

CHAIN OF SECESSION

All border changes in Europe since 1990 have violated international treaties

BY ANDREAS ZUMACH

What do the following places have in common: Kosovo, Crimea, Catalonia, Chechnya, Abkhazia, South Ossetia, Transnistria, Hungary, Scotland and the Kurdish regions of Iraq, Syria and Turkey? After the Cold War, each was the scene of secession attempts or demands to alter national borders.

In Yugoslavia, Georgia and the Ukraine, the secessionists used violence to forcibly shift national borders with the help of external actors (NATO, Russia). Otherwise, the specific circumstances and historical background in all these cases differ widely.

The four decades of global East-West confrontation saw few such efforts. And those that existed had little chance of lasting success, not least because they lacked support from the two dominant powers, the United States and the Soviet Union, and the other three UN veto powers of France, Great Britain and China.

In addition, there was no consensus among the member states of the UN that the three basic principles of the founding charter of 1945 should not be called into question. The Charter begins with the phrase "We the peoples..." but goes on to define national

states as actors of international law and UN members, stressing their "sovereign equality," the "inviolability of their territorial boundaries and political order," and the "principle of non-interference in the internal affairs of other states."

Therefore, the secession of the Igbo in East Nigeria into their own state of Biafra in 1972 found no support internationally and was reversed four years later after a bloody war initiated by the government of Nigeria. Eritrea only gained its – subsequently recognized – independence from Ethiopia in 1993 after a 30-year war. By contrast, Somaliland, which announced its secession from Somalia in 1991, is still only recognized by three African countries. In all three cases, the secessionists invoked the "right of peoples to self-determination." This right is also enshrined in the UN Charter, but without any rules for its implementation and without resolving the conflict with the Charter's three basic principles.

Following the end of the Cold War, however, the EU invoked this "right" to selectively recognize the three Yugoslav republics of Slovenia, Croatia and Bosnia-Herzegovina as independent states after they had seceded from the Yugoslav Federation. This selective recognition, which at



the time was driven primarily by Germany, took place without agreement with the Yugoslav government and against the explicit warning of UN Secretary General Javier Pérez de Cuéllar.



The Pandora's box of arbitrary changes in national boundaries was thus opened. Eight years later, NATO created the conditions for the secession and independence of Kosovo with its war of aggression against Serbia, a war that violated

international law. According to a 2010 International Court of Justice (ICJ) opinion, Kosovo's declaration of independence was in itself not a violation of international law, but the ICJ issued no statement on

the international status of Kosovo. Consequently, only 103 of the 193 UN member states have recognized Kosovo, including only 23 of the 28 EU members.

Kosovo became a precedent that motivated nationalists among the Bosnian Serbs to demand the withdrawal of their "Republika Srpska" from Bosnia-Herzegovina and its annexation to Serbia. To justify its annexation of

Crimea in violation of international law, the Russian government points to Kosovo and the ethnic Russian separatists in Eastern Ukraine. The same goes for the secessions of Abkhazia and South Ossetia from Georgia –

backed by Russia and currently recognized by just three other UN states – as well as the statehood of the Moldovan province of Transnistria, recognized only by Moscow.

In ex-Yugoslavia and Ukraine, the secessionists were and are ethnically defined groups dominated by other ethnic groups or discriminated against and persecuted by the central government. In the case of the annexation of Crimea, further motivations include Russia's security interests regarding the eastern expansion of NATO, as well as attempts at historical justification – Russia claims Crimea had been part of Russia since 1783, during the reign of Catherine the Great, until Nikita Khrushchev illegally transferred the territory to Ukraine in 1954.

In Hungary, right-wing populists, now part of the ruling coalition, use ethnic claims to justify their aggressive calls for the restoration of "Greater Hungary" through the incorporation of areas inhabited by Hungarian minorities in the three neighboring countries of Romania, Moldova and Ukraine.

On the other hand, the reasons behind Catalonia's desire to leave Spain are exclusively economic. By far the country's richest province, Catalonia no longer wants

to be paymaster for the poorer remainder of Spain. Similarly, Italy's Lega Nord has long advocated splitting off the prosperous north from the poor south of the country.

The motives of the Scots and Northern Irish who want to leave the United Kingdom also differ. They want to stay on as members of the EU following Brexit.

Whatever the reasoning and specific circumstances, with the exception of the peaceful and consensual division of Czechoslovakia and dissolution of the Soviet Union into 15 states, all border changes in Europe since 1990 have seen the use or threat of violence as well as an absence of agreement among concerned parties; they have also violated the UN Charter, the Helsinki Final Act (1975), the Paris Char-

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ter (1990) and other agreements and arrangements that European states have concluded within the framework of the OSCE. Some of these are in breach of international laws established by the UN Charter.

The taboo of changing national-state boundaries was discarded in the 1990s and cannot be restored. Yet there must be rules for all future border changes. They must be non-violent and require consensual procedures with constitutional standards involving all those affected.

Within the framework of the OSCE, preliminary rules have been agreed upon but still must be specified and furnished with implementation provisions. As a regional sub-organization of the UN, the OSCE should work to ensure that these rules are also incorporated into global international law – with possible provisions for the "right of peoples to self-determination" proclaimed in the UN Charter.

Furthermore, the results of the cited border changes should also be scrutinized. They must either be improved or corrected, or at least achieve a widened basis of legitimacy and acceptance through consensual procedures. "Let's forget it and move on" – this frequently heard opinion

regarding the annexation of the Crimea is a dangerous miscalculation. Crimea would then become a permanent flashpoint between Moscow and Kiev, between Russia and the West, and a source of trouble within Europe.

If it remains uncorrected, Kosovo's sovereignty achieved by the NATO wars against Serbia will remain a source of instability in Southeast Europe. Kosovo is a corrupt mafia state; it offers no future for the younger generation and serves as a cautionary example that secessions and state foundations based on ethnic homogeneity do not work.

The same applies to Bosnia-Herzegovina. Established in 1995 through the Dayton Accords, the constitution proclaims a unitary state but places all essential powers in the hands of two ethnically defined entities, the Republika Srpska and the Muslim-Croat Federation under the umbrella of a weak multi-ethnic central government in constant paralysis. Unless this constitution is corrected, Bosnia-Herzegovina will remain a failed state. Since the country's inhabitants are unable to make that change, the three initiators and guarantors of the Dayton Agreement – the US, Russia and the EU – must shoulder that responsibility.

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The fact is, cyber attacks and digitization are inseparable and must be accounted for together in strategic business planning. As data, things, machines and individuals grow ever more interconnected, so do the vulnerabilities of consumers, companies and governments.

Corporate and operational management in particular face multiple complexities and uncertainties as a result of digitization. To realize their digital business potential, they need improved governance approaches toward security and risk management. Above all, management today has to answer the question of how to gain a holistic view of cyber risks facing their company.

One problem is that analogue ideas of "security" still clash with the new digital realities. This silo mentality conflicts with digital positioning and the need to think cybersecurity holistically. Closer and more agile cross-domain cooperation in the areas of strategy, governance, IT and cybersecurity has become a necessity. Only then it is possible to detect connected risks of digitization more quickly and take preventive steps. In a nutshell, the connected world's security issues require a new systemic approach.

Yet cybersecurity continues to lag, even as networked cyberattacks multiply. All too often cybersecurity is reduced to an isolated, technically complex and costly domain of experts. Hierarchical corporate structures and limited cooperation mechanisms within the industry often prevent cybersecurity from being perceived as an essential cross-sector vehicle for ensuring secure value chains and a factor in the economy's future success.

More than ever before, sustainable and qualitative growth requires an integrated approach to cybersecurity, one that in the future will, among other things, fully grasp technological, personnel and procedural complexities and operate connected risk management.

This applies in particular to tomorrow's critical IT infrastructures such as air traffic management systems, smart grids and a highly automated traffic control center for autonomous vehicles. In such infrastructures sophisticated systems including geolocation satellites, ground stations, vehicle electronics, data networks and software components interlock. Attacking just one of these components can have devastating effects on the security of the entire system, and thus on the lives of connected car users and their environments.



Digitization needs a secure foundation to continue to grow and prosper and be free. It can be protected only through holistic cybersecurity to prevent manipulation or disruption along current and future value chains. Connected cybersecurity must be understood as a strategic and interdisciplinary matter. Today more than ever, this requires inter-sector exchange, for example in the energy sector and the digital intersection of electricity, heating, production and transport. This has become an obligation rather than an option, not least for the sake of competitiveness and the future viability of our economy.

Entrepreneurial success today depends to a large extent on technological innovation. Cybersecurity, the safer networking of value chains and digital leadership skills are

the key factors for growth and success. Digitization brings with it epochal changes that have far-reaching effects on different levels of our social structure. Interdisciplinary dialogue is therefore essential for the risk-based, political and economic governance of the connected world.

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