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**The European Union's approach towards the independent Kosovo:
From disagreement to disenchantment?**

In the meantime Ukraine reconsiders its goals and opportunities to cooperate with NATO and EU in the sphere of security. However, Ukrainian initiatives and, generally, Ukraine's involvement in the settlement of the Kosovo problem have been too limited so far. Now the main question for consideration is whether Ukraine should really activate its participation in this sphere. Therefore the studies of EU experience in Kosovo are so important for Ukraine.

This topic based on the two methodological works. According to famous neorealist Jack Snyder, international community can influence the development of non-democratic states not only in an indirect way that is by forming institutional and coalitional incentives, but also directly – by forming international ideological climate. Transnational flows of ideas can shape general frames of thinking, specify mentality, especially in the newly-democratized states where the ideologies remain in a rather floating mode [1, p.303].

The other theory that has had an impact on the theoretical frames of the present article was produced by a famous American sociologist Amitai Etzioni. A very important fragment of Etzioni's work "From Empire to Community: A New Approach to International Relations" considers the civilizational interactions. In his conception these interactions are presented in the form of mutual cultural enrichment, unlike the "clash"-conception proposed by Samuel Huntington or the unilateral rejection of the traditional behavioral norms advocated by Francis Fukuyama. The process that takes place at the borders of civilizations seems to be "more like a chemical reaction rather than a purely mechanical junction of elements" – a natural synthesis of the Western respect for individual human rights with the Eastern deference to social commitments [2, p.46].

The aim of this article is analysis of the EU politics toward Kosovo independence from the aspects of their influence on changes of basic principles of

international law and main approaches of great powers for regulation of regional conflicts.

The UN Security Council passed a resolution (UNSCR 1244 on June 10, 1999), according to which KFOR was led into the region; the region was divided into 5 sectors, one of NATO's countries was leading in each of them, because "the situation in the region continues to constitute a threat to international peace and security" [3].

According to Dr Alexandros Yannis (former political advisor to Bernard Kouchner throughout the initial period of UN administration in Kosovo (July 1999 to December 2000)) "to build peace and stability the international administration focused on three objectives: first, on establishing law and order throughout Kosovo; second, on building a functioning administration involving the local population, particularly the Kosovo Albanians who formed the overwhelming majority of the Kosovo population; and third, on protecting the Serbs and restoring their belief in their future in Kosovo" [4, p.71]. But to 2009 many problems were still unsolved.

1. Bernard Kouchner, who took over as the top international official in Kosovo in July 1999, ambitiously declared: "I intend to build a multiethnic Kosovo" [5, p.119]. But in three years Kofi Annan stated that not one point of "Standards for Kosovo" was fulfilled. "The UN had not adequately prepared to take over civilian management of Kosovo...KFOR and UNMIK officials quickly found out that their limited resources and personnel were incapable of providing the security necessary to preserve a "multiethnic Kosovo" [5, p.118].

The development of democracy in Kosovo was a total failure. Corruption and criminality dominate in the state. The most vulnerable were police and law. These structures for sure were not able to act without international interference (KFOR, international prosecutors).

2. Former Kosovo Liberation Army existed legally from 2000 as Kosovo Protection Corps (KPC) with a staff of 5 thousand people. By the end of the war, KLA had become de facto ally of NATO. As top KLA military commander Agim

Ceku pointed out that “demilitarization does not mean in any way that the people of Kosova are not going to have proper defense structures...The KLA will not disarm” [5, p.120].

Veton Surroi (the influential editor of Kosovo’s largest Albanian-language newspaper *Koha Ditore*) worried that the KLA had gained too much power and was concerned with growing crime and the appearance of Albania-based Mafia-type elements in the province. Close linkage between those Mafia groups (heavily involved in the smuggling and trafficking of drugs) and local KLA political power-brokers made progress toward the current democratic institution-building goals extremely difficult [5, p.122].

3. On the whole, national minorities’ safety problem wasn’t solved. The explosions of violence of Serbs weren’t stopped. From 4,35 thousand terrorist acts 4,12 were against Serbs and Montenegro people; 910 people were killed; about a hundred churches and monasteries were destroyed. KFOR efforts on Serbs’ protection were not enough. Serbs continued to live in enclaves (practically in ghetto) in poor conditions. “The defenseless Serb minority became the target of ethnic violence, including intimidation, kidnapping, looting, arson, and assassination carried out by hard-line Albanians, some directly or closely associated with the KLA. Kosovar leaders Ceku and Thaci generally condemned incidents of violence against Serbs” [5, p.118-119]. Insecurity of Serbs led to their radicalization: they created parallel structures of power.

4. Among the others unsolved problems economy issue was one of top priority. Economy reconstruction was very slow. The reparation of electricity, the roads, and bridges wasn’t over yet. Among 128.000 destroyed houses only 18.000 were reconstructed [6, p.158]. Half of the manufacture enterprises were closed. Enterprises lack specialists, because Serbs worked there. But Albanians didn’t want to work in manufacture sphere. They preferred business, mostly half legal or illegal. State became the part of international trafficking of weapons, drugs, people sale. Part of the inhabitants was involved into Mafia structures, the other part lived on money provided by relatives, working abroad. Unemployment level in Kosovo

reached the number of 40-50% (70 % among youth) [7, p.373]. Half of the population lived under poverty line. All of this led to a threat for the future of Kosovo, and scared away the potential foreign investors.

5. The West's focus on conflict resolution had left Kosovo's ethnoreligious communities – Muslims, Orthodox Christians, and Catholics – at the mercy of international faith-based organizations that had shamelessly exploited the region's poverty and fragmented social conditions. "The international community's ill-conceived policies for Kosovo's rural Muslim population may prove to be directly responsible for the production of Europe's own Taliban" [8, p.128].

Undecided Kosovo problem influenced the neighboring countries negatively. Firstly, the problem of refugees was constantly aggravating (more than half million people during the year of the conflict). They settled in Albania, Macedonia, Montenegro, and Bosnia. The majority of them lived in dissatisfying conditions, supplementing the "risk groups" in these unstable countries. Secondly, Kosovo crisis caused an uncontrolled drug business. During the second half of the 90's its profits were used to finance illegal Kosovo army. Nowadays Albanian drug mafia (the union of Albanians from Kosovo, Macedonia and Albania itself) controls up to 80% of the whole turnover of drugs in Switzerland, Hungary, about 70% - in Germany, and 40% - in former SFRY. They distribute most of Europe's heroin [9].

NATO takes the right to interfere in internal affairs of any country. NATO uses any possible methods for pressuring authorities or creating "friendly regimes". "NATO's post-Cold War military relevance is no longer in doubt" [10, p.10].

We saw some contradictions between EU and USA. Since mid-October 1998 there were debates in Bundestag in relation to German participation in NATO air strikes. "It was stressed that German agreement with the legal position taken by the Alliance in the specific instance of Kosovo was not to be regarded as a "green light" for similar NATO intervention in general" [11, p.13]. When Kosovo was not an independent state European countries unofficially recognize it. As Oli Rehn, the Head of Commission of EU enlargement, emphasized: "Kosovo will not be the US' 51th State but shall become EU's territory" [7, p.373].

Involving of EU in Kosovo problem was strengthening from the beginning of 2005. At this time President Ibrahim Rugova resisted heavy pressure to dissolve his party's (Democratic League of Kosovo) alliance with the Alliance for the Future of Kosovo (Haradinaj's party). New coalition was made with the main opposition party – the Kosovo Democratic Party (PDK) of Hashim Thaci. This choice was done under the pressure of EU foreign policy chief Javier Solana.

After these changes the EU proposed new plans concerning the Kosovo problem. The process was set in motion by the Norwegian diplomat Kai Eide, who in his report to the UN Secretary General in October 2005 indicated that it was imperative to resolve the status question.

The former Finnish president, UN Special Envoy Martti Ahtisaari was entrusted with the task of working out a compromise with Serbian and Kosovar representatives. In mid-March 2007, after 14 months of negotiations that failed, Ahtisaari presented to the Secretary General a plan – in the form of a short “Report” and a lengthy “Comprehensive Proposal” - which contains fundamental guarantees for the Serbian minority in Kosovo (extensive rights, security, privileged relations with Serbia) and forecasts *conditional independence* (*supervised independence*) for Kosovo under international supervision (primarily the EU and NATO) [12, p.80].

As Sabine Freizer said: “Kosovo is first and foremost a European challenge. The EU is already the largest donor in Kosovo, and it plans to assume the lion's share of responsibility in the new state” [13]. In common declaration of Madeleine Albright (US), Joschka Fischer (Germany), Bronislaw Geremek (Poland) and Hubert Vedrine (France) was proclaimed: “Kosovo is a unique situation that has required a creative solution... The Ahtisaari plan has several advantages. It gives rights to Kosovo's 100,000 Serbs to manage their own affairs within a democratic Kosovo, which will be protected and monitored by the international community. It also requires protection for Orthodox and Serbian cultural and religious sites. Finally, it provides for an international presence that will oversee Kosovo's institutions and monitor the settlement's implementation. It also places Kosovo on

the road toward EU integration... Serbia must recognize that greater stability in the Balkans promoted by the Ahtisaari plan will allow it to use its location, resources and talent to become a major regional player and a constructive force in European politics” [14].

The EU has backed the Ahtisaari plan but a number of its members are skeptical about practice with it in the absence of a Security Council blessing. On May 2007 the US and the EU submitted discussion documents amongst Security Council members outlining the “13 elements” they recommended for inclusion in a future UN resolution, including an confirmation of Ahtisaari’s recommendations. Russia has made its own proposals in response to the “13 elements”. All of them are in the Ahtisaari proposals, but Russia is against any form of independence until they are fully implemented. The main point of disagreement is whether Kosovo will be in a better position to meet these obligations as a part of Serbia or as independent state, with substantial international support and assistance.

Sabine Freizer insisted: “Clearly the provisional authorities and the people of Kosovo cannot move forward on reform until they have the responsibility for governing their own state. Giving them an opportunity to build a multi-ethnic state under EU tutelage is the best option available” [13]. But by late July 2007, the UN Security Council had failed to draft a resolution to implement Ahtisaari’s proposal, as Fabian Schmidt insisted, “largely due to Russian objections to it” [15, p.28]. The negotiations of the Troika (the EU, Russia, and the USA) ended inconclusively at the end of 2007. So, strategy of the EU and the USA to bring Kosovo to supervised independence through the UNSC has failed, following Russia’s declared veto.

Johanna Deimel and Armando Garcha Schmidt (International Civilian Office) insisted: “Russia, which until the middle of 2006 still supported the views of the Balkans Contact Group (Germany, France, the United Kingdom, Italy, US, and Russia) on the negotiations under Ahtisaari, is using Kosovo to further its global political ambitions. Despite the fact that it has counteracted its own arguments based on international law by its recognition of South Ossetia and

Abkhazia, in the UN Security Council Moscow has blocked all attempts to reorder the legal framework for the international presence in Kosovo” [16].

Position of UN is also tied with Russia. Ban Ki-moon cannot be expected to act against Russia pressure – especially without certainty that the EU itself will be firm.

At the same time the political process, once begun, could no longer be stopped. Openly supported by the US and expecting to obtain approval from the EU, Pristina declared itself independent on 17 February 2008.

On 15 June 2008 the first constitution of the new state entered into force, heralding the transfer of main powers from UNMIK to the Pristina government. Both the Declaration of Independence and the Constitution of the Republic of Kosovo refer to the Ahtisaari plan and its implementation. The new state invited the ICR, EULEX and KFOR.

Ultimately, Kosovo is, and will remain until resolved, a European problem. Failure to act would also discredit the EU’s CFSP (Common Foreign and Security Policy) and its efforts to project itself as a credible international actor in conflicts elsewhere. As its own official security strategy declares, “the credibility of our foreign policy depends on the consolidation of our achievements in the Balkans”.

Before the Declaration of Independence the EU had given the impression of being united on the issue. As late as 4 February 2008 the 27 EU member states emphasized that they were willing to assume a leading role if Kosovo agreed to implement the Ahtisaari plan.

In the report of International Crisis Group it was declared: “Europe risks a new bloody and destabilizing conflict. To avoid chaos on its doorstep, the EU and its member states must accept the primary responsibility for bringing Kosovo to supervised independence” [17].

The EU responded to Kosovo’s independence with remarkable unity, even in the face of hesitancy among some member states. On 18 February 2008 it took common note of the independence declaration and committed to play a leading role in helping the new state. On 28 February in Vienna, several EU member states and

the US took the lead in establishing an International Steering Committee (International Steering Group) to supervise independence. EU High Representative Javier Solana, Swedish Foreign Minister Carl Bildt and NATO Secretary General Jaap de Hoop Scheffer were the only senior officials to visit Kosovo in the first month of independence.

But now 5 EU states have still not recognized independent Kosovo – Greece, Romania, Slovakia, Spain and Cyprus. They refuse to recognize Kosovo for reasons associated with domestic policy issues (they worry about potential separatist elements at home) and international legal reservations.

At the UN assembly on 8 October 2008 77 states supported the Serbian resolution requesting the International Court of Justice at The Hague to assess the legality of Kosovo's Declaration of Independence. If The Hague were to decide in favor of Belgrade, states which have already recognized Kosovo would be in deep trouble.

Earlier Chris Patten (former European commissioner for external relations, is co-chair of the board of the ICG) insisted: “The EU's naysayers on Kosovo independence (Greece and Cyprus) and the fence-sitters (Slovakia, Romania, Spain, Italy and Slovenia) clearly have no alternate plan for the province – no formula that nearly ten years of proposals and negotiations at every level have somehow failed to discover – so it is not at all unreasonable to ask them to fall in with the EU mainstream” [18].

Nicholas Whyte (Europe Program Director, International Crisis Group) commented: “Those, who criticize proposals for Kosovo independence as some sort of risky exception for the Balkans, as dangerous, obsolete and anti-European decision, must know that there is no one-size-fits-all solution to building lasting peace there. The situations in Bosnia, Serbia and Kosovo are completely different. Little surprise then, that the solutions will be different as well” [19].

Gareth Evans (Crisis Group President) sent a letter to European Union Heads of State, where he summarized: “To prevent an escalation in tensions, more countries must recognize the new state. The international missions (EU and

NATO) must be proactive and coordinate their operations. Most importantly, it must be demonstrated to Serbia, supported by Russia, that it will not be permitted to break up the new state. Countries that have recognized Kosovo to date must continue to follow up with high-level visits, investments and trade agreements that will demonstrate independence is an irreversible reality” [14].

Now the EU has procedures (“constructive abstention” and “enhanced cooperation”) that allow decisions to be taken and action to be set in motion when unanimity is not available (Articles 23 and 27 of the Treaty on European Union).

Johanna Deimel and Armando Garca Schmidt wrote: “Diverging interests in the EU and the UN have paralyzed the work of the international community. The international actors continue to be bound by Security Resolution 1244 (1999). This is repudiated by the young state with its claim to sovereignty and the European states which have recognized Kosovo. The result of all this is a confused state of affairs which prevents the emergence of positive developments and increases conflicts” [16].

The EU informed the UN that it would no longer fund the economic reconstruction pillar of UNMIK. Apparently, this decision had not been coordinated with UNMIK. On the other hand, the EU High Representative for the Common Foreign and Security Policy of the EU informed the Secretary-General of the willingness of the EU to play an enhanced role in the area of the rule of law in Kosovo “within the framework provided by resolution 1244 (1999)” [20].

During 2008 the international community has not managed to come up with a new legal framework for the missions. The new international presences in Kosovo described in the “Comprehensive Proposal” of Ahtisaari. It includes ICR, ICO, EULEX, IMP, ISG, which will review the mandate of these presences after two years.

EULEX, the EU’s biggest ever ESDP operation, was agreed in February 2008 but has only started to deploy. Serbia refused to cooperate with the European EULEX rule of law mission and the International Civilian Office (ICO), which were based on the basis of the Ahtisaari plan after the Declaration of

Independence. That is why UN Secretary General Ban Ki-Moon since June 2008 has been trying to find a way out of this deadlock. He attempted to receive Belgrade's support for the reconfiguration of UNMIK and the deployment of EULEX. According to these proposals EULEX would operate under the umbrella of the UN, that is, of UNMIK.

The UN and the EU concluded technical talks on reconfiguration of the international presence at the end of July. Notwithstanding Serbian opposition, UNSG Ban has ordered reconfiguration by October, to be replaced by the EULEX mission. There have been delays in EULEX deployment, however, and the EU has been unable to deploy in Serb areas.

On 26 November 2008 Serbia, EU and UN had reached agreement on the six-point plan (about customs, police, justice, transport, telecommunications, and religious and cultural heritage in the Serbian enclaves). The Security Council gave its sanction to the deployment of EULEX within the framework of UNSCR 1244 and under the umbrella of UNMIK, which thus continues in existence. Thus EULEX will act as a technical mission and be status-neutral. As Serbia sees it EULEX, like the OSCE, will operate under the UN mandate.

The EU states which have recognized Kosovo interpret the decision on EULEX (Joint Action Plan, 4 February 2008) to mean that EULEX will work together with the Kosovar institutions and authorities. The opposite point said that EULEX did not prejudice the status issue and was thus consonant with UNSCR 1244. The head of EULEX, Yves de Kermabon, receives orders from the EU's PSC (Committee for Policy and Security) and Javier Solana.

Kosovo has agreed to EULEX primarily because it opens the prospect of integration into NATO and the EU. But Pristina must continue to adhere to the Ahtisaari plan. There can be no doubt about the fact that for the future the country needs a great deal of help in the areas of justice and public administration, relationship between Albanian and Serbs, and that here EULEX will perform essential tasks.

The transfer of the full mandate to EULEX and the withdrawal of UNMIK are now dependent on Belgrade. Position of Belgrade is defined by 2 factors: 1) willingness to have progress towards EU membership candidacy status and visa liberalization; 2) not to lose Kosovo.

We can see 3 new powers in Kosovo - International Civilian Office (ICO), International Civilian Representative (ICR) and EU Special Representative (EUSR).

Feith's mandate as ICR derives only from those states which have recognized Kosovo and their International Steering Group (ISG), over which he presides. Status of ICO and ICR are unclear to both the international actors and the population of Kosovo. Since the UN Security Council has again given UNMIK the task of ruling the international supervisory process, ICO lacks a strong mandate and the question thus arises of the extent to which the Kosovar institutions are willing to follow advice emanating from ICR [20]. But Feith, as proposed in the Ahtisaari plan, is also the EUSP. The function of EUSP is coordination EU activities in Kosovo. The function of ICR is coordination the international actors activities in Kosovo. This dual function of Feith is beginning increasingly to cause difficulties.

Johanna Deimel and Armando Garcha Schmidt: "International civil involvement thus runs the risk of not acting conjointly, at best of duplicating itself, and in the worst-case scenario of getting caught up in grotesque quarrels about who is responsible for what" [16].

Peter Feith has done a great deal of consultative work for the Kosovar institutions since February 2008. But, first, the bomb attack on the ICO building on 14 November 2008 shows that the ICO is working in a difficult political environment. Second, we can see some disagreements between Feith and Pierre Mirel ((European Commission) concerning the leadership and steering function of EULEX shed a revealing light on the imperfection of the coordinating processes within the EU.

So, today the EU is committed to take over further responsibility for security and stability in Kosovo from the UN-mandated Interim Mission in Kosovo (UNMIK). The EU has the lead role in a new International Civilian Office, and has deployed an ESDP rule-of-law mission (EULEX). These work in coordination with the NATO military presence (KFOR), the OSCE mission and other international partners.

The EU must create a coherent framework for its policies. The success of EULEX stands or falls with the backing which the ESDP mission has in the EU. The EU's own reputation is at stake. But as Lord Patten said: "If EU member states cannot agree amongst themselves on Kosovo status, the new missions start off with an additional handicap. How will EU overseers, police and judges be able to function effectively in a country that several EU members do not even recognize? Second, how will Brussels work with the new country if EU members are split on the issue of its very legal existence? Trade arrangements and discussions leading toward potential EU membership, starting with a Stability and Association Agreement, could not even begin to get off the ground" [18].

Therefore, the European Commission must engage intensively with EU member states skeptical about Kosovo's independence, explaining clearly and publicly the high cost of inaction in terms of Balkans and thus European stability, and the credibility of EU CFSP. Failure to achieve a united position will discredit European Security and Defense Policy (ESDP).

The EU should stimulate more bilateral recognitions of Kosovo, lobby for its admission into international bodies, send high-level political visitors to Pristina and provide immediate financial assistance and capacity-building support to the new government.

A pragmatic willingness to compromise, as is being demonstrated by Slovakia and Greece, two non-recognition states, with regard to the recognition of Kosovo passports, opens up further room for maneuver. Greece, which assumes the OSCE presidency in 2009, Romania, which has seconded policemen to EULEX, could thus be persuaded to move towards recognition.

EU must create also: 1) plan for social and economic development in Kosovo, with particular emphasis on education and visa liberalization and agricultural development, rather than adopting a purely policing and security agenda; 2) plan for the implementation of the Ahtisaari package and on strengthening the ICO; 3) common with UN strategy for the Serb north of Kosovo. The UN should seek to effectively control the border, police stations, courts and jails; cooperate with the EU and NATO in reshaping its northern presence to aid transition; and gradually introduce EULEX, first at border and customs posts, later at police stations and courts. They should mount a sustained media and information campaign to communicate to Kosovo Serbs the benefits of cooperation, focusing on decentralization and the creation of new Serb-majority municipalities; 4) technical agreements on KFOR cooperation with NATO, especially on the north of the Ibar; 5) vision that Kosovo is high on the agenda when discussing next steps with Serbia following the signature of the SAA.

In Europe there are two parallel processes. From one hand, European states continue to move to integration. From the other – separatists are becoming lively, and very likely, this is the next problem of the whole European Union. Paradox of our time is that the faster “Eurointegration” is going, the more actively national separatists will be acting. Idea of Europe without borders serves as a huge temptation to overlook the borders and create the new ones.

The difficulties, which Western Europe faced in the nationalistic sphere on the whole, refute some simplified submissions of the sources of ethnical conflicts and violence, and about the ways and perspectives of elimination of this phenomenon. It's hard to say, that now it is possible to be satisfied by the statement, that liberal freedoms, political mechanisms of democracy, civil doctrine of the nation or the high level of economic development just by itself are the guarantees against the tension on the ethnical ground.

As for ethnical minorities, democracy – is the system of the majority domination – doesn't guarantee them equal opportunities of effecting the development of society and individual sovereign will. But it grants them, besides

the equality of rights on the individual level, the legal ways for self-organization and political activity. There is constant mechanism formed, to uncover the needs and states of public opinion, it makes possible the dialogue with the majority and the power, and usual provides at least partial satisfaction of their demands. A lot of researches regard in the availability of such mechanism the most important means of prevention of radicalization of ethnical movements and violent forms of protest. Besides, in the conditions of mature civil society, as a rule, ethnical minorities are rendered by the vast variety of powers, which helps the government to influence the evolution of their positions, not letting the rise of extremist influence.

Kosovo's gaining independence is now the most dangerous precedent in the whole system of international relations. After war international law was based on the principles of inviolable borders. And now, this principle is being revised. This serves separatists' raising in all multinational states, including Ukraine.

There are two main problems in Ukraine: opposition of East and West and Crimean question.

Crimean question, as following, can also be divided into two parts: problem of Crimean Tatars and the problem of Russian-speaking habitants.

Crimean Tatars fight for the returning of their territory, which was taken away in the 40th. Thus, this problem has more economic weight than political or ideological one. Crimean Tatars have hopes for the support of Turks first of all, however, Turkey has never put forward the proposition of Crimea's secession in its favor. Therefore, the destructive potential of Crimean-Tatar problem stays on the low level on the whole.

The problem of Russian-speaking is much more dangerous for the stability of Ukraine, because they are actively supported by Russian Federation. This question has periodically been raised in the 90s, however gained sharp edges after Orange revolution. This is connected with Ukraine's change in foreign politics, taking the course for NATO accession, on one hand. And on the other, it is connected with Russia's new rigid course with Putin. Russian Duma has raised the question not once already about Crimea's returning to Russia. Today, Crimea is

loud with secession from Ukraine and accession to Russia. This is quite possible, as Russia has almost recognized Abkhazia and South Ossetia as independent states, motivated by Kosovo's precedent.

The second problem, East and West Ukrainian opposition, has a long history. Today, mental features of habitants of both parts of Ukraine are used by politicians in their struggle for power. The strongest clans are Donetsk and Dnepropetrovsky. The struggle is holding on just in these two powers up till now. After Orange revolution this battle has also increased. The new redivision of the spheres of influence is occurring right now. This can lead to turning Ukraine from Unitarian into Federative state in the prospective. This is moreover real, as Russia is strongly interested in such things on the move, and the laws, restricting Russia are becoming less and less.

Let's remember summer war in 2008 between Russia and Georgia. Russian point was that "Saakashvili left peoples of Abkhazia and South Ossetia no other choice but to ensure their security and the right to exist through self-determination as independent States". At a conceptual level, the doctrine of remedial self-determination concerns cases where a population is excluded from political participation in the state or is severely mistreated, on grounds of its ethnic appurtenance.

The states of the EU demanded "that a peaceful and lasting solution to the conflict in Georgia must be based on full respect for the principles of independence, sovereignty and territorial integrity recognized by international law, the Final Act of the Helsinki Conference on Security and Cooperation in Europe and United Nations Security Council resolutions". The rejection of the Russian claims, muted though it was, did not address the existence or otherwise of the doctrine of remedial self-determination. Instead, it appeared to focus on the absence of facts in this instance that might warrant its application [20, p.88].

Therefore, Kosovo's precedent can serve as a whole new era for international relations. In my point of view, recognition of Kosovo's independence has been a huge mistake from West moreover it contradicts the traditions of

Western Europe. Of course, there were problems in Western Europe, such as Corsicans and Basques, however nobody has ever thought of recognizing their right for succession. Thus, the main problem of Western politicians is the problem of double standards. And this makes Russia's position much stronger, it unites the ill-fated.

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