

Liberland Örneğinde Devletlik İddiası ve Uluslararası Tanınmanın Sınırları

Statehood Claims and the Limits of International Recognition in the Case of Liberland

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Özet

Bu çalışma, Liberland'ın devletlik iddiasını uluslararası hukuk ve uluslararası ilişkiler bağlamında incelemektedir. Çalışmanın temel amacı, 2015 yılında Hırvatistan ile Sırbistan arasındaki tartışmalı sınır alanında ilan edilen Liberland'ın, neden yüksek görünürlük üretmesine rağmen uluslararası tanınma ve kabul bakımından sınırlı kaldığını ortaya koymaktır. Bu çerçevede çalışmada nitel araştırma yaklaşımı benimsenmiş, tek vaka incelemesi ve belge analizi yöntemi kullanılmıştır. İnceleme, Montevideo Sözleşmesi'nde yer alan klasik devletlik ölçütleri, fiili egemenlik kapasitesi ve uluslararası tanınma boyutları üzerinden yürütülmüştür. Bulgular, Liberland'ın kurumsal semboller, dijital vatandaşlık uygulamaları, anayasal söylem ve küresel medya görünürlüğü üretmiş olmasına rağmen kalıcı nüfus, toprak statüsünün tartışmalı niteliği, etkin hükümet ve diğer devletlerle ilişki kurma kapasitesi bakımından ciddi sınırlılıklar taşıdığını göstermektedir. Çalışma ayrıca görünürlük ile tanınmanın, kurumsal söylem ile fiili egemenliğin aynı anlama gelmediğini ortaya koymaktadır. Bu bağlamda Liberland, klasik anlamda devlet statüsüne ulaşmış bir örnekten ziyade, çağdaş uluslararası sistemde devletlik iddiası ile uluslararası tanınmanın sınırlarını görünür kılan öğretici bir vaka olarak değerlendirilmektedir.

Anahtar Kelimeler: Liberland, Devletlik İddiası, Uluslararası Tanınma, Egemenlik, Montevideo Sözleşmesi

Abstract

This study examines Liberland's claim to statehood within the framework of international law and international relations. Its main objective is to explain why Liberland, proclaimed in 2015 in a disputed border area between Croatia and Serbia, has remained significantly limited in terms of international recognition and acceptance despite attracting considerable visibility. The study adopts a qualitative research design and employs a single-case study supported by document analysis. The analysis is conducted through the classical criteria of statehood set out in the Montevideo Convention, alongside de facto sovereignty and international recognition. The findings show that although Liberland has generated institutional symbols, digital citizenship practices, constitutional discourse, and global media visibility, it continues to face major limitations with regard to permanent population, the contested status of its territory, effective government, and the capacity to enter into relations with other states. The study also demonstrates that visibility does not amount to recognition and that institutional discourse cannot substitute for effective sovereignty. In this context, Liberland should be understood not as a fully established state, but as an instructive case that reveals the limits of statehood claims and international recognition in the contemporary international system.

Keywords: Liberland, Statehood Claim, International Recognition, Sovereignty, Montevideo Convention

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1. INTRODUCTION

Claims to statehood in the international system cannot be reduced to a simple declaration of political will. The recognition of an entity as a state is traditionally associated with a set of established criteria, including a defined territory, a permanent population, an effective governing authority, and the capacity to engage in relations with other states. Yet contemporary international practice demonstrates that these elements, taken alone, are not sufficient. Processes of recognition and broader international acceptance also play a decisive role. The relationship between statehood and recognition becomes particularly visible in cases involving territorial disputes or contested forms of effective sovereignty (Montevideo Convention, 1933; Crawford, 2006; Geldenhuys, 2009; Craven & Parfitt, 2018; Kyris, 2022).

In this respect, Liberland offers a striking example. Proclaimed on 13 April 2015 by Vít Jedlička, this entity laid claim to statehood over Gornja Siga, a disputed area along the border between Croatia and Serbia. Its founders argued that the territory constituted terra nullius and sought to substantiate this claim through a range of institutional and discursive instruments, including a draft constitution, citizenship applications, claims of diplomatic representation, and a narrative of digital governance. Croatia, by contrast, has explicitly rejected this interpretation, maintaining that the area is not terra nullius but part of an unresolved delimitation zone, and that Croatian authorities exercise legitimate control there. The Liberland case thus represents less a straightforward unilateral declaration of independence than a concrete manifestation of the tension between claims to statehood and the conditions of international acceptance (Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015; Demeillers & Osoha, 2024).

At the same time, the case extends beyond conventional debates on statehood and recognition. It also raises questions concerning borders, sovereignty, and the preservation of political order. As emphasized in security studies, particularly in the work of Buzan, Wæver, and de Wilde, security cannot be confined to military threats alone; developments affecting political order, sovereignty, and border regimes may likewise be framed in security terms (Buzan, Wæver, & de Wilde, 1998). From this perspective, Liberland appears as a case that not only advances a claim to political formation but also generates sensitivities regarding existing border arrangements and conceptions of sovereignty. Croatia's response to the case suggests that the issue is approached not merely as a legal dispute but within a broader framework of border control and the protection of sovereign authority (Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

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Liberland's significance lies not simply in being an unrecognized entity. It also prompts broader questions about how contemporary claims to statehood achieve visibility. Despite clear limitations in terms of permanent population and effective governance, Liberland has sought to present itself as a sovereign political entity through digital citizenship, online application systems, institutional symbolism, and global media exposure. In this sense, the case illustrates how classical criteria of statehood are being reinterpreted and contested in the digital age. Nevertheless, this does not imply that Liberland is approaching statehood within the existing framework of international law and practice. On the contrary, it demonstrates that visibility does not necessarily translate into recognition, and that institutional discourse does not automatically generate effective sovereignty (Rossman, 2016; Kyris, 2022; Demeillers & Osoha, 2024).

This study aims to evaluate Liberland's claim to statehood within the context of international law and international relations. The central question it addresses is why Liberland, despite producing a notable and visible claim to statehood, has remained limited in terms of international recognition and acceptance. To this end, the article first outlines the conceptual and legal foundations of statehood and recognition, then examines the emergence of Liberland and its own narrative of statehood, and finally evaluates this claim in light of the Montevideo criteria, effective control, and international recognition. The main argument advanced is that although Liberland has successfully generated institutional symbolism and digital visibility, it has failed to attain classical statehood due to the contested status of its territory, the absence of a stable population, limited effective sovereignty, and the lack of recognition. At the same time, the case serves as an instructive example that brings into focus the limits of statehood claims in the contemporary international system, particularly in relation to border regimes and sensitivities surrounding sovereignty (Montevideo Convention, 1933; Rossman, 2016; Kyris, 2022; Buzan et al., 1998). Unlike much of the existing literature, which tends to evaluate Liberland primarily through legal debates on statehood or as a libertarian microstate initiative, this study approaches the case through the combined lenses of international law and international relations. In doing so, it focuses particularly on the tension between digital visibility and effective sovereignty, and between symbolic performances of statehood and the limits of international recognition. Through this perspective, the article seeks to contribute to the literature by treating Liberland not merely as a legal anomaly, but as an instructive contemporary case that reveals the boundaries of statehood claims in the digital age.

2. CONCEPTUAL AND LEGAL FRAMEWORK

A sound assessment of the Liberland case requires first clarifying the conceptual and legal foundations of statehood and recognition. This is not only necessary for contested cases such as

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Liberland, but also for any study addressing claims to statehood more broadly. In the international system, statehood does not rest on a single criterion; rather, it constitutes a complex status in which legal and political dimensions are closely intertwined. For this reason, a balanced evaluation of Liberia calls for an approach that considers both the classical legal criteria of statehood and the broader debates surrounding recognition and sovereignty (Craven & Parfitt, 2018; Rossman, 2016).

The same issue is also relevant from the perspective of security studies. Debates concerning sovereignty, borders, and political authority can extend beyond questions of legal status and be situated within a broader framework concerned with the preservation of existing political order. As emphasized by Buzan, Wæver, and de Wilde, security is not limited to military threats; developments affecting political order, sovereign domains, and border regimes may likewise acquire significance within a security context (Buzan, Wæver, & de Wilde, 1998). From this standpoint, claims to statehood emerging in the context of border disputes, such as Liberia, generate implications that go beyond the formation of a new political entity. Such cases must therefore be evaluated with careful attention to their potential impact on existing structures of sovereignty and border regimes.

2.1. Statehood and the Montevideo Criteria

The legal framework most frequently invoked in discussions of statehood is the 1933 Montevideo Convention. Under Article 1 of the Convention, the essential qualifications of a state in international law are a permanent population, a defined territory, a government, and the capacity to enter into relations with other states (Montevideo Convention, 1933).

These four elements have long been treated in both legal doctrine and practice as the principal reference points for assessing statehood. Yet although the criteria appear straightforward at first glance, their application gives rise to substantial interpretive differences. There is no fixed minimum numerical threshold for the population requirement. The criterion of defined territory does not always require borders to be fully and finally settled. The government criterion may be interpreted differently depending on the degree and nature of effective authority. The capacity to enter into relations with other states, meanwhile, is often closely bound up with the question of recognition. For this reason, the Montevideo criteria are better understood not as a mechanical checklist, but as an evaluative framework that requires interpretation and contextual judgment (Crawford, 2006; Craven & Parfitt, 2018; Rossman, 2016).

At this point, it becomes clear that statehood extends beyond a purely legal definition. As Craven and Parfitt argue, statehood is a historically shaped status embedded in the political and normative structure of the modern international order. In their view, whether an entity is regarded as a state depends

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not only on the formal presence of the four criteria, but also on how those criteria are interpreted and how they acquire meaning within the wider international system. This observation makes it necessary to assess borderline cases such as Liberia through a broader lens rather than through a strictly text-based reading of legal rules alone (Craven & Parfitt, 2018).

2.2. Statehood Recognition: Declaratory and Constitutive Approaches

Recognition constitutes one of the most important dimensions of the statehood debate. In the literature, two classical approaches have been particularly influential. The declaratory approach maintains that an entity becomes a state once it satisfies the necessary legal conditions, while recognition by other states merely acknowledges an already existing situation. This understanding finds its clearest expression in Article 3 of the Montevideo Convention, according to which the political existence of the state is independent of recognition by other states (Montevideo Convention, 1933).

The constitutive approach, by contrast, holds that recognition performs a genuinely constitutive function in practice. From this perspective, acceptance by the international community is decisive for whether an entity can operate as a state in any meaningful sense within the international system. As Rossman demonstrates, many cases in practice suggest that the process is far less automatic than the declaratory theory implies. Some entities fail to secure recognition despite meeting a substantial part of the Montevideo criteria, whereas others attain broad acceptance despite lacking certain elements. This indicates that recognition functions in practice as a powerful filter (Grant, 1999; Rossman, 2016).

Craven and Parfitt likewise show that the declaratory and constitutive theories cannot be treated as wholly separate or mutually exclusive frameworks. Indeed, there are strong arguments that the relationship between statehood and recognition remains far from fully settled within international law and the United Nations system (Orakhelashvili, 2008; Craven & Parfitt, 2018). In their view, the connection between the legal definition of statehood and the political practice of recognition constitutes one of the most contested areas of international law. There is often a tension that resists easy resolution between the mere factual emergence of an entity and its acceptance as a subject of international law. This tension becomes even more apparent in cases such as Liberia, where the issue is not limited to the articulation of a claim itself, but extends to the question of how far that claim can gain legal and political acceptance (Craven & Parfitt, 2018).

2.3. The Gradual and Dynamic Nature of Recognition

In contemporary scholarship, recognition is no longer treated simply through a binary distinction between recognized and unrecognized entities. Kyris argues that recognition is a phenomenon that varies

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in both qualitative and quantitative terms, may expand or contract over time, and can take different forms. In this sense, some entities may be recognized by a considerable number of states without reaching the level of general acceptance, while others may not be formally recognized as states yet may still be regarded as actors with a potential claim to future statehood. Kyris discusses this condition through the concept of dynamic sovereignty, emphasizing that the conditions accompanying sovereignty may shift over time (Kyris, 2022).

This perspective avoids treating recognition as a one-off diplomatic decision delivered at the final stage of state formation. Instead, recognition is understood as a graduated form of international acceptance. Such an approach helps make better sense of cases such as Kosovo, Palestine, Taiwan, and the Sahrawi Arab Democratic Republic. The same framework is also useful for explaining why some entities remain at the very margins of the international system without even approaching a meaningful threshold of recognition. The literature on unrecognized and partially recognized political entities likewise underlines the layered relationship between external acceptance, effective sovereignty, and international functionality (Pegg, 1998; Caspersen, 2012; Kyris, 2022). Liberia falls closer to this latter category, since despite generating substantial visibility, it has failed to obtain recognition, membership, or institutional acceptance on any meaningful scale (Kyris, 2022).

For this reason, in the case of Liberia, recognition cannot be treated merely as an absent outcome to be noted in passing. It is one of the principal indicators that define the limits of the statehood claim itself. Put more directly, the issue in Liberia's case is not confined to the extent to which the Montevideo criteria may or may not have been fulfilled. The more significant question is how this claim has been perceived internationally and why it has failed to generate acceptance. This makes it necessary for the study to address not only the legal framework, but also the broader international relations dimension of the case (Rossman, 2016; Kyris, 2022; Pegg, 1998).

2.4. Analytical Approach of the Study

This study does not approach Liberia as a strict test of theory. Its purpose is not to verify or falsify a particular theoretical framework. Instead, it adopts a threefold analytical approach to assess Liberia's claim to statehood. The first axis consists of the classical criteria of statehood set out in the Montevideo Convention. The second concerns effective control on the ground and the capacity for sovereignty in practice. The third focuses on the level of international recognition and acceptance. Taken together, these three axes make it possible to explain more clearly why Liberia stands out as a notable yet ultimately limited case (Montevideo Convention, 1933; Rossman, 2016; Kyris, 2022).

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This analytical framework also brings the security dimension into view, albeit indirectly. A claim to statehood advanced in a disputed border area does not give rise only to a debate over legal status. It also generates sensitivities relating to sovereign space, border control, and the preservation of political order. For that reason, Liberland should be assessed not only through the criteria of statehood themselves, but also through the question of why those criteria continue to be so firmly protected within the international order (Buzan et al., 1998; Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

At the same time, this framework helps avoid a one-sided conclusion. An approach based solely on legal texts may overlook Liberland's capacity to generate visibility and political discourse. By contrast, an analysis focused only on digital visibility and ideological momentum may understate the absence of effective sovereignty and recognition. This study therefore neither dismisses Liberland in advance as a frivolous initiative nor treats it as if it were an already emerging state. A more accurate approach is to examine it as a distinctive case that makes visible the limits of statehood claims in the contemporary international system (Craven & Parfitt, 2018; Rossman, 2016; Demeillers & Osoha, 2024).

3. THE EMERGENCE OF LIBERLAND AND ITS CLAIM TO STATEHOOD

The emergence of Liberland differs markedly from classical secessionist movements and historical cases of state succession. It is not the product of civil war, post-colonial separation, or an ethnically grounded struggle for self-determination. Rather, it took shape as an attempt by founding actors with a distinct ideological orientation to establish a new political entity in a small territory marked by an ongoing border dispute. For this reason, understanding the Liberland case requires going beyond formal legal criteria and examining how this entity was conceived, how it was proclaimed, and through which means its claim was presented as legitimate (Rossman, 2016; Demeillers & Osoha, 2024).

3.1. The Border Dispute and the Status of Gornja Siga

Figure 1. The location of Gornja Siga, the territory subject to Liberland's claim to statehood

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Source: <https://e-liberland.org/liberland-map/>

As shown in Figure 1, the territory of Gornja Siga—central to Liberland’s claim to statehood—is situated along the disputed border between Croatia and Serbia. Historical shifts in the Danube’s course, the 1817 cadastral records, subsequent river regulation interventions, and administrative demarcations dating back to the Yugoslav period have all contributed to rendering the legal status of this area contested. As Rossman demonstrates in detail, principles governing river boundaries—such as thalweg, accretion, and avulsion—indicate that this territory cannot be treated as an ordinary parcel of land. The core of the dispute is not simply whether the area qualifies as *terra nullius*, but rather which historical and legal boundary line should be regarded as authoritative (Rossman, 2016).

This historical background is also reflected in secondary sources. Demeillers and Osoha emphasize that the absence of updated cadastral records since 1817, combined with changes in the Danube’s course, has led the two states to rely on different legal and historical documents. According to this account, the resulting legal ambiguity has allowed small land parcels to be interpreted in divergent ways, with Gornja Siga emerging as one of these contested areas. The authors further note that differing interpretations of the Badinter Commission’s opinions after 1991 by Serbia and Croatia have effectively frozen the dispute. While this situation does not render Liberland’s claim entirely unfounded, it also fails to provide it with a clear and uncontested legal basis (Demeillers & Osoha, 2024).

Liberland’s own narrative presents this contested territory in a more straightforward and assertive manner. On its official website, Gornja Siga is described as a 7-square-kilometer area of sovereign state territory, with particular emphasis placed on its allegedly unclaimed status. This framing transforms legal ambiguity into an opportunity for state formation. Croatia, however, has explicitly rejected this interpretation, stating that the area is not *terra nullius* but part of an unresolved delimitation

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zone between the two states (Liberland; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

Liberland's territorial claim thus takes shape between two competing narratives. On one side stands a founding discourse that derives a claim to sovereignty from the notion of legal uncertainty and unclaimed land. On the other stands an official state position that treats the area as part of an ongoing border negotiation process and rejects any third-party appropriation. This tension constitutes the first and most visible fault line in the Liberland debate (Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015). Unlike Croatia, Serbia has not articulated an equally explicit and institutionally consolidated official position regarding Liberland. Nevertheless, the structure of the dispute suggests that the two states assess the legal status of Gornja Siga on the basis of differing legal interpretations (Rossman, 2016).

3.2. Founding Actors and Ideological Background

The emergence of Liberland cannot be explained solely through a legal interpretation of territorial status. The project also rests on a strong ideological foundation. As Demeillers and Osoha note, the initial idea behind Liberland was conceived by Jiří Kreibich as a vision of an online libertarian space and a low-tax digital order. Only later did the possibility arise of materializing this idea on a physical territory, with Gornja Siga coming to be seen as a suitable site for that purpose. In this sense, Liberland took shape less as a legal discovery than as a political imagination structured by ideological design (Demeillers & Osoha, 2024).

Vít Jedlička's political profile reinforces this reading. Available sources indicate that Jedlička was influenced from an early age by libertarian thought and developed a worldview centered on low taxation, limited government, free markets, and criticism of the European Union. When Liberland's motto, "To Live and Let Live," is considered alongside the official website's references to "open source government," "blockchain governance," and online citizenship, it becomes clear that the project was framed not only as a claim to statehood but also as the expression of a particular model of political life (Liberland; Demeillers & Osoha, 2024).

This ideological background also helps explain why Liberland quickly evolved beyond the status of an unusual microstate initiative and became a platform that attracted the attention of global libertarian, crypto-economic, and entrepreneurial circles. In particular, as illustrated by the case of Niklas Nikolajsen, some Switzerland-based crypto actors appear to have viewed Liberland as a laboratory for property, investment, and alternative governance. This suggests that Liberland possesses

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a hybrid character, oscillating between a claim to sovereignty and a market-oriented entrepreneurial imagination. It also indicates that Liberland should be understood not simply as a territorial bid for statehood, but as an ideological, symbolic, and network-based political project (Cattaruzza, 2022; Demeillers & Osoha, 2024).

3.3. The Founding Moment and Performative Sovereignty

Liberland was formally proclaimed on 13 April 2015. As Rossman and narrative accounts consistently indicate, Jedlička and his associates reached the disputed area, planted a flag, read a declaration of independence, and carried out what amounted to a founding ceremony. This moment can be read as more than a legal statement; it also functioned as a constitutive scene in which sovereignty was symbolically performed. The flag, the pole, the declaration, and the photographs all became key symbolic devices through which the claim to statehood was made visible (Rossman, 2016; Demeillers & Osoha, 2024).

Viewed in this way, Liberland's founding represented less a classical process of state formation than a symbolic beginning. The instruments employed by its founders foregrounded the emblems of statehood rather than an established public order or a durable capacity for governance. The declaration can therefore be understood less as the establishment of effective sovereignty than as the moment at which a sovereignty claim was projected into the public sphere. This is also important for understanding Liberland's later trajectory, since from the outset the project advanced more through visibility and narrative construction than through effective power on the ground (Demeillers & Osoha, 2024).

3.4. Institutional Appearance and the Discourse of Digital Statehood

One of the most striking features of Liberland is its systematic effort to project the appearance of a functioning state despite remaining unrecognized and possessing only limited effective sovereignty. As Rossman notes, Liberland had already developed a draft constitution, legal texts, a citizenship system, and claims to diplomatic representation at an early stage. He also records that by 2015 hundreds of thousands of individuals had submitted citizenship applications and that structures resembling diplomatic missions had been announced in various countries (Rossman, 2016).

The official website carries this institutional projection even further. It explicitly describes Liberland as a "sovereign state" and presents the image of an operative political order through references to a constitution, congress, senate, referenda, company formation, citizenship applications, blockchain-based governance, and online residence options. What is especially noteworthy here is that the website does not portray Liberland merely as a political entity. It brings together technological, economic, and

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administrative elements within the same institutional framework. In this way, the claim to statehood is articulated not only through legal discourse but also through digital infrastructure and a market-oriented language of governance (Liberland).

This also helps explain why Liberland has become such a notable case in contemporary debates on sovereignty. What we see here is a situation in which the classical elements of statehood have not been fully realized, yet the symbols and instruments associated with statehood are circulated intensively. Put differently, Liberland creates a visible gap between effective state capacity and the language of institutional statehood. It is precisely this gap that makes the case both striking and limited at the same time (Rossman, 2016; Kyris, 2022).

3.5. Media Visibility, Global Interest, and Official Opposition

One of the most striking aspects of the Liberland case is the speed with which it gained global visibility. Demeillers and Osoha show that immediately after its proclamation, Liberland was covered by Nova, Time, Vice, The Guardian, Business Insider, and numerous other media outlets, allowing what was in reality a highly limited initiative on the ground to quickly become an object of international curiosity. Its visibility expanded far more rapidly than its material capacity ever did (Demeillers & Osoha, 2024).

Related to this, applications and public interest appear to have been especially strong from Egypt and the broader Arab world. This suggests that Liberland was perceived not merely as a niche libertarian project in Europe, but also as a possible symbol of aspirations for a freer, more open, and more accessible political space. Yet neither this visibility nor the volume of applications translated into legal or diplomatic recognition. Global attention did not confer statehood; it merely increased Liberland's symbolic presence (Demeillers & Osoha, 2024; Rossman, 2016).

Set against this growing visibility was an increasingly firm official response. Croatian police blocked access to the area, intervened against settlement attempts, and made clear that effective control remained in Croatian hands. This stance was institutionally confirmed in the statement issued by the Croatian Ministry of Foreign and European Affairs on 29 June 2015. The statement emphasized that the area was not terra nullius, that it formed part of an unresolved delimitation zone, and that anyone present there was required to comply with Croatian law and European Union regulations. In this way, official state policy framed Liberland, despite its high visibility, not as a legitimate new state but rather as a

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“virtual narrative” emerging in a border zone (Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

Taken together, these developments point to the central conclusion of Liberland’s founding phase. Liberland was proclaimed by drawing on legal ambiguity, reinforced through a strong ideological and digital discourse, amplified through global visibility, and accompanied by the construction of institutional symbols. At the same time, however, it failed to establish effective sovereignty over the territory and encountered the explicit opposition of the state exercising control over the area. Its emergence therefore reveals less the advancement of a process of state formation than the range of instruments through which a claim to statehood can be constructed and projected (Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015; Demeillers & Osoha, 2024).

4. ASSESSMENT OF LIBERLAND’S CLAIM TO STATEHOOD

A sound assessment of Liberland’s claim to statehood requires examining the issue through several interrelated dimensions. For the purposes of this study, the most appropriate framework is one that considers the four classical criteria set out in the Montevideo Convention together with the questions of effective control and international recognition. Such an approach avoids reducing the matter either to a purely text-based reading of legal doctrine or to interpretations based solely on political visibility. Instead, it makes it possible to see more clearly the points at which Liberland produces the appearance of statehood and the points at which that claim encounters clear limits (Montevideo Convention, 1933; Rossman, 2016; Kyris, 2022).

4.1. Permanent Population

The first element of the Montevideo criteria is a permanent population. In international law, there is no fixed minimum population threshold for this requirement. It is well established that even states with very small populations may qualify as states. For this reason, the issue is not reducible to numbers alone. The real question is whether there exists a settled population that maintains a continuing relationship with a specific territory and takes the form of a political community (Craven & Parfitt, 2018; Rossman, 2016).

In Liberland’s case, this is one of the weakest elements of the claim. Rossman states clearly that, as of 2015, Liberland did not possess a permanently resident population and that this small area had not hosted a stable population in the recent past either. At the same time, it is also noted that Liberland received hundreds of thousands of citizenship applications, granted citizenship to a certain number of individuals, and continued to promote the idea of permanent settlement. This contrast makes the difference between an online support base and a resident population particularly clear. A large number

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of applications may generate political interest and a sense of digital belonging, but this alone does not mean that the requirement of permanent population has been fulfilled (Rossman, 2016).

The official Liberland narrative attempts to compensate for this weakness through other means. Its website presents citizenship applications, merit-based access to citizenship, and more recent claims of settlement on the ground as evidence of the social basis of statehood. Yet such information depends largely on Liberland's own declarations and cannot be given the same weight as independently verified indicators of a stable resident population. More importantly, citizenship and continuous physical residence on a given territory are not the same category. It is therefore necessary to distinguish between Liberland's online community and a permanent population in the classical sense (Liberland; Rossman, 2016).

At the same time, any discussion of the population criterion must also take into account the fact that Croatia has effectively restricted access to the area. Rossman raises an important question at this point: if an existing state prevents a new entity from settling in a territory through coercive means, to what extent can that obstacle later be invoked as evidence that the entity has failed to meet the population criterion? This question does not automatically validate Liberland's position. It does, however, show that the application of the criterion is not entirely neutral and may be shaped by relations of effective power. Even so, the conclusion remains unchanged. On the basis of the available evidence, it cannot be said that Liberland convincingly satisfies the requirement of permanent population (Rossman, 2016).

The most balanced conclusion, then, is that although Liberland has generated a broad digital support base and a large pool of applicants, it has not demonstrated in a persuasive way the settled and continuous population required in classical assessments of statehood. This remains one of the central weaknesses of its claim to statehood (Rossman, 2016; Craven & Parfitt, 2018).

4.2. Defined Territory

The second element of statehood is a defined territory. This requirement does not mean that every aspect of a border must be fully and conclusively settled. In international practice, some states with unresolved boundary disputes have nevertheless been accepted as states. The existence of a border dispute therefore does not, in itself, rule out the possibility of statehood. At the same time, however, this does not mean that every contested area is open to a new claim of statehood. In contemporary international law, the concept of terra nullius is approached in a highly restricted and cautious manner (Craven & Parfitt, 2018; Rossman, 2016).

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This is precisely where the central legal problem in Liberland's claim emerges. Its founders argued that Gornja Siga was an unclaimed tract of land situated between Croatia and Serbia and could therefore be occupied by a third party and transformed into state territory. Rossman shows that this argument cannot be dismissed as entirely fanciful, since for a long period the positions of both sides regarding the area remained marked by uncertainty. Even so, his conclusion is that it is difficult to regard the area as terra nullius in any uncontested sense. What exists here is not simply a legal void, but also competing border narratives and historical claims (Rossman, 2016).

Croatia's official statement provides the decisive counter-position in this debate. The Ministry of Foreign and European Affairs clearly declared that the area forms part of a delimitation zone, that the right bank is controlled by the Croatian border police, and that the territory cannot under any circumstances be regarded as terra nullius. The statement further emphasized that the fact that the final border has not yet been settled does not give a third party the right to advance a claim over the area. This is the official state position that most directly constrains Liberland's territorial claim (Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

In this respect, the territorial criterion presents a dual picture. On the one hand, Liberland identifies a specific geographic area, describes its boundaries, and presents Gornja Siga as its own territory. In that sense, it moves beyond the level of an abstract utopia and advances a statehood claim tied to a particular space. On the other hand, the legal status of that area remains contested, and more importantly, Liberland cannot be said to have established recognized, exclusive, and effective sovereignty there. The fact that borders can be geographically described is not the same as possessing legitimate and effective state territory (Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

Liberland is therefore not entirely empty-handed with respect to the requirement of defined territory. Even so, its claim rests on a highly fragile legal and political foundation. More precisely, it may be said that Liberland points to a specific territory, but it cannot be said that the status of that territory as state territory has been established in a convincing manner. This constitutes the second major limitation on its claim to statehood (Rossman, 2016; Craven & Parfitt, 2018).

4.3. Government and the Capacity for Effective Rule

The third element within the Montevideo framework is government. Yet the issue here is not simply whether an entity has a president, a cabinet, or a draft constitution. For the purposes of statehood, the government criterion refers to a political authority capable of maintaining public order, making and implementing decisions, and exercising continuity over a defined territory. It is therefore not surprising

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that in the literature the government requirement is often treated as the central element of statehood, since the significance of the other criteria depends to a large extent on the presence of effective governing capacity (Craven & Parfitt, 2018; Rossman, 2016).

On this criterion, Liberland presents a dual picture. On the one hand, it has developed a draft constitution, citizenship procedures, institutional organs, legal texts, a discourse of judicial order, and claims of blockchain-based governance. The official website portrays Liberland as a functioning political community equipped with a congress, a senate, referendum procedures, and mechanisms for company formation. On paper, these features evoke the institutional markers of a modern state order (Liberland; Rossman, 2016).

On the other hand, the reality on the ground points in a different direction. Croatian police have blocked access to the area, exercised enforcement authority there, and prevented Liberland's founders from establishing a permanent presence in the territory. Under these conditions, it is difficult to argue that the Liberland government is capable of exercising public authority, applying law, or maintaining order within the territory it claims. As Rossman emphasizes, the Liberland government cannot in practice operate within its supposed own country. This strongly suggests that the government element remains largely at the symbolic level (Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

There is, however, an important nuance to be observed. The criterion of effective government does not always function as an absolute rule requiring the physical presence of a government on the territory at all times. In some cases, the legal personality of a state may survive under occupation, during transitional periods, or in conditions of conflict. For this reason, it may not be entirely accurate to treat the government element as automatically absent solely because of practical constraints on the ground. As Rossman shows, the fact that an existing state may obstruct the establishment of authority by a new entity creates a separate problem of application and evaluation (Rossman, 2016; Craven & Parfitt, 2018).

Even so, the conclusion does not change in Liberland's case. The entity in question is not a recognized state preserving its existence under temporary occupation, but a new political formation that has claimed statehood from the outset. The minimum threshold expected of such an entity is that it should demonstrate at least some regular and continuous authority over the territory it claims. Liberland, however, has been far more successful in producing an institutional language than in supporting that language with effective sovereignty. For this reason, the distinction between institutional appearance

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and effective governance becomes decisive in assessing the government criterion (Rossman, 2016; Liberland, n.d.).

Accordingly, Liberland's strongest feature under this criterion lies in its ability to generate a symbolic and institutional language of statehood. Its weakness lies in the fact that this language has not been translated into sovereign practice on the ground. It therefore does not appear possible to conclude that Liberland fully satisfies the government requirement (Rossman, 2016).

4.4. Capacity to Enter into Relations with Other States

The fourth element of the Montevideo framework is the capacity to enter into relations with other states. Although this criterion may appear technical at first glance, in practice it is closely intertwined with the question of recognition. As noted in the literature, it is also one of the most contested elements. Any assessment of an entity's ability to conduct external relations inevitably raises the question of the extent to which other states are willing to treat that entity as a legitimate counterpart. In this way, the declaratory language of Montevideo converges in practice with the constitutive logic of recognition (Craven & Parfitt, 2018; Rossman, 2016).

It would be inaccurate to suggest that Liberland is entirely ineffective in this regard. Rossman notes that Jedlička has established contacts with certain members of the European Parliament, that structures resembling diplomatic missions have been announced in various countries, and that the project has attracted attention from international media and political circles. The official website similarly emphasizes its capacity for external engagement and diplomatic representation, claiming the existence of channels of contact and representation in different countries. These elements indicate that Liberland is not entirely isolated from the outside world (Rossman, 2016; Liberland, n.d.).

However, external contact should not be equated with the capacity to engage in inter-state relations. The most significant indicator in this respect is the absence of recognition by any United Nations member state. Announcements of representation, media visibility, meetings with parliamentarians, or forms of online diplomacy do not substitute for formal interstate capacity in international law. Kyris's framework of graduated recognition is particularly useful here. Liberland has generated visibility, but it has not reached any meaningful level of recognition. Indeed, it has not even approached the lower threshold of partial recognition (Kyris, 2022; Rossman, 2016).

Another important point is that Liberland's discourse on external relations largely rests on self-declared capacity. Yet the ability to enter into relations with other states presupposes at least a degree of reciprocity. It is not sufficient for an entity to claim that it has established diplomatic missions; other states or international organizations must recognize it as a legitimate and functional actor. In Liberland's

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case, such reciprocity is clearly absent. For this reason, the fourth criterion also remains largely unmet (Craven & Parfitt, 2018; Rossman, 2016).

5. GENERAL ASSESSMENT

When the elements examined in the preceding sections are considered together, Liberland's claim to statehood clearly reveals the tension between classical state criteria and contemporary practices of international acceptance. On the one hand, the case demonstrates a notable capacity to generate a discourse of statehood, an institutional appearance, and a degree of international visibility. On the other hand, it exhibits significant limitations in terms of a settled population, effective sovereignty, an uncontested territorial status, and the capacity to secure recognition. For this reason, Liberland's claim does not appear persuasive when assessed against a strict application of the Montevideo criteria (Rossman, 2016; Montevideo Convention, 1933).

As Rossman suggests, a more flexible reading of the Montevideo framework could allow certain elements to be interpreted in Liberland's favor. For instance, Croatia's restriction of access to the territory has effectively constrained the development of both population and governmental structures. Similarly, the existence of a boundary dispute does not necessarily imply the complete absence of a defined territory. Even so, a more permissive interpretation does not fundamentally alter the overall assessment. Claims to statehood are evaluated not only in terms of the broadest possible reading of legal criteria, but also in light of international acceptance and the presence of stable, effective authority (Rossman, 2016; Kyris, 2022).

Within this framework, Liberland stands out as an entity that has successfully produced the symbols of statehood, instruments of digital participation, and a coherent institutional image. However, it has not been able to establish an equally convincing foundation in key areas such as effective sovereignty, a resident population, an uncontested territorial status, and international recognition. It is therefore more accurate to treat Liberland not as an established state, but as a case that makes visible the limits of contemporary statehood claims (Geldenhuis, 2009; Craven & Parfitt, 2018; Rossman, 2016; Kyris, 2022).

6. LIBERLAND IN THE CONTEXT OF THE LIMITS OF INTERNATIONAL RECOGNITION

The case of Liberland clearly demonstrates why debates on statehood cannot be confined to legal criteria alone. As shown in the previous sections, the Montevideo criteria provide a necessary

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framework for assessing Liberland's claim. Yet this framework is not sufficient on its own. The acceptance of a political entity as a state in the international system depends not only on whether it claims to possess certain attributes, but also on the extent to which that claim is regarded as legitimate, credible, and acceptable. In other words, statehood is shaped through the interaction between normative definition and international acceptance (Craven & Parfitt, 2018; Rossman, 2016).

In this respect, Liberland offers a particularly instructive case. The gap between high visibility and low recognition is exceptionally clear. Its rapid media exposure, the large number of citizenship applications, the formation of online communities, and the construction of institutional symbols all indicate that Liberland has generated a certain level of global awareness. Yet this visibility has not translated into meaningful acceptance at the level of states. The fact that an entity not recognized by any UN member state cannot become a subject of international law merely through publicity or digital presence is evident here (Rossman, 2016; Demeillers & Osoha, 2024).

This also illustrates why recognition cannot be reduced to a symbolic diplomatic gesture. As Kyris argues, recognition constitutes an external condition accompanying sovereignty, one that varies in both qualitative and quantitative terms. Some entities may be recognized by numerous states without achieving general acceptance, while others, though unrecognized, may still receive forms of intermediate acknowledgment. Liberland occupies a position at the lower end of this spectrum. The issue is not simply the absence of full recognition; rather, Liberland has also failed to generate even partial or intermediate forms of acceptance (Caspersen, 2012; Kyris, 2022).

This raises a central question: why has Liberland failed to generate acceptance despite its visibility? The first answer lies in the continued importance of effective control in the international system. Producing a constitution, citizenship mechanisms, symbolic elements, or discursive claims is not sufficient. The international community continues to expect stable governance, order, and sustained authority over a defined territory. Liberland has demonstrated a capacity to "appear" as a state, but it has not convincingly demonstrated the capacity to "function" as one. This distinction explains much of the gap between visibility and recognition (Rossman, 2016; Craven & Parfitt, 2018).

A second explanation concerns the continued sensitivity of territory and borders as core elements of sovereignty. Croatia's official position, which rejects the classification of the area as terra nullius and denies the legitimacy of third-party appropriation, has directly constrained Liberland's claim. In cases involving border disputes, the international system tends to adopt a cautious stance toward new claims to statehood. As a result, Liberland's project remains limited not only by its internal features, but also by the uncertainty it generates within existing border regimes (Ministry of Foreign and European Affairs of the Republic of Croatia, 2015; Rossman, 2016).

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At this point, the security dimension becomes more visible. As Buzan, Wæver, and de Wilde have shown, developments affecting sovereignty, political order, and border regimes can also be understood within a security framework. In the case of Liberland, the issue extends beyond the legal status of a new entity. It is closely tied to the question of how far existing borders, sovereign domains, and state authority should be preserved. Croatia's response—grounded in policing, border control, and effective authority—suggests that the case is treated within a broader framework of political order and territorial security (Buzan et al., 1998; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

A third explanation is that recognition is neither neutral nor automatic. As Craven and Parfitt emphasize, the category of statehood has historically been shaped in selective ways. Kyris likewise shows that recognition is a dynamic process that can expand, contract, or remain limited over time. This suggests that the evaluation of new claims to statehood is influenced not only by legal criteria but also by considerations such as systemic stability, regional dynamics, and perceptions of legitimacy.

From this perspective, Liberland's lack of recognition cannot be explained solely by its internal shortcomings. The selective and relatively closed nature of international recognition mechanisms also appears to play a role. This observation does not amount to a normative defense of Liberland; rather, it highlights that recognition cannot be fully explained through the application of legal rules alone (Craven & Parfitt, 2018; Kyris, 2022).

The Liberland case also raises broader questions about how sovereignty is performed in contemporary international relations. Through references to blockchain governance, open-source government, digital citizenship, and online participation, the official narrative constructs a new language of statehood. Secondary sources likewise indicate that the project has been shaped from the outset by digital networks, media visibility, and entrepreneurial discourse. In this sense, Liberland differs from classical secessionist movements and appears instead as an example of symbolic statehood experimentation in the digital age (Liberland; Demeillers & Osoha, 2024).

At the same time, caution is required. Labeling Liberland as a “digital state” would be an overstatement at this stage, as no such stable category exists within international law or mainstream international relations scholarship. A more accurate formulation is that Liberland performs its claim to statehood through digital means—that is, it stages a form of digitally mediated sovereignty. This characterization avoids overgeneralization while capturing the distinctive features of the case. It also shows that contemporary claims to statehood are no longer confined to territory and institutions, but are

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increasingly articulated through networks, platforms, and visibility (Kyrıs, 2022; Demeillers & Osoha, 2024).

In light of this analysis, Liberland's contribution to international relations can be defined in more measured terms. It does not represent a new model of statehood, nor can it be seen as a transformative case reshaping the international system. Its significance lies instead in making several key tensions visible simultaneously. These include the tension between legal criteria and effective sovereignty, between visibility and recognition, between digitally produced institutional language and traditional thresholds of international acceptance, and between alternative sovereignty claims and the preservation of existing border regimes. This is precisely what makes Liberland analytically meaningful (Rossman, 2016; Kyrıs, 2022; Buzan et al., 1998).

Ultimately, Liberland's importance lies not in its success as a state-building project, but in its capacity to expose the limits of contemporary statehood claims. The case demonstrates that declarations, symbols, and digital communities alone are insufficient to sustain a claim to statehood in the current international system. At the same time, it confirms that international recognition remains closely tied to effective control, territorial status, political acceptance, and the preservation of existing border orders. In this sense, Liberland may be understood as a small but instructive case for examining the boundaries of sovereignty and recognition in the contemporary world (Craven & Parfitt, 2018; Rossman, 2016; Kyrıs, 2022).

7. CONCLUSION

This study has examined Liberland's claim to statehood within the framework of international law and international relations. Its point of departure was the question of why Liberland has remained extremely limited in terms of international recognition and acceptance despite generating a high degree of visibility. The central finding of the analysis is that Liberland represents a distinctive case situated along the tension line between classical criteria of statehood and contemporary practices of international acceptance. Although the entity has produced institutional symbols, digital citizenship mechanisms, constitutional discourse, and international visibility, these have not been sufficient to secure statehood (Rossman, 2016; Kyrıs, 2022).

When assessed through the Montevideo framework, Liberland's most evident weaknesses appear in the areas of permanent population, effective government, and the capacity to enter into relations with other states. Its broad online application network and discourse of citizenship do not substitute for a settled and continuous population. Likewise, the existence of a draft constitution, a congress, a senate, and claims of digital governance does not in itself demonstrate the existence of an

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effective government capable of exercising regular public authority over a defined territory. Attempts to establish external contacts also remain limited, as they have produced no recognition from any United Nations member state. With regard to territory, Liberland identifies a specific geographical area, yet the legal status of that area remains contested and is not accepted as terra nullius by the relevant state. Taken together, these elements show that Liberland does not attain statehood under a strict legal assessment (Montevideo Convention, 1933; Rossman, 2016; Ministry of Foreign and European Affairs of the Republic of Croatia, 2015).

At the same time, it would be inadequate to regard Liberland merely as a failed microstate initiative. The case is significant because it shows the kinds of instruments through which claims to statehood are constructed in the contemporary world. Liberland's reliance on digital citizenship, blockchain governance, institutional symbols, global networks, and media visibility in presenting itself as a sovereign political entity indicates that the discourse of statehood no longer depends solely on classical administrative and military capacities. Yet this does not mean that the basic thresholds of recognition in the international system have changed. On the contrary, the Liberland case makes clear that digital and symbolic visibility cannot replace effective sovereignty and international recognition (Liberland; Demeillers & Osoha, 2024; Kyris, 2022).

At this point, the study's broader conceptual conclusion also becomes clear. Statehood is a status that cannot be reduced either to the mere existence of legal elements or to political will and public visibility alone. A claim to statehood acquires meaning at the intersection of legal criteria, effective authority, and international acceptance. This is precisely where Liberland encounters its principal difficulty. Its founding actors have been able to produce the language and symbols of statehood and even circulate them globally. They have not, however, been able to generate equally convincing forms of effective sovereignty and international acceptance. For this reason, Liberland should be understood not as an emerged state, but as a case that makes visible the limits of statehood claims (Craven & Parfitt, 2018; Rossman, 2016).

From the perspective of international relations scholarship, Liberland's contribution lies less in offering a new model of statehood than in providing a useful boundary case through which existing debates can be reconsidered. The case highlights the distinction between visibility and recognition, the gap between institutional discourse and effective sovereignty, and the point at which performances of statehood in the digital age encounter the limits imposed by the international system. In this respect, Liberland is best treated not as a transformative example, but as a small-scale case with considerable explanatory value (Kyris, 2022; Demeillers & Osoha, 2024).

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Liberland is too weak to be regarded as a state in the classical sense, yet too interesting to be dismissed from the perspective of international relations. The case shows that in the contemporary international system a claim to statehood may begin with declaration, symbolism, and projection, but that its transformation into recognition and sovereignty requires far more. In this sense, statehood appears not merely as a founding political imagination, but as a status tested against the limits of international acceptance. Liberland's importance lies precisely in making that boundary visible (Montevideo Convention, 1933; Rossman, 2016; Kyris, 2022).

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