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STATE-BUILDING IN NAGORNO-KARABAKH AND ABKHAZIA: COMPARATIVE
PERSPECTIVE

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Contents

Abstract.....	5
List of abbreviations.....	6
Introduction.....	7
Literature Review.....	11
Chapter 1: Development of political institutions in Abkhazia and Nagorno-Karabakh.....	23
1.1 Institution building in Abkhazia.....	24
1.2 Institution building in Nagorno-Karabakh.....	33
Chapter 2: Elections and their role in state-building process.....	46
Chapter 3: Provision of state-functions in the context of non-recognition.....	59
Conclusion.....	71
Bibliography.....	73
Appendix	83

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Abstract

The aim of this Master's essay is to study the state-building process in two de facto states Abkhazia and Nagorno Karabakh since the cease-fire establishment. The research reviews what these unrecognized states have achieved so far since their de facto independence in terms of state-building. The essay provides theoretical background on the state-building and starts to analyze the process from very beginning to see the dynamics and developments during these years. The research is concentrated on the main state institutions such as executive, legislative and judicial, election institution and state functions that are hindered due to lack of recognition, such as security, trade and investments. The study also refers to Armenia and Russia as states that are considered as parent states for Nagorno Karabakh and Abkhazia respectively. Reference to parent states helps to see to what extent these de facto states are able to function independently as a state and shows that the state institutions are mainly driven by internal motivation and capacity and the provision of state functions is mainly supported by parent states, as the unrecognized states are isolated from international state system and community and lack the capacity to rely only on their selves.

List of abbreviations

ARF- Armenian Revolutionary Federation

EU- European Union

ODIHR-Office for Democratic Institutions and Human Rights

OECD-Organization for Economic Cooperation and Development

NKR- Nagorno Karabakh Republic

SU- Soviet Union

USAID-US Agency for International Development

USSR-Union of Soviet Socialist Republics

Introduction

South Caucasus is area of interest for many academicians, policy members, scholars etc firstly because the emergence of violent conflict with the collapse of Soviet Union and later with the phenomenon of survived de facto states such as Nagorno-Karabakh and Abkhazia for already 20 years. There has been growing literature on South Caucasus region and its conflicts aiming to find out the roots and causes of the conflicts, to identify current process of negotiations and possible solutions. These de facto states were born out of war and had to build the foundations of their state on post Soviet and war devastated atmosphere. Today's de facto states are dissimilar to those that became independent after the collapse of Soviet Union. Thus the continued existence of these states without recognition and isolation from international institutions has gradually shifted the interest towards internal developments and consolidation of these de facto states. But still little has been done to find out how these states have solidified their statehood and how they function and serve their societies. The research aims to identify and compare the consolidation of these de facto states through the process of state-building during last 20 years in the conditions of neither war no peace and unrecognized or partly recognized situation. For this purpose the following hypothesis and research questions are put forward:

Hypothesis: These de facto states were able to consolidate their states despite of being unrecognized/partially recognized.

RQ1: How state institutions have been consolidated since the proclamation of independence in Nagorno-Karabakh and Abkhazia?

RQ2: What is the role of elections in state-building process?

RQ3: How unrecognized/partially recognized situation affects state functions in de facto states?

Methodology: The methodology for this study is quantitative one based on 3 research instruments: expert interviews, meta-analysis and content analysis.

Twelve expert interviews were conducted in both de facto states with 5 from Abkhazia, 6 from Nagorno-Karabakh Republic and one expert from Conciliation Resources organization based in the United Kingdom. The experts were from governmental sectors, educational institutions and journalists. The interviews were conducted in April 2014. Experts from both states expressed their viewpoints concerning the development of these states, the impact of unresolved conflict and international isolation on these de facto states. These interviews were important in terms of gaining profound analysis about internal factors that play role in state-building process, understanding public perception and trust towards their states. Meanwhile the researcher from United Kingdom, who is experienced in South Caucasus Laurence Broers gave comparative viewpoint in this regard based on its knowledge and experience.

Content analysis is based on 80 reports and documents from Freedom House, National Statistical Service of Nagorno-Karabakh Republic, Central Electoral Commission of Nagorno-Karabakh, Apsnypress State Information Agency of Abkhazia and other official websites. This aimed to find out how the elections, trade, investment and other functions are conducted in these unrecognized states, to see the dynamics since the independence and finally to shed light what factors restricts these functions.

Meta analysis was conducted based on the studies from Nagorno-Karabakh, Armenia, Abkhazia and Western scholars and academicians. This was important tool to explore the studies on this issue in both de facto states. The western researches and analysis helped to maintain the objectivity and evaluate the existing situation also from the third side.

Terms and definitions: The concept “state-building” mainly refers to building state structures, which includes elements such as a constitution, institution of power (legislators, executives and judiciaries) a means of promoting political views (elections), and the ability to control over basic state functions such trade, investment and security. These functions have been chosen based on the literature review and expert opinions which showed that non recognition and unresolved conflict mostly affect these areas of state (Kangas 1994, 29).

Throughout the research the term” de facto states” will be used referring to Nagorno-Karabakh and Abkhazia. As the concept has different interpretation and definition in the literature, it has to be framed for this research. The term de facto refers to the states “where there is an organized political leadership, which has risen to power through some degree of indigenous capacity, receives popular support, and has achieved sufficient capacity to provide governmental services to a given population in a specific territorial area, over which effective control is maintained for a significant period of time. They seek full constitutional independence and widespread international recognition as a sovereign state” (Lynch 2002 p. 834). In the scope of the research there is also extensive use of terms “unrecognized states”. Though Abkhazia currently is recognized by 6 countries: Russia, Venezuela, Nicaragua and 3 small Pacific Island states and is considered partially recognized, but in the scope of the research both of them are referred as unrecognized states having in mind the following definition of unrecognized state “A) They have achieved de facto independence including territorial control over most of the area they lay claim to B) they have demonstrated an aspiration for full, de jure independence through a formal declaration of independence or through the holding of referendum C) they have not gained international recognition or had at the most been recognized by their patron and a few other states of no great significance” (Caspersen 2013 p 6). Besides the terms mentioned above

there are other terms that are needed to be defined. The term “patron state” refers to the state which “provides the security guarantees and political and economic support that allow the de facto states to maintain the status quo”. Armenia serves as a patron state for Nagorno-Karabakh and the Russian Federation for Abkhazia (Helge Blakkisrud and Paul Kolsto 2012a p 282).

After introducing the topic and the main issues which will be analyzed throughout the research the literature review follows. It is mainly discussing different authors’ arguments concerning states, state-building, state institutions and functions by trying to reveal these concepts in these de facto states. This comprehensive discussion is followed with the introduction of institution building in terms of executive, legislative and judicial structures of states. It will be discussed separately by drawing comparative lines. The next part is devoted to the analysis of elections as another component of state-building process. This part also tries to reveal public perceptions and trust towards the state institutions by drawing on expert interview analysis. Finally the last chapter discusses the delivery of main state functions in the scope of international isolation and unresolved conflict. As we know the state has different functions, but as far the literature and expert interviews are mainly addressing security, trade and investment as highly affected areas from the unresolved conflict and non-recognition from international community, these areas will be touched upon.

Literature Review

The dissolution of the Soviet Union resulted in the establishment of several non-recognized states, out of which three Nagorno-Karabakh, Abkhazia and South Ossetia are located in South Caucasus region. Ceasefire was established between the conflicting sides and since 1990s internationally mediated negotiations were launched to end the conflicts, but since no achievable progress has been achieved in conflict settlement (Lynch 2002). Ceasefire agreements have ended the violence in general but the legal status still remains elusive. Azerbaijan and Georgia continue to stress the territorial integrity, while the Nagorno-Karabakh, Abkhazia and South Ossetia insist on their right to national self-determination. Having won in war but not at the negotiation table, these secessionist states found themselves in “no peace, no war” situation (Walker 1998). After proclamation of independence in Nagorno-Karabakh and the establishment of cease-fire agreement between Abkhazia and Georgia, these unrecognized states initiated the forming processes of government structures and state-building, which were conducted in the conditions of military actions (The Office of the Nagorno Karabagh Republic in the United States 2005; Sergey Markedonov et al 2013). Though these two unrecognized states have already started the process of state-building, the level of their existence as a functioning state is still questioned and debatable. This is mainly related to the fact to what extent these states are able to provide the main functions of the contemporary state to their societies (Paul Kolsto and Helge Blakkisrud, 2008). Despite the fact that they possess traditional features of the modern state the defined territory, population and government the isolation and lack of international recognition hinders the future development and state-building in these states (Lynch 2001).

This part of paper aims to discuss the state building concept in order to apply it to the cases of Nagorno-Karabakh and Abkhazia. It will also try to find out what other authors have discussed about Nagorno-Karabakh and Abkhazia as de facto states. Before proceeding with definition of the state-building theory, the concept of state also should be discussed and defined.

State

To start from the main definition of the state, the Montevideo Convention on “Rights and Duties of the state” defines the state with the following qualification a) permanent population, b) a defined territory, c) government, d) a capacity to enter into relations with other states (Convention on Rights and Duties of States 1933). Roger Kangas define the state as a “geographic expression for a country, the political institutions of government, possession of particular class or the intangible relationship between civil society and the government” (Kangas 1994, 29). Tilly (1975) argues that “the organization which controls the population occupying a defined territory is a state in so far as (1) it is differentiated from other organizations operating in the same territory; (2) it is autonomous; (3) it is centralized; and (4) its divisions are formally coordinated with one another’ (cited in Verena Fritz and Alina Rocha Menocal 2007, 11). Stein Eriksen and Stanislawski define the state in contemporary world as a territory, which has population; it is recognized by other states and has a functioning government. Without full control over the territory that defines the state, the status of the latter as an international actor is undermined and weakened (Eriksen 2010; Stanislawski 2008).

Zartman and Rotberg by differentiating the services that state provides, consider the security as the most fundamental service of the state as it is a condition that enables the provision of other services and argue that state services are the benchmark to measure the states in terms of being strong, fragile, failing, failed or collapsed (Eriksen 2010). According to Dietrich

Rueschemeyer, Zartman and Rotberg the functioning state calls for relations with the society and state (Rueschemeyer 2005, Eriksen 2010).

In addition to these authors Mathew Lang, Dietrich Rueschemeyer, Brinkerhoff and Bakke giving the importance to the state and society relations, argue that at the core of these relations is the issue of legitimacy, which relates mainly to the acceptance of governing regime, the right and ability to implement its authority (Rueschemeyer 2005; Organisation for Economic Co-Operation and Development 2003; Kristin Bakke et al 2012). From the same token Stein Eriksen, Vladimir Kolossov and Roger Kangas also explore the state in terms of stable territory and population governed by the political regime which holds confidence with the majority of its population and is capable to foster political legitimacy within the society (O'Loughlin 1999; Eriksen 2010; Kangas 1994). Bakke defines legitimacy in three dimensions: state legitimacy, regime legitimacy and institutional legitimacy. State's legitimacy is a concept about "believing in the state and its right to exist", regime's legitimacy is primarily related with the state's authorities (Kristin Bakke et al 2012, 4). The concept mainly touches upon to the idea of social contract between the regime and society: the ruler provides the society with the social order and the society accepts the regime's right to rule. While the regime's legitimacy is mainly about the belief and acceptance of the regime in the power the institutional authority is mainly concerns "people's perception of state institutions in themselves, such as the police or judiciary" (Kristin Bakke et al 2012, 4).

Verena Fritz and Alina Rocha Menocal characterize the state not only based on internal, but also external dimension of legitimacy. After World War II the principle of sovereignty, legal equality and non-interventionism were protected in United Nations system. Since then the state is regarded as a sovereign and autonomous at the expense of the international level once the United

Nations recognizes it as mentioned despite the fact whether it meets any of the criteria of the internal legitimacy of the state (Verena Fritz and Alina Rocha Menocal 2007). Further Robert Jackson highlights this contradiction of internal and external features of the state indicating the states that hold external judicial statehood but possess limited internal capacity of state (Verena Fritz and Alina Rocha Menocal 2007). This group of authors argues that the absence of legitimacy at the minimum extent hinders the states functioning (Verena Fritz and Alina Rocha Menocal 2007; Rueschemeyer 2005). Wolf links the two above mentioned fundamental principles of the functioning states. He mentions that the security is not the only precondition for the successful state but links it with the concept of legitimacy and claims that these two concepts are closely related (Wolff 2011, 5).

Yasue Mochizuki, Verena Fritz and Alina Rocha Menocal give more detailed features that the state needs in order function. At the internal level it should be effective, legitimate and stable, at the external level it should meet the international standards and involve authors such as government officials, civil society representatives and finally international community (Mochizuki 2009; Verena Fritz and Alina Rocha Menocal 2007).

Rotberg, Zartman and Stanislawski argue that states differ in terms of to what extent they control their territory and perform governmental functions. They indicate that some of the states may have full control at the expanse of their territory but the other ones may have difficulties to uphold control and integrity. The state can have a monopoly on its means of violence, but may be unable to supply infrastructure, sustain rule of law, or it may possess functioning military, but ineffective bureaucracy. Thus far according to them no state is capable to implement all the functions assigned to it (Eriksen 2010; Stanislawski 2008). Before proceeding to the definition of state-building it is important to define the concept of “de facto” states, as far the the scope of

research is mainly related with Abkhazia and Nagorno Karabakh, which in academic literature are mainly referred as “de facto” (Lynch, 2002, Markedonov 2012a, Paul Kolsto and Helge Blakkisrud 2008, Stanislawski 2008, Kristin Bakke et al 2012). De facto or unrecognized states look and act like states, but lack international recognition of being as a state (Kristin Bakke et al 2012). More broader definition of the concept distinguish de facto states as the ones which have organized political leadership, has popular support and the government has enough capacity to serve to its population in its applied territory although. The leaders of these states are not recognized as presidents or heads of their government. These states consider themselves capable to enter into relations with other states and seek to acquire widespread international recognition as a sovereign state (Lynch, 2002; Markedonov 2012a). From the perspective of state David Lynch argues that Abkhazia, compared with Nagorno Karabakh, has weaker state control over its territory. Moreover Nagorno Karabakh is much stronger in the sense of armed force structure, border troops etc (Lynch, Separatist States and Post-Soviet Conflicts 2002). According to Lynch the Abkhazian government is not able to provide law and order in its territory, and the services that the government provides for its population are very weak though the legislative, executive and judicial institutions keep on their daily operations (Lynch 2002). According to Caspersen de facto states such as Nagorno-Karabakh and Abkhazia, are relatively successful to consolidate statehood. Based on the international community’s policy in relation with Kosovo “standards before status” these de facto states are mainly focused on the strengthening their internal sovereignty by building and consolidating state institutions and adopting symbols associated with the independent state. Based on this approach Abkhazia and Nagorno-Karabakh now display most of the “formal trappings of democratic statehood” (Helge Blakkisrud and Paul Kolsto, 2012 a).

State-building

In the literature the state building process is defined in different ways and has different meanings. More general and broader definition of the concept is based on the building and establishing state function and institutions (Mochizuki 2009).

More narrow and detailed definition of the state building means the establishment of an independent, sovereign state ruled by the central political authority over the defined territory by setting up the legitimate monopoly of violence within the society, building state institutions and organizations in the following fields: security, public administration, protection of human and civil rights, establishment of legal system, provision of public goods, tax and macro-economic regulations which will strengthen the state and enhance the state's capacity in terms of function provision (Jianxing Yu and Ziyang He 2010).

The narrow definition of state-building based on the institution building is related with actions of establishing, reforming and strengthening the institutions (Call and Cousen cited in Organisation for Economic Co-Operation and Development 2003) which are considered the legislative, the executive and the judiciary (Mochizuki 2009).

On the same basis Roger Kangas, Caplan and Brinkerhoff indicating the basic functions of the state such as economic, trade, finance and foreign relations as important indicators of state building, they argue that the state-building process firstly needs to start with building state structures which involves institution of power (Legislative, executive and judiciary) and control over military and security institutions (Kangas 1994; Verena Fritz and Alina Rocha Menocal 2007). The authors believe that state-building both taken by national and international actors should be started from establishing and strengthening these institutions and after the establishment the actions of the functional state such as security, rule of law, delivery of the

main goods and services will be provided (Kangas 1994; Verena Fritz and Alina Rocha Menocal 2007). Another author Samuel Huntington while exploring the role of institutions argued that despite the fact that bureaucratic rule of government is important in terms of stability in the state, but highlighted the importance of strengthening and institutionalization of political sphere thus bringing the idea of political institutions and their role in state building and stability. Political institutions, parties and political individuals can strengthen the state both in terms of legitimacy and institutionally (Chandler 2004).

Based on these arguments we can refer to the cases of Abkhazia and Nagorno-Karabakh. According to Caspersen these de facto states are more “state-like” and have made progress in terms of institution building. Moreover these two states have been much more successful than Kosovo in this regard and this is in the case where they lack international engagement in their territories compared with Kosovo (Caspersen 2009). But on the other hand Lynch argues that though they have institutional features of state, they lack its substance (Lynch, *Frozen Conflicts* 2001).

The literature on the state-building debate is mainly related with the “normative and pragmatic arguments” concerning the desirability and importance of the institutional design of the state (Wolff 2011, 4) Another group of authors agreeing with the idea of creating and strengthening the existing institutions (Fukuyama cited in Organisation for Economic Co-Operation and Development 2003; Wolff 2011), argue that before building the state institution minimum level of security and monopoly of legitimate power is needed to be established (Fukuyama 2005; Wolff 2011). Here comes the opposite view of the authors who argue that before the establishment of the institutions main functions must be defined which will comprise basic foundation of the state upon which the other functions and institutions will be built

(Fukuyama 2005; Wolff 2011). In the sense of state functions OECD report defines and differentiates 5 broad state functions at the basic stage: political processes, functions of the governance, security provision, economic functions and finally social welfare functions. Besides these main functions states also possess international relations functions (Organisation for Economic Co-Operation and Development 2003, 34). Another group of authors explores core functions of the state as public administration, security establishment and the rule of law (Verena Fritz and Alina Rocha Menocal 2007; Eriksen 2010). It is also argued that once these three main functions are established more “output oriented functions can be built upon” (Verena Fritz and Alina Rocha Menocal 2007, 25). By mentioning output oriented the authors take into account the functions that the state should provide with prioritizing and establishing objectives within and among them (Verena Fritz and Alina Rocha Menocal 2007, 25).

One of the main domains of state function rule of law does not have widespread and internationally accepted definition but there is mutual ground of the main features of state: the law is equal for everyone without discrimination, the constitution possesses priority over other laws, the government and administrative bodies are bounded with the law, the three authorities of government legislative, executive and judicial should function independently, but at the same time interdependent judiciary system should work separately to prohibit the abuse of power and finally respect of human rights (Schlaeppli 2008; Hager 2000; Verena Fritz and Alina Rocha Menocal 2007).

Another domain of state function which is security, together with rule of law are fundamental domains of the state building process. The other functions of the state can not be applied if the security is not provisioned and the rule of law is not guaranteed. In terms of state-building security is defined as an establishment of monopoly of power over the defined

territory (Organisation for Economic Co-Operation and Development 2003; Verena Fritz and Alina Rocha Menocal 2007).

According to Weber, Tilly and Man another important domain of state and state building is administrative structure which is at the core of the “infrastructural power” which according to Mann is an important capacity of modern states (Verena Fritz and Alina Rocha Menocal 2007). Infrastructural power largely pertains to the state bureaucracies and state public services such as public education and the capability of state to impose the policy over the state territory (Verena Fritz and Alina Rocha Menocal 2007).

Literature on state function further differentiates the functions of the state between essential “survival” functions and “expected” functions. Based on this conceptualization, the state’s function of “survival” includes provision of security, rule of law and capability to raise revenue, which can serve as an institutional framework for the state and state building process. In terms of “expected” functions, the state is supposed to deliver additional functions such as a service delivery, health care and education and social protection (Susy 2012; Organisation for Economic Co-Operation and Development 2003). Zartman and Rotberg also distinguish between services the state provides starting from “security, rule of law, protection of property, the right of political participation, provision of infrastructure and social services”. They highlight the security provision as a fundamental service of the state (Eriksen 2010, 231). According to Zartman the state firstly is a service provider and based on this argument the author indicates that the state can collapse if the main and basic functions of the state are not implemented. From the same token Robert defines inability of service provision as a state failure (Eriksen 2010)

Within the framework of state-building another group of authors see the main institutions and state functions as closely related terms that should be implemented interrelated. Brinkerhoff

and Caplan argue that during the state-building process effective function and service are provided through functional state institutions (Verena Fritz and Alina Rocha Menocal 2007). Based on these arguments group of authors indicate that within the state in state-building process, the state foundations is established (government) through which the state will function (Verena Fritz and Alina Rocha Menocal 2007)

Verena Fritz and Alina Rocha Menocal put at the core of the state building foundation (government) political settlement which is mainly about functioning and legitimate government and constitutional rule which as the authors highlight is “surrounded” by the main state functions (Verena Fritz and Alina Rocha Menocal 2007, 24). From this perspective of state-building, all post Soviet de facto states are more or less successful in stabilizing institutional foundations of their states. According to Steinsdorff, these de facto states have already established legal basis for political decision making, crucial constitutional institutions are also established and the members of the parliament and government are recruited by the elections which are hold on regular basis (Steinsdorff, 2012). In case of unrecognized states, like Abkhazia and Nagorno-Karabakh, who are constantly under threat and are not protected by the norms of non-intervention, these states also need effective government. According to Caspersen for unrecognized states “popular legitimacy and internal cohesion” are tools to strengthen the entity (Caspersen 2009, 11).

Here comes the discussion of another benchmark of state building which is legitimacy. As we have already discussed the term legitimacy mainly pertains to the internal and external dimension of the term (Kristin Bakke et al 2012). Internal legitimacy is largely about state and society interaction based on the mutual roles and responsibilities (Kristin Bakke et al 2012; Organisation for Economic Co-Operation and Development 2003; Verena Fritz and Alina Rocha

Menocal 2007). From the perspective of de facto states Caspersen argues that the internal sovereignty of these states is absent which is related with the lack of external sovereignty (international recognition). This argument is mainly based on the fact that internal sovereignty depends on the external one (Caspersen 2011a).

Scharf (cited in Organisation for Economic Co-Operation and Development 2003) distinguishes legitimacy as the participation of the society in the decision-making process and as “the problem-solving quality of laws and rules” (Organisation for Economic Co-Operation and Development 2003, 24). From the perspective of the society participation in decision making, elections can serve as a tool in the legitimating the new state or regime or can serve to the government that lacks strong state capacity in terms of legitimacy. It can also increase the cohesion or agreement between the state and society based on the concept of social contract (Organisation for Economic Co-Operation and Development 2003; Verena Fritz and Alina Rocha Menocal 2007).

Constitution making also plays an important role for establishing legitimate government in state building process especially when the society is deeply divided within the state. It is considered an important tool to promote dialogue, negotiations and also consensus-building (Verena Fritz and Alina Rocha Menocal 2007). According to Stanislawski though the unrecognized states of post Soviet area “mimic democratic order”, but these states were able to strengthen their state by adopting constitution and electing central authorities, which are considered essential means for state-building process especially for unrecognized states. (Stanislawski 2008, 373)

The external legitimacy is mainly about international recognition. Though it does not have much to do with internal stability of the state, but it has an important role in state-building

for non-recognized states and for the ones where the state authorities are largely dependent on international legitimating in order to compensate the lack of strong state-society relations (Kristin Bakke et al 2012; Organisation for Economic Co-Operation and Development 2003). The concept of international recognition both in theory and diplomatic practice is considered as a political step rather than as a step to confer legal status (Akba 2011). International recognition plays essential role for de facto states for several reasons: first of all it can solve the security issue for these states, decrease constant the risk of violent conflict. Moreover recognition provides access for markets and market systems on the international level. Besides mentioned above, the international recognition gives an opportunity for membership in the organization on the regional and international levels (Steinsdorff, 2012). On the other hand Kolsto and Blakkisrud argue that non recognition have two opposite directions. Firstly, as far these de facto states are not members of international organizations “they are bound by the conflict-reducing regulations that these organizations provide”, this can also attract for criminal and shady businesses. On the other hand as far these states are eager to acquire recognition, they will be keen on to demonstrate that they are able to leave as a functioning statehood even better than recognized one (Helge Blakkisrud and Paul Kolsto, 2012 a, p. 5).

In the scope of literature review different approaches and definitions were discussed. More general approach is the building of state institutions and providing state functions. In order to be more precise and to have common ground for comparison a narrow definition is derived from the literature. In the scope of this research state building will be discussed based on institution building (legislative, executive, and judiciary), means of promoting political views (elections) and providing basic state functions security and economic (trade and investment) in the framework of non-recognition.

Chapter 1- Development of political institutions in Abkhazia and Nagorno-Karabakh

Abkhazia and Nagorno-Karabakh are internationally unrecognized de facto states that emerged as a result of disintegration of the Soviet Union. The secessionist movements resulted to armed confrontation and bloody conflict in both states which were terminated by the cease-fire agreements. The cease-fire agreements established new status quo. After these agreements, forces of Nagorno-Karabakh and Abkhazia controlled almost the entire territory of their former entities: Nagorno-Karabakh Autonomous Oblast (NKAO) and Autonomous Republic of Abkhazia respectively. In other words these two South Caucasian de facto states were able to establish physical control over the territories they claimed (Helge Blakkisrud and Paul Kolsto, 2012 a). In addition to the territory control, they possess another feature of the state which is the permanent population. In NKR there are 146.6 thousand of people with 95% Armenian ethnic composition (President of the Artsakh Republic 2014a). Population in Abkhazia is 242. 826, out of which 50.71% are ethnic Abkhaz, 17.39% are Georgians, 17.93% are Armenians, and 9.17% Russians etc (Abkhaz World, 2013). Behind the frozen cease-fire line, with the permanent population and defined territory, these de facto states started state-building process by stabilizing institutional foundation (Helge Blakkisrud and Paul Kolsto, 2012 a).

Based on the definitions and explanations discussed in the introduction and literature review this chapter will start to analyze state-building process in these two de facto-states. As it has been already mentioned state-building process firstly begins with establishing state structures which traditionally includes institutions of power (legislators, executives and judiciaries). Later on means of promoting political view (elections) will be discussed, and finally the state ability to control over basic functions in terms of security establishment and economy (trade and

investments) in the situation of not-recognition will be discussed and analyzed (Kangas 1994, 29).

The chapter will introduce the development of state structures executive, legislative and judicial institutions on separate basis respectively starting from Abkhazia. Later on comparative analyzes of these two de facto states will be provided.

Institution building in Abkhazia

By October 1993, Georgia had already lost its de facto sovereignty over the territory of former Autonomous Soviet Socialist Republic of Abkhazia. In May 1994 Russian-mediated ceasefire agreement was signed which put the peacekeeping forces under the jurisdiction of the CIS Council of Heads of States (Markedonov 2013, 41). In the sake of political independence from Georgia Abkhazian leaders initiated building a legal framework which aimed to serve as a legal basis for statehood formation (Markedonov 2013). The Abkhaz leadership made its steps to strengthen and institutionalize de facto state and establish its independent political identity separate from Georgia. In 1994 Abkhazia adopted its constitution and in 1999 the Act of State Independence of the Republic of Abkhazia established the fundamental principles of the de facto state (Markedonov 2013).

Abkhazian state exercises its authority based on the separation of legislative, executive and judicial powers (Constitution of the Republic of Abkhazia, Article 7). Executive power of the state is exercised by the president of the Republic of Abkhazia, who is the head of the state (Article 48). For general guidance of executive power, the President of Abkhazia directs the Cabinet of Ministers (Article 56) and the president has the right to accept or delay the resignation of the Cabinet (Article 57) without coordinating the issue with the national Assembly (Constitution of the Republic of Abkhazia).

The president of Abkhazia has strong power given by the Constitution. The preference to have strong executive branch was affected mainly by security concerns (Unpresented Nations and Peoples Organization 2011). De facto states which emerged out of secessionist movements and war, considered the office of the president as a prerequisite for these states' ability to withstand pressures from their metropolitan centers (Protsyk 2012). In case of Abkhazia presidential power was justified by the fact that the conflict between Georgia and Abkhazia was not resolved yet and there is constant threat of breaking out major fighting (Gurgulia 2004). The state which is located in unstable territory and there is constant threat of war, the strong executive is a guarantee that it will not be broken apart by the fighting of political parties in the parliament (Hill 2012). Recently ended war and permanent threat of hostility impacted not only in terms of executive dominancy, but also the appointment of the president based on ethnic criterion (Inal-Ipa 2013). The article 49 of Abkhazian Constitution indicates that "Any person of Abkhaz nationality who is citizen of the Republic of Abkhazia and who is not younger than 35 years and not older than 65 years, having the right to vote, is eligible to be elected President of the Republic of Abkhazia" (Constitution of the Republic of Abkhazia). Possible reason and explanation for the monopolization of the presidency by the Abkhaz is the influence of Soviet tradition of granting special rights upon the titular nation (Paul Kolsto and Helge Blakkisrud, 2011 b). Thus the memories of war and the soviet-era policies based on political dominance of titular nationalities laid strong elements of ethnocracy at the basis of unrecognized state (Markedonov 2012 b, Beachain 2012).

The constant threat of war also shaped the election system of the institute of the president at the first decade of de facto existence. Presidential election system in Abkhazia has passed difficult path of transformation, from the presidential election within the Parliament (year 1994),

sole candidate voting (1999) to the competitive electoral processes. During the first decade of the de facto statehood, the power was mainly concentrated in the hands of the first president Ardzinba (Markedonov, 2012 b). The first president of Abkhazia was unopposed when he run for his re-election in 1999 (Caspersen, 2008). According to Matcuzato, after seven years of political struggle against Georgia and the blockade, Abkhazian people were tired of politics; they just delegated policy to Ardzinba as their only concern for that time was survival (Markedonov, 2012 c). Another reason was the Georgian factor as a permanent threat. The official Tbilisi has never missed an opportunity to change the status quo in Abkhazia in their favor by resorting to provocations, military demonstrations and support of sabotage. Thus the existence of permanent threat of renewed conflict made possible for Abkhazian authorities to speculate on this factor (Markedonov 2012 c). It can be inferred that the initial development of the presidential institution was mainly affected by the newly ended war and unresolved conflict.

After the ceasefire agreement the primary concern was the establishment of effective governance, but gradually concern and criticisms towards the regime and need for reforms emerged, which also included the necessity to curtail the power of the president, who was previously considered an “untouchable” war hero (Caspersen 2008 p 124). This was a case with the first president of Abkhazia, Vladislav Ardzinba, who was a leading figure in the struggle of Abkhaz people for freedom and independence. He had huge trust from society, but however the maximal power concentration in the hand of single person leads to authoritarian regime (Gurgulia 2004). From this perspective Abkhazia in its initial stage was considered as a “failed authoritarianism”, where the authorities of the state were too weak to impose their authoritarian control and the society was capable to resist such tendencies. The 2004 presidential elections are a vivid example of mentioned above point (Popescu 2006). In 2004-2005 Abkhazia experienced

crisis in elections. This was truly competitive and unpredictable in its nature (Islam Tekushev et al 2013). 2004 elections were important in terms of counterproductive involvement in domestic politics by the patron state (Russia) (Paul Kolsto and Helge Blakkisrud, 2011 b). The leadership of Abkhazia and Russia failed to secure the victory of their candidate Raul Khajimba. In 2005 Abkhazia experienced the first peaceful transfer of presidential power (Islam Tekushev et al 2013). Sergey Bagapsh served as a president of Abkhazia since 2004 and the rapprochement between Bagapsh and Khajimba prevented the crisis in the Abkhazia (Unrepresented Nations and Peoples Organization 2011). Here comes the gradual movement from rule by authoritarian war heroes (Caspersen, 2011 c). The elections of 2004-2005 were the first competitive elections in post Soviet Abkhazia. It was the first time after gaining de facto independence from Georgia, Abkhazia transferred executive power to the opposition (Markedonov 2012 c). It witnessed elections where the outcome was uncertain and the result was accepted by the defeated candidate (Broers 2013). The Abkhazian political elite and the opposing side were capable to negotiate a comprehensive solution and the power-sharing deal was considered a price for political stability (Beachain 2012).

The next institution of power, the legislative one is exercised by People's Assembly-the Parliament of the Republic of Abkhazia (Constitution of the Republic of Abkhazia, Chapter 3 Article 36). In the year of 1994, in difficult conditions the parliament of the Republic of Abkhazia took the whole responsibility to adapt the Constitution. This brings to the fact that at the beginning the Abkhazian legislative had enough independence to develop its own political path. But at this point, under current conditions, such kind of legislative independence is barely possible, which indicates the trend to narrow the range of responsibilities of legislative body (Inal-Ipa 2013).

Since the dissolution of Soviet Union there were three parliaments (1996-2002, 2002-2007 and 2007-2012). At the moment, the parliamentary system in Abkhazia is still under development (Interview with Lusine Nersisyan, April 2014). The political power is largely concentrated in the hands of the executive branch; mainly the president and his close allies. The National Assembly of Abkhazia has frequently become victim to a tendency that took objection and concerns to the presidential administration rather than itself trying other possible paths of redress (local government, parliament). As a consequence the National Assembly has occasionally been accused of being out of contact from the electorate, and this explains the turnover of deputies. The National Assembly of Abkhazia is subordinate to the executive branch and it needs the latter's will in order to have its laws enforced. As a consequence there have been calls for more effective system to interact between the electorate and the parliamentary representatives (Beachain 2012). On the other hand one of the experts from Abkhazia argued that though the president is the head of the state; he does not have the authority to dissolve the Parliament. The latter in its turn has the right of impeach the president, though it needs the decision of Supreme Court (Interview with Daur Achgba April 2014).

As for political parties in National Assembly, they are weak and do not have any real political power (Interview with Lusine Nersisyan April 2014). They do not represent societal splits and there are not any explicit ideological differences between the government and opposition (Beachain 2012). The programs of the candidates resemble one another and the only difference is the structure. During their campaigns the only thing that the candidates try to do is to prove that they can fulfill their promise much better than the opponent (Jidkov 2012). Moreover one of the features of Abkhazian political parties is that they are created on the eve of presidential or parliamentary election (Beachain 2012). In addition to this many parties between

election campaigns reside in an explicit state of inactivity (Jidkov 2012). Another important factor that was also highlighted by one of the interviewees from Abkhazia is that the single-constituency majoritarian system supports tendencies which emphasize personality over party system (Interview with Lusine Nersisyan, April 2014). Though there is consensus that the party system in Abkhazia is still in its development stage, but however there is no convergence of views concerning the party system evolution in the future. To move parties away from personality based clubs toward parties representing social cleavages, much of the debate in the Abkhaz political elite is mainly focused on the electoral system (elections) and the move from the single –constituency majoritarian system to the mixed-proportional system and later on to the full proportional representation. This system is believed to bring real competition of political platforms and ideas (Beachain 2012, Jidkov 2012). It is supposed that the replacement of majoritarian electoral system with the mixed one will rise the role of parliament by making it more effective institution (Interview with Lusine Nersisyan April 2014).

The work of the parliament is not largely promoted and advertized and is not considered as a locality of power. The style of the discourse in the parliamentary sessions is consensual and non-confrontational. Even though the parliamentary deliberation are not disseminated at a greater stance, the speaker of National Assembly is against of televising debates as the presence of TV cameras may upset the consensual and non- confrontational character of the parliament (Beachain 2012).

This power hierarchy of executive and legislative emerged and developed in the conditions of the war and the blockade of the Abkhazian state, domestic social tensions and the absence of functioning economy. The administrative and military resources served as a base for the formation of the tandem of executive and legislative, which grows stronger with each term of

the office (Chkadua, 2013). All post war parliamentary elections in Abkhazia preceded the presidential ones, being ahead for two or three years. So every time the parliamentary elections and the parliament itself became preparation stage for the presidential campaign (Jidkov 2012).

In the process of state-building a number of essential principles of legislative branch were adjusted on ad hoc basis, comprising a complex interaction between the authorities and the public which sometimes brought into domestic political crisis. An example of mentioned is the 2009 parliamentary debate on amending the Law on Citizenship, which aimed to eliminate restrictions for the Gali district citizens. This debate led to social unrest and later on the issue was withdrawn (Inal-Ipa 2013).

The dominant position of ethnic Abkhazians and under-representation of minority is also central in the legislative branch. The constitution does not specify the nationality to be elected in the National Assembly and mentions that any citizen of Abkhazia, who has reached the age of 25 and has the right to vote, can be qualified to be elected as a deputy of parliament (Constitution of the Republic of Abkhazia Article 38). But still there is de facto tradition according to which Armenian, Russian and Georgian communities are guaranteed to get three seats in parliament (Jidkov 2012). This is mainly pertained with the fact that the political resolution is not reached yet which could safeguard the expression of Abkhazian identity (Clogg 2001). Taking into account the demographic vulnerability of the Abkhaz people and the constant fear of being assimilated with other cultures, the promotion of Abkhazian identity will still remain priority also in political life until the final resolution is reached (Clogg 2001; Beachain 2012).

Nowadays there is political discussion concerning the power that the executive branch of the government possess at the expense of the legislative branch (Article 19 2007). The Abkhazian governmental structure divides the power between the parliament and president

equally in theory, but in reality the president exercises much more control under current legislation which gives the President considerable power (Interview with Lusine Nersisyan April 2014; Francis 2011). The discussion about the redistribution of power between legislative and executive branches and achieving the balance between them is largely discussed within the oppositional parties, who support the idea to strengthen the Parliament (Gurgulia 2004).

The next institution of power, the Supreme Court of Abkhazia is the highest judicial body. As far there is no Constitutional Court, the Supreme Court of Abkhazia examines all the cases which concerns the compliance of decisions taken by the President, Parliament and other organs of the state power with the Constitution of Abkhazia (Constitution of the Republic of Abkhazia, Article 73). Abkhazia's judicial code is based on the Russian one (Freedom House Freedom in the World Abkhazia 2013). There is a lack of independence in the system which is related with several factors. The Constitution of Abkhazia does not encompass an article which institutionalizes a Constitutional Court (Inal-Ipa 2013). The institution itself is immature and weak and yet another important factor is the violation of the principle of irremovability of judges (NGO Sandidzan 2011, Article 19 2007). The fact is that one of the most essential principles for the independence of judges is based on the criteria that they are not re-elected every five years. The October referendum in the year 1999 made an amendment to the article 71 of the Constitution according to which judges are appointed every five year instead of lifetime appointment by the Parliament based on the presentation of the president (Gurgulia 2004). The appointment of judges in Supreme Court by the MP allows the latter to have some influence on the judges (Interview with Lusine Nersisyan April 2014). This amendment and several other factors have been evaluated in a negative way for the development of the judicial system. The other factors hindering the development of the system are mainly pertained to the fact of low

level of salaries and the uncertain length of judges that may encourage corruption and bribery. All the mentioned above undermine the independence of the judiciary. The lack of independence also comes from the Soviet practice of “telephone law” meaning that the judges may act according to the calls that they receive from above, lack of resources, corruption and also because of the poor implementation of the decisions (Francis 2011, Article 19 2007, 10). High level of corruption and lack of professionalism of the judiciary hinder the protection of human rights. The ineffective judicial system which is caused by the lack of sufficient autonomy and the absence of Constitutional court or the institutionalized tenure for judges contributed to the undermining of judicial independence (Article 19 2007, Inal-Ipa 2013). In other words judicial institution in Abkhazia is not yet sufficiently effective and independent, that is connected with the principles of formation of this institution (Interview with Lusine Nerisiyan April 2014).

Today the Republic of Abkhazia has all necessary attributes and political institutions of a recognized state, including courts, Constitution, competitive elections (Interview with Roustam Anshba, April 2014). Despite its political history, multi-ethnic character and geographic location, Abkhazia enjoys competitive political system. It has witnessed peaceful transfer of power from government to opposition in contrast to dynastic succession or revolutions and coups (Beachain 2012). The international presence in Abkhazia is rather limited; they are not allowed to support any state-building processes in the country. Any progress in that sphere is the result of internal work and legislation (Interview with Roustam Anshba, April 2014). On the other hand recognition of Abkhazia by Russian Federation had a positive impact on state-building process in Abkhazia for all spheres of life (Interview with Ibrahim Ckadia April 2014). As any state Abkhazia also faces internal problems in the political life. Executive continues to be dominating

political branch at the expense of legislative and judiciary systems and there are signs of ethocratic tendencies in political life (Inal-Ipa 2013).

Institution building in Nagorno-Karabakh

The next de facto state Nagorno-Karabakh also has been engaged in a process of state-building in the context of post-Soviet transition. NK declared itself as an independent state and initiated post-Soviet institution building and statehood formation (Panossian 2001). At first, after NK was proclaimed as an independent state, the political elites decided that the state will have parliamentary model. The Parliament of NK elected the president and prime minister who ruled via State Defense Committee- quasi military body (Panossian 2001). However the end of military actions in Nagorno-Karabakh opened possibilities and opportunities also to initiate the transition from military to civilian rule (Markedonov, 2012 c). In the late 1994 the governing elite decided to change Nagorno Karabakh from parliamentary to presidential system (Panossian 2001). In December 1994 the NKR Supreme Council introduced the institute of the president. Thus the NKR as well as many other recognized and de facto states made move from the Soviet parliamentary system to a presidential one with extensive powers (Markedonov 2012 c, Caspersen 2008). As in case of Abkhazia, initially NKR (Law on President 1994) also adopted almost full presidential semi-presidential system, where there is the office of prime minister, but it is appointed by the president and the parliament has a minimal commitment (Matsuzato 2008). This was confirmed by the Law on President in 1994, as for that time Nagorno-Karabakh did not have Constitution until referendum which was affirmed in 2006. This was mainly pertained with the fact that it was difficult for NKR to have a Constitution without coordinating it with the Armenian one, but the Armenian constitution of 1995 and the “presidentialized semi-presidential” system was also constantly challenged (Matsuzato 2008). So the solution was until

the adoption of its own Constitution and laws to bring into force the legislation of the Republic of Armenia on the territory of Nagorno-Karabakh (Waters 2005). The adoption of semi-presidential system in Armenia in 2005 opened a way for Nagorno-Karabakh to shift to the similar model (Matsuzato 2008). Taking into account the fact that NKR is on the same area with Armenia on almost all spheres of the state, it is obvious that for NKR it is better to take Armenian laws and make them suitable locally. It is also important given to the fact that Armenia is a member of international system of the states and having much more expertise, provides proper methodological assistance and expertise (Interview with Naira Hayrumyan, April 2014). In other words in its state-building development, NKR mainly applies the experience of Armenia in this process. This argument can be supported by the facts that NKR has almost the same management system as it is in Armenia and all the reforms in Armenia are introduced in NKR (Interview with Artak Beglaryan, April 2014). These facts demonstrate the pivotal role of Republic of Armenia in the establishing and assisting the state- building process in NKR.

According to the Constitution the power is exercised on the principle of the separation of the executive, legislative and judiciary powers of the government based on the checks and balances within them (Constitution of the Nagorno-Karabakh Republic, Article 6). The head of the state is the President of the Republic, elected by the citizens. He is the guarantee of the sovereignty, independence, territorial integrity and security as well. He appoints the Prime Minister and by his recommendations appoints or removes the members of the government (Constitution of the Nagorno-Karabakh Republic, Chapter 3).

Presidential elections in NKR have endorsed transfer of presidency form one president to the next, but there was not any handover from the government to opposition as in the case of

Abkhazia. In NKR the opposition candidate was able to secure a significant share of the votes (Vitali Balasanyan in 2012 with 32, 5%), but in contrast with Abkhazia, it is harder to remove the incumbents in NKR (Broers 2013). Like in many post-Soviet countries, Nagorno Karabakh has not yet passed the system of peaceful transfer of power to opposition candidate (Paul Kolsto and Helge Blakkisrud, 2012 b). The analysis of this fact gives important insight in terms of the factors that affect the development of the presidential institution in NKR. First of all the term “opposition” has a negative connotation. It is equated with someone who puts a risk for national stability which is needed in order to be able to persist the enemy. Being an opposition is not contributory to win popular support (Smolnik 2012). Pluralism is allowed in parliamentary elections but for executive power, the key players must come on the mutual and joint agreement for the candidate in order not to have potential political division (Paul Kolsto and Helge Blakkisrud, 2012 b). The presidential power and elections are too important to be contested publicly and openly. The main actors bring the question of succession as a support for the regime candidate (Helge Blakkisrud and Paul Kolsto, 2012 a). During the elections all significant and major parties chose to support the candidate from ruling regime (Caspersen 2011 a). In addition according to one of the experts there is public concern in Nagorno-Karabakh that any cleavage could be used by the enemy and there is always high risk. At this point NKR is like “besieged fortress” and any step or initiation is perceived to contain a threat (Interview Naira Hayrumyan April 2014).

The mentioned above issues bring to the need of having unity against external threat (Caspersen, 2008). Unity and stability are cornerstones in Karabakh politics and reverberate silent consensus concerning the political arena on the parameters of disagreement under the constant threat (Broers 2005). The perceived need for unity is omnipresent in Karabakh politics:

in order to sustain stability political disagreements are buried (Paul Kolsto and Helge Blakkisrud, 2012 b). The incumbent's regime is cemented as to secure the state from challengers (Broers 2005). The tendency in NKR towards unipolarity is reinforced by the constant threat of Azerbaijani attack. For a state under the permanent threat of possible renewed hostilities needs to have an opposition operating in a defined narrow field. The risk of war also imposes a need for a strong leader. The president Sahakyan, who came to power in 2007, has a reputation of strongman, which is considered to be an asset during the 2007 election (Paul Kolsto and Helge Blakkisrud, 2012 b). It is notable to highlight the fact that during these elections Bako Sahakyan was considered as a hand-picked successor of Arkadi Ghukasian the former president of NKR. But he was represented as a "united candidate" in Nagorno-Karabakh's political field. This point confirms the "letter of support" which was published and signed not only by the pro-governmental parties, Democratic Party of Artsakh and Free Motherland Party, but also the ex-opposition Armenian Revolutionary Federation-Dashnaktsutyun (ARFD) and Movement-88. In other words Bako Sahakyan was represented not as a pro governmental candidate but as a united one (Smolnik 2012). The decision to be unified around one certain candidate confirms the idea mentioned above that the "the logic of security and defense" is a mean to discredit the internal opponents. The unification around the candidate was represented as a necessary step to encounter the external threat (Smolnik 2012). In comparison with Abkhazia Nagorno-Karabakh presents completely different perception of threat. In Abkhazia situation of threat is internal, mainly cultural and demographic, while in NKR the main determinant of threat is Azerbaijan (Eiki Berg and Martin Molder 2012). Yet another interesting fact of the presidential candidate is that the latter needs to be supported not only by political establishment in NKR but also in Yerevan. People in Nagorno-Karabakh are sure that each candidate is supported and approved from

Yerevan (Interview with Naira Hayrumyan 2014). The negative effect of this perception is that voters during the elections are concerned also not to drive a wedge between Armenia and NKR two “kin states”. In other words they are afraid to vote in favor of a candidate who is less supported from Armenia (Smolnik 2012).

The “logic of security and defense” is in a contradiction with the logic of democracy and also contradicts to the principles of pluralism (Caspersen 2008 , Smolnik 2012). Striving for democratization is interrelated with aspirations of being recognized by international community, but the conflicting environment of constant threat restricts local actors (Smolnik 2012). The vivid example of this is the argument of the president candidate Mayilyan in 2007 that he had made a bid for as a candidate as it was necessary to keep the element of pluralism in the politics as it would be against the democratic values if the other candidate Bako Sahakyan which won the elections, had been elected with 98% of vote (Paul Kolsto and Helge Blakkisrud, 2012 b).

The supreme legislative body of NKR is National Assembly, elected for five year terms (Constitution of the Nagorno-Karabakh Republic, Chapter 5, Articles 76, 77). At first it was decided to have parliamentary republic, but later on the governing elite decided to have presidential republic. None of the newly established institutions have any connections and relations with Azerbaijan (Panossian 2001). Initially the legislative body was called “Supreme Council” and like other similar structures in recognized and de facto formations that arose on the ruins of the USSR, it actually continued the Soviet principles of popular representation. As in case of Abkhazia in NKR also the first president was elected by the Supreme Council of NKR (Markedonov 2010). Before 1995 parliamentary elections, new legislation was approved and the number of parliamentarians was reduced from 81 to 33 based on the first-past-the-post vote for 5 year terms in single-seat constituencies (Paul Kolsto and Helge Blakkisrud, 2012 b). 1995

parliamentary elections, which is considered the first of its kind as it was the first time after the entry into force the ceasefire agreement, was important in terms of the normalization of political life in already established de facto state. In 1996 the “Supreme Court” of NKR was renamed the National Assembly (Paul Kolsto and Helge Blakkisrud 2012 b, Markedonov 2012 c). The parliamentary elections of 1995 and 2000 indicate apparently successful democratic state-building process in NKR. For the first time the campaign was based on party organizations and party programmes. Initially the parties did not have key differences towards important issues. As in cases for president and parliamentary candidates in Abkhazia in regards with its status, there is unanimity on the question for Karabakh status as an independent state. The differences in terms of party and individual candidates were mainly related to economic and social issues. But already in relatively peace time government started to nurture party politics, which was underdeveloped in Nagorno-Karabakh at that time (Panossian 2001). The gradual state-building process opened opportunities for the emergence of the opposition and linking of democratic achievements and reforms with the prospects for international recognition (Caspersen, 2011 b). But even in this case during 2000 parliamentary elections the largest seats were captured by the Democratic Artsakh, which was a new party and was established by the running president Arkady Ghukasian on the eve of the parliamentary elections (13 seats). Most of the independent deputies of the Assembly were also considered as supporters of the president (Paul Kolsto and Helge Blakkisrud, 2012 b).

The Armenian Revolutionary Federation (ARF or Dashnaks) took the role of opposition by criticizing the leadership especially concerning the political issues (Panossian 2001). For instance during the 2005 parliamentary elections NKR opposition coalition ARF-Movement 88 argued that the country’s future is in danger and blamed the government for the prolongation an

atmosphere of corruption, bribery etc (Caspersen, 2011 b). As a matter of fact one of the experts Naira Hayrumyan highlighted that this was a period when the parliament of NKR was on its top as an effectively functioning institutions. This was mainly related to the fact that ARF Dashnaktsutyun party had 11 seats out of 33 in the parliament which ment that it could have an impact on the decision making process. But already during the next elections, its role as an opposition fraction started to diminish (Interview with Naira Hayrumyan, April 2014).

It can be inferred from the arguments above that the parliamentary elections have seen greater pluralism in NKR compared with the presidential ones (Helge Blakkisrud and Paul Kolsto, 2012 a). The 2005 parliamentary elections were the most contestened in NKR history. The new oppositon party Movement-88 became popular particularly in Stepanakert. It eneterd into allience with ARF and there was hope that it could challenge the hegemenoy of the pro-presidential bloc in the Natioanl Assembly (Paul Kolsto and Helge Blakkisrud, 2012 b). During 2007 presidential election the ruling coalition chose to support Bako Sahakyan. The opposition's support to the regime candidate citing the need for unity seems has lost the Karabakh's tradition of political pluralism and public competition (Matsuzato 2008, Caspersen, 2009). It should be noted that the level of competition in the 2010 parliamentary elections in comparison with the previous ones differed for the worse. Many well known opposition politicians did not participate in the fight for parliamentary seats (Markedonov 2012 c). This is also seen by the report of the Freedom House according to which NKR's political rights rating declined from 5 to 6 thus changing its status from Partly Free to Not Free because of the complete absence of the opposition candidates in 2010 parliamentary elections (Freedom House Freedom in the world Nagorno Karabakh 2011).

Taking into consideration the developments in the legislative body of NKR discussed above, it can be stated that the legislative institution in Nagorno-Karabakh Republic is much more involved and active in the latter's political life than it is in Abkhazia, which could be argued mainly based on the fact that this institution has seen active opposition parties for several years in NKR. Meanwhile as in Abkhazia the president of NKR is the one who retains the real power and the parliament has become an institution highly affected and associated with the president (interview with Naira Hayrumyan April 2014).

The next branch of the power, the judicial system of Nagorno-Karabakh Republic, consists of the first instance court of general jurisdiction, Supreme Court, the courts of appeal and specialized courts. According to the Constitution the judiciary system is independent. The Supreme Court is the supreme judicial body of NKR. It is comprised of the Constitutional and Appeal courts. In comparison with Abkhazia the judges in NKR are appointed for life and are appointed by the National Assembly by the recommendation of the President of the Republic (Constitution of the Nagorno Karabakh Republic, Chapter 6).

Nagorno-Karabakh has reformed its Soviet court structure and system in the late 1990s thus bringing them near to "European" standards. In terms of military reforms one of the important steps was that the military law issues are now dealt within the ordinary courts instead of military justice system. Reforms also include the appointment of judges, which includes the examination of the candidates. But on the other hand despite the improvements, there are still problems that the judiciary system confronts in NKR. One of the key problems that it faces is the low level of respect towards the system within the population. There are several factors that have contributed to the lack of trust. One of them can be found in Soviet roots, where there was lack of trust towards Soviet justice. The civil disorder during war and post war period also has

contributed to this process. Throughout the war period and especially in 1990s there were many cases, when judges were told how to decide the cases. Another major problem is the corruption which still remains throughout the judicial system and law enforcement. Low level of salaries constitutes the core of this issue. Though during the last years courts have been reorganized, the appointments were done more professionally, and there is some degree of judicial independence, but still it is considered not functioning independently (Waters 2005). As in case of Abkhazia the judiciary of NKR is still not independent in practice. The courts are largely influenced by the executive branch, also by political and economic groups (Freedom House Freedom in the world Nagorno Karabakh 2013).

Another, not less important issue that both de facto states face in this system as a consequence of not recognition is the fact that they cannot appeal to international human rights institutions. In both cases unrecognized situation limits their opportunities for the international cooperation in terms of human rights protection and the development of the institution. Article 2 of the Universal Declaration of Human rights, which stipulates that “no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non self-governing, or under any other limitation of sovereignty” (Human Rights Defender of the Republic of Nagorno-Karabakh Annual Report 2011) but still their applications are not accepted by the international community including the European Court of Human Rights and today they are deprived of the access to the international courts (Human Rights Defender of the Republic of Nagorno Karabakh Annual Report 2011; Interview with Lusine Nersisyan April 2014). Roustam Anshba, expert from Abkhazia emphasized that the official reply of denying access to international courts is the fact that they consider Abkhazia as a part of Georgia, that would mean that anybody who wants to

appeal to the them have to do so through Georgia, which is not acceptable for any Abkhazian citizen (Interview with Roustam Anshba, April 2014). One of the experts from NKR Naira Hayrumyan mentioned that even the refugees who possess rights and privileges all over the world, this is not also the case for the refugees in NKR. In addition to this she mentioned the fact that the last judicial institution that people can appeal for their rights is the court in Nagorno-Karabakh, which has negative impact on the development of the judicial systems. Judges can function without restraints meaning they are the last point to be appealed for and there is no higher human rights institution above them to control (Interview with Naira Hayrumyan, April 2014).

In the framework of the interview from both states several possible approaches were discussed how these de facto states deal with human rights issues in such cases. In case of Abkhazia, as since the 2005 Law on citizenship allows the Abkhaz citizens to hold Russian citizenship simultaneously, they can appeal for international courts as citizens of Russian Federation (The Law of the Republic of Abkhazia "On citizenship of the Republic of Abkhazia" Chapter 6). The same is about the citizens of NKR who possess Armenian passports and can appeal for international institutions (Interview with Artak Beglaryan April 2014, interview with Roustam Anshba April 2014). But the interviewees from both de facto states Masis Mayilyan and Karen Ohanjanyan from NKR and Alkhas Adzhindzhal, Roustam Anshba from Abkhazia mentioned that generally such kinds of issues are dealt within the national level. In both states there are offices of Human Rights Defender and many local active NGOs who deal with these issues (Interview with Masis Mayilyan, Karen Ohanjanyan, Alkhas Adzhindzhal April 2014).

Before proceeding with conclusions for the 1st chapter, some general remarks about the institution building in NKR are provided based on the expert interviews. Since the proclamation

of the independence the state institutions were established, which were functioning despite the fact of unresolved conflict, threat of war, international non-recognition and isolation. One of the experts from NKR Artak Beglaryan argued that the state-building and development is much more of an inner process, and the unresolved conflict can sometimes cause to the emerging of the state features related to the security issues. For instance when establishing and developing state institutions, it is also taken into account their effectiveness during war situation, in order to have state system maximum ready for any kind of changing situation (Interview with Artak Beglaryan, April 2014). As for the international recognition and its status, it may have an indirect impact, which, however, may not be significant, because other countries have nothing to do with the type or level of institutions' development. Nagorno-Karabakh population, regardless of its status in the world, is the one to choose its own principles and methods for the internal development of the state (Interview with Artak Beglaryan April 2014). During these years in the conditions of neither war nor peace NKR was capable to develop its institutions, even though the impact of unresolved conflict, uncertain future, threat of war played their role in political decision-making processes. But even affected with these factors NKR is successful in its state-building process (interview with Karen Ohanjanyan, April 2014).

Some important achievement during-state building process can be mentioned in both states. Abkhazia and NKR have avoided so called "Chechen syndrome"- which is about the infighting between rival warlords and the military forces. These two states have made attempts to overcome the "post war syndrome" or the dominance of military in political life. But in case of NKR, it confronted the power struggle in 1999 between former head General Samvel Babayan and at that time president Arkadi Ghukasian (Panossian 2001). The former minister was the most powerful economic and political player until 2000. The president and the government have been

looking to decrease the weight of the army in Karabakh politics (Lynch 2002). Samvel Babayan took control over military sector and used his position to enrich himself and his allies by monopolizing several economic areas in the NKR. But by year 2000 Ghukasyan challenged the military takeover in economic and political life of Karabakh. After failed assassination on the president, Babayan was arrested (Paul Kolsto and Helge Blakkisrud, 2012 b). The imprisonment of former defense minister was entitled by civilian leadership as a struggle between democracy and dictatorship (Caspersen, 2011 a). Babayan “clan” has been removed as a serious obstacle in the economic, political and military life both in NKR and Armenia, but still army by itself remains unified and potent force (Panossian 2001).

After analyzing the political developments in these two de facto states, several analysis and general conclusions can be drawn. Since the independence the top priority for both de facto states was building state institutions. Though this has been impeded by the destruction of the war, but the pre-existence of institutions from Soviet era had its impact. Not everything needed to be built from zero. Both states were able to built necessary organs of the government such as arm forces, parliament, courts etc (Caspersen, 2008). Thus to say at the very beginning both of them started to build their state structures based on the same political culture which was post-Soviet transition. Both states experienced problems similar the ones that face recognized states. Political regimes that came to power in these de facto states did not differ much from the post-Soviet states. The preference was for strong presidency, the legislative branch, in other words the parliaments were weak, transition period, contested election outcomes, weak institutions, political differences etc (Caspersen, 2008). As Laurence Broers argued in his interview the institution building in post-socialist, post-totalitarian societies is difficult enough, as outcomes in Georgia, Armenia and Azerbaijan indicate; in de facto contexts this is further complicated by

heightened insecure situation (Interview with Laurence Broers April 2014). On the other hand despite the fact mentioned above these two de facto states have established participatory democracy and democratic ideals. They are able to organize multi-candidate elections for executive and legislative bodies and on varying level the opposition was represented in the parliaments (Helge Blakkisrud and Paul Kolsto, 2012 a). Meanwhile each of the de facto states in the post Soviet space has its unique character. Both of them have its strengths and weaknesses in terms of capability to consolidate steady political regime (Islam Tekushev et al 2013).

In other words the first two decades of their de facto existence these post Soviet states were successful in stabilizing the institutional foundation of their statehood. The political process seems consolidated. The legal basis for political decision making is already established, the constitutional institutions are also in place, and the parliament members as well as other government officials are elected based on the regularly held elections. They are able to make their own decisions concerning the issues like political institution building, elections or policy planning (Silvia von Steinsdorff 2012). These de facto states have an organized political leadership, which has received popular support by regular elections and provide governmental services to its population. The similarity is based on the political system that they have chosen: presidential system and poorly developed party system. Though there are political differences in these states, politics is not pluralistic. As to say the political life is personalized and the decision making process is under control. From the same token though these two states have valuable achievements in terms of state building and institutional development, the insecurity and fear still remain essential features of the life and defining factor in political life at greater extent in Nagorno-Karabakh compared to Abkhazia (Lynch 2007).

Chapter 2: Elections and their role in state-building process

In pursuing state-building activities one of the central roles has been given to the conduction of elections. The institution of election itself adds legitimacy to the ruling political authority. Elections have crucial role in terms of establishing internal legitimacy especially for de facto states thus showing the legality of political regime in the question (Smolnik 2012). Referendums and elections have played a decisive role starting from the claims of independence and consolidation of the latter in these de facto states. They have presented their claims of independence and acts of legislative based on the popular elections or referendums (Lynch 2002). Since the establishment of these de facto states, several elections and referndums were held in both states. The list of elections and referendums in the chronological order is represented in the tables below.

Elections and referendums held in NKR since the independence

Presidential Elections	1996	1997	2002	2007	2012
Parliamentary Elections	1991	1995	2000	2005	2010
Referendums	1991	2006			

Table1: Source-Central Electoral Commission of the Nagorno-Karabakh Republic

Note: 1991- Referendum for the Independence of Nagorno-Karabakh Republic

2006-NKR Constitutional Referendum

Elections and referendums held in Abkhazia since the independence

Presidential Elections		1999	2004/2005	2009	2011
Parliamentary Elections		2002	2007	2012	
Referendums	1999				

Table 2: Source: Freedom House Freedom in the Abkhazia 2013

Note: 1999 Referendum for the Independence of Abkhazia

The elections in non-recognized de facto states have their features in contrast with the recognized ones. Firstly, compared to the other cases of transition countries in the post-Soviet era, unrecognized states do not receive assistance for holding elections, like financial support or advice from the organizations that assist transitional countries (Caspersen 2011 a). For instance international organizations delegated to evaluate the elections in post-Soviet era, like ODIHR, have refused to monitor the election process in Abkhazia, despite the request from Abkhazian authorities (Beachain 2012). The other consequence of being unrecognized in international arena is the constant condemnation of presidential and parliamentary elections in these de facto states by the international organizations, Baku and Tbilisi as well as by other states (Broers 2013). Another feature of elections and referendums in de facto states in comparison to other states is that the elections or referendums are considered as a significant sign of unity. For instance, the constitutional referendum held in Nagorno-Karabakh in 2006 did not confront significant voices arguing against the Constitution, as the voices against the latter were seen as a step against Karabakh's existence rather than questioning the content of the Constitution. The referendum was considered as a case to demonstrate the unity and to strengthen the de facto independence of the entity and not as a platform to demonstrate political and ideological differences and preferences (Caspersen 2008). Besides, the siege mentality among the NKR population develops a common idea that internal polarization or conflict could be exploited by the enemy (Smolnik 2012).

Despite the facts mentioned above, since the establishment of their de facto independence, these states constituted electoral institutions, which were capable to transfer power from ruling regime to the opposition. Based on these elections some observations will be delineated. In this context Abkhazia is a step further in comparison with Nagorno-Karabakh.

The transfer of power in NKR was seen in the mayoral elections of 2004, where the results were considered as a victory of the opposition. One of the candidates Nadzharian was supported and considered the president Ghukasian's candidate and the other one Aghabekian, who won the elections, was supported by the organization, where he was a co-chair, Movement 88, and by Dashnakcutyun (ARFD). These elections are considered crucial as Aghabekian defeated the candidate who was supported by the president, despite the fact that this candidate was considered as a pre-scheduled for victory (Smolnik 2012).

For Abkhazia a crucial role has played the leadership struggle between pro-Russian candidate Khajimba and opposition candidate Bagapsh in 2004 (Beachain 2012). After these elections Abkhazia's political rights rating got improved from 6 to 5 by Freedom House rates, and its status moved from Not free to Partly Free "due to increased political ferment and public engagement in the political process associated with the January 2005 re-run of the presidential election" (Freedom House Freedom in the world Abkhazia 2006). Though these and also the next elections that were held in Abkhazia were condemned as illegitimate and their results were not recognized, the outcome of these elections in Abkhazia can be analyzed through some developments in this unrecognized state (IIP Digital 2009; OSCE 2004). First of all this was the first competitive election in Abkhazia, in which 5 candidates were participating and were belonging to different political powers. Secondly, it was an essential step to prove that tough internal competition does not preclude consensus on geopolitical status and choice. Thirdly, the victory of the opposition candidate and the loss of the pro-Russian one denied another myth that unrecognized states are just puppets in the hands of the great powers and patron states. The first peaceful transfer from the ruling regime to the opposition was later consolidated by the parliamentary elections in 2007. The victory of seven oppositional candidates and defeats of

several veterans of Abkhazian politics and local oligarchs revealed that political competition has become an integral feature of Abkhazia's political life (Markedonov 2012 c). But still the opposition side argued that there was interference by the president in support of loyalist candidates and more than 20 seats were captured by three pro-presidential parties during 2007 parliamentary elections (Freedom House Freedom in the world Abkhazia 2008). It is interesting also to observe the fact that in 2004, when Abkhazia was able to change the head of state through contested elections, the neighboring Georgia had not face peaceful change of power by that time (Caspersen 2008). In other words, these elections show that Abkhazia had developed functioning electoral institution, which is capable to bring an opposition candidate to power. But still in the conditions of non-recognition and absence of international observation mission for both de facto states it is difficult to give final evaluation for the outcome in the elections. Though Nagorno-Karabakh did not witness the power change from ruling regime to opposition, but still based on 2004 mayoral elections some observations could be made about electoral institution in NKR. What was interesting in the case of Nagorno-Karabakh is the fact that after the victory of the opposition in mayoral elections, the ruling regime could not allow the natural course of events during the other upcoming elections. In their turn, after 2004 elections, the opposition politicians were confident also in 2005 parliamentary elections. The authorities in their turn, after witnessing the victory of the opposition candidate, started to recruit some of the opposition leaders (Markedonov 2012 c). The next elections come to support this argument. This was the case in 2010 parliamentary elections with the complete absence of oppositional candidates. According to the Freedom House report political rights rate in NKR declined from 5 to 6 getting the status of Not Free (Freedom House Freedom in the world Nagorno Karabakh 2011). These electoral outcomes, their consequences and the reaction of the authorities show that the electoral

institution per se is functioning and is capable to represent the real picture of the voters' preferences and on the other hand it can be threat for the ruling regime. Aghabekian's victory in mayoral elections was the unintended result of the miscalculation or too much confidence from the ruling regime, but still this was swiftly corrected by the ruling regime in the next parliamentary elections. Anyhow it is still considered as one of the main achievements in terms of democracy for unrecognized de facto state (Smolnik 2012). Later on during the 2012 presidential elections in NKR with the real campaign and struggle between two candidates, NKR improved the rating of political rights from 6 to 5 thus bringing back the status from Not Free to Partly Free by the Freedom House rankings, mainly due to competitive election and real opposition in July presidential elections (Freedom House Freedom in the world Nagorno Karabakh 2013). One of the experts from Nagorno-Karabakh Hrachya Arzumanian, director of Center for Strategic Studies "Ashkhar" in NKR, stated that in the context of not-recognition and unresolved conflict Nagorno-Karabakh cannot afford itself to have unfair and non-transparent election, thus explaining the democratic nature of Nagorno-Karabakh elections (Interview with Hrachya Arzumanian, April 2014). For both Abkhazia and Nagorno-Karabakh the competitive and fair elections in the conditions of being unrecognized play significant role for the process of state-building. Even in the condition of non-recognition and absence of support from the international community, these de facto states have witnessed competitive elections also being capable to transfer power from the ruling regime to the opposition ones.

Another important observation concerning the elections and electoral campaigns in de facto states is their own agendas and goals, which are important to understand. First of all these elections are crucial tools to show and send a message to international community that these entities exist regardless of the absence of recognition and these electoral campaigns come to

prove it (Donnacha Ó Beacháin and Sergey Markedonov 2013). They also offer leverage in the international dimension in terms of evidence of democratic practice and turnover (Interview with Laurence Broers April 2014). The next interesting observation is the fact that elections and their outcomes in de facto states are in competition with their parent states (Donnacha Ó Beacháin and Sergey Markedonov 2013). This argument is much more relevant with the case of Nagorno-Karabakh, where the transparent and free elections are essential tool to show the world that NKR is ahead from its neighboring country Azerbaijan (Interview with Masis Mayilyan, April 2014). If we look through the Freedom House reports, we can see that starting from the year 2002 to 2011 NKR was outperforming Azerbaijan in the sphere of political rights. Moreover in comparison to NKR and its competitive elections Azerbaijan’s electoral culture is based on dynastic succession since 2003 and unlimited presidential serving terms (Beachain 2012; Paul Kolsto and Helge Blakkisrud 2012 b).

Political Rights	Nagorno-Karabakh	Azerbaijan
2002	5 (1=Best, 7=Worst)	6 (1=Best, 7=Worst)
2003	5	6
2004	5	6
2005	5	6
2006	5	6
2007	5	6
2008	5	6
2009	5	6
2010	5	6
2011	6	6
2012	6	6
2013	5	6

Table 3: Source: Freedom House 2002-2013

For Abkhazia the important test in terms of being ahead from Georgia were 2004 elections and the victory of the opposition candidate, a test that Georgia had not yet met at that

time (Markedonov 2012 c). Thus, this was a peaceful transfer not a coup that Georgia had in 1992 and in 2003 (Beachain 2012). Broers in his interview argued that this is not the case for Abkhazia and Georgia, as the latter has seen recent practice of having the fairest elections in South Caucasus (Interview with Laurence Broers April 2014).

But despite this observation, several experts from both Abkhazia and Nagorno-Karabakh also admitted that more transparent and open elections can be related with the small population size of these states, where it is much easier to control the election falsifications (Interview with Masis Mayilyan, Naira Hayrumyan, Lusine Nerisiyan, Roustam Anshba April 2014). On the other hand the expert from Nagorno-Karabakh Karen Ohanjanyan totally disagreed that the elections can be considered open and transparent especially during the last years (Interview with Karen Ohanjanyan, April 2014).

Finally, after 2003 “standards before status” policy adopted by the West grasped the interest of Nagorno-Karabakh and Abkhazia: it was seen as an opportunity for the recognition that might be given to states that have succeed in effective and democratic institution building. Especially after the Kosovo recognition it raised hopes for the recognition based on institutional standards (Caspersen 2008). The development of competitive and transparent elections is the evidence of the mentioned above argument. At the initial stage of the elections in these de facto states there was little or no political competition, but later on political debate and pluralism started to emerge (Caspersen 2011 a). For instance, during 1997 presidential elections in NKR Arkadi Ghukasian, who was the Foreign Minister that time, became a new president and was considered as handpicked of Kocharyan (President of the Artsakh Republic 2014b; Paul Kolsto and Helge Blakkisrud 2012 b). But already in 2012 presidential elections there was genuine competition between the candidates. The alternative candidate Vitali Balasanyan was able to

secure 32.5 % of votes (Freedom House d 2013; Central Electoral Commission of the Republic of Nagorno Karabakh 2012). One of the international observers in the elections, who was an observer in NKR for already the 5th time, noticed that each time he witnessed more maturity and responsibility both from the organizers of the elections and the citizens of NKR (Denisenko 2012). Several rounds of presidential and parliamentary elections were assessed by international observers as free and transparent (Interview with Ashot Margaryan April 2014). Besides the facts indicated above, the evidence of transparent and fair elections is the reality of not having post-election demonstrations or large scale disputes over the elections results. These also can be considered as signs of fair and transparent elections (Interview with Artak Beglaryan, April 2014).

The development of electoral system also could be argued for Abkhazia. The first president Vladislav Ardzinba run his re-election unopposed in 1999 (Caspersen 2008). Moreover, in 2002 parliamentary elections the opposition withdrew most of its candidates as a protest over the campaign and deputies loyal to the president Ardzinba had a victory. Among the problems that were cited during this election was the promotion of pro-government candidates by the official radio and television, the disqualification of a number of candidates by the head of Central Election Commission, candidates that were supported by the opposition. So the political rights were scored 6 (1=best, 7=worst) by the Freedom House score that year (Freedom House Freedom in the World Abkhazia 2003). In contrast with the mentioned above, starting from the year 2004, presidential elections had competitive character (Article 19 2007). As in the case for Nagorno-Karabakh, the international observers in Abkhazian elections were also mentioning about the improvements of electoral procedures and overall in the conduction of the elections in 2011 presidential elections. It was also admitted that the political organization of Abkhaz society

and its desire to participate in elections in order to contribute to the decision making process of their state was on a high level (Apsnypress, 2011a). One of the interviewees from Abkhazia, Roustam Anshba admitted that he was involved in the elections as an independent observer on multiple occasions, and stated that the election system and course during the campaign and the election process was well-organized and conducted on a very high quality (Interview with Roustam Anshba, April 2014). So these facts recognized by the observers also reveal people's belief and perception towards electoral institution in terms of showing the real picture of their will.

In order to understand the public perception towards the elections, it is relevant to observe the turnout rate in the both states' parliamentary and presidential elections. In case of Abkhazia there is interesting observation concerning the little public interest towards the parliamentary elections, which is mainly connected with the weak role of the legislative body compared with the president. Parliament's inferior role in comparison to president decreases the supervisory role of the former (Gogoryan 2012). These could be seen by the turnout rate during the elections. For instance, during 2009 presidential elections the turnout rate was 73% and the Bagapsh captured 59% of the vote (Freedom House Freedom in the world Abkhazia 2010). In the next 2011 presidential elections, after the death of the ruling president Bagapsh, the turnout rate was estimated 70% and the president candidate Ankvab got 55% of the vote (Freedom House Freedom in the world Abkhazia 2012). Compared to presidential elections, there is lower turnout rate during the parliamentary ones. For instance in 2012 elections there was low 44% turnout rate, and only 13 candidates were able to win majorities in the first round of the elections and it was required to have the runoff votes for the rest 22 seats in the parliament (Gogoryan 2012).

	2009	2011
Presidential Elections	73%	70%
	2007	2012
Parliamentary elections	48%	44%

Table 4: Voters turnout rate in presidential and parliamentary elections in Abkhazia

Source: Presidential elections Freedom House

Parliamentary elections UNPO

Another interesting development during this election was that 6 incumbents out of nine including also the speaker of the parliament were defeated during this election and the preference was mainly for the independent candidates, who captured 28 seats out of 35 in the Abkhazian Parliament (Freedom House Freedom in the World Abkhazia 2013). The interest towards presidential elections in Abkhazia was also supported by one of the interviewees from Abkhazia Lusine Nersisiyan who highlighted the presidential elections as the main political event in Abkhazia and indicated presidential elections as a political event which results largely determine the course of development of the Abkhazian state, because under current legislation President has considerable power (interview with Lusine Nersisiyan April 2014).

If we draw a comparison between Nagorno-Karabakh and Abkhazia, the turnout rate in Karabakh elections is also high. For instance, during the 2007 presidential elections there was 77.4 % turnout and the candidate who won the elections, Bako Sahakyan got 85.12% votes. The next presidential elections in 2012 also got high turnout rate which was estimated 73% by the Central Electoral Committee of NKR (Central Electoral Commission of the Republic of Nagorno Karabakh 2007, 2012).

	2007	2012	
Presidential elections	77,4 %	73%	

	2005	2010	
Parliamentary elections	Majoritarian- 73,3% Proportional- 74,4 %	Majoritarian- 67,1 % Proportional- 67,7%	

Table 5: Turnout rate of presidential and parliamentary elections in NKR
Source Central Electoral Commission of the Republic of Nagorno Karabakh

If in case of Abkhazia lower turnout rate in parliamentary elections were seen in comparison to the presidential one, in case of Nagorno-Karabakh the parliamentary elections also have high turnout rate. For instance, in the year 2005 the party list for proportional election turnout rate was 74.4 % and for the majoritarian list the electorate turnout was 73.3 %. For the year 2010 the turnout rate was not as high as it was in the 2005, but still it was higher than in Abkhazia: 67.7% and 67.1% respectively (Central Electoral Commission of the Republic of Nagorno Karabakh 2005, 2010). The decrease in the turnout rate in 2010 parliamentary elections may be connected with the fact of the complete absence of opposition candidates in these parliamentary elections. Even in this case if the turnout rate is compared to Abkhazian one, the NKR electorate has interest in both parliamentary and presidential elections, which is not the case in Abkhazia where the lack of interest and subordinate role of the parliament have decreased the public interest towards this institution thus resulting in lower voter turnout.

Public perception towards the elections in both de facto states could be revealed also by analyzing the interviews from the both states that were conducted in the framework of this thesis. In case of NKR, there was widely mentioned among the interviewees that the elections play an essential role in terms of public's participation in the political life of their state and in electing state authorities of the latter. It increases citizens' role in the formulating main state institutions and active participation in the political life (Interview with Karen Ohanjanyan, Naira Hayrumyan April 2014). The elections are the best formal way to elect state authorities; on the other hand as

Hayrumyan argued there is widespread perception among Karabakh people that they are not the ones who elect the president or the parliament. It is widely believed that the presidential candidate is chosen beforehand and approved by the authorities from Armenia (Interview with Naira Hayrumyan, April 2014). The Abkhazian interviewees emphasized that the role of elections is very important as Abkhaz people historically are linked with traditions of democracy. Citizens of Abkhazia always actively participated in the decision making process of their state including in many politically important issues (Interview with Lusine Nersisyan, Alkhas Adzhindzhal, Roustam Anshba, April 2014). According to one of the experts from Abkhazia based on the factors how elections are held, who is elected, what laws are passed and how they are executed all these define the path of the development of Abkhazia. That is why it is considered as a cornerstone of state-building process in Abkhazia and is at the center of Abkhaz society's attention (Interview with Daur Achugba, April 2014).

To conclude based on the arguments mentioned above the population in both de facto states is very sensitive towards political institutions and any change of the latter's policy or behavior is reflected in the electorate turnout rate and in the outcome of the elections. If the fact that these states do not receive any international support and are isolated is taken into consideration they are still succeeding surprisingly well (Paul Kolsto and Helge Blakkisrud, 2012 b). Given that the situation in NKR is thoroughly militarized, it is not surprising that NKR in comparison to Abkhazia has lower profile of democratization in terms of transformation of power via elections. Though on the one hand there were not any cases of transformation of power, on the other hand opposition candidates were able to get significant share of votes as mentioned above. But it is much harder to displace the incumbent in NKR than it is in Abkhazia. These features of electoral politics in NKR could have different reasons and explanations, for

instance the factor of Armenia, which is a kin-state and not just patron state for NKR, and the main ethos of the secessionism is unification (Broers 2013). But on the other hand Abkhazia, which has high ethnical discrimination in favor of ethnic Abkhaz people, was still able to develop consensus oriented political atmosphere. The functioning electoral institution in Abkhazia is a step ahead compared to the one of NKR, as Abkhazia has witnessed transformation of power. So this fact has its explanation which is mainly connected with the challenges of the unsecured international status which makes political and ethnical groups in Abkhazia, who have different views, to compromise in order to evade destabilization and moreover to avoid reintegration into Georgia (Silvia von Steinsdorff 2012).

Chapter 3: Provision of state-functions in the context of non-recognition

Further this chapter analyzes how internationally non-recognition affects the main functions of the states such as security and economy (investment, trade), but before that it is also important to define recognition and give more precise definition for unrecognized state to have common ground for comparison (for the definition of the term “unrecognized state” see introduction).

One of the defining characteristics of unrecognized states, the one that determines their position in the international arena and predominates in the international debates is the absence or lack of recognition (Caspersen 2013). The main objective of de facto states is survival as a state from the military, economic and political perspectives. Underlying these factors, recognition is one of the main driving forces to survive. Any kind of recognition helps these states both politically and economically (Owtram 2011). Thus to say the recognition of de facto statehood is another feature of state building process, which makes the state more complete and gives cogent evidential value to the question under the conflict. For de facto states the recognition is not a necessary condition for sovereign statehood, but rather one of the features of the state. It increases the government’s internal legitimacy and gives a right to engage in international activities (Coppieters 2003). Recognition is defined as a unilateral act by which the recognizing state expresses its will to have full diplomatic, consular and other relations with the recognized state. The recognition declaration is a voluntary act and does not require any obligations from the recognizing side (Akaba 2011). It gives the state a right to be engaged in international activities and allows the latter to uphold its rights more comprehensively in its relations with other states (Coppieters 2003). The recognition of these de facto states can open opportunities to acquire support from international community. Moreover it will make possible for unrecognized states to

make their voices heard, bargain and negotiate in international organizations (Coppieters 2003). But in this regard the case of Abkhazia is different as after August war in 2008 Abkhazia got access to the “Geneva Discussions” for security and stability in the region. Even though the representatives from Abkhazia have not yet got official diplomatic status but they do participate as “experts” (Markedonov 2013).

Since the establishment of these two de facto states, over the last twenty years both of them have developed all signs of statehood, have achieved their de facto independence including control over their territories but not recognition in the international system (John Ishiyama and Anna Batta 2012). While the status of de facto statehood gives a temporary solution, the final goal of the state-builders would be the achieving full recognition. This is not a prerequisite for the existence of the de facto states’ government who come to power after the declaration of the state independence (Akaba 2011). But through the international recognition the elite in de facto states could keep the status and power that they have acquired during de facto independence (Helge Blakkisrud and Paul Kolsto, 2011).

This period of de facto independence has allowed these states to build state institutions and make political reforms. In the absence of international recognition, these states may diverge from the norm, but this is not the same as the absolute absence (Caspersen 2013). The non state status for these de facto entities does not imply that they exist and develop outside the international standards and norms (Muraj 2011). Thus far the developments of de facto states leave open the questions that non-recognition hinders the state-building and the establishment of statehood. It is evident that unrecognized states take different form than recognized ones, but however the absence of recognition does not render the state not viable, but results in different form of statehood (Caspersen 2013). The expert from Abkhazia Roustam Anshba stated that

Abkhazia from the very moment of its creation depends on its own in state-building process. According to him international recognition is not priority for this process. However the lack of recognition does slow a process of modernization and change of some already established institutions as there is a lack of pressure from international partners to optimize and improve already established institutions (Interview with Roustam Anshba April 2014). In addition to this the expert from Nagorno-Karabakh, Karen Ohanjanyan, stated that the absence of international recognition does not have serious impact on state and democratic institution building. On the other hand the recognition of NKR could allow the latter to proceed with state-building quickly and more effectively in accordance with international standards and methodology (Interview with Karen Ohanjanyan April 2014). Another expert from Nagorno-Karabakh, Masis Mayilyan, by highlighting the negative consequences of being not-recognized, also admitted “positive” effect of this situation arguing that these conditions forced Nagorno-Karabakh people to work on state-building process with maximum efforts (Interview with Masis Mayilyan April 2014).

De facto states need and aspire for recognition for different reasons that cannot be achieved in internationally unrecognized conditions. Above all the international recognition will settle the omnipresent security issue and drastically diminish the risk of violent conflict with the neighboring states (Silvia von Steinsdorff 2012). Unresolved conflict and the lack of international legal protections from the invasion mean that security is the most highly affected area in most de facto states. This can be indicated also for South Caucasus de facto states where the threat of violence is real (Interview with Laurence Broers, April 2014). Recognized states in their turn can face external threat and insecurity, but unlike unrecognized ones they are still protected by the norms of non-intervention and also have a chance to join military alliances. Unrecognized states that lack the international legal protections from the invasion they are

limited to the protection from their patron state. Though the support from patron state is crucial for these unrecognized states, on the other hand such kind of protection offered by the patron state challenges their de facto independence (Caspersen 2011 b). For instance in case of Abkhazia Russia acts as the main security-provider for Abkhazia, since the Georgian government refuses to sign non-use of force agreement with Abkhazia (Interview with Roustam Anshba, April 2012). In the year 2009 Russian- Abkhaz agreement was signed which gave an authorization to Moscow to build and upgrade military bases in Abkhazia (Freedom House Freedom in the World Abkhazia 2011). The second agreement was signed in 2010 based on which Russia establishes its military units unified with the Abkhazian ones and according to that agreement these military bases should consolidate long term military presence to provide security for 49 years with possible extension (President of Russia 2011). Russia continued to strengthen its hold on Abkhazia after this agreement, and on the other hand Abkhazian government encountered with growing domestic pressure. The government was continuously blamed by the opposition and independent media for giving too much control to Moscow (Freedom House Freedom in the World Abkhazia 2011). After 2008 war and the recognition by Russia, Abkhazia somehow changed the military expenditures. For instance already in the years 2010-2013 state budget allocated 282-283 million rubles each year (approximately 9, 8 million dollars), which is 3-7% of the whole state budget. It could be related with the fact that now after 2008 August war, Russia and Abkhazia have signed several defense agreements and Russian troops are stationed in Abkhazia. They are not investing for equipments or trainings, as Russia now provides the security (Law of the Republic of Abkhazia on the State Budget of the Republic of Abkhazia in 2011, 2012, 2013; International Crisis Group 2010).

Partnership in the sphere of security supplies Abkhazia with strong and effective security system which is capable to hold back Georgia's military potential (Gezdeva 2011). But on the other hand, the presence of military forces from neighboring countries may also hinder the development of national statehood in the long run (Markedonov, Abkhazia: Historical Context 2013). The case of Nagorno-Karabakh is somehow different compared with Abkhazia in relations with patron state. In reality when it comes to economic and defense spheres, NKR and Armenia are seen as a single space. Armenia is kin-state for Nagorno-Karabakh and there is not any patron-client relationship. In case of Abkhazia it is much more external dependence from Russia (Caspersen 2010). Though this is an important factor, but still it is essential to highlight that unrecognized state Nagorno-Karabakh, under constant security threat, depends on Armenia for its security provision. According to Armenian National Security Strategy, Armenia is the guarantor of security and safety of NKR's population (National Security Strategy of the Republic of Armenia 2007). In addition to this there is high level of integration between the military of Armenia and Nagorno-Karabakh (Petrosyan 2006). In his interview Broers argued that it is due to their patron states that these de facto states survive. Without them there would be reintegration by force (Interview with Laurence Broers April 2014). Thus, all mentioned arguments indicate that in unrecognized situation, these de facto states have to rely on the patron states to provide one of the core functions of the state, which is security provision.

Besides the dependency from the supporting state, these unrecognized entities also face another issue related with security. The external threat usually can increase the role of military and security institutions in the society. De facto states, not being protected by international recognition, have to depend on military force and deterrence to supply security. As unrecognized states are denied membership in all international organizations, they do not have

conflict-reducing regulations that these international organizations ensure. No international conventions are applied on these territories and there is no effective monitoring mechanism functioning there (Paul Kolsto and Helge Blakkisrud 2012a). NK faces the constant threat at the greater extent than Abkhazia. The situation has changed for Abkhazia especially after 2008 war (Interview with Alkhas Adzhindzhal April 2014). Being under constant threat and blockaded by neighboring Azerbaijan, NK has most of its financial resources spent on the security, which could have been directed to the development of other fields of the state (Interview with Ashot Margaryan, April 2014). Naira Hayrumyan in her interview highlighted the role of army as one of the most important institutions in terms of state-building firstly by giving importance to the security providing functions of the institution (interview with Naira Hayrumyan April 2014). The constant threat of war from the Azerbaijani side has made military strength and fighting readiness top priorities in Nagorno-Karabakh (Tchilingirian 1999). The army is still regarded as veto player concerning the future of Nagorno-Karabakh. In comparison with Abkhazia the army has always had stronger role in internal political life (Caspersen, 2008). In NKR the army had stayed out from formal politics, but on the other hand no decision is made which may challenge the role and power of military (Panossian 2001). Looking to this issue from the prism of the state-building, this can be considered as a double-edged sword. On the one hand under permanent threat the state cannot exist without army, on the other hand there is a risk that the military can get out of control and hinder the development towards democracy and rule of law (Paul Kolsto and Helge Blakkisrud, 2008).

The impact of the threat in the context of non-recognition has its consequence on political culture which is evident by the regime of martial law in Nagorno Karabakh. The law is still in place and enforces restrictions on civil liberties, which includes media censorship and the

ban on public demonstrations (Broers 2005, Freedom House Freedom in the World Nagorno Karabakh 2013). Even though the authorities in NKR claim that the role of martial law is symbolic and several of its provisions are not functioning, even in this case the mere existence of the law limits the development of political pluralism (Caspersen, 2011 b). In comparison with the Abkhazia, the Nagorno-Karabakh conflict is the largest in its scale in the region and there are no peacekeeping forces or international military observation posts in its territory. So in this regard the influence of the army in the political life of the unrecognized state is understandable (Petrosyan 2005). Militarization or external dependence turns to be unavoidable feature of de facto state as long as these states exist in unrecognized international arena (Caspersen 2011 b).

Yet another important factor in terms of non-recognition is the isolation of de facto states from the funding sources and resources in the international system (Broers 2013). One of the experts from Abkhazia Alkhas Adzhindzal a lecturer from Abkhaz State University argued that the most affected area of the state as a consequence of non-recognition situation is the economic one and it is one of the most important bases for the state. Not-recognition situation isolates Abkhazia from the world's funding sources (Interview with Alkhas Adzhindzal April 2014). In addition to this another expert from Abkhazia stated that without full functioning economy it is hard to solve problems of state-building and have functioning state institutions (Interview with Ibrahim Chkadu April 2014). This was also admitted by Masis Mayilyan who mentioned that the lack of recognition deprives Nagorno-Karabakh from the opportunity to use international institutions and external support for Karabakh's economic development (Interview with Masis Mayilyan April 2014). De facto unrecognized states have difficulties to acquire loans, capital investments and other resources (Caspersen 2013). Their status and lack of recognition makes them unattractive for the investments from the other states (Closson 2011). They are impeded by

international sanctions and limited to financial resources from the international community (Closson 2011). For instance the usual aid that is provided to the transition countries by World Bank, the EU, USAID and the American Bar Association offers no technical assisting programs for these states. There is a concern that interaction with these states would mean somehow recognition of the independence and it would be considered by Georgia and Azerbaijan as disrespect to their sovereignty (Waters 2005). These unrecognized states without having membership in international organizations often have access to the markets via their patron states, as they are banned from direct access (Caspersen 2010). Expert from Abkhazia in the line with other issues especially highlighted the limitation of trading opportunities as a consequence of non-recognition (Interview with Ibrahim Chkdua April 2014). A number of unrecognized states also get significant support and assistance from Diaspora population, which fund state-building projects in de facto states (Caspersen 2013). The mentioned above arguments could be discussed based on the budget allocations and economic cooperation in NKR and Abkhazia.

For instance looking to the budget of Abkhazia for year 2011 we see that 22% (1,9 billion rubles) out of the total budget (8,685 billion Russian rubles) was direct budget support allocated by Russia and another 49% (4,4 billion roubles) for the infrastructural development projects (Apsnypress State Information Agency 2012a). The direct financial support from Russia comprises 40-70% of the state-budget for different years (Interview with Ibrahim Chkadua April 2014). The same could be argued about Nagorno-Karabakh by looking through state budget data. In 2011 as in previous years Armenia provided Nagorno-Karabakh with the interstate loan which was about 87 million dollars, more than Nagorno-Karabakh's own state budget (about 63,5million dollars). Besides the Armenian interstate loan 10.8 million dollars was allocated by the Armenian Diaspora for that year (Armenian General Benevolent Union 2012).

Economic cooperation of NKR and Abkhazia with their patron states also comes to support the arguments above. In case of NKR, its economy is connected with Armenia. Economies of both states are integrated in a single economic area, they operate within the framework of united customs space, there is unified banking system and Armenian dram is legal currency in force. (Institute of Political Research 2009). In terms of trade we see that approximately 92 % of the total import for the year 2012 comprises import from Armenia, and 80% of the goods are exported to Armenia. Thus the Armenia is the main trading partner for NKR to import and export the goods (The National Statistical Service of Nagorno-Karabakh 2012).

Based on 2012 data the main trading partners for Abkhazia are Russia and Turkey. The imports are mainly from the Russia (64%) and Turkey (18%) and exports are confined only to Russia (64%) and Turkey (36%) (Apsnypress State Information Agency 2012b). The trading numbers with Turkey are primarily related with the Abkhazian Diaspora in Turkey, which is very active in lobbying Ankara for more active economic ties with Abkhazia (Clayton 2011). Though Turkey is not in the list of the countries that have recognized the independence, but still Diaspora is active in the establishment of business and even political relations with Turkey at higher level (interview with Lusine Nersisyan April 2014). The Abkhazian Diaspora's role has been fairly limited and it is mainly mediates more responsive attitude in the Turkish Foreign Policy (interview with Laurence Broers April 2014). Lusine Nersisyan also admitted about other Diaspora communities in Jordan, other Middle Eastern countries and Russia who provide financial and material support to Abkhazia (Interview with Lusine Nersisyan, April 2014).

	<i>Import</i>	<i>Export</i>
<i>Nagorno-Karabakh</i>	<i>Armenia-92%, Other countries-6,6% (UK; Turkey, Iran, UAE) CIS -1,4%</i>	<i>Armenia-80% Other countries -17,1% (96% UK, 3,2% Iran, 0,8% France) CIS-2,9%(Russian Federation, Moldova)</i>
<i>Abkhazia</i>	<i>Russia-64%, Turkey-18% Other Countries-18% (5% Baltic states, 2% Moldova; Germany 2%, Ukraine 1%, China 1%)</i>	<i>Russia 64% Turkey 36%</i>

Table 6: Total Trade Turnover in NKR and Abkhazia 2012

Sources: National Statistical Service of Nagorno-Karabakh Republic 2012

ApsnyPress State Information Agency 2012

Compared to Abkhazia in the Nagorno-Karabakh case the Diaspora context is different as it is located across many more states and politically more active and mobilized. It has been involved primarily as a donor of aid and resources for infrastructure development in Nagorno-Karabakh (interview with Laurence Broers April 2014).

The capital investments in NKR are mainly allocated by the representatives of Armenian Diaspora. The NKR does not get any direct financial assistance from the international structures (Institute of Political Research 2009). For example “Hayastan All Armenian Fund” allocates financial investment by fundraising activities on annual basis through global network of 25 affiliates (Hayastan All Armenin Fund 2014). The high growth rates of the NKR’s economy in the last few years have been primarily Diaspora driven (Helge Blakkisrud and Paul Kolsto 2011). According to Karen Ohanjanyan who is the coordinator of Nagorno-Karabakh Committee of “Helsinki Initiative-92”, Diaspora’s activities are mainly humanitarian and are forwarded toward economic development. Different organizations and experts from Diaspora provide methodological support to contribute on state-building projects (Interview with Karen

Ohanjanyan April 2014). Another expert from NKR, Masis Mayilyan also admitted the indispensable role of Diaspora in the humanitarian issues and in the implementation of strategically important infrastructure projects but added that the role of Diaspora in state-building process per se is not as big as it could be, if the rich potential of human resources in Diaspora would have been used (Interview with Masis Mayilyan, April 2014). However it is worth mentioning that the construction of the infrastructure by Diaspora support is an impetus for the development of institutions and their efficiency (interview with Artak Beglaryan April 2014). Another expert from NKR highlighted Diaspora's role in social spheres. According to him Diaspora took the significant part of the social burden in the field of medicine, education, social welfare as well as training the workers in these spheres (interview with Hrachya Arzumanyan April 2014). In other words de facto states and authorities rely on their patron states and Diaspora in case of NKR to solve the practical issues such as financial support and trade, which is limited with non recognition status (Helge Blakkisrud and Paul Kolsto, 2012 a).

The lack of international recognition and engagement in the de facto states Abkhazia and Nagorno-Karabakh have its consequences. Unrecognized states are barred from the membership of international organizations, international laws and regulations cannot be applied on their territories. These unrecognized states are unable to acquire loans from the international institutions, international markets are usually closed for them, and foreign investors are not keen to invest in unrecognized territories. Thus in this conditions these states are mainly relying on the parent states to resolve all these issues that come with the lack of recognition (Helge Blakkisrud and Paul Kolsto, 2012 a). Firstly it is about security provision which could not be dealt without the support coming from the patron states. Both Russia and Armenia are the guarantee of security for Abkhazia and Nagorno-Karabakh respectively, thus taking the burden

of one of the most important state functions which is security. Investment and trade are also confined to patron states, but here we see some diversification. In case of Abkhazia we see another trading partner, Turkey which is mainly associated with Abkhazian Diaspora actively lobbying in Ankara. In case of Nagorno-Karabakh we see the Diaspora's huge financial and infrastructural investments from all around the world.

Conclusions

More than 20 years has passed since the violent conflict has erupted in the South Caucasus region. These states gradually started establishing state foundations. For sure the greatest obstacle on their way was and still continues to dominate unresolved conflict and isolation. These two de facto states started their way from the same point collapsed Soviet Union and hostility from neighboring country, but the years of no war no peace took these two de facto states towards different directions. One thing is common for both cases. They are largely dependent on their patron states in various state areas. But the nature of dependency is different. In case of Abkhazia we saw that this de facto state at the greater extent depends on its neighbor and regional player Russian Federation. In case of Nagorno-Karabakh it is not patron-client relationship. It is about two kin states relationship with the same area almost in all spheres of the state. Even though the nature of relationship with the patron states is different for these two de facto states, but still one thing is common they depend on them. Lack of recognition and isolation from international community makes them dependent on patron-state for necessary experience, institutional capacity and finance, which means that for state-building they have to rely only on their capacity and be dependent on their patron states in this regard. Thus to say this is the environment in which these two de facto states are persuading their state building activities; international isolation, unresolved conflict and dependency from the patron states. Even though the patron state play essential role for survival of these de facto state, but overall the development of the statehood is derived internally. Over 20 years they were able to incorporate external assistance and internal motivation for institution building and establishing functioning statehood. Even the fact that the patron states play significant role, they are not in charge with internal politics of these states. The populations and authorities are the ones who are accountable

for the internal political life of these states. This is especially supported by the free, competitive and fair elections based on which the state authorities are elected who are responsible for the development of the state.

As we have seen institution consolidation such as legislative, executive and judiciary, conduction of election are incorporated with internal motivations and external support by patron state. In these sphere they are much more independent and even can go beyond the interest of the patron state as it was the case for 2004 presidential elections in Abkhazia, when pro-Russian candidate was defeated. But the relationship of these states is on totally different level when it comes to state functions more importantly security and finance. For both de facto states their patron sates are the ones who guarantee the security and insure their survival. For the security provision Abkhazia pays the price of its de facto independence being moved closer to Russia, which is not the case for Nagorno-Karabakh, where the security of kin-state Nagorno-Karabakh is one of the most important issues in Armenia. Though we have already mentioned that consolidation of state institution is a sort of internal issue, but without appropriate finance they cannot develop and function. But being isolated from international financial institutions and markets, here again patron states and Diaspora; especially in case of Nagorno-Karabakh play decisive role as main trading partners and financial resource allocators.

In other words both de facto states have all attributes of the state; population, defined territory, government who came to power with popular support, state institutions are in plays. But they lack the other component of state, recognition, which exacerbates the external threat in case of Nagorno-Karabakh and hinders more effective and comprehensive state functioning for both states.

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Appendix

Questionnaire for the experts from Nagorno-Karabakh

- How does the situation of “No war, No peace” impact the state-building process in Nagorno-Karabakh (in terms of institutions building, their functioning)
- How does the fact of not being recognized internationally impact the state-building process in Nagorno-Karabakh (in terms of institutions building, their functioning)
- What is the role of Armenia in state-building process in NKR?
- What is the role of Diaspora in state-building process?
- It is generally believed that elections in NKR are more transparent and fair than in the states they seceded from (Azerbaijan) or the patron states (Armenia). If you agree how could you explain?
- What role do the presidential and parliamentary elections play in state-building process in Nagorno-Karabakh?
- As we know, the fact of being not recognized also hinders people from NKR to appeal for international human rights institutions. How such kinds of issues are dealt within the state?

Questionnaire for the experts from Abkhazia

- How does the situation of “No war, No peace” impact the state-building process in Abkhazia (in terms of institutions building, their functioning)
- How does the fact of not being recognized internationally impact the state-building process in Abkhazia (in terms of institutions building, their functioning)
- How does the partial recognition affect state- building in Abkhazia (Question only for Abkhazia)
- What is the role of Russia in state-building process in Abkhazia?
- What is the role of Diaspora in state-building process?
- It is generally believed that elections in Abkhazia are more transparent and fair than in the states they seceded from (Georgia) or the patron states (Russia). If you agree how could you explain?

- What role do the presidential and parliamentary elections play in state-building process in Abkhazia?
- As we know, the fact of being not recognized also hinders Abkhazian people to appeal for international human rights institutions. How such kinds of issues are dealt within the state?