University of Tartu

Faculty of Social Sciences

Johan Skytte Institute of Political Studies

MA Thesis

Sevanna Poghosyan

The politics of recognition: Exploring the arguments behind the recognition of Kosovo

Supervisor: Prof. Eiki Berg

Tartu 2018

I have written this Master's thesis independently. All viewpoints of other authors, literary sources and data from elsewhere used for writing this paper have been referenced.

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Sevanna Poghosyan

Abstract

Ten years from now Kosovo's declaration of Independence and the aftermath still constitute an important field for academic explorations. Given the renewed interest towards the secessionist claims to independence, and the practice of state recognition, recognition of Kosovo remains topical, in particular due to the diverse reactions of thirds states. These reactions identify that the gap in international law to regulate the recognition allows the political choices to play out in the decisions of states whether to recognize a newly emerged state or not.

Having this in mind, the aim of this thesis is to investigate the argumentations instrumentalized by the states recognizing Kosovo. To achieve the goal, the research, first of all, utilizes a set of theories and concepts combined under the general theoretical framework of the politics of recognition which explains the root causes of the emergence of the politics of recognition i.e. the differing reactions to Kosovo's independence and allows identifying it in the Kosovo case.

Subsequently, with the help of the Qualitative Content Analysis, the research identifies the emergence of the politics of recognition. Also, it indicates the importance of the Earned Sovereignty scheme, in line with considerations for "Regional Peace and Stability" and "EU/NATO perspective" in the recognition statements. It holds, that the theory should consider and explore further the explanatory power of those themes which were identified in a data-driven way.

Keywords: Kosovo, Politics of Recognition, International Law, Statehood, Declaratory theory, Constitutive theory, Self-Determination, Remedial Secession, Earned Sovereignty

List of Abbreviations

(FRD) Friendly Relations Declaration

(FRY) Federal Republic of Yugoslavia

(KFOR) Kosovo Forces

(NATO) North Atlantic Treaty Organization

(OSCE) Organization for Security and Co-operation in Europe

(QCA) Qualitative Content Analysis

(SFRY) Socialist Federal Republic of Yugoslavia

(SRSG) Special Representative of the Secretary-General

(UNMIK) United Nations Mission in Kosovo

(EU) European Union

(ICJ) International Court of Justice

Contents

Introduction

On February 17, 2008, Kosovo's Assembly declared the independence of the country by a statement, which received contradicting responses from the international community. While some states recognized the independence immediately, others took a critical stance objecting to recognize Kosovo. Nevertheless, according to a statement released by Kosovo's Ministry of Foreign Affairs (MFA), the country has secured 114 recognitions (Kosovo MFA, 2018).

The diversity of these varying reactions is what Jesica Almqvist (2009) refers to as the politics of recognition of Kosovo. The differing reactions of the third states identify the lack of a common framework to regulate state recognition in general and the recognition of Kosovo in particular. In other words, the decision whether to recognize the newly emerged state or not is left to the discretion of the individual states. It follows that in theory the criteria for recognition are also decided separately, while, the lack of regulation entails that the rules of state recognition turn into legal tools for the political choices of the recognizing states (Worster, 2009). Consequently, in the statements set out for justifying the act of recognition the power of argumentation is used instrumentally to justify one's declared or undeclared political interests.

Given what was discussed above, the research aims to explore the emergence of the politics of recognition by analyzing the varying arguments found in the recognition statements of Kosovo presented by the recognizing states. To be precise, the research question is:

- Based on the recognition statements, what arguments do the recognizing states use as tools for justifying the recognition of Kosovo?

Overall, for the in-depth investigation of the research area, the thesis relies on the general theoretical framework of the politics of recognition, which entails a tandem of several theoretical concepts and schemes. In particular, it combines discussions on the legal perspective on state recognition and secession. Moreover, it offers schemes for analyzing the arguments of the recognition of Kosovo. To illustrate, the politics of recognition helps identifying the roots of the emergence of the differing reactions to the recognition of Kosovo in International Law. Furthermore, it allows identifying the rules for secession analyzing the legal boundaries of the principle of "Self-Determination." Also, it offers the explanatory power of the "Remedial Secession" and "Earned Sovereignty" schemes for explaining the arguments of the recognition of Kosovo. Additionally, the given research considers the explanatory power of "Self-determination" separate from "Remedial Secession."

The exploration of the research area is vital in light of the renewed attention to the secessionist claims of independence. Moreover, given the topicality of the Kosovo case among the researchers, it may seem that there is not much left to say. However, this research presents a fresh look on the issue of the recognition of Kosovo compared to the previous works, in particular, those of Jessica Almqvist (2009) and Bolton and Visoka (2010) in a number of ways:

1) Presenting a more thorough analysis of the different aspects of the "politics of recognition" in the theoretical part.
2) Expanding the analysis of the data of the recognition statements (up to February 2018)
3) Applying the method of Qualitative Content Analysis systematically for the analysis of the recognition statements with the help of MAXQDA software
4) Presenting a clear strategy on the data collection and justifying the choice of the diplomatic correspondence
5) Maximizing the chances of exploring the issue more profoundly focusing only on the positive reactions of the states

To continue, it is important to indicate what is beyond the aim of this research. First of all, considering that the arguments may serve as instruments for justification and do not necessarily present the real motivations of the recognizing states, the research does not maintain that Kosovo's recognition depends on these arguments. In other words, the assessment of the sincerity of invoking these arguments is beyond the interest of this research. What is more, the thesis does not aim to evaluate whether the Kosovo case can or cannot be justified based on international legal norms. Also, the thesis does not aim to generalize the findings: it merely aims to sharpen the theory of the politics of recognition introducing a fresh perspective with the help of a clearly defined methodological approach. Finally, it does not aim to compare the findings with the findings or the statements found in the previous works on the same topic.

For the analysis of the data comprised of recognition statement, the research has considered the application of Qualitative Content Analysis (QCA). The method has allowed exploring and categorizing the arguments found in the recognition statements on the textual level. As a result, it identified the emergence of the politics of recognition in the Kosovo case. In particular, it indicated "Earned Sovereignty," "Regional Peace and Stability," "EU/NATO perspective," "The position of other entities" as the main themes of the argumentations utilized as tools for justifying the recognition of Kosovo.

The first chapter of the thesis investigates the area of the politics of recognition starting from the analysis of the idea of statehood and the clash of "Constitutive" vs. "Declaratory" debate on state recognition in International Law. Moreover, it presents the evolution of the legal

norms on the concept of "Self-Determination." Furthermore, the first chapter presents the general view on secession in International law specifying on the "Remedial Secession" theory. Finally, it reviews the "Earned Sovereignty" scheme which was created for Kosovo presenting the details of its application. This chapter also presents the relevant details of Kosovo's path to recognition within the discussions on "Remedial Secession" and "Earned Sovereignty." Finally**,** the discussion on the theory in the first chapter ends with an overview of the recognition of Kosovo.

Furthermore, the second section of the thesis is a detailed overview of the methodological perspective of the research. In particular, it discusses issues regarding the qualitative approach to research, the specifics of the data and the process of the application of the Qualitative Content Analysis to the research. The final chapter of the research presents the general findings as identified by the analysis of the recognition statements and the interpretation of the identified themes.

1. The Politics of Recognition

The general theoretical framework of the politics of recognition draws attention to the question of state recognition as an act governed by factors such as politics and law (Almqvist, 2009; Bolton & Visoka 2010, Fabry, 2013). In particular, the theory holds that the problem which entity and under which circumstances should be recognized, is still unresolved: there is no common framework regulating the act of state recognition, which, consequently, is reflected in the reactions of third states to secessionist claims of independence. Overall, the politics of recognition is conceptualized as "the diversity of these differing and conflicting reactions" (Almqvist 2009, p. 7). In other words, as Fabry (2013) notes, "acts of recognition are neither formal nor fixed; they entail discretionary judgment that includes legal, political, moral, economic, security, and other considerations" (p. 166).

To understand the scope of the theory of the politics of recognition, it is essential to discuss its elements separately. First of all, the politics of recognition reflects on the gaps of the legal framework in determining the legitimacy of statehood. Then, it highlights the lack of common approach in evaluating the worth of the act of state recognition in the "making" of a state (Almqvist, 2009). Moreover, the politics of recognition identifies the complexities of the legal perspective on secession in international law. The theory holds that while secession is regulated in light of the legal norms on self-determination vs. territorial integrity, the ambiguous interpretations of these norms outside the intended context are still problematic and misused by secessionists. Finally, the politics of recognition relies on the explanatory power of "Remedial Secession" and "Earned Sovereignty" as explaining the arguments of the recognition of Kosovo. Also, this research relies on "self-determination" and "accepted legal practices" separately to explain some of the arguments put forward by those some states recognizing Kosovo.

Overall, the thorough analysis of each of these elements in the following sections will allow better understanding the emergence of the politics of recognition. Above all, the theoretical framework will set the ground for the systematic analysis of the arguments found in the recognition statements of Kosovo. The schemes "Accepted Legal Practices," "Self-Determination," "Remedial Secession," "Earned Sovereignty" will serve as the starting point for looking at the data and analyzing the findings against the theory. That said, the arguments left uncovered by these schemes will complement the attempt to identify the emergence of the politics of recognition, i. e. the more

different and contradicting the reactions the more evident the emergence of the politics of recognition.

1.1. State recognition in International Law

Traditionally, the research of secession and the recognition of states as a foreign policy issue has been dominated by scholars of international law (Ker-Lindsay, 2017). Moreover, the scholarship on this subject has mainly focused on the nature and effects of state recognition (Fabry, 2013). It follows that the discussion on the theories of state recognition in international law is central to the theoretical framework of the politics of recognition. First of all, it is vital for pointing out the gaps that allow the emergence of the politics of recognition. Second, it is crucial for the evaluation and the critical interpretation of the findings based on the analysis of the recognition statements. Thus, to grasp the problem at its core, in this chapter the discussion on the criteria of statehood will be followed by the discussions on the constitutive and declaratory debates of state recognition.

1.1.1. Defining statehood

The link between state recognition and the criteria of statehood is so strong that even publicists and states do not always make a distinction between the requirements of the criteria for statehood and those for state recognition (Talmon, 2005, p. 109). It follows that the discussion on state recognition should start with a discussion on what constitutes a state.

In fact, there is no universally accepted legal definition of statehood. Moreover, the existing varying definitions are considered flawed and dissatisfactory. Nevertheless, the basis of the varying definitions of statehood is found in the 1933 "Montevideo Convention on Rights and Duties of a state" which outlines the main characteristics of states. According to Ryngaert and Sobrie (2011), the Montevideo criteria constitute "the first normative pillar on which state practice has rested for the past few decennia" (p. 473). Additionally, Ker-Lindsay (2011) indicates that the Montevideo Convention presents significant guidance on the key features of statehood but "non-binding – framework" (p. 2) for recognition. Likewise, Grant (1999) agrees that the Montevideo Convention provides "easily employed standards" (p. 6) of statehood. However, he doubts whether these criteria provide a satisfactory definition of statehood or not.

According to the Article 1 of the Montevideo convention (1933), the state as a person of international law should retain the following qualifications: 1) permanent population, 2) a defined territory, 3) government, 4) capacity to enter into relations with the other states (ILSA, 2018). However, as already discussed, these criteria are deemed dissatisfactory, and some authors offer additional criteria of statehood. To illustrate, Crawford (1977) introduces independence as "the central criterion of statehood" (p. 119) and sovereignty as "an incident or consequence of statehood" (p. 139). Moreover, he discusses 1) permanence, 2) willingness and ability to observe international law, 3) a certain degree of civilization, 4) legal order,5) recognition, as secondary criteria for statehood (Ibid, pp. 140-143). Meanwhile, Grant (1999) discusses four additional criteria of statehood: "self-determination," "democracy," "minority rights," and "constitutional legitimacy" (p. 84).

Nonetheless, both the Montevideo criteria and the additional criteria are considered problematic. For example, Worster (2009, p. 159) argues that the lack of unified approach delegitimizes these criteria because they are applied selectively, which, again, leaves a room for political considerations. Grant (1999) contends that the additional criteria make recognition "readily deferrable and thus all the more prone to political manipulation" (p. 83). Finally, Worster (2009, p. 158) claims that the establishment of legally binding criteria, as opposed to politically judged factors, is not widely supported in practice.

Overall, the gap regarding the definition of statehood is evident. Moreover, this gap allows politically judged factors to play an important role while deciding on the criteria of statehood.

1.1.2. The Constitutive debate

While the discussion on statehood identified the lack of unified definition of statehood, the discussion on the Constitutive and Declaratory theories indicate the lack of unified approach regarding the value of recognition in the making of a state. The Constitutive vs. Declaratory theories present the modern view on the topic of recognition. These theories give different answers to the question whether a state becomes a state by recognition, or "because it meets all the international legal criteria for statehood" (Talmon, 2005, p. 101). The theories represent two fundamentally different and irreconcilable views of international law (Worster, 2009, p. 119).

Different scholars, such as Hersch Lauterpracht, Jochen Frowein (Talmon 2005), John Dugard (Worster, 2009) have attempted to solve the problems found in both theories offering different approaches aimed at reconciliation. However, their attempts have been subjected to failure. Nevertheless, the importance of state recognition is apparent. Recognition is an essential

condition for the new state to exercise the international rights efficiently and as a member of the international community (Jessica Almqvist, 2009)

The constitutive theory of recognition entails that the recognition of statehood is a prerequisite for a state to become "an international legal person" (Murphy & Stancescu, 2017, p. 10). In other words, it asserts that the existence of a state is not automatic and depends on the consent of other states (Worster, 2009, p. 120). Most of the adherents of the constitutive approach are positivist in outlook (Crawford, 2006).

Nonetheless, this theory has its weaknesses. To start with, James Crawford (2006) identifies the "theoretical impossibility" (p. 21) and the actual practice of "illegal recognition" as the main problems created by the constitutive principle. Moreover, Talmon (2005, p. 102) indicates that the Constitutive principle leads to the relativity of the state as a subject of international law, thus failing to explain the responsibility of non-recognized states under international law. Also, Worster (2009) argues that this principle allows states to ignore facts, i.e., "the existence of a state" (p. 120). Also, he raises an important ethical question whether "existing states should be the gatekeepers to the international plane," (Ibid, p. 102) stating that it questions the principle of the sovereign equality of states.

Thus, the constitutive theory in itself has some serious weaknesses that prevent it from offering a unified framework for state recognition. The declaratory theory somehow addresses these weaknesses.

1.1.3. The Declaratory debate

The Declaratory theory has emerged as a direct response to the Constitutive principle. Talmon (2005) traces the roots of this theory to the natural law view of international law, according to which international law is an "objective legal order based on a nature-like community of States" (p. 106). This theory entails that a state does not need the consent of others to obtain international legal personality: the recognition of a state signifies the acceptance of the facts on the ground. To illustrate, Crawford (2006, p. 4) identifies one of the main arguments of the declaratory theory according, as long as the existence of a state is apparent; the international law must consider the situation on the ground, despite its illegality. This theory prioritizes effectiveness over legitimacy.

The proponents of the Declaratory theory believe that the recognition of new states is a political act independent of the existence of the new state as a full subject of international law (Crawford 1977, p. 103). The theory suggests that recognition should be automatic based on specified criteria as it believes that the status of the statehood is grounded on fact, not on individual state discretion. Moreover, it contends that "the international legal personality of a state and its

concomitant rights and obligations solely depend on it being able to satisfy the criteria for statehood" (Talmon, 2005, p. 106). Thus, the Declaratory theory sees the nature of the state as independent of legal characteristics which limit the power of the already existing states in the process of the state-creation.

Meanwhile, like the Constitutive theory, the Declaratory theory has also been subjected to criticism. Worster (2009, pp. 119-121) presents some arguments which highlight the weaknesses of this theory, first of all, claiming that state practice does not support it. Secondly, he claims that in practice, states may not acquire international rights unless they are recognized. Furthermore, he states that the declaratory theory may weaken the belief that international law is the law made by states. In addition to this, the overall problems of the criterion of statehood can directly be linked to the declaratory theory.

Thus, the Declaratory theory starts where the Constitutive theory fails to provide answers. However, due to the significant problems identified by the critics, it has also failed to gain universal acceptance.

1.1.4. The Declaratory and Constitutive theories in practice

Different authors claim that the vast majority of contemporary scholars favor the declaratory theory (Talmon, 2005, p. 105; Crawford, 2006, p. 25; Almqvist, 2009, p. 5; Worster, 2009, p. 119). As for the practice of state recognition, there are different views in the literature regarding which one of the theories prevails. Nevertheless, Worster (2009) claims that the practical evidence is not satisfactory to claim that one or the other prevails. Meanwhile, he also acknowledges that while the declaratory theory is at the basis of some practices, the practice of "states blocking the emergence of secessionary states" may evidence the constitutive theory (Ibid, 2009, p. 133).

An example of the application of constitutive theory is the case of Yugoslavia whose legal personality continued to be regarded as existing while it was enduring the process of its dissolution (Worster, 2009, p. 134). In addition to state practice, international tribunals also may support the constitutive theory. For example, the support for the constitutive theory was evident in the Celebici case, when the International Criminal Tribunal for the former Yugoslavia concluded that only after the international recognition of Croatia and Bosnia and Herzegovina the conflict within the former Yugoslavia (FYR) had attained an international nature (Worster 2009, p. 135). As for the declaratory theory, Worster (2009, p. 117) gives the example of the International Court of Justice (ICJ) which held that the inability to maintain adequate control during the process of dissolution of a state does not extinguish the legal entity as per the U.N.

To sum up, the inquiry into the topic of state recognition has illustrated that there is no universally accepted definition of statehood. Similarly, there is no unified position when it comes to assessing the value of recognition in the "making" of a state. There is always law vs. politics positions which are in a constant clash with each other. Moreover, the discussion indicated that the irreconcilable nature of "Declaratory" and "Constitutive" theories of state recognition marks the source of the emergence of the politics of recognition or as stated by (Worster, 2009 "the rules of state recognition, although legal rules are legal vehicles for political choices" (p. 116). Finally, it is also problematic to identify which one of the theories prevail in practice.

1.2. Self-Determination

The link between state recognition and the idea of self-determination is evident as both are considered to be "the two flip sides of the same coin" (Fabry, 2012, p. 663). The content of self-determination has been continuously evolving which is marked either by the adoption of new terminology or by the changes of definition (Hannum, 1993, p.66). Overall, the research identifies three main stages of the evolution: a) Wilsonian phase, b) decolonization phase, c) the post-colonial phase. Each of these periods signifies unique challenges and debates regarding the definition and the scope of the application of the principle of self-determination.

1.2.1. The Wilsonian idea of Self-determination

While some scholars trace the roots of the principle of self-determination from the ideas of French Revolution to the Marxist precepts of class liberation, the principle gained global significance and value only after the WWI (Borgen, 2009). At this stage, Woodrow Wilson turned self-determination into a guiding principle, when "at stake was the management of the remnants of the collapsed Austro Hungarian and Ottoman Empires" (Graham, 2000, p. 457). However, the problem was that the term was not defined clearly. Woodrow Wilson prescribed plebiscite as a solution to decide which national claims to statehood should be recognized. However, this failed because of "the irreconcilable territorial claims in Central and Eastern Europe after WWI […] the fact that it regarded the identity question as self-evident" (Mayall, 1999, p. 477). Moreover, Hurst Hannum (1994, p. 68) argues that the Wilsonian self-determination was explicitly political,

claiming that neither Wilson nor the other Allied forces believed that the principle was absolute or universal.

Overall, at this stage self-determination did not entail the universal right to external self-determination for ethnic and national minorities, which is portrayed by the outcome of the Aaland Islands case. While the population of the Aaland Islands demanded self-determination with the aim for annexation to Sweden, the League of Nations rejected this request asserting Finland's sovereignty over the territory. The specially appointed International Commission of Jurists concluded that International Law does not recognize the right of external self-determination for national groups "by the simple expression of a wish" (as cited by Nanda 1981, p. 266) as it does not recognizes the right of separation of other states.

1.2.2. Self-determination in the decolonization context

1945 Charter of the United Nations: While at the Wilsonian phase self-determination was a vague concept, the post-World War 2 period signifies a new phase for the development of the concept into a more specific principle. Hannum (1994) argues that initially, the United Nations (UN) was reluctant to recognize self-determination as a fundamental right as it was seen in light of Hitler's attempt to instrumentalize the concept "for reunifying the German nation" (p.11). Notably, the principle of self-determination found its place in the 1945 Charter of the United Nations. The principle of self-determination of peoples is presented in the context of developing "friendly relations among nations" (U.N. Charter art. 1, para. 2), and the principle of "equal rights" (U.N. Charter art. 55).

Borgen (2009) argues that unlike "Wilsonian Fourteen Points" which highlighted the ideal of self-determination, the UN Charter initiated the transformation of the concept into "something more than mere political rhetoric," (p. 7) however, again, failing to provide a comprehensive definition. Overall, the Charter did not entail the right of secession to national minorities, neither did it guarantee any right of external self-determination for colonial peoples.

Declaration on the Granting of Independence to Colonial Countries and Peoples (1960): While self-determination had not affirmed its place in international law at the initial stage of the functioning of the UN, it did so later in the decolonization phase. The primary legal document which marks the transformation of self-determination from principle into right in International law

is the "Declaration on the Granting of Independence to Colonial Countries and Peoples" adopted by the General Assembly resolution 1514 (XV) of 14 December 1960. It entails that:

"All peoples have the right to self-determination; by that right, they freely determine their political status and freely pursue their economic, social and cultural development"(UN: retrieved February 23, 2018)" (United Nations GA, 1960)

With the given statement the General Assembly explained that self-determination was a process of decolonization that could result in "secession of a territory to form a new state, an association of territory with an existing state, or integration of a territory into an already existing state" (Castelinno, 2008, p. 515). Nonetheless, the historical context of the 1960 Declaration is vital for its interpretation: "the genesis and object of the Declaration, the specific issues it addressed, and its timing are all crucial considerations," which indicates the limits of the application of the term Self-Determination to the colonial people (Nanda, 1981, p. 275).

The title of the Declaration itself limits the concept of self-determination to decolonization. Moreover, the "Salt-Water Thesis" which accompanies the resolution sets the limits of this principle ad hoc. The "Salt-Water Thesis" entails that "only territories separated by water or that were geographically separate from the colonizing power could invoke self-determination" (Corntassel, 2008, p. 108). The importance of the document can be traced in reference to the Declaration in the ICJ's advisory opinion on the Western Sahara Case (1975). In its advisory opinion, the ICJ proclaimed that the right to self-determination of the West Saharans weighed heavier than Morocco's claims to territorial integrity (as cited by Hannum, 1994, p. 271).

Thus, the careful reading of the 1960 Declaration demonstrates that it foresaw the right to external self-determination for colonies; there was no reference to other national or ethnic minorities.

Covenants: ICCPR, ICESCR: Other documents highlighting the concept of self-determination are, the "International Covenant on Economic, Social and Cultural Rights" and "the International Covenant on Civil and Political Rights," both adopted for signature by the UNGA on 16 December 1966 through resolution 2200A (XXI). These documents are considered to be the cornerstone treaties of international human rights and mark a crucial point for the development of the principle of self-determination to a recognized right in international law, emphasizing it in light of general human rights (Borgen, 2009, p. 7). Hannum (1994) suggests that the covenants present "the most definitive legally binding statement of the contemporary right of self-determination" (p. 18).

The common Article 1 of the ICCPR and the ICESCR (1966) reads as follows:

"All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development […] the States Parties to the present Covenant […] shall promote the realization of the right of self-determination and shall respect that right, in conformity with the provisions of the Charter of the United Nations"

.

Here, again, the problem of defining "people" is evident. Hannum (1994) claims that the **"**reference to "all" peoples and the fact that the article is found in human rights treaties intended to have universal applicability, suggest a scope beyond that of decolonization" (p. 19) however, emphasizing that it still, should be interpreted in line with the rights of recognized states**.**

It can be concluded that while the ICCPR and the ICESCR (1966) link the concept of self-determination to human rights, they do not grant a right of self-determination to national minorities. That right is reserved for colonies or the people of a sovereign State as a whole.

1.2.3. Self Determination vs. Territorial Integrity

Uti possidetis juris and terra nullius: The discussion on self-determination indicates that the principle is in a constant clash with the principle of territorial integrity. While Vidmar (2015) argues that none of these principles is absolute Wolf and Rodt (2013) state that states have traditionally prioritized the principle of territorial integrity. Likewise, Berg (2009) argues that the factor of territoriality has been of more importance than that of self-determination. Meanwhile, he notes: "since the second half of the twentieth century, however, normative standards have changed" (Berg, 2009, p. 221).

In international law, the doctrine of *uti possidetis juris* in line with the norm of *terra nullius* makes up the basis of the contemporary understanding of the principle of territorial integrity. The doctrine of uti possidetis juris guarantees the rights of existing stakeholders to the land and translates as "as you possess, so you possess" (Castelinno, 2008, p. 508). As for *terra nullius*, unlike *uti possidetis juris*, it has limited contemporary significance. *The term initially* was denoting territory that was empty and therefore free for colonization it gradually took on "racist overtones" (Castelinno, 2008, p. 510).

Friendly Relations Declaration (FRD): The self-determination vs. territorial integrity clash is visible in another important legal document which is the 1970 Declaration on Principles of

International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. This document is famous as the Friendly Relations Declaration (FRD), adopted by the General Assembly 2625 (XXV) resolution on 24 October 1970. Among other things, the FRD emphasizes the importance of the principle of equal rights and self-determination for the international law. In particular, the text condemns the use of "forcible action which deprives peoples referred to in the elaboration of the principle of equal rights and self-determination of their right to self-determination and freedom and independence" (United Nations GA, 1970). Here also, the declaration does not suggest a right to external self-determination to ethnic or national minorities. Hannum (1994) claims that this declaration "places the goal of territorial integrity or political unity as a principle superior to that of self-determination," (p. 16) thus excluding the right to external self-determination. It reads as follows:

"Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour" (United Nations GA, 1970).

Thus, while the FRD (1970) indicates that the principle of territorial integrity prevails over the principle of self-determination, however, the careful reading of the article opens a room for further interpretations beyond the limits of territorial integrity (Koroma, 2010). Vidmar (2015) considers that it does not qualify secession as illegal or prohibited and presents it to be offering a "process of overcoming a competing claim to territorial integrity" (p. 367). Overall, this statement infers a link between the right to internal self-determination and the right to external self-determination through remedial secession, a topic, which will be discussed thoroughly in the in the discussion on "Remedial Secession."

Helsinki Final Act: The Helsinki Final Act was adopted in 1975 by the Conference on Security and Cooperation in Europe, with the participation of the European States, the United States and the Union of Soviet Socialist Republics. It is a regional agreement "which represents a significant understanding between the Western and Soviet blocs on a variety of issues" (Hannum 1993, p. 28). Among other things, it included the contemporary view of the participant states on self-determination conceptualizing it by the principles of the UN Charter and other international legal norms such as territorial integrity. Principle VIII of the Final Act states:

"By virtue of the principle of equal rights and self-determination of peoples, all peoples always have the right, in full freedom, to determine, when moreover, as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development" (OSCE, 1975).

According to Hannum (1993), "the Helsinki language" is seen as "more expansive" than that of the previous legal documents referring to self-determination" (p. 29). Yet, this formulation does not infer an external right to self-determination to national minorities. As Hannum (1993) claims it should be read in light of the "principles of the inviolability of frontiers (principle Ill) and the territorial integrity of states (principle IV) also proclaimed in the Helsinki Final Act" (p. 29).

All in all, the evolution of self-determination from a vague principle into a recognized right in international law has been evident. While at Wilsonian phase self-determination was just a political device intertwined with unrealistic and empty implications to universality, at the post-WWII period it has attained legal character which has been recorded by some UN documents. Furthermore, while the decolonization phase of the evolution of the concept entailed external self-determination of non-self-governing territories (colonies), later it has envisioned a right of internal self-determination for all peoples, to perhaps allowing (debatably) for the possibility of secession as a remedy of last resort. Thus, from the legal perspective, self-determination cannot be identified as the best tool for justifying the recognition of a non-colonial secessionist entity.

1.3.Remedial Secession

1.3.1. The traditional view on secession

Before discussing the accepted view on secession, it is essential to delineate which act constitutes secession. Coppieters and Sakwa (2003) define secession as "the withdrawal from a state or society through the constitution of a new sovereign and independent state," consequently, the right to secession is seen as "the right to constitute a new independent statehood" (p. 4). Buchanan (2004, p. 332) clarifies that the right to secede not only implies the right to attempt to establish its legitimate state but also obliges others, including the state in which the group is located to not interfere with the attempt. Moreover, he sees secession as "the most dramatic form assertions of self-determination can take" (Ibid, p. 332).

Furthermore, it is crucial to differentiate unilateral act of secession from constitutional or consensual secession. As for unilateral secession, within the circles of international legal scholars the opinion is that there is no international legal right to secede except in 2 specific circumstances: a) classic decolonization, b) "(perhaps) the reclaiming of state territory that is subject to unjust military occupation" (Buchanan, 2004, p. 333). As for consensual or constitutional secession, the International law does not prohibit it, moreover, "consensual right to secede is generated by process of negotiation or exercised in accordance with constitutional processes" (Ibid, p. 338).

Furthermore, the international society has traditionally disapproved of secession, and the legal documents on self-determination have reflected this. While legal rules do not regulate the act of secession, this does not imply that secession is a legal act. The rules of self-determination and territorial integrity set the legal boundaries of secession. In other words "instruments regarding self-determination typically contain self-determination within the framework of the territorial integrity of states" (Summers, 2010, p. 21).

Thus replicating the discussion on the FRD (1970), it can be said that the inverted reading of the final paragraph, i.e., the "safeguard clause," (see: Section 1.2.3.) implies the possibility of unilateral secession under very strict conditions. The logic behind the inverted reading of the clause states: what if states do not comply with the norms outlined in the safeguard clause? Does it allow a "hope" for secession? Overall, while this document opened a room to discuss the options of Remedial Secession", Vidmar (2010) argues that no judicial body has accepted secession as an entitlement in any particular case. However, he notes that the Supreme Court of Canada "seems to have upheld" the inverted reading of the safeguard clause in the Quebec case, which reads as such: "the other clear case where a right to external self-determination accrues [apart from colonial situations] is where a people is subject to alien subjugation, domination or exploitation outside a colonial context" (as cited by Vidmar, 2010, p. 39). Also, not everyone agrees with similar interpretation: as Professor Malcolm Shaw states, the theory based on an inverted reading of the safeguard clause is subject to debate (Vidmar, 2010). Nevertheless, Remedial Secession has been thoroughly discussed by theorists, who highlight the necessity to regulate secessionist claims to independence by the remedial scheme

1.3.2. Theory of Remedial secession

As the previous section has illustrated, there is a significant gap in international law, when it comes to addressing secession. Thus, the scholars theorizing secession have attempted to address

this gap. While the works of theorists are not considered a primary source of international law, they influence the judicial and state decisions as a subsidiary source.

To start with, Bolton and McGriven (2010) identify three distinct currents theorizing secession:

1) Choice or plebiscitary approach- accepts secession as legitimate by virtue of democracy
2) Ascriptivist approach- constructs secession as a legal extension of the right to national self-determination
3) Remedial approach- suggests that secession is legitimate as a remedy for human rights abuses and a denial of self-determination

The remedial approach was initially formulated "as the negative duty to apply collective non-recognition to states created in violation of the *jus cogens* principles of crimes against humanity (including ethnic cleansing) or territorial aggrandizement by use of force" (Bolton & Visoka, 2010, p. 2). Moreover, this theory relies on the idea of "just cause," which regards the use of force as a legitimate means in particular cases makes up the basis of remedial secession. Following the logic of "just cause," the theorists of remedial secession hold that some conditions should be met to build up a case for secession refusing to recognize the absolute right to self-determination (Coppieters & Sakwa, 2003, p. 19). For example, Allen Buchanan (2004) argues for a justice-based conception of legitimacy which entails, "only states that meet or exceed a minimal justice standard with respect to their internal and internal actions have a valid claim to their territory" (p. 372). He suggests that international law should 1) recognize a remedial right to secede but not a general right of self-determination; 2) encourage alternatives to secession (Buchanan, 2004, p. 331).

Buchanan (2004) offers that the best way international law can respond to secession is to **"**recognize a right to secede understood as the right of a group to throw off the state's authority [given the respective grievances] and attempt to constitute an entity that will be recognized as a legitimate state" (Buchanan, 2004, 335). Here the right to secede is understood in a weaker way. Whether the international community should, also, recognize the new entity as a legitimate state, should depend upon whether the group provides credible commitments to satisfying the appropriate normative criteria for recognition of new entities as legitimate states (Ibid). Moreover, secession is understood as a remedy of last resort, which entails that other options of internal-self-determination should be considered before turning to secession.

Buchanan (2004, p. 353) identifies the types of injustices as being sufficient to generate a (unilateral) right to secede:

1)Large-scale and persistent violations of basic individual human rights,

2)The unjust taking of a legitimate state's territory

3)Serious and persistent violations of intrastate autonomy agreements by the state

Bolton and Visoka (2010) recommend that it is more useful to analyze Buchanan's criteria of remedial secession according to a reformulation of the just war principles. As a result they offer 3 additional conditions that "facilitate (or block) remedial secession;"(1) international intervention to mediate a status outcome; (2) support of powerful countries; (3) exhaustion of negotiations; g) a commitment from the seceding entity to uphold minority rights"(Bolton & Visoka, 2010, p. 3).

Overall, the Remedial theory places a significant constraint on unilateral secession, also considering the problem of territorial integrity.

1.3.3. Remedial secession in state practice

When it comes to assessing the usage of the remedial right to secession in practice, there are contradicting views regarding whether state practice supports it or not. The contradictions mainly arise due to different interpretations of the circumstances of recognition. However, as Summers (2010) suggests, "the possibility of remedial secession is often referred to, even if there appears little will to apply it" (p. 30).

All in all, the research on state practice of recognition illustrates that a successful secession usually requires the recognition of the parent state. For example, Ker-Lindsay (2013) claims that the independence of Eritrea and East Timor succeeded because they were granted recognition from parent state. Meanwhile, he also notes that both Eritrea and East Timor had been separate colonies before becoming part of Ethiopia and Indonesia, respectively, which infers the colonial right to external self-determination and somehow disqualifies these cases as those of unilateral or contested secession. Furthermore, after seceding from Pakistan in 1971, Bangladesh gained universal recognition only after Pakistan granted recognition (Vidmar, 2010, p. 43). The creation of Bangladesh would, therefore, according to Vidmar (2010), not be a clear precedent in support of the remedial secession theory.

Finally, two of the most important events which actualized the issues of secessions was the breakdown of the USSR and the dissolution of the Socialist Federal Republic of Yugoslavia (SFRY) in 1991. When it comes to the former, while there are debates regarding the different interpretations of the legal status of these states, the proclamations of independence by the 3 Baltic

States is less controversial (Vidmar, 2010). Nevertheless, the dissolution of the Soviet Union is considered a "consensual act supported by all republics, including Russia," implying that it does not qualify as a matter of remedial secession, as there was no secession in question (Vidmar, 2010, p. 45).

1.3.4. Remedial Secession and Kosovo

Considering that this research aims to illustrate the politics of recognition through the case of Kosovo, it is necessary to briefly discuss the elements of Remedial Secession found in this particular case. According to Bolton and Visoka (2010) in the Kosovo case, the conditions of remedial secession can be identified between the period 1989 and 1999.

To start with "serious and persistent violations of intrastate autonomy agreements by the state" which is identified by Buchanan (2004) as one of the primary conditions of remedial secession is seen here. Kosovo enjoyed autonomy within the framework of the Republic of Serbia established in the 1974 constitution of the Socialist Federal Republic of Yugoslavia (SFRY). However, the autonomy was suspended in 1989 which was followed by the Kosovo Albanians requesting the creation of the Republic of Kosovo within the SFRY (Vidmar, 2010). However, after the dissolution of the SFRY Albanians started to demand independence for Kosovo which was followed by an unofficial referendum at which independence was supported by the majority of Kosovo Albanians. The unofficial assembly of Kosovo Albanians declared independence of the Republic of Kosovo on September 22, 1991, which was ignored by the Badinter Commission and gained recognition only by Albania (Vidmar, 2010, p. 47).

As for the second condition for remedial secession, which is the "large-scale and persistent violations of basic individual human rights," it is also visible in the case of Kosovo. According to Bolton and Visoka (2010) following the abolition of Kosovo's autonomy, some discriminatory laws were introduced against the Albanians in Kosovo (such as laws prohibiting the unauthorized sale of private property and restricted Albanian-language education), (Bolton & Visoka, 2010, p. 8). However, the violence escalated in 1977 when Kosovo entered the stage of the humanitarian crisis. Given this, the UN Security Council adopted three resolutions in 1998, calling for an enhanced status for Kosovo. Moreover, The Rambouillet Accords was drafted in February 1998 provided for wide powers of self-government for Kosovo, respecting the territorial integrity of the Federal Republic of Yugoslavia (FRY) for three years before a referendum on status. While

representatives of the Kosovo-Albanians signed the Accords, the FRY and Serbia refused to sign. This prompted the NATO-led military campaign against the FRY on 24 March 1999 (Bolton & Visoka, 2010). The following period of international supervision of Kosovo up until the declaration of independence will be discussed in line with the "Earned Sovereignty" approach.

All in all, while Remedial Secession, as a remedy of last resort, has received some support among writers, the foundations of the doctrine remain controversial both in theory and in practice. The question remains whether the inverted reading of the provision on territorial integrity within the "safeguard" clause allows secession or not. However, given that the conditions outlined in the Remedial Secession are present in Kosovo's history the scheme offers solid ground for basing the justifications of the recognition.

1.4.Earned sovereignty

The doctrine of Earned sovereignty is a relatively new concept in contemporary state practice and in conflict resolution which requires the conditional and progressive devolution of sovereign powers from a state to a sub-state entity under international supervision. This process is directed by the international community which recognizes independence only if the new state complies with democratic norms (Bolton & Visoka, 2010, p. 18). In other words, the establishment of a "liberal democratic regime" is essential for earning sovereignty (Berg & Mölder, 2012, p 528). In fact, the idea of legitimacy is one of the key features of earned sovereignty. Overall, legitimate liberal-democratic societies entail three main criteria "(1) democratic procedures (2) the existence of a demos with a shared identity and (3) performance, understood as satisfaction with both the ends and outcomes of governance" (Berg & Mölder, 2012, 529). Earned sovereignty relies on the liberal peace framework, which combines "democracy, free markets, development and the rule of in the context of a pluralist and multi-ethnic state-building endeavor" (Franks & Richmond, 2008, p. 83), normally run by the UN or by a combination of international actors. This framework aims to create "a self-sustaining peace within domestic, regional and international frameworks of liberal governance" ((Franks & Richmond, 2008, p. 83).

While it is beyond the interest of this research to evaluate the implementation of liberal peace framework in the general frame of earned sovereignty, it is essential to discuss the elements of earned sovereignty briefly and to trace them in the case of Kosovo.

1.4.1. The Elements of Earned Sovereignty

The earned sovereignty scheme attempts to solve the territorial integrity vs. self-determination dichotomy with the help of "a multistage approach" (Grazier and Williams 2016, p. 6). Each of these stages makes up the elements of earned sovereignty. Overall, earned sovereignty consists of three core elements and three optional elements.

The Core Elements of Earned Sovereignty:

- *Shared sovereignty:* The sub-state entity and the host state (or the international community) may both the exercise some sovereign authority and functions over a defined territory (Williams & Pecci 2004, p. 355). This stage is considered a "cooling-off period" (Bolton and Visoka, 2010, p. 5) as it specifically operates under the "mutually incompatible final aims" that the parties hold, as long as violence is, in effect, suspended (Hooper & Williams, 2003, p. 360).
- *Institution-building:* The establishment of "political and economic infrastructure," as well as the construction or modification of "institutions for self-government" (Bolton & Visoka, 2010, p. 5). This task is frequently carried out with the assistance of international community (Williams & Pecci, 2004, p. 355).
- *Determination of final status:* The negotiation of the final status of the sub-state entity either by referendum or under the mediation of the international community (Williams & Pecci, 2004, p. 355).

The Optional Elements of Earned Sovereignty:

- *Phased sovereignty:* The devolution of sovereign functions from "the parent state (or international community) to the sub-state entity"(Bolton & Visoka, 2010, p. 6) during shared sovereignty. This stage may be achieved once the sub-state entity is seen as capable of holding these powers given its responsible behavior (Williams & Pecci, 2004, p. 356).
- *Conditional sovereignty:* The fulfillment of liberal-democratic conditions, e.g., the protection of human and minority rights, and the enforcement of the rule of law (Bolton & Visoka, 2010, p. 6). Usually, this is monitored by a monitoring authority which involves international institutions (Williams & Pecci, 2004, p. 356).
- *Constrained sovereignty:* The application of limits on the sovereign authority of the new state, e.g., by the continuance of international administration or military presence (Bolton

& Visoka, 2010, p. 6). This stage is considered a guarantee for the parent state and the international community (Williams & Pecci, 2004, p. 356).

1.4.2. The practical application of Earned Sovereignty

Initially, earned sovereignty was developed as "a policy prescription and conflict resolution strategy" specifically for Kosovo (Bolton & Visoka, 2010, p. 4). The influence of earned sovereignty approach can be traced in Rambouillet Peace Accords and UN Security Council Resolution 1244, the UN doctrine of "standards before status" and Ahtisaari's 2006 status recommendation of "supervised independence" for Kosovo. Specifically, the "Standards before Status" policy supported the goals of the international engagement as well as progress in the liberal peacekeeping efforts in Kosovo. What is more, this has later been applied to seven recent peace agreements concerning sovereignty-based conflicts such as East Timor, Serbia, and Montenegro, Northern Ireland, Bougainville and Papua New Guinea, Bosnia, Sudan, Israel/Palestine, Western Sahara (Williams & Pecci 2004, p. 10).

As for Kosovo, Bolton and Visoka (2010) see it as a turning-point case which marks the "normative shift" from "sovereignty as authority of territory" to "sovereignty as responsibility" (p. 7). The earned sovereignty approach was initially developed for Kosovo by the Public International Law & Policy Group in 1998 (Williams & Pecci, 2004, p. 373). This was concluded as an attempt to meet the interests and the needs of Kosovars, Serbia, and the international community. This entailed a process whereby the people of Kosovo would be entitled to share sovereignty with FRY. The proposal considered that in light of "long history of human rights violations perpetrated against them by the Serbian regime" the people of Kosovo had, somehow, earned a right to increased sovereignty (Williams & Pecci, 2004, 373). Here we can trace the link between the concepts of earned sovereignty and remedial secession. Overall, each of the elements of the earned sovereignty should be discussed in the recent history of Kosovo.

Shared sovereignty in Kosovo was authorized by the United Nation Security Council Resolution 1244 (1999) which initially held responsible for almost all Kosovo's sovereign authority and functions (Hooper & Williams, 2011, p. 363). However, the resolution did not envision any clear political solution for Kosovo; it did not determine its status (Fridl, 2008, p. 73). As outlined by Wiliams (2003), the resolution focused on: "(1) displacing FRY sovereignty from Kosovo, (2) replacing it with interim UN and NATO sovereign responsibilities (3) establishing substantial autonomy and democratic self-governance for the people of Kosovo (4) "facilitating a political process designed to determine Kosovo's futurere status, taking into account the

Rambouillet accords and (5) preparing in the final stage to administer the process of the transition of authority from provisional institutions to "institutions established under a political settlement"" (p. 406).

To illustrate, the U.N. Secretary-General created the United Nations Mission in Kosovo (UNMIK) and appointed a Special Representative of the Secretary-General (SRSG), aiming at reconstructing the political institutions of Kosovo. Throughout time the UNMIK representative worked to create a Kosovo Constitutional Framework providing for a parliament and presidency. This "mission" was carried out with the help of the NATO-led The Kosovo Force (KFOR). The consolidation of the branches of the government somehow managed to cool-off tensions, but it also set off the transition towards some "heightened sovereignty" for Kosovo, on condition they "earn" it by expressing their commitment to "democratic self-government" (Bolton & Visoka, 2010, p. 4).

When it comes to *institution building,* it was designed to be carried out in line with the norms of liberal democracies to lead the country towards democratization (Gheciu, 2005). While different international actors such as the Organization for Security and Co-operation in Europe (OSCE), the UNMIK embarked on the fulfillment of the task, the 2004 March riots, which resulted in casualties, injuries and destruction of properties (Fridl, 2009, p. 74), put all these attempts and the whole idea of the success of the international society to 'democratize" Kosovo under a big question mark.

To start with, the *phased-sovereignty* was manifested by the attempts to involve the domestic actors into the tasks of governing the region. In 2001, UNMIK introduced the Constitutional Framework for Provisional Self-Government which provided the legal framework for Kosovo's self-governance (Bolton & Visoka, 2010, p. 11). It summarized various goals for Kosovo to achieve, such as non-discrimination, integration of parallel structures and the participation of women and representation of communities and municipalities were included in it. Moreover, the Provisional Institutions were supposed to follow the laws, investigate wrongdoings and for monitoring taking place within the structures.

Regarding *conditional sovereignty* in 2002, the Special Representative of the UN Secretary-General Michael Steiner adopted a policy of "standards before status," outlining some benchmarks regarding regional stability, freedom of movement, the rule of law. This policy entailed that to reach the stage of final status talks some standards should have been met (Hooper & Williams, 2011). The benchmarks covered areas such as "functioning democratic institutions, the rule of law, freedom of movement, refugee returns and reintegration, economic reform and development, property rights, dialogue with Belgrade, and the responsible operation of the Kosovo Protection Corps" (UN, 2018). As Williams and Pecci (2004) claim the conditions were necessary

to eliminate the possible political instability that might arise with the discussions on final status. These conditions aimed to create equality, freedom, democratic structures and also a multi-ethnic society including all the ethnic and minority groups.

Furthermore, regarding *the determination of Kosovo's final status*, considering the dangerous prospect of the legal limbo, in 2005, Secretary General Kofi Annan appointed former Finnish President and experienced diplomat, Martti Ahtisaari as Special Envoy for the Future Status Process for Kosovo. Ahtisaari's task was "to lead the political process to determine the future status of Kosovo in the context of Resolution 1244 (1999)" (Fridl, 2009, p. 75). The negotiations were offering two possible scenarios: either Kosovo would attain "wide autonomy" within Serbia or gain full independence (Bolton & Visoka, 2010, pp. 7, 11). In the following year of negotiations, Serbia was willing to give Kosovo autonomy. However, Kosovo would accept nothing but independence; the situation was entering a stalemate. To prevent the negative consequences, Ahtisaari declared the potential of negotiations to be exhausted presenting the "Comprehensive Proposal for the Kosovo Status Settlement" to the UN Secretary-General, a document based on the approaches of Earned Sovereignty and Remedial Secession which was envisaging initially-supervised sovereignty for Kosovo (Bolton & Visoka, 2010, p. 13).

On 17 February 2008, the Kosovo Assembly declared Kosovo's independence which was met by an exclusively negative response from countries such as Serbia China, Russia, yet managed to gain 114 recognition by March 2018. Nevertheless, while Kosovo received a significant number of recognitions, its sovereignty is *constrained,* and it is highlighted in Kosovo's 2009 constitution which states the authorities of the Republic of Kosovo shall have no jurisdiction "to review, diminish or otherwise restrict the mandate, powers, and obligations' of the international civil and military presences" (Bolton & Visoka, 2010, p. 15). The mission of UNMIK, OSCE, and some international organizations constrain Kosovo's sovereignty significantly.

Overall, it is evident that the earned sovereignty approach was a serious attempt to regulate the development of Kosovo through the application of democratic peace framework, while the results and the actual success of the approach in the given case are highly contested, the amount of the work done cannot be denied. Given the volume and the involvement of the international community in the processes of Kosovo's democratization as defined by earned sovereignty approach and later translated into the Ahtisaari plan and Kosovo's declaration of independence, earned sovereignty offers various elements which can be instrumentalized for the recognition.

1.5. The politics of recognition of Kosovo

Given, that the background of the Kosovo history is quite eminent, and the relevant parts of it were discussed by the previous sections, here, the thesis pays attention to the process of the recognition itself, and the works discussing it.

As discussed, On February 17, 2008, Kosovo's Assembly declared the independence of the country by a statement, which received contradicting responses from the international community. While some states recognized the independence immediately, others took a critical stance objecting to recognize Kosovo. According to a statement released by the MFA of Kosovo, 114 states have recognized Kosovo (Kosovo MFA, 2018). Shortly, after Kosovo's Declaration of Independence, Serbia officially filed a request at the United Nations seeking opinion of the International Court of Justice (ICJ) with the aim of proving the invalidity of the declaration. Nevertheless, the decision of the ICJ, which arrived on 2010 held that the Kosovo declaration of Independence did not violate international Law (ICJ, 2010).

Said that, the ICJ 2010 decision renewed the attention on the Kosovo case, which mainly formulated around the debates on whether the Kosovo case may set a precedent or not (Ker-Lindsay, 2017; Kemoklidze, 2009). Despite the differences on this matter, Kosovo's declaration of independence and the recognition of Kosovo intensified the desire of other secessionist entities to gain recognition. For example, Nagorno-Karabakh, South Ossetia, and Abkhazia have attempted to instrumentalize the Kosovo case for their recognition presenting it as a precedent-setting case.

Without attempting to take parallels between the cases mentioned above, one thing is obvious; there is no universal approach when it comes to state recognition. The inconsistency is apparent even within the case of Kosovo's recognition: while some states choose to recognize Kosovo, others such as China, Russia and Armenia, opposed to do so. Moreover, choosing to recognize the recognizing entities justified their act in different ways as illustrated by Jessica Almqvist (2009) and Bolton and Visoka (2010). Subsequently, the lack of regulation of therecognition acts entails that where there is no regulation, the power of argumentation is used instrumentally to justify one's declared or undeclared political interests, or in the words of Worster (2009), the rules of state recognition, while legal, serve as "legal vehicles for political choices" (p. 168).

Regarding this point, Jessica Almqvist (2009) suggests the concept of "politics of recognition" and defines it as "the variety of the reactions of third States to the declaration of Kosovo Independence" (Ibid, 2). Moreover Bolton and Visoka (2011) also claim that in case of Kosovo the recognizing states put forward different arguments for their recognition. Human rights abuses under Milošević, a decade of international administration; Kosovo's statehood capacity; the

exhaustion of future status negotiations; and Kosovo's commitment to respect minority rights and accept ‘supervised independence' are some of the arguments that the recognizing states mention (Ibid). Thus the works carried out by these authors present a primary inquiry on the topic. However, the given research adds to the value of the question of Kosovo’s recognition without aiming to replicate or compare the findings with those of the given authors.

Meanwhile, it presents a clear strategy of methodology which allow presenting a fresh take on the research area. First of all, the given research opens up the brackets of the concept of “politics of recognition” and analyses its components thoroughly, moreover, it focuses only on the positive reactions extending the data for the analysis up to (2018). Also, the thesis applies content analysis to get maximum results.

2. Methodology

2.1.Research design: Single Case Study

The research was carried out as a single interpretive case study, which allows explaining particular cases through the lenses of theoretical frameworks. Case study is a research strategy based on the in-depth empirical investigation of one or several phenomena which aims to "elucidate features of a larger class of (similar) phenomena, by developing and evaluating theoretical explanations"(Vanesson, n. d, p. 227) which can lead to an evaluation and refinement of theories. In other words, case studies observe the data at the micro level (Zainal, 2007, p. 2). When it comes to a single case study, in particular, Odell (2010) counts the case as an example of an event or phenomenon, which "allows making multiple observations of theoretically relevant variables" (p. 162). Last but not least, while case study does not have any pretentions of accounting to a new theory, it allows improving the existing conceptual and theoretical models by offering new suggestions based on the in-depth investigation of the given case (Odell, 2010).

The Kosovo case was considered for this research because it provides the best opportunity to investigate and understand the politics of recognition for some reasons. The controversies and the debates revolved around the recognition of Kosovo in line with the support of the international community and the number of the recognition that it has received during the last ten years, make it a robust case for understanding the contemporary state recognition practices (Almqvist, 2009). The in-depth analysis of the case through the application of the chosen theoretical frameworks helps us identify whether "Self-Determination," "Remedial Secession," "Earned Sovereignty" and "International law" are sufficient to explain the justifications of the recognition or not. Thus, the inquiry into this topic allows making further implications on the explanatory power of the given theoretical frameworks specifically for the Kosovo case. The research does not aim to generalize the findings. Moreover, the theory of the politics of recognition tells that each case of recognition is different and cannot count as an example or guideline for the recognition of other entities. Thus, the research aims at sharpening the theoretical perspective of politics of the recognition of Kosovo.

2.2.Research Method: Qualitative Content Analysis

Given the nature of the research question, qualitative research method was considered as a tool of inquiry. In particular, the Qualitative Content Analysis was applied as a method for

analyzing the data, which mainly consists of official recognition statements. The application of the qualitative content analysis for this research is valid as it aims to explore the arguments in the recognition statements on the textual level without assessing whether these are the actual reasons for recognition or not.

Moreover, in line with counting the frequency of the categories, the QCA allows uncovering essential patterns and themes while interpreting the findings qualitatively (Zhang & Wildemuth, 2009). The complex nature of the politics of recognition tells that the findings can be based not only on the counts of the central themes but also on the interpretation of each theme separately. While the frequencies of the categories allow identifying the general themes discussed in the recognition statements, the interpretation helps to identify the patterns or differences of the application of themes in different statements.

The other strength of the method for the analysis of the qualitative data is that QCA modifies and inherits the strengths of the quantitative analysis, such as the guidance by rules, by the demands of qualitative research. In addition, QCA allows analyzing the data while reducing the amount of the material which was vital given the number and the volume of the recognition statements considered for the analysis. Meanwhile, reducing the amount of the material did not come at the expense of the quality of the research, because the requirement to examine "every single part of the material that is in any way relevant to the research question" (Schreier & Flick, 2013) was followed strictly. This requirement, in fact, limits the power of the researcher from intentionally excluding the parts which might otherwise be important for the research as "it requires a certain sequence of steps, regardless of the exact research question and material" (Schreier & Flick, 2013).

In general, the analysis was carried out strictly following these steps as described by Schreier and Flick (2013): 1) Deciding on a research question; 2)Selecting material, 3)Building a coding frame, 4)Segmentation, 5)Trial coding, 6)Evaluating and modifying the coding frame, 7)Main analysis, 8)Presenting and interpreting the findings.

To continue, another advantage of the qualitative content analysis is its flexibility regarding the combination of data-driven and concept-driven categories. In this research, the concept-driven categories of "Remedial secession" "Earned-sovereignty" and "Self-determination" and "Accepted Legal Practices" were informed by the theoretical discussion on the politics of recognition. Meanwhile, the data-driven codes were generated through the systematic analysis of the texts. The final list of the categories was generated through the development of broader categories and sub-categories.

Overall, content analysis has allowed identifying and systematically categorizing the textual evidence of the "politics of recognition" i. e. the different arguments and justifications

found in the recognition statements. Moreover, the interpretation of the findings with the qualitative approach has allowed illustrating the mismatch between what theory says about the given themes and the context in which states use these themes. In some cases, this step has allowed illustrating the way these arguments were instrumentalized, pointing out to the emergence of the politics of recognition.

Last but not least, the research was carried out with the assistance of the MAXQDA software for Qualitative Data Analysis. The software is considered one of the best tools for organizing and interpreting a vast number of documents systematically (MAXQDA, 2018). This software has maximized the efficiency of the research as its key features prevail over the features of the manual analysis. In particular, it has allowed importing and organizing the data systematically saving more time for the main analysis and the interpretations of the findings. Moreover, MAXQDA has allowed precisely identify the most important categories and also the documents that present the most arguments, which identified the importance of the category for the politics of recognition and the eagerness of the given state to justify the act of recognition.

Last but not least, while the research has followed the steps for the qualitative analysis carefully, it should be noted that still, it is the researcher who "chooses" to see the given categories and describe them in the given manner. It all affects the general outcome of the research. However, this must be seen as a part of the general limitations of the qualitative research.

2.3.Data Collection

The research has considered the official recognition statements i. e. the statements presenting the arguments of the high-ranked officials (Ambassador, President, Prime Minister, Minister of Foreign Affairs) following (shortly) or prior (right before) to the act of recognition of the respective states recognizing Kosovo for analysis. The consideration of these statement for the research is essential, replicating what was emphasized by Jessica Almqvist (2009); "if and when the creation of a new state is uncontroversial, the specific contents of the different recognition statements seem uninteresting […] however, if it is controversial, such texts warrant closer attention" (p. 7).

A question might arise what explains the choice of the data, why the official recognition statement instead of, for example, statements such as the written contributions of the UN-member states for the 2010 ICJ advisory opinion on the legality of Kosovo's Declaration of Independence? In fact, it is clear that the written statements of legal nature would naturally link their arguments to International law. Moreover, every aspect of the Kosovo case would be discussed in these

opinions which would make it impossible to identify the primary and unique arguments not focused only on international law.

Unlike the statements which are contributions to a legal procedure, the short and precise recognition statements or the statements presenting the view of the representatives of the states, summarize the aspects that each state finds the most important to justify the act of recognition publicly. Given this, the audience of these statements is not only the judges, the scholars and the state officials but also the broader public. Thus, the recognition statements may present more value for identifying the most robust arguments of the recognition statements for each state, without exhaustively discussing less intriguing aspects of the Kosovo case.

Before presenting the strategy of the data collection, it is essential to specify what we mean by saying an "act of recognition." Murphy and Stancescu (2017) distinguish 1)De facto and de Jure recognition; 2)Express and tacit recognition; 3)Government recognition 4)Diplomatic recognition; depending on the chosen criteria(p. 8). Moreover, they indicate that, in practice, recognition can be manifested either explicitly or tacitly "by any means from which it can be implied that the new state would be treated as any other international legal person" (Ibid, p. 8). Given this, the research has consulted not only the verbal notes directly sent to the MFA of Kosovo as a result of explicit recognition but also the other official statements deriving from the implicit recognition, i. e. found on other platforms rather than the MFA websites.

The number of the recognition was estimated considering all the types of recognition identified by Murphy and Stăncescu (2017) and also referring to the official statement of the Kosovo MFA (2018) on the number of the recognition statements. Moreover, the "Kosovo Thanks You" online platform has also been used as a valid source to check the validity of the recognitions. However, when it comes to the withdrawal of recognition, a point needs to be clarified. While Guinea-Bissau recognized Kosovo in a verbal note on 10 January 2011, later on, November 21, 2017, the MFA of Serbia informed that Guinea-Bissau had withdrawn the recognition (Serbia MFA, 2017). However, On 2 February 2018, Kosovo's MFA announced that it had received a new verbal note from Guinea-Bissau stating that the previous note revoking recognition did not affect (Kosovo MFA, 2018). Thus, at the final stages of the research, the first verbal note of Guinea-Bissau has eventually been considered for analysis.

To guarantee the reliability of the data the research has, first of all, considered the sources published on the official websites of the Government of the recognizing states and Kosovo double-checking them against other sources. A strict strategy divided by hierarchical steps has allowed maximizing the amount of the data. When one of the steps failed to trace the pursued information, the following step was implemented. The strategy looks as follows:

1) looking for the official statements of recognition/verbal notes, or the statements presenting the arguments of the high-ranked officials of the recognizing states following (shortly) or prior (right before) to the act of recognition, released by the recognizing states on the official platforms of the respective countries
2) searching the same statements at the webpage of the Kosovo MFA

In case of the absence of verbal notes or official press releases, other types of sources were considered such us,

1) the words that have been exchanged during the recognition act by the high ranked officials of the recognizing state and published by official channels
2) media articles directly quoting the statements or the exchanged words.
3) media articles paraphrasing the content of the statements

All in all the data for the analysis consists of both primary and secondary sources.

Last but not least the direction provided by the platform called "Kosovo Thanks You" has been extensively used as a guiding tool, as it contained a wide range of information and documents regarding the recognition of Kosovo. It is noteworthy that this platform was mentioned and used by scholars such as Jessica Almqvist, James Ker-Lindsay.

Nevertheless, the acknowledgment of some limitations is also important. In fact, despite the exhaustiveness of the data collection strategy, not all the 114 recognition statements were available. In some cases, the information recognition was present on the Kosovo MFA website, accompanied with a note that verbal note will be sent to Kosovo MFA following the official recognition. However, it was not identified whether these verbal notes were sent to Kosovo or not. Either way, the content of these statements was unavailable, that is why the position of the given states was not considered for the analysis. Meanwhile, in case of some other documents, while the verbal notes or press releases were present, the content of these statements was merely indicating the fact of recognition without further elaboration. Thus, similar statements were considered for the research and discussed under the category "Undefined." Finally, not all the texts were available in English. To overcome the language barrier, the help of the native speakers of French, Italian, Dutch, Albanian, Arabic, Spanish languages was pursued for translations of these statements.

Overall 85 statements from 87 states (including Taiwan) were considered for the analysis, among which 19 were identified as "Undefined." Moreover, among these statements, there are two joint statements, one from Hungary, Croatia, and Macedonia and another one from Macedonia and Montenegro. Additionally, a separate statement released by the Government of Hungary has also been considered for the research. However, this has been discussed separately from Croatia and

Macedonia and presented solely as the view of Hungary. It must be acknowledged that as a consequence of the decision to include two statements from Hungary the coding frame has identified more frequencies for this statement, however, the number is not significant to affect the general results of the findings. Moreover, this issue is not as essential as the analysis is based both on the overview of the frequencies of the statements per category and on the interpretations of the categories.

2.4.Generating the coding frame

Before proceeding to the interpretation of the findings, it is essential to describe the process of coding to eliminate the misunderstandings and to understand the strategy of the researcher given the challenges. Therefore, this section is a discussion of some decisions made during the process of qualitative data analysis, to identify and explain the existing issues in advance.

As it has already been mentioned the main guiding material for the process of the coding has been "Qualitative Content Analysis" by Margrit Schreier and Uwe Flick (2013). As discussed, in the chapter on the method the article thoroughly explains the steps that a researcher should follow to get the maximum results from the analysis. Not going into details of the whole process, it is important to highlight some vital moments connected to the generation and application of the coding frame.

One of the most challenging parts regarding the generation of the coding frame was the existence of overlapping concepts and arguments found in the texts. However, revising the coding frame multiple times has minimized this problem. The description of the code labels in line with the example of coded segments and the frequency of each category and sub-category clearly delineate the categories as presented in the Coding Frame (see Appendix 1). The only thing that should be added regarding the coding frame is that the frequencies refer to the number of the countries (not statements, because as described in the data collection part, some statements were joint) which have used the arguments rather than the number of the coded segments of the texts.

Furthermore, given that the data consists of official statements, regarding such a sensitive topic as the recognition of a new entity, each relevant part was considered for the analysis. The thorough explanation and the reading of the material have allowed bringing about the most important themes highlighted in the documents. In other words, the requirement of "exhaustiveness" was followed strictly. To illustrate, while the category "Religious ties" was identified in just three statements, it was still considered for analysis.

.Moreover, considering the requirements of the qualitative research the unit of coding was based on thematic rather than formal criteria. It means that the unit of analysis was not strictly a

word, sentence or a paragraph, but theme i. e. a mixture of sentences, words and paragraphs (Schreier & Flick, 2013, p. 13). Initially, codes were generated based on the most relevant arguments related to the aim of this research. Furthermore, similar categories were merged and some others were split into sub-categories (see Appendix 1). It has allowed to better classifying the codes following the "mutually exclusiveness" requirement.

Overall, the main categories for the research were generated both inductively and deductively. While the categories of "Popular Sovereignty," "Remedial Secession," "Earned Sovereignty," and "Accepted legal practices" were generated in a concept-driven way (informed by the concepts in the theoretical framework), the documents have identified themes which were not covered by theory. Eventually, seven other main data-driven categories were also added: "Regional peace and stability," "EU/NATO perspective," "The position of other entities," "Unique case," "Religious ties"; "Undefined." Moreover, some of these categories were divided to sub-codes to discuss the themes more systematically. It should be clarified that the category "Popular Sovereignty" combines the arguments which are indicated by the discussion on "self-determination." However, in the given case "the will of the people" was separated from "self-determination" type of arguments as the latter has stronger wording which comes with legal consequences. The theme was named "Popular Sovereignty" as it allows avoiding the confusion.

3. Discussion of the findings

3.1. Overview of the general findings

The analysis of the recognition statements (see, Table. 1) indicates that the variety of the themes identified by the research not only reflect the emergence of the "politics of recognition" but also allow refining the theoretical discussions on the recognition of Kosovo. In particular, while the presence of the theory-driven categories identifies the presence of the theoretically informed arguments in the recognition statements, the data-driven categories indicate new patterns of argumentations which can be introduced to the theory of the politics of recognition. Meanwhile, while the frequency of the categories allows pointing out the most relevant themes for the politics of recognition of Kosovo, it is the interpretation of these findings that uncover the delicate context of the application of one or another category, which tells us more about the politics of recognition. Nevertheless, it is the frequencies that indicate which themes serve as the best tools for justifying the recognition or putting it in a context which makes recognition seem acceptable.

However, as discussed, the given research does not consider the explanatory power of these themes or arguments for the recognition of Kosovo. It just illustrates the way states "sell" the act of recognition to the wider audience on the textual level. In other words, the identified themes or arguments are considered as tools for justification and not the actual reasons for it. Finally, the research does not evaluate whether these themes are the actual motivations for the act of recognition or not.

Before proceeding to the interpretation of the themes, it is essential to give an overview of the analyzed data and the general findings briefly. First, the analysis identified the general picture of the politics of recognition in the case of Kosovo. In particular, the research indicated the importance of the elements of "Earned Sovereignty" approach for the recognizing states as reflected in around 36 recognition statements. In particular, Kosovo's commitment to democratization which is labeled as „conditional sovereignty" is highlighted by most of the states. Moreover, the importance of the "Ahtisaari plan" is also apparent. Finally, the sub-category of "supervised independence" tells us that the recognizing states give importance to Kosovo's willingness to allow the international actors participate in the processes of state-making in Kosovo even after the independence.

Furthermore, the second most discussed theme found in the recognition statements is "Regional peace and stability." This importance of the theme is apparent not only considering the number of the recognition statements referring to it, but also the fact that it was generated in a data-driven way. The same applies to the categories "EU/NATO perspective" and the "positions

of other entities." Overall, these data-driven themes indicate that the politics of recognition at least in case of Kosovo is quite complicated regarding the diversity of the arguments.

Furthermore, another observation refers to the themes "Remedial Secession" and "Popular Sovereignty." While the theory indicated that "self-determination" does not provide the best argumentation for recognition statements the analysis identified that nine states had used this argument explicitly. In contradiction, while the elements of "Remedial secession" were evident in the Kosovo case and the scheme itself allowed more room for justifying the recognition of Kosovo, as opposed to the general right to "self-determination," only ten states highlighted it in their statements.

Also, the general discussions on the themes identified by the systematic application of content analysis have illustrated that the justifications of Kosovo's recognition, differ not only from state to state but also within the statements of each state. Moreover, many states coupled their arguments instead of presenting only one argument. What is more, while some states gave the whole picture of the arguments stating the direct or indirect influence on the decision of recognition, others preferred not to bring any justifications at all. Meanwhile, while some of the arguments within the themes were instrumentalized to justify the act of recognition explicitly, others were there to support the point implicitly, without inferring any link between recognition and the given argument.

To continue the discussion, the analysis identified that while countries from different parts of the world highlight the importance of "Regional Peace and Stability," it is mostly the European states that value the "EU/NATO perspective" of the Balkans. Notably, the theme "EU/NATO" perspective in most of the cases comes hand in hand with "Regional Peace and stability." Meanwhile, the statements discussing the importance of the implementation of the "Ahtisaari plan" emphasize it in light of the conditions which are summarised under the theme "Conditional sovereignty."

Finally, most of the arguments are found in the recognition statements of the US, Albania, Hungary. Overall, these states, mostly refer to elements such as "Conditional sovereignty," "supervised independence," "EU/NATO perspective." Apart from the considerations for "Regional peace and stability," these states clearly illustrate that the new member of international community i. e. Kosovo must become a democratized western state which meets certain conditions especially those regarding general human rights. Finally, when it comes to the category "Undefined," it is mostly the non-Western states, in particular, the African states that choose to remain silent.

Thus, while the general overview of the analysis indicates some patterns and characteristics of the data, the delicate process of the emergence of the "politics of recognition." is uncovered by the interpretation of these themes discussed separately.

3.2. Interpretation of the findings

3.2.1. Popular Sovereignty

The discussion on the category "Popular Sovereignty" summarises the arguments which highlight the people's right to deciding their own political future. Considering that "self-determination" is a strong wording with legal consequences it was analyzed and discussed more thoroughly separate from "the will of the people."

Self-determination: The discussion on the theoretical part regarding the evolution of the concept of self-determination has illustrated that this principle with all the consequences that come with its application, has been disfavoured by the community of sovereign and independent states as it was always perceived to be challenging the principle of territorial integrity. Thus, before the data analysis, the expectation was that states would hold back from referring to the "principle of self-determination" in the recognition statements. However, the analysis has identified that nine countries have explicitly used the term "self-determination" while talking about Kosovo's independence, and nine others have referred to the "will of the people" in their statements. The thorough analysis of the usage of the argument of "Self-determination" is essential, as the discussion of the principle is central to the whole research.

To start with, the research has identified that even headlines of short statements may make important statements. For example, the headline of the statement released by Micronesia reads as such: "FSM Recognizes Kosovo Act of Self-Determination" (Micronesia Government, 2008). While the following short text does not offer further clarifications, the headline is enough to consider that "self-determination" is the central argument to justify the act of recognition. Furthermore, UAE states that the recognition is in line with her support to a "legitimate right to self-determination"(Balkan Insight, 2008) without clarifying further. Meanwhile, Togo highlights "self-determination" it in light of general considerations for peace (ToGo, 2014). In fact, these brief references make an important point about "self-determination" presenting it as an essential factor for recognition.

Moreover, the remaining statements offer more clear context for "self-determination." For example, the statement from Afghanistan clarifies that the basis for the recognition was the "belief

in genuine human aspirations, the right to self-determination." (Pajhwok report, 2008). Also, in the same statement, in line with the principle of self-determination, Afghanistan presents notions such as "democratic norms" and the "spirit of peaceful co-existence among nations of the world" (Ibid) as decisive for the recognition. Thus, the statement implicitly presumes that "self-determination" is a matter of democracy and a condition for peace. Overall, Afghanistan's reference to self-determination" entails less limited application of the principle as a valid condition for recognition. Moreover, highlighting that it was the people of Kosovo who gave a "popular verdict," the statement allows to think that it is the right of the people to opt for independence and the international community has no other choice but accept the facts on the ground. Thus, the usage of the term "self-determination" within such a context may leave a room for other secessionists to invoke "self-determination" as a valid condition for independence by referring to the case of Kosovo.

In the same way, Albania justifies the recognition by the idea of the "rights of people for self-determination" also mentioning the Declaration of Independence of the Kosovo Assembly and "the principle of good-neighborhood relations" (Albania Government, 2008). Here, the question is what the "principle of good-neighborhood relations" in international law entails regarding the recognition. Does this principle imply the existence of a custom which makes neighbors recognize a new entity as a state just because it is a neighbor? Without going deeper into the discussion of the principle of "good-neighborhood relations," it is enough to say that the thorough research on "self-determination" has not identified it among the factors offering a room for an external right to "self-determination" or among the ones imposing the states to recognize another entity. This example illustrates how far the interpretations can go if the statements are instrumentally accompanied by concepts that are not necessarily directly linked to the matter.

In contrast, the statement provided by Egypt puts the principle of "self-determination" in the context of international law. The document links "self-determination" to the provisions of the Charter of the United Nations on the right of peoples to "self-determination" and the advisory opinion of the ICJ (2010). Moreover, the overall context of the provisions in the statements is in the light of establishing "international peace and security" (Egypt MFA, 2013). One may assume that this statement creates an opportunity for Egypt to present herself as a democratic member of the community of sovereign states serving the interests of Egypt. However, while at first glance the choice of such a context may seem rational, in fact, it appears to be more dangerous due to the ambiguity of its interpretation. To illustrate, as discussed in the theoretical part the UN Charter did not entail the right of secession for national minorities or colonial peoples. Similarly, stating that the act of recognition is not illegal, the ICJ did not claim that secession is legal. Thus, the statement reads the provisions of international law regarding the concept of "self-determination" outside the

intended context intentionally, or it is done unintentionally, due to the superficial reading of the Charter of United Nations, either way, undermining the authority and the power of international law. Overall, the misinterpretation of the provisions of accepted legal practices marks the emergence of the "politics of recognition."

Furthermore, less surprising is Slovenia's and Taiwan's choice to include "self-determination" among the conditions for recognizing Kosovo. In fact, Slovenia's statement highlights that the recognition was granted "on the grounds of the right of nations to self-determination, which was the basic argument for Slovenia's secession from the former Yugoslavia in 1991" (Balkan Insight, 2008).

Similarly, Taiwan expresses her sympathy to Kosovo's struggle for independence claiming that "Self-determination is a sacred right recognized in the United Nations Charter" (Taiwan MFA, 2008). This statement is interesting as to say that "self-determination" is a sacred right, may entail that such an act should be welcomed without questions as it is not a matter of profane judgments but one of sacred dimension. Subsequently, the statement asserts admirations to the people of Kosovo "who despite obstacles" have had the courage of their convictions and peacefully marched towards independence" (Ibid). Here, the problem is the way short statements summarise history, presenting just the view of the "winner." To say that Kosovo has peacefully marched towards independence is to ignore the violence that has been expressed in the Kosovo conflict by both Serbs and Kosovo Albanians. Moreover, the statement ends with references to "democracy and freedom," (Ibid) words that would make any statement look credible. While, this might refer to the period of "international supervision" which, started from 1999, there have been many cases of violence such as the 2004 riots, which have questioned the overall democratization of the country. In general, both Slovenia's and Taiwan's statements reflect the subjective incentives of these countries to recognize Kosovo. These arguments make sense to make the decision acceptable to the domestic audience while following their interests.

Also, Australia couples the respect of "the decision of the people of Kosovo," (Australia MFA, 2008) with the "positions of the other states" and the elements of "earned sovereignty" approach, which altogether is meant to guarantee "regional peace and stability." Among these statements, the one provided by Ireland also differs, as it refers to the fact that "90% of Kosovo's population wants independence" (Ireland MFA, 2008) bearing in mind the "nine years under UN-led interim administration" and considering the support of the EU partners. Moreover, the "exhaustion of the negotiations" also seems to be a principal argument in this statement (Ibid).

The will of the people: The statements from eight countries have referred to "the will of the people," while discussing the reasoning for the recognition. For example, Thailand, Bangladesh, Pakistan conceptualize their recognition as a sign of respect or solidarity towards the will of the people of Kosovo (Kosovo MFA, n. d.; b92, 2009; Pakistan MFA, 2012). Meanwhile, Malaysia intends to "help meet" (UNPO 2008) these aspirations by her act of recognition and Saudi Arabia presents it as important for "regional peace and stability." (Dhaka Tribune, 2017).

To sum up, despite the fact that theory entails the possibility of external self-determination only within the context of decolonization or in specific cases as a remedy of last resort for human right abuses, some states have applied "self-determination" as an instrument to justify their act of recognition. While the number of the statements referring to this principle is not very big, the further analysis illustrated how some states interpret the principle according to their understanding of the principle combining it with their interests, which already indicates the instrumentalization of these arguments for the political interests of the given states.

3.2. 2. Remedial secession

When it comes to the theme defined as "remedial secession" certain thing should be clarified before proceeding to the analysis. First of all, "remedial secession" and "earned sovereignty" are linked to each other in a way that the former makes up the basis for the "earned sovereignty" approach. The theory of Remedial Secession identifies the possibility of secession as a weaker right, meaning that it does not lead to recognition as to gain the recognition the entity has to meet some criteria in the future. Nevertheless, while these elements of "remedial secession" and "earned sovereignty" complement each other, the schemes allow to discuss them separately.

The discussion of Remedial Secession as a theory addressing secessionist conflicts while constraining the general "national self-determination" type of claims to independence, makes the theme less intimidating. Thus, the expectation was that having already decided to recognize Kosovo as an independent state "remedial secession" would offer the best way to justify the act of recognition. This framework would entail that Kosovo's recognition does not count as a validation of general secessionist claims based on the general right of national self-determination but as one of "remedial secession" which would reduce the number of the "qualified" cases for secession. Justifying the recognition through the elements of remedial secession might seem less problematic as it offers a way to overcome the concerns for territorial integrity which usually comes with "self-determination." Not denying the possibility that the states might invoke this argument sincerely, out of the belief that Kosovo deserves a recognition based on the remedial

scheme, it would also be done so by rational calculations; while the recognition is "inevitable" it would offer the best way to explain the recognition post factum.

However, the analysis has identified that only ten states emphasize this theme in their statements. Moreover, none of the statements emphasized the period when Kosovo's autonomy was abolished. Nonetheless, the theme is not as popular as the theoretical discussions expected.

Violations of human rights: In the given of the research, the discussion considers all the references to violations of human rights by Serbia. Some statements echo this condition coupled with arguments such as "no alternative" and "unique case."

To illustrate, the government of Costa Rica has stated that it is understandable that the decision of Kosovo's authorities to part ways with Serbia is not surprising given "the crimes against humanity" perpetrated by then-President Slobodan Milosevic's regime" (The Tico times, 2008). Similar arguments make a strong statement supporting the remedial right to secession. Furthermore, labeling Kosovo as a unique case, Canada explains that among other things the uniqueness is conditioned by its recent history characterized by "war and ethnic cleansing" (Balkan Insight, 2008).

Likewise, in the statement released by the US Secretary of the time Condoleezza Rice, the main arguments start concerning the "brutal attacks'' on the Kosovar population (US Government, 2008). Generally, the statement justifies the NATO-led attacks by the very fact of the violations of human rights (Ibid). Furthermore, in the released statement, Jean Asselborn, the Minister of Foreign Affairs of the time of Luxembourg of the time justifies the intervention of the international community in Kosovo in a similar manner by referring to the atrocities committed in this territory before the 1999 NATO military operation. Thus, in the meanwhile, the violation of human rights is referred to justify another act which is the international intervention.

Overall, the analysis has identified "violations of human rights" theme in only four statements which use the arguments in different ways. Moreover, with references to this theme, the states aim to justify either the recognition, the uniqueness of the Kosovo case or the UN-led international intervention in 1999. These differences are also a part of the politics of recognition.

No Alternative: The next and the last sub-category discussed under the general "remedial secession" theme is called "no alternative." According to the discussion on theoretical part regarding the Remedial Theory of secession, remedial right to secession is presented as a remedy of last resort: once all the other options of autonomy have been attempted and failed then secession may become a remedy of last resort. Several statements also stress out that recognition offered the best way out of the stalemate.

All in all, eight countries have used this argument in their statements, where they present different scenarios on why there was no alternative to Kosovo's independence. In the analyzed statement Austria assures that the decision of recognition is not hasty and presents the only realistic and possible path out of the stalemate (Austria MFA, 2008). Furthermore, the given statement highlights that the status quo could not be maintained becoming a constant source of instability (Ibid). Thus, Austria justifies its recognition by the considerations of "regional peace and stability" which left "no alternative" to Kosovo's independence.

Similarly, the statements of Lithuania and the US suggest that Kosovo's independence provides the only viable solution to the situation offering the perspective of safety and stability in the region (Lithuania Seimas, 2008; US Government, 2008). Moreover, similar reasonings were found in Hungary's statement, according to which Kosovo's internationally supervised independence may offer the best way-out of the created situation (Hungary Government, 2008). The position of the Government of Hungary is that "the independence of Kosovo is the only sustainable solution in the current situation which will provide the perspective of safety and stability in the region" (Ibid). Thus, while stating that there is "no alternative" to independence the countries highlight this in light of the general concerns for "regional peace and stability."

To continue, some states have mentioned that there was "no alternative" in light of the ethnic cleansing or the legacy of the conflict. For example, Ireland's statement straightforwardly argues that the legacy of the conflict "made the return of Serb dominion in Kosovo unthinkable, and also undermined the prospects for a long-sought compromise" (Ireland MFA,2008). A similar point has highlighted Malta's Foreign Minister of that time Tonio Borg claiming that there is no other alternative given "the events that took place in and around Kosovo in the past ten years." (The Malta Independent, 2008) Similarly, the statement of Peru also couples the "no alternative" argument with the history that has revolved around Kosovo which has involved "the intervention of the United Nations and the Security Council" (Andina, 2008).

Finally, the answer to why there is no alternative to the Kosovo conflict was the "unsustainable nature of the status quo" in some of the analyzed texts. As Hungary's statement reads: "It has become clear that the status quo in Kosovo was unsustainable and moving forward in the settlement was necessary for the lasting stability and development of the region" (Hungary MFA, 2008). Similarly, the statement of the Czech Republic reads as such: "The policy of the Czech Republic is based upon the conviction that the recognition of Kosovo's independence [...] will provide a realistic way out of the current, untenable, situation" (Radio Praha, 2008). Also, Luxembourg's statement entailed that "maintaining the 'status quo' will surely produce a unilateral declaration of independence within a very short time (The EU-28 Watch, 2008). Moreover, the

statement entails that there is no alternative to the facts. Thus, entailing that, that Kosovo's independence was a fact, Luxembourg adheres to the Declarative view of recognition.

Overall, this category identified that for some states the argument of no alternative is crucial in light of the considerations of "regional peace and stability," "unsustainable nature of the status quo" and the events that happened in the past. Thus, even the stalemate is assessed by several factors and not a common one.

3.2.3. Earned sovereignty

The analysis identified "earned sovereignty" as being one of the most important themes highlighted by the recognizing states in their statements. Without implying that the recognizing countries genuinely believe that meeting a certain set of standards and benchmarks is enough to gain recognition, this part of the analysis identifies that at least on the textual level meeting these conditions facilitated the recognition process. Thus, the analysis has identified some elements of "standards before status" in the statements, presented in the theoretical part.

3.2.3.1. Exhaustion of Negotiations

The first theme of "Earned sovereignty" approach identified by the thorough analysis of the recognition statements is "exhaustion of negotiations."

To start with, in the analyzed statement the German Government shares her conviction that "further negotiations would not have resulted in a breakthrough" (German Government, 2008), which makes the German government believe that the rapid recognition would be the only viable solution for recognition. Meanwhile, the statement of Hungary suggests that the assessment of the situation in Kosovo identified that "there was no optional solution acceptable to both sides and the potential for further negotiations had been exhausted" (Hungary MFA, 2008). Similarly, the Minister of Foreign affairs of Ireland and the Government of Sweden indicate that years of talks failed to produce an agreement between Belgrade and Pristina and that the efforts of the UN Security Council were also unable to offer a status solution (Ireland MFA, 2008; The Local, 2008).

Likewise, Ireland explains the failure of the negotiations with the "legacy of the conflict" and links the need to recognition to the "will of the people" of Kosovo and the hope that the conditions outlined in the "Ahtisaari plan" will be implemented (Ireland MFA, 2008).

Furthermore, in their joint statement, Montenegro and Macedonia emphasize their efforts to help the negotiations between Belgrade and Pristina stating that "the declaration of independence of Kosovo came after the failure of the international community efforts for Belgrade and Pristina negotiations to result in a solution for Kosovo status" (Montenegro Government, 2008).

Last but not least, some of the most interesting points regarding this theme are in the statement offered by Luxembourg. The statement reflects discussions regarding the status of Kosovo before the Declaration of independence. During the discussion, one of the speakers emphasizes that it is the responsibility of the international community and the EU to act in the face of the exhaustion of agreements even if it entailed bypassing the UN Security Council (the EU-28 Watch, 2008). Moreover, the speaker claims that "Russia would like to continue the negotiations, even if they lasted for years, even dozens of years and it wants to maintain the 'status quo' in the meantime" (Ibid) implying that Russia will not change her position.

Thus, while several statements identify the "exhaustion of agreements" as affecting the act of recognition, it is only the statements of Luxembourg and Ireland that identify why the further negotiations were impossible.

3.2.3.2. Conditional Sovereignty

The analysis of the recognition statements indicated Kosovo's commitment to democratic processes to be the most significant sub-theme for this category summarised under the theme "conditional sovereignty." All in all, while some states praise Kosovo for its commitment to the process of democratization including the willingness to upholding to human, minority rights, other states express their hopes that Kosovo will do so in the future. Also, while some countries highlight this point separately, others refer to it within the frames of the Ahtisaari plan.

Thus, in the analyzed statement Albania hails Kosovo's commitment to creating a "democratic, secular and multiethnic society" (Albania Government, 2008). Moreover, it asserts that "despite ethnic background every Kosovan citizen would feel himself a free citizen in his home and its property, equal before law, guaranteeing the protection of rights and freedoms of individual and minorities" (Ibid). Similarly, Antigua and Barbuda welcome Kosovo's efforts "to build a democratic society and be guided by the principles of equal rights, justice, and peace" (Kosova Live 360, 2015). In the same way, Australia's statement makes some considerations for the future reminding that Kosovo must prioritize the minority rights and the protection of "cultural heritage sites" (Austraia MFA, 2008). Similarly, the statement from Iceland presents the country's

expectation that Kosovo will fulfill the obligations set out in the Declaration of independence, in particular, to respect human rights and the rights of minorities fully (Iceland Government, 2008).

To continue, the statement of Turkey presents an interesting choice of arguments as it states that "the rule of law and the universal values of human rights, democracy and pluralism should be promoted in Kosovo" (Turkey MFA, 2008). Given Turkey's negative record of Human rights in the last decade, it is interesting to see her endorsing another state to uphold such values. Similar statements not only illustrate that this argument is used instrumentally but also creates a chance for Turkey to present herself as a "western" state with "democratic" values.

Likewise, Belize congratulates "the people of Kosovo for their decision to move towards independence and to ensure that democratic processes are protected and respected" (Balkan Insight, 2008). Moreover, the statement supports Kosovo's readiness to "ensure the promotion and protection of all human rights including the fundamental rights of all people involved even minority groups" (Ibid). Meanwhile, Hungary Croatia, Bulgaria in their joint statement express their hopes that Kosovo institutions will guarantee the rule of law and rights for the members of the Serbian community(Croatia, MFA, 2008). Also, the statement of Czech Republic assures that these rights will be upheld (Radio Praha, 2008). Finally, Canada emphasizes Kosovo's development into a democratic, multi-ethnic state that "fully respects human rights" (Balkan Insight, 2008). These arguments are presented in light of the considerations for the peace, political stability and economic progress in the Balkans.

3.2.3.3. Elements of the Declaration of independence and the Ahtisaari plan

Declaration of independence: The references to the elements of the "Declaration of Independence" are found in the statements of the Czech Republic, Turkey, Lithuania, Latvia and Iceland. To illustrate the statement of Czech Republic asserts the agreement "with the terms on which this independence has been declared" (Radio Praha, 2008). In the same way, Turkey states that the content and elements of the Declaration of Independence have affected the decision to recognize Kosovo's independence (Turkey MFA, 2009). Furthermore, in the statement of Latvia, the elements of the principles of Declaration are held in "high estimation" (Latvia MFA, 2018). Likewise, Iceland also states the expectation that Kosovo will fulfill the obligations set out in the declaration.

Ahtisaari plan: According to the analysis, the Ahtisaari plan is underlined by the recognizing states in the statements of around 15 countries which are mostly Western states except for Sierra

Leone. Considering that the plan makes up the basis of Kosovo's Declaration of independence, it was not surprising that many countries mention both documents parallelly outlining the same provisions. Some of the references to the "Ahtisaari plan" were presented in light of the elements of democratization, in particular, highlighting the minority rights. It turns out that many countries have hailed this document to be important stating that Kosovo's willingness to implement the document has influenced their decision to recognize the country. Overall, some states positively assess Kosovo's attempts to meet the standards which were developed in the "Standards before Status" plan and later reflected in the Ahtisaari plan. In particular, the statements of Iceland, Luxembourg, Japan, Sierra-Leone, Poland, Hungary, Macedonia, and Montenegro, highlight this theme.

To start with, in the given statement Albania hails "the commitment of Assembly of Kosovo in Declaration of Independence to implement Ahtisaari plan" (Albanian Government, 2008). Likewise, the statement from Belgium identifies that the condition for recognition "was that the Kosovars would respect the plan of the Finnish mediator Martti Ahtisaari, who must guarantee the rights of the Serb minority and the protection of the cultural and religious heritage in Kosovo" (HLN, 2008).

Furthermore, Denmark presents one of the most thorough discussions on the Ahtisaari plan. Stating that Kosovo's commitment to implementing the Ahtisaari plan and establishing a democratic, secular and multi-ethnic state, is vital for the Danish government, the statement also refers to "international supervision" (Denmark MFA, 2009). Moreover, according to the same document, it is the EU that "will contribute to the implementation of the Ahtisaari Plan for Kosovo" (Ibid). Likewise, in the analyzed statement similar to Denmark, the US especially stresses out elements such as "multi-ethnicity as a fundamental principle of good governance" and Kosovo's willingness to accept "period of international supervision" (Ibid.). The statement of Ireland echoes similar points, which apart from outlining the provisions in details, also hails Kosovo's commitment to implement the Ahtisaari recommendations fully (Ireland, MFA, 2008).

Additionally, Estonia's foreign minister of that time, Urmas Paet, emphasizes that the best plan for Kosovo is the status settlement and schedule proposed by Martti Ahtisaari (Estonia MFA, 2008). In line with the minority rights, the statement highlights the protection of the cultural heritage of minorities (Ibid). Also, Latvia's Foreign Minister of that time, Maris Riekstins, outlines the importance of the Ahtisaari plan for the future growth of Kosovo, among other things pointing out to the "protection of minorities and the inviolability of religious and cultural heritage" (Latvia, MFA, 2008). Meanwhile, in the given context, it is only the statement by the Norwegian Government that emphasizes the importance of the protection of the Serbian Orthodox Church in Kosovo (Norway Government, 2008).

What is more, apart from emphasizing the uniqueness of the Kosovo case and the importance of the Ahtisaari plan, Hungary outlines the importance of "a functioning market economy" (Hungary MFA, 2008). Moreover, the document states that Hungary will follow the implementation of these provisions within the frames of "supervised independence" (Ibid). Nonetheless, Japan's recognition statement claims that Kosovo's intention to run the country under the "Comprehensive Proposal for the Kosovo Status Settlement» made by the U.N. Special Envoy" (Japan MFA, 2008) is clear. Finally, the only African country highlighting the minority rights is Sierra Leone, that also hails the importance of the provisions of this document (WikilLeaks, 2008).

Overall, it is evident that the Ahtisaari plan offers a substantial ground for the states to justify their recognition referring to it. The provisions outlined in the plan are multidimensional and crucial for Kosovo's democratization.

3.2.3.4. International Supervision and Supervised Independence

International Supervision: International supervision refers to the arguments which highlight the importance of the international presence of Kosovo before the declaration of independence. For example, Australia reminds that Kosovo has passed its "long and difficult road to peace" (Australia MFA, 2008). Moreover, the statement gives credits to the international actors that have assisted in passing this road: "the United Nations and NATO have worked tirelessly since 1999 to assist in setting up self-governing institutions and to help the people of Kosovo rebuild their lives" (Ibid). However, stating that much remains to be done and calling for the UN and European Community, to "continue efforts to bring about a lasting peaceful future for Kosovo and the region" (Ibid) Australia highlights the link between the past and the future of the "international supervision" of Kosovo.

Similarly, Sweden states that the fact that "Kosovo had been under UN control since 1999" has influenced the decision to recognize Kosovo (The Local, 2008). Moreover, the US discusses the theme in light of the UN-led intervention in 1999, stating that since that time "Kosovo has built its own democratic institutions separate from Belgrade's control" (US government, 2008). Here, one can trace the link to "institution building," which is another element of Earned Sovereignty scheme. Also, another country, which discusses the "institution building in the statement is the Dominican Republic. The analyzed statement congratulates the authorities and the people of Kosovo "for their achievements and establishment of the institutional structures that enabled the people of Kosovo to have a sovereign country internationally recognized" (Kosovo MFA, 2009). Thus, while the US indirectly links the recognition to "institution building" without emphasizing

it as a key reason for recognition, Dominican Republic conceptualizes "institution building" as crucial for recognition.

Supervised Independence: The general discussion on the category "Earned Sovereignty" has emphasized that some countries discuss different elements of "Earned sovereignty" in their statements simultaneously. However, the careful analysis has identified that some of these elements were referred to more frequently, leading to assumptions, that these elements matter more for the politics of recognition. "supervised independence" is one of those elements.

Overall, around 17 countries touch upon the theme "supervised independence" some of which do so in the context of the "Ahtisaari Plan." Albania and Denmark, for example, positively assess Kosovo's commitment to implement the provisions highlighted in the Ahtisaari plan, which also entails elements of "supervised independence." Albania invites to welcome "the EU and NATO international, civil and military presence in Kosovo." (Albania Government, 2008). Meanwhile, Denmark outlines Kosovo's commitment to accept international community's monitoring of the implementation of Ahtisaari plan claiming that "the European Union has shown determination by launching an ESDP mission and by appointing an EU Special Representative that will contribute to the implementation of the Ahtisaari Plan for Kosovo" (Denmark MFA, 2009). Here, the importance given to the presence of the EU is apparent.

To continue, the statement of the US puts Kosovo's commitment to "welcome a period of international supervision" in the same sentence with the commitment to "embrace multi-ethnicity as a fundamental principle of good governance" (US Government, 2008). It entails that "supervised independence" is there first of all to keep track of Kosovo's democratization processes. Furthermore, while Belize supports Kosovo's willingness to cooperate "with the international community during the international supervision period" (Balkan insight, 2008) and Switzerland welcomes its willingness to "accept the presence of international civilian and military forces in the region," (Swissinfo, 2008). Similar context offers the statement of Sierra Leone which discusses Kosovo's willingness to support "continued international supervision of Kosovo based on United Nations Security Council Resolution 1244" (WikiLeaks, 2008). Meanwhile, the in the analyzed statement Dominica notes that since its declaration of independence Kosovo has been committed to cooperating with the international community "especially in the United Nations, to resolve conflicts with its neighbors." (Kosovo MFA, 2012). Here the emphasis transitions from democratization to peace and stability.

Moreover, Bulgaria, Croatia, and Hungary state their support for the EU/NATO efforts to democratize Kosovo. While these countries have released a joint statement, Hungary's separate statement, which has also been considered for the analysis, adds: "Hungary has concluded that

Kosovo's internationally supervised independence may offer the best way-out of the crisis." (Hungary Government, 2008). In the same way, highlighting the need for international supervision in Kosovo, Luxembourg suggest creating a civil mission: "this 1500-men-strong EU mission will have to count on the strong support and protection of the NATO" (the EU-28 Watch, 2008).

Similarly, Italy highlights that the rapid recognition of Kosovo is a necessary choice not to leave "in a country that we do not recognize the 2 thousand 600 Italian soldiers engaged in KFOR nor the 200 civil servants we are going to send with the EU civil mission. In fact, the necessary political and diplomatic coverage to operate on the ground and interact with the Pristina authorities would be lacking" thus "supervised independence" is seen as leverage for Italy. Likewise, Iceland highlights her presence at the processes of "supervised independence" among other things outlining that "the Icelandic Civil Aviation Authority provides quality control and certification at the airport in Pristina" (Iceland Government, 2008).

Thus, the importance of the "supervised independence," which allows the participation of the international community in the development of Kosovo is apparent. One may assume, that referring to this conditions states intend to reassure themselves that the consequences of recognition are regulated by themselves.

3.2.4. Accepted legal practices

While the discussion on "self-determination" in the analysis of the statements has slightly touched upon the references to "accepted legal practices," this part of the analysis refers only to the cases where the reference to some elements of international law lacked a clear context. The theoretical part has illustrated that international law does not suggest a unified approach towards the value of recognition in the making of state. The Declaratory vs. Constitutive debates offer conflicting views on this matter. Moreover, the international law, as illustrated in the theoretical part, does not regulate secession by specific provisions created for secession only. Thus, while the states would love to present their act of recognition to be in line with the "accepted legal practices," it would be challenging to justify a state recognition by the general provisions of international law. However, this category has identified the few cases where there were references to international law and the 2010 ICJ advisory opinion as "accepted legal practices" for recognition. Overall eight states have echoed that their act is somehow justified by international law, without further elaborating on the specific provisions of international law.

The findings illustrate that some states consider the recognition of Kosovo to be in line with the international law. For example, the statement by Burkina Faso reads: "Burkina Faso recognizes the existence of a new sovereign state, in keeping with international law" (b92, 2008). This argument is important as it is the only one found in the given statement. Moreover, Lithuania's statement explains that the Kosovo case "does not violate the international law principles of sovereignty and territorial integrity of states" (Lithuania Seimas, 2008). However, this argument is coupled with considerations of "regional peace and stability" (Ibid). In the same spirit, Dominican Republic highlights that the decision to recognize Kosovo is by "international norms for recognition of states" (Kosovo MFA, 2009).

To continue, Kuwait and Oman also note that the decision to recognize Kosovo is in line with "accepted legal practices." The statement of Kuwait informs that the government has waited for the verdict of the International Court of Justice (Kosovo MFA, 2011). Similarly, Oman reminds of its awareness "of the ICJ decision related to the issue of Kosovo's independence" thus welcoming "the membership of Kosovo in the United Nations and other international and regional organizations" (Balkan Insight, 2011). As discussed the ICJ did not entail that Kosovo's independence is legal, it merely concluded that the Declaration of independence is not illegal.

Finally, Portugals' statement is important as it highlights "the fact that international law cannot solve a political problem" (Balkan Insight, 2008). This statement, unlike the previous ones, entails that the act of recognition is not a matter of legal analysis. Thus the clash on Declaratory vs. Constitutive theories is apparent in the given category: while the former statements try to bring their act of recognition closer to "accepted legal practices," the latter attempts to limit the recognition to politics.

Overall, the separate references to the "accepted legal practices," while few, illustrate that the problem of state recognition is still unresolved in international law.

3.2.5. Unique case

When it comes to the "unique case" theme, seven states have echoed arguments in favor of the uniqueness of the Kosovo case in their statements. The „unique case" type of arguments illustrate the eagerness of these states to prevent other secessionist entities to present the Kosovo case as precedent-setting. While some of these statements do not elaborate on what makes the Kosovo case unique others explain it in light of the "past events" that have surrounded the region. For example, Hungary, Latvia, Lithuania, and Poland state that the Kosovo case is unique and cannot be considered a precedent for solving other unresolved conflicts, without clearly explaining

the source of the uniqueness (Hungary MFA, 2008; Latvia MFA, 2008; Lithuania Seimas, 2008; Poland MFA, 2008). Meanwhile, the Ministry of Foreign Affairs of Peru indicates that the unique situation derives from the "political evolution that led to the disintegration of the former Yugoslavia" (Andina, 2008).

Furthermore, Canada and the US also explicitly state what makes the Kosovo case unique. In fact, Canada's statement presents the most thorough discussion on the topic and combines the "unique case" argument with elements of "earned sovereignty" approach found in the Kosovo case. It states that Kosovo is a unique case, which is illustrated by ethnic cleansing, the role subsequently the UN-led "international supervision" and the "supervised independence." which assumes the role of international organizations in facilitating Kosovo's smooth transition to full independence (Balkan Insight, 2008). Moreover, in the statement, there is a special emphasis on that the Kosovo case and the case of Quebec are different (Ibid). This statement is interesting in a way that it presents the position and the justifications of a country, which while having a similar internal secessionist entity but chooses to recognize another secessionist entity. Here, Canada makes sure, to simultaneously invoke all the possible conditions for recognition found in the Kosovo case, thus narrowing the room for further negative consequences. Combining the elements of "earned sovereignty" with the elements of "remedial secession" to display the uniqueness of the Kosovo case Canada presents more conditions for recognition. Moreover, to make the argument of the uniqueness of the case stronger, it states that "many world and Kosovo leaders" have highlighted the same point. It seems that this sentence implies that while Kosovo is recognized, Quebec holds no chances for recognition, as no other entity would approve of that.

Above all, the parallels between the statements of Canada and the US highlighting the same point are apparent. To illustrate, the statement of the US concludes that "the unusual combination of factors found in the Kosovo situation […] including the context of Yugoslavia's breakup, the history of ethnic cleansing and crimes against civilians in Kosovo, and the extended period of UN administration" make Kosovo a unique case (US Government, 2008). It follows that both US and Canada explain thoroughly why the Kosovo case is unique, thus representing their anxiety over the emergence of using Kosovo case as precedence-setting, thus aiming to block this from happening in advance.

Overall, while some states present their concerns about the future implications of recognition by conceptualizing the case as unique, it is the big powers that seem to be more concerned about this point.

3.2.6. Regional Peace and stability

As discussed, the category "regional peace and stability" was generated in a data-driven way. Thus, it is an important addition to the research. Nevertheless, while the considerations for peace and stability are linked to Remedial Secession and Earned Sovereignty themes, from the discussions on the theoretical part, in fact, these schemes do not specify it as a valid element for secession. Above all, in the analyzed statements 31 states present their concern for regional peace and stability in different contexts. While some of the arguments outline that the Independence of Kosovo is vital for the stability of the region, others state that the act of recognition contributes to this stability.

The statements of Canada, Australia, and the US highlight the importance of the regional peace and stability in different manners. For example, Australia calls on the leaders of Kosovo and Serbia to "settle their differences peacefully" (Australia MFA, 2008), calling the Serbian Government to cooperate with European partners "in the interests of stability and economic development of the region as a whole" (Ibid). Meanwhile, Canada highlights the importance of "the development of Kosovo into a democratic, multi-ethnic state that fully respects human rights" for "peace, political stability and economic progress in the Balkans" (Balkan Insight, 2008). Finally, for the US Kosovo's independence is the only viable option to promote stability in the region given the conflicts of the 1990s. To achieve this stability the US invites Serbia to work together with the United States to achieve "the protection of the rights, security, culture, and livelihood of the Serb community in Kosovo" (Ibid).

Thus, while Australia identifies the importance of the European partners, Canada, highlights the human rights and the US outlines the importance of he the US for achieving regional peace and stability Japan's short statement also includes this argument., Japan expects that Kosovo's independence will contribute to the long-lasting stability of the region. Moreover, Japan's short statement also includes this argument, outlining the expectation that "Kosovo's independence will contribute to the long-lasting stability of the region." (Japan, MFA, 2008).

To continue, several European states have also extensively referred to the argument of "regional peace and stability," entailing that it has affected the decision of recognition. For example, France evaluates the importance of Kosovo's independence as contributing to the stability of the Western Balkans. Moreover, Italy's Deputy Prime Minister of the time Massimo D'Alema underlines the importance of the Italian presence in the Balkans as a factor of balance and guarantee for all (Reuters 22200). Meanwhile, Germany insists that "the rapid recognition of the Republic of Kosovo by as many states as possible is the only way to ensure lasting stability in the region" (German Government, 2008). The statement of Czech Republic presents the conviction

that the recognition of Kosovo independence will "reinforce stability in the region as a whole" (Radio Praha, 2008). Similarly, Austria's statement highlights the importance of drawing a final decision for the development of the region stating that the "the long-term stabilization of the Balkans and its integration in the European Union" is a primary goal for the country(Austria MFA, 2008).

Other European states such as Switzerland, Luxembourg, Iceland also present interesting arguments. According to the given statement while for Switzerland the determination of the final status of Kosovo is a precondition for the stability and development of the whole Balkan region (Swissinfo, 2008) for Luxembourg it is the responsibility of Europe to prevent the possible destabilization (the EU-28 Watch, 2008). Moreover, in case of Iceland's statement, the stress is on finding such a settlement on the future status of Kosovo "that all UN member states can live with" (Iceland MFA, 2008).

Also, in their joint statement Hungary, Bulgaria and Croatia highlight their interest in securing maximum stability in South-eastern Europe in light of the European perspective of the Balkans (Croatia, MFA, 2008). Meanwhile, in a separate statement released by the Government of Hungary, the country emphasizes that the status settlement "was necessary for the lasting stability and development of the region" (Hungary MFA, 2008). Correspondingly, another joint statement highlighting such points comes from Montenegro and Macedonia. Overall, the document entails the commitment of these countries committed to "permanent stability, peace, security and progress of all the countries of the region, with clear European and Euro Atlantic perspective" (Montenegro Government, 2008)

Moreover, some other states from Africa and other parts of the world have also touched upon the issue of regional peace and stability in their statements. To illustrate, Senegal offers its support to all efforts aimed at maintaining peace, stability and good relations between the people and the states in the Balkan region" (HAABA, 2008). Likewise, the Government of Somalia hails Kosovo's contribution to the stability and peaceful coexistence in the Balkans". Meanwhile, Togo's statement hails the independent as important for peace in the world (TOGO, 2014). Also, Samoa expressed hope that Kosovo's independence would help to achieve "stability in the region" (Balkan Insight, 2008). Moreover, Antigua and Barbuda stress the importance of the negotiations between Serbia and Kosovo as a contribution "to peace and stability in the region" (Kosova Live 360, 2015). Meanwhile, Belize highlights this category in light of Kosovo's commitment to the implementation of the Charter of the United Nations and the principles and rules of international law"(Balkan Insight, 2008).

More than that, several Islamic states have also presented their concerns for peace and stability in their statements. For example, Egypt highlights that it is "in the framework of the

Permanent Arab Republic of Egypt's endeavor to establish international peace and security" in light of different provisions of international law (Egypt MFA, 2013). Saudi Arabia's statement asserts some hopes that the recognition will "contribute to security, stability, and prosperity of Kosovo and neighboring countries" (b92, 2009).

Finally, one of the most interesting and thorough discussions of this category is found in Turkey's statement, where securing peace and stability in the Balkans is presented as Turkeys' foreign policy priorities. Moreover, the statement highlights Turkey's attached importance to advance the understanding of lasting peace in the Balkans (Turkey MFA, 2008). Finally, Kosovo's independence is discussed as an "an opportunity for the enhancement of stability and confidence among the countries in the region" (Ibid).

To conclude, the concerns over the regional peace and stability of the Balkans, Europe, and the world, in general, make up the basis of many states' decision to recognize Kosovo. Meanwhile, regional peace and stability are understood in different ways.

3.2.7. EU/NATO Perspective

The inquiry into the data has indicated that only the Western states have introduced considerations on the "EU/NATO perspective" in their statements. Moreover, most of the arguments outlined under this theme highlight the importance of the recognition and the independence of Kosovo for the Balkans or Europe. Finally, some states do so considering the further relations with Serbia thus attempting to overcome the possible negative consequences of Kosovo's international recognition.

To start with, apart from considering the creation of Kosovo as a historical event, in the given statement Albania highlights the importance of this act for creating conditions for the development of the entire Kosovan society (Albania Government, 2008). Moreover, one of the conditions for this development is the perspective of Kosovo's European and Euro-Atlantic integration. In the following sentences, Albania presents that after the Declaration of Independence Kosovo turns into an outstanding international actor "clearly Euro Atlantic-oriented" (Ibid). Finally, the statement highlights the importance of friendly relations with Serbia in the European perspective. Similarly, Germany expresses a wish that Serbia and the EU establish close ties as soon as possible (German Government, 2008). Likewise, Ireland expressed the importance of the European future for reconciling Serbia and Kosovo stating the hope that Serbia and Kosovo can get over their tragic past and move toward a brighter future together in Europe (Ireland MFA, 2008).

To continue, the joint statement of Macedonia and Montenegro extensively discusses the importance of the EU/NATO factor for the common future of both Kosovo and Serbia (Montenegro Government, 2008). First, in the given statement the states underline the importance of the Ahtisaari plan as a contribution to the new European and Euro Atlantic perspective of the region. Moreover, they underline their commitment to the general development of the region, with "clear European and Euro Atlantic perspective"(Ibid). Finally, they present their willingness to support the Republic of Serbia on its way to European integration" (Ibid).

Furthermore, the Czech Republic, in a similar manner presents that among other things, the recognition is based on the consideration that it will assist efforts of the Western Balkan countries to join European and Euro-Atlantic institutions (Praha Radio, 2008). Finally, giving credits the to the European future of the region, The Netherlands emphasizes the importance of good relations with the countries of the region, including Serbia. Moreover, the statement indicates the commitment of the Netherlands to continue to work with its partners of the EU and North Atlantic Treaty Organization (NATO) partners to strengthen stability and promote the region's integration into Euro-Atlantic structures (The Netherlands Government, 2008).

Last but not least, similar points were echoed in the statements of Poland, Lithuania, and Portugal. According to Poland's Radosław Sikorski, the decision of the Polish government will facilitate Serbia and Kosovo on their way to the European Union (EU) structures (Poland MFA, 2008). Likewise, Portugal believes that recognition will foster the ties "within NATO and the EU and above all the Russian intervention in Georgia" (Balkan insight, 2008). Additionally, Lithuania takes note of Kosovo's commitment "to comprehensively and efficiently support the European perspective to Western Balkan countries and the Republic of Serbia" (Lithuania Seimas, 2008). Finally, Luxembourg highlights that The European perspective offered to Serbia will be directed to further enlargement of the EU in the Balkan region noting that the paramount goal should be the prevention of "terrible nationalism" (EU-28 Watch, 2008)

Overall, the European states highlighting the importance of the "EU/NATO perspective" convinced that it is essential not only for the reconciliation of Kosovo and Serbia and the development of the whole Balkan region but also for the whole EU/NATO community given the challenges ahead.

3.2.8. The position of other entities

The analysis of the data has identified the "the position of other entities" in the statements of 17 states. The category illustrates that these states have tried to strengthen the validity of their

act of recognition implying that other "important" entities have also made a similar decision. This theme demonstrates the importance of the support of the great powers at least on the textual level.

For example, the statement of France emphasizes the decision to recognize Kosovo to be in "full agreement with this declaration of the European Union" (Le Figaro, 2008). Likewise, Italy's statement indicates that decision to recognize Kosovo is in line with most of the European countries regarding this delicate and important problem" (Reuters, 208). San Marino also supports this point stating that the act of recognition is in line with the decisions of United Nations and European Union (RTV San Marino, 2008). Comparably, Lichtenstein's recognition is an act which was focused on the actions of the EU, the UN, and Switzerland (Lichteinstein MFA, 2008). Also, Ireland highlights that most of their partners in the EU have recognized Kosovo (Ireland, MFA, 2008).

Other states such as Palau, Senegal, Japan, and South Korea also echo these points. Senegal's recognition statement entails that the recognition is b"y the international and Islamic community" (HAABA, 2008). Moreover, Palau reminds that they recognize Kosovo, joining their "closest ally and partner, the United States of America" (Kosovo MFA, 2012). Finally, statement of South Korea explicitly highlights that the fact that many of its allies "including the U.S., Japan, Australia, and European nations, as well as the United Nations, support Kosovo's independence" (Japan MFA, 2008) has influenced the decision to recognize Kosovo.

To sum up, this theme underlines that while for some states the support of other entities of Kosovo's Independence has influenced their decision to recognize Kosovo, others highlight this point neutrally.

3.2.9. Religious ties and Undefined

Religious ties: When it comes to the category "Religious ties" it combines the statements that mentioned the importance of religion in the recognition statement. While few, these statements are worth attention. For example, in the recognition statement, Libya emphasizes "the spirit of Islamic brotherhood between Libya and Kosovo" (Saudi Gazette, 2015). Meanwhile, Senegal states that the recognition was granted bearing in mind "the Islamic and International community" (HAABA, 2008). Finally, a short statement from Saudi Arabia indicates that the decision to recognize Kosovo was made "bearing in mind religious and cultural ties with the people of Kosovo" (b92, 2009). Overall, these statements indicate that at least in case of the given countries even religion can be considered a part of the politics of recognition.

Undefined: While referring to the theme named "undefined" it must be stated that while it does not provide much room for further interpretations, it still allows discussing some points about the politics of recognition.

First of all, it is mostly the statements of the African states that provide no further information beyond presenting the fact of recognition and congratulating Kosovo on this occasion. It appears that for some states, for reasons beyond the discussion of this research, recognition is not an act worth elaborating on. In other words, the fact that either, the recognition and the arguments did not reach the broader audience, independent of the reasons, may reflect different considerations. To illustrate, while most of the Western states choose to justify their act of recognition substantially, the non-Western countries either do so superficially or skip this step at all. It follows that the recognition of Kosovo is more critical and problematic for the states who have to explain it more thoroughly. Moreover, other states may choose to not elaborate on the act of recognition to avoid the responsibility of the consequences.

Nevertheless, this gap illustrates that not only there is no obligation to recognize a newly emerged entity, but also there is no obligation to further elaborate on the act of recognition itself. This is the side-effect of the lack of a common framework for regulating the recognition acts.

Overall, it can be stated that the themes identified by the analysis clearly reflect the emergence of the politics of recognition. The diversity of the arguments in line with the context of their application in the recognition statements show that each o these arguments facilitate to justify the recognition on the textual level. While the "Earned Sovereignty" scheme offered the opportunity of many "Regional Peace and stability" type of arguments were also prevalent in the recognition statements. Moreover, the interpretation of these findings also illustrated the way some arguments were instrumentalized for the recognition act.

Conclusion

The aim of the thesis was to identify the politics of recognition in the case of the recognition of Kosovo through the systematic analysis of the arguments set out by the recognizing states in the recognition statements. In particular, the research question was

- Based on the recognition statements, what arguments do the recognizing states use as tools for justifying the recognition of Kosovo?

For the examination of the question, the thesis utilized the general framework of the politics of recognition which allowed the in-depth investigation of the area of state recognition. In particular the discussion on the theories of state recognition in International law, the roots and the varying interpretations of the principle of self-determination coupled with the discussions on the different solutions offered by the schemes of "Remedial Secession" and "Earned Sovereignty" for regulating the secessionist conflicts helped to mark the gaps that allow the emergence of what different authors have referred to as the "politics of recognition".

First of all, it was identified that state recognition is a matter of great debates, first of all, within the legal discipline. The irreconcilable nature of the "Declaratory" and "Constitutive" debates in line with the lack of unified approach towards the definition of statehood are the primary reasons on why the international community has been unable to generate a common framework for generating the recognition acts which has allowed the emergence of the "politics of recognition

Furthermore, the theory indicated the evolution of self-determination from a vague principle into a recognized right in international law. While a vague principle at the Wilsonian phase, self-determination was transformed into a right at the WWII period. Moreover, at the decolonization phase, it entailed the right of external self-determination for colonies later envisioning a right of internal self-determination for all peoples, to arguably allowing for the possibility of secession as a remedy of last resort. Not to mention, the most important observation here is that international law does not entail the absolute right to external self-determination i. e. secession to national groups outside the decolonization context. Meanwhile under a particular set of conditions such as the large-scale violations of human rights the doctrine of Remedial Secession envisions the possibility of secession under strict conditions. However, it was also indicated that the foundations of the doctrine remain controversial both in theory and in practice.

Finally, the last scheme covered by the theoretical framework of the politics of recognition was Earned Sovereignty. Overall, the discussion on the scheme identified that it was created as a serious attempt to regulate the development of Kosovo through the application of democratic peace

framework. The discussions on the theoretical framework ended by a general overview of the recognition of Kosovo, which identified that certain aspects of it are not well-explored.

To continue, having set the theoretical basis for exploring the politics of recognition in the Kosovo case, the thesis applied the Qualitative Content Analysis method for analzing the recognition statements. This method allowed identifying the main themes found in the recognition statements. What is more, the initial stage of the analysis of generating the coding frame indicated the politics of recognition i. e. the diverse reactions and the arguments found in the recognitionstatements. In line with the concept-driven categories the emergence of the data-driven categories clearly indicated where the theory must be refined.

To be more precise, the analysis identified the importance of the elements of "Earned Sovereignty" for the politics of recognition of Kosovo as reflected in around 36 recognition statements. In particular, Kosovo's commitment to democratization which was labeled as "conditional sovereignty" was highlighted by most of the states. Moreover, the importance of the "Ahtisaari plan" and „supervised independence" was also apparent within the category of "Earned Sovereignty." Nonetheless, it was indicated that the „accepted legal practices" without a clear context of „Self-determinatin" or „remedial secession", etc. provide very weak grounds for justifying the recognition. Likewise, while some states refer to „religious ties", the insignificance of this category was also evident.

Furthermore, the analysis identified "Regional peace and stability" as the second most discussed theme found in the recognition statements. The importance of the theme was apparent not only considering the number of the recognition statements referring to it, but also the fact that it was generated in a data-driven way. The same applies to the categories "EU/NATO perspective" and the "Position of other entities." That said, given the data-driven themes it can be stated that while theorising the politics of recognition it is important to also discuss these themes.

Moreover, another observation refers to the themes "Remedial Secession" and "Popular Sovereignty." While the theory indicated that "self-determination" does not provide the best tool of argumentation for recognition statements, the analysis identified that nine states had used this argument explicitly. By contrast, while the elements of "Remedial secession" were evident in the Kosovo case and the scheme itself arguably allowed more room for justifying the recognition of Kosovo, as opposed to the general right to "self-determination," only ten states highlighted it in their statements.

Also, the analysis illustrated that the justifications of Kosovo's recognition, differed not only from state to state but also within the statements of each state. Moreover, many states coupled their arguments instead of presenting only one argument. What is more, while some states gave the whole picture of the arguments stating the direct or indirect influence on the decision of

recognition, others preferred not to bring any justifications at all. Notwithstanding, while some of the arguments within the themes were instrumentalized to justify the act of recognition explicitly, others were there to support the point implicitly, without inferring any link between recognition and the given argument.

To continue the the analysis indicated that it is mostly the European states that valued the "EU/NATO perspective", also, they mostly did so in light of the considerations of "Regional Peace and stability." In line with this, the „EU/NATO perspective" is presented as a way for reconciling the Kosovo-Serbia interests in the future. Moreover, in the European /Western states provided more arguments compared to the statements of states from other regions. In contrast, most of the statements categorised as "Undefined," were from the non-Western states, in particular, many of the African states provided no arguments for the justifications regarding the recognition of Kosovo.

Apart from what was discussed above, the interpretation of the findings also provided some important points for the politics of reconition. For example, while discussing the "self-determination" arguments, it was illustrated the way some statements misinterpreted the provisions of international law on self-determination instrumentalising it for justifying the recognition.

Moreover, the choice of the states to couple their arguments identified that as long as there are no rules regulating the act of recognition, each state is going to presnt her own set of arguments and justifications given the circumstances and the political considerations.

Meanwhile, while these states have different views on what may justify the act of recognition, most of them underline the further implications of this act for the "regional peace and stability." In other words, it implies that while many conditions offer a substantial ground for independence, it is the considerations for peace and stability that drives the states to recognize Kosovo. Furthermore, choosing not to justify the recognition many states offer that after all, that recognition is a matter of politics and internal decisions rather than of International Law. When it comes to international law as a separate category, it was identified that only very few states choose to refer to it generally without any context of provisions. This indicates that states find it hard to explicitly state that international law supports the act o recognition, or as the statement of Portugal entailed, try to leave recognition to politics, arguing that International law cannot solve such problems.

Finally, the fact that some statements are undefined, or do not provide any relevant arguments for this research, illustrates that not only there is no obligation to recognize a newly emerged entity, but also there is no obligation to further elaborate on the act of recognition itself. This naturally is a side-effect that comes with the fact that no framework regulates the act of recognition.

Finally, even though the politics of recognition foresees the differing and even contradicting reactions of the third states to the recognition of Kosovo, there are some patterns of argumentations as identified by the analysis of the empirical data. While some of the elements of these arguments are well placed within the general theoretical frame of the politics of recognition, in particular, within the scope of "Self-Determination," "Remedia Secession," 'Earned Sovereignty" schemes, there are also themes not covered by the politics of recognition directly the importance of which was identified by the analysis of the recognition statements. It follows, that the further discussions on the recognition of Kosovo must consider the power of thes themes such as "Regional peace and stability," "EU/NATO perspective," "The position of other entities" etc. for justifying the act of recognition at least on the textual level. Notwithstanding that these are after all tools of justifications and do not explain the actual motives behind the recognition of Kosovo itself.

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Appendix 1: Coding frame

Category	Code label	Description of code	Example of coded segment	No of code	No. of category
Popular sovereignty	Self-Determination	A theme which highlights šelf-determination explicitly	FSM Recognizes Kosovo Act of Self-Determination	8	17
	The will of the people	Where the statements highlight the independence or recognition in light of the will of the people of Kosovo	Australia respects the decision of the people of Kosovo	9	
Remedial Secession	Violation of human rights	Theme indicating the arguments regarding the violations of human rights of Kosovo Albanians in the past	It is "understandable" that Kosovo's authorities, led by Prime Minister Hashim Thaci, would decide to part ways with Serbia, due to "the crimes against humanity" perpetrated by then-President Slobodan Milosevic's regime.	4	10
	No alternative	Theme applied where independence or recognition is presented as a solution/ best alternative to the stalemate/status quo	In light of the conflicts of the 1990s, independence is the only viable option to promote stability in the region.	8	
Earned sovereignty	Exhaustion of negotiations	Theme outlining the arguments which emphasized that the negotiations on the status of Kosovo were exhausted	It has also become evident that there was no optimal solution acceptable to both sides, and the potential for further negotiations had been exhausted.	8	36
	Ahtisaari plan	References to the implementation, the elements or the general content of the Ahtisaari plan	The new Kosovo is committed to implementing the Ahtisaari Plan and has accepted that the international community will monitor the	15	

			implementation of the Plan.		
	Elements of the Declaration of independence	References to the 2008 Declaration of independence of Kosovo's Assembly	The Republic of Turkey has welcomed the content and elements of the Declaration of Independence, and with this understanding, has decided to recognize the independence of the Republic of Kosovo.	5	
	Conditional Sovereignty	Theme combining the references highlighting the importance of Kosovo's willingness to uphold to certain conditions outlined by the „standards before status" plan and the positive attitude to democratic principles.	Finland also emphasized respect for democracy, the rule of law, human rights, and the rights of all of Kosovo's communities, as well as the importance of good relations with neighboring countries.	27	
	International supervision	Theme applied when indicated references to the period of International Supervision of Kosovo since 1999 including „shared sovereignty" and „institution building."	The Prime Minister said that the government had been guided by the fact that Kosovo had been under UN control since 1999.	4	
	Supervised Independence	Theme indicating arguments stating that Kosovo should be or already is willing to accept the active presence of the international actors in the life of Kosovo after the independence.	He said the government welcomed a commitment by the authorities in Kosovo to protect ethnic minorities and accept the presence of international civilian and military forces in the region.	17	
Accepted Legal practices	Accepted Legal practices	References to accepted legal practices such s the decision of ICJ or International law outside the context of other legal schemes.	The Government of the Dominican Republic, on the bases of its constitutional authority and in accordance with its		8

			practices and international norms for recognition of states has agreed to recognize the Independent Republic of Kosovo.		
Regional peace and stability	Regional peace and stability	Theme underlining the arguments stating that Kosovo's independence or its recognition is important in light of the considerations of regional peace and stability/ willingness to support regional peace and stability	The development of Kosovo into a democratic, multi-ethnic state that fully respects human rights is essential for peace, political stability and economic progress in the Balkans.		31
EU/NATO perspective	EU/NATO perspective	Parts of the statements highlighting the European or the Transatlantic future of the region	Recognition is important to foster the ties within NATO and the EU and above all the Russian intervention in Georgia		15
The position of other entities	The position of other entities	Theme indicating the arguments explicitly or implicitly highlighting that the act of recognition is in line with the position of other powers	Recognising the independence of Kosovo, the government expressed its solidarity with other states of the EU and with the international community.		17
Unique case	Unique case	Theme identifying the arguments for the unique/sui generis nature of the Kosovo case	At the same time, the Government reaffirmed that resolving the status of Kosovo constitutes a sui generis case that does not set any precedent for other unresolved conflicts.		7
Religious Ties	Religious Ties	Theme highlighting references to religious ties	A short statement from the ministry on Monday said that the decision came "bearing in mind religious and cultural ties with the people		3

			of Kosovo, and respecting their wish for independence."		
Undefined	Undefined	Recognition statements that do not present further details apart from the fact of recognition			19

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