

Geopolitics of Secession

Post-Soviet De Facto States and Russian Geopolitical Strategy

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While the bipolar Cold War system in Europe was characterized by a stability of borders, the end of the Cold War brought into the former Soviet bloc a wave of more or less successful attempts of secession. In our article we point out that unrecognized entities in the proximity of Russia are not genuine attempts to establish full-fledged members of the international community but rather a deliberate reaction to a changing geopolitical situation in Europe. We argue that Russia's approach towards Eurasian unrecognized entities is not based on the denial of sovereignty first approach, but rather on utilitarian and selective application of normative theories of secession. The Kosovo precedence based on the application of priority of self-determination over the territorial integrity is a welcome pretext for justifying Russian geopolitical strategy vis-a-vis Moldova, Azerbaijan, Georgia and Ukraine. The paper deals with the presented justifications of the secession (both primary rights and derivative rights theories) of the post-Soviet unrecognized entities as well as their effectiveness and dependence on Russian support. We conclude that none of the analyzed unrecognized entities fits into a new set of normative criteria applied in the case of Kosovo and that they are only geopolitical outposts of the Russian foreign strategy of maintaining controlled instability.

Keywords: De facto states, Russian foreign policy, GUAM, secession, geopolitics, normative theory of secession.

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Europe's transformation from the modern to the post-modern system¹ has been uneven. The dissolution of multiethnic states of Yugoslavia and the Soviet Union resulted in the creation of several unrecognized entities. While those existing in the former Yugoslavia were eliminated by force (in some cases with the tacit consent of the international community), secessionist entities in the post-Soviet republics managed to survive (with the exception of Chechnya). The only entity in the post-communist region to receive a wider external legitimacy is, however, paradoxically post-Yugoslav, Kosovo, which affected Moscow's geopolitical strategy in its "Near Abroad."

The transformation of Western Europe was since the end of the Second World War rooted and directly following the process of European integration, while a similar transformation inside the post-Soviet sphere of influence was in this sense opposite. The end of the bipolar world system led to reconfiguration of the geopolitical map of Europe on which Russia lost its hegemonic position over Central Europe, the Balkans, the Baltic states and part of Eastern Europe. A growing interaction between Euro-Atlantic institutions and the former Soviet republics caused continuously increasing tensions between Moscow and Brussels, and the Kremlin never gave up its ambitions of establishing its exclusive sphere of influence. This sphere in Europe comprises the so-called remaining others – states on the periphery of the European Union with a significant Russian minority. This perceived sphere of influence thus incorporates the GUAM countries – Georgia, Ukraine, Azerbaijan, and Moldova – that to a certain degree oppose Russian attempts to influence their domestic affairs. As mentioned by George Friedman, "the situation on the European periphery, particularly in Moldova, Ukraine, Georgia and Azerbaijan: [...] defies the European narrative of the new Europe."² For Moscow an offer of NATO membership to Ukraine and Georgia was a crossing of Russia's "red line."³

Moscow's strategy is based on the strengthening of political, economic, and security ties with the states in its "Near Abroad" no matter whether these states are internationally recognized or are in the group of unrecognized "geopolitical anomalies." The growing dissatisfaction of Russia with its role in the 21st century international system outgrew verbal displays and manifested itself in the 2008 invasion to Georgia and 2014-15 aggression in Ukraine causing a deep regional crisis on the EU periphery.

Nevertheless, the territorial conflicts in Moldova, Azerbaijan, and Georgia have their roots in the era of the break-up of the Soviet Union

and are directly connected to the processes of state- and nation-building in the newly independent republics. Frozen conflicts⁴ that occurred between central governments in Chisinau, Tbilisi, and Baku and geographically concentrated ethnic minorities in Transnistria, Abkhazia, South Ossetia, and Nagorno-Karabakh from the late 1980s and early 1990s originated in the attempt of the central governments to establish exclusive policies there – such as a language policy.⁵

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As noted by Von Steinsdorff and Fruhstorfer, “[t]he four state-like entities on the territory of the former Soviet Union that emerged about twenty years ago have successfully defended their precarious independence until today.”⁶ All of them were born out of violent secessionist conflicts against their parent states soon after the collapse of the Soviet Union, as all of these entities enjoyed some kind of territorial rights or perceived themselves as being territorially distinct.⁷ Transnistria declared independence from Moldova in 1990, South Ossetia and Abkhazia from Georgia in 1991 and 1992 respectively, and Nagorno-Karabakh from Azerbaijan in 1991. “Only Chechnya acting as independent entity between 1991-94 and Gagauzia between 1991-94 lost their quasi-independent status after years of violent conflicts.”⁸

Armed conflicts between Georgia and later Ukraine on the one side and Putin’s Russia on the other hold a wider geopolitical context that manifests the long-term Moscow’s dissatisfaction with developments inside the European space – mainly with the issue of the EU and NATO enlargement into the former Soviet sphere of influence. This strategy of the Western powers, applied since the end of the Cold War, basically aim “[...] to incorporate as many of these states into NATO and the EU as possible.”⁹ Part of the conflict is also a narrative of the broken-promise of NATO non-enlargement.¹⁰

This conflict also displays a larger change in the global geopolitical setting. While the European Union acts as what Jan Zielonka describes as a neomedieval Empire,¹¹ enlarging on the principles of voluntary accession and economic incentives, Moscow is still trapped in traditional imperial logic with the application of coercive regionalism and use of military might in support of separatist regions on the European periphery. The recognition of Georgian *de facto* states of Abkhazia and South Ossetia following a five-day war with Tbilisi is, in this context, an unprecedented step. The political conflict with Ukraine even escalated into guarantees for independent Crimea – based on a remedial theory of secession with a focus on the issue of threat of genocide –

and following annexation of the territory. Consequent fighting led to the proclamation of independence of Lugansk and Donetsk People's Republics with direct economic, military, and political (short of international recognition) support from Russia on which these entities are fully dependent. This development dramatically changed a geopolitical context of the European periphery while geopolitical aspirations of these new entities still remain hazed. Also different to the most of the other recent cases of secession like Scotland, South Sudan or Bougainville, these *de facto* states do not seek a negotiated settlement of their status.

The following article deals with the misuse of the normative theory of secession in the context of the emergence of *de facto* states in the post-Soviet space. The article analyzes the claims based on different theories of secession and tests their justification in the context of Russian influence in its "Near Abroad." The first part deals with conceptualization, methodology, and theoretical frameworks used in the analysis and with the issue of the Kosovo precedent. The second part tests claims of different unrecognized entities that have emerged on the territory of the former Soviet Union since the late 1980s.

Terminology

As Von Steinsdorff and Fruhstorfer¹² pointed out, the emergence of *de facto* states is a global phenomenon. Furthermore, although there is an increasing number of recently published studies dealing with the internal and external legitimacy of the unrecognized entities,¹³ their position in an international system¹⁴ and internal dynamics¹⁵ or comparison of their political systems,¹⁶ terminological confusion in academia still persists. There is no consensus on the terminology concerning such entities and we can identify numerous definitions for entities lacking international recognition. Authors label these entities as *de facto* states,¹⁷ self-proclaimed states, unrecognized states,¹⁸ pseudo-states,¹⁹ outcast countries, pariah-states,²⁰ insurgent states,²¹ *de facto* regimes,²² para-states, almost-states,²³ proto-states, nascent-states,²⁴ separatist states, self-proclaimed states,²⁵ *de facto* quasi-states,²⁶ or quasi-states,²⁷ unrecognized quasi-states,²⁸ contested states,²⁹ and post-secessionist unrecognized states.³⁰

While King's definition closely follows a definition by S. Pegg – the term unrecognized state includes Eurasian entities aiming at international recognition and sovereign statehood – he adds other character-

istics of such entities: “[...] instances in which local armed forces, often with substantial assistance from outside powers, effectively defeated the armies of recognized governments in open warfare.”³¹ As pointed out by S. Pegg and P. Kolstø,³² this factor effectively leaves Chechnya out of the group. A different approach is applied by Kingston and Spears who conceptualized the term “state-within-state” as including a much broader spectrum of the *de facto* independent regions which are out of the control of the central government and challenge the central government’s internal legitimacy. All these entities defined by Kingston and Spears lack international recognition, are virtually independent on the central government of the parent state, but may differ in internal characteristics and ambitions to seek recognition by the international community as full-fledged sovereign states.

Additionally, A. Tsutsiyev proposed a taxonomy of unrecognized entities in order to stress a diversity of their external legitimacy by proposing three terms – *de facto* states (Nagorno Karabakh), self-proclaimed republics (TMR), and partially recognized states (Abkhazia, South Ossetia).³³ McConnell,³⁴ Berg and Kuusk,³⁵ or Pegg and Kolstø³⁶ point out the fact that unrecognized entities tend to be labelled “as illegal, pathological and clandestine and with regard to what they fail to achieve [sovereign territorial statehood].”³⁷ For this reason we propose the use of the term *de facto* state throughout the work as the term is the least normative and subjective. The term points at the factors distinguishing the entity from both, non-state actors (they attempt to achieve statehood and provide state-like functions) and states (they lack *de iure* recognition).

Conceptual framework, hypothesis, case selection, design and methodology

As Balmaceda points out, “during the last few years, scholars have paid growing attention to the political dynamics of unrecognized states.”³⁸ Much less attention, however, has been paid to the justification of the political, economic, military, or diplomatic external support of the *de facto* states from the side of the Russian Federation.

Political elites of the *de facto* states usually base their legitimization strategies for international recognition firstly on moral grounds: alleged oppression or mistreatment suffered from the central governments of parent states (justified in terms of remedial right in the theory of secession), democratization (derived from associative theory of

secession), external right to self-determination (ascriptivist theory of secession), and secondly on empirical grounds proving their ability to successfully implement the state-building project.

The article herein uses a discursive analysis to research the argumentation of Moscow and the secessionist entities in the post-Soviet space justifying support and establishment of the new, internationally unrecognized and illegitimate entities in the region. The text aims to find whether the approach of the Russian Federation towards the conflicts in the “Near Abroad” is one-sided propagation of the normative theories of secession and support for the right of self-determination over the principle of territorial integrity, or whether it is just a selective utilization of secessionist movements for the geopolitical goals of Russia in its perceived sphere of influence – the strategy of using the precedent of Kosovo’s recognition for the establishment of geopolitical outposts leading to the creation of the shatter-belt on Russian borders as a way to propagate its influence and geopolitical goals.

To reach our goal we will first analyse the statements made by leaders of the Russian Federation and the secessionist entities justifying recognition of the respective entities. We will pay special attention to the use of the arguments based on the normative theories of secession. Secondly, we will look at the effectiveness of the entities themselves as a secondary³⁹ criterion for granting statehood. Our work thus consists of the description of geopolitical importance of the secessionist entities, study of the speeches dealing with the justification of the claims for recognition, description of independence referenda where held, and the study of the internal effectiveness of the secessionist entities. Here we apply both classical theories of secession (ascriptivist – national self-determination; associative – freedom of choice; remedial; or internal effectiveness) and the new theory of secession as presented by M. Sterio⁴⁰ presenting four basic criteria present in successful secession – oppression; weakness of the mother state *vis-a-vis* the secessionist entity; international involvement (administration); and superpower’s rule.

Kosovo – precedent or pretext?

For authors like Economides, “Kosovo has been a staging post in an ongoing transformation of the international system since the end of the Cold War.”⁴¹ However, the academic discussion over Kosovo as a precedent for the post-World War II fragmentation of the political map is far from finished.⁴² For example, S. Economides points out that

“Kosovo’s independence has now become a *cause celebre* of the use of the principle of self-determination in state-creation.”⁴³ The threat of fragmentation of the political map due to the precedent set by the acknowledgment of the non-consensual independence proclamation by the Pristina leaders was heavily criticised from the side of the Russian Federation as a violation of the principle of sovereignty of Serbia.⁴⁴

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Despite the fact that the post-1945 world has witnessed other cases of application of external self-determination, the secession of Kosovo remains the most controversial case of the application of a self-determination principle as part of the international community without UN consent that promoted the principles of the remedial theory of secession over the principle of territorial integrity. Similar to the case of the former East Pakistan, a significant part of the international community reacted to the oppression of the secessionist entity from the central government by providing external legitimacy⁴⁵ thus breaking regulative rules concerning external sovereignty. It might be argued that the case of Kosovo did not have immediate seismic impact on the rules of international recognition (as defined by Fabry⁴⁶) or the global political structure and supported the relevance of the super-power rule, as defined by Sterio,⁴⁷ leading to the fact that “[r]ecent developments in international law may also lend credence to the idea that the right to remedial secession has crystallized as a norm.”⁴⁸

Putting the questions of legitimacy and legality of the humanitarian intervention and of consequent proclamation of independence aside, the secession of Kosovo holds importance for the dynamics of the ethno-political (or frozen) conflicts on the territory of GUAM states. D. Scheffer points out that “Kosovo and East Timor were examples where early notions of R2P were used to justify international military intervention to protect civilian populations at risk.”⁴⁹

Moscow’s reaction to the proclamation of the independence of Kosovo was primarily based on the support for the principle of unchanging borders as ratified in the Helsinki Final Act. The 1975 Helsinki Final Act expressed the principle that “frontiers can [only] be changed, in accordance with international law, by peaceful means and by agreement.”⁵⁰ A Russian reaction to the Western acceptance of the Kosovo independence contained a warning that the Western approach will hold geopolitical consequences.^{51 52}

This warning was materialized in the Russian “Near Abroad” where, in accordance with the super-power rule, the world was created where sovereignty is not considered sacrosanct and the principle of the Hel-

sinki Final Act is not respected. This world is characterized by the conditional sovereignty doctrine applied to lesser states and the geopolitical interests of the Kremlin.⁵³

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1/2018 Despite the fact that the Kosovo case brought up the question of the relationship between the principles of self-determination and territorial integrity,⁵⁴ it did not provide an answer to the key questions – which groups are entitled to external self-determination and is this right applicable only to situations of decolonization or illegal occupation?⁵⁵ E. Berg asked himself the questions: “Will the Kosovo campaign for independence set a precedent for other breakaway regions? Will it change the notions of self-determination and sovereignty in other secessionist conflicts?”⁵⁶

The question was also not solved by M. Ahtisaari’s Kosovo plan, or by the ICJ’s advisory opinion dealing with the legality of the independence of Kosovo. Ahtisaari avoided “mentioning ‘independence’ in his plan, but he also made no mention of the ‘territorial integrity of Serbia,’”⁵⁷ and the ICJ asserted “that Kosovo’s declaration of independence was not illegal.”⁵⁸ Furthermore, “the Court also gave no endorsement to attempts to apply external self-determination outside the colonial context or to the theory of ‘remedial secession.’”⁵⁹ In practice, the international community followed the path of the “earned sovereignty” – shared sovereignty followed by institution building, and consequently the determination of the final status⁶⁰ that was not followed by Russia in its supported secessionist conflicts.

The approach of the international society to the Kosovo case is, for the purpose of this paper, mainly important due to its relation with the consequent strategy of the Russian Federation that utilized the principles of primary rights and derivative theories of secession. An ad hoc approach on the part of the international community towards the Kosovo case leaves open a space for subjective interpretation of the context in which it is justifiable to act unilaterally on ethical or humanitarian grounds. As asked by S. Economides, “[w]hy intervene in Kosovo and remain inactive in Chechnya?”⁶¹

Despite the fact that Moscow does not explicitly cite theories of secession in its support for the secessionist entities, it justifies its decision of recognition on the ground of the right of external self-determination, or democratic decision in the context of oppression and genocide. The Kosovo parallel has been utilized by President Dmitry Medvedev in his justification of recognition of Abkhazia and South Os-

setia⁶² and by Vladimir Putin as well: "If the West could redraw boundaries against the wishes of Russia and its ally Serbia, then Russia could redraw boundaries in South Ossetia and Abkhazia."⁶³ J. Oeter likens Russia's reaction to Kosovo's bad precedent ("It is extremely unfortunate as a precedent because there was no justified claim of remedial secession") to revenge-style repetition by recognizing Abkhazia and South Ossetia.⁶⁴ In spite of Russia's vocal criticism of the West's approach towards Kosovo, it does not forestall the Kremlin to maintain diplomatic representation in Pristina.

An implicit application of both normative theories of secession goes beyond the framework of current international practice (not, however, international law) that gives the right for external self-determination only to the colonized nations and groups facing grave injustice. For example, the application of these theories in the case of the Crimea or the Donbas region is used as a first resort and not last resort to prevent perceived attempts of genocide against the ethnic Russian minority – as commented by M. Sussex, it is "an adaptionalist approach to international human rights norms."⁶⁵

The partial recognition of Kosovo, however, did not change the overall approach towards the recognition of the secessionist entities that remained unfavourable. As Christakis points out, "[s]eparatist movements across the world should not misread the ICJ's advisory opinion [...] if international law does not, in principle, prohibit secession, then this does not mean that international law is neutral, or that it puts the state and the separatist movement on an equal footing. International law dislikes, disfavours, secession and erects many barriers against secession."⁶⁶ This approach reappeared in the context of the Abkhazian bid for sovereign statehood. The International Fact-Finding Mission on the Conflict in Georgia arrived at the conclusion that "Abkhazia was not allowed to secede from Georgia under International Law, because the right to self-determination does not entail a right to secession."⁶⁷ What is also interesting was the approach of the states located on the EU's periphery dealing with their own secessionist entities towards the Kosovo issue.⁶⁸ The most important lesson learned is that although nothing such as a post-Kosovo procedure for normative theories of secession has been established, the entire Russian backed breakaway regions draw a parallel with Kosovo's supervised independence⁶⁹ along the line of Sterio's super-power rule and a new set of normative criteria.

Geopolitical importance of the secessionist entities

Russia's approach *vis-a-vis* secessionist entities in the post-Soviet space must be understood from the geopolitical point of view since, as noted by Falkowski and Lang: "Russia perceives foreign policy (both its own, and that of other states, especially those from the former USSR) in the category of the 19th century geopolitical rivalry over spheres of influence"⁷⁰ and binary quality of statehood.⁷¹ Moscow's approach to unrecognized entities is not driven by a normative approach to international relations but rather determined by balance of power which is not a Russian invention, as noted by S. Markedonov referring to Kosovo.⁷²

As indicated by Bencic and Hodor, "[...] the role of the conflict from Transdnistria was to constitute a weapon to influence the policy of the Republic of Moldova; it turned into an instrument of Russia to manage the geostrategic balance in the region, to influence the foreign policy of Ukraine, Georgia, Romania and to stop the eastward expansion of the European Union and NATO."⁷³

Despite the fact that the Western powers insisted that Kosovo was a unique case of *sui generis*,⁷⁴ Berg noted that the Kosovo recognition might be "a major shift in that direction if not translated into geopolitical considerations of great powers to achieve a new and more favourable power balance in the Balkans."⁷⁵ A similar assessment of the situation was presented by M. Sterio who points out that the reason for granting Kosovo the international recognition lies in the possibility of balancing Serbian influence on the Balkans.⁷⁶ The dichotomy between the Serbian territorial integrity and Kosovar bid for external self-determination was also understood in this geopolitical perspective by Moscow. Putin himself drew a parallel between Kosovo, Abkhazia and South Ossetia in 2006 when he declared that "[a]ny proposed solutions should be universal in nature. If someone takes the view that Kosovo should be granted state independence, then why should we withhold the same from Abkhazia or South Ossetia?"⁷⁷

The Kremlin pressed on adherence to the principle of territorial integrity of Serbia as opposed to the frozen conflicts in the "Near Abroad." This reflected the geopolitical interest of Russia as Serbia is the only country facing secession in the former Eastern Bloc that did not pursue membership in NATO. "It was only after the colored revolutions in Georgia and Ukraine that Russia reconsidered this 'balance' policy and began to support the unrecognized states more consistently."⁷⁸

Geopolitical interests were also crucial for the acceleration of Moscow's call for external self-determination in Ukraine. The Russian Federation in an attempt to force the Kiev government to steer back into the pro-Russian course militarily guaranteed the Crimean irredentist attempt and *de facto* independence of South-Eastern Ukraine. As pointed out by G. Friedman,⁷⁹ the attempt to create a buffer-zone on the Russian border is the geographic shift of the centre of the conflict from Cold War Germany to the current EU periphery. Another manifestation of the geopolitical interests of Moscow in the post-Soviet unrecognized states might be presented in recent developments in South Ossetia. As pointed out by The Guardian,⁸⁰ Russian troops moved the South Ossetian border one-and-half kilometre further into Georgian territory to control part of the British Petroleum operated pipeline running to the port in Supsa. In 2014-15, Russia also signed new security agreements with both unrecognized entities located in Georgia⁸¹ and its overall presence in both entities steadily grows.⁸² Furthermore, Moscow (respectively Yerevan in the case of Nagorno-Karabakh) enjoys large support in the *de facto* states which is based in its support for the entities and the break-away regions to a large extent support unification with their parent states (with an exception of Abkhazian support for independence).⁸³

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Russian international behaviour further supports the view that the Russian Federation does not support remedial theory of secession as the universal norm in international relations⁸⁴ but that it utilizes it selectively in cases where it can support its geopolitical goals. Moscow *de facto* manages a strategy of conditional sovereignty against smaller states that do not accept the Russian sphere of influence. Additionally, Russia abides by the so-called Medvedev doctrine – Russia has the right to protect the lives and dignity of ethnic Russians wherever they are located and that Russia identifies certain regions as of a special value and interests for itself.⁸⁵

Legitimacy of the unrecognized states in the “Near Abroad”

The issue of legitimization of the Eurasian secessionist entities was analyzed by D. Lynch who dealt with the cases of South Ossetia, Abkhazia, Transnistria, and Nagorno-Karabakh. He identified four arguments that are used by the political elites to justify their demands for international recognition:

- 1) alleged internal effectiveness,
- 2) territorial and governmental legitimacy,

- 3) historical tradition of statehood,
- 4) right of self-determination.⁸⁶

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Moreover, N. Caspersen analyzed unrecognized states' adherence to the democratic style of government as part of their legitimising strategy for gaining international recognition.⁸⁷ Similarly E. Berg points out that "the seceding group must also adhere to democratic rights and values in order to claim legitimate authority."⁸⁸ D. Geldenhuys adverts to the importance of internal legitimacy. "In the case of secessionist entities, questions are often asked about the inhabitants' actual support for unilaterally breaking away from original states."⁸⁹ Therefore, a strategy of Russia's backed secessionist regions for gaining recognition is based on portraying themselves as democratic islands within authoritative and repressive parent states. But most of them also claim to be entitled to the right to external self-determination and to be oppressed by parent states.

We will now move to the analysis of cases of secession inside the post-Soviet region. First we will analyse verbal proclamations made to promote cases of different secessionist entities.

Abkhazia

In its proclamation from 7 March 2008, the Abkhazian Parliament made a proclamation⁹⁰ of independence based on the following reasoning: Abkhazia has its distinct history of statehood and it was successfully holding a *de facto* statehood for the past fifteen years; Abkhazia holds a right of self-determination as based on the principle of anti-colonialism and oppression from Georgia from the Soviet era; the state of Abkhazia is effective and holds democratic legitimacy as supported by the 1999 referendum; recognition of Abkhazia would only follow reality on the ground and bring larger stability to the Caucasus region.

Ajaria

Claims of Ajaria were based on historical claims and right for self determination based on religious rights (not ethnicity). Ajarians are ethnic Georgian, but are Muslim unlike majority Georgians.⁹¹

Chechnya

Chechnya also followed its reasoning on the basis of the right for self-determination and historical claims of distinct statehood and tradition.⁹²

Crimea

Crimean bid for independence was first based on the reasoning that was the same for the other two entities in Eastern Ukraine (Donetsk and Lugansk People's Republic). First, there is the claim of the protection of Russian speaking minority against alleged planned genocide. Second, it was pointed out that Russians in Eastern Ukraine have their right for self-determination. The Crimean Parliament, furthermore, stressed the importance of the referendum that took place on 11 March 2014.⁹³

Donetsk People's Republic

DPR presented, besides the above mentioned claims, an argument based on the democratic legitimacy and self-determination through the referendum that took place on 11 May 2014. Furthermore, the DPR also argued its historical ties to the state of Donetsk-Krivoy Rog.⁹⁴

Gagauzia

The Gagauz Republic was proclaimed in August 1990, earlier than Transnistria; however, an autonomy agreement between the central government and break-away region was agreed in 1994. Gagauz claims were based on the principles of ethnic and language difference, closeness of Moldova to Romania, and a referendum that took place on 11 February 1992.⁹⁵

Lugansk People's Republic

LPR held similar claims to those of the DPR or Crimea with its own referendum taking place on 11 May 2014.

Nagorno-Karabakh

A declaration of proclamation of the Nagorno-Karabakh Republic from 2 September 1991⁹⁶ points to the following justifications for its secession: Uncertain future of the USSR; self-determination under both international and Soviet law; autonomous status inside the USSR; discrimination of the Armenian population and the use of violence; referendum (that took place on 10 December 1991).

South Ossetia

Justification for South Ossetian independence was most clearly presented by the former Russian president D. Medvedev.⁹⁷ Claims are the

following: Georgia violated international law; it attempted to annihilate the population of South Ossetia – history of genocide; Georgia was an aggressor following the precedent of the 1991 civil war; South Ossetian population has the right of self-determination.

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Transnistria

Justification of the bid for the recognition of the Transnistria was based on the effectiveness of the entity and ability to provide basic freedoms for its population, inner democratic setting, and the application of the Montevideo Convention criteria for statehood.⁹⁸ The entity is, unlike most of the others, heterogeneous and not distinct from its neighbours.⁹⁹

Table 1 shows justifications as well as international recognition of the post-Soviet *de facto* states and secessionist entities.

Many cases in the post-Soviet region often operate with the term genocide to justify their secession. As E. Finkel points out, new states emerging in the post-Soviet region try to utilize the idea of genocide to bolster their national legitimacy – they “search [...] lost genocides.”¹⁰⁰ Armenians termed 1988 pogroms in Sumgait from the side of Azerbaijanis as genocide. Azerbaijanis did the same after killing in the town of Khojali in 1992. Abkhaz and Ossetians accused Georgians of genocide and Georgians did the same against Abkhazia. The genocide card was yet again re-introduced in the current conflict in Ukraine, not only in the cases of justification of secessions but also in the description of concrete events – e.g. “the genocide of Odessa.”

Another argument often brought up is the issue of democratic legitimacy based on referendum. The EC/EU/US attempt to establish a common approach towards dissolution of Yugoslavia influenced unrecognized states’ recognition strategies. In the late 1990s their elites came to the conclusion that they could earn recognition by creating internationally acceptable entities and the rhetoric, if not always the practice, of democracy.¹⁰¹ In other words, the goal was to fit in the new normative framework of international relations. In most cases their alleged adherence to democratic values has been demonstrated in referenda on independence or constitution despite the fact that these procedures barely meet standards of free and fair elections, e.g. elections are conducted without the presence of independent electoral observers.

In Table 2, we present outcomes of different referenda held in the post-Soviet secessionist entities.

Table 1 – Justification and recognition

Name	Duration	Recognition (2015)	Justification
Abkhazia	1992-	Nauru, Nicaragua, Russia, Venezuela	Historical, self-determination, oppression, democracy, stability
Ajaria	-	None	Religion
Chechnya	1991-1999	Afghanistan	Historical, self-determination
Crimea	2014	Annexed by Russia	Genocide, self-determination, democracy
Donetsk People's Republic	2014-	None	Historical, self-determination, genocide, democracy
Gagauzia	-	None	Ethnicity, democracy
Lugansk People's Republic	2014-	None	Genocide, self-determination, democracy
Nagorno-Karabakh	1991-	None	Self-determination, oppression, democracy
South Ossetia	1991-	Nauru, Nicaragua, Russia, Venezuela	Genocide, self-determination
Transnistria	1990-	None	Effectiveness, democracy, oppression, freedoms

Abkhazian referendum was a referendum on new constitution. Gagauzia also held a referendum on full independence on 1 December 1991 with 90 percent pro-independence but this referendum was held only by ethnic Gagauz despite the fact that they compose only 75-80 percent of the population of their claimed territory (Baar 2002, 239). In Transnistria, the second referendum's results were based on responses to the first of the two questions – support of current course of Transnistrian politics.

As evident, a referendum is an important factor in a bid for international recognition as it corresponds with the principle of internal legitimacy.¹⁰² However, the outcomes of the referenda must be seen in the context of often problematic environment and the outcomes might not always respect the reality of the voting as noted in the referenda in Ukraine.

Table 2 – Referenda

Name	Date	Turnout	For/Against/Invalid
Abkhazia	3. 10. 1999	87,6%	97,7%/2,3%
Adjara	N/A	N/A	N/A
Chechnya	N/A	N/A	N/A
Crimea	16. 3. 2014	83,1%	96,77%/2,51%/0,72%
Donetsk People's Republic	11. 5. 2014	74,87%	89,07%/10,19%/0,74%
Gagauzia	11. 2. 1992	85,1%	95,4%/4,6%
Lugansk People's Republic	11. 5. 2014	75%	96,2%/2,8%/1%
Nagorno-Karabakh	10. 12. 1991	82,17%	99,89%/0,11%
South Ossetia	19. 1. 1992/ 12. 11. 2006	97%/95,2%	99,75%/0,25%/ 99,88%/0,12%
Transnistria	1. 12. 1991 / 17. 11. 2006	78%/78,6%	97,7%/2,3%/ 97,2%/1,9%/0,9%

Finally, common justification of the statehood is its inner effectiveness and the ability to promote democratic principles of rule. To test this assumption we will look at the economic situation, political structure, and security environment of the six currently existing *de facto* states in the post-Soviet space – Abkhazia, DPR, LPR, Nagorno-Karabakh, South Ossetia, and Transnistria.

Abkhazia

Despite the fact that post-2008 Abkhazia saw a major growth in its GDP this does not mean that the country's *de facto* status following the Russian invasion led per se to major economic improvement. As noted by Inal Ardzinba, the growth was caused by a large influx of Russian money into the Abkhazian economy. Furthermore, the institutions of Abkhazia are underdeveloped and the economic indicators are rather poor overall. Abkhazian economic development is hazed by legal uncertainty.¹⁰³ Abkhazians, as well as South Ossetians, understand the importance of Russia for their economy (and similarly for their security)¹⁰⁴ and this limits their choices of future development. The strong connection of the Abkhazian economy to Russia is not only visible in the form of direct investment and financial support but also in its dominant economic sectors – tourism and agriculture. As pointed out in the late 2013/early 2014, closing of borders between Russia and Abkhazia for the duration of the Sochi winter Olympics caused major troubles to the Abkhazians as they were unable to export most of their agricultural products to the Russian market on time and additional losses were caused by the inability of the visitors of Sochi (lying near the Abkhazian border) to visit the entity.¹⁰⁵ This is caused not only by the large political influence of Russia in the country but also by geographic location and geopolitical position of the entity that lacks other options of receiving revenue.

Looking at the political structure of Abkhazia, we can observe that the Abkhazian political system is a presidential republic. Notwithstanding other criteria for a presidential candidate, it is crucial to note that the candidate must be of Abkhazian ethnicity (Abkhazia is sometimes called an ethnocracy¹⁰⁶). The power of the legislative body is largely constrained by the prime position of the presidential office in the system. Elections in Abkhazia are, despite close ties of all candidates to Moscow,¹⁰⁷ quite competitive.¹⁰⁸ Freedom House ranks Abkhazia as partly free – criticising discrimination of ethnic Georgians, inability of the institutions to implement their policies, lack of some basic liberties, or weak rule of law, while pointing at the positive trend of growing importance of opposition in the system.¹⁰⁹

Last but not least, the provision of security in Abkhazia is dependent on the military of the Russian Federation.¹¹⁰ Despite the fact that Abkhazia was able to retain its semi-autonomous status even before the 2008 conflict, it cannot be perceived as independent in its provision

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of security. Extensive dependence on Russian support in the security realm has been confirmed “in September 2009 by the signing of a treaty of military cooperation, which granted Russia access to military facilities and bases in Abkhazia (including the airbase at Gudauta and naval facilities at Ochamchire) for a period of 49 years. Under the treaty, Russian troops will retain the right of unrestricted mobility throughout Abkhazia and will remain immune from Abkhazian criminal law as well as exempt from taxation[...] In May 2009, Moscow and Sukhumi signed a border protection agreement through which the Abkhaz side agreed to have 800 Russian troops exclusively guard its border.”¹¹¹

Donetsk and Lugansk People's Republic

As these two entities (*proto de facto states*¹¹²) share similar characteristics, they will be examined together. In the context of the hybrid conflict taking place in Eastern Ukraine, the economic activity of the region is halted not only due to fighting but also due to the massive emigration. Large areas are affected by water or gas shortages and two-thirds of the population that remained in the region do not receive steady wages. As the economic decline is likely to continue until the conflict is resolved, these two entities will remain economically dependent on direct Russian support.¹¹³

Regarding the political system, the elites presenting themselves as the representatives of the “republics” were originally mostly Russian citizens. Despite the fact that some most obvious cases of the Russian control of the leadership of the entities were obliterated,¹¹⁴ it remains undeniable that the political leadership of both DPR and LPR are directly connected to Russia.

Security is also directly connected to Russia, not only are Russian forces directly present in the region and members of the Russian military are in some of the leading positions of the DPR's and LPR's militias, armed forces of the two republics are also materially dependent on the Russian support – as claimed, for example by Motyl.¹¹⁵ Up to date both entities' claims to sovereign or *de facto* statehood remain imaginary as they are rather war zones or a federation of field commanders as labelled by Markedonov.¹¹⁶ Both regions have no clear distinct identity based on geography, demography or culture¹¹⁷ and neither is recognized by even the Russian Federation.

Nagorno-Karabakh

Nagorno-Karabakh as an isolated enclave surrounded by hostile Azerbaijan with limited access to Armenia via formally Azerbaijani provinces controlled by Armenian or Nagorno-Karabakh forces is economically dependent on the support of Armenian Diaspora.¹¹⁸ The position of Armenia as the main backer of the Nagorno-Karabakh independence is due to its isolation from the side of Azerbaijan and Turkey, however, it is almost fully dependent on the support from the Russian Federation. Despite the attempts to start viable domestic economic activity, Nagorno-Karabakh's economic situation is currently dependent on foreign aid and investment.

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According to Freedom House, Nagorno-Karabakh is a partly free entity (scoring, however, better than its parent state Azerbaijan) – with a similar score to other countries and unrecognized entities in the region. Despite the fact that Nagorno-Karabakh holds regular elections, the opposition is often marginalized. All major parties are pro-government. Civil liberties are limited and the judiciary is not independent.¹¹⁹ Although Nagorno-Karabakh used to be the most free and democratic of all the post-Soviet *de facto* states, the last development had led it towards a more authoritarian rule.¹²⁰

Regarding security, Nagorno-Karabakh holds its own security forces which are able to a certain degree to provide defence and internal security for the entity.¹²¹ On the other hand, these security forces remain dependent on Armenia.¹²² In situations of a renewal of clashes with Azerbaijan, Russia usually plays a role of mediator and as a major supporter of the Armenian regime it ensures the survival of the entity, while ensuring the stability in the region as it holds major stakes in economic relations with Azerbaijan.¹²³

South Ossetia

The 2008 Russian incursion brought South Ossetians economic hardships connected to the isolation of their entity from Georgia as a natural economic partner. The South Ossetian government is unable to provide basic functions and the aim of its economic policy follows the political goal of uniting with North Ossetia inside the Russian Federation.¹²⁴

In the Freedom House analysis, South Ossetia scores as not free. The opposition is non-existent and the political elite is strongly coherent and without exceptions strongly pro-Russian. The government is

controlled by the Russian Federation. Personal and civil liberties are suppressed and the judiciary is controlled by the government.¹²⁵ As noted by Cooley and Mitchell, “Russia controls South Ossetia’s leadership and all strategically sensitive appointments in its cabinet and security services.”¹²⁶ The control of Moscow is evident from the change of election results after the Kremlin’s supported candidate lost the presidential elections and the election did not recognize the results as to allow the Russian-backed candidate to win.¹²⁷

The provision of security of the entity is also fully in the hands of the Russian Federation. Similar to the economic situation, the security of South Ossetia is fully dependent on Russian support,¹²⁸ which has permanently stationed troops not only in South Ossetia but also in Abkhazia.

Transnistria

The economy of Transnistria is a combination of the monopoly of the Sheriff company¹²⁹ and support from the Russian Federation. Given the geographical nature of the entity and its isolation from Moldova and Ukraine it is unable to sustain itself. The government is directly supportive of and connected to the activities of Sheriff and Sheriff is thus the most important actor in the Transnistrian economy. The Transnistrian economy survives due to the combination of income from expatriates and its exports, and Russian support in the form of gas subsidies and humanitarian aid.¹³⁰

As for the democratic principles, Freedom House ranks Transnistria as not free. The political system is flawed not only by the absence of viable opposition but also by the presence of Russian forces in the country. The system is corrupt and connected to organized crime and smuggling groups. Civil and personal freedoms are limited and the judiciary is not independent.¹³¹

Security provision is maintained by the Russian 14th Army that is stationed on the territory of the entity. These approximately 1,500 Russian soldiers have ensured security and independence of Transnistria from Moldova since the break-out of the entity in the early 1990s, although “during the OSCE Summit in Istanbul in 1999, Russia promised again to withdraw troops from Transdnistria, but has not done so to this day.”¹³² Domestic security forces are, however, able to operate inside the entity.

As evident from the analysis, all of the post-Soviet *de facto* states base their claims on similar argumentation combining claims of op-

pression with the utilization of the self-determination principle and adherence to democratic principles. The second argumentation line follows the claims of the *de facto* control of the land and alleged effectiveness of the entities. As evident from our analysis, part of the first set of claims might hold some relevance but is utilized inconsistently. Claims by Abkhazia and South Ossetia regarding Georgian oppression in the early 1990s might hold their inner consistency; similarly, the claims of Nagorno-Karabakh are to a certain degree relevant. On the contrary, similarly justifiable claims of Chechnya fell on deaf ears due to Russia's geopolitical interests and concerns among Western countries. The self-determination principle is once again accepted on a selective basis as the Russian elites clearly utilize the principle as a geopolitical tool. The democratic principle adherence is, however, clearly only an argument manufactured in order to obtain the sympathy of the international community. Despite the fact that all the currently existing *de facto* entities held independence referenda, their validity and legitimacy as well as results might be contested (especially in the case of the referenda held in war-torn Eastern Ukraine or occupied Crimea). The inner setting of the entities in relation to the utilization of the democratic principles is problematic. All the entities have issues with adherence to the protection of basic rights, independence of judiciary, and the role of opposition in the system. This issue is further complicated by the possible association with the Russian Federation in the cases of Abkhazia and the South Ossetia, although authors such as K. Matsuzato opposed "the influential view that the unrecognized states are puppets of Russia or Armenia."¹³³

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Internal effectiveness of the entities is also only a facade. The economic situation of all the entities is dire and all of the entities are dependent on the support of the Russian Federation. Their *de facto* independence and security is provided and guaranteed by the Russian troops even though some of the entities are able to maintain their own quasi-military or quasi-police forces – As expressed by G. Ó Tuathail, "South Ossetia and Abkhazia are much more directly Russian client statelets with no significant international legitimacy beyond their relationship with the Russian Federation."¹³⁴

Table 3 presents our findings.

J. Castellino argues that none of Eurasia's unrecognized entities – Transnistria, Nagorno-Karabakh, South Ossetia, or Abkhazia can be classified as people entitled to self-determination¹³⁵ and the same is

Table 3 – Justification of existence of the post-Soviet *de facto* states

Name	Referendum	Democracy	Oppression	Economic viability	Security provision
Abkhazia	Yes	Partially	Yes	Partially	No
DPR	Yes	No	Partially	No	No
LPR	Yes	No	Partially	No	No
Nagorno-Karabakh	Yes	Partially	Yes	Partially	Partially
South Ossetia	Yes	No	Yes	No	No
Transnistria	Yes	No	No	No	Partially

true of all of Russia's backed secessionist entities. Moreover scholars generally agree that none of them have a right to unilaterally secede from the parent state according to international law.

Conclusion

Russia's continuing support for Eurasian breakaway regions within the territory of Moldova, Azerbaijan, Georgia and Ukraine is closely linked to its geopolitical motives and security strategy, particularly associated to an effort to prevent further NATO and EU enlargement, and Russia's fear of encirclement. As noted by Ó Tuathail: "It took little suspicion on the part of Russian national security officials to view the US desire for former Soviet republics (such as the Baltic states, Ukraine, and Georgia) to be part of NATO as an effort to encircle their country with flexible frontline American bases."¹³⁶ All the above mentioned cases (including Kosovo) did not lead to the establishment of a normative set of criteria nor practical procedure justifying the application of normative theories of secession in practice.

For Russia, Kosovo's precedent serves as a welcome pretext (revenge-style repetition in Oeter's words) justifying its geopolitical goals while not following the process of "earned sovereignty" that was applied to the Kosovo case by the international community and so its attempts are perceived as insincere. All of Russia's backed secessionist regions base their claims to independent statehood on normative theories of secession, although in some cases it is unclear what the

secessionists" ultimate goals are. It is important to stress that requirements for unilateral secession were not met in any of Russia's backed separatist territories due to illegality of origin and disharmony with a new set of normative criteria applied towards dissolution of Yugoslavia or secession of Kosovo. Furthermore, Russia's approach is perceived as insincere due to its use of double standards over secessionist movements, when it wants Kosovo to be a precedent only within the territory of the former USSR (excluding Russia).

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In the case of the *de facto* states in the post-Soviet space, King's definition of unrecognized states that is based on the role of the outside actor, armed conflict and defeat of the central government might be applied. *De facto* states in the "Near Abroad" are directly supported by the Russian Federation, their existence is based on the attempts of Russia to achieve its geopolitical goals and the changing level of support from Moscow is directly connected to the international situation as perceived by the Russian political elites. Permanent presence of the Russian armed forces on the territory of the post-Soviet *de facto* states is part of the strategy aiming at prevention of the enlargement of NATO through establishing the set of geopolitical outposts within the judicial boundaries of the reform-minded neighbours. These geopolitical outposts enable Russia to coerce parent states to comply with Moscow's security interests by maintaining controlled instability.

Moscow thus uses the normative approach to international relations on a selective basis and the occasional placement of this principle over the principle of the territorial integrity only aims at the justification and legitimization of Russian policy choices. While the unilateral secession of Kosovo and the Kosovo Advisory Opinion may be also read in the context of Responsibility to Protect theory,¹³⁷ selective application of the normative theories of secession and unilateral creation of parallels to the Kosovo case in post-Soviet space do not lead to collective recognition. Obviously none of these entities fit into normative framework outlined by the EC in the early 1990s not only due to their illegality of origin, but also due to the fact that successful secessions continue to be rare exceptions, because all major powers remain stuck to the sovereignty-first approach, giving preference to territorial integrity over a normative approach. On the contrary, all the unrecognized entities in Russia's geographic proximity face collective non-recognition and remain trapped in the binary geopolitical division of the world, which is keeping with its strategy of controlled

instability. Despite the efforts and desires of the population of the unrecognized entities in the post-Soviet space, the entities still remain geopolitical outposts of the Russian foreign policy and a victim to their geopolitical position on the world map. This also influences the possible solutions of the secessionist conflicts. Unlike cases of areas such as Somaliland or Palestine (where a negotiated secession might solve the problem), in these cases the Russian Federation plays a determining role in the outcome.



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Notes

- 1 Robert Cooper (2000), *The postmodern state and the world order*, London: Demos, The Foreign Policy Centre, <http://www.demos.co.uk/files/postmodernstate.pdf>.
- 2 George Friedman (2015), *Flash Points: The Emerging Crisis in Europe*, New York: Double Day, p. 147.
- 3 Helene Cooper, C. J. Chivers and Clifford Levy (2008), 'US Watched as Squabble Turned into a Showdown', *New York Times*, August 18, http://www.nytimes.com/2008/08/18/washington/18diplo.html?pagewanted=all&_r=0.
- 4 Conflicts that are not resolved but are stalled and the fighting is only sporadic.
- 5 Martin Riegl and Tomáš Vaško (2007) 'Comparison of Language Policies in

- the Post-Soviet Union Countries on the European Continent,' *The Annual of Language and Politics of Identity* 1 (1), pp. 47 – 79.
- 6 Silvia Von Steinsdorff and Anna Fruhstorfer, (2012) 'Post-Soviet de facto states in search of internal and external legitimacy. Introduction,' *Communist and Post-Communist Studies* 45 (2), pp. 117 – 121.
 - 7 John O' Loughlin et col. (2014), 'Inside the post-Soviet de facto states: a comparison of attitudes in Abkhazia, Nagorny Karabakh, South Ossetia, and Transnistria,' *Eurasian Geography and Economics* 55 (5), pp. 423-456.
 - 8 Von Steinsdorff and Fruhstorfer (2012), p. 117.
 - 9 Friedman (2015), pp. 173-4.
 - 10 Mary E. Sarotte (2014), 'A Broken Promise?' *Foreign Affairs* 5.
 - 11 Jan Zielonka (2007), *Europe as Empire: The Nature of the Enlarged European Union*, Oxford: Oxford University Press.
 - 12 Von Steinsdorff and Fruhstorfer (2012).
 - 13 Scott Pegg and Pål Kolstø (2014), 'Somaliland: Dynamics of internal legitimacy and (lack of) external sovereignty,' *Geforum* 66, pp. 193-202.
 - 14 Deon Geldenhyus (2009), *Contested States in World Politics*, London: Palgrave Macmillan.
 - 15 Nina Caspersen (2011), *Unrecognized States: The Struggle for Sovereignty in the Modern International System*, Malden: Polity Press.
 - 16 Margarita M. Balmaceda (2012), 'Privatization and elite defection in de facto states: The case of Transnistria, 1991 – 2012,' *Communist and Post-Communist Studies* 45, pp. 445 – 454; Nicu Popescu (2007), 'Europe's Unrecognised Neighbours: The EU in Abkhazia and South Ossetia,' *CEPS Working Document* 260, <https://www.ceps.eu/publications/europes-unrecognised-neighbours-eu-abkhazia-and-south-ossetia>.
 - 17 Scott Pegg (1998), *De Facto States in the International System*. Institute of International Relations, University of British Columbia, Working Paper no. 21; Von Steinsdorff and Fruhstorfer (2012); Balmaceda (2012); David Lynch (2004), *Engaging Euroasia's Separatist States: Unresolved Conflicts and De Facto States*, Washington: United States Institute of Peace Press; Popescu (2007); Eiki Berg And Ene Kuusk (2010), 'What Makes Sovereignty a Relative Concept? An Empirical Approach to International Society,' *Political Geography* 29 (1), pp. 40-49; Helge Blakkisrud and Pål Kolstø (2012), 'Dynamics of de facto statehood: the South Caucasian de facto states between secession and sovereignty,' *Southeast European and Black Sea Studies* 12 (2), pp. 281–298; Pegg and Kolstø (2014); Vincent Kopeček, Tomáš Hoch and Vladimír Baar (2016), 'De Facto States and Democracy: The Case of Abkhazia,' *Bulletin of Geography* 32; Vincent Kopeček, Tomáš Hoch and Vladimír Baar (2016), 'Conflict Transformation and Civil Society: The Case of Nagorno-Karabakh,' *Europe-Asia Studies* 68 (3).
 - 18 Charles King (2001), 'The Benefits of Ethnic War: Understanding Eurasia's unrecognized states,' *World Politics* 53 (4), pp. 524–552; Alexander Cooley and Lincoln A. Mitchell (2010), 'Engagement without Recognition: A New Strategy toward Abkhazia and Eurasia's Unrecognized States,' *The Washington Quarterly* 33 (4), pp. 59-73; Balmaceda (2012); Sergei Markedonov (2012), 'The Unrecognized States of Eurasia as a Phenomenon of the USSR's Dissolution,' *Demokratizatsiya. The Journal of Post-Soviet Democratization* 20 (2), pp. 189 – 195.
 - 19 Vladimir Kolosov and John O' Loughlin (1998), 'Pseudo-States as Harbingers of a New Geopolitics: The Example of the Trans-Dniester

- Moldovan Republic (TMR),’ *Geopolitics* 3 (1), pp. 151–76.
- 20 Richard J. Payne and Cassandra R. Veney (2001), ‘Taiwan and Africa: Taipei’s Continuing Search for International Recognition,’ *Journal of Asian and African Studies* 36 (4), pp. 437–50.
 - 21 Richard Muir (1997), *Political Geography*, Houndmills, Basingstoke, Hampshire and New York: Palgrave Macmillan.
 - 22 Harald C. Scheu (2008), ‘Vznik nového státu a jeho uznání v mezinárodním právu [The Establishment of the New State and Its Recognition in the International Law],’ *Mezinárodní politika* 32 (4), pp. 46.
 - 23 Katarzyna Pełczyńska-Nałęcz, Krzysztof Strachota and Maciej Falkowski (2008), ‘Para-States in the Post- Soviet Area from 1991 to 2007,’ in Bartosz H. Stanislawski ‘Para States, Quasi-states, and Black Spots: Perhaps Not States, But Not “Ungoverned Territories”, Either,’ *International Studies Review* 10 (2), pp. 370–387.
 - 24 Tomáš Šmíd and Vladimír Vaďura (2009), ‘Teoretické vymezení a konceptualizace fenoménu slabých a selhávajících států [Theoretical Establishment and Conceptualization of the Phenomenon of Weak and Failing States],’ *Mezinárodní vztahy* 44 (2), pp. 44–64.
 - 25 Viacheslav Chirikba (2004), ‘Geopolitical Aspects of the Abkhazian Statehood: Some Results and Perspectives,’ *Iran and the Caucasus* 8 (2), pp. 341–349.
 - 26 Michael Rywkin (2006), ‘The Phenomenon of Quasi-States,’ *Diogenes* 53 (2), pp. 23–9.
 - 27 Pavel K. Baev (1998), *Russia’s Policies in Secessionist Conflicts in Europe in the 1990s*, Oslo: Norwegian Atlantic Committee, Security Policy Library no. 11; Chirikba (2004); Rywkin (2006); Pål Kolstø (2006), ‘The Sustainability and Future of Unrecognized Quasi-States,’ *Journal of Peace Research* 43 (6), pp. 723–40; Bartosz H. Stanislawski (2008), ‘Para States, Quasi-states, and Black Spots: Perhaps Not States, But Not „Ungoverned Territories“, Either,’ *International Studies Review* 10 (2), pp. 366–96; Martin Riegl (2010), ‘Terminologie kvazistátů [Terminology of Quasi-States],’ *Acta Politologica* 2 (1), pp. 57–71.
 - 28 Kolstø (2006), p. 723.
 - 29 Geldenhyus (2009).
 - 30 John Ishiyama and Anna Batta (2012), ‘The emergence of dominant political party systems in unrecognized states,’ *Communist and Post-Communist Studies* 45, pp. 123–130.
 - 31 King (2010), p. 526.
 - 32 Pegg and Kolstø (2014).
 - 33 Markedonov (2012).
 - 34 Fiona McConnell (2009), ‘De facto, displaced, tacit: the sovereign articulations of the Tibetan government-in-exile,’ *Political Geography* 28 (6), pp. 343–352.
 - 35 Berg and Kuusk (2010).
 - 36 Pegg and Kolstø (2014).
 - 37 Ibid., p. 1.
 - 38 Balmaceda (2012), p. 445.
 - 39 Mikulas Fabry (2010), *Recognizing States: International Community and the Establishment of New States Since 1776*, Oxford: Oxford University Press, p. 12.
 - 40 Milena Sterio (2013), ‘On the Right to External Self- Determination:

"Selfistans," Secession, and the Great Powers' Rule,' *Minnesota Journal of Int'l Law* 19 (1), pp. 137 – 176.

- 41 Spyros Economides (2013), 'Kosovo, Self-Determination and the International Order,' *Europe-Asia Studies* 65 (5), p. 823.
- 42 Stefan Wolff and Annemarie Peen Rodt (2012), 'Self-Determination After Kosovo,' *Europe-Asia Studies* 65 (5), pp. 799–822; Economides (2013).
- 43 Economides (2013), p. 823.
- 44 Sergey Lavrov (2008) 'Statement of the Russia's Ministry of Foreign Affairs on Kosovo,' http://archive.mid.ru/bdcomp/brp_4.nsf/e78a48070f128a7b-43256999005bcbb3/041c5af46913d38ac32573f30027b380!OpenDocument.
- 45 Pegg and Kolstø (2014).
- 46 Fabry (2010).
- 47 Stressing the key role of (super)powers in the international recognition process.
- 48 Sterio, (2013), p. 146.
- 49 David Scheffer (2009), 'Atrocity Crimes Framing the Responsibility to Protect,' in Richard H. Cooper and Juliette V. Kohler (ed.), *Responsibility to Protect: The Global Moral Compass for the 21st Century*, New York: Palgrave MacMillan, p. 83.
- 50 Robert H. Jackson (1999), 'Sovereignty in World Politics: A Glance at the Conceptual and Historical Landscape,' *Political Studies* 47, p. 446.
- 51 Lavrov (2008).
- 52 Russia soon listed the unrecognised republics within the former Soviet Union's sphere of influence whose status would be affected by the Kosovar announcement, referring only to South Ossetia, Abkhazia and Transnistria. Leigh Phillips (2008), 'Kosovo Independence Emboldens South Caucasus Breakaway Republics,' *EUobserver* <https://euobserver.com/foreign/25683>.
- 53 Sterio (2013), p. 157.
- 54 Wolff and Rodt (2012).
- 55 Economides (2013); Christian Walter, Antje von Ungern-Sternberg and Kavus Abushov (2014), *Self-Determination and Secession in International Law*, Oxford: Oxford University Press.
- 56 Eiki Berg (2009), 'Re-Examining Sovereignty Claims in Changing Territorialities: Reflections from 'Kosovo Syndrome'', *Geopolitics* 14 (2), p. 228.
- 57 Ibid., p. 221.
- 58 Theodore Christakis (2011), 'The ICJ Advisory Opinion on Kosovo: Has International Law Something to Say about Secession?,' *Leiden Journal of International Law* 24, p. 77.
- 59 Ibid., p. 73.
- 60 Paul. R. Williams, Abigail J. Avoryie and Carlie J. Armstrong (2015), 'Earned Sovereignty Revisited: Creating a Strategic Framework for Managing Self-Determination Based Conflicts,' *ILSA Journal of International & Comparative Law* 21 (2015), pp. 425 – 451.
- 61 Economides (2013), p. 827.
- 62 Dmitry Medvedev (2008), 'Statement on South Ossetia and Abkhazia,' <http://www.nytimes.com/2008/08/27/world/europe/27medvedev.html>; Gearóid Ó Tuathail (2008), 'Russia's Kosovo: A Critical Geopolitics of the August 2008 War over South Ossetia,' *Eurasian Geography and Economics* 49 (6), pp. 670–705.
- 63 Cooper, Chivers, Levy (2008).

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- 64 Stefan Oeter (2014), 'The Role of Recognition and Non-Recognition with Regards to Secession,' in Christian Walter, Antje von Ungern-Sternberg and Kavus Abushov (ed.), *Self-Determination and Secession in International Law*, Oxford: Oxford University Press, p. 66.
- 65 Matthew Sussex (2012), *Conflict in the former USSR*, Cambridge: Cambridge University Press, p. 109.
- 66 Christakis (2011), pp. 80, 83 – 84.
- 67 Ibid., p. 77.
- 68 As noted by E. Berg on the case of Moldova, 'Moldova's immediate reaction was ambiguous as well: First, president Voronin assessed negatively the proclamation and consequent recognition of Kosovo's independence as destabilising the world order. Second, he expressed the view that even if Kosovo would be recognised, Transnistria still has no reason to claim independence because states are formed on the territorial principle and not on ethnic affiliation (...) Foreign Ministry of TMR declared that the Kosovo case establishes a new conflict settlement model based on the priority of people's right to self-determination....The parliamentary speaker added that if the right of self-determination is adopted as a key approach, then it should be used in other parts of the world as well, including Transnistria.' Berg (2009), pp. 56-8.
- 69 'One of the more unexpected consequences of Kosovo's recognition was that the separatist leaders in Karabakh gave up on recognition.' Nina Caspersen (2013), 'The South Caucasus after Kosovo: Renewed Independence Hopes?', *Europe-Asia Studies* 65 (5), p. 942.
- 70 Maciej Falkowski and Józef Lang (2014), 'Hostages to Moscow, clients of Beijing Security in Central Asia as the role of the West diminishes,' *OSW Studies* 51, p. 35, http://www.osw.waw.pl/sites/default/files/prace_51_ang_hostages_to_moscow_3.pdf.
- 71 Walter, von Ungern-Sternberg and Abushov (2014), p. 18.
- 72 Markedonov, (2012).
- 73 Aurora Bencic and Teodor I. Hodor (2011), 'Transdnistria: Ethnic Conflicts or Geopolitical Interests?', *Eurotimes*, p. 407.
- 74 External relations commissioner Benita Ferrero-Waldner said that Kosovo was not a blueprint that can be applied to any other area and the EU Council secretary-general Javier Solana said the Kosovo case was sui generis, distinct from other regions. Phillips (2008).
- 75 Berg (2009), p. 225.
- 76 Sterio (2013), p. 174.
- 77 Ó Tuathail (2008), p. 683.
- 78 Kimitaka Matsuzato (2008), 'From Belligerent to Multi-Ethnic Democracy: Domestic Politics in Unrecognized States after the Ceasefires,' *Euroasian Review* 1, p. 98.
- 79 Friedman (2015).
- 80 The Guardian (2015), 'Georgia accuses Russia of violating international law over South Ossetia,' July 14, <http://www.theguardian.com/world/2015/jul/14/georgia-accuses-russia-of-violating-international-law-over-south-ossetia>.
- 81 The Guardian (2014), 'Georgia angered by Russia-Abkhazia military agreement,' November 25, <http://www.theguardian.com/world/2014/nov/25/georgia-russia-abkhazia-military-agreement-putin>; Russia Today (2015), 'Russia signs major alliance treaty with South Ossetia, pledges

military protection,' March 18, <https://www.rt.com/politics/241929-russia-ossetia-treaty-alliance/>.

- 82 Financial Times (2015), 'Georgia wary of Moscow deals with South Ossetia and Abkhazia,' February 18, <http://www.ft.com/intl/cms/s/o/cfa4e440-b78c-11e4-8807-00144feab7de.html#axzz3saqdCzF2>.
- 83 O' Loughlin et col. (2014).
- 84 Especially in the light of the amendment of its Criminal Code that in 2013 established penalties up to six years in prison for calls for separatism and other acts that might lead to disruption of the territorial integrity of the Russian Federation. Dmitry Maleshin (2014), 'Chief Editor's Note on 2013 Russian Legal Events,' *Russian Law Journal* 2 (1), pp. 4-6.
- 85 Jeffrey Mankoff (2009), *Russian Foreign Policy: The Return of Great Power Politics*, Maryland: Rowman and Littlefield Publishers, p. 307.
- 86 David Lynch (2004), *Engaging Euroasia's Separatist States: Unresolved Conflicts and De Facto States*, Washington: United States Institute of Peace Press.
- 87 Nina Caspersen (2011), 'Democracy, nationalism and (lack of) sovereignty: the complex dynamics of democratisation in unrecognized states,' *Nations and Nationalism* 17 (2), pp. 337 – 356.
- 88 Eiki Berg (2013), 'Merging Together or Drifting Apart? Revisiting Political Legitimacy Issues in Cyprus, Moldova, and Bosnia and Herzegovina,' *Geopolitics* 18 (2), p. 487.
- 89 Geldenhyus (2010), p. 23.
- 90 Abkhaz World 2009, 'Statement of the Peoples Assembly of the Parliament of the Republic of Abkhazia to the General Secretary of the UN, Chairman of Security Council of the UN, Parliaments of the Countries of the World,' March 7, <http://abkhazworld.com/aw/statements/229-statement-parliament-of-abkhazia>.
- 91 Mathijs Pelkmans (2002), 'Religion, Nation and State in Georgia: Christian Expansion in Muslim Ajaria,' *Journal of Muslim Minority Affairs* 22 (2), pp. 249-273, http://www.academia.edu/2401969/Religion_Nation_and_State_in_Georgia_Christian_Expansion_in_Muslim_Ajaria_2002_; Tomáš Hoch and Vincenc Kopeček (2011), 'Transforming Identity of Ajarian Population (Why the 1991-2004 conflict did not assume armed character),' *The Annual of Language & Politics and Politics of Identity* 5, pp. 57-72.
- 92 USC Conflict Database, 'Chechnya – Narrative,' <http://www.usc.edu/dept/LAS/ir/cews/database/Chechnya/chechnya.pdf>.
- 93 NPR (2014), 'Crimean Parliament Passes "Declaration of Independence",' March 11, <http://www.npr.org/sections/thetwo-way/2014/03/11/288980634/crimean-parliament-passes-declaration-of-independence>.
- 94 DPR (2015), 'Memorandum of Donetsk People's Republic on state-building, political and historical continuity,' February 4, <http://redstaroverdonbass.blogspot.cz/2015/02/memorandum-of-donetsk-peoples-republic.html>. Mikhail Suslov (2017). 'The Production of 'Novorossiia': A Territorial Brand in Public Debates,' *Europe-Asia Studies* 69 (2), p. 209.
- 95 Daily News (2006), 'The Gagauz, a Christian Turkic People,' March 17 <http://www.hurriyetdailynews.com/the-gagauz-a-christian-turkic-people.aspx?pageID=438&n=the-gagauz-a-christian-turkic-people-2006-03-17>.
- 96 Nagorno-Karabakh Republic (1991), 'Declaration on Proclamation of the Nagorno Karabakh Republic,' September 2, <http://www.nkr.am/en/declaration/10/>.

*Post-Soviet
De Facto States*

- 97 Medvedev (2008).
- 98 Rudy L. Hightower II (2010), 'The Declarations of Independence: Pridnestrovian Moldovan Republic,' *Complex Operations Case Studies Series*, http://www.nps.edu/Academics/AcademicGroups/GPPAG/Docs/PDF/Research%20and%20Publications/II_Moldova.pdf.
- CEJISS 99 Bencic, Hodor (2011), p. 407.
- 1/2018 100 Evgeny Finkel (2010), 'In Search of Lost Genocide: Historical Policy and International Politics in Post- 1989 Eastern Europe,' *Global Society* 24 (1), pp. 51-70.
- 101 Caspersen (2013), p. 934.
- 102 Caspersen (2011).
- 103 Inal Ardzinba (2013), 'Socio-economic system of Abkhazia and Problems of its Development,' *Abkhaz World*, <http://abkhazworld.com/aw/analysis/760-socio-economic-system-of-abkhazia-and-problems-of-its-development>.
- 104 O' Loughlin et col. (2014).
- 105 See for example <http://www.nytimes.com/2013/12/11/world/europe/close-to-the-olympics-far-from-the-bounty.html>.
- 106 John O' Loughlin et col. (2010), 'Inside Abkhazia: A Survey of Attitudes in a De Facto State,' <http://www.colorado.edu/ibs/pec/johno/pub/InsideAbkhazia.pdf>.
- 107 See for example <http://www.reuters.com/article/2014/08/25/us-georgia-abkhazia-election-idUSKBN0GP09K20140825>.
- 108 Donnacha Ó Beacháin (2012), 'The dynamics of electoral politics in Abkhazia,' *Communist and post-Communist Studies* 45 (2), pp. 165-174.
- 109 Freedom House (2014), 'Abkhazia,' 2014 at <https://freedomhouse.org/report/freedom-world/2014/abkhazia#.Va32h1dcpYM>.
- 110 Natasha M. Ezrow, Erica Frantz (2013), *Failed States and Institutional Decay: Understanding Instability and Poverty in the Developing World*, London: Bloomsbury Academic, p. 77.
- 111 Cooley, Mitchell (2010), p. 64.
- 112 O' Loughlin et col. (2014).
- 113 Alexander J. Motyl (2015), 'Out of Kiev's Hands: Why Ukraine's Falling Donbass region is becoming a big headache for Russia,' *Foreign Policy*, <http://foreignpolicy.com/2015/05/04/out-of-kievs-hands/>.
- 114 See for example <http://www.theguardian.com/world/2014/aug/20/rebel-leaders-replaced-eastern-ukraine>.
- 115 Motyl (2015).
- 116 Sergei Markedonov (2014), 'Recognition is Not a Dogma,' *Russia in Global Affairs*, <http://eng.globalaffairs.ru/number/Recognition-Is-Not-a-Dogma-17215>.
- 117 Suslov (2017).
- 118 Benjamin. A. T. Graham (2009), 'Nagorno-Karabakh in Limbo,' *Middle East Quarterly* 16 (4), pp. 55-62, <http://www.meforum.org/2483/nagorno-karabakh-limbo>.
- 119 Freedom House (2014), 'Nagorno-Karabakh,' <https://freedomhouse.org/report/freedom-world/2014/nagorno-karabakh#.Va5Ed1dcpYM>.
- 120 O' Loughlin et col. (2014).
- 121 Ezrow, Frantz (2013), p. 77.
- 122 Graham (2009).
- 123 O' Loughlin et col. (2014).
- 124 Stephen F. Jones (2014), 'South Ossetia's unwanted independence,' *Open*

- Democracy* <https://www.opendemocracy.net/od-russia/stephen-f-jones/south-ossetia%E2%80%99s-unwanted-independence>.
- 125 Freedom House (2014), 'South Ossetia,' <https://freedomhouse.org/report/freedom-world/2014/south-ossetia#.Va5NUVdcpYM>.
- 126 Cooley, Mitchell (2010), p. 61.
- 127 O' Loughlin et col. (2014).
- 128 Jones (2014); Gearóid Ó Tuathail and John O' Loughlin (2013), 'Inside South Ossetia: A Survey of Attitudes in a De Facto State,' <http://www.colorado.edu/ibs/pec/johnno/pub/PSA2013.pdf>.
- 129 Sherrif establishes a dominant economic power in the entity. It not only runs the most of the businesses but also, for example, sponsors the most successful Moldovan football team. It is a company dominating the political, economic and social life of Transnistria.
- 130 Kamil Całus (2013), 'An Aided Economy: The Characteristics of the Transnistrian Economic Model,' OSW, <http://www.osw.waw.pl/en/publikacje/osw-commentary/2013-05-16/aided-economy-characteristics-transnistrian-economic-model>.
- 131 Freedom House (2014), 'Transnistria,' <https://freedomhouse.org/report/freedom-world/2014/transnistria#.Va5VxFdcpYM>.
- 132 Bencic, Hodor (2011), p. 406.
- 133 Matsuzato (2008), p. 98.
- 134 Ó Tuathail (2008), p. 700.
- 135 Joshua Castellino (2014), 'International Law and Self-Determination: People, Indigenous Peoples, and Minorities,' in Christian Walter, Antje von Ungern-Sternberg and Kavus Abushov (ed.), *Self-Determination and Secession in International Law*, Oxford: Oxford University Press, p. 33.
- 136 Ó Tuathail (2008), p. 682.
- 137 Walter, von Ungern-Sternberg and Abushov (2014), p. 18.

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