. 10-16 (Article)

Published by Johns Hopkins University Press

DOI: <https://doi.org/10.1353/gia.2022.0003>



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The Perils of Biased Power Mediation: Insights from the Secessionist Conflicts in Moldova and Ukraine

Ion Marandici

Despite Western mediation efforts, the protracted conflicts in Transnistria (Moldova) and Donbas (Ukraine) remain unresolved with elusive prospects for durable peace. Russia as a biased third-party contributes to the current stalemate, as it favors one of the disputants, and displays strong preferences for a specific settlement scenario. Given the magnitude of these crises, it is worth critically examining why past mediation approaches in Moldova and Ukraine have failed: Under what conditions does conflict resolution fail? Are biased mediators more effective than impartial, third-party intervenors?

Existing research lacks scholarly consensus. Mediation success has been traced to a hodgepodge of sources including dispute characteristics, inter-relationships among parties involved, mediator bias, international context, and mediation style.¹ A major scholarly debate concerns the role of biased mediation in conflict management.² This article comparatively examines the

disputes in Moldova and Ukraine to argue that conflict resolution fails when a former imperial power acts as a biased mediator that interferes in the domestic politics of the parent-states, while openly supporting the secessionist regions economically, militarily, and politically.

Biased mediation and conflict management

Scholars studying conflict ask under what conditions third-party interventions are effective in eliminating the causes of conflict violence.³ To prevent escalation, external actors may insert themselves in the conflict resolution process in a variety of ways. Fisher and Keashly distinguish between the impacts of their influence through power mediation, peacekeeping, arbitration, conciliation, consultation, and mediation.⁴ Existing theoretical frameworks identify multiple causal pathways leading to mediation success.⁵ Most accounts highlight contingent factors as key to settling conflicts such as the type of conflict, the nature of the intervenor and disputants, and the timing and scope of third-party involvement.⁶ Among them, the impartiality of the mediator features as an important component of efficacious conflict management.

Yet scholars disagree about the extent to which impartiality matters. Some find that biased power mediators advance peace between opponents by designing elaborate institutional arrangements that incorporate the interests of their protégés, while exerting leverage to persuade the latter to accept costly concessions.⁷ Other researchers demonstrate that neutral intervenors have higher rates of success in building trust, reducing informational asymmetries, correcting misperceptions, and addressing the

Ion Marandici, Ph.D. (Rutgers U. 2017) studies the political economy of reforms, comparative foreign policy (Russia, China, United States), secessionist conflicts, and nationalism across Eastern Europe and East Asia. His publications include articles in *Nationalities Papers*, *Problems of Post-Communism*, *Eurasian Geography and Economics*, *Demokratizatsiya*, and chapters in collaborative volumes. Ion was the recipient of a doctoral fellowship from the Open Society Institute in New York. At Rutgers, he has been regularly teaching courses in comparative politics, international relations, research methods, and public policy. In 2016, Ion was a visiting researcher at the Graduate Institute of National Development (National Taiwan University in Taipei). Currently, he coordinates two open data projects in Kyrgyzstan and Tajikistan. Ion knows several foreign languages.

psychological needs of the disputants.⁸ Despite its merits, previous research overlooks cases of failed interventions. It glosses over scenarios in which a mediator actively patronizes and subsidizes the secessionists, while acting as a negotiator between the two parties. I contribute to the scholarship on mediation by examining the conditions under which biased power mediation increases the likelihood of failure. Focusing on the conflicts in Transnistria and Donbas, I argue that a combination of domestic dynamics within the parent-states and the breakaway regions, as well as the pursuit of security and nation-building goals by Russia undermine the peace process. This case is not simply a question of heightened Russian bias toward insurgents or an instance of coercive mediation.⁹ Instead, as a power mediator and participant in both conflicts, Russia interferes heavily in the domestic and nation-building processes unfolding within Moldova and Ukraine, promoting its favored resolution plans via proxies. The Russian officials express a strong preference for federal power-sharing agreements with far-reaching veto privileges for the reintegrated regions, a scenario the Moldovan and Ukrainian pro-Western political elites largely deem too costly.

The Transnistrian stalemate

The origins of the Transnistrian conflict are intertwined with developments that caused the Soviet collapse. As the pro-independence, nationalist movement in the Moldovan Soviet Socialist Republic demanded more political and cultural rights, some groups in Transnistria resisted, perceiving the impending power shifts as threatening. Opposition to the new cultural policies from Chișinău grew into a secessionist movement, so that the region declared its independence. Attempts to quell the unrest led to a hybrid conflict in 1992, which ended with a ceasefire negotiated by Mircea Snegur, the president of Moldova, and Russia's leader—Boris Yeltsin. The agreement stipulated the deployment of a peacekeeping mission, the creation of a security zone between the conflict parties, and a permanent monitoring commission. Since then,

major initiatives such as the 2003 Kozak plan and the 2005 Yushchenko-Poroshenko strategy have been proposed but have not brought durable peace.

The age of grand resolution plans for the Transnistrian conflict is over. Since 2005, no major settlement has been formulated. Instead, the current OSCE-driven conflict management approach focuses on small, practical steps aiming to increase the interdependence between the government-controlled areas and Transnistria. Since 2016, the OSCE and Germany have supported the Berlin Plus approach, anticipating that the Transnistrian-Moldovan problem-solving meetings will eventually generate spillover effects and enable progress in the more sensitive political and security areas. Despite the reigning consensus regarding the Berlin Plus approach, this minimalist strategy has not yet led to cooperation on hard policy issues. Spillover effects prove elusive, mainly because progress in the dialogue between Moldova and Transnistria requires Russia's approval, which, in turn, depends partly on Moscow's relations with the West.

As a biased power mediator, Moscow has adopted an approach of strategic ambiguity with regards to Transnistria. Despite their multidimensional involvement in the conflict, Russian officials deny their support for the insurgents. In doing so, Russia attempts to uphold the reputation of an impartial mediator and peacekeeper, notwithstanding its refusal to withdraw its military from Transnistria. Once one examines the status of the Russian troops in the region, it becomes apparent why the peace process stalls. Russia first pledged to remove its Soviet-era armaments and base at the 1999 OSCE summit in Istanbul. After significant headway in the early 2000s, Putin suspended the implementation of the Adapted Treaty on Conventional Armed Forces in Europe, abandoning Russia's commitments altogether in 2015. Despite Moldova's constant calls for a withdrawal, as of 2021, Russia's forces remain stationed in Transnistria. Moldova's requests that the troops leave the region and that the peacekeeping mission be converted into a civilian operation have not been heeded.¹⁰ Kremlin and Tiraspol reject such initiatives, arguing that they would reignite the

conflict, while some Moldovan politicians follow the same line.¹¹ For example, Igor Dodon, a former Moldovan president, praised Russia's activities in Transnistria.¹² Unsurprisingly, the status quo has perpetuated itself indefinitely as any changes proposed by pro-Western governments in Moldova are vetoed by Russia, Transnistria, and pro-Russian Moldovan politicians.

Beyond the division among elites over Russia's role in the conflict, tension between Europeanization and conflict resolution further complicates the search for peace. As the EU's role in the region became more prominent, economic ties with the West intensified, drawing in the Transnistrian economy. In the meantime, the parties to the conflict developed distinct institutions, cultural policies, economic models, armies, and foreign policy preferences. Moldova modeled its legislation on the *acquis communautaire*, while the breakaway region adopted much of the Russian law. The younger generations in Transnistria and Moldova have never lived in a common state. As such, reintegration scenarios leading to concessions across multiple policy areas are perceived as unacceptable by the pro-Western elites and electorate. Asked to choose between deeper Europeanization and a definitive conflict settlement, many voters may prefer a truncated but Europeanized Moldova to a common state under Russian influence.

The impasse in Donbas

Ukraine is facing similar dilemmas when dealing with the breakaway regions in Donbas—the Donetsk People's Republic (DPR), and the Lugansk People's Republic (LPR). The complex chain of events culminating with the separation of the two republics began with the Euromaidan protests against the decision of Viktor Yanukovich, the then-president of Ukraine, to shelve the EU-Ukraine Association Agreement in 2013.¹³ In response to Euromaidan, rallies with significant Russian involvement took place in Ukraine's peripheral regions populated mostly by ethnic Russians. After Yanukovich's extraction by a special commando dispatched from Russia, Moscow annexed Crimea and stirred a full-scale insurgency in Donbas. The rebels fighting

against the Ukrainian army intended to mobilize Russian-speakers and take over more territory. As the governmental forces advanced, Russian regular troops crossed the state border, helping the rebels resist Kyiv's offensive. Yet the Donbas conflict is not frozen as the Transnistrian one. Both sides report casualties, while Vladimir Putin continues to portray himself as the defender of Donbas against what various disinformation narratives qualify as "the radicals and nationalists in Kyiv."¹⁴

Conflict management began before the actual secession. In April 2014, Western officials supported decentralization reforms to prevent the looming escalation. During the hot phase of the conflict, which lasted from June 2014 to February 2015, the parties established the Trilateral Group, a negotiation forum including Ukraine and Russia under the aegis of the OSCE. Subsequently, two ceasefires—Minsk I (September 5, 2014) and Minsk II (February 11, 2015)—were signed at the Normandy meetings, a mediation format comprising Germany, France, Russia, and Ukraine. Minsk II, the foundation of the current talks, stipulates that the two sides cease military action and withdraw their heavy weaponry behind the contact line. It also specifies that Russia should share control over the Ukrainian-Russian border segment with the OSCE and facilitate the organization of elections in Donbas in accordance with Ukraine's law.

Both parties are reluctant to implement Minsk II, and the electoral elements were never carried through. The Ukrainian-Russian border in Donbas, the key supply route for the rebels, stays beyond Kyiv's reach. To overcome the impasse, Germany suggested the Steinmeier Formula, a condensed version of Minsk II, in 2016. This excludes the military aspect, insisting on enhanced autonomy for the two areas within a unitary state after free and fair elections in Donbas. However, Ukraine, Russia, and the secessionist republics disagree on the sequencing of the de-escalation measures. Kyiv insists on a "security first, elections second" approach, demanding the disarmament of the rebels and control over the border between the breakaway regions and Russia, followed by local elections,

and an autonomous status for Donbas. The other side—the DPR, LPR, and Russia—wants elections first, trailed by disarmament and border control changes. The squabble over sequencing illustrates the credible commitment problem.¹⁵ In the absence of mutually-agreed enforcement mechanisms, both parties distrust one another and anticipate that the opponent will renege on previous promises. The ultimate failure of the Steinmeier formula became evident after the two self-proclaimed republics organized elections without any regard for the Ukrainian law. Whereas Ukraine is interested in reaching a compromise, Russia is unwilling to take further steps that could be framed as betrayal by the hawkish audience at home. By contrast, the Western mediators can exert influence over Kyiv, but lack the leverage necessary to pressure Russia and the insurgents to reach a compromise.

The lack of mutual trust and new domestic constraints produce a deadlock, marginally affected by the alternation in power. Vladimir Zelensky, who defeated Petro Poroshenko in the 2019 elections, promised to settle the conflict within a year. Indeed, after a three-year hiatus, Zelensky resumed the Normandy talks, negotiating a permanent ceasefire, prisoner swaps, mine clearance, troop withdrawals, and the extension of the special Donbas law. However, Western and Ukrainian attempts to internationalize the conflict failed.¹⁶ Anticipating that a UN mission would be detrimental to its goals in Donbas, Moscow and the breakaway republics rejected the initiative.

Besides the unwillingness of the conflicting parties to make concessions, domestic processes within Ukraine prevent the advancement to peace. The high salience of the conflict and the lack of consensus on how to manage it are important. In terms of salience, the war ranked second (43 percent) after corruption (48 percent) among the concerns of the electorate.¹⁷ For older respondents and those living closer to the conflict zone, the war emerged as the top worry. When proposing a peace plan, Ukrainian politicians must consider such preferences to avoid electoral losses. This will be difficult, as the war has created activist groups which advocate

for either escalation or reconciliation. Opposition parties, interest groups, and civil society constrain policymakers by drawing informal red lines—a practice observed in Moldova as well. For instance, the Poroshenko administration cut off trade ties with the self-proclaimed republics after war veterans instituted an informal blockade, opposing commerce with Donbas.¹⁸ Likewise, the revival of the Steinmeier formula in 2019 provoked massive protests as renewed dialogue was framed as another capitulation. Protesters publicized a set of red lines including opposition to federalization and immediate demilitarization. Some of the demands became law as incumbents sought to prevent future governments from softening their stance toward Donbas.

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The impasse created opportunities for some parties to advance alternative approaches to conflict management. There are those who argue that Minsk II should be abandoned and that Kyiv should prepare for a military retake of Donbas by modernizing its army. Kyiv, however, cannot easily reject Minsk II as the Western sanctions imposed on Russia are tied to the agreement. Moreover, Germany and France would perceive Ukraine's formal withdrawal from Minsk II as a lack of commitment to peace. Other parties opt for engagement with the rebels. The *Opposition Platform—For Life* frames the conflict as a civil war, proposes direct talks, an end to the blockade, and enhanced autonomy for Donbas in a reformed state. The *Opposition Platform* also advocates for constitutional amendments to implement decentralization, special elections, granting Donbas the status of a Special Economic Zone, and a wide amnesty for the rebels, drawing on the post-conflict reconciliation strategies in Colombia, Macedonia, and Bosnia-Herzegovina.¹⁹

Ukraine's mainstream politicians reject such an approach as outright disloyal. The reason for such resistance stems from the links between the *Opposition Platform* plan and the Russian approach to conflict resolution. Indeed, politicians such as Viktor Medvedchuk, who opposed the Euromaidan and maintained close ties to the Kremlin, created the party. It gains more votes in the localities closest to the war zone. The *Opposition Platform* resembles the *Party of Socialists* in Moldova in that it promises to reverse decommunization, renegotiate the EU-Ukraine Association Agreement, defend the cultural rights of the Russian-speakers, and implement a policy of military neutrality.²⁰ The connections between Russia and major parties in Moldova and Ukraine indicate that Moscow is not merely a biased power mediator and a patron-state for secessionists, but also influences the domestic politics and conflict management of Ukraine and Moldova. It does so via aligned parties and disinformation campaigns, promoting convenient conflict resolution scenarios and strategic narratives about the disputes.

Moscow's and Kyiv's approaches toward conflict management evolved over time. Russia seemed to adopt a more pragmatic approach in 2020, when Dmitri Kozak replaced Vladislav Surkov, Putin's longtime presidential adviser on Ukraine known for his prejudice toward ethnic Ukrainians.²¹ Kozak, the author of the eponymous resolution plan for Transnistria, sought to reignite the negotiations via a consultation platform including the OSCE, France, Germany, Russia, Ukraine, and the breakaway regions. Support for the initiative signaled a shift

in Ukraine's strategy as well. Until then, Kyiv refused to hold direct talks with the Donbas republics, opting to negotiate with Russia instead. Such conciliatory steps have been met with street protests, new red lines, and even physical aggression targeting officials who promote dialogue.²² The right-wing parties criticized the new policy as legitimizing secessionism.²³

The breakaway regions oppose reintegration as well, promoting policies aimed at deepening the separation from Ukraine. The DPR and LPR adopt ideological frameworks that bring them closer to the Russian political and cultural space. In this sense, the approval by the powerholders in Donetsk of the "Russian Donbas" doctrine, an irredentist manifesto, seems to foreclose any possibility of reintegration, justifying further expansion.²⁴ On top of that, Russia's generous offer of citizenship to the residents of Donbas and Transnistria points to its long-term strategy of absorbing these regions.

Conflict resolution is further complicated by the controversy regarding the nature of the dispute, the bundling of issues across multiple policy areas, and an ongoing information campaign, inflaming hostile images and destructive psychological processes on both sides.

Conclusion

The comparison of the mediation efforts across the conflicts in Transnistria and Donbas has revealed two patterns relevant for explaining the failure of biased power mediators in peacebuilding:

First, biased power mediators may attempt to keep up the image of a neutral arbiter to pursue their preferred settlement. Earlier research examining biased interventions overlooked cases where a major power is deeply entangled in the conflict, simultaneously as a mediator, participant, and patron-state for the rebels.²⁵ Across the conflicts in Moldova and Ukraine, Russia's role as a mediator is inconsistent with its de facto patronage of the two regions. It could use leverage to persuade the breakaway regions to accept concessions. However, as the Donbas-Transnistria com-

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parison demonstrates, Moscow prefers instead to instrumentalize mediation to block inconvenient peace plans. Although Russia may have acted as a peace broker in other regions of the world, its strong bias toward the secessionist sides in Ukraine and Moldova hampers long-term conflict resolution. Hence, theoretical models of mediation require modifications, whereby clientelist ties between the mediator and the disputants are added as an intervening variable affecting peacebuilding.²⁶

Second, conflict resolution may fail because biased power mediators seek to shape the domestic politics of the small and middle-sized states involved in protracted conflicts. Russia is deeply involved in the domestic politics of Moldova and Ukraine. It sponsors major political parties and media outlets, which reframe the conflict and propose settlements that advance the security interests of the power mediator. Reaching a stable peace would require that Kyiv and Chişinău enter power-sharing agreements, whereby the rebel regions reintegrate into common states, enjoying the right to veto most policies. Such settlements would transform the Moldovan and Ukrainian states into asymmetric federations, remaining outside the EU and NATO for the predictable future.²⁷ So far, the Moldovan and Ukrainian politicians have rejected such power-sharing pacts due to pressures from domestic audiences and external actors, perceiving a trade-off between Europeanization and reintegration.

In all, this study reveals that under certain circumstances, biased power mediators may contribute to conflict resolution failure rather than lasting peace.

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