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**Separatist Entities-Unrecognized Republics In South Caucasus
After Disintegration of Soviet Union
(Historical-Legal Analysis)**

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Separatist Entities-Unrecognized Republics In South Caucasus After Disintegration of Soviet Union (Historical-Legal Analysis)

Abstract

This research analyses separatist entities-unrecognized republics in South Caucasus and their historical-legal status which emerged after the disintegration of the Soviet Union. Especially Nagorno- Karabakh, South Osetia and Abkhazya are regions which has separatist entities after disintegration of Soviet Union. All sides, policy makers and scholars generally try to find ways to solve problems about separatist entities and unrecognized republics in south Caucasus. At first, theoretical investigations and its results of unrecognized state conception in the international system and academic literature have been reflected. Historical-legal status of the South Caucasian unrecognized republics has been analysed on the basis of the 1936 and 1977th Soviet Constitutions. Also their autonomy and separatism stages have been investigated in the frame of historical time – Soviet period and Soviet continuation. At the same time, the essence of the “Geneva Law”, the “Helsinki Act” in the system of international relations was revealed and studied in the context of the unrecognized republics formed in the South Caucasus. At the end of the investigation concluded that unrecognized republics in South Caucasus are illegal and have no status in international arena.

Key words: The Soviet Union, South Caucasus, separatist entities, so called “Abkhazia Republic”, so called “South Ossetia Republic”, so called “Nagorno-Karabakh Republic”

Introduction

At the end of the twentieth century, with the collapse of the Soviet Union and the disappearance of the bipolar international system, instability and regional conflicts arose in many regions. Thus, the collapse of the Soviet Union led to the rise of political movements around the world, which led to ethnic conflicts in many newly independent countries. In the words of R. Ploamr in 1793: "The war of the state is over, the war of the peoples begins." (Tagiev, 2012, p.339).

The South Caucasus region is one of the regions marked by ethnic conflicts and confrontations following the collapse of the Soviet Union. In fact, this was a deliberate tactic of the Soviet government. By creating national conflicts in the regions, it was nothing but an obstacle to the "life of the



peoples without the Soviets." Thus, after the independence of Azerbaijan and Georgia, there was the Nagorno-Karabakh conflict between Azerbaijan and Armenia - another country in the South Caucasus, which was distinguished by the idea of independence and statehood. Shortly afterwards, a similar problem arose between Georgia and two ethnic groups within its territory - Abkhazians and Ossetians. The conflicts in Abkhazia, South Ossetia and Nagorno-Karabakh, which took place in the South Caucasus and now have a frozen status, also resulted in the emergence of separatist regimes. Thus, Abkhazia and South Ossetia declared their independence from Georgia, on the other hand, Nagorno-Karabakh declared the independence of the so-called "Nagorno-Karabakh Republic". It should be noted that despite the current declaration of independence of all three separatist regimes, they have the status of de facto functioning but unrecognized states. It should be noted that all three separatist organizations are supported by Russia in one form or another.

The concept of "unrecognized state" in the academic literature

In academic literature unrecognized states are referred to by various terms: "de facto states", "unrecognized states", "quasi states", and "pseudo-states" (Kolsto, 2006, p. 723). All of these terminologies are possible to be used when defining the states that are declared their independence but haven't been recognized yet. Generally these so called states controls the territories that they claim on, established acting state and governmental institutions but not being recognized by international community exclude them from the club of the sovereign states. In fact, most of these unrecognized states never reach recognition (Kolsto, 2006, p.726). Besides, according to Österud, the unwritten rules of international relations formatted in the post-World War II period strictly restrict the establishment of new states (Öyvind, 1997).

Unrecognized states have been part of international political reality for many decades, despite a lack of formal recognition and integration into the international community (Reijn, 2009, p.32). Since the unrecognized quasi states have no status in international arena, they don't have right to be a member of any international organizations and don't own any diplomatic missions. S.Pegg, a lead researcher on de facto states, in his theoretical discussion of de facto states (Pegg, 1998a, p.1-2).

In addition to that, Scot Pegg by classifying the respond of international community(IC) on unrecognized quasi-states divides them into three ways: through using sanctions and embargos opposes them; ignores and doesn't deal with them; and provides very limited acknowledgment of their presence (Pegg, 1998b, p.5).

In International law the conceptualization of the sovereign state is determined in the Montevideo Convention on the Right and Duties of the State. According to this Convention, an entity may be considered as a



sovereign state if it poses the following criteria: a permanent population; a defined territory; a government; and a capacity to enter into relations with the other states 28. In fact, most of unrecognized states owns the first three criteria but is not capable to enter into relations with other state since none of these states recognized her as a sovereign entity. Scott Pegg argued that regardless of the effectiveness of the unrecognized quasi states, they should be accepted as illegitimate (Pegg, 1998b, p.5).

Unrecognized states - comparative analysis

In academic literature the most effective and the most cited investigation on unrecognized state is considered "*International Society and the De Facto State*" which published in 1998 by Scott Pegg. S. Pegg gave a theoretical framework of unrecognized state and used for the first time "de facto state" term. S.Pegg defines de facto state as a secessionist entity that receives popular support and has achieved sufficient capacity to provide governmental services to a given population in a defined territorial area, over which it maintains effective control for an extended period of time. Pegg also examines de facto state's impact on international society and international law and chose Northern Cyprus, Eritrea, Tamil Elam and Somaliland as cases (Pegg, 1998a, p.1-25).

Charles King used "statelike entity" term for defining unrecognized state. King defines unrecognized state as a political unit which has a population and a government exercising sovereign control over some piece of territory – but lack of international recognition (King, 2001, p.25). King analyses Post-Soviet territorial separatist countires of the 1990s have become the state builders of the early 2000s. These defacto countries can create armed forces, control their own territories, educate their children and maintain their local economies. King argues that the products of the wars of the Soviet succession are not only frozen conflicts, but also succesful examples of making states by making war (King, 2001).

Pal Kolsto introduced for the first time "quasi state" term for defining unrecognized state. Kolsto defines quasi state that their existence is not supported by international recognition, they must be sustained by something else (Kolsto, 2006, p.723). Kolsto analyses circumstances sustaining viability factors of unrecognized quasi states. They are sympolic nation building, the waekness of parent state, militarization of society, support from an external patron and lack of involvment on the part of the international community (Kolsto, 2006, p.729).

Pal Kolsto in his joint research with Helge Blakkisrud focused on South Caucasian three quasi states - Abkhasia, South Ossetia and Nagorno Karabakh (Kolsto, 2008). In this investigation authors also used "quasi state" term for defining unrecognized states.

Robert Jackson devolops the term "quasi-state" which used by Kolsto to conceptualize unrecognized states (Jackson, 1990, p.21). Jackson argues that quasi states are primarily judicial. They are still far from complete and empirical statehood in large measure still remains to be built (Jackson, 1990).



Vladimir Kolossov and John O'Loughlin used "pseudo- state" term and give the classification of pseudo states. Authors labelled first category as "institutionalised" pseudo-states, those units that have declared sovereignty, have all necessary attributes of a "normal" state, and are in full control of their territories but lack of recognition by international community (Kolossov ve O'Loughlin, 2016, p.5). Authors also distinguish four types of pseudo-states based on genesis and function. These include: self-identification of an area with a specific nationality; state that has come into being because of the collapse of an empire; areas lacking control as a result of civil war or foreign invasion; and pirate states based on criminal-terrorist activities (Kolossov ve O'Loughlin, 2016, p.6).

Caspersen in her investigation used the most common and easily understandable "unrecognized state" term (Caspersen, 2012). He gives comparative analysis of unrecognized states, assess the origin of unrecognized states and main factors of surviving of unrecognized states and future prospects of these states. Caspersen also examines sovereignty and statehood aspects of unrecognized states.

Generally there are some differences in the characteristic naming of unrecognized states in the investigation of researchers. Thus S.Pegg, Ch.King, V.Kolossov and J.O'Loughlin consider that the unrecognized states in the South Caucasus quite strong. They argue that this ability is crucial reason behind their survival. In contrast to that P. Kolsto, D. Lynch assess de facto states as failing. So D.Lynch argue that they have the institutional fixtures of statehood, but they are not able to provide their substances (Lynch, 2002, p.841). In addition to that P. Kolsto argue that their model tendency is weak economy and state structures (Kolsto, 2006, p.723).

The status of Abkhazia, South Ossetia and Nagorno-Karabakh in the 1936 and 1977 USSR Constitutions

The Article 24 of the 1936 USSR Constitution declared the Nagorno-Karabakh Autonomous SSR an integral part of the Azerbaijan SSR. Although its status was determined by the Soviet Constitution of 1936, all other legal provisions were included in the new Constitution of the Azerbaijan SSR adopted in 1937 (Azərbaycan Sovet Sosialist Respublikasının Konstitusiyası, 1937). The 1937 Constitution of the Soviet Socialist Republic of Azerbaijan affirmed the status of Nagorno-Karabakh as an Autonomous Region; defined state bodies and departments, election methods, rules of representation, their powers and rules of operation, government structure and their relations with other state bodies (Azərbaycan Sovet Sosialist Respublikasının Konstitusiyası, 1937 section VII).

The 1977 Constitution, unlike the 1936 Constitution, defined Nagorno-Karabakh not as an Autonomous Republic, but as an Autonomous Region



(Nagorno-Karabakh Autonomous Region). According to Article 86, the Autonomous Regions are an integral part of the Union Republic. The law on the Autonomous Region was to be adopted by the Supreme Soviet of the Union Republic on the recommendation of the Council of People's Deputies of the Autonomous Region (The Constitution of USSR, 1977, Article 86). According to Article 87 of the Constitution, the Nagorno-Karabakh Autonomous Region was part of the Azerbaijan SSR (The Constitution of USSR, 1977, Article 87).

Articles 78 and 83 of the Constitution of the Azerbaijan SSR, adopted in 1978, stated that the Nagorno-Karabakh Autonomous Region was part of the Azerbaijan SSR. According to paragraph 8 of Article 72 of the Constitution, the leadership of the budget of the Nagorno-Karabakh Autonomous Region belonged to the Azerbaijani SSR. Economic and social development plans of the Nagorno-Karabakh Autonomous Region were included in the state economic and social development plans of the Azerbaijan SSR (Azərbaycan Sovet Sosialist Respublikasının Konstitusiyası, 1978). In addition, according to Article 84, the law on the Nagorno-Karabakh Autonomous Region was adopted by the Supreme Soviet of the Azerbaijan SSR on the recommendation of the Council of People's Deputies of the Nagorno-Karabakh Autonomous Region (Azərbaycan Sovet Sosialist Respublikasının Konstitusiyası, 1978). According to Article 114, the definition and change of the borders and division of the Nagorno-Karabakh Autonomous Region belonged to the Presidium of the Supreme Soviet of the Azerbaijan SSR. In addition, the Council of Ministers of the Azerbaijan SSR had the right to annul the decisions and orders of the Executive Committee of the Council of People's Deputies of the Nagorno-Karabakh Autonomous Region.

The 1936 Constitution declared the Abkhazian Autonomous SSR and the South Ossetian Autonomous SSR to be part of the Georgian SSR. According to the 1977 Constitution, the Abkhazian Autonomous SSR is part of the Georgian SSR. Article 87 of the Constitution states that South Ossetia is an integral part of the Georgian SSR with the status of an Autonomous Region (The Constitution of USSR, 1977, Article 87).

In general, Article 78 of the 1977 USSR Constitution stated that the territory of the Union Republic could not be changed without its consent and that the borders between the Union Republics could be changed by ratification by the USSR with the mutual consent of the respective republic (The Constitution of USSR, 1977, Article 78). According to this article, the borders of allied states are their sovereign right and their territorial integrity must not be changed without their permission. Therefore, the territorial claims of the neighboring union states against the other union state and the act of arbitrary secession of the Autonomous Provinces were considered illegal. In addition, the provision of Article 79 that "each Union Republic shall determine the division of territories, regions, territories and districts and resolve other issues related to its administrative and territorial structure" (The Constitution of USSR, 1977, Article 79) also defines the position of the



Union Republic over the Autonomous Region. Thus, the Constitutions of the USSR of 1936 and 1977 established that the autonomous republic and the province are an integral part of the Union Republic and cannot be changed without its will.

The collapse of the Soviet Union and unrecognized states

The emergence of independent nation-states in the South Caucasus after the collapse of the Soviet Union has also raised some separatist issues. Thus, nationalist movements and ethnic conflicts have arisen in the vast region of the Caucasus and Central Asia. Most post-Soviet conflicts have been marked by separatist movements. Thus, a conflict arose between Azerbaijan and Armenia over the Nagorno-Karabakh Autonomous Republic, which is an integral part of Azerbaijan. Georgia, on the other hand, has a conflict within its borders between two minorities - first the Ossetians (South Ossetia Autonomous Region) and then the Abkhazians (Abkhazia Autonomous Region). At present, these conflicts have the status of frozen conflicts. These frozen conflicts in the post-Soviet space also resulted in the emergence of unrecognized states. (Irdam, 2012, p.1).

The main characteristic of separatism is the attempt of a certain province, national minority to separate from the existing state and establish an independent state on a certain territory (Hughes and Sasse, 2001, p.17). Thus, such separatist regimes in the post-Soviet space include the Transnistrian Republic of Moldova, the so-called Abkhazia and the so-called Republic of South Ossetia within the borders of Georgia, and the so-called Nagorno-Karabakh Republic within the borders of Azerbaijan.

The so-called "Republic of Abkhazia"

The historical roots of Abkhazia's independence go back to the Kingdom of Abkhazia, which was established in the VIII century. Abkhazia was annexed by Russia in 1864 after a long period of historical independence and dependence. After the October Revolution in Russia in 1917, the Soviet government was established in Abkhazia in 1921. In 1922, Abkhazia joined the Transcaucasian Soviet Socialist Federal Republic as a union republic. However, in 1931, Abkhazia again became an autonomous republic within the Georgian SSR (http://abhazya.org/wp/?page_id=292(accessed 23/01/2015)).

The policy of "openness" and "reconstruction" pursued by Gorbachev in the USSR in the 1980s led to the expansion of Abkhazian tendencies for independence and the further acceleration of the Abkhazian problem. On August 25, 1990, the Supreme Soviet of Abkhazia adopted the "Declaration of State Sovereignty of the Autonomous Soviet Socialist Republic of Abkhazia." The declaration declared Abkhazia a sovereign socialist republic, citing "the right to self-determination." At the same time, the declaration



stated that Abkhazia had the right to foreign relations, acquisition and withdrawal of citizenship, and the establishment of its own banking system and central bank, which no autonomous republic had (<http://www.kapba.de/StateDeclaration.html> (accessed 12/02/2015)).

In 1992, the Georgian government announced the repeal of the 1978 Soviet Constitution and the entry into force of the 1921 Georgian Constitution. Thus, the last legal document regulating the relations between the two parties disappeared. At the same time, the Abkhazian parliament repealed the 1978 Constitution, which recognized Abkhazia as part of Georgia, on July 23, 1992, emphasizing the right of the Abkhaz people to self-determination and sovereignty over their lands (http://abhazya.org/wp/?page_id=292 (accessed 23/01/2015)).

After Abkhazia declared its 1925 Constitution and declared independence, Georgia invaded Abkhazia on August 14, 1992, sparking a war. The 13-month confrontation between the parties ended in September 1993 with the withdrawal of Georgian troops from Abkhazia (http://abhazya.org/wp/?page_id=292 (accessed 23/01/2015)).

With the transfer of the issue to the UN, the parties began talks in Geneva in December 1993, signed a protocol on December 1, 1993, and a final agreement on January 13, 1994. The United Nations Georgian Oversight Board (UNOMIG) has been deployed to Sukhumi to maintain peace in the region (Reijn, 2009). At the same time, under pressure from Russia, ceasefire talks were held first in Moscow and then in Sochi, and on May 15, 1994, a ceasefire agreement was signed between Abkhazia and Georgia. This agreement agreed to withdraw Georgian military forces from Abkhazia, disarm the parties and establish a legitimate Sukhumi government, and set up a tripartite commission to oversee the process (<http://www.pro-abkhazia.eu/15.Mayis.1994.Moskova.Antlasmasi.html> (accessed 12/02/2015)). Russia has played an important role in the region as a guarantor of this agreement.

A referendum on independence was held in Abkhazia on October 3, 1999, with 87.6% of the 219,534 people (58.5% of the total population) participating in the referendum. As a result of the vote, 97.7% of voters expressed their consent to independence and the adoption of the Constitution of November 26, 1994. Following this referendum, on October 12, 1999, the "Republic of Abkhazia" officially declared its independence.

In 2006, Georgia recaptured the Kodori Valley, one of Abkhazia's strategic territories, further exacerbating tensions in Abkhazia. However, two years later, in the 2008 Russian-Georgian war, Georgia lost the Kodori Valley again. In this war, one of the most important events of the period, Russia recognized the independence of Abkhazia. After Russia, Venezuela and Nicaragua also recognized Abkhazia's independence in 2009. In addition, the independence of "Abkhazia" was recognized by other unrecognized states such as "Nagorno-Karabakh", "South Ossetia" and "Transnistria" and



cooperation was established (http://abhazya.org/wp/?page_id=292(accessed 23/01/2015)). However, although the independence of Abkhazia is recognized by several states, it still has the status of a state not recognized by the international community.

Given some factual indicators, it can be said that Abkhazia has the ability to establish relations with a limited number of countries, especially those that recognize its independence and agree with Russia on global issues. In addition, Abkhazia has special representatives in 12 countries (<http://mfaapsny.org/en/> (accessed 26/01/2015)).

The so-called "Republic of South Ossetia"

South Ossetia's connection with Georgia began in the middle of the 19th century with the Russian occupation of the region. Thus, Tsarist Russia declared South Ossetia the property of Georgian feudal lords (Tavkul, 2002,p.77-78) After the October Revolution in Russia in 1917, the Soviet government was established in Georgia in 1921 (Yapıcı, 2007, p.73), and South Ossetia was annexed to the Georgian Soviet Socialist Republic in 1922 with the status of an autonomous region (Blakkisrud ve Kolsto, 2008, p.6).

South Ossetia was the first region to demand secession from the Georgian government due to the fact that the majority of the population is Ossetian and has strong ties with Russia-linked North Ossetia. The "United Ossetia Plan" aimed at uniting the Ossetians living in the south and north, which is the main goal of Ossetian nationalism, is one of the main goals of this separatist movement (Ağacan, 2004, p.42-43).

The policy of "glasnost" announced in the recent period of the USSR encouraged mass marches and demonstrations compared to the previous period. Thus, the current situation and conditions have laid the groundwork for ethnic movements in South Ossetia (Arslanlı and Veliyev, 2011, p.243). The first step in the beginning of the Georgian-Ossetian conflict was the adoption in November 1988 of a law on the strengthening of the Georgian language in South Ossetia. Thus, on November 23, 1989, clashes broke out between Georgians and Ossetians in the capital, Tskhinvali. Georgia's first president, Gamzakhurdia, has begun cracking down on separatist movements. The Georgian Supreme Soviet passed a resolution on June 20, 1990, restricting the political autonomy of South Ossetia.

The problem of South Ossetia was one of the main problems in Georgian politics in the first years of independence after the collapse of the USSR. The situation in Georgia after the Cold War had a great influence on the emergence of the South Ossetian problem. Thus, Georgia, which declared its independence with the collapse of the USSR, was in a position of serious political turmoil and mass nationalist movements at that time.



South Ossetia On September 20, 1990, it declared itself the Democratic Republic of South Ossetia, not the Autonomous Republic of South Ossetia (Shevchuk, 2015). The Supreme Soviet of Georgia declared that it did not recognize these options, and that the newly formed "Republic of South Ossetia" was anti-Georgian and unconstitutional (Şen, 2008, p.41). The Georgian-Ossetian conflict, which has intensified since then, lasted until the spring of 1992. Although a ceasefire agreement was signed on May 29, 1992 at the initiative of Russia, the conflict was not fully resolved (Blakkisrud and Kolsto, 2006, p.11). In the same year, South Ossetia held a referendum on independence. In 1993, the Constitution reflecting South Ossetia as an independent state was adopted (The Constitution of USSR, 1936, Article 92). From this period, state building began to be established.

Saakashvili, who came to power in Georgia after the "Golden Rose" revolution, was in favor of a complete solution to the problem and ensuring Georgia's territorial integrity. At the same time, South Ossetia held a new independence referendum and presidential election in 2006. In the referendum, 99.88% of the population of South Ossetia voted for independence (Bozkurt, 2008, p.6).

The South Ossetian leader's expectation of support from Russia and the Georgian side's response to the tough stance caused the tense relations between the two sides to explode at one point. Thus, as a result of Georgia's military intervention in the region in August 2008 and Russia's defense of "South Ossetia", the Russian-Georgian war soon broke out. After the so-called "Five-Day War", Russia recognized the independence of "Abkhazia" and "South Ossetia". However, the independence of "South Ossetia" is still not recognized by the international community (Blakkisrud and Kolsto, 2006, p.283).

As in Abkhazia, South Ossetia is trying to build relations with other countries. Russia has an embassy in South Ossetia and South Ossetia in Russia. Russia's patronage in South Ossetia is more pronounced than in Abkhazia and the Transnistrian Republic of Moldova. Russia is the main trade and investment partner of South Ossetia, and as in Abkhazia, the Russian ruble is the official currency (Toomla, 2013, p.61). According to the International Crisis Group, investment and foreign trade in South Ossetia are almost non-existent. The main reasons for this are the unstable situation, lack of legal regulation and high level of corruption (<http://www.crisisgroup.org/-/media/files/europe/205%20south%20ossetia%20%20the%20burden%20of%20recognition.ashx>).

The so-called "Nagorno-Karabakh Republic"

Karabakh was part of Tsarist Russia in the 19th century. During this period, as a result of Tsarist Russia's resettlement policy, the Armenians who were deported to northern Azerbaijan, including Karabakh, soon began an open struggle for the realization of the idea of a "Greater Armenia" on Azerbaijani soil. The Soviet government was established in Azerbaijan. After the



establishment of the Soviet government in Azerbaijan, by the decision of the Soviet leadership, Nagorno-Karabakh was given the status of an autonomous region within the Azerbaijan Soviet Socialist Republic on July 7, 1923, and the Nagorno-Karabakh Autonomous Region was established (Mahmudov and Şükürov, 2005, p.53).

With the coming to power of M. Gorbachev in the USSR in 1985, Armenian separatists became active again. After the implementation of the policy of "reconstruction" and "openness" in the Soviet Union by M. Gorbachev, new conditions were created that allowed the Armenians to openly express their desire to annex Nagorno-Karabakh to Armenia - their territorial claims against Azerbaijan (Niall, 1990, p.657). In 1985-1987, there was an increase in Armenian protests against the Nagorno-Karabakh Republic (Niall, 1990, p.657). In late 1987 and early 1988, numerous meetings were held in Moscow between representatives of the Nagorno-Karabakh Republic and high-ranking officials on the status of the autonomous region (Niall, 1990, p.657-658). Beginning in early 1988, Armenian protests against Nagorno-Karabakh became more aggressive. Beginning in February of that year, a wave of rallies by separatists and Armenian nationalists began in Yerevan and Khankendi. At the end of February, premeditated assassinations were carried out in Sumgayit, the largest industrial city in Azerbaijan, with the participation of Armenian special services.

With the collapse of the USSR in 1991, new geopolitical conditions emerged in the former Soviet Union. Armenian separatists of Nagorno-Karabakh also took advantage of the situation and continued their political organization (Mahmudov and Şükürov, 2002, p.91). Thus, on September 2, 1991, the Karabakh Soviet declared the independence of the so-called "Nagorno-Karabakh Republic" over the territory of the former Nagorno-Karabakh (Cornell, 1999, p.26). On December 10, 1991, a referendum was held to determine the status of the region only in the territories dominated by the Armenians of Nagorno-Karabakh. As expected, Armenians voted for the independence of the so-called "Nagorno-Karabakh Republic" (http://www.crisisgroup.org/~media/files/europe/166_nagorno_karabakh_v_iewing_the_conflict_from_the_ground.pdf (accessed 13/02/2015)).

However, in fact, no independent state has established diplomatic relations with this unrecognized republic. To date, no international organization has recognized the so-called "Nagorno-Karabakh Republic" and thus has not accepted joint cooperation. Even Armenia itself has not recognized the independence of Nagorno-Karabakh in the system of international relations. Nevertheless, the so-called "Nagorno-Karabakh Republic" has a permanent representation in seven countries that have paid very little attention to its existence. Diplomatic relations of the so-called "Nagorno-Karabakh Republic" are limited to cooperation with other so-called "quasi-states" such



as Abkhazia, South Ossetia and Transnistria. The negligence and embargo imposed on the so-called "Nagorno-Karabakh Republic" have a negative impact on economic development. The main financial support is provided by the Republic of Armenia and the Armenian Diaspora abroad (King, 2001, p.543). In fact, diplomatic isolation prevents it from receiving foreign aid for development. As a result of the war, the region's pre-war industrial infrastructure and agricultural system were destroyed and not yet fully restored. Due to the blockade and its lack of legal status, it is impossible to make large foreign investments in the region. Foreign companies are reluctant to invest in the so-called "Nagorno-Karabakh Republic" because the agreements that can be signed for investment do not constitute an international obligation (Dedeyev et.al. 2014, p.290).

In the system of international relations, the picture is completely different. It is known that humanitarian law, being an integral part of international law, is based on humanistic principles and protects the rights of the individual in times of war. Based on the Geneva Concept of 1949 - the law of Geneva - the law of armed conflict - is a humanitarian law, which in its own right protects the rights of those who do not participate in armed conflicts and those who participate and are victims.

Unlike the Hague law of 1899, the law of Geneva reflects the full interests of the victims of war and does not give any state a privilege in violating the rights of war victims. If we take into account that the Armenian occupiers violated the rights of about 1,000,000 refugees and internally displaced persons as a result of the occupation policy in Nagorno-Karabakh and 7 surrounding regions. According to the 1954 Hague Convention, the protocol on the protection of cultural values, the prohibition and restriction of certain types of weapons was violated by all three separate states, especially Armenians preferred terrorism, and "vandalism" was applied to Azerbaijani culture.

In 2000, at the initiative of UNESCO, it was declared the Year of Culture of Peace. The Republic of Azerbaijan is one of the first countries to sign the Manifesto of Peace. However, despite Azerbaijan's numerous proposals for coexistence, the Armenian government continues to torture people taken hostage by those who have not reconciled with coexistence and have not given up their aggressive policies.

Finally, the principle of inviolability of borders, adopted by the Helsinki Peace Treaty in 1975, as well as four UN resolutions on bathing in the occupied territories, have not been implemented. In general, these separate states operate illegally in both the Soviet system and the system of international relations.

Conclusion

As a result, unrecognized states in the system of international relations are illegal. Although they have in fact declared their independence, their



presence in the international community attracts very little attention, and the attitude of the international community towards these states is reflected in the non-recognition of their declaration of independence, as well as the policy of international isolation against them. In addition, the third factor behind the existence of unrecognized states, the patronage factor, highlights the fact that these states are not fully independent, and that their separatist nature means that they have no prospect of official recognition by the international community as a fully independent state in the future.

The so-called "Republic of Abkhazia", the so-called "Republic of South Ossetia" and the so-called "Nagorno-Karabakh Republic", the unrecognized republics of the South Caucasus, also faced a common attitude towards separatist states that were not recognized by the international community. Thus, the so-called "Nagorno-Karabakh Republic" has not yet been officially recognized by any state. The independence of Abkhazia and South Ossetia has not yet been officially recognized by the international community, with the exception of a few states. At the same time, a policy of isolation is being pursued against them at the international level, and they are being targeted in any field - political, economic, military, etc. There is no cooperation in these areas. Their existence is maintained only by the patronizing states. Thus, the so-called "Abkhazia" and "South Ossetia" republics are receiving comprehensive assistance from Russia, which is a supporter of the state, and the so-called "Nagorno-Karabakh Republic" from Armenia.

In general, the unrecognized republics of the South Caucasus have no prospects for future recognition in the international community. The main reasons for this, as mentioned above, are their separatist nature and lack of independence. Thus, the declaration of independence of Georgia by "Abkhazia" and "South Ossetia" in violation of the principle of territorial integrity of Georgia was violated by the international community and their independence was not officially recognized.

The so-called "Nagorno-Karabakh Republic" is essentially a separatist occupation regime. This regime, as in other similar regimes, relies on military forces created and armed with the help of Armenia. In addition, while this regime calls itself the "Nagorno-Karabakh Republic", it is in fact occupying a large part of the historical lands of Karabakh, ie the territories of Azerbaijan not included in Nagorno-Karabakh (Yakupov and Şükürov, 2005, p.97).

If we take into account that there are more than 3,000 nations on earth, and these nations live in about 200 countries. If all nations are given independence for a moment, the whole world will be in chaos and harmony will be disrupted. Thus, the unrecognized republics in the South Caucasus are defined as unrecognized quasi-states because they do not meet the criteria required for sovereign states in accordance with the accepted norms



of international law. In addition, these "quasi-states" are unable to decide on the future without the involvement of external factors.

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