

Непризнанные государства постсоветского пространства: проблемы и перспективы

Зейнаб З. Бахтуридзе¹, Наталия А. Васильева²

¹*Высшая школа международных отношений. Гуманитарный институт.
Санкт-Петербургский политехнический университет Петра Великого,
Санкт-Петербург, Россия,*

bahtur_zz@spbstu.ru

²*Санкт-Петербургский государственный университет,
Санкт-Петербург, Россия,*

n52basil@gmail.com

Аннотация: Мировой порядок XXI века характеризуется трансформационными процессами, меняющими пространственно-временные координаты международной жизни. Признаками современного этапа являются амбивалентные процессы (интеграция и дезинтеграция; глобализация и деглобализация).

Статья посвящена анализу трансформационных процессов на постсоветском пространстве. Актуальность исследования обусловлена наличием на постсоветском пространстве нескольких замороженных конфликтов, изменивших конфигурацию региона и усиливающих его конфликтный потенциал, так как они далеки от урегулирования и конструктивного разрешения. Конфликтный потенциал постсоветского пространства подчеркивается наличием в нем новых государственных образований: непризнанных де-факто государств Приднестровской Молдавской республики и Нагорно-Карабахской Республики и частично признанных Абхазии и Южной Осетии.

Статья также посвящена вопросам формирования государственности Абхазии, Южной Осетии, Нагорно-Карабахской Республики и Приднестровья. Подчеркивается необходимость решения проблемы получения внешней легитимации суверенитета данных политико-территориальных образований не только в рамках правового, но в рамках политического, социального поля.

Актуализация замороженных конфликтов является лишь делом времени и в связи с ухудшением отношений между глобальными игроками, преследующими свои интересы в регионе, может быть использована как аргумент для обострения международной ситуации.

Ведущим подходом к исследованию данной проблемы является сочетание сравнительно-исторического, институционального и ситуативного методов, позволяющих комплексно рассмотреть формы международной легитимации малых государств в современных международных отношениях, проанализировать конфликтные ситуации.

В статье представлены различные теоретические концепции по проблеме непризнанных государств; выявлены возможности дальнейшего развития данных частично признанных государств. Обозначены сложности политической интеграции и трудности урегулирования замороженных конфликтов, в частности, ввиду отсутствия полноценного диалога между всеми участниками конфликта.

Материалы статьи представляют ценность как аналитический материал для практического использования ведомствами и организациями, участвующими в выработке политического контента в регионе Южного Кавказа.

Авторы приходят к выводу, что в вопросе о существовании непризнанных государств постсоветского пространства важнейшее значение имеет временной фактор, потому что на этих территориях рождаются новые поколения людей, которые воспринимают себя полноценными гражданами суверенного государства.

Ключевые слова: де-факто государства, частично признанные государства, международное право, конфликты на постсоветском пространстве, идентичность

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Unrecognized States of the Post-Soviet Space: Problems and Prospects

Zeynab Z. Bakhturidze¹, Natalia A. Vasilyeva²

¹Higher School of International Relations. Humanitarian Institute.

Peter the Great Saint-Petersburg Polytechnic University,

Saint-Petersburg, Russia,

bahtur_zz@spbstu.ru

²Saint Petersburg State University, Saint-Petersburg, Russia,

n52basil@gmail.com

Abstract: The world order of the 21st century is characterized by transformational processes changing the spatial-temporal coordinates of international life. The features of the present stage are ambivalent processes (integration and disintegration; globalization and deglobalization).

The article analyzes the transformation processes in post-Soviet space. The relevance of the study is caused by the presence of several frozen conflicts in the post-Soviet space that have changed the configuration of the region and have been enhancing its conflict potential since they are far from settling and constructive resolution. The conflict potential of the post-Soviet space

is increased because of the presence of new state formations: the unrecognized de facto states the Pridnestrovian Moldavian Republic and the Nagorno-Karabakh Republic, and partially recognized Abkhazia and South Ossetia.

The article also deals with the statehood acquisition and the formation of a new status of Abkhazia, South Ossetia, the Nagorno-Karabakh Republic and Transnistria. It emphasizes the necessity to solve the problem of obtaining external legitimization of the sovereignty of these political-territorial entities not only within the legal framework, but also within the political and social sphere.

The actualization of frozen conflicts is only a matter of time, and in the context of the deterioration of relations between global players pursuing their own interests in the region, it can be used as an argument for aggravating the international situation.

The principal approach to the study of this problem is the combination of comparative historical, institutional and situational methods that allow us to comprehensively consider the forms of international legitimization of small states in contemporary international relations and analyze conflict situations.

The article presents various theoretical concepts on the problem of unrecognized states; the possibilities of further development of these partially recognized states are discussed. The difficulties of political integration and the difficulties of resolving frozen conflicts, in particular, due to the lack of a full-fledged dialogue between all parties to the conflict, are highlighted.

The article is valuable as an analytical material for practical use by agencies and organizations involved in the development of political content in the South Caucasus region.

The authors conclude that in the issue of the existence of unrecognized States of the post-Soviet space, the time factor is essential because in these territories new generations of people are born who perceive themselves as full-fledged citizens of sovereign States.

Keywords: de facto states, partially recognized states, international law, conflicts in the post-Soviet space, identity

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INTRODUCTION

On the European continent, the 20th century was marked by the collapse of empires, world wars and, as a result, the constant movement of interstate borders. At the end of the century, the USSR ceased to exist, which led to the formation, on the one hand, of new independent states, and on the other, to the emergence

of the so-called unrecognized states: Abkhazia, the Nagorno-Karabakh Republic (NKR), South Ossetia, and Transnistria (PMR). Recently, as a result of the military-political crisis in the east of Ukraine, two more state entities appeared — the Lugansk and Donetsk people's republics.

It is important to emphasize that the emergence of unrecognized states in the post-Soviet space is in line with the global trend. As the Russian expert G. Mikheeva notes, in the modern world about 120 territories claim the state status [1]. These territorial entities are called “quasi-states”, “unrecognized territories”, “self-proclaimed states”, and “de facto states”¹. The paradox is that this “gray zone” does not exist de jure for the world community, but at the same time, they are quite real participants in international relations.

The problem of self-proclaimed unrecognized or partially recognized States in the post-Soviet space has been actively analyzed by Russian and foreign researchers in recent years². According to A.G. Dugin, the practical application of the “post-imperial legitimacy” concept led to an arbitrary interpretation of the statehood criteria [2] and gave rise to the formation of political and territorial entities that fell outside the field of international legal legitimacy. Recently, the term «de facto» - «a condition in which internal self-government and elements of statehood exist, but claims to formal legitimacy are rejected by the international community» - has become increasingly used [3].

However, the absence of external legitimization of sovereignty does not make unrecognized states ephemeral, moreover, they form a new political map of the post-Soviet region. Therefore, for theoretical reflection of this institutional phenomenon, according to E. E. Eritsyan, it is important to apply the methodology of a neoinstitutional approach, which focuses on such informal entities as pressure

groups, political networks, etc., capable of influencing political processes. «It was these informal entities that had a significant impact on the emergence and development of unrecognized and partially recognized republics of the post-Soviet space» [4].

For a constructive study of the problem, it seems necessary to use the methodology of integrative analysis, which makes it possible to consider the phenomenon of unrecognized states in various dimensions:

- retrospective analysis of ethno-conflict component;
- reasons for inefficiency of negotiation process on re-integration of territories;
- ethno-cultural roots of state self-identification;
- inability to political dialogue and compromise, both from the political elites of unrecognized states, and from their counterparts.

In this respect, it is important to note S. Markedonov ‘s viewpoint that «the very establishment of unrecognized states and the struggle for their international legitimization are not the least facts of an emotional, symbolic and socio-cultural plane, without which any effective settlement of inter-ethnic disputes as an inevitable satellite of these special state entities is impossible» [5].

The centrifugal processes of the 1990s in the post-Soviet space were in many ways reinforced by the loss of Soviet civil identity. Therefore, ethnic identity became the only rallying force, which, in the figurative expression of S. Markedonov, meant» flight to their land» [6]. At the same time, it is important to note the fundamental difference between the sepa-

¹ For more details, see: Dobronravina N.A. Unrecognized States in the «gray zone» of world politics: the basics of survival and the rules of sovereignization. Preprint M-21/11. St. Petersburg, 2011, 56 p. (In Russ.)

² See: Dobronravina N.A. Roadside modernization: the survival and development of unrecognized states in the 20th - early 21st centuries. St. Petersburg, 2013, 252 p.; Chemurzieva Z.I. Institutional and legal technologies for legitimizing unrecognized states in the post-Soviet political space. Ph. D. thesis. Rostov-na-Donu, 2007; Pryakhin V.F. Regional conflicts in the post-Soviet space (Abkhazia, South Ossetia, Nagorno-Karabakh, Transnistria, Tajikistan). Moscow, 2002, 344 p. (In Russ.)

ratism of unrecognized states of the post-Soviet space and similar trends in Europe. The economically most developed territories (Catalonia in Spain, Scotland in the UK) are striving for separation, while in the post-Soviet space territories with a poor resource base and an economy destroyed by military conflicts are isolated. Thus, the problems of ethno-linguistic and cultural self-identification come to the fore, especially since the conflicts of the 1990s contributed to the formation of the mono-ethnic population of unrecognized states. It should be emphasized here that «the extremism of the authorities of unrecognized states, criticized by the international community, relies on the massive support of citizens of these formally non-existent entities» [6].

According to T. de Waal, the greatest interest for the study are situations when «violence ends, but the conflict is not resolved, so that the irregular status continues, and the temporary becomes permanent» [3]. Such a prolonged state of uncertainty, in which one or two generations have grown up, raises questions that are almost metaphysical.

BACKGROUND INFORMATION

During the formation of the Soviet state, many small nations gained statehood, however, with great restrictions. Thus, for example, «in the constitutional order, the territory of the South Ossetian Autonomous Oblast, formed in 1922, was included in the Georgian SSR, without taking into account the opinion of its population. The North Ossetian Autonomous Oblast (formed in 1924) was transformed into the North Ossetian ASSR in 1936 and incorporated into the RSFSR»³ Abkhazia, in its turn, had the status of an autonomous republic within the Georgian SSR. Abkhazians were a titular nation with their own language and experience

of state building, although they did not constitute the majority of the population (18%). Nagorno-Karabakh, where the share of the Armenian population was 76%, had the status of an autonomous region in the Azerbaijan SSR [1]. According to A. Tsutsiev, “the decision of the Caucasus Bureau of the CPSU (b) on Nagorno-Karabakh implements the “national principle” (providing for the establishment of autonomy for the Karabakh Armenians) and at the same time ignores it (leaving the territory within Azerbaijan). This decision is no longer so much a Bolshevik curtsy towards Kemalist Turkey as an internal compromise” [7].

As for the Donetsk and Luhansk people's republics (DPR and LPR), their emergence in 2014 was due to the military-political conflict in Ukraine, which threatened the preservation of the historical, linguistic and cultural identity of the population of these regions.

In 1924, on the left bank of the Dniester the Moldavian Autonomous Soviet Republic was established where Russians, Ukrainians and Moldavians lived together. It existed until 1940. In the realm of the modern Pridnestrovian Moldavian Republic, as the Russian expert A. Rybin notes, legally it is the last fragment of the USSR. The Pridnestrovian Moldavian Soviet Socialist Republic (PMSSR) was proclaimed as a separate republic within the USSR at the Congress of Deputies of all levels of Transnistria, held in Tiraspol on September 2, 1990. In November 1991, they simply changed its name [8].

Ethnic conflicts tend to be undulating - from the latent phase they move into the phase of open confrontation, and vice versa. That is why the current situation poses a great danger, first of all, to regional security [9].

³ Litvinenko V.T. Political processes of formation of statehood of Abkhazia, South Ossetia and Transnistria in the context of security of Russian citizens living in these republics. Ph. D. thesis. Rostov-na-Donu, 2010, p. 27. (In Russ.)

CONTEMPORARY PROBLEMS OF POLITICAL AND SOCIO-ECONOMIC DEVELOPMENT

As early as June 2006, the leaders of South Ossetia, Abkhazia and Transnistria signed the Treaty of Friendship, Cooperation and Mutual Assistance and the Declaration on the Establishment of the Community for Democracy and Rights of Nations. It was announced that the purpose of the concluded union is «to complete the political and legal registration of the collapse of the Union of SSR through recognition of the legal personality of the Republic of Abkhazia, the Pridnestrovian Moldavian Republic, the Republic of South Ossetia» [10]. This association of unrecognized states became known as the «Commonwealth of Unrecognized States» or CIS-2.

It is important to note that all the unrecognized states formed functioning democratic institutions. There is a presidential-parliamentary system in Nagorno-Karabakh, six parliamentary elections have been held, a double unrelated electoral system is used, the elections were held with the participation of international observers who recognized them as democratic. Four presidents have been replaced, the government and the judicial system with permanent judges are functioning. A presidential-parliamentary republic was also formed in Abkhazia; majoritarian elections were held six times, the last ones was in 2017. Since 2014, the country has been headed by the fourth president, the cabinet of ministers and the judicial system have been operating [11]. In the case of South Ossetia, it is only possible to talk about the rudiments of constitutional consolidation. In 2017, the President was replaced. The government and the judiciary are active. However, experts studying the processes of statehood formation in South Ossetia write about «imperious dictatorship and official voluntarism», about blind copying of Russian political practices [12]. In the Pridnestrovian Moldavian Republic, the parliamentary-presi-

dential republic was established following the results of the referendum in 1995, and the reform was carried out in 2000: the powers of the President were expanded, the Parliament became unicameral, and the third President was elected. In 2015, the sixth election to the Supreme Council was held, but the Parliament is still under the control of the President. The judicial system includes the Supreme Court and the Constitutional Court.

It is important to note that the military-political conflicts in the Caucasus region and Transnistria are now in a «frozen state.» As noted by E. Yu. Meleshkina, conservation of the status quo is objectively beneficial to the states that formally include these territories: on the one hand, their presence creates an image of the enemy, consolidating the nation, and on the other hand, hypothetical reintegration carries the risk of exacerbating internal problems related to the complication of interethnic relations, competition at the political level, etc. [13].

In the case of the Lugansk and Donetsk People's Republics, the authors of this article believe that the transfer of the current acute conflict to a «frozen» state can give the necessary time pause to find a compromise solution.

In 2014, the referendum was held in the DPR, the constitution was adopted and the People's Council and the head of the DPR were elected according to the proportional system; the government was formed. In addition to the normal judicial system, there are field court-martials. In the LPR, after the referendum on sovereignty in 2014, the constitution was adopted, and the elections of the head of the republic and deputies to the People's Council were held.

It is worth noting that the changes associated with the formation of the institutional framework of the regimes took place and are taking place in conditions of permanent or frozen armed conflicts and with more or less significant influence of Russia. At a certain his-

torical stage, the «internal legitimacy» of an unrecognized State may be far more important than international recognition [14].

Along with resolving issues of political institutionalization, de facto states need to develop the economy under economic sanctions.

According to the Abkhazian Statistics Office, in 2018 the population of Abkhazia was 244,832 thousand people. The economy of Abkhazia is currently based on retail trade and tourism. According to the Ministry of Economy of Abkhazia, trade provides 60% of the gross product, and tourism gives one third of tax revenues. Beach tourism is developed, to a lesser extent mountain tourism. The overwhelming majority of boarding houses, sanatoriums and holiday homes remained from the USSR. They are in poor condition and in need of major repairs. The majority of tourists visiting Abkhazia are Russians [15]. For instance, in 2017, more than 1.2 million Russian citizens visited Abkhazia, which is more than 85% of the total number of visitors to the republic.

In 2014, a strategic cooperation agreement was signed with Russia, including an extensive investment programme. Having its own resources and developing Abkhazia, expressed no official desire to join Russia. In Abkhazia, there is a national project to build an independent state of Abkhazians [16], and in general, in the opinion of F.A. Kazin, «the Abkhazian political system is certainly more mature, independent and stable than the South Ossetian one», which «increases the propensity of Abkhazia to become an independent state, and South Ossetia to become part of Russia» [17, c. 330].

As a result of the Georgian-Ossetian conflict, South Ossetia was seriously affected. Damage only to state and municipal facilities - road, gas and electricity supply is estimated at 16-18 billion rubles. By the decision of the Parliament of Georgia, an economic blockade of

South Ossetia was organized. The main products produced in this region are fruits (apples and pears), which after the war of August 2008 are supplied exclusively to the Russian Federation [15]. On August 26, 2009, the Dzuarikau-Tskhinval gas pipeline was opened, which made it possible to directly receive gas from Russia without interruption at a price three times lower than buying gas from Georgia. Given the level of the economy of South Ossetia, one cannot disagree with the opinion that «the further development of the republic largely depends on the effectiveness of the use of aid coming from Russia» [17, c. 328].

The Pridnestrovian Moldavian Republic has existed for longer than all the de facto states of the post-Soviet space - 29 years - and is the most economically successful formation. The authorities do not oppose obtaining citizenship of other states - Russia, Ukraine and Moldova. There are ATMs with Visa and MasterCard cards. Transnistria's economy is based on large enterprises such as the Moldavian Metallurgical Plant (MMP), the Moldavian GRES power plant, the «Tyrotex» textile mill, the «Quint» cognac plant and others.

Over 40% of the export from Transnistria falls on the EU countries, and another 37% - on Moldova, 14% - on the Customs Union countries. Transnistria mainly exports metal, textiles, electricity (the largest power station in Moldova, the Moldavian State District Power Plant, is located in the region), food products, and footwear. Russia subsidizes Transnistria by supplying gas for which the republic does not pay Gazprom, and the debt is recorded in Chisinau, since Transnistria is de jure part of Moldova [15].

The economy of Nagorno-Karabakh was completely destroyed during the Karabakh War of 1991 - 1994. Currently, through the efforts of local business, Armenian business and the Armenian Diaspora, new factories, small and large enterprises are emerging, which

significantly revive the growth of the economy. Today, Artsakh has enterprises of timber processing, jewelry production, food industry, light industry, etc. Tourist infrastructure is actively developing, new tourist centers, hotels, routes, etc. [15], are being built.

The Donetsk People's Republic and Lugansk People's Republic. Both regions existed as developed industrial areas, the majority of the population spoke Russian, which predetermined ethnic identity.

Economically, it is an old industrial region that requires modernization and restructuring of production. After a period of armed conflict, as a result of the outflow of the population, there are very few resources for development, and external investments are needed [18]. Both de facto states have been held hostage to the conflict between Russia and Ukraine.

SOCIO-PSYCHOLOGICAL ASPECTS AND PROCESSES OF SELF-IDENTIFICATION

It is important to emphasize that the reason for the emergence of «transitional» territories (another term meaning, in this case, Abkhazia; South Ossetia, Transnistria and NKR) was the discrepancy not only of administrative, political and economic, but also ethno-linguistic, cultural and other borders. Their relatively conflict-free existence within the territorial division of the USSR was possible thanks to a common framework. The collapse of the Soviet Union was accompanied by disintegration processes which led to the weakening of borders of various kinds and, as a result, the potential for «exit» became real; and the lost civic identity is replaced by a basic ethnic identity or identity associated with the territorial aspect. Given the social and psychological need of society to acquire a new identity when the former is lost, the desire to justify and prove the fact that the land belongs to a particular ethnic group has led to arbitrary interpretations and rewriting of history.

People living in a single sociocultural space form a paradigm - a set of common values, norms, attitudes that determine the content and orientation of social consciousness [19]. The collapse of the Soviet system led to the need for a paradigm shift. In the post-Soviet unrecognized States, among other things, the blurring of economic, cultural borders and the ambiguous regime of citizenship also served as obstacles to this path. The armed conflicts of the first half of the 1990s, which reduced the heterogeneity of the ethnic composition of unrecognized States, did not solve the problem of border consolidation.

A. S. Panarin wrote that the way to the future qualitatively new integration lies «through the intermediate stage of more or less prolonged diversification of ethnic groups trying to achieve identity through isolation» [20]. One of the basic elements of isolation and cultural identification is language, which forms a unique world picture. In Abkhazia, for example, the language problem related to awareness of harmful consequences of loss of the native language which may disappear from the impact of global information flows, has been updated. In Abkhazian society, the loss of the native language is equated with the loss of its identity and culture, and then it is not clear what kind of independence and Abkhazian statehood one can speak about [21].

It is obvious that in a situation when each new subject of world politics (unrecognized or partially recognized states) is trying to find and fix its significance and uniqueness, ethnic community, the factors of mass historical memory are much more important than economic feasibility [22, c. 340], which, on the one hand, complicates the process of finding objectively mutually beneficial solutions to conflict situations, and on the other hand, it demonstrates amazing loyalty and strength of the population of de facto states in upholding the declared national ideals and values. In terms of figures,

the population of the Nagorno-Karabakh Republic was estimated at 147,000 in 2017 (about 138,000 in the 2005 census). According to the results of the census in 2015, the population of South Ossetia was 53,559, and in the Republic of Abkhazia in 2016 there were 243,564 people. The population of the Pridnestrovian Moldavian Republic - according to the results of the 2015 census was 475,000 people. In total, more than 900,000 people live in the territories of unrecognized and partially recognized states. Despite the fact that for many years they have to live in unstable conditions, with periodic outbreaks of armed conflicts, in a difficult economic situation, in the presence of social and legal problems, being in complete or almost complete legal isolation from the world community, in the face of uncertainty and awareness of the duration and complexity of the planned path, they do not retreat, and mass migrations in search of a better life are not observed.

PROSPECTS FOR THE DEVELOPMENT OF UNRECOGNIZED STATES OF THE POST-SOVIET SPACE

The international recognition of the de facto states of the post-Soviet space is not expected. Although Abkhazia is recognized by six countries included in the UN (Russia, Nicaragua, Venezuela, Nauru, Vanuatu and Tuvalu), and South Ossetia is recognized by five countries included in the UN (Russia, Nicaragua, Venezuela, Nauru, Tuvalu, and Syria since 2018) [23]. With regard to the remaining unrecognized States, the prospects for international recognition are not realistic, as, for example, the PMR and NKR are not recognized even by the patron States (Russia and Armenia). Accordingly, Russia does not recognize the LPR and the DPR, despite the significant humanitarian, military and financial assistance it provides to them.

T. de Waal, describing the difficulties of life in the de facto States of the post-Soviet space, noted that many of the existing problems there are mainly political in nature. Answering the question about possible trend of events, he noted that in some cases the integration project could be a salvation and the most likely end result for Transnistria and Moldova, for example. In other situations, the case may end with a confederation [7].

European experts conducted field studies in conflict regions from 2016 to 2018. It was noted that in the case of Abkhazia and Transnistria, effective interaction requires the elimination of an outdated paradigm: the expectation that they will soon cease to exist. Despite the great differences in history and geography, these small states, which are affiliated with or resulting from the collapse of larger states, are likely to continue existing in the near future. There are very few signs that they were going to return to their «parent countries,» in this case Georgia and Moldova, unlike the LPR and DNR, which have not yet shown such stability.

These small states, which are affiliated with or resulting from the collapse of larger states (states) and related conflicts [24], have made great efforts in the process of establishing statehood, but have not been able to achieve international recognition of their independent status and, accordingly, be fully included in the system of international relations. The fact that a patron country provides them with vital financial and military support for their development comes at a price — the patron country is actively interfering in their internal affairs [25].

The Donetsk People's Republic and the Lugansk People's Republic may, under certain conditions, become de facto states, but today they differ significantly from Abkhazia and Transnistria.

As for Nagorno-Karabakh and South Ossetia, these de facto states are much more isolated at the international level and more dependent on patron states, in this case Armenia and Russia.

Attempts at international participation in solving the problems of unrecognized territories actualize a number of difficulties that should be mentioned. Firstly, in these situations the recognized national states have the advantage of being partners in political activities for international actors, and, while this does not imply full policy coherence, however, there is also a complete lack of impartiality and conflict of interest. In addition, international actors have an interest in addressing transnational threats, while the existence of unrecognized state associations represents a potential security threat, some of which, for example, in the environmental field, are not controllable due to limited international access to the territory, and create environmental problems that primarily affect the immediate neighbors.

The second challenge for international actors is to identify who will be involved in the process, in other words, how to engage with de facto governments.

The third challenge is the need to determine where and how international actors will

assist unrecognized territories. It is generally agreed that international assistance in de facto countries should only be used for civil society, business and humanitarian purposes, but in practice it is difficult to distinguish between government and non-governmental organizations.

CONCLUSION

Thus, it can be concluded that in the issue of the present and future existence of unrecognized States of the post-Soviet space, the time factor is essential, because in these territories new generations of people are born who perceive themselves as full-fledged citizens of sovereign States. Moreover, the obvious contradictions in contemporary international law create a legislative conflict between the inviolability of sovereignty and the right of nations to self-determination which means that there is no basis for addressing the relations between former metropolises and de facto States.

In addition, since the post-Soviet unrecognized states do not enjoy the support of the West (with the exception of Nagorno-Karabakh, which receives, in part, state financial support from the United States), accordingly, the prospects for their sovereignty operate in a different corridor of opportunities.

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ИНФОРМАЦИЯ ОБ АВТОРЕ / INFORMATION ABOUT THE AUTHOR

Зейнаб З. Бахтуридзе, доктор политических наук, Высшая школа международных отношений. Гуманитарный институт. Санкт-Петербургский политехнический университет Петра Великого, Санкт-Петербург, Россия; 195251, Россия, Санкт-Петербург, ул. Политехническая, д. 29; bahtur_zz@spbstu.ru

Наталия А. Васильева, доктор философских наук, Санкт-Петербургский государственный университет, Санкт-Петербург, Россия; 199034, Россия, Санкт-Петербург, Университетская наб., д.7/9; n52basil@gmail.com

Zeynab Z. Bakhturidze, Doctor of Political Sciences, Higher School of International Relations. Humanitarian Institute. Peter the Great Saint-Petersburg Polytechnic University, Saint-Petersburg, Russia; bld. 29, Polytechnicheskaya str., Saint-Petersburg, 195251, Russia; bahtur_zz@spbstu.ru

Natalia A. Vasilyeva, Doctor of Philosophy, Saint Petersburg State University, Saint-Petersburg, Russia; bld. 7/9, Universitetskaya embankment, Saint-Petersburg, 199034, Russia; n52basil@gmail.com