Finally, it is necessary to refer briefly to cases where an entity cannot lay claim to any self-determination status, be it colonial, constitutional or remedial, but manages nevertheless to exhibit the criteria necessary for statehood (that is, territory, population and effective government).

Most cases of successful secession or dissolution have occurred with the consent of the relevant central authorities (United Arab Republic, Mali Federation, Malaysia-Singapore, Czechoslovakia, Yemen, Eritrea) or in the colonial context. There are hardly any examples of unilateral opposed secession that have remained effective over the long term. As noted above, the case of Bangladesh appears to be truly exceptional given the special role played by India. In that case, elements of state practice did initially reject the result, as evidenced in the records of the UN General Assembly, but this position was not maintained over time.

Moving on to contemporary practice, it is difficult to deny that Somaliland constitutes an effective entity. After well over a decade and a half of effective independence, it is tempting to argue that this entity should now enjoy at least pre-state rights. In other words, it should be protected by the doctrine of territorial integrity from forcible attempts at re-incorporation. However, that case is as yet unsettled and its status remains precarious until it is confirmed through an internationalised agreement or recognition. The hesitancy with which it has been addressed by the international community still confirms the cautious approach adopted in favour of the maintenance of the doctrine of territorial unity. Nevertheless, there is evidence of a gradual recognition of a distinct status of the people of Somaliland on the basis of prolonged separate and independent administration, and the first recognitions may soon be forthcoming.

Similarly, the outcome of the Kosovo issue is also still open, although only to a limited extent. As it becomes clear that Kosovo
cannot be forced back into Serbia, the number of state recognitions is set to rise further. Moreover, it is necessary to recall that Kosovo achieved *de facto* independence, but it did not do so in a strictly unilateral setting comparable to that of Somaliland. Instead, its position ripened during international administration under the ‘standards before status’ process. While there was ultimately no acceptance of the Ahtisaari package by either Belgrade or the Security Council, independence nevertheless took place under the constraints imposed by that package, and is now internationally supported. Kosovo is therefore, on the one hand, an effective entity, but its situation is unique inasmuch as it was generated through an internationalised process.

More generally, it is possible to analyse the situation of effective entities in two ways. The first is simply to point to the objective criteria of statehood. If an entity manages to exhibit a defined population and territory that is subjected to an effective government, and if the entity has also made manifest the will to be a state, then it is a state. That manifest will, exhibited in a declaration of independence or an independence constitution will need to be backed by an assessment of popular support through a referendum. Moreover, statehood must not be tainted by *jus cogens* violations.

Recognition is generally only seen as declaratory, that is to say, it reflects a status that already exists, rather than creating it. However, with respect to effective entities, declaratory recognition by other states is particularly important. For, until an entity has attracted such recognition, it is difficult to confirm whether it is sufficiently effective as to merit statehood. Somaliland offers a convenient example. Until it manages to garner at least some recognitions, it will remain unable to actualise any of the rights to which it lays claim.

Prolonged effectiveness, even in the absence of recognition, might also yield status in a second, slightly different category of cases. These are instances where a population makes manifest its desire to act together as an organised political community independent of others on a defined territory, but does not formally