

The status of de facto states and the conditions that allow them to thrive

For Kurdish homeland The Parliament of Iraq's autonomous Kurdistan region approved a plan recently to hold a referendum on independence on September 25, ignoring opposition from Baghdad as well as Western concerns. Picture shows Syrian Kurds taking part in a rally in support of the referendum. | Photo Credit: [AFP](#)

On September 25, a referendum for independence was held by the autonomous Kurdistan Regional Government in the northern areas of Iraq. The government claimed that 93% of those who voted supported independence. Predictably, the Iraqi government in Baghdad rejected these results. On Monday, Iraq's Supreme Federal Court ruled that no region or province can secede from the country.

Adrian Florea's paper, "Defacto States: Survival and Disappearance (1945-2011)", published in the *International Studies Quarterly* in March, seeks to study these kinds of "de facto states" — separatist territories that are administered autonomously and are recognised as part of sovereign nation states. Other examples include the rule of a portion of northern Sri Lanka by the Liberation Tigers of the Tamil Eelam from the 1980s to the late 2000s, and present day de facto states such as Gaza (ruled by the Hamas) and South Ossetia (Georgia), Somaliland and Puntland in Somalia besides formerly de facto states such as Eritrea, East Timor and South Sudan which later became de jure sovereign nation states.

The author tries to understand the conditions that led to the transition of de facto states to full statehood, or their forceful or peaceful reintegration into their de jure parent states from which they sought separation, or the prolonging of de facto status. The study reveals that the survival of de facto states is mainly linked to the following factors: external patronage, including military support; insurgent fragmentation; the extent of rebel governance; and the presence of government veto players in the parent state. External military help for rebels in the de facto state helps them stave off the threat from the Central government, but lowers the likelihood of peaceful reintegration or transition to statehood. This was clear in the case of the LTTE which managed to retain power for a significant period, but once substantive external help was cut off from the rebels, the territory the LTTE held was forcefully reintegrated within Sri Lanka. The more the rebels work out a state-like structure capable of providing strong alternative governance, the better their chances of recognition by the international community as a separate nation state over time. That said, if there are multiple rebel actors who disagree among themselves, the lesser such chances, as is seen in Palestine. Last, if there are multiple veto powers in the Central government, it reduces the possibility of a settlement with the rebels that could result in independence, the study finds.

The definition of harassment needs to be constantly updated, and the process for justice made more robust

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