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## **Practicing and performing sovereignty abroad: alternative diplomacy**

Giulia Prelz Oltramonti

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### **Abstract**

Contested states claim and practice external sovereignty, notwithstanding the constraints produced by the international system's lack of recognition and their broad exclusion from formal international relations. To project their sovereignty outside of the territory that they control, they engage in various diplomatic practices. They tap into need of recognized states to activate some of the functions of diplomacy, such as communication, information exchange and negotiation, and strive to develop others, such as representation. The specific practices that contested states develop to further their diplomatic endeavours can be alternatively traditional or innovative, formal or informal. The chapter illustrates the various combinations of diplomatic practices developed by a number of contested states, whether fully unrecognised or partially recognised.

### **Introduction**

Contested states need to interact with the world, even if no other state, or very few other states, recognize(s) them. They do so in a variety of ways and of fields; this chapter explores how these entities use traditional methods of formal and informal diplomacy, and develop alternative diplomatic practices, to establish and manage those links with outside, performing sovereignty abroad while lacking recognition. This chapter focuses on contested states that result from unilateral secessionist movements, usually strengthened by the use of military force. The resulting entities control a certain population, territory, and contested borders. They carry out various state and governance functions. Notwithstanding, the statehood towards which they strive is contested and they are denied international recognition by all states, sometimes with the exception of their patron states and a few others.

Instead of focusing on their claims of statehood, the chapter explores their claims and practice of sovereignty, understood as an "open-ended, constantly evolving process of creation, re-articulation, and transformation" (Grzybowski and Černý 2023). How is sovereignty created, (re-)articulated, and transformed by contested states, so that they can practice it and perform it outside of the territory that they control? The international system constrains the options that contested states have in order to perform sovereignty externally and this leads to a series of adaptations. As contested states cannot engage in diplomacy as fully-fledged states do, they develop other ways to project their sovereignty outside of their disputed borders, engaging in forms of alternative diplomacy, while still striving to develop formal diplomatic practices.

The chapter argues that such diplomatic engagement is dictated by the potential to activate a range of functions of diplomacy, such as negotiation, communication, and representation, that are linked to the exercise of external sovereignty. The practices that contested states develop can be alternatively traditional or innovative, formal or informal. The chapter illustrates the various combinations of diplomatic practices developed by a number of contested states, whether fully unrecognised or partially recognised.

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### **Sovereignty: internal and external, de facto and de jure**

Most definitions and understandings of sovereignty rely on some sort of balance between internal and external sovereignty, which are largely understood respectively in terms of control and management of one’s territory and population versus international recognition.

According to Stephan Krasner (2001), four declination of the concept of sovereignty exist, namely domestic sovereignty (actual control over a state), interdependence sovereignty (actual control of movement across state's borders), international legal sovereignty (formal recognition by other sovereign states), and Westphalian sovereignty (lack of other authority over state, such as a non-domestic church, a non-domestic political organization, or any other external agent). These four different understandings of sovereignty, which often overlap but not necessarily, make provisions for sovereignty to be apprehended both as internal and external sovereignty.

Other approaches tilt the balance more markedly on one side or the other. There is a notion of sovereignty that has been spawned from the Montevideo Convention on Rights and Duties of States (1933), although no mention of the concept of sovereignty is made in the Convention. The Convention links statehood to the four aspects consisting of territory, population, authority and relations with other states. It disassociates statehood from international recognition: its Article 3 states that “The political existence of the state is independent of recognition by the other states” (1933, Article 3). Even its fourth criterion, which points to an external dimension of statehood, qualifies it by framing it in terms of “capacity to enter into relations with the other states” (1933, Art. 1, author’s emphasis).

At the other end of the spectrum, we find Immanuel Wallerstein’s understanding of sovereignty. According to him international recognition is a fundamental feature of a claim of sovereignty: “Sovereignty is more than anything else a matter of legitimacy [...that] requires reciprocal recognition. Sovereignty is a hypothetical trade, in which two potentially conflicting sides, respecting de facto realities of power, exchange such recognitions as their least costly strategy” (Wallerstein 2004: 44). In turn, recognized sovereignty dictates the right to enter into relations with other states, creating a circular mechanism of cause and effect.

Equating external sovereignty and international recognition therefore results in a too constraining relationship. It is consequently worth keeping in mind the option of considering external sovereignty in terms of the capacity to develop relationships between a sovereign power and other states, in line with the approach introduced by the Montevideo Convention mentioned above. In turn, this ushers in the point below, that verges on the difference between a juridically codified understanding of sovereignty and the practice of sovereignty, verging on control, capacity, and governance.

The second dimension of sovereignty that must be discussed in the context of this chapter is the distinction between de jure and de facto sovereignty or, respectively, the legal right to sovereignty and the factual ability to operate as a sovereign entity. Addressed through a legal lens, the de jure versus de facto dichotomy introduces the notion that sovereignty is far from a unitary concept and that it can be understood “a series of partial, overlapping sovereignties, each with a different name and character.” (Colangelo 2009: 625). As such, it is in line with Krasner’s above-mentioned approach. This introduces the concept of concurrent sovereignty: multiple sovereignties existing simultaneously over a particular territory (Raustiala 2005).

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These concurring sovereignties can then be divided in "formal" or de jure sovereignty, and "practical sovereignty". While the former is a political question, the latter can be "measured by the 'objective degree of control the Nation asserts over foreign territory'" (Colangelo 2009: 625). De facto sovereignty is a third declination of the concept, which means "both practical control and jurisdiction over a territory, such that the de facto sovereign's laws and legal system govern the territory" (Colangelo 2009: 626). In other words, it does not only entail the control over a certain territory, but also its management.

When it comes to evaluating the de facto sovereignty of contested states, the jury is out. The de facto sovereignty of contested states goes hand in hand with their project of state-making. The issue of statehood, in turn, is dependent, aside from international recognition, on governance, involving state capacity and institutionalization.<sup>1</sup> Secessionist actors in control of given territorial areas strive to develop them, with various results. Just as varied is how observers rate the results of these attempts.<sup>2</sup>

What is undeniable is that, while in existence, de facto states assert practical sovereignty (they maintain an effective control over a certain territory) as well as de facto sovereignty (they manage it by governing it through their own laws and regulations). They have to in order to guarantee their continued existence, lacking the sort of protection granted to recognized states by the international community. What is more, not only do they have to maintain control and manage their territory, but they have to do it rather successfully as, once again, very few of the external mechanisms of international support are at their disposal (whether provided by international institutions or international non-governmental organizations who struggle to operate outside of a recognized-state-based environment).<sup>3</sup>

As a consequence, contested states are constantly in the process of establishing and reinforcing mechanisms to assert their sovereignty. These efforts cover all above-mentioned aspects of sovereignty: external and internal, de jure and de facto. The section below sketches out the internal and external dimensions of contested states, in order to contextualize the literature on the mechanisms that contested states have developed to relate with the outside and develop their external sovereignty.

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<sup>1</sup> An argument has successfully been made that there is a strong relationship between state-building, security provision, and war. A (contested) state needs to find resources to fund its security arrangements; in turn, its security needs lead to an expansion of state capacity and institution-building.

<sup>2</sup> For example, the field was quite evenly split in its pre-2008 evaluation of Abkhazia's strengths and weaknesses. If Pegg (1998), Kolossov and O'Loughlin (1998), and King (2001) underlined its robustness, Lynch (2002) and Fairbanks (2002) argued that Abkhazia was deficient, if not in their institutional structure, then definitely in their governmental capacity. However, conflicting assessments on the strength of contested states concern not only Abkhazia and the other cases in the Caucasus but also Somaliland and Transnistria. This is due to a few elements. First, the development of the institutional capacity of a contested state should be examined in its regional context. In the cases of contested post-Soviet states and Somaliland, for example, this means taking into consideration the institutional collapse that affected the former Soviet Union and Somalia, respectively. Second, institutional capacity varies throughout time: Prelz Oltramonti traces these considerable variations in Abkhazia's and Somaliland's cases throughout the 1990s and 2000s (2020). But conflicting assessments are also due to the predicament of establishing what states' weaknesses and strengths are, spanning from the definition of a weak state as one that 'meets minimum Weberian definitions of institutions of rule and is able to carry out some basic functions but is far from performing according to domestic and international expectations of a "normal" state'" (Young 2002, 446), while the strong ones are 'states that are capable of carrying out functions that they themselves claim and that they are reasonably expected by their populations to carry out' (Nodia 2002, 415).

<sup>3</sup> As shown in Prelz Oltramonti (2020), contested states ensure their own viability through a variety of means, and with a variety of goals, which include supporting of state-making processes and strengthening internal legitimacy.

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## **Internal and external dimensions of contested states**

Scholarship on contested states has delved into the mechanisms that such entities have developed both internally and externally to enshrine their secession and deal with an overwhelming lack of recognition and formal exclusion from the international arena. This research has been largely based on qualitative approaches, but some quantitative studies have also brought their own contributions (Florea 2014; O’Loughlin, Kolossov, and Toal 2014).

Much of this scholarship is focused on the internal dimension and on how various factors impact the search for legitimacy and the claim of sovereignty of contested states. It is not in the scope of this chapter to review this extensive literature, but it is worth pointing out that these factors included the processes of nation-, institution- and state-building, as well as the links between conflict dynamics and grievances and legitimization of the ongoing processes.<sup>4</sup>

The fact that so much attention has been dedicated to the internal dynamics of contested states partly mirrors the shift that has occurred within contested states themselves, where, given the protracted lack of recognition, there has been an increasing focus on shoring up *de facto* independence by focusing on the internal. As it became clear within the decades following secession that international legal recognition was not within reach, contested states have focused on the development of effective governments and functioning state institutions, and by postponing the question of recognition to a later stage. Of course, these broad observations apply differently to the various contested states, with South Ossetia being an outlier.

This, however, does not mean that contested states have eschewed links with the outside.

Isolationist stances are harder and harder to maintain in the current globalised era. The economies of contested states are sustained through connections with the outside, whether through external budget support or external trade; imports of food, medicines, and consumer goods are standard practice. For this, alternative banking practices have been developed, as well as communication channels that allows residents of contested states to call abroad and access the internet. Residents of contested states also travel abroad, study abroad, and often rely on the support of recent and less-recent diasporas. All of these activities require some form of adaptation in the documentation that is employed or the channels that are exploited.

Representatives of those entities also travel abroad and are in a process of constant communication with the outside. This is either in the framework of negotiations around the issue of status and conflict resolution, or in the attempt to shore up support. However, these activities are still insufficiently explored in the literature.

When looking at the external relations of contested states, much attention is paid to the patron-client dynamic that overwhelmingly – but nevertheless to different extents – sustains contested states, whether in terms of financial support, or in security terms, or both. In this respect, there is a great deal of importance dedicated to an approach that identifies patron states as the driving force behind the viability of the secessionist entities. This is particularly stark when looking at Russian patronage and geopolitical interests (Artman 2013; Riegl and Doboš 2017; Abrahamyan 2019; Hoffmann and Chochia 2020), but it is just as engrained in the cases of Turkey (Pegg, 1998)

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<sup>4</sup> Laurence Broers and Scott Pegg provide two comprehensive reviews of the existing scholarship on these issues (Broers 2013; Pegg 2017).

and Armenia<sup>5</sup>. This approach is limiting for a variety of reasons. First, some contested states do not have patrons. Somaliland is the most often-cited example, but this was the case for Chechnya as well. Second, given the unbalance in power between patron and client states, this approach usually shifts the focus on the interests of the patron state, denying client states their agency. Third, this approach obscures the engagement of contested states in the wider international arena and their relations with entities that are not the patron. Fourth, it entails that contested states' engagement with the outside, and more specifically their patrons, is a consequence of their security and economic needs, and those security needs are largely fulfilled through military and budget support – although the literature focuses more extensively on the former, rather than the latter.

As a consequence, the logics behind contested states' engagement with other external actors and the particular ways that they craft to navigate the international while not being granted the legitimacy to do so, remain largely unexplored. A number of researchers have started to address this gap. Daria Isachenko (2020) has studied the cooperation among contested states themselves, exploring the relations between Abkhazia and Transdniestria. Eiki Berg has conducted, in cooperation with other researchers, studies on various aspects of contested states' external relations, eschewing the dominant patron-client lens (Berg and Vits 2018; Berg and Pegg 2016). Andreas Pacher (2019) has looked at the ontological security dimension that might explain diplomatic relations among contested states and with some South American and Pacific nations.

Other studies have focused on the processes on conflict resolution and conflict transformation. In these processes, the patron becomes one of the many actors in the picture and the contested states' representatives are granted some level of legitimacy. However, it is worth noting that not all secession-related conflicts have brought representatives of the secessionist entities to the conflict resolution table.

The development of diplomacy by contested states is directly related to their capacity and the process of developing relationships with other states and the international, reflecting, in turn, how they engage in developing and expressing their external sovereignty. There are, to my knowledge, no overall studies on the use that contested states make of diplomacy as a tool of their engagement with the external and of their foreign policy. However, a few researchers have carried out case-specific studies, focusing mainly on the practice of diplomacy developed by Kosovo and exploring Kosovar agency and the performative dimensions of diplomacy (Newman and Visoka 2018; Wille 2019). Also, the “engagement without recognition” literature has touched upon the subject, but with a focus on the measures taken by recognised states to engage with *de facto* authorities on a range of topics. This literature largely looks into how some key actors (the European Union, the US, some European states) navigate the recognition or non-recognition dimension when they interact with contested states and their authorities (Coppieters 2019; Berg and Pegg 2016; Ker Lindsay 2015).

## **Diplomacy and alternative diplomacy**

What is diplomacy? Any definition of diplomacy reflects a tension between a broad conception of what diplomacy is (largely as a synonym of foreign policy) and a narrower conception, by which diplomacy is one of the tools of foreign policy. Respectively, diplomacy can be understood either as the management of relationships between foreign policy actors, or as a range of non-violent foreign policy actions including the use of declarations, meetings, and negotiations with representatives of other foreign policy actors.

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<sup>5</sup> It is worth noting, however, that such links, especially in the case of mid-sized patron states such as Armenia, have been convincingly questioned (Miarka 2022; Kopeček 2019).

The second point of contention when dealing with diplomacy is to identify who are its actors. While typically diplomacy is understood to be performed by representatives of states, this is not unconditionally accepted. There are many more actors than states' representatives, on the international stage, that are involved in diplomacy. For example, international institutions and groups of states such as the EU are widely accepted as actors of diplomacy, as shown by their wide diplomatic recognition and affiliations. As the practice of diplomacy has been enlarged to include these and other non-state actors, the literature has followed, with contemporary attempts to broaden the definition of diplomacy beyond interstate relations (Bouris and Kyris 2017; Badie 2008).

However, while some actors are widely accepted as legitimate actors of diplomacy, others have not. This reflects a resistance to the widening of the field of diplomacy to include non-state actors and is the consequence of two chief considerations. First, the multiplication of actors in the international arena is seen as causing diplomacy to "los[e] both its professional and conceptual identity" (Sharp 1997: 630). Second, the practice of diplomacy has been traditionally understood as an attribute of the sovereign state. Wolfe has argued that diplomacy, is an institution that is "central to the social reproduction of the society of states" (Wolfe 1998: 49).

As an object of study, this reticence has been reflected by a proliferation of alternative typologies of diplomacy, that are also more widely accepted as a practice by traditional state actors.

The first, and most widely accepted, type of alternative diplomacy is what is widely known as paradiplomacy. The term of paradiplomacy has been used in the literature to indicate what subnational jurisdictions (cities, regions) and other non-state actors do when they seek influence beyond national borders. To a large extent, this process has been fairly uncontroversial. Across Europe, for example, local governments and regions under the jurisdiction of various states use paradiplomacy to promote their interests internationally in areas like trade, culture, tourism, politics, and the environment. De Vicunõa defines paradiplomacy as "the international activities of the regions where regions represent the sub-national units in which located in the first level of authority after the central governments" (2015: 8).

However, paradiplomacy has the potential to quickly become contentious. This is particularly the case when such regions call for either greater autonomy or outright independence, such as in the recently conspicuous cases of Scotland and Catalonia, but also in the cases of Flanders and Quebec. Some scholars argue that there lies the difference between paradiplomacy and protodiplomacy. Protodiplomacy is linked to a secessionist goal, with proto (meaning "first," "foremost," "earliest form of") designating the diplomacy taking place during the pre- independence. As such, the cases of Kosovo and the South of Sudan are sometimes presented as instances of regions that were able to develop their protodiplomacy and eventually, after gaining independence, graduated to diplomacy.

Even more controversial are the cases in which practices of alternative diplomacy by non-state actors are coupled with military means, or when they follow or precede military engagement. This case has mainly been looked at in the framework of the vast literature on rebel governance, engendering the following observations on rebel diplomacy: "rebel diplomacy less as an entirely distinct sphere of practice than as a range of activities considered from the point of view of a particular political end: the one of establishing external relations based on various forms of recognition. In this sense, it includes all practices by which non-state armed groups mimic official diplomacy (external missions and representations, observer delegations at the UN, negotiating teams...) but also the activities (including armed activities) through which they seek to establish

relations with international actors based on formal or informal recognition. Rebel diplomacy hence refers to a distinct set of practices and to a more overarching goal of international recognition for which the capacity to act as a reliable and credible armed force might prove crucial (Coggins 2015). What the literature on rebel diplomacy brings to the fore is the close link between military power and diplomatic practice, especially when it comes to non-state actors. But the capacity to engage in armed struggle is both a condition of possibility and a resource of diplomacy. In fact, no contested state would be able to engage in (rebel) diplomacy had they not been militarily successful on the ground, and had been able to shore up their de facto sovereignty through time.

All the alternative typologies of diplomacy above reflect an all-pervasive hierarchy of the international system. Minakov (2019) has convincingly classified stable contested states in the post-Soviet area as extreme periphery, in the context of a centre-periphery understanding of the world-system. He does so by identifying the characteristics of core states, semicore/semiperipheral states, peripheral states and extreme-peripheral states along 3 different axes: economic, political, and cultural. A fourth axis can be added, namely a diplomatic axis. Extremely-peripheral states are, in this axis, characterized by their inability to establish relations with internationally recognized countries (with a few exceptions dictated by a patron-client relationship).

The above-mentioned hierarchy has become increasingly rigid with the end of the 20<sup>th</sup> century.<sup>6</sup> As pointed out by Olsson (2020), during the Cold War a range of non-state actors, bolstered by military power, were seen and treated as legitimate counterparts and fully-fledged partakers of the diplomatic arena. Even further, diplomacy and warfare have historically always worked hand in hand (Barkawi 2015), so it is all the more glaring that the contested states born through war are, to a large extent, denied the legitimate use of the diplomatic tool (the exception being, sometimes, their inclusion in conflict resolution and conflict transformation processes).

Where does this resistance come from? In line with Wolfe's understanding of diplomacy as a tool of social reproduction on the international system, do states feel that they would be losing out? If diplomacy is a prerogative of the club of states, by allowing other actors to partake they would be lessening and their position and diluting their power. In the current systemic context, which it is one where it is often stated – and perceived – that globalization reduces the ability of national governments to independently implement effective policies, and that the power of states is being eroded, we can interpret the attempt of states to strengthen their own prerogatives as an attempt to maintain control and limit the losses.

What is more, however, is that diplomacy is perceived by states as a tool that contested states use to develop their own external sovereignty. To better understand states' resistance to the legitimate use of diplomacy by non-state actors and contested states, it is necessary to articulate what the established functions of diplomacy.

### **Functions of diplomacy**

Diplomacy as a practice is associated with a diverse set of functions. Some of them articulate different elements of communication: Bull (1977) distinguished four different kinds of them: communication, intelligence, negotiation, and 'friction' reduction; Jonsson (2002) regroups them under two main tabs, namely information exchange and negotiation. A number of other functions focus either on representation, or on protection and promotion of citizen and interests abroad.

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<sup>6</sup> In Chapter 1 of this volume, Moran Mandelbaum unpacks how changes in how the international community deals with sovereignty have occurred with the end of the Cold War. (Mandelbaum 2023)



Some of these functions are less controversial, even when exploited by contested states. The main one in this category is that of communication. States actually benefit from establishing codified channels of communication with non-state (armed) groups. States have to deal with a variety of actors on the international scene (including non-state armed groups and contested states) and they do so continuously, particularly in the case of neighbouring entities. Doing so through stable diplomatic or pseudo-diplomatic channels is more efficient than crafting ad hoc mechanisms. In this regard the function of 'friction' reduction is also understood to allow for a management of tension and lessening of conflict.

Negotiation, as one of the other identified functions of diplomacy could also be seen a specific kind of communication: straightforwardly argued by Fisher and Ury, "without communication there is no negotiation" (1981: 33) or, by Stein, "in essence, international negotiation is communication" (1988: 222). However, negotiation is not only communication; it is communication supported by a recognition of the legitimacy of the negotiating parties. The question then arises as to what extent it is possible to diplomatically engage without implying recognition. Ker-Lindsey (2015) argues that in the cases of Kosovo and the 'Turkish Republic of Northern Cyprus' intense diplomatic interaction has occurred with the authorities of the two contested states without leading to recognition.

However, negotiation is often not treated as uncontroversial as communication on more mundane matters is, as shown by the refusal of many state actors to directly negotiate with representative of contested states (such as in the case of Nagorno Karabagh). Negotiating directly with representative of contested states can be perceived by parent countries as an acknowledgement of the power of such representatives (. For some state actors, any sort of acknowledgement of this kind inches disconcertingly close to some form of recognition. Others find way to negotiate without recognising or even acknowledging the position that a representative or an authority of a contested state claims to embody. In fact, in the above-mentioned case of Northern Cyprus, Turkish Cypriot leaders negotiate not using their titles but rather as community leaders: the de facto 'president' of the 'Turkish Republic of Northern Cyprus (TRNC) does not negotiate as president but rather as 'leader of the Turkish Cypriot community.'

This leads us inevitably to the representative functions of diplomacy. For fully fledged members of the international community, this function of representation is one of the most straightforward ones of their diplomatic practices. It goes through the exchange of envoys (ambassadors), their accreditation to hosting governments, but also ceremonies, parties, and the participation in all sorts of political and cultural events. Very few of these practices, however, can be adopted by contested states.

Two main factors can constrain this kind external projection of sovereignty. The first is the amount of resources that actors can devote to the endeavour of representation. This is a limiting factor for all actors with limited resources, whether recognised as states or not. It affects the kind of representation that can be developed, as well as the extent of the network. In the case of contested states, representation outside of the territory is limited not only by scarce resources, but often also by the lack of recognised travel documents to be used by officials.

The second factor is determined by the constraints that recognised international actors produce in order to limit the ability of contested states to develop forms of diplomatic representation. In 1999, the international community made no provisions for Kosovo to be allowed to represent itself abroad (UN Security Council Resolution 1244). Georgia has actively campaigned since the early 1990s to limit the options of Abkhaz authorities to represent Abkhazia abroad.

The reason for this is the same that the one that motivates authorities in contested states to strive for diplomatic representation. As argued above, in the absence of de jure recognition of their statehood, contested states strive to promote their de facto sovereignty; representation is, for all intents and purposes, a performance of one's sovereignty – in the case of diplomatic representation, this performance takes place abroad, externally. Parent countries and, more widely, the international community strive to restrict this performance, while contested states are forced to develop various practices of alternative diplomacy to side-step the limitations.

### **Forms of alternative diplomacy by contested states**

What kind of alternative do diplomacies contested states develop to work around the constraints imposed by the international system, and to what ends? The practices identified vary according to the history of contested states, the relations with their patron and their parent states, as well as with their internal dynamics of capacity building. Overall, however, contested states tend to develop three different sets of diplomatic practices, which can be identified as a) traditional diplomatic practices, B) traditional informal diplomacy, and c) innovative diplomatic practices.

#### Traditional formal diplomatic practices

The first set, traditional diplomatic practices, can be seen as practices that mimic state-to-state diplomatic practices and that are largely established on bilateral bases. They are developed on the basis of contested states' relations with recognised states (in the case of Abkhazia and South Ossetia), as well as of contested states' relations with other contested states. They take the form of time-tested diplomatic practices such as exchange of permanent or semi-permanent representatives, diplomatic interactions through diplomatic notes and visits, and meetings with representatives of states, contested states or other international organisations.

Abkhazia and South Ossetia are the only two contested states that have been able to establish formal diplomatic relations, based on mutual recognition, with states other than their patron state. These states, however, are countries in the Pacific and South America that offer them no concrete gains or opportunities: Nicaragua and Venezuela (in 2009 and 2010) as well as from Nauru (in 2009), Vanuatu (in 2011), Tuvalu (in 2011) and Syria (2018). By no means, such relations enhance their viability by lessening their isolation!

Nonetheless, as shown by Parcher (2019), Abkhazia and South Ossetia invest much of their scant resources in establishing and developing formal diplomatic activities with those countries. Other significant resources are deployed in instituting and maintaining relations among various sets of contested states, as shown by Isachenko (2020) when looking at the links between Abkhazia and Transdnistria, or by the tally of diplomatic notes sent by the Donetsk People's Republic to Abkhazia and South Ossetia (Parcher 2019, 568). Once again, diplomatic exchanged among contested states cannot be understood in light of practical considerations or economic incentives.

In both cases, the projection of contested states' sovereignty externally, in the shape of diplomatic practices, is related, as convincingly argued by Parcher (2019), to ontological security and stigma management. This is all the more apparent when one traces the diplomatic activities that are developed among contested states and with some South American and Pacific nations. Such activities have no tangible returns aside from the very fact of being able to carry them out. As such, Parcher (2019) argues, they matter because they allow contested states to act as 'normal' states.

## Traditional informal diplomatic practices

The second set of practices developed by contested states to establish relations with the “outside” are pertinent to the realm of traditional informal diplomacy and largely centre around the mobilisation of diasporas and the representation of contested states’ interests through various diasporas.

Once again, diaspora diplomacy is not a practice mobilised by contested states solely. On the contrary: governments of fully recognised states, but also intergovernmental organizations, non-governmental organizations, engage diasporas as part of their diplomatic endeavours (Kennedy 2022). Notwithstanding, the practice is still perceived as peripheral to ‘real’ democracy (Cooper et al. 2013; Constantinou et al. 2016) and often included into a wider subcategory of ‘citizen diplomacy’. Lacking clear formalisation, it is characterised in this chapter as an informal practice.

The literature on diaspora diplomacy focuses on its key determinants, such as the actors involved, its modes of functioning, and its geographies (Ho and McConnell 2019); its role as a tool of conflict transformation (Democratic Progress Institute 2014); and its role in public diplomacy and as a tool of soft power. It is worth noting, however, that much of the literature has focused on the diaspora diplomacy of recognised states, albeit sometimes questioning the relationship and agency of state and diaspora (Dickinson 2017).

Somaliland’s diaspora is widely credited for contributing to the viability of Somaliland and supporting the strengthening of its institutions and infrastructure (Hoene 2010; Prelz Oltramonti 2020). Less visibly, the diaspora has also acted as a pressure group on behalf of the contested state. Norwegian-Somalis from Somaliland<sup>7</sup> argue for recognition of Somaliland as an independent state, fundamentally questioning Norway’s support for a Federal Government (Tellander and Horst 2019). As a result of the significant constituencies of Somali-descent from Somaliland in the UK, the recognition of Somaliland by the UK is extensively, and quite favourably, debated in the Commons Chamber (UK Parliament, 2022).

We might question what the coordination mechanisms are between contested states and diasporas, and whether diasporas are not simply focused on their own agendas, at times more radical than those of the contested states of origins. Two mechanisms aimed at corraling the energy of diasporas can be observed: the first is to establish representative offices in key countries and countries with significant diasporas. Such offices, which do not have formal diplomatic status, attempt to coordinate the efforts of diaspora members, create unity, and establish priorities. In January 2022, Somaliland had 20 offices of the kind across the world; all of them, with the exception of the one established in 2020 in Taiwan, were located either in countries with strategic importance for Somaliland or substantial Somaliland’s diasporas.<sup>8</sup> But while Somaliland has labelled such offices as Representative offices, they are not acknowledged as such everywhere.<sup>9</sup> Being barred from formal representation, a key task of such representative offices is that of harnessing diaspora diplomacy. The second mechanism of ensuring continuity between contested

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<sup>7</sup> Norwegian-Somalis from Somaliland were the first to arrive in Norway as the conflict started in the North in the late 1980s and some members of the community have been elected in local government positions, such as on the Oslo city council.

<sup>8</sup> The Representative offices are located in Djibouti, Egypt, Ethiopia, Kenya, South Sudan, Tanzania, Canada, United States, Saudi Arabia, Taiwan, Turkey, United Arab Emirates, Yemen, Belgium, France, Netherlands, Norway, Sweden, United Kingdom, Australia. In addition, representatives are assigned to international institutions such as the UN, the African Union, IGAD and the European Union.

<sup>9</sup> Tellingly, only some countries have set up reciprocal structures of representation or consular activity in Somaliland; among them, Djibouti, Egypt, Ethiopia, Kenya, Taiwan, Turkey, United Arab Emirates, and United Kingdom.

states diplomatic goals and diaspora diplomacy rests on a specific application of the revolving doors practice. Contested states rely on returnees from the diasporas to share what they have learned abroad and take on government positions (Rock 2021). Returnees maintain their links with the diaspora, insuring coordination and mobilisation.

### Innovative diplomatic practices

Finally, the third set of practices include innovative diplomatic practices such as the membership in parallel for a, such as the Unrepresented Nations and Peoples Organization, and subcontracting to private actors, such as Independent Diplomats. Incidentally, while these initiatives are not seen as pertaining to the diplomatic register of 'normal' states, small states increasingly rely on the support of diasporas and on some level of subcontracting to private actors for specific objectives.

Some contested states are members of Unrepresented Nations and Peoples Organization (UNPO). Taiwan has been a founding member since its establishment on 11 February 1991, Abkhazia joined in August 1991, and Somaliland in 2004. Chechnya was a member from 1991 to 2010 and Kosovo between 1991 and 2018.

As it describes itself, UNPO is “an international movement and organization established to empower the voices of unrepresented and marginalized peoples worldwide and to protect their rights to self-determination” (UNPO, n.d.). Its stated rationale is precisely that countering its members' exclusion from institutions of international governance in which only recognised states are given membership. UNPO membership is actually largely determined by one – negative – condition: all UNPO members “are denied equal representation in the institutions of national or international governance. As a consequence, their opportunity to participate on the national or international stage is limited, and they struggle to fully realize their rights to civil and political participation and to control their economic, social and cultural development” (UNPO, n.d.). It is worth noting that contested states are a tiny minority of members of UNPO which, in January 2022, counts 42 members. Other members span from linguistic communities, ethnic groups, regional entities, and many other forms of territorial and identitarian groups.

Contested States UNPO Members hope to graduate from UNPO, hopefully to the world of recognised states. However, with the exception of some of the then-Soviet founding or early members (Armenia, Georgia, Estonia, Latvia) and a few others (East Timor, Palau), this rarely happens. Also, UNPO membership seems to play little weight in it, and in increasing external de jure sovereignty.

UNPO's role is more functional: in fact, one of its key aims is to provide a forum for members to network and assists them in participating at an international level. To some extent, UNPO opens doors that its member states are unable to open alone. One of these doors is that of interlocutors in the European Parliament, where UNPO Members are sometimes included in high-level hearings, panels and conferences, and where UNPO has arranged meetings between MEPs and UNPO Members' representatives (UNPO 2011). UNPO directly addresses some pressing concerns for its members in various fora, largely acting as a pressure group. In 2019, for example, it took upon itself to lobby for mobility rights for young Abkhaz. This kind of pressure around a topic is openly exerted with a double goal: to strengthen the positions of the concerned member, and to contribute to the solution of a specific problem, in this case (the lack of) freedom of movement (BBC 2019).

The organisation Independent Diplomats (ID), plays, to a large, extent a similar role of that of UNPO, namely that of enlarging the theatre of diplomacy. It does so, however, not by providing an alternative forum, but by transferring expertise developed in the context of traditional and recognised diplomatic fora to peripheral or semi-peripheral states (South Sudan, Marshall Islands, Croatia, Moldova), contested states (Turkish Republic of Northern Cyprus, Somaliland) and a variety of other actors, spanning from interest groups (the US Tamil Political Action Council), to political parties (the Georgian Dream Coalition), to the de jure government of occupied territories (Government of the Saharawi Arab Democratic Republic / Frente POLISARIO).

The goals of ID reflect the variety of the actors that they represent. The tools that they employ are drawn from the playbook of traditional diplomacy, which is the professional background that most of its experts have. These are intelligence gathering, direct diplomacy, diplomatic outreach, public diplomacy, coalition building and, most saliently in the case of contested states, capacity building.

Somaliland has retained ID's services to improve its access to the international arena and strengthen its capacity on its foreign policy front. With ID's support, it was able to develop links with the African Union, the United Nations, EU institutions and some member states; engage with members of the UK Parliament; develop a public diplomacy strategy, implemented through an increased social media presence. The hashtag #Somalilandis25, for the 25th anniversary of Somaliland's declaration of independence in 2016, was a joint production of Somaliland's Ministry of Foreign Affairs communications staff and ID, and was hugely successful. The campaign was both a sign of celebration and affirmation of a (stable) identity.

### **The additional function of contested states' alternative diplomacy**

All three sets of alternative diplomatic practices, which were described in turn previously, contribute to the goal of performing sovereignty abroad, albeit in different ways.

While this chapter focuses on the link between diplomacy and external sovereignty, it is worth mentioning that there is one additional goal pursued through the development of some diplomatic practices, namely that of contributing to the viability of the contested entities by breaking through isolation.<sup>10</sup> While diplomatic practices are centered around core functions that consecrated sovereignty on the world stage, some practices reflect the need of contested states to establish links with the outside as isolation makes them largely unviable.

Isolation of contested states can be understood through a spectrum, which varies from cases to case and throughout time. At one end of the spectrum, we find explicit attempts at limiting all sorts of interaction of a particular contested state by both parent state and the international community. This was the case of Abkhazia in the mid-1990s, when a stringently enforced regime of trade restrictions was upheld by all parties involved.<sup>11</sup> At the other end of the spectrum, we find Somaliland, with extensive economic and infrastructure links with some of its neighbours and

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<sup>10</sup> Rebecca Bryant, in Chapter 4 of this volume, gives numerous examples of the challenges of living in an unrecognized state and navigating the 'aporetic' state (Bryant 2023)

<sup>11</sup> A treaty signed in January 1996 by 12 members of the CIS banned trade, economic, financial, transport, and other links with Abkhazia. In addition to that, and because of its own domestic security concerns, Russia also banned all men between the age of 16 to 60 from entering its territory, in effect preventing a large swathe of the population from having any interaction with the outside (Prelz Oltramonti 2020). Interestingly, the Decision of the Council of the Heads of States of CIS of 19 January, 1996, also holds that "States-members of CIS will not allow functioning on their territories of the representations of the authorities of the Abkhaz side, as well as persons officially representing these authorities" (Commonwealth of Independent States, 1996).

countries further afield.<sup>12</sup> In both cases, and all cases in between, what is crucial for *de facto* authorities is to break away from the isolation imposed by a lack of international recognition in order to ensure the viability of their contested entities. As such, they need to become facilitators of relations with the outside (whether political or commercial) that would ensure a survival of the contested states in a globalized world (Prelz Oltramonti 2020). Somaliland's representations abroad are very clearly focused on ensuring that they function as actors of promotion and protection of domestic interests, in addition to performing external sovereignty. Ample resources are devoted to establishing and strengthening commercial relations, which are meant to support its domestic economy. They also seek to function as focal points for humanitarian aid and fundraising among the diaspora (Republic of Somaliland UK Mission, n.d.).

However, the pure establishment of formal diplomatic relations with fully-fledged states does not ensure that this will happen. Since 2008, Abkhazia and South Ossetia have been recognized by Russia and a handful of other countries.<sup>13</sup> While this would seem to entail a reduction of isolation, it is not so. Diplomatic isolation might have decreased but through the establishment of links with countries that are themselves either isolated or insignificant on the global stage. The outcome is that Abkhazia has been unable to establish links with the wider world (with the exception of Russia and the few other countries that have recognized it) and to diversify its relationships with international actors. At the same time, Russia has established a *de facto* monopoly over Abkhazia's links to the outside and meticulously maintains its role of self-imposed intermediary. As a result, Russia is also functioning as an actor of isolation, a role that numerous patron states have adopted with the contested states that they back (Armenia and Nagorno-Karabakh; Turkey and Turkish Republic of Northern Cyprus), albeit to various extents and in conjunction with a support role.

## Conclusion

Contested states strive for ways to affirm their sovereignty. As *de jure* sovereignty is denied to them repeatedly and through time, they have generally come to concentrate their efforts of practicing *de facto*, or practical, sovereignty. This takes place both internally and externally. When sovereignty is practiced externally, it takes on a performative dimension that traditionally pertains to standard diplomacy. However, this chapter has explained why contested states cannot straightforwardly perform on the world stage; they are barred from it by an increasingly strict interpretation of what the criteria are to be a legitimate actor of international relations and, consequently, of diplomacy.

While these limitations have not deterred contested states from wanting to practice their sovereignty abroad, they have shaped the various forms of alternative diplomatic practices that they use to do so (including traditional and innovative ones, as well as formal and informal).

These practices are not uniformly mobilised by all contested states. For example, while Abkhazia and other contested states develop diplomatic activities among themselves and with some extremely distant and small Pacific nations, other more globally connected entities like the TRNC or Taiwan avoid association with other *de facto* states or with faraway microstates with which they

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<sup>12</sup> Somalia, as Somaliland's parent state, has been unable to isolate the contested state and is unable to control Somaliland's terrestrial, maritime, or aerial borders. Hargeisa's airport is fully functioning and connects Somaliland with regional centres and several hubs in the Arabian Peninsula. Also, Somaliland's port is one of its key infrastructures and is a matter of interest for Ethiopia, which could lessen its dependence of Djibouti as a transit country (Pegg and Walls 2018).

<sup>13</sup> After the Russo-Georgian war in 2008, Abkhazia's (and South Ossetia's) independences were recognized by the Russian Federation, Venezuela, Nicaragua, Nauru and, intermittently, Vanuatu and Tuvalu.

have no shared interest. Also, while this chapter does not aim to evaluating the effectiveness of such practices, there is very little discussion on whether they are successful in achieving specific goals.

What the chapter shows, however, is the ways that the rigidity of the current international system incubates alternative ways of performing on the world stage, or boosts the prominence of informal ones. These new ways, which are initially devised and adopted by actors at the bottom of the hierarchy of the international system, have the potential to be more widely adopted (such as in the case of Independent Diplomats, the establishment of alternative fora, or the reliance on diaspora diplomacy) and to influence both practice and performance of a much wider set of international actors and, by extension, the international system as a whole.

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