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# INTERNAL SELF-DETERMINATION AND POWER-SHARING AS A MEANS OF ADDRESSING CLAIMS FOR SELF-DETERMINATION

**Abstract**

Shaped by the experiences of the two World Wars, self-determination emerged as a key element in the maintenance of international peace and gradually acquired its legal and political framework within the United Nations system, particularly through its incorporation into the founding documents, the international human rights covenants, and the resolutions adopted during the process of decolonization. Following the end of the Cold War, the transition and democratization of the states of the Eastern Bloc once again brought to the fore issues related to the status and rights of national minorities, creating a need to redefine the modes of implementation of self-determination. This paper analyses contemporary approaches to self-determination through innovative mechanisms of power-sharing and governance models aimed at ensuring effective political participation and establishing effective protection of the rights of national minorities, within existing state borders, through the devolution of power, federalism, autonomy, and other institutional arrangements, thereby contributing to the development of inclusive, representative, and multicultural democratic societies.

## I.  Introduction

The principle of self-determination has long attracted the attention of both political actors and the scholarly community due to its complex nature, significant political potential, and security implications, as well as certain ambiguities that further complicate its practical application. Throughout history, self-determination has changed its form primarily under the influence of political developments on the international stage. Within the framework of the League of Nations, self-determination was defined as a political principle[1] that contributed to the development of political thought; it did not have a legal character, as it was not provided for in the Covenant of the League of Nations (as reflected in the opinions of the Commissions of Jurists and Rapporteurs on the Åland Islands). The Commissions described it as a concept encompassing ideas of freedom and justice, which should be applied in a reasonable manner both in relations between states and in relation to minorities within them, thereby foreshadowing and describing the elements of external and internal self-determination and their importance in promoting peace both within and beyond the state.

Drawing lessons from the experiences of the two World Wars—that minority-related problems can trigger international conflicts requiring immediate response—self-determination became one of the main objectives of the United Nations (UN), of vital importance for the preservation of world peace, through the promotion of friendly relations among nations based on the principles of equality and the self-determination of peoples. Since then, it has developed as a right of peoples, grounded in the fundamental postulates of the UN Charter as its founding document, as well as in the principal international human rights conventions of the United Nations. The principle of self-determination is a logical consequence of the recognition of

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[1] It served as a political basis for the resolution of the international conflicts of that period and for the recognition of certain peoples and territories in the period following the First World War.

human rights and has the same universal significance and shares the same objective, respect for and protection of human dignity.

In the course of its development, the right to self-determination evolved into two types: external and internal self-determination.

## II.    **Types of self-determination**

External self-determination is the primary and most complex form of self-determination, which was mainly realized through the process of decolonization. In the period that followed, the application of this right became limited due to states' fears of threats to their unity and territorial integrity, as well as secession. The international system was structured in a way that allowed states to resolve such issues on their own, often by suppressing groups that fought in the name of subordinated and oppressed peoples, who were labelled as secessionists, terrorists, and the like. It is therefore understandable why, during that period, international actors refrained from becoming involved in the resolution of conflicts related to self-determination. This practice is evidenced by the small number of self-determination agreements concluded after the end of decolonization, such as those concerning the Åland Islands, South Tyrol, India, and others, achieved mainly with the mediation of the international community.

Internal self-determination refers to the right of peoples to decide on their political system and constitutional order and to define their national goals without external interference or the use of force from within. It grants peoples the right freely to choose a domestic political system that corresponds to their aspirations and political preferences.

In contrast, external self-determination entails the right of a people to choose its international political status and to decide freely, without external influence, on its destiny within the international community, which explains the justified fear of states regarding possible secession and violations of their territorial integrity. An attempt to clarify some of these dilemmas and fears concerning its implementation was made in the 1970 UN Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States[2], which clarified the position that secession cannot be an option when it conflicts with the principles of territorial integrity and state sovereignty, and which emphasized the standard of representative government. The Declaration did not relieve states of their obligation to create conditions for the realization of self-determination within their borders, through the establishment of a democratic form of government in which all individuals exercise their rights on an equal basis, regardless of origin. This implies the legitimacy of government and the genuine participation of all citizens, a principle that heralded a new approach to self-determination enabling its more practical realization.

Nevertheless, it remains unclear what a representative government should look like and how it could "ensure" the protection of territorial integrity. According to international law expert Antonio Cassese, territorial integrity may be challenged through secession only in exceptional circumstances, namely in cases involving massive violations of fundamental human rights. Deriving clear content from the norms of relevant international documents is by no means an easy task. Based on political and historical processes, Cassese's view is that the right to self-determination may be realized on the basis of general international rules in the following areas: as an anti-colonial standard, as a prohibition of foreign military occupation,

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[2] UN *Declaration on Principles of International Law concerning Friendly Relations* and Cooperation among States in accordance with the Charter of the United Nations, A/RES/2625(XXV), 1970, for more info pls follow the link: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjlp8u34L-RAxVp_7sIHXssAKQQFnoECBwQAQ&url=https%3A%2F%2Ftreaties.un.org%2Fdoc%2Fsource%2Fdocs%2FA_RES_2625-Eng.pdf&usg=AOvVaw3hREDtv3V6EyhfC-rvLex9&opi=89978449 .

and in situations where there is a failure to meet the standard of enabling groups to participate in governance[3]. Under the Declaration, states are obliged to establish a system of representation for all communities in a manner that balances and harmonizes their rights and interests, as an important element of peace and stability in a pluralistic society. If a state demonstrates an inability to address the needs of ethnic groups for meaningful participation in political and social life and fails to respond in a timely manner to complaints in a divided society, this leads to internal instability and opens "space" for challenges to territorial integrity and demands for secession.

In light of the above, the potential for realizing self-determination is seen in proposals for its implementation within existing state borders, through the right of peoples to political arrangements that regulate relations within the territory they inhabit. Thus, the right of peoples of all citizens regardless of differences to democracy through meaningful participation in governance represents proposals for a more practical implementation of this right, known in theory as internal self-determination. This link was first articulated by the well-known advocate of self-determination, Woodrow Wilson, in his political document known as the Fourteen Points, in which he viewed the idea of self-determination as essentially a synonym for the right to democracy and participation in governance. Of interest is the interpretation in UN analyses from the 1980s, which identified the free and genuine expression of the will of peoples as an essential element of self-determination an interpretation that at the time provoked reactions and fears among certain member states (such as Italy and Germany) that linking it to the rights of national minorities could potentially lead to secession[4].

Given that the aim of good and democratic governance is to serve the needs and interests of all members of society, governments are expected to strive to ensure maximum opportunities for the participation of all stakeholders in decision-making processes. Although situations differ across democratic contexts, experience shows that it is often necessary to implement specific special measures to support the effective participation of minority communities in public life.

## III. INTERNATIONAL STANDARDS ON THE RIGHT OF MINORITIES TO PARTICIPATE

International and European instruments on minority rights adopted by the Organization for Security and Co-operation in Europe (OSCE), the United Nations (UN), and the Council of Europe, in addition to guaranteeing rights aimed at protecting distinctiveness, identity, culture, and other minority rights, also oblige states to take measures to ensure equality of minorities within society and their effective inclusion in governance[5].

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[3] Self-determination, and secession, in between the law, theory and practice, Springer, Natalija Shikova, 2023 Chapter 12, Tools and forms for realization of internal self-determination: systems of power sharing.

[4] Aureliu Cristescu, Special Rapporteur of the Sub Commission on prevention of discrimination and protection of minorities, The Right to celf-determination Historical and current development on the bases of United Nations Instruments, Chapter I, paragraph 19, study prepared by United nations, New York, 1981.

[4] Ibid 16, paragraph 21.

[5] Paragraph 35 of the 1990 Copenhagen Document provides that the participating States of the OSCE undertake to: "respect the right of persons belonging to national minorities to effective participation in public affairs, including participation in matters relating to the protection and promotion of the identity of such minorities. " Article 2, paragraphs 2 and 3 of the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities state that: "Persons belonging to minorities have the right to effective participation in […] public life" and "the right to participate effectively in decisions at the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live." According to Article 15 of the 1994 Framework Convention for the Protection of National Minorities of the Council of Europe (hereinafter: the "Framework Convention"), the States Parties: "shall create the conditions

It is important to note that the right of minorities to participate cannot be interpreted as a basis for activities that would endanger the constitutional order or the territorial integrity of states, as such activities would run counter to the purposes and principles of the United Nations, the OSCE, or the Council of Europe[6]. This clearly affirms the inviolability of the territorial integrity of states, a criterion recognized in numerous international documents, and implies the realization of self-determination within existing state borders.

Well-established international standards for the effective participation of minority communities in governance are articulated in the OSCE Lund Recommendations on the Effective Participation of National Minorities in Public Life[7], which recognize that the inclusion of national minorities in decision-making processes is crucial for their integration, for democracy, and for the stability of society. The document together with its recommendations or guidelines for implementation states that its aim is to facilitate the inclusion of minorities within the state while preserving their identity and distinctiveness, thereby promoting good governance and the integrity of the state[8]. This can be interpreted in line with the aforementioned criterion of representative government. According to these standards, minority participation can be effective only if it is inclusive, transparent, and accountable, as prerequisites for building trust between governments and minority communities. As emphasized, these standards should be interpreted in the spirit of the fundamental principles and rules of international law, such as the right to equality and non-discrimination, as well as in the spirit of the effective realization of political rights[9]. Here, a clear link is established between self-determination, democracy, and human rights.

For the realization of self-determination in multicultural societies, it is necessary to apply standards and good practices that guarantee minority participation in governance. Mechanisms for ensuring the substantive participation of minority communities in public life include the devolution of power and decentralization, as well as institutional representation, which serve as instruments of good governance and contribute to the legitimacy, stability, and inclusiveness of institutions. This can be achieved in various ways within unitary states, as well as in federal and confederal systems. Forms of minority participation in decision-making may be diverse, such as reserved seats in decision-making bodies, guaranteed membership in relevant committees, representation in executive, judicial, administrative, and other bodies, and the establishment of special bodies to represent minority interests, etc.[10]. The ultimate objective is to reduce pressures arising from dissatisfaction and tensions related to national minorities that may lead to conflict.

The degree of minority inclusion in social life can justifiably be regarded as an indicator of stability and the level of democratic development of a pluralistic society. Accordingly, minority participation constitutes one of the central issues addressed in the Framework Convention for the Protection of National Minorities, Article 15, of the Council of Europe (the first instrument of its kind containing a catalogue of minority rights). This provision emphasizes the obligation of states to create conditions that enable the effective participation of minorities, in line with

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necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them."

[6] As provided for in their respective documents, namely: paragraph 37 of the Copenhagen Document, Article 8(4) of the UN Declaration on the Rights of Minorities, and the Preamble of the Framework Convention of the Council of Europe.

[7] The Lund Recommendations on the Effective Participation of National Minorities in Public Life, A set of High Commissioner on National Minorities Recommendations on the effective participation of national minorities in public life, pls follow the link: The Lund Recommendations on the Effective Participation of National Minorities in Public Life | OSCE High Commissioner on National Minorities

[8] Ibid, 5

[9] Ibid, 5

[10] Ibid, 5

the principles of good governance in pluralistic societies and with the essential link to internal self-determination, which is of strategic importance for social cohesion. The exclusion or marginalization of these groups may lead to social isolation, increased tensions, reduced integration, and the loss of opportunities for their contribution to overall societal development. This is not merely a matter of rights protection, but also one of social stability achieved through inclusiveness and social and cultural dialogue[11].

This standard is multidimensional, as it implies the active participation of minorities in decision-making processes across all spheres of social life and at multiple levels policy-making, planning, and development, both at the local and higher administrative levels, including elected bodies, through the facilitation of participation in decentralized and local forms of governance, and beyond. One of the key objectives is to encourage intercultural and interethnic dialogue, thereby fostering mutual understanding, respect, and trust between minorities and the majority, which constitutes an essential element of inclusive governance and stable democratic coexistence.

## IV.    The role of internal self-determination

Internal self-determination is seen as a wise response to the demands of political reality in pluralistic societies. Through the right to internal self-determination, an attempt is made to restore the lost link between self-determination (democracy) and the protection of minority rights and freedoms. Consequently, elements of internal self-determination increasingly find support in numerous contemporary international documents. Since the 1990s, these instruments have envisaged the recognition, accommodation, and effective participation of minorities.
The criteria and standards for community rights outlined in international documents of the UN, the Council of Europe, and the OSCE some of which were mentioned earlier signal this innovative approach to realizing the right to self-determination. They offer alternatives to fears of secession and promise peace, stability, and territorial integrity of states. These documents lay down a range of commitments and obligations for states aimed at ensuring equality for members of minority communities and protecting their freedoms and rights by creating conditions that enable: the preservation of their identity, the use of language and religion, the establishment of a democratic environment, participation in political decision-making and institutions, intercultural dialogue, promotion of diversity, and special measures to achieve substantive equality. All of this is grounded in respect for universal international principles and human rights as enshrined in the UN Charter, UN human rights treaties, and other international conventions and instruments[12].

From the above, internal self-determination rests on three general aspects: the right of the people to choose their political system; the obligation of the state to ensure equal rights of participation for all: the exercise of state power in a manner that does not permit any form of systematic or long-term discrimination.

If the state fails to address the needs of ethnic groups for meaningful participation in political and social life or does not respond in a timely manner to grievances in a divided society, this leads to internal instability. Such a situation serves as an argument against the standard of representative government, as its failure opens space for demands for secession and independence.

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[11] Commentary on the Effective Participation of Persons Belonging to National Minorities in Cultural, Social and Economic Life and in Public Affairs, Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg, 5 May 2008, ACFC/31DOC(2008)001. For more information, see: About the Framework Convention for the Protection of National Minorities (FCNM).
[12] Ibid 9

The concept of internal self-determination represents an evolutionary approach to the principle of self-determination, focusing on creative solutions that allow different groups in society to decide on their political status, forms of governance, and participation in power. This concept plays a particularly important role in divided societies, as it can contribute to the creation of policies that accommodate different communities in ways and degrees that exclude the possibility of secession, thereby safeguarding the territorial integrity of states.

Today, power-sharing practices between different levels of government central, regional, local, etc. are increasingly present in states, sometimes reaching a form of shared sovereignty. Conflict resolution solutions tend toward greater cooperation among different levels of government, which can be organized in as many ways as there are diverse political situations[13]. Consequently, multiple forms of relations exist between different levels of government and ways to resolve conflicts between central authorities and state entities (federal, regional, local, etc.), mainly reflecting the constitutional systems of the states.

Stefan Wolff, in his work *Power-Sharing and Vertical Levels of Government: An Analysis of Existing Practices*[14], offers a scholarly perspective on power-sharing within states, focusing primarily on vertical power distribution and its relation to horizontal power distribution. According to him, self-determination conflicts are also conflicts between competing views on how decision-making competencies should be allocated among different layers of government and, consequently, how the state as a whole should be structured[15]. Traditionally, powers are distributed among vertical layers of government, for example, between central and local governments in unitary states, or between federal and federated governments in federal systems with special status.

In addition to vertical layers of power, resolving self-determination conflicts often requires introducing additional power-sharing mechanisms, such as horizontal power-sharing, where power is divided at the same level among different parties. The level of such horizontal power-sharing can be regional and/or at the central level, and there are diverse mechanisms depending on the needs of states and their historical, political, cultural, and social contexts. They may be purely consociational, as in the case of Northern Ireland, or voluntary, as in Macedonia, responding to ethnic demographics, the party system structure, and the design of the electoral system. Unlike territorial monism, territorial pluralism creates conditions for national autonomy and power-sharing at central or federal levels. This is particularly accepted by political parties of minority communities, as it makes power more accessible and facilitates broader participation of communities in public life and society[16].

Depending on the complexity of political systems and power-sharing arrangements, mechanisms can include: co-decision-making (shared executive power), shared decision-making (territorial arrangements such as federalism or cultural autonomy), proportional participation in decision-making (proportional representation of minority communities in legislative bodies and state administration), predefined decision-making procedures that guarantee participation (qualified majority or double-majority voting in legislatures) etc. These mechanisms are designed to ensure substantive participation of minority groups, reduce tensions, and maintain social cohesion while preserving the territorial integrity of states.

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[13] Ibid 3

[14] Settling Self-determination Disputes: Complex Power Sharing in Theory and Practice Editors: Marc Weller, Barbara Metzger, Power Sharing and the Vertical Layering of Authority: A Review of Current Practices, Stefan Wolff, 2008.

[15] The empirical basis for Wolff's analysis is grounded in eight practical cases where attempts were made to resolve self-determination conflicts through the establishment of complex power-sharing mechanisms. This includes vertical power-sharing arrangements in Bosnia and Herzegovina, Bougainville, Gagauzia, Kosovo, Macedonia, Mindanao, Northern Ireland, and South Ossetia.

[16] Ibid, 12

## V.    Types of federation

### 1. Federation

The federation is defined as a political system in which sovereignty is divided between at least two territorial levels of government: the powers of the federation and the powers of the regions. There is also the possibility of introducing shared powers for both levels together. Most often, the so-called residual powers are granted to the federal units, meaning all those powers that are not exclusively within the competence of the federation. What characterizes a federation is that certain functions are traditionally delegated to the central federal government, such as foreign affairs[17], defense, joint monetary and customs policies, and others, while its entities have their own legislative, executive, and judicial authorities and retain the powers that they have not contractually transferred to the central government, usually areas such as private law, social affairs, and others. Federal units can take various forms, such as regions, provinces, states, cantons, Länder, republics, etc.

Historically, the federal model can be traced back to empires that existed at the beginning of the twentieth century, where federal, confederal, and unitary mechanisms coexisted with arrangements for managing diversity. In fact, the purpose and origin of parliamentary federalism lie in the strategy for conflict resolution, aimed at addressing potential self-determination conflicts. In the mid-19th century, the Swiss and Canadian federations were created, and Austria and Hungary were redefined in 1867 as a dual monarchy. Since the 1970s, in several democratic unitary states, there has been a reconstruction of power and the introduction of arrangements for autonomy and local self-government, such as Belgium transitioning to a federation, while in others like the United Kingdom, Italy, and Spain[18], decentralization predominates, with aspects of asymmetric forms of devolution.

There are integrative and pluralist forms of federalism, best described by the prominent expert in multinational societies, federalism, and power-sharing, Brendan O'Leary[19]. These types of federalism differ according to the following criteria: decision-making methods (majority or qualified), minority representation (single-nationality or multi-national), methods of power distribution (centralized legally, fiscally, and security-wise versus decentralization of these powers), ethno-territorial structure (presence or absence of minority dominance), and the way ethno-national conflicts are managed (integration versus accommodation). According to him, integrative federalism is one in which minority communities do not have their own regions where they form local majorities, meaning the federal majority dominates the federal units. The motivation for forming these federations is not devolution or power-sharing with national minorities; rather, the goal is to prevent their self-rule based on their distinctiveness and territory. One example is the United States, where African Americans are nowhere a majority in federal units; a similar example is Nigeria, where regions were divided after the Biafra defeat to prevent secession.

Looser forms of pluralist federations are more common, where the majority population still dominates the regions, and in fewer cases, there are regions with dominant minority populations, as seen in Russia and Canada. Fully democratic and pluralist examples include

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[17] By exception, fairly limited competencies can be granted to the entities; such is the case with Belgium, Switzerland, Germany, Austria, and similar countries.

[18] Federalism and federation, encyclopedia Princetoniensis, introduction and definition, Princenton University, Brendan O'Leary, for more info pls follow the link: https://pesd.princeton.edu/node/431, Historical evolution.

[19] Ibid, 18, Theoretical implications.

the federal arrangements in Belgium, Canada, and more recently Bosnia and Herzegovina and Iraq.

There are also cases of federal arrangements that combine both integrative and pluralist types, such as Switzerland, which is composed of cantons rather than nations. Switzerland is a multilingual and multiethnic country where citizens are considered Swiss regardless of their nationality or language. Power-sharing is effective at multiple levels (consensual, qualified majority, fair representation in legislative chambers and administration, strong and efficient regional judiciary, equal representation in federal courts, tolerance of asymmetries, etc.)[20], which ensures an efficient and harmonious multicultural society.

There are diverse, even opposing, opinions regarding the influence of the type of federal arrangement on self-determination and the prevention of ethno-national conflicts or secession. According to O'Leary's analysis, it is useful to observe which features or solutions have proven successful or helpful in resolving self-determination issues. Territorial conquest, totalitarian rule, forced assimilation, and historical denial of minorities are just some of the reasons that can contribute to unsuccessful accommodation of minority communities within federal arrangements. Such experiences often lead to a preference for secession and independence rather than power-sharing in a federation due to long-standing mistrust of subordinated or oppressed minorities.

Complementary or related identities (language, religion, culture, etc.) can find common ground within a federal arrangement if they do not have a vulnerable history of conquest, subjugation, annexation, war consequences, persecution, or oppressive regimes. The Baltic states are an example. For complementary identities, timely response and rapid resolution of potential grievances or ethno-national conflicts through territorial pluralism are crucial to prevent deeper tensions. Politically, this is not simple or popular, requiring mature, rational political management of national passions, frustrations, and conservatism. Examples include territorial reorganization in the United Kingdom, Spain, Canada, Belgium, India, Indonesia, and Switzerland[21].

Another important aspect is social decision-making, the participation of minority communities at central and federal levels, which gives them a sense of having a voice in state decisions and processes. This can be achieved through constitutional arrangements or, less formally, through party agreements or election results that allow their participation in the legislative and, consequently, executive branches. Participation of communities in central authorities has proven useful in maintaining federations in Canada, Belgium, Switzerland, and, according to the author, ensuring stability in India and Spain. The absence of such mechanisms has led to opposite outcomes, such as the dissolution of Yugoslavia due to dominance claims, as well as instability in Nigeria after military coups and lack of participation at the center. In Iraq (2005 Constitution), the exclusion of Kurdish and Sunni Arab[22] minorities illustrates a similar problem.

Federations with strong representation of the majority population in the regions are also less likely to disintegrate. This makes them more resistant to secession and more flexible in accommodating minority communities in regional units. This is typically the case in liberal democracies, where equality is guaranteed, rights are effectively protected, and openness to accommodation and acceptance of diversity allows the dominant population to create favorable conditions for intercultural cooperation and coexistence.

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[20] Ibid, 18, Theoretical implications.

[21] Ibid, 20
[22] Ibid, 21

## 2. Autonomy

Autonomy implies the transfer of power from the central authority to the autonomous unit, with the aim of enabling it to more closely manage and regulate matters of significant interest to it. It is important to note, according to Daftar[23], that autonomy does not simply mean ordinary delegation; rather, it involves the transfer of competencies that cannot be revoked without the opinion or consent of the autonomous unit. The central authority may intervene only in exceptional cases, for example, when national security or the constitutional order is at risk, while the autonomous community operates within the legal and constitutional system of the respective state.

Modern authors who focus on power-sharing, such as Mark Weller and Stefan Wolff, address autonomy as a form of devolution of power, self-governance, and innovative conflict resolution, examining its application and development[24]. Until the end of the Cold War and the beginning of transition processes in Central, Eastern, and Southeastern Europe, this type of power-sharing was seen as a somewhat ambiguous arrangement, even a potentially dangerous construct associated with self-determination demands, applied only in cases with special historical circumstances and exceptional situations. Examples of such autonomy include the Åland Islands or the Klaipėda enclave[25], a region under the administration of the League of Nations, which, through the Klaipėda Convention, became an autonomous region of Lithuania[26]. Later, autonomy frequently resulted from agreements on self-determination, most of which were concluded during the Cold War in specific circumstances and locations, such as the Faroe Islands, South Tyrol, Belgium – Brussels region, Portugal, and others, as well as after the Cold War, as in the case of Moldova and others.

After the Cold War and the dissolution of the Warsaw Pact (non-democratic regimes), perceptions and applications of this form of power-sharing changed, particularly following the disintegration of complex federal states such as the USSR, Yugoslavia, and Czechoslovakia, as well as events in transitional countries in Central, Eastern, and Southeastern Europe and the Caucasus, where issues concerning the rights of national minorities emerged. These processes heralded a new chapter in addressing demands for self-determination and highlighted the use of power-sharing within states through autonomy[27]. The primary emphasis was on preserving the territorial integrity and sovereignty of states while seeking accommodation of minority self-determination claims. Around 1991, the governments of European Community member states further promoted autonomy as a criterion for EU accession, using it as a means to address minority issues and ethnic conflicts in Central, Eastern, and Southeastern Europe.

Autonomy was also considered and applied in other contexts within developed European democracies, such as the United Kingdom, Belgium, Spain, and France, which attempted to resolve specific issues and conflicts in Corsica. As a model of internal self-determination, autonomy allows for the realization of certain rights and the creation of conditions that protect the distinctiveness and identity of the autonomous unit to ensure its survival. Autonomy also

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[23] Autonomy, self-governance and conflict resolution, innovative approaches to institutional design in divided societies, Marc Weller and Stefan Wolff, Rutledge, 2005, 1. Conceptual Introduction, defining autonomy.

[24] Ibid 18

[25] An international treaty between Lithuania and the countries of the Conference of Ambassadors (the United Kingdom, France, Italy, and Japan), signed in Paris on May 8, 1924.

[26] Self determination, and secession, in between the law, theory and practice, Springer, Natalija Shikova, 2023 Chapter 12, Tools and forms for realization of internal self determination: systems of power sharing. 12.3.1 autonomy as political tool.

[27] Ibid, 18

enables specific communities to establish their administration, manage local affairs, and pass laws according to the needs and interests of the community.

Autonomous administration usually involves the transfer of competencies from higher levels of government to the regional or local level, which typically include: language, education, public services, security, social services, land, planning, resources, utilities, and representation in local bodies. There may also be options for shared competencies with higher governmental levels, such as roads and other infrastructure, police, ports, resource exploitation, and so on.

Autonomy should be an element of a well-balanced constitutional and legal design that responds to the sense of regional self-governance and identity while maintaining and strengthening the interest of the autonomous entity in the success of the entire state. States, on the other hand, have the obligation, under international norms, to eliminate discrimination and ensure the preservation and protection of diversity[28]. They are expected to be sensitive to demands for autonomy and to allocate ethno-cultural specificities of certain regions within the state as a political entity. This is an area where equal treatment alone cannot meet the demands for equality, creating the need for special measures that help achieve substantive equality (Kymlika). Autonomy is thus seen as a means of state-building that is expected to address the needs and interests of minorities in multicultural societies.

## VI.    Conclusions

Conflicts related to self-determination remain among the most persistent and destabilizing challenges in contemporary international relations, particularly in pluralistic and post-conflict societies. The traditional, restrictive approach that treats secession as the primary or sole means of achieving self-determination has often proven insufficient and, in many cases, counterproductive, as it reinforces divisions and prolongs violence rather than contributing to sustainable peace. As historical and contemporary examples show, conflicts related to self-determination rarely resolve spontaneously and most often evolve into prolonged forms of violence, including internal armed conflicts, terrorism, and territorial control by non-state armed actors. In this context, mechanisms for power-sharing among communities within state boundaries, as well as institutional arrangements that ensure meaningful participation of communities in governance, emerge as sustainable and increasingly necessary responses in multicultural societies and in addressing ethnopolitical problems. Complex systems of managing power-sharing through the devolution of competencies, such as federal administrations, autonomy, and similar arrangements, offer practical possibilities for accommodating opposing interests while preserving the territorial integrity and political stability of the state. These mechanisms enable significant participation of diverse communities in governance, promote equality, and foster cooperation, thereby addressing both political and identity-based demands. Contemporary international legal and political thought increasingly recognizes these models as innovative forms capable of responding to internal self-determination claims. They serve not only as instruments for conflict resolution but also as preventive mechanisms against the escalation of ethnopolitical disputes. However, the right of minorities to participate cannot be interpreted as a basis for activities that would threaten the constitutional or territorial integrity of states, which would be contrary to the purposes and principles of the United Nations, the OSCE, or the Council of Europe[29]. This underscores the inviolability of state territorial integrity—a criterion recognized in numerous international

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[28] Ibid, 21

[29] Provided for in their documents, namely: paragraph 37 of the Copenhagen Document, Article 8(4) of the UN Declaration on Minorities, and the Preamble of the Council of Europe's Framework Convention.

documents—while implying that self-determination should be realized within the existing state borders

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