NATIONAL MINORITIES AND THE RIGHT TO SELF-DETERMINATION

Gulu Novruzov[1]

[1]PhD, lecturer at the department of public International law of Baku State University.
gnovruzov@gmail.com (Corresponding Author)[1]

Abstract: *The political situation of the late twentieth and early twenty-first century is characterized by the increasing influence of the ethno-national factor on the political processes taking place both in individual States and within the international community. There is growing antagonism among peoples within multinational States, accompanied by violent civil wars and refugee flows. Yugoslavia and Russia are striking examples of such conflicts. Along with the integration processes, which resulted in the creation of political, economic and social institutions at the supranational level, there is a trend of ethnicism of the European political space. Increasingly, national minorities are seeking to establish their own States or want to join the ancestral state. International security and the world were depending on the decision of problems of national minorities, international organizations and all stakeholders need to develop new approaches to the reconciliation of national interests. To understand the principle of free self- determination of peoples in the context of the rights of national minorities. The issue of the right of national minorities to self-determination is relevant and not indisputable in international law. The solution to the problem posed questions to international organizations, the answers to which were ambiguous as to whether there was a difference between the right of a people to self-determination and the right of a minority to self-determination. Whether a people in the position of a national minority could enjoy the right to self-determination. If so, to what extent, what legal and political problems may arise in its implementation.*

Keywords: *the right of peoples to self-determination, UN principles, independence of colonies, political independence, internal self-determination, self- government, unlimited right to secession, the principle of territorial integrity and inviolability of borders, political, economic, social and cultural status, international law, national minority, obligations not to ensure self-determination for minorities, competence, legislative activity.*

INTRODUCTION

The development of national consciousness, spontaneous or conscious search for forms of ethnic expression have accompanied human society since ancient times. They received various reflection in works of thinkers of Antiquity, the middle Ages, New time. In different periods of development, for example in the era of bourgeois revolutions and Napoleonic wars in Europe, in the XVI - early XIX century., in the struggle for division and redistribution of colonies in the first quarter of the twentieth century, during the national liberation movements after the Second world war, ethnic problems are often brought to the fore [24, 12-13]. The national question acquired a noticeable sound in the

50-60s of the XX century in connection with the collapse of the colonial system and the formation of several dozen Moldovan States in Asia, Africa and Latin America. In the last quarter of XX century. It worsened in some democratic countries (Belgium, Canada, etc.) [45, 33-36]. Ethnic problems persist in the newly formed States, as evidenced by the armed struggle and the formation of the state of Bangladesh on the part of the former territory of Pakistan in the 80s of the last century, the creation of the state of East Timor on the part of Indonesia in the late 90s of the twentieth century, and other Ethnic conflicts, accompanied by armed struggle and violence, constantly occur in different parts of the world [30, 10-15].

Often their outcome is the creation of new States. Some of them have been recognized by the international community, such as Eritrea, which has separated from Ethiopia. The status of others - Kosovo, Abkhazia, South Ossetia, Palestine, Somaliland, Turkish Republic of Northern Cyprus - has not yet been determined, which is a source of ethnic or religious conflicts [43, 9-11]. In some other post-socialist countries of Europe (especially in the Balkans), the national question is posed in a new way in connection with the collapse of the world system of totalitarian socialism. Centrifugal tendencies that led to the collapse of the USSR. This is evidenced by the "parade of sovereignties" of the early 90-ies of XX century, when the local political elite in some" Russian "regions and ethnocracy in the republics demanded full independence and recognition of state sovereignty. The complex process of transformation of the post-Soviet space into a constitutional and legal state in the conditions of notable achievements in the sphere of political rights and freedoms continues to be accompanied by problems in the social sphere, the level of which does not ensure a decent existence of citizens, the preservation and even strengthening of ethnic conflicts. The self-consciousness of peoples is also manifested in other forms that have no destructive or extremist character (in culture, religion, life) [26, 5-7]. In more than two hundred years of existence, the idea of self-determination has become very widespread: separatists and unitarists appeal to it. At the same time, it has undoubtedly made a positive contribution to the formation of international law, the liberation of peoples from colonial dependence and the establishment of a new international political system. However, we cannot ignore the current state of the international community, its internationalization, as well as the contradictions in the legal system, in particular, between the collective principle of self-determination and individual human and civil rights. They often come into conflict, which sometimes leads to local conflicts that shake the whole world [19, 22-25].

REGULATION OF INTERNATIONAL AND INTERSTATE RELATIONS

International lawyers, politicians and public figures are faced with the issues of regulation of international and interstate relations in the world, including the problem of legalization of new States and the development of common positions in connection with the activities of national movements fighting for their creation. The right of peoples to self-determination was a peremptory principle of international law and was not in question. However, having fixed the right to self- determination, the UN did not clearly define the subjects of self-determination and the conditions for the realization of this right, which sometimes leads to its differrent interpretations, as well as to subjective and arbitrary political decisions [6, 23-25]. In addition, the principle of self-determination contradicts another UN principle of respect for the sovereignty of States and their territorial integrity. It is therefore necessary to consider what the content of

the right is in accordance with the requirements of international law, as well as who is the subject of the right to self-determination. During the creation of the UN the right to self-determination refers to the liberation of peoples from colonial-th rule and the ability to freely determine its international status external self-determination [53, 41-45].

Indeed, the right to self-determination has become the legal basis for the independence of the colonies, now some scientists and politicians continue to share this point of view [11, 10-12]. For example, India, in ratifying the Covenant on civil and political rights, has made a reservation that the words of the right to self- determination. these words refer only to peoples under foreign domination and do not refer to sovereign independent States or to the part of the people or nation that constitutes the essence of national integrity. Achieving political independence is only one of the possible ways to implement the idea of self-determination [1, 81- 88]. There is no consensus among lawyers on the status of the idea of self- determination of peoples in contemporary international law. Some believe that the right of peoples to self-determination is the highest peremptory norm of international law, jus cogens (R. Tuzmukhamedov, H. Gross Espiel, M. K.Rao) [27, 31-32; 44, 167-173; 48, 58-71], others believe that a PNS can only be recognized under certain conditions and in relation to other legal norms (J. Crawford, A. Cassese) [37, 22-23; 36, 44-47]. It is widely believed that the self-determination of peoples is not a legal but a political or moral principle. Many believe that the idea of self-determination of peoples not only does not fit into the legal framework due to the uncertainty of the definitions associated with it (primarily such a concept as "people"), but also provokes destructive and unregulated processes, such as separatism and ethnic conflicts, thereby contradicting the purposes of the UN Charter (M. M. Kampelman, R. Emerson, G. Eagleton, Versil)[45, 11-14; 41, 77- 79; 39, 595-604; 54, 384-393].

Most experts are of the opinion that, in accordance with the provisions of international law (most clearly stated-governmental, in UN General Assembly resolution 2625 (XXV) 1970 and Vienna Declaration, 1993) and established practice, the right to "external self-determination" applies only to peoples under colonial or other foreign dependence or under foreign occupation (as the population of the West Bank of the Jordan river). Views are expressed that, in other cases, "external" self-determination (secession) may be considered legitimate if the state authorities make it impossible to "internal" self-determination, that is, to allow massive violations of human rights or systematic discrimination, and if there is no other way to change the situation. There is a growing view that, in terms of practical implementation, the emphasis should shift from "external" to "internal" self-determination, that is, to building democratic institutions and mechanisms of group representation (federalism, autonomy, etc.) that allow all members of society and all groups to participate effectively in governance and resource allocation.

While noting the important role of self-determination in General, he noted that it could not be interpreted as an absolute value applied to all. With the right of Nations to self-determination, he thought, the world could be made more just. However, despite the positive role of this right in previous periods, now it does not appear to the world community in its pristine purity and often encourages separatism and chaos [43, 92-93]. In his opinion, lawyers should take more vigorous actions and introduce the PNS into a clearer legal framework. He stressed that there were international instruments whose texts allowed a broad and vague interpretation of the idea of self-determination. At the

same time, most lawyers understand the PNS definitely: people can realize this right only being in colonial dependence or under occupation [40, 353-356]. Thus, the Declaration on principles of international law does not deny the right of peoples living in independent States to internal self-determination, which means the right to control the majority or all aspects of internal Affairs related to education and social issues of culture. Internal self-determination synonymous with local or regional autonomy in recent years, this model of self-government has been implemented in several Western European States[2, 8-9]. For example, in Spain, Belgium, Sweden, the right to external and internal self-determination applies to all peoples and this is confirmed by the Helsinki final act, the documents of the Vienna meeting, the Paris Charter for a new Europe[14]. Extremes (in this case, ethnonationalism and liberalism) converge. Some political philosophers consider the idea of self-determination from "liberal" positions. For example, H. Beran believes that if an individual can make a responsible decision, then the same ability has a group of his likes. Consequently, the group is a "collective individual" and the state is a Union of individuals and groups, which must be based on consent. If this consent is lost, then any group has the full right to secede and create its own state[33, 77-78].

At the same time as the right to self-determination, all these documents put forward a condition for the exercise of this right, respect for the principle of territorial integrity and inviolability of borders, there are two approaches to the preservation of territorial integrity. International law cares about the territorial integrity of only those States that in their actions observe the principle of self-determination of peoples and have governments representing the entire people without any discrimination [7, 16]. This means that peoples living in sovereign democratic States have the right to internal self-determination that does not violate the territorial and political unity of the state.

If there is an undemocratic regime in the state, the principle of self-determination is violated, then we can talk not only about the internal but also about the external self-determination of peoples [28, 18-20]. However, the unrestricted right to secession as an integral element of the right to self- determination is not currently enshrined in international instruments. It is also unlikely that the General and unrestricted right of secession will be recognized in the future. Most researchers of this problem, referring to the international Covenant on civil and political rights, believe that the right to self-determination applies only to peoples, regardless of their number. But not to national minorities [18, 22-23]. The article reads: "all peoples have the right to self-determination. By virtue of this right, they freely determine their political status and freely pursue their economic, social and cultural development. However, the document does not contain any explanation of what is meant by the term "peoples". to date, there are no generally accepted criteria for the concept of people. So, the question is. it is proposed to decide on a case-by-case basis whether an entity is a people in the sense of the principle of self-determination [18; 55, 50-53]. Thus, under the principle of self-determination, international law means the right of every people to determine its political, economic, social and cultural status. The subject of the right to self-determination is the people, which means the entire population permanently residing in the self-determined territory. The question of the application of the right of self-determination to national minorities was particularly difficult to resolve. Opinions differed on the issue, from the unconditional recognition of minorities of this right to external self-determination to the denial of such a right as such. To determine whether minorities did have the right to self-determination, it was necessary to answer the

question of whether a minority was a people regarding the right to self-determination. Some of the researchers believe that the national minority is part of the people and therefore has the right to self- determination, but the majority completely denies this point of view. The UN special Rapporteur dealing with this issue expressed his opinion as follows. Whatever challenges minorities face, they should try to find justice within the borders of existing States and reconcile with them[3, 7-11].

SENSE OF INDEPENDENCE

Since self-determination in the sense of independence was not a right of minorities, they should refer to individual human rights. In international documents the people and the minority are treated as two different categories. A national minority is defined as a part of a people living in a non-national environment outside the territory of its traditional settlement, but continuing to preserve its identity, language and culture, traditions and other ethnic characteristics. At the same time, it is important that it is a significant group that does not occupy a dominant position in the state and seeks to preserve its ethnic characteristics [17, 20-25]. Based on this definition and the findings of the United Nations, as reflected in the Covenant on civil and political rights In the Declaration of principles of the Helsinki final act, it can be argued that a minority is not a people in relation to the realization of the right to self- determination and, therefore, is not a subject of this right. In this case, we can only speak of the Covenant on civil and political rights, which deals with the protection of the rights of minorities. This article States that persons belonging to minorities may not be denied the right to share their culture with other members of the same group. To profess one's religion and perform its rites, as well as to use one's native language [29, 10-11].

Based on this article, it can be said that modern international law imposes obligations on States not to ensure self- determination for minorities, but to preserve their individuality and non- discrimination of persons belonging to them. Even the granting of a certain degree of autonomy to a minority is seen as a form of protection of minority rights, but according to existing norms cannot be considered as the exercise by a national minority of the right to internal self-determination. The most complete and successful exercise of the rights of ethnic minorities and the protection of their interests can take the form of autonomy. The concept of autonomy in most cases is the basis of theoretical developments in the field of interethnic relations and their practical regulation [12, 12-23]. There are two main approaches to solving the problem of national minorities through the concept of territorial and extraterritorial autonomy[4, 17-25]. A successful model is territorial autonomy. It appeared in the nineteenth century as one of the fundamental ideas of the liberal democratic movement and in fact represented a broad interpretation of the concept of local self-government [8, 44-47]. At present, territorial autonomy provides a special status to the region where the ethnic group, which is a minority in the total population of the country, lives compactly and makes a majority in a certain area with wider rights than in other administrative-territorial units [52, 112- 120]. This form of autonomy is interpreted as political autonomy, since it presupposes legislative activity within its competence, as well as the opportunity to have its own political course. This form of autonomy was a way of approaching national problems in the USSR, where national-territorial units with limited autonomy were created for numerically small ethnic groups. The concept of the Yugoslav Autonomous regions of Kosovo and Vojvodina was built on a similar basis.

Today, this form is inherent in the post-Soviet space. Territorial autonomy is acceptable for the protecttion of minorities only in certain conditions, in the case of compact residence of the national minority and its predominance in this territory [15, 63-74]. However, territorial autonomy has its drawbacks. First, only one million of the representatives of national minorities with their autonomy live within their own Autonomous entities [16, 5-8].

Secondly, it creates new minorities, representatives of other ethnic groups in this territory become a minority in relation to the local majority. To meet their cultural needs, national minorities will have to struggle for power in the legislative and administrative institutions of the regional Corporation in which they live. But this power is completely inaccessible to them, precisely because they are minorities. According to B. Burchard, the territorial principle threatens the world and only leads to the emergence of national enmity. Regarding national minorities, extraterritorial national and cultural autonomy is of the greatest interest [32, 251-267]. At present, there is a departure from the unconditional denial of extraterritorial autonomy, especially since the practice of Western European countries has shown the viability of this form of autonomy. In many multinational States, this institution is used either as the main or as a complement to the Federal system [10, 44-45]. Some experience in ensuring national and cultural rights on an extraterritorial basis was available in the first years of Soviet power, when a network of national and educational cultural and educational institutions, periodicals of book publishing. Extraterritorial autonomy may be exercised in personal and corporate forms. Personal autonomy as an idea was proposed by C. Riviera-Ramos Efren. They presented the implementation of this form of autonomy as follows. It is necessary for each nation in the district of the state to Constitution as a public-law Corporation, whose task is to take care of the cultural needs of the nation, to build schools and libraries for it, theaters, people's universities, for this it is given the right to tax its members to create all the necessary means for it. Each nation could have its own means to cover its cultural needs, they one nation would not have to fight for power in the state, under the rule of the personal principle of national oppression, based on the right, it is absolutely impossible [49, 115-132]. According to its modern understanding, the object of personal autonomy is both individual representatives of ethnic groups and ethnic group, considered as an Association of persons with common interests in a field, for example, in education. In this case, the national minority does not necessarily have to live compactly. This form of autonomy is effective even with minorities living in a dispersed maximum. the concept of personal autonomy implies the right to enjoy the heritage of one's culture, to use one's language, religion, to form associations, to be able to learn one's language, history [23, 16-21]. This form of autonomy has been successful in Sweden, where the Sami population is represented by several social organizations. The Swedish Sami Union, Sami youth organization, Corporate form of extraterritorial autonomy is quite rare [31, 58-64]. All citizens belonging to a legally recognized ethnic group have the right to establish bodies representing their interests at the national level. These bodies make it possible to consider the views of ethnic groups on specific issues, which makes it possible to determine the most precise priorities of national policy regarding these categories of population. Bodies of this type operate in Finland, Sweden, Austria. The foundations of national-cultural autonomy are legally fixed by legislative acts on the status of public cultural associations, communities and centers for managing the Affairs of national communities, their rights to participate in elections, representation in government bodies, economic and cultural activities [45, 585-616].

The advantages of the Institute of national-cultural autonomy can be defined as this institution is implemented through the grass-roots social initiative and the interest of ordinary members of the organization, using the resources of communities and individuals, the implementation of national-cultural autonomy at the level of public administration is based on a direct targeted nature without the use of wasteful bureaucratic mechanisms policy implemented through this institution covers ethnic groups regardless of their number and nature of resetlement. Each form of autonomy can exist as a separate entity, so, and complex. In some cases, all forms of autonomy are applied in one country, for example, in Finland, in other individual varieties, for example, in Denmark, Italy [24, 110-113]. The choice of the form of autonomy depends on the specifics of the residence of national minorities in the country, the existing historical traditions, democracy and loyalty of the state to ethnic groups. The new Eastern European legislation is only the first steps towards considering the concepts of autonomy of government of these steps depend on the specific situation in the country, Slovenia, where there are areas of compact residence of minorities [5, 28-29]. The Constitution gives Hungarian and Italian minorities the right to establish Autonomous bodies in the territory of their residence, with the authority to govern. In the Latvian Constitution (in the country there is no compact residence of minorities, but the share of the titular nation in the General population is not overwhelming, the concept is included. cultural autonomy, granting the right of national group for cultural autonomy, in particular, the national minorities may create cultural societies on their funds. A national consultative Council has been established to which each national group delegates up to three persons elected at territorial conferences.

Analyzing the current state of legal norms in the field of self-determination, Antonio Cassese concludes that the application of this law to solve current problems in Europe and other regions should be somewhat limited [36, 44-47]. In addition, recent experience in the former Czechoslovakia and the former Yugoslavia has shown that guaranteeing regional autonomy or granting the right of self-determination to national minorities can easily lead to the disintegration of state unity [34, 132-168]. Article 55 notes: "the creation of conditions of stability and well-being necessary for peaceful and friendly relations among Nations based on respect for the principle of equal rights and self-determination of peoples. Since then, international law has developed regarding the right of peoples to self-determination and appears in other resolutions and declarations. However, self-determination is still considered “a political principle but not yet a rule of international law. For example, General Assembly resolution 1514 (XV), which contained the “Declaration on the granting of independence to colonial countries and peoples”, was a Central, early step towards the recognition of self- determination. According to Erica-Irene Daes, this Declaration "became the cornerstone of what can be called the "new law of self-determination of the United Nations"[38, 67-83]. According to the resolution, “all peoples have the right to self-determination. By virtue of this right, they freely determine their political status and freely pursue their economic, social and cultural development. In addition, the right of peoples to self-determination is clearly articulated in the international Covenant on economic, social and cultural Rights, “the right of indigenous peoples to self-determination in the contemporary world order”.

NATIONAL MINORITY

Thus, a national minority, understood as part of a nation living on the territory of another state, cannot enjoy the right to self-determination. International law precluded

the possibility of changing the term self-determination in relation to national minorities, even if they were in fact self-determination in some form of autonomy. International law is concerned only with the protection of the rights of minorities. The issue of minorities living in the territory of their traditional settlement and not having their territorial formation is unresolved in international law [50, 172-180]. Sometimes Nations agree with this state of Affairs, for example, the same, sometimes being in the position of a minority and having lost the right to self- determination in accordance with international law, they can not accept such a provision and are fighting for the creation of independent States, for example, the Kurds [51, 478-507]. Even in such a difficult situation, however, any state can largely protect itself from the emergence of serious national conflicts if it respects its obligations to protect minority groups in its territory. Such protection should be considered as a real way to solve the national issue within the framework of multinational States [26, 48-49].

Many say that although the General view that national minorities do not have the right to "external self-determination", the weak theoretical development of the question of the difference between the concepts of "nation" and "national minority" contributes to the conflict. For example, Serbs in Bosnia (or Albanians in Kosovo, Catalans in Spain or Armenians in Nagorno-Karabakh) do not consider themselves a "national minority" [42, 12-16; 9; 35, 441-445]. In Sardinia, for example, there is a movement for the separation of the island from the Italian state, justifying its claim that the Sardinians are an independent nation, although officially they are considered a linguistic minority within the Italian people[39, 601-603]. Various opportunities for ensuring respect for human rights and national minorities can be presented across the spectrum, from self - reporting by the state to direct military intervention. The less interference with the procedure, the more priority is given to the international order; the more interventionist, the more priority is given to internal management. As in the case of standard - setting, the types of mechanisms for the protection of the rights of national minorities adopted by the UN, OSCE and COE since 1989-which include self - accountability of States, international review of state activities, missions of rapporteurs and mediation-err on the side of sovereign rather than national minority rights because of prior concern for the international order. What for? Because the growing awareness of the problems of intervention in ethnic conflicts, as was made clear in the Yugoslav case, has led to a more cautious approach, characterized by preventive diplomacy and confidence-building measures aimed at creating an atmosphere of compliance, but not avoiding armed humanism. The 1992 United Nations Declaration on the rights of persons belonging to national or ethnic, religious or linguistic minorities, which constituted the minimum global standard of conduct of a state vis-à-vis national minorities, did not itself contain any specific coercive measures, despite initial proposals to that effect, since the agreement had not done so because of the widespread fear that it might contribute to division and irredentism. Instead, article 9 indicates that the UN system should have contributed to the implementation of the provisions on minorities[8].

CONCLUSIONS

The provisions of international rights on the rights of minorities adopted since 1989 do not undermine the traditional principles of international relations, but directly confirm the inviolability of existing borders in the system of national States and the

Supreme authority of States over their citizens, regardless of whether they are members of national minorities. So far, at least, the rights of national minorities continue to be controlled by the traditional principles of international relations-state sovereignty, territorial integrity, inviolability of borders and the like. This fact was not merely intended, but was clearly stated both within the framework of the global mini-standard on the rights of national minorities, as enshrined in the United Nations Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities (1992), and in the main European national minority texts, namely the Council of Europe Convention for the protection of national minorities (1995) and the European Charter for regional or minority languages (1992) and the OSCE Geneva report on national minorities (1991).), Copenhagen document (1992) and Helsinki document (1992).

REFERENCES

1. Avksentyev V. (1996) Ethnic conflicts: history and typology // Sociological research. No. 12. P. 81-88.
2. Aksenenok A. (2006) Self-Determination: between law and politics. "Russia in global politics" magazine. No. 5.
3. Andreev A. (2001) Is it possible to stop the Epidemic of separatism? // Asia and Africa today. New time. No. 3. P. 7-11.
4. Baranov p. M. (2005) On the problem of legal personality of the people / / Constitutional and municipal law. No. 9. p.17-25.
5. Buchanan, A. (2001) Secession. The right to secession, human rights and the territorial integrity of the state. M., Publishing "RUDOMINO", 238c.
6. Velyaminov, G. M. (2007) International legal basis of self-determination of peoples and recognition of self-determined States. New look. No. 2/.
7. The territorial integrity of States in the international legal and geopolitical changes: The Diss. kand. the faculty of law. sciences. M., 2003. 162 p.
8. Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities. Adopted by General Assembly resolution 47/135 of 18 December 1992. Resolution 47/35, Annex.
9. Demurin, M.V. On the self-determination of Catalans - from the point of view of international law and in relation to Russia.http://rusrand.ru/actuals/o-samoopredelenii-kataloncev-s-tochki-zreni-ya-mejdunarodnogo-prava-i-v- privyazke-k-rossii.
10. Junusov M.S. (1998) Nationalism. M., Publishing Slavic dialogue, 286s.
11. Lebedeva M. (1999)Political resolution of conflicts. Aspect Press.
12. Lebedeva M. (2000) Interethnic conflicts at the turn of the century (methodological aspect) // World economy and international relations. No. 5. p.12-2.
13. Kareev I.E., (2000) The Autonomy of Vojvodina finding possible solutions / E. I. Kartsev // Slavic studies, No.1, p.38 - 45.
14. Kovaleva I.V. National minorities and the right to self-determination. http://elib.bsu.by/bitstream.
15. Kuznetsov D. (2008) The problem of Kosovo in the mirror of public opinion in the 2000s / / World economy and international relations. № 5. p.63-74.
16. Kustakin E. (2010) Ethno-political relations and conflicts: theory and practice. M., Publishing MISIS.

17. International law in the practice of liberated countries. /Edited by G. V. Karmazanashvili/ publishing. M., Publishing UDN, 1988.
18. International Covenant on civil and political rights, 1966. http://base.garant.ru/2540295/.
19. Reshetov U.Y (1994) The right to self-determination and secession. M., Publishing MIN., No. 1., c.22-25.
20. Romanenko S. (1999) Type of processes of national self-determination. Social Sciences and modernity. No. 2. P. 66-74.
21. International law in the practice of liberated countries. /Edited by Karmazanashvili G.V. (1988) M., Publishing UDN.
22. Bags M.Y. (2005) Political and legal status of autonomies within the Republics of the CIS: dis. kand. it is watered, Sciences. M., 198 p.
23. National-cultural autonomy; problems and judgments. M., Publishing Egio-sphere, 1998. 168 p.
24. Savchenko I. (2010) Integration and disintegration in multi-ethnic communities]. M., MAX Press,
25. Starushenko G. (1993) Self - determination without separatism // international life. No. 11. C. 12-13.
26. Tishkov V.A. (2001) Society in armed conflict. Ethnography of the Chechen war. M., Science, 548 p.
27. Tuzmukhamedov P.A. (1995) The Rights and freedom of Nations. Kazan, 231 p.
28. Chernichenko S.V. (1999) The Content of the principle of self-determination of peoples (modern interpretation). M.: Scientific book.
29. Ethnicity. (1998) National movement. Social practice. SPb., Publishing Petropolis.
30. Yavkin N. (2009) In the problem of ensuring the unity and territorial integrity of the state in the struggle of peoples for self-determination. M.,.c. 10-15.
31. Alfredsson Gudmundur. (1996) Different Forms of and Claims to the Right of Self-Determination.In Clark Donald. Williamson Robert. Self-Determination: International Perspectives. St. Martin's Press, New York, p.58-84.
32. Bastuck Burkhard. (1991) Unity, Law and Freedom: Legal Aspects of the Process and Results of German Unification. Vol.25, International Lawyer, p. 251-267.
33. Beran H. (1990) Who should be entitled to vote in self-determination referenda? // Warner M., Crisp R. Terrorism, protest and power. Aldershot, Edward Elgar.
34. Brown Michael. (1997) Nationalism and Ethnic Conflict. MIT Press, Cambridge, Mass., p.132-168.
35. Burri A. (2010)The Kosovo Opinions and Secession: Sounds of Silence and the Missing Links 2German Law Magazine No. 321. p.441-445.
36. Cassese A. (1995) Self-determination of peoples: A legal reappraisal. Cambridge: Cambridge University Press, p. 44-47.
37. Crawford J. (1979) The Creation of States in International Law. Oxford: Oxford University Press, 325 p.
38. Daes Erica-Irene A. (2000) The Spirit and Letter of the Right to Self-Determination of Indigenousю Peoples: Relfections on the Making of the United Nations Draft Declaration. In Aikio Pekka. Scheinin Martin. Operationalizing the right of Indigenous Peoples to SelfDetermination. Åbo Akademi University, Turku, p.67-83.
39. Eagleton C. (1953) Excesses of Self-Determination // Foreign Affairs. Vol. 31. July. № 3. P. 595-604.

40. Eide Asbjørn. (1995) The National Society, Peoples and Ethno-Nations: Semantic Confusions and Legal Consequences. Vol. 64, Nordic Journal of International Law, p.353-356. Etzioni P. The evils of self- determination // Foreign policy. N 89, Winter p.92-93.
41. Emerson R.(1964) Self-determination revisited in the era of decolonization // Occasional Papers in international affairs. № 9. Cambridge, MA., Center for international Affairs, Harvard University.
42. Etzioni P. The evils of self- determination // Foreign policy. N 89, Winter p.92- 93.
43. Garibov A. (2015) OSCE and Conflict Resolution in the Post-Soviet Area: The Case of the Armenia-Azerbaijan Nagorno-Karabakh Conflict. Caucasus Internationnal, Vol.5, No: 2, Summer, p.12-16.
44. Grant Thomas D. (1999) Extending Decolonization: How The United Nations Might Have Addressed Kosovo.Vol. 28, Georgia Journal of International and Comparative Law, p. 9-11.
45. Gros Espiell Héctor.(1979) Self-Determination and Jus Cogens. In Cassese Antonio. UN Law/ Fundamental Rights: Two Topics in International Law. Sijthoff & Noordhoff, Alphen Aan Den Rijn, p.167-173.
46. Kampelman M.M. (1993) Secession and right of self-determination: an urgent need to harmonize principle with pragmatism // The Washington quarterly. Vol. 16. Summer. № 3.
47. McCorquodale, Robert. (2000) Self-Determination in International Law. Dartmouth, Aldershot, p. 585-616.
48. Mirskiy G. (1997) On Ruins of Empire, Greenwood Publishing Group. Westport,
49. Rao M.K. (1988) Right of Self-Determination in the Post-Colonial Era: A Survey of Juridical Option and State Practice // Indian Journal of International Law. Vol.28. № l.P. 58-71.
50. Rivera-Ramos Efrén. (1991) Self-Determination and Decolonisation in the Society of the Modern Colonial Welfare State. In Twining William. Issues of Self- Determination. Aberdeen University Press, Aberdeen, p.115-132.
51. Saladin Claudia. (1991-92) Self-Determination, Minority Rights, Constitutional Accomodation: The Example of the Czech and Slovak Federal Republic. Vol.13, Michigan Journal of International Law, p.172-217.
52. Shaw Malcolm N.Peoples, (1997) Territorialism and Boundaries. Vol.8, European Journal of International Law, p.478-507.
53. Smith Anthony D. (1986) The Ethnic Origins of Nations. Basil Blackwell, Oxford,
54. Tomuschat Christian. (1993) Modern Law of Self-Determination. Martinus Nijhoff, Dordrecht, p. 41-54.
55. Verzijl Jan Hendrik (1974) Willem International Law in Historical Perspective. Martinus Nijhoff, P.384-393.
56. Viotti P.R., (1987) Kauppi M.V. International Relations Theory: Realism, Pluralism, Globalism. N.Y.