

National self-determination with regards to growing separatism in Europe

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Introduction

The issue of national self-determination and growing separatism in Europe is considered to be one of the most pressing problem in modern world. Consequently, this problem has been widely discussed both in political and scientific circles. The urgency of the stated issue is fueled by the ambivalence and diversity of such phenomenon as separatism (or secession). It has the nature not only of regional level. Actually, it always has the level of sovereign state and in particular cases even becomes an international affair. Moreover, the separatist pressures are also disastrous for the economies of the involved states. Besides, it is necessary to draw attention to the *ideas*, which are going hand in hand with secession movements aims, that may be left or right wing and as a rule relate to nationalistic or radical views.

Definition of key terms

Separatism is the advocacy or practice of separation of a certain group of people from a larger body on the basis of ethnicity, religion, culture, etc.

Self-determination is the central and core human right to determine its own destiny.

Background information

Scientists that are working in the sphere of ethno-political and conflict management, appropriately see the problem of national self-determination and separatism as very complicated and relevant issue. The reason is that the identified problem is closely linked with the dismember or demise of a *state* — historically deemed to be one of the most powerful and inclusive social institutions.

Referring to history, the separatist movements have started to gain their popularity in Europe at the turn of the 21st century. Europe is a densely populated and highly urbanized part of the world. It includes 43 states, and more than 70 ethnic groups are developing and preserving their culture in this region. The majority of population has multi-ethnic and multi-denominational composition. In other words, the states of the region are not a homogeneous society, and the existence of various ethnic groups within one territory is recognized. That is why the hotbeds of ethnic tensions have emerged in numerous European states such as but not limited to Great Britain (independence of Northern Ireland and Scotland), Spain (Basque country and Catalonia), France (Corsica), Belgium etc.

At first glance, the idea of self-determination recognizes that the legitimacy of any political arrangement depends on the will of the people subject to its authority and is closely associated

with ideas of democracy and fundamental human rights. However, the reality is rather complicated. If we look back at history, it is clear that the principle of national self-determination has been haunting the world since the French Revolution. There may be no other term in modern political discourse which is used with more emotion and passion. Recent history has known many wars fueled by conflicting interpretations of self-determination. Nowadays there are many professional and world-famous jurists, who confirm that national self-determination is no longer solely a moral demand and a political principle but, in many circumstances, a legal right recognized by international law. Indeed, national self-determination appears after 1945 in all-important documents relating to the organization of the international community. The UN Charter speaks about «the principle of equal rights and of self-determination of people», while the International Covenant of Human Rights says that «all people and nations should have the right of self-determination». The ambiguity and ambivalence contained in this principle of self-determination are best shown by the fact that opposing sides in many international conflicts often justify their positions by resorting to it. They can do so because there is no agreement on what is “national,” what is the “self” and what “determination” means. Everyone should be aware that there are different principles of national self-determination – not one universal principle which applies to all situations. We have to differentiate between «external self-determination» (the right of every people to choose sovereignty under which they live) and «internal self-determination» (the right of every people to select its own form of government). External self-determination may also mean the right of a nominally independent state to true independence, while internal national self-determination may also refer to minority regimes, regional autonomy schemes, or federalism within an established state. That means that one may talk about two varieties of external self-determination: internationally recognized independence for a people and true independence for an already existing state. In addition to external self-determination there would be three varieties of internal self-determination: democracy in a homogeneous state; autonomy or federalism for a distinct people within a democratic state (e.g. the Hungarians in Slovakia); or autonomy/federalism for a distinct group within a non-democratic system (e.g. the “titular nations” within the Soviet Federation). The distinction between states and nations (or peoples, nationalities, ethnic groups, or any other distinct population) with regard to national self-determination is a crucial one. Sometimes external and internal self-determination are completely interwoven and cannot be separated. For example, the choice given to East Timor in 1999 involved both external self-determination (independence or no independence) and internal self-determination (autonomy within Indonesia). Different from political self-determination is “cultural self-determination,” the right to teach and study in one’s own language, to develop an autonomous culture and to resist assimilation by a dominant power. Cultural self-determination may again be both external and internal. For example, the derussification of language, culture, and education after independence in the former Republics

of the Soviet Union (e.g. the abandonment of the Cyrillic script and a return to the Arabic or Latin script) has to be seen as cultural self-determination. Demands for cultural self-determination may be linked to a specific territory (e.g. Transylvania in Romania) or it may be raised as a demand for personal–cultural self-determination (e.g. the Jews in Eastern Europe after World War I).

What is more, federal states within the Soviet Union (Ukraine, Belarus, Estonia, Lithuania, Moldova, Georgia, Armenia, etc.), Yugoslavia (e.g. Croatia, Slovenia, Bosnia-Herzegovina), and Czechoslovakia (Czech and Slovak Republics) were recognized by the European Union, the UN and the international community as legitimate units for external self-determination. This recognition was not accorded to the Tatars and Chechens in the Russian Federation, the Ossets in Georgia, the Hungarians in Serbia (Vojvodina), the Serbs and Croats in Bosnia, the Turks in Bulgaria, the Gagauz in Moldova or the Russians in Kazakhstan, the Ukraine and Moldova (Smith 1996; Tappe 1995).

It is also important to bear in mind that the right of self-determination of nations that live within a particular state may also appear as in some way contradicting another fundamental principle of international law – territorial integrity of a state. According to this principle, each state has a right for and an interest in preserving its borders and its territory. Therefore, each particular case of a nation willing to gain independence should be considered carefully and plain and clear regulations for such cases should be developed.

Major countries and organizations involved

- Azerbaijan (Nagorno-Karabakh)
- Belgium (Flemish and Walloons)
- Bosnia and Herzegovina (Serbs of Bosnia and Herzegovina)
- Czech Republic (Moravian and Silesians)
- Denmark (Bornholm, Faroese independent movement)
- Finland (Åland people)
- France (Basque, Catalans, Bretons and Corsicans)
- Georgia (Abkhaz, Ossetians)
- Germany (Bavarians, Frisians, Sorbs)
- Italy (Friulians, Lombardians, Sardinians, Sicilians)
- Israel (Palestine)
- Kosovo (Serbs)
- Macedonia (Albanians)
- Moldova (Transnistria, Gagauzia)

- Netherlands (Frisian, Groningers)
- Poland (Silesians, Kashubians)
- Romania (Transylvania)
- Russia (Checnen separatists)
- Serbia (Autonomous Province of Kosovo and Metohija, Albanian nationalistic movement)
- Slovakia (Hungarians)
- Spain (Andalusian separatist movement, Basque Country, Catalonia, etc)
- Ukraine (Subcarpathian Rutheria)
- United Kingdom (Cornish nationalists, United Ireland, People of Mercia, Shetlanders and Orcadians, Welsh, Scots)
- UNPO (Unpresented Nations and Peoples Organization)
- EU
- UN
- Commonwealth of Unrecognized States

Relevant treaties and UN resolutions

- Resolution 2384 (2017) (Authorization of Multinational Stabilization Force in Bosnia and Herzegovina)
- Resolution 6812, ECOSOC Committee (2017) (Recommending special consultative status be granted to the NGOs)
- Resolution 6953, Security Council (Finding the solution to the Kosovo problem)
- The Israel-PLO Agreement and Self-Determination (Antonio Cassese) (How to realize the right of Palestinians to self-determination)

Previous attempts to solve the issue

- *Helsinki Accords or Helsinki Declaration*
Signed by 35 states, including all European states (except Albania and Andorra), during the Final Act of the Conference on Security and Cooperation in Europe. Declaration included numerous measures aimed at détente in international relations. Particularly, it urged all members to solve the possible separatist problems peacefully by dialog, without the use of force. It strongly condemned every kind of intervention and interference from abroad.

- *Unrepresented Nations and Peoples Organization*

It was founded in 1991 in the Hague, Netherlands. Its purpose is to facilitate the voices of unrepresented and marginalized nations and peoples worldwide.

- *The work of the UN*

The United Nations have put a lot of efforts trying to solve the stated issue. It authorizes the ethnic communities to use their right of self-determination without secession. UN recommends them to determinate by creating autonomy, as it is arguably the most realistic and prospect method for resolving the conflicts. In such way, the ethnic communities will be able to establish their own national cultural associations legitimately.

Possible solutions

- Formulation of action plans and legislative drafting to preserve the integrity and stability of states.
- Curbing the spread, let alone the implementation, of nationalistic and radical ideas of the state fragmentation.
- Popularization of the process of «peaceful self-determination» without secession; establishing the autonomies.
- Emphasizing that the process of self-determination should necessarily include free, fair, and legitimate referendum.
- Finding constructive and compromise solution through peaceful negotiations where creating an autonomy for a ethnic minority may be considered as one but not the only way of dealing with the issue.

Useful links

<https://en.m.wikipedia.org/wiki/Self-determination>

https://en.m.wikipedia.org/wiki/Lists_of_active_separatist_movements

<https://en.m.wikipedia.org/wiki/Separatism>

Nationalism and Democracy by Andre Lecours and Luis Moreno

<http://ebook.umaha.ac.id/E->

[BOOK%20OF%20SOCIAL%20SCIENCES/IDENTITY,%20ETHNICITY%20_%20NATIONALISM/NATIONALISM%20_%20DEMOCRACY%20\[Andr%C3%A9%20Lecours,%20Luis%20Moreno%20Jerez,%20Luis%20Moreno\].pdf](http://ebook.umaha.ac.id/E-BOOK%20OF%20SOCIAL%20SCIENCES/IDENTITY,%20ETHNICITY%20_%20NATIONALISM/NATIONALISM%20_%20DEMOCRACY%20[Andr%C3%A9%20Lecours,%20Luis%20Moreno%20Jerez,%20Luis%20Moreno].pdf)