

Precedents (I)

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Much has been said in recent weeks about the precedent set by the unilateral declaration of independence by the Kosovo (in Serbian) or Kosova (in Albanian) Republic. For some reasons the precedents of 1776 (United States of America) or 1581 (The Netherlands), etc., did not impress everybody, so that they may need additional evidence that unilateral declarations of independence are indeed possible and may indeed be recognized by other states.

Or not. We have a different precedent on Cyprus, where the separate statial entity of the North (Turkish Republic of Northern Cyprus, TRNC) has not been acknowledged by any state but Turkey. Obviously, the difference is not the unilateral declaration, but the diplomatic recognition of the respective state.

Those Western states who readily acknowledged the independence of Kosovo insist that it is not a precedent for any other possible separatism, but a case sui generis. To the contrary, especially Russia and Serbia insist that it is. Russia's President Putin openly asked the West why it did not recognize the TRNC when it did so with Kosovo. The question pleased many Turks, who assumed that it might mark a turn in Russia's policy regarding Cyprus and a first step in support of TRNC; however, the opposite is the case. With this remark Russia questions the sincerity of the Western position to declare a case sui generis in Kosovo, so setting the hurdle for a recognition of TRNC considerably higher.

Nonetheless, "Kosovo" was a strong reminder for the (Greek, Southern) Republic of Cyprus that time for reunification of the island is running out, right before the presidential elections in that republic. It may have had an effect on the outcome of those elections, which were won by the moderate leftist Dimitri Christofias, a candidate who vowed to seek reconciliation with the North represented by the social-democrat Mehmet Ali Talat. While the intricate story of negotiations on the island may urge some caution, a new attempt will definitely take place.

Difference

But what's the difference between Kosovo and Northern Cyprus? At first sight, it is political decision, maybe pure arbitrariness. You may or may not recognize them, it's up to every single state. But we may assume that there are reasons for each state to decide in this or that direction. Let's do aside for the moment the usual assumption that it is all about "American Imperialism". There may be other explanations which I intend to take serious. At the moment it's the main European powers which I'm interested in: Britain, France, Germany, Italy, (Poland, others), who were among the first states to recognize Kosova.

There is one legal argument for Kosovo: It has been a constitutional element of the former Yugoslavia. However, the Turkish community had also been a constitutional element of the (former) Republic of Cyprus. Both these statuses had been unilaterally and unconstitutionally revoked by the other (Greek, Serbian) camp.

There is also a moral argument: Albanians had been subjected to ethnic cleansing or expulsion (some say even genocide) on the hand of Milosevic's Serbia. However, such attempts had also been part of the Greek's usurpation of power on Cyprus. Thus, both the former arguments cannot explain why a difference is made between Kosova and the TRNC.

Another idea I heard quite frequently in Germany, but also from Luxemburg, Switzerland and Austria is socio-economic in nature. An unclear legal status of the country, and subsequently of property rights,

prevents private investments. It may also inhibit long-term economic engagement of the locals. With the economic development, therefore, severely hampered, common poverty results. The society remains more or less traditional, while state authority remains weak. The combined result is widespread corruption and organized criminality, further threatening development towards social peace and prosperity. This condition also affects other states in the vicinity. Sooner or later remedy would be sought by violence, that is civil and/or interstate war.

Obviously, that argument may be decisive for states in the neighborhood, because they are immediately affected and the outlook suggests that the situation is worsening for them, too. Quite similar effects have been observed in Northern Cyprus, but the support and authority of Turkey may have prevented the worst. It was even a reason to set up and support the TRNC as the local authority, whether or not it is recognized internationally.

Here we have a major difference between Cyprus and Kosovo. The former is European periphery. The situation in the North affects mainly Cyprus and Turkey. Kosovo is quite central in Europe, and even more central in its volatile Balkan region. Cyprus was largely lost from the screens of European capitals until its accession to the European Union was approaching. Almost two hundred thousand Kosovars, mainly Albanians, have migrated to Switzerland alone. The country's foreign minister was among the first advocates of Kosovan independence.

Kosovo and, to some degree, Serbia have become hubs of trafficking (humans, drugs, weapons), money laundering and other organized crimes affecting cities all over Europe. There can hardly be doubt that this situation has affected European decision-makers profoundly.

Besides the geographic coincidence, it may be the tragedy of the Turkish military that by providing political stability their case of advocacy for the Cyprus Turks lost all its former urgency for Europe and the West in general. Whereas in Kosovo, the West or Europe needs to take the responsibility on itself, both militarily and politically. Moreover, also economically and socially. They have no choice but to succeed.

Personally I wish them the best of luck and the support of everybody.

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