

Contents

List of Acronyms	v
<i>Neil MacFarlane</i>	
Foreword	11
Chapter I.	
Introduction.....	13
Chapter II.	
Self-Determination, Secession and Recognition in International Law	18
2.1 Introduction.....	18
2.2 The Principle of Self-Determination in International Law	19
2.2.1 Sources of International Law.....	19
2.2.2 Historical Background	21
2.2.3 Self-determination in International Law	27
2.2.4 Court Decisions	39
2.2.5 Historical Title vs. Self-Determination.....	42
2.2.6 International Practice.....	45
2.2.7 Conclusion	46
2.3. Secession in International Law	48
2.3.1 What is Secession?	48
2.3.2 Secession in International Law.....	50
2.3.3 Remedial Secession.....	53
2.3.4 Secession in Violation of International Law	59
2.3.5 Court Opinions.....	63
2.3.6 International Practice.....	68
2.3.7 Conclusion	84
2.4. Recognition in International Law	86
2.4.1 What is Recognition?	86

2.4.2 Evolution of Recognition	86
2.4.3 Theories of Recognition	90
2.4.4 Criteria of Statehood.....	96
2.4.5 Criteria for Recognition.....	99
2.4.6 Modalities and Forms of Recognition and Non-Recognition.....	103
2.4.7 Conclusion	107

Chapter III.

Soviet/Russian Practice of Recognition of New States after

1945.....	109
3.1. Introduction.....	109
3.2 Recognition of States Emerging out of Colonial Rule.....	110
3.3 Recognition of States Outside of the Colonial Context... 116	
3.3.1 Group 1 – Recognition of Israel and Bangladesh . 116	
3.3.2 Group 2 – Recognition of Eritrea, East Timor, South Sudan.....	124
3.3.3 Group 3 – Non-Recognition of Northern Cyprus, Karabakh, Transnistria, Kosovo.....	126
3.4 Conclusion	147

Chapter IV.

Russian Recognition of Abkhazia and South Ossetia..... 151

4.1. Introduction.....	151
4.2. History of Conflicts and Peace Processes in Abkhazia and South Ossetia	152
4.2.1 The Status of Abkhazia and South Ossetia Within Georgia in the Soviet Era	152
4.2.2 Outbreak of Conflicts and the Subsequent Peace Process 157	
4.3. Georgian-Russian Relations in 1991-2008.....	177
4.4. Georgia-Russia War.....	196
4.5. Reasons for Russia’s Recognition of Abkhazia and South Ossetia	203

4.6. Theoretical Framework	218
4.7. Conclusion	224
Chapter V.	
Conclusion	232
Bibliography.....	242