

UA: UKRAINE ANALYTICA

Issue 1 (23), 2021

HUMANITARIAN UNITED STATES
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CRIMEA

- CRIMEAN PLATFORM
- TEMPORARY OCCUPATION
- INTERNATIONAL REACTION

Crimea

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Publisher:

Published by NGO "Promotion of Intercultural Cooperation" (Ukraine), Centre of International Studies (Ukraine), with the financial support of the Representation of the Friedrich Ebert Foundation in Ukraine, the Black Sea Trust.

UA: Ukraine Analytica is the first Ukrainian analytical journal in English on International Relations, Politics and Economics. The journal is aimed for experts, diplomats, academics, students interested in the international relations and Ukraine in particular.

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ISSN 2518-7481

500 copies

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THE CRIMEAN PLATFORM WILL BECOME A FOREIGN POLICY INSTRUMENT OF THE DE-OCCUPATION STRATEGY

Interview with the First Deputy Minister of Foreign Affairs of Ukraine Emine Dzhaparova

The Ministry of Foreign Affairs of Ukraine has initiated the creation of the Crimean Platform, an idea that has been actively negotiated with partners. What is behind this idea? What is the future outlook of this platform?

The idea to create the Crimean Platform came about in the process of addressing the consequences of Russia's temporary occupation of the peninsula. These consequences range from violations of human rights, in particular those of Ukrainians and Crimean Tatars, to mounting militarisation, from environmental degradation to the stifling of trade in the Black and Azov Sea region.

Until now, these problems have been addressed on an ad hoc basis. Sanctions were imposed in response to the so-called "elections" in Crimea, militarisation, and illegal detentions of Crimean Tatars and Ukrainians. The situation in Crimea is included in the agenda of international organisations, and relevant points have been included in adopted resolutions and documents.

However, there is a need to elaborate a long-term strategic vision of the de-occupation of Crimea, both at the national level and in the international arena.

We have started to revamp our approach to achieve the de-occupation of Crimea by peaceful means. The National Security

Council of Ukraine is working on a comprehensive de-occupation strategy. We are focusing on updating the Ukrainian legislation on sanctions, abolishing the infamous law on the Crimean "free economic zone", introducing a law on legal and social protection of persons illegally detained by Russia, ensuring the rights and providing for the needs of internally displaced persons.



there is a need to elaborate a long-term strategic vision of the de-occupation of Crimea, both at the national level and in the international arena

The Crimean Platform will become a foreign policy instrument of the de-occupation strategy. This flexible international format is aimed at consolidating international efforts and achieving synergy of intergovernmental, parliamentary, and expert levels.

The ultimate goal of the platform is eventual de-occupation of Crimea and its return to Ukraine by peaceful means.

On the way to this main goal, we will focus on the outstanding problems in five priority areas: consolidating the non-recognition policy; improving the effectiveness of sanctions and blocking ways of their circumvention; finding answers to security threats, including those to freedom of navigation; protecting the human rights and international humanitarian law; and overcoming negative consequences for the economy and environment.

At the same time, we are working with national stakeholders on the issues of domestic agenda that will form a solid basis for our foreign policy endeavours.



Our task is to bring international partners together to devise strategic responses to the challenges raised by the occupation of Crimea

The Crimean Platform is to be launched during a summit on 23 August 2021 in Kyiv. We expect our main international partners to participate in it at the highest political level. The president of Ukraine has invited over 100 foreign heads of state and government. We plan to adopt a final document to reiterate support to the territorial integrity of Ukraine within its internationally recognised borders, recognise threats emanating from the temporary occupation of Crimea and an overall aggressive policy of Russia in the region and beyond, outline international policy on Crimea, and formally establish the platform itself.

Ministers of foreign affairs will meet regularly, including at major international events in New York, Geneva, Vienna, etc. We also plan to establish an annual Security Forum for the Azov and Black Sea and the Eastern Mediterranean.

Members of the Ukrainian parliament will engage on Crimean issues within parliamentary assemblies of international organisations and the existing bilateral cooperation groups.

An international expert network will perform two important tasks: They will provide aggregated data, recommendations, and draft decisions for the political level of the platform and engage in expert diplomacy globally. I am glad that while the creation of the network is underway, the leading experts are already working on pilot projects. I am also happy to see UA: Ukraine Analytica already on board.

The Crimean Platform serves as an instrument to ensure synergy of actors from all these levels: governments, parliaments, and expert community. We believe that common endeavours will ensure long-term effectiveness of the non-recognition policy, consistency of the international community's response to the occupation, and the eventual return of Crimea to Ukraine.

Why should the world care about Crimea?

Our task is to reinstate the de-occupation of Crimea in the regional and global context.

First, it is in the interest of the international community to remedy the situation in order to restore the rules-based order and protect the international law.

Second, the temporary occupation of Crimea and the activities of the occupation authorities in and around the peninsula have already sent shockwaves to the entire region and beyond. One can talk for hours about the threats to the security and interests of states other than Ukraine.

There are purely military threats and justified nuclear non-proliferation concerns. There are threats to the freedom of

navigation. We will concentrate on these issues separately.

There are war crimes and serious violations of human rights committed in the temporarily occupied territory of Crimea. Russia demonstrates a total disregard for obligations and commitments under international humanitarian and human rights law.

Among environmental threats, we see potential nuclear and chemical hazard to the entire Black and Azov Seas.

These breaches and precedents arouse concern among the international community. Our task is to bring international partners together to devise strategic responses to the challenges raised by the occupation of Crimea. It is one of the purposes of the Crimean Platform to consolidate resources in this matter.

The activities of the expert community that have already started under the auspices of the Crimean Platform negotiation process are a good example. Such projects as the UA: Ukraine Analytica issue on Crimea and pilot projects researching the Russian military industrial complex in the peninsula serve the purpose of achieving a better common understanding by European and Euro-Atlantic partners of the mentioned threats. We bring up the information about Russia's activities in Crimea and the implications for international partners regularly in the framework of the UN, OSCE, and other organisations, at the meetings at the EU and NATO headquarters, and during our bilateral contacts.

These are the steps toward a better understanding of why anyone beside Ukraine should care about Crimea, and we see positive developments in this regard.

What diplomatic and legal instruments is Ukraine using to oppose the Russian occupation of the peninsula and to keep connection with Crimea?

We try to use each opportunity and mechanism at our disposal.

Substantially reinforced "Crimean" UN resolutions (on the human rights situation and the militarisation of Crimea and parts of the Azov and Black Seas) were adopted in the UN General Assembly last year. These resolutions reaffirm the status of the Ukrainian territories temporarily occupied by Russia, demand that the Russian Federation grant full and unrestricted access to Crimea for international monitoring missions, and call on the international community to enhance cooperation and pressure on the Russian Federation with regard to Crimea.


We ensured the item "Situation in the Temporarily Occupied Territories of Ukraine" remained on the agenda of the 75th UN GA session. Three reports of the UN secretary general on "The Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine" clearly state the responsibility of the Russian Federation for mass human rights violations on the occupied peninsula.

We use the format of international organisations and bilateral meetings to update the international partners on the situation in Crimea. As an example, we held the 8th round of consultations between the EU and Ukraine on the legal consequences of the temporary occupation of Crimea on 14 December 2020.

It certainly pays off: We have constant and consistent political support; dozens of states introduced restrictive measures

against Russia. In the framework of the Crimean Platform, we will consolidate the existing sanctions regime and enhance the monitoring of sanctions' implementation.

We use the mechanisms provided for by the international treaties to hold Russia accountable for its flagrant violations of and disregard for international law on the territory of Ukraine. The case in the International Court of Justice concerns Russia's violations of two international conventions regarding financing of terrorism and racial discrimination.



The geographical position of Crimea defines its strategic role for the Azov-Black Sea security. This is exactly why the Russian side is so determined to transform Crimea into its military outpost in the Black Sea

Our claims under the Racial Discrimination Convention speak for the human rights of the Ukrainian people in Crimea, in particular those of the Crimean Tatar and ethnic Ukrainian communities who have been targeted for mistreatment. The case seeks to defend the rights of people of both ethnicities, who have been subjected to disappearances, murder, torture, and harassment; it defends the right of the Crimean Tatars to their representative institutions; and it seeks to defend the rights of ethnic Ukrainians who have been denied the ability to preserve their cultural identity and to educate their children in their own language. In April 2017, the ICJ ordered Russia to lift the ban on the Crimean Tatar Mejlis and to ensure the availability of education in the Ukrainian language. Both Russia and Ukraine periodically report to the court on the implementation of this order.

A case in the Arbitral Tribunal concerns Ukraine's coastal state rights in the Black Sea, Sea of Azov, and Kerch Strait under the UN Convention on the Law of the Sea (UNCLOS). Ukraine asks the Arbitral Tribunal to stop violations of the UNCLOS by the Russian Federation and to reaffirm Ukraine's rights in the Black and Azov Seas and the Kerch Strait. It includes obliging the Russian Federation to respect Ukraine's sovereign rights in its waters, to stop stealing Ukrainian resources, and to pay compensation for the damage caused.

Another case in the Arbitral Tribunal concerns the immunity of three Ukrainian naval vessels and 24 crewmembers. The dispute alleges violations of absolute immunity of naval vessels and personnel on board envisaged by the UNCLOS, which means that foreign states cannot arrest, detain, and prosecute them. Ukraine asks the Arbitral Tribunal to declare that Russia has violated the UNCLOS as alleged by Ukraine, to order a cessation of its unlawful conduct and assurance of non-repetition of the immunity violations, and to oblige Russia to pay Ukraine approximately 8 million Euro in compensation. On 25 May 2019, the tribunal ordered Russia to immediately release the vessels and crewmembers. Following the release of the Ukrainian sailors and return of the vessels, the tribunal continues the consideration of the case.

The European Court of Human Rights in Strasbourg considers five interstate Ukraine v Russia cases. On 14 January 2021, the Grand Chamber of the court has ruled on the admissibility of interstate claims in Ukraine's case against the Russian Federation No. 20958/14 (concerning Crimea). The court decided that the events described in the application fall under the jurisdiction of the government of the Russian Federation and must be examined on the merits. The court thus reaffirmed its position on the application of the principle of effective control, repeatedly established in previous

individual and interstate cases. Now the European Court will proceed to considering the merits of the case.


How is Crimean militarisation connected with the security of the Black Sea region?

The geographical position of Crimea defines its strategic role for the Azov-Black Sea security. This is exactly why the Russian side is so determined to transform Crimea into its military outpost in the Black Sea. The ongoing militarisation of the occupied territory of Crimea complicates the security situation in the region and poses additional threats to Ukraine, other Black Sea coastal states, the EU, and NATO. The figures speak for themselves – compared to the pre-occupation period, the Russian Federation has nearly tripled the personnel strength of its military in Crimea, from 12,500 to over 32,500 persons. The number of Russian weapons and military equipment was significantly increased as well. In total, the naval component of the Russian Black Sea Fleet includes 58 ships and submarines, in particular 13 carries of “Kalibr” cruise missiles (with the range of up to 2,600 km in a nuclear version).

This drastic increase of the military presence in the Black Sea and the Sea of Azov leads to the disruption of international maritime trade to and from Ukrainian ports. In other words, we can say that the substantial aggravation of the security environment in the Azov-Black Sea region has undermined the basic principle of the freedom of navigation.

The ongoing occupation and militarisation of Ukraine’s territory erodes the existing legal mechanisms for regional security. Temporarily occupied territories had been turned into a grey zone inaccessible for verification and inspection activities under a number of international treaties and arms control regimes. Another dangerous

aspect of the militarisation includes Russian actions to prepare the Crimean military infrastructure for deployment of nuclear weapons, including refurbishment of the infrastructure of Soviet-era nuclear warheads storage facilities. It is an extremely concerning fact for the entire international community that the Russian Federation has already deployed potential carriers of nuclear weapons such as warships, missile systems, and combat aircrafts in Crimea.



we all should care about the respect of fundamental rights in the temporarily occupied Crimea, in particular as regards human rights. There are more than 100 political prisoners of the Kremlin there

We should not forget that the Azov-Black Sea security is an integral part of the broader security architecture in the Mediterranean region. Moscow uses the occupied Crimea as a forward base for a further extension of its aggressive foreign policy, in particular for expanding the Russian influence in Eastern Europe, the Balkans, Middle East, and Eastern Mediterranean.

What are the most pressing problems in Crimea that international institutions should care about?

First and foremost, we need to protect the world order based on the norms and principles of international law, including legal instruments designed after World War II to prevent future major international conflicts.

Second, we all should care about the respect of fundamental rights in the temporarily occupied Crimea, in particular as regards human rights. There are more than 100 political prisoners of the Kremlin there. They

suffer from torture and mistreatment, lack of medical aid. Many of them were sentenced to up to 18 years of imprisonment. The most recent example of persecutions on political and religious grounds were illegal searches and detentions conducted on 17 February 2021 by the Russian occupation authorities targeting Crimean activists. Illegal application of the Russian legislation in the temporarily occupied Crimea led to the detention of Ernest Ibrahimov, Timur Yalkabov, Lenur Seidametov, Azamat Eiupov, and Oleh Fedorov, accused of crimes they never committed and for which there is no evidence whatsoever. We deem that it is our joint obligation to counter severe human rights violations throughout the world and protect democratic values underlying our civilisation.

Emine Dzhaparova is a First Deputy Minister of Foreign Affairs of Ukraine. In 2016-2019, she served as a First Deputy Minister of Information Policy of Ukraine. After graduating from the Institute of International Affairs at Kyiv National University in 2006, she worked at the Ministry of Foreign Affairs. Since 2011 had worked as a journalist, starting from the Crimean-Tatar channel "ATR" and Zaman, and later joining Radio Free Europe. An active member of the Ukrainian Crimean-Tatar community.

THE HUMAN RIGHTS SITUATION IN THE TEMPORARILY OCCUPIED CRIMEA AND UKRAINE GOVERNMENT'S ACTIONS FOR SECURING TIES WITH UKRAINIAN CITIZENS RESIDING THERE

Dr. Anton Korynevych

*Permanent Representative of the President of Ukraine
in the Autonomous Republic of Crimea*

This article analyses two important issues: the human rights situation in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, and the actions of the Ukrainian government implemented to secure ties with citizens of Ukraine residing in Crimea. In the first part of the article, human rights violations committed by the Russian occupation authorities in the temporarily occupied Autonomous Republic of Crimea are examined. The second part of the article provides information on the actions of the Ukrainian government implemented in order to secure ties with citizens of Ukraine residing in the temporarily occupied Crimea and in order to assist Crimean IDPs.

The Human Rights Situation in the Temporarily Occupied Autonomous Republic of Crimea and the City of Sevastopol, Ukraine

Discussions on human rights violations in Crimea should start with mentioning systematic persecution of Crimean Tatars and pro-Ukrainian activists. Such persecution results in illegal detentions of Ukrainian citizens for expressing their pro-Ukrainian position, and some of them become political prisoners on charges of

extremism, terrorism, etc. As of now, there are more than 100 Ukrainian citizens who are political prisoners detained by the occupying authorities¹. Most of them are Crimean Tatars. Server Mustafayev, Seyran Saliyev, Emir-Usein Kuku², Volodymyr Dudka, Oleksii Bessarabov³, and many other Ukrainian citizens are still kept in Russian jails for committing no crime.


Forced conscription to the armed forces of the occupying power is another grave violation of international humanitarian

1 Data of Ukrainian human rights NGOs, such as CrimeaSOS, Ukrainian Human Rights Group, etc.

2 *Crimean Tatar Rights Defender Sentenced*, Amnesty International, 11 December 2020 [<https://www.amnesty.org/download/Documents/EUR4634582020ENGLISH.pdf>].

3 *Олексій Бессарабов (Oleksii Bessarabov)*, "CrimeaSOS", 28 January 2021 [<https://krymsos.com/news/oleksii-bessarabov/>].

law by the Russian occupation authorities in Crimea. This forced conscription started in the spring of 2015, and up to now, more than 28,000 Ukrainian citizens from the temporarily occupied Crimea have been forcibly conscripted to serve in the Russian armed forces⁴. This has continued during the COVID-19 pandemic. Such forced conscription to the armed forces of the occupying power is considered a war crime in international humanitarian and international criminal law and is seen as one of the most systematic war crimes committed by the representatives of the Russian occupying authorities in the temporarily occupied Crimea⁵.



Forced conscription to the armed forces of the occupying power is another grave violation of international humanitarian law by the Russian occupation authorities in Crimea

Militarisation also affects education in the temporarily occupied Crimea. Children at school study the basics of military training within the framework of movement “Yunarmia”, Russian “Cossack” schools, and “Cossack” classes. Ukrainian Crimean children are taught how to fight⁶.

Education in the temporarily occupied Crimea has another problematic dimension –

erasure by the Russian occupying authorities of the Ukrainian and Crimean Tatar national identity, in particular by limiting education in the Crimean Tatar language and closing schools with Ukrainian as the language of education⁷.

Occupation authorities also systematically use the transfer of citizens of the Russian Federation to the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol. It is done with the specific intent to change the demographic map of Crimea. Such a conduct is a war crime under international law⁸. Together with the coming of the Russian citizens to the temporarily occupied Crimea, the Russian occupying authorities create such conditions for actively pro-Ukrainian Crimeans that they have to leave Crimea under the threat of persecution and illegal detention.

Forced Russian citizenship on the territory of the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol can be deemed to be a new form of hybrid warfare as it may be seen by the occupying power as an instrument that gives it specific rights in relation to Ukrainian citizens residing in Crimea.

The Ukrainian Orthodox Church (Orthodox Church of Ukraine) is one of the religious communities of Crimea that is in an extremely difficult situation. After the attempted occupation started, the Orthodox Church of Ukraine has appeared

4 *Infographics: Seven Years of the Military Aggression of Russia against Ukraine*, Ministry of Foreign Affairs of Ukraine [<https://mfa.gov.ua/news/7-rokiv-zbrojnoyi-agresiyi-rosiyi-proti-ukrayini-infografika>].

5 *United National General Assembly Resolution A/RES/75/29*, 14 December 2020 [<https://digitallibrary.un.org/record/3895282>].

6 H. Coynash, *Russian Defence Ministry Wants a Million Children in ‘Youth Army’ by 2020*, Kharkiv Human Rights Protection Group, 22 March 2019 [<http://khpg.org/en/1552597279>].

7 H. Coynash, *Russia Has Eliminated All Classes Taught in Ukrainian Since Its Annexation of Crimea*, Kharkiv Human Rights Protection Group, 27 March 2019 [<http://khpg.org/en/1553612958>].

8 *Rule 130. Transfer of Own Civilian Population into Occupied Territory*, Customary IHL, ICRC [https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule130].

outside the law from Russian point of view. Before the occupation, there were 49 parishes of the Crimean Diocese of the Ukrainian Orthodox Church – Kyiv Patriarchate (nowadays – the Orthodox Church of Ukraine), including 25 churches and 20 clergymen all over the peninsula, but now there are only several parishes and a few clergymen left there.


The worshipers and clergymen of the Crimean Diocese of the Orthodox Church of Ukraine (headed by Metropolitan Klyment) have been subject of harassment; the parish premises were taken over, and Sunday schools, established by the Crimean Diocese with education in the Ukrainian language, were closed down by the occupying authorities⁹. The ability of the diocese to use its main cathedral is limited, and the representatives of the so-called “self-defence” were stationed in the cathedral in order to secure the occupying power’s body, which is located in the cathedral together with the Ukrainian Church.

Other religious groups also face harassment and persecution in the temporarily occupied Crimea, in particular Jehovah’s Witnesses and some Muslim organisations.

Lawyers also face problems in the temporarily occupied Crimea, in particular lawyers who defend political prisoners in courts controlled by Russia. In many cases, lawyers are the only source of information about what is happening in Crimea. The

Russian occupying authorities want to block their ability to defend political prisoners in courts¹⁰.

Human rights activists, in particular members of the Crimean Solidarity group, are also subject of persecution. The coordinator of Crimean Solidarity, Server Mustafayev, is now in a Russian jail for committing no crime.



Occupation authorities also systematically use the transfer of citizens of the Russian Federation to the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol. It is done with the specific intent to change the demographic map of Crimea

Crimean Tatars, the indigenous people of Crimea and of Ukraine, face persecution by the Russian occupation authorities as they have a pro-Ukrainian position and are not loyal to the regime of the occupying power. The Mejlis of the Crimean Tatar People, the principal self-governing body of the Crimean Tatar people, is proclaimed an extremist organisation in the Russian Federation and its activity is deemed illegal¹¹. Despite the decision of the International Court of

9 *Statement by the Delegation of Ukraine to the OSCE on Russia’s Attack on the Freedom of Religion and Belief in the Temporarily Occupied Territories of Ukraine, Ministry of Foreign Affairs of Ukraine, 28 February 2019* [<https://mfa.gov.ua/en/news/70849-zajava-delegaciji-ukrajini-v-obse-shhodo-napadu-rosiji-na-svobodu-religij-ta-virosvidannya-na-timchasovo-okupovanih-teritorijah-ukrajini-movoju-originalu>].

10 For example, see Clause 104, *Report on the Human Rights Situation in Ukraine 16 November 2018 to 15 February 2019, A/HRC/40/CRP.3*, Human Rights Council, United Nations, 21 March 2019 [https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session36/Documents/A_HRC_36_CRP.3_E.docx].

11 *Crimean Tatar Elected Body Banned in Russia*, “Human Rights Watch”, 29 September 2016 [<https://www.hrw.org/news/2016/09/29/crimean-tatar-elected-body-banned-russia>].

Justice¹², the situation on the ground has not changed.

All in all, Crimea now is a “grey zone,” where human rights and rules of international humanitarian law are systematically violated by the representatives of the Russian occupying authorities. Anybody can face charges of extremism or terrorism without committing any offence. Thus, the right to a fair trial is not secure in the temporarily occupied Crimea.

Ukrainian Government’s Actions to Secure Ties with the Citizens of Ukraine Residing in the Temporarily Occupied Crimea and to Provide Necessary Services for IDPs from Crimea

As the result of the temporary occupation of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine is faced with the task of providing the necessary humanitarian and administrative assistance to its citizens residing in the temporarily occupied Crimea. Since the beginning of the occupation, Ukraine has continued to implement its positive obligations to the residents of the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol in all areas of public life.

Ukraine provides an unhindered access for residents of the temporarily occupied Crimea to administrative services by creating a wide network of administrative centres throughout the territory controlled by the government of Ukraine. The largest number of requests for administrative services is in Kherson region. According to the Ukrainian

legislation in force, citizens of Ukraine with the place of registration in the Autonomous Republic of Crimea or the city of Sevastopol receive ID cards under the same procedure as the residents of other regions of Ukraine.

All state healthcare institutions in all regions of Ukraine provide qualified aid in hospitalisation, medical registration, preventive medical examinations, and vaccinations. Medicines, including insulin, sponsored by the state budget are available for the internally displaced people (IDPs) on preferential terms.

Ukraine guarantees access of the residents of Crimea to education programmes at all levels, both on general grounds and in a special educational programme, “Crimea – Ukraine”. In 2020, the president of Ukraine initiated a law, adopted by the parliament¹³, allowing children from the temporarily occupied Crimea to enrol in universities located on the territory controlled by the government of Ukraine without exams. About 400 Crimean residents entered Ukrainian universities in 2020.

Also due to the regulation adopted in 2020 by the National Bank of Ukraine, residents of the temporarily occupied Crimea can use banking services in Ukrainian banks. These services have been unavailable to the residents of Crimea since the Russian occupation started in 2014.

The issues of temporary housing for IDPs and their social needs will remain a priority for Ukraine until the Crimean Peninsula becomes de-occupied. Today, Ukraine is considering building accommodation for

12 The Court finds that Russia must refrain from imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis, and ensure the availability of education in the Ukrainian language, International Court of Justice, Press Release, No. 2017/15, 19 April 2017 [<https://www.icj-cij.org/public/files/case-related/166/19412.pdf>].

13 *Рада ухвалила закон про вступ до українських вишів дітей із Криму та ОРДЛО (Rada Adopted Law on Admission of Children from Crimea and Donetsk-Luhansk Territories to Ukrainian Universities)*, “DW”, 03 July 2020 [<https://p.dw.com/p/3ekAf>].


IDPs from Crimea with the support of Turkey. The official number of IDPs from the Autonomous Republic of Crimea and the city of Sevastopol is about 48,000 people¹⁴. However, this number may be much higher if we take into account also persons who moved from Crimea since 2014 and did not receive the official IDP status.

On the occasion of the Independence Day of Ukraine on 24 August 2020, the president of Ukraine gave state awards to many Crimeans, both IDPs and those who reside in the temporarily occupied Crimea. In particular, Metropolitan Klyment was granted the Order of Merit, 2nd grade, while Server Mustafayev (coordinator of the Crimean Solidarity movement, now illegally detained in Russia), Nariman Dzhelyalov (deputy head of the Mejlis), Alim Aliev (deputy director of the Ukrainian Institute), and Anife Kurtseitova (manager of educational and cultural centre “Crimean Family”) were granted the Order of Merit, 3rd grade. For the president of Ukraine, it is very important to recognise the results of the work of Crimeans.

In November–December 2019, border crossing facilities at the temporary administrative boundary line with the temporarily occupied Autonomous Republic of Crimea were improved significantly. The construction of regime zones and service zones at the checkpoints Kalanchak and Chonhar were completed. Now, the regime zones are equipped with all the necessary elements, such as good quality road pavement, premises for border guard officers, passport control devices, lighting, sanitary and hygienic conditions. In December 2019, large service zones to provide administrative and transport services were constructed near the abovementioned checkpoints. Now Crimeans can receive Ukrainian administrative services directly

at the administrative boundary line. At the Chonhar checkpoint, a modern hub with large number of services will also soon be built.

All in all, Ukraine works to secure ties with its citizens residing in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol and to make them feel at home in Ukraine.



Ukraine provides an unhindered access for residents of the temporarily occupied Crimea to administrative services by creating a wide network of administrative centres throughout the territory controlled by the government of Ukraine

On 26 February 2020, President of Ukraine Volodymyr Zelenskyy signed a decree on the establishment of the Day of the Resistance to the Occupation of the Autonomous Republic of Crimea and the City of Sevastopol, which will be observed from now on. 26 February 2014 was the day of the biggest pro-Ukrainian rally in Simferopol near the Supreme Council of the Autonomous Republic of Crimea led by Crimean Tatars and pro-Ukrainian activists. Moreover, on 26 February 2021, President Zelenskyy signed the Decree 78/2021, “On certain measures, aimed at de-occupation and reintegration of the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol”. This decree established the organising committee of the inauguration summit of the Crimean Platform. Also, this decree contains tasks for the National Defence

14 Data of the Ministry of Social Policy of Ukraine provided in letters addressed to the Mission of the President of Ukraine in the Autonomous Republic of Crimea.

and Security Council of Ukraine to develop a strategy of de-occupation and reintegration of the temporarily occupied territories of the Autonomous Republic of Crimea and the city of Sevastopol and for the cabinet of ministers of Ukraine to develop the 2022–2032 strategy of the development of the Crimean Tatar language and to adopt the Crimean Tatar Latin-based alphabet. Ukraine is ready to work hard on the path to de-occupation and reintegration of the Autonomous Republic of Crimea and the city of Sevastopol and citizens residing there. We will never forget them and their resistance to the occupation.

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SHOULD WE FEEL LONELY? ASSESSING INTERNATIONAL SUPPORT OF UKRAINE REGARDING CRIMEA

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The annexation of Crimea is and will remain one of the main issues on Ukraine's foreign policy agenda. Every year, the matter gains international attention when the UN General Assembly adopts a resolution supporting Ukraine's territorial integrity. As the time goes by, some countries shift their position, seeking to find a balance between their relations with Ukraine (or even the West) and Russia. In this paper, we explore voting trends on UN resolutions regarding Crimea and regional allocation of support. We analyse the rhetoric of the leadership of 12 G20 countries, investigating arguments justifying their votes. We then make recommendations on where Ukraine could seek support.

Introduction

In February 2014, the Russian army in unmarked uniforms began the occupation of the Crimean Peninsula. In less than a month, on 18 March, after an illegal referendum that allegedly showed that the peninsula population favours "reunification" with Russia, the Kremlin formally proclaimed the annexation of Crimea. These events shocked the world, and Ukraine was successfully able to gain wide diplomatic support. This was reflected in the votes of the United Nations General Assembly resolution 68/262 "Territorial Integrity of Ukraine", passed on 27 March. The resolution affirmed the commitment to the territorial integrity of Ukraine within its internationally recognised borders, declared the Crimean "referendum" illegal, and condemned Russia's illegal annexation of the peninsula. The resolution was supported by 100 nations, with only 11

countries voting against (the remaining 82 countries abstained or did not vote).

Although the focus of international Ukrainian agenda shifted somewhat to the invasion of Donbas and the Minsk process that followed, Ukraine has carried on with its diplomatic work on Crimea. Every year since 2016, our delegation to the United Nations, backed by Western allies acting as co-sponsors, puts forward the resolutions on the "Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine", which have been successfully adopted in the last five years. After Russia's attack in the Kerch Strait in 2018, Ukraine additionally brought up the issue of the militarisation of Crimea and the surrounding seas in the General Assembly, initiating three resolutions on the "Problem of the Militarisation of the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine, as well as

Parts of the Black Sea and the Sea of Azov”, adopted in 2018, 2019, and 2020. The latter have a slightly different emphasis compared to the resolutions on human rights, but both serve as useful indicators for measuring the support of Ukraine’s position on Crimea in the world.



Every year since 2016, our delegation to the United Nations, backed by Western allies acting as co-sponsors, puts forward the resolutions on the “Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine”, which have been successfully adopted in the last five years

As the first summit of the newly inaugurated Crimean Platform¹ initiated by Ukraine is approaching, the positions on the issue expressed by some states through voting on “Crimean resolutions” and official statements of their high-level government officials deserve a closer look. While obviously not painting the full picture of the countries’ stance, they still send a crucial message from the diplomatic perspective, allowing not only to understand better where we stand, but also to identify where we should put our attention in terms of securing support for efforts to restore Ukraine’s territorial integrity.

Research Design

To measure diplomatic support of or opposition to Ukraine’s position on Crimea, we used two sets of evidence. First, we collected the voting results for the abovementioned 2014-2019 resolutions of the UN General Assembly from its official website and compiled them into one spreadsheet². The details of the voting for two 2020 resolutions have not been published yet, but the Permanent Representative of Ukraine to the UN, Sergiy Kyslytsya, re-tweeted the results for one of them.³ We analysed the voting results concerning any observable trends/changes of support and explored their regional dimensions.

Next, we studied the rhetoric on the Crimea issue. For the purposes of this research, we limited ourselves to the G20 nations. The positions of eight of them (Russia, the EU and EU countries, USA, and Canada) are explicit and have not changed since 2014; therefore, they were excluded from this analysis. For the other 12 nations, we collected statements of high-level officials that had mentions of Crimea. To do so, we searched for “Crimea” on the websites of their ministries of foreign affairs (both through the search on their website directly and through Google search engine). To ensure that all relevant information was collected, we compiled a list with the names of the presidents, prime ministers, and ministers for foreign affairs of these countries and additionally searched on Google for their statements on Crimea. If the

- 1 According to the Ministry of Foreign Affairs, “The Crimean Platform is a new consultative and coordination format initiated by Ukraine to increase the effectiveness of the international response to the ongoing occupation of Crimea, respond to growing security challenges, strengthen international pressure on the Kremlin, prevent further human rights violations, protect victims of the occupation regime. The Platform’s key objective is de-occupation of Crimea and its return to Ukraine”. See *Dmytro Kuleba Informs OSCE Participating States about Five Priorities of the Crimean Platform*, Ministry of Foreign Affairs of Ukraine, 03 December 2020 [<https://mfa.gov.ua/en/news/dmytro-kuleba-informs-osce-participating-states-about-five-priorities-crimean-platform> access: 19 February 2021].
- 2 *A Database with Voting Results for Crimea Resolutions at the UN*, February 2021 [shorturl.at/vxB08 access: 26 February 2021].
- 3 EU at UN-NY, #UNGA passes recurring Res on demilitarization of #Crimea, Twitter, 07 December 2020 [<https://twitter.com/EUatUN/status/1336013730191183872/photo/1> access: 26 February 2021].

statement was found in the media or a policy paper, we specifically tried to locate it in any official sources mentioned above to verify its authenticity. Out of all the statements collected, we were unable to track down only one – by Xi Jinping, but it was published in China Daily, an English-language daily newspaper owned by the Chinese Communist Party. Given its affiliation, for the purposes of this article, we treated China Daily as equivalent to an official source.

Additionally, we looked into the language expressed on the floor of the UN General Assembly prior to and after the votes. We analysed the arguments presented by the representatives of 12 of the G20 countries selected for this research.

General Patterns of UN Voting on Crimean Resolutions

International support of Ukraine, expressed through positive vote on the UN resolutions on Crimea, was highest in 2014. One hundred countries (60%) supported the document that affirmed Ukraine's sovereignty and territorial integrity and condemned the "referendum" in Crimea as illegitimate. Eighty-two abstained or were absent and only 11 voted "No". Two years later, in 2016, the situation changed drastically. The number of countries supporting the resolution fell to 70, below the number of opposing (which more than doubled) or abstaining countries combined. This downward trend has never reversed. The number of "Yes" votes dropped even further, from 70 in 2016 to 63 in 2020. More countries chose a neutral position, and since 2016, the majority of votes were cast as "Abstain" or were not cast at all (113 such votes for the 2020 resolution on militarisation of Crimea). The relatively good news is that this downward trend is moderate, and after Russia's attack in the Kerch Strait, the number of countries opposing the resolutions fell (from 27 against the human rights resolution in 2018 to 23 against the same resolution in 2019 and 17 against the militarisation resolution in 2020).

An analysis of votes of 12 G20 countries selected for this paper shows a similar trend. Support for the Crimea resolution was highest in 2014, when seven countries voted favourably and none opposed. However, this support has also been quickly lost. Only three of the 12 countries steadily vote "Yes" (Australia, Japan, and Turkey), while the others oscillate between opposing and more neutral, "Abstain", votes. China has the biggest number of the "No" votes – for all resolutions but one (on militarisation in 2018). With every new resolution, more and more countries in this selection lean toward abstaining votes.

Overall, there is hardly any risk for the resolutions not to be passed in the near future. The analysis of the voting results shows that Ukraine still has a strong support. Fifty-three countries have voted favourably for all resolutions adopted so far. This group consists mostly, but not exclusively, of the "collective West" and includes nine G20 countries. At the same time, only 10 countries consistently oppose all the resolutions – Russia, Armenia, Belarus, Cuba, DPRK, Nicaragua, Sudan, Syria, Venezuela, and Zimbabwe. Four more countries have voted against all resolutions but the 2014 one, and China has voted against all resolutions but two.

Some trends are concerning and require additional attention to preserve or regain the support. On the one hand, 52 countries, including Argentina, Brazil, Kenya, Pakistan, and Vietnam, have opted for not being "dragged into the conflict" and took a neutral position from the very beginning. On the other hand, as many as 74 countries have changed their positions over the past seven years. Unfortunately, Ukraine has lost the support of 40 of these countries, including such influential nations as Chile, Indonesia, Mexico, South Korea, and Saudi Arabia. Even among those 40 countries, some tend to change votes frequently. Five countries have switched their positions back and forth

between “Yes” and “Abstain”, while five others moved from “Yes” to “Abstain” after 2014, and three countries have changed their positions several times, utilising all three possible voting options at different times.

The already existing success stories add more optimism to this endeavour. Ukraine has been able to regain the support of seven countries that had previously switched away from “Yes” to “Abstain”. Botswana and Zambia supported the resolutions the last time they voted, even though in 2014 they abstained. Finally, nine countries moved from a strong opposition (a “No” vote) into a more neutral stance and abstained during the last recorded voting.



Europe accounts for a large part of the support Ukraine has received for the Crimean resolutions in the last few years. In 2020, 38 out of the 63 “Yes” votes came from European countries

While individual votes show many interesting patterns of support and/or shift in positions, they are even more informative when analysed through the regional lens. The regional belonging of a country provides important insights that could be utilised by the policymakers. The next section of this paper explores this in depth.

Zooming into the Regions

There is always a regional dimension to foreign policy. It is reflected both in the expressions describing the country’s foreign policy (i.e., “US-Asia policy”, “Russian policy in the Near Abroad”, “Ukraine’s European policy”) and in the structure of the ministries

for foreign affairs, which include “regional” units. Therefore, a regional dimension of the support augments the recommended course of action with an important layer.

Europe accounts for a large part of the support Ukraine has received for the Crimean resolutions in the last few years. In 2020, 38 out of the 63 “Yes” votes came from European countries. Although the region expresses almost unanimous support, there are two outliers – Bosnia and Herzegovina consistently abstains, and Serbia opposes. Given their close relationship with Russia, the reluctance to support “anti-Russian” resolutions is understandable. However, Ukraine can and should work on switching Serbia’s vote to, at least, “Abstain”. A smart move in this case would be to approach it indirectly, through the European Union, as Belgrade is eager to join the bloc and the EU-27 are keen on speaking with one voice on international matters.

The situation is not favourable for Ukraine in the **post-Soviet** space. Two satellites of Russia, Belarus and Armenia, oppose the resolutions, while Georgia and Moldova, which share with Ukraine the same problem of occupied territories, support them. No Central Asian country has ever voted in favour of the resolution, but a positive trend can be found in that only Kyrgyzstan voted against last year, while previously all of them, except for Turkmenistan, did so. Thus, Ukraine’s efforts should be directed to preserving their neutrality. One important failure, which should be recognised in this regard, is the lost support of Azerbaijan. In 2014, this country condemned the annexation, treating it as analogous to Nagorno-Karabakh, which Azerbaijan claimed was occupied by Armenia. However, Azerbaijan is also trying to balance between the West (which in this case implies support for Ukraine) and Russia, whose support it wants to gain.⁴

4 A. Valiyev, *Azerbaijan’s Balancing Act in the Ukraine Crisis*, “Ponars Eurasia - Policy Memos”, September 2014.

Latin American countries mostly (23 out of 33) abstained or were absent during voting for the resolution in 2020. Ukraine managed to gain support of seven of them and should concentrate on maintaining this, as some countries, for example, Honduras, have abstained in the past. Hardly anything can be done about Cuba, Nicaragua, and Venezuela, which will continue to support Russia. Bolivia's position has shifted. In 2019, it abstained for the first time after consistently voting against, which may be credited more to the ousting of Evo Morales than to Ukraine's diplomatic efforts. Nevertheless, there are many countries that deserve Kyiv's attention, as they have voted "Yes" for the resolutions in the past. Support of four of them (Antigua and Barbuda, El Salvador, Haiti, Saint Kitts and Nevis) may be easier to regain, as there have been instances of their positive votes for the resolution after 2014. Six more countries supported the resolution only in 2014; thus, these might be more difficult to work with. This group, however, includes such influential countries as Chile, Colombia, and Mexico; therefore, it may still be worth the effort.



Asia may be regarded as the least favourable region for Ukraine. Although the majority of Asian countries abstained in 2020, it is the only region where more countries choose "No" over "Yes"

The Middle East also turns out to be a neutral region, with 10 out of 14 countries abstaining. Turkey and Israel – historically close allies to the West – support Ukraine, while Russia's close partners Iran and Syria oppose the resolution. There have been instances when Yemen, Saudi Arabia, and Qatar voted "Yes" after 2014; therefore, they should be the primary targets for Ukrainian diplomacy. Bahrain, Jordan, and Kuwait have

been less supportive after 2014 (switching from "Yes" to "Abstain") but are also worth keeping in focus as they voted favourably in the past and so there is a chance they might switch their position again.

Asia may be regarded as the least favourable region for Ukraine. Although the majority of Asian countries abstained in 2020, it is the only region where more countries choose "No" over "Yes". The former include communist states (China, Laos, and DPRK) or authoritarian regimes (Cambodia, Myanmar). Japan, Singapore, and Maldives supported Ukraine in 2020, but the latter two used to abstain in the past. The only clear candidate for more diplomatic engagement on the matter is Bhutan – it consistently supports the resolution on the human rights in Crimea, but abstains during the voting on the militarisation of the peninsula and surrounding maritime areas. A similar situation is with Laos, as it is against the militarisation resolution, while abstaining during the voting on the human rights one. India, on the contrary, abstains on the militarisation resolution, but votes against the human rights one. A closer look into India's statement, presented in the next section, shows some reasoning behind this interesting tendency. Indonesia, Malaysia, Korea, and Thailand supported the 2014 resolution, but since then have remained neutral. Probably the biggest success in this region is that the Philippines switched their vote from "No" to "Abstain". It suggests that the same result can be achieved with Myanmar, as it has already abstained in the past. China's position can hardly be changed – it abstained during the climaxes of the crisis (2014, militarisation resolution in 2018), but then has consistently voted "No".

Oceania, on the contrary, is the most favourable region for Ukraine. No country there has ever voted against the resolutions, and in 2020, six out of 14 countries supported it. Although Oceanic countries

rarely figure prominently in Ukraine's foreign policy considerations, five countries (Vanuatu, Solomon Islands, Samoa, Palau, and Kiribati) may still be worth looking at, as they have supported the resolution in the past.

Finally, Ukraine has clearly underperformed in **Africa**, given the positive image of our country there.⁵ In 2020, Botswana and Liberia supported the resolution, Sudan and Zimbabwe opposed it, while the rest (50 countries) abstained or did not vote. First of all, we should work with the five countries that have changed their position from “No” to “Abstain” to make sure that this trend is not reversed – Angola, Chad, Comoros, Guinea, and South Africa. It is important to also pay attention to countries that vote neutrally on the militarisation resolutions but against the human rights resolutions. It would be important to understand the reasoning behind it, which is likely based on the language referring to human rights and not directly because of their strong position on Crimea. Ukraine should not lose its focus on these countries, taking into account Russia's recent efforts to elevate its cooperation with African states. Zambia, Tunisia, Sierra Leone, Seychelles, and Djibouti also deserve Kyiv's attention, as there have been instances when they voted “Yes” for the resolutions after 2014 and thus may change their position once again. Fourteen countries supported Ukraine's territorial integrity in 2014 but have been abstaining since then, with Nigeria, Cameroon, Madagascar, and Libya among them.

The regional perspective has allowed us to look beyond some common-sense assumptions. To make a few generalisations, Europe and Oceania (North America as

well, but we did not look into this region specifically, as its support has been stably present) are the most supportive regions, while Asia and the post-Soviet space are the least supportive ones. Latin America, Africa, and the Middle East remain neutral (which deserves specific attention on how to preserve that). The next section will dive deeper into the arguments provided by some of the countries representing these regions for support of or opposition to the resolution.

What Do the Big Players Say?

The primary purpose of diplomatic statements is to be known to the world. Thus, while we understand that some statements could have slipped our attention, our search was diligent enough to justify our claim that the salience of the Crimea issue is extremely low for those countries whose statements are not easily found.

Out of 12 countries chosen for this analysis, we have not been able to locate any statements on Crimea for four of them. It shows their reluctance to be actively involved in the standoff between Ukraine and Russia, although their voting reveals more nuances to their positions. Only **Brazil** consistently abstained in the General Assembly votes, while **South Korea** and **Saudi Arabia** supported the resolution initially and shifted to “Abstain” only later (the former in 2016, the latter in 2017). **South Africa**, like Brazil, abstained at the heyday of the conflict in 2014, but afterwards took a more negative stance by voting “No”. This changed again after Russia's attack in the Kerch Strait. Since then, the African member of BRICS abstains. Moreover, they have not spoken on the UN General Assembly floor on the matter. The only comment was in 2014,

5 Чому Африка може навчити Україну - інтерв'ю з експертом (What Africa Can Teach Ukraine – Interview with an Expert), “24 TV”, 11 January 2021 [https://novyny.24tv.ua/chomu-mozhe-navchiti-afrika-ukrayinu-intervyu-ekspertom-mizhnarodnikom_n1505509 access: 14 February 2021].

when Brazil's representative expressed concern about the situation but stressed the importance of stakeholders exercising maximum restraint.⁶

One more country that wants to preserve its neutrality is **Mexico**. It has abstained ever since 2016, despite having supported the original 2014 resolution. The only official statement identified was made by Deputy Minister for Foreign Affairs Carlos de Icaza Gonzalez in 2015, who reiterated that Mexico condemns the violation of the United Nations Charter, but did not go further to discuss Russia's responsibility for the Crimea annexation.⁷

Indonesia voted the same way as Mexico, supporting the first resolution but abstaining from the following ones. The language used in the 2014 statement⁸ is ambiguous. On the one hand, the country clearly condemns the annexation of Crimea and supports Ukraine's sovereignty and territorial integrity. On the other hand, the protests in Ukraine that preceded the annexation are referred to as an "upheaval" and the emphasis is made on the importance of a "constitutional" shift of power as opposed to "illegitimate" demonstrations. Also, the confrontation with Russia, according to the statement, is hurting the entire world, involving other countries such as the US and leading to

destabilisation. A similar argument was reiterated in a speech by Indonesia's representative during the UN General Assembly vote.⁹ This language may partially explain the tendency to abstain but also, since the statement is clearly emphasising that the events in Ukraine are not directly affecting Indonesia in any way, may signify that this position may not be easily shifted (hopefully, in either direction).

Argentina has abstained from the very beginning, noting that the resolutions divide the world into spheres of influence, making nations choose sides instead of focusing on conflict prevention.¹⁰ In almost all available statements (we used two statements released in 2014 and one from 2017), Argentina's officials explicitly express support for Ukraine's territorial integrity and outline the importance of protecting human rights. At the same time, they accuse the West of "double standards", drawing analogies to the referendum in an "occupation" of the Falkland Islands.¹¹ The same language is used in Argentina's representative's speech at the UN General Assembly, who also stated that the resolution was taking sides in the conflict, isolating one party and imposing unilateral economic sanctions, undermining the opportunities for dialogue.¹² The 2017 statement is quite different from the two published in 2014. It is more oriented toward conflict prevention,

6 *Official Records of the 73rd Plenary Meeting of the General Assembly Seventy-Second Session*, UN, 19 December 2017 [<https://undocs.org/en/A/72/PV.73> access: 20 February 2021].

7 *México en el mundo. Temas estratégicos del senado. Tomo 5 (Mexico in the World. Strategic Topics of the Senate. Volume 5)*, Senate of Mexico, 16-19 February 2015 [www.senado.gob.mx access: 20 February 2021].

8 *Indonesia Respects Ukraine's Sovereignty: Marty*, Indonesian Embassy, 20 March 2014 [indonesianembassy.hu access: 20 February 2021].

9 *Official Records of the 41st Plenary Meeting of the General Assembly Seventy-Fourth Session*, UN, 09 December 2019 [<https://undocs.org/en/A/74/PV.41> access: 20 February 2021].

10 H. Timerman, *Argentina, Ucrania y el doble estándar (Argentina, Ukraine, and the Double Standard)*, "Pagina12", 30 March 2014 [www.pagina12.com.ar access: 20 February 2021].

11 *El Presidente Putin llamó a la Presidenta Cristina Fernández de Kirchner (President Putin Called President Cristina Fernandez de Kirchner)*, Ministry of Foreign Affairs, International Commerce and Worship of Argentina [cancilleria.gob.ar access: 20 February 2021].

12 UN, n.6.

the importance of human rights, and protection of minorities. Interestingly, the double standards rhetoric is also absent, while the statement still places emphasis on the legal side of the issue.¹³ It did not, however, reflect any changes in Argentina's position, which balances between the US and Russia. Thus, its neutrality may be considered as a good enough trend.

Three G20 members that belong to the "collective West" expectedly provide consistent support for Ukraine's position. They are also quite vocal in expressing their positions on protection of Ukraine's territorial integrity. The **Australian** government was swift to announce in 2014 that it would join the sanctions regime and has expanded it after that.¹⁴ It has also used the floor of the UN Security Council to strongly condemn Russian actions and support Ukraine's sovereignty over Crimea.¹⁵ We found a comparatively large number of statements¹⁶ that contain similar and quite harsh language, signifying the strength of support.

Turkey also declared from the beginning that it supported the territorial integrity of Ukraine and would not recognise the illegal annexation of Crimea.¹⁷ Its representative was very vocal during the discussion of the first resolution (in 2014) at the UN General Assembly.¹⁸ In 2019¹⁹ and 2020²⁰, the Turkish Ministry of Foreign Affairs released statements on the anniversary on the so-called "referendum" in Crimea, reinstating its support for Ukraine's position and emphasising the importance of the Crimean Tatars' wellbeing and security. The frequency of Turkey's statements on Ukraine and their clear and harsh language signify its continuing support of Ukraine's position.

Although **Japan's** sanctions are rather symbolic, the country offers strong diplomatic support to Ukraine, including co-sponsoring of the resolutions. It declared the "referendum" illegal as soon as it was announced,²¹ did not recognise its results afterwards, and explicitly called for Russia not to attempt annexation.²² Although Japanese officials did not mention Crimea

13 *Explicación de Voto luego del voto de la resolución sobre "Situación de los Derechos Humanos en la República Autónoma de Crimea y la Ciudad de Sebastopol (Ucrania)" (Explanation of the Vote after the Vote on the Resolution on the "Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine")*, Permanent Representation of Argentina at the United Nations, 14 November 2017 [cancilleria.gob.ar access: 20 February 2021].

14 *Expanded Sanctions against Russia Come into Force*, Department of Foreign Affairs and Trade, 31 March 2015 [www.dfat.gov.au access: 20 February 2021].

15 *The Situation in Ukraine*, Department of Foreign Affairs and Trade, 18 June 2015 [www.dfat.gov.au access: 20 February 2021].

16 We have identified six such statements made in 2014-2015.

17 *The Crisis in the East of Ukraine Can Be Permanently Resolved Only through Peaceful Methods*, Presidency of the Republic of Turkey, 20 March 2015 [tcgb.gov.tr access: 20 February 2021].

18 UN, n.6.

19 *Press Release Regarding the Fifth Anniversary of the Illegal Annexation of Crimea*, Republic of Turkey Ministry of Foreign Affairs, 16 March 2019 [mfa.gov.tr access: 20 February 2021].

20 *Press Release Regarding the Sixth Anniversary of the Illegal Annexation of Crimea*, Republic of Turkey Ministry of Foreign Affairs, 16 March 2020 [mfa.gov.tr access: 20 February 2021].

21 *Press Conference by Foreign Minister Fumio Kishida, Ministry of Foreign Affairs of Japan*, 18 March 2018 [mofa.go.jp access: 20 February 2021].

22 *Statement by the Minister for Foreign Affairs of Japan on the Measures against Russia over the Crimea Referendum*, Ministry of Foreign Affairs of Japan, 18 March 2014 [mofa.go.jp access: 20 February 2021].

in their conversations with Russian counterparts during two 2020 meetings,^{23,24} their support to Ukraine remains in place,²⁵ including through diplomatic sanctions, such as the exclusion of Russia from G8.²⁶ As with the previous two countries, the frequency of statements and their explicit language indicate continuous support that must be maintained through diplomatic ties.

India's shift under Narendra Modi from non-alignment in foreign policy to enhanced cooperation with the United States did not reflect in any way in the country's support for Ukraine. Considering China as the main threat, New Delhi is careful not to risk its relations with Moscow over Kyiv. We have found only two statements: Prime Minister Modi's interview²⁷ and a conversation between him and Vladimir Putin.²⁸ The language of both is very evasive, with a stress on the importance of hearing both sides and promoting dialogue. Such unwillingness to take sides is also reflected in its voting for the resolution; thus, its desire to balance should be accounted for in Ukraine's diplomatic work.

As we have already mentioned, **China** abstained twice at the two climaxes of the conflict, but otherwise has consistently voted against the resolutions, citing that those only deepen the confrontation.²⁹ Chinese statements on Crimea since 2014 are quite rare and are mostly explanations for the country's vote at the UN.³⁰ Yet, China actively participates in the discussions of the resolutions at the UN General Assembly. Its representatives spoke in 2014, 2017, and 2019, reiterating that China strongly opposes country-specific resolutions on human rights. However, in 2017, China Daily informed that Xi Jinping said during a meeting with then Ukraine's President Petro Poroshenko that China would like to play a constructive role in the political resolution of Ukraine's crisis, without specifically mentioning Crimea or Donbas.³¹ Although this quote of President Xi is interesting, we hardly can consider it as support for Ukraine or China's genuine desire to be involved in the settlement of the conflict between Kyiv and Moscow, especially given its vote and strong ties to Russia.

23 *Japan-Russia Summit Telephone Talk*, Ministry of Foreign Affairs of Japan, 07 May 2020 [mofa.go.jp access: 20 February 2021].

24 *Japan-Russia Foreign Ministers' Meeting*, Ministry of Foreign Affairs of Japan, 15 February 2020 [mofa.go.jp access: 20 February 2021].

25 *Japan-Ukraine Foreign Ministers' Meeting*, Ministry of Foreign Affairs of Japan, 21 October 2019 [mofa.go.jp access: 20 February 2021].

26 *Press Conference by Foreign Minister Taro Kono*, Ministry of Foreign Affairs of Japan, 27 August 2019 [mofa.go.jp access: 20 February 2021].

27 *Prime Minister's Interview to CNN's Fareed Zakaria*, Ministry of External Affairs of India, 21 September 2014 [mea.gov.in access: 20 February 2021].

28 *Prime Minister's Telephone Conversation with Russian President Vladimir Putin*, Ministry of External Affairs of India, 18 March 2014 [mea.gov.in access: 20 February 2021].

29 *Foreign Ministry Spokesperson Qin Gang's Remarks on the UN Security Council's Vote on the Draft Resolution on the Referendum in Crimea*, Ministry of Foreign Affairs of the People's Republic of China, 16 March 2014 [www.fmprc.gov.cn access: 20 February 2021].

30 *Explanatory Statement by Counsellor Yao Shaojun of the Chinese Delegation on Draft Resolution "Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine" at the Third Committee of the 72nd Session of the General Assembly*, Permanent Mission of the People's Republic of China to the UN, 14 November 2017 [fmprc.gov.cn access: 20 February 2021].

31 *China Aims to Play Constructive Role in Solving Ukraine Crisis*, "China Daily", 18 January 2017 [www.chinadaily.com.cn access: 20 February 2021].

The analysis of the official statements of the leadership of 12 of the G20 countries included in this research shows that the issue remains salient for many of them. Moreover, they provide clear arguments to justify their position. The reasoning of some is quite expected (for example, Argentina appealing to the situation with the Falkland Islands or Turkey talking about protecting the Crimean Tatars), while for others, ambiguous language (i.e., India) tells a lot by itself. A diplomatic effort for gaining and maintaining their support can go a long way, using these statements as a baseline.


Conclusion

The voting results for the “Crimean resolutions” since 2014 reveal that the support for Ukraine is gradually declining, with favourable “Yes” votes being down from 100 in 2014 to 70 in 2016 and 63 in 2020. At the same time, the decline is also happening with regard to countries opposing, especially recently, after an uptick in 2016-2018. Over the past seven years, 74 countries have changed their positions, and, although Ukraine has lost the support of 40 of them, there are quite a few success stories of countries moving from “No” to “Abstain” and from the latter to “Yes” that serve as an illustration of how this negative trend can be reversed.

The regional breakdown shows that most of the support comes from the “collective West” – first of all, Europe, although even there Bosnia and Serbia undermine the unanimity. The post-Soviet space, due to Russia’s influence, turned out to be quite a difficult region to work with, but Azerbaijan and several Central Asian countries are still worth the effort. Latin American, Asian, and Middle Eastern countries have mostly chosen neutrality, but there are at least 20 countries that have supported the resolutions in the past and about half

of them have continued to do so after 2014. Oceania turned out to be the most favourable region for Ukraine, while Kyiv clearly underperforms in Africa. Almost all African countries have refrained from taking sides during the 2020 voting, and over the past six years, we have lost the support of 19 of them.

The positions of the G20 nations follow the same pattern – gradual decline of support, combined with prevalence of strong support over strong opposition and the potential to do better. Half of the countries have condemned Russia’s actions regarding Crimea, while only three (excluding Russia) have taken a position rather favourable to the Kremlin. The rest prefer to stay neutral, but Kyiv has to pay attention to Saudi Arabia, South Korea, and Indonesia as those countries have supported us in the past and may well do so in the future if given a good reason.



The analysis of the official statements of the leadership of 12 of the G20 countries included in this research shows that the issue remains salient for many of them

The upcoming summit of the Crimean Platform will serve as another indicator of international support for Ukraine’s stance on the peninsula. The present analysis reveals that there are still many countries that share our position and should be engaged within the new format. There are many opportunities to “win” more partners, and for that, the Ukrainian government should look primarily not to Europe or the post-Soviet space, but to the regions that have traditionally received less attention – Latin America, Asia, the Middle East, and especially Africa.

Finally, it is worth noting that this work can and should be augmented by commentary of experts on particular regions and countries. The present analysis was done solely on the basis of voting results on the “Crimean resolutions”, G20 representatives’ statements, and the authors’ own knowledge and understanding of international affairs. Therefore, there is a chance that some important details or developments in particular countries have slipped our attention. It means that every country that we have identified as worth Ukraine’s diplomatic efforts should be analysed more closely by the experts or government officials specialising in them.

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WHY THE UNITED STATES SHOULD JOIN THE CRIMEAN PLATFORM?

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Joe Biden's election as the 46th President of the United States has brought much hope around the world regarding international politics. Ukraine is not an exception, rather the opposite: It hopes to achieve many of its foreign policy priorities during Biden's tenure. The Crimean Platform initiative is one of them. This article deals with hypotheses on the question why the US should take part in the Crimean Platform. The authors' approach to this question may be seen in two dimensions. First, Ukraine has become a real barrier against the Russian war and ideological expansion in Europe, which assumed American support to Ukraine in all possible spheres, including the diplomatic one. Another dimension applies to the militarisation of the Crimean Peninsula, which creates a real threat to the security of the United States and its allies in Europe. The authors state that the Crimean Platform may serve as a compromise for US involvement in Ukraine's foreign policy agenda. US participation in the initiative will help advance Ukraine's approach toward Crimea globally and keep the peninsula's occupation within the international community's attention.

The Crimean Platform: Background

Among the issues of current discourse within the framework of Ukrainian and international policy is Ukraine's desire to establish a Crimean Platform aimed at de-occupation of Crimea and its return under Ukraine's sovereignty in a peaceful way. The first Crimean Platform Summit is scheduled for 23 August 2021 in Kyiv.

Officially, Ukraine's President Volodymyr Zelensky announced the initiative during the 75th session of the UN General Assembly in

September 2020, when he urged UN member states to join the platform¹. Outlining the initiative's essence, First Deputy Foreign Minister Emine Dzhaparova noted that the platform was designed as a unique multilateral coordination mechanism that would oversee the entire spectrum of Crimean issues. "The Crimean Platform is an ecosystem of measures that systematises what has already been done and initiates additional tools for the return of Crimea. As part of its work, we plan to hold the Crimean summit. The key task is the synergy of efforts of Ukraine and the international community

1 *Speech by President of Ukraine Volodymyr Zelensky at the general debate of the 75th session of the UN General Assembly, 23 September 2020* [<https://www.president.gov.ua/en/news/vistup-prezidenta-ukrayini-volodimira-zelenskogo-na-zagalnih-63889> access: 24 February 2021].


to bring the day of de-occupation of the peninsula close”, she emphasised².

The platform should cover several panels, including the highest political level (countries’ leaders) and the level of foreign ministers and defence ministers. Besides those, the expert level is expected to be established as well, which will provide influence in the international arena, if implemented. However, of importance is not only the forming of the platform, but also the ability of its participants to act (separately or collectively) in terms of the purpose of its convocation. Currently, Ukraine is actively working on inviting international partners to participate in the Crimean Platform. It is known from the public statements of representatives of the Ministry of Foreign Affairs of Ukraine that relevant proposals have already been made to the United States, the United Kingdom, Germany, Turkey, Poland, Slovakia, and the EU.

US History in Opposing Annexations

Notably, among all the invited states, the US has the most substantial record of condemning the Russian occupation of Crimea and not recognising the peninsula as a part of the Russian Federation. In that regard, US participation is much more valuable than that of any other state. The then US Secretary of State Pompeo issued a declaration in 2018³ that Ukraine’s officials should undoubtedly use in attracting more participants and during the actual work of the upcoming summit in Kyiv.

Pompeo’s declaration is undoubtedly beneficial for Ukraine in many other ways. One of them is that the United States in particular made the case of occupation of Crimea applicable to Russia: “The states of the world, including Russia, agreed to this principle in the United Nations Charter, pledging to refrain from the threat or use of force against the territorial integrity or political independence of any State”.⁴ It is worth noting that these remarks on Crimea became among the first ones at the time regarding Ukraine and were unexpected in some ways as well. One of the last sentences, “Through its actions, Russia, has acted in a manner unworthy of a great nation and has chosen to isolate itself from the international community”, has indeed become just a statement, and neither Ukraine nor the international community had proceeded to solving the Crimean issue.



the US has the most substantial record of condemning the Russian occupation of Crimea and not recognising the peninsula as a part of the Russian Federation

Another approach may be found in the reference to the so-called Welles Declaration, named after the secretary of state at the time. That statement had been issued in July 1940 regarding the incorporation of Estonia, Lithuania, and Latvia into the Soviet Union. The Welles Declaration contained an

2 *Еміне Джгарарова: Кримська платформа триматиме наслідки окупації Криму у фокусі постійної міжнародної уваги (Emine Dzhararova: Crimean Platform Will Keep the Consequences of the Occupation of Crimea in the Focus of Constant International Attention)*, Ministry of Foreign Affairs of Ukraine, 05 October 2020 [<https://www.kmu.gov.ua/news/emine-dzhararova-krimaska-platforma-trimatime-naslidki-okupaciyi-krimu-u-fokusi-postijnoyi-mizhnarodnoyi-uvagi> access: 14 February 2021].

3 *Crimea Declaration: Statement by Secretary Pompeo*, 24 July 2018 [<https://ua.usembassy.gov/crimea-declaration-statement-by-secretary-pompeo/> access: 10 February 2021].

4 *Ibid.*

even stronger condemnation in comparison to the similar statement in 2018: “The people of the United States are opposed to predatory activities no matter whether they are carried on by the use of force or by the threat of force. They are likewise opposed to any form of intervention on the part of one State, however powerful, in the domestic concerns of any other sovereign state, however weak”.⁵ It is worth arguing that the Welles Declaration condemning the USSR’s attempt to enlarge its territory also had a different legal and political background. At the same time, it could still “offer an interesting answer to the current standoff”.⁶



A bill presented by Gerald Connolly, Congressman from Virginia, would prohibit US government recognition of Russia’s claim of sovereignty over Crimea . It is worth noting that such resolutions have become an annual signal of bipartisan support to Ukraine

Some political experts may argue that the respective approach can be a theoretical rather than a practical solution to the problem. Ukraine should use the strategic approach of the US opposing annexations as a global leader and the last superpower (at least politically and militarily). The United States foreign policy also contained

the Hoover-Stimson Doctrine, named for President Herbert Hoover and Secretary of State Henry L. Stimson. The Crimean Platform initiative may help the Pompeo Declaration serve as the basis for a large spectrum of international negotiations and not to become a manifestation of pie-in-the-sky American idealism and be relegated to the dustbin of history.⁷

US Support to Ukraine on Crimea

Both chambers of the US Congress have adopted several resolutions condemning the Russian occupation of Crimea.⁸ One of the recent initiatives of American lawmakers goes far beyond Ukraine-US bilateral relations. A bill presented by Gerald Connolly, Congressman from Virginia, would prohibit US government recognition of Russia’s claim of sovereignty over Crimea⁹. It is worth noting that such resolutions have become an annual signal of bipartisan support to Ukraine. Such support in terms of resolutions would be highly appreciated if extrapolated to the US participation in the Crimean summit.

It should be mentioned that the former United States Special Representative for Ukraine Negotiations Kurt Volker has done much to make the Russian aggression in Crimea heard by US officials and the public. Volker’s public statements have undoubtedly become another type of non-recognition legacy that Kyiv should promote. The strategy presented by the former US

5 Press Release Issued by the Department of State, USA, 23 July 1940 [<https://history.state.gov/historicaldocuments/frus1940v01/d412> access: 10 February 2021].

6 K. Calamur, *The Roots of Pompeo’s Declaration in Support of Crimea*, “The Atlantic”, 25 July 2018 [<https://www.theatlantic.com/international/archive/2018/07/welles-act-pompeo/566060/> access: 10 February 2021].

7 *Doctrines - The Hoover-Stimson Doctrine*, “American Foreign Relations” [<https://www.americanforeignrelations.com/A-D/Doctrines-The-hoover-stimson-doctrine.html> access 12 February 2021].

8 *S.Res.571 - A Resolution Condemning the Ongoing Illegal Occupation of Crimea by the Russian Federation*, USA, 10 July 2018 [<https://www.congress.gov/bill/115th-congress/senate-resolution/571/text> access: 15 February 2021].

9 *H.R.922 - To Prohibit United States Government Recognition of the Russian Federation’s Claim of Sovereignty over Crimea, and for Other Purposes*, USA [<https://www.congress.gov/bill/117th-congress/house-bill/922> access: 17 February 2021].

envoy to Ukraine will definitely find a similar vision in Biden's administration, but obviously with a different face. Despite Volker's focus on Donbas, his work in Ukraine was highly appreciated and served as a cornerstone for the EU's and America's approach toward Crimea. Interestingly enough, he had determined American interests in negotiations on Crimea at the beginning of 2019 during the 5th International Forum "Occupied Crimea: Five Years of Resistance".¹⁰

At the same time, Volker surely understood the real status quo around the Crimea negotiations by acknowledging a long-term standoff over the status of Crimea.¹¹ It would be beneficial to invite Volker to the Crimean Platform summit, even without the US government mandate. Some of Volker's statements articulate the American approach that the Biden administration would likely expand. During one of the joint hearings in Congress, Volker pointed out the very important approach that becomes more relevant now: "There are also significant human rights violations going on in Crimea, as Russia has imposed a centralized rule over the territory there and disbanded the militias and the local government that had been there".¹²

After the first impeachment of Donald Trump in 2019, Ukraine had a lack of such voices, at least publicly, that would help Biden to legitimise further actions regarding Ukraine. However, the Biden administration has already welcomed the Crimean Platform initiative.¹³ Moreover, during his confirmation hearings, US Secretary of State Antony Blinken said that he supported providing lethal weapons to Ukraine.¹⁴ This suggests that if the new administration supports Ukraine in providing military assistance, the US may also assist Ukraine in the Crimean Platform initiative. That seems to be another reason to insist on American participation in the Crimean Platform. Despite focusing more on human rights violations in Crimea, the former special envoy to Ukraine may be seen as the best prepared candidate if the Biden administration were to choose a special representative on Crimea. Such voices have been heard in the EU, and Ukraine has already welcomed such initiatives. At the same time, the EU and Russia had a lot of tensions after HR/VP Borrell's visit to Russia. That is why having a special American envoy may seem more beneficial for Ukraine. Another possible development may be seen in appointing both EU and US special envoys, with the American one focusing on political

10 *Remarks by US Special Representative for Ukraine Negotiations, Ambassador Kurt Volker*, 27 February 2019 [<https://ua.usembassy.gov/u-s-special-representative-for-ukraine-negotiations-ambassador-k-volker-at-the-5th-international-forum-occupied-crimea-five-years-of-resistance/> access: 12 February 2021].

11 *Press Briefing with Kurt Volker, Special Representative for Ukraine Negotiations*, 08 November 2018 [<https://2017-2021.state.gov/telephonic-press-briefing-with-kurt-volker-special-representative-for-ukraine-negotiations/index.html> access: 15 February 2021].

12 *Joint Hearing, 115th Congress — Ending the War in Ukraine: Kurt Volker, US Special Representative for Ukraine Negotiations*, USA, 08 May 2018 [<https://www.congress.gov/event/115th-congress/joint-event/LC57184/text?s=1&r=52> access: 12 February 2021].

13 *Crimea Is Ukraine, Press Statement, Antony J. Blinken, Secretary of State*, USA, 25 February 2021 [<https://www.state.gov/crimea-is-ukraine>].

14 *Nominee for U.S. Secretary of State Supports Provision of Lethal Weapons to Ukraine*, "Ukrinform", 20 January 2021, [<https://www.ukrinform.net/rubric-politics/3174305-blinken-i-support-provision-of-lethal-weapons-to-ukraine.html>].

negotiations and the European one on human rights.¹⁵

The United States, as the leader in global international relations, will be able to bring the issue of Crimea to the highest international agenda. As to the position of US officials on the Crimean Platform, according to Kristina Kvien, Chargé d'Affaires a.i. of the United States of America in Ukraine, the US is looking forward to supporting Ukraine as the latter develops its Crimean Platform¹⁶. However, if this approach reflected Secretary Pompeo's Crimea Declaration, that is, the position on Ukraine of the previous US administration, what is expected to be the policy of the Biden administration toward Ukraine and Crimea?

The Crimean Platform for Biden: A Way to Revise Policy toward Ukraine

There are considerable differences in opinions over what the Biden presidency might mean for Ukraine¹⁷. It should be noted that, on the one hand, news of Joe Biden's election victory was greeted with optimism by many Ukrainian politicians, who viewed it as an opportunity to return to the kind of unambiguous US backing that helped consolidate international opposition

to the Russian invasion of Crimea and eastern Ukraine in 2014.¹⁸ Biden's personal ties to Ukraine also inspired a degree of confidence. As the former US vice-president in the Obama administration, Biden oversaw Ukraine policy and visited the country on six occasions. No previous US president has ever been so intimately familiar with Ukrainian affairs.

However, not everyone shared this type of enthusiasm in the US and Ukraine. Sceptics pointed to the failure of the Obama administration to prevent Russia's seizure of Crimea and subsequent reluctance to provide Ukraine with lethal military assistance¹⁹. In contrast, the Trump administration sent anti-tank Javelin missiles to Ukraine along with other military aid. That policy challenge brings up another reason for Biden's team to get involved in Crimean talks. Barack Obama was criticised by Trump regarding inaction in the beginning of the Crimean developments and not providing military equipment to Ukraine's armed forces in 2014.²⁰ Some American experts argued that Biden's presidency might become the third term of the Obama administration,²¹ which Biden was a part of. It has some rationale; however, Biden may see joining Ukraine's initiative on Crimea as an


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- 15 J. Hosa, *Why the EU Should Appoint a Special Representative for Crimea*, European Council on Foreign Relations [<https://ecfr.eu/article/why-the-eu-should-appoint-a-special-representative-for-crimea/> access: 15 February 2021].
 - 16 *The United States Looks Forward to Supporting Ukraine As It Develops Its Crimean Platform*, Ministry of Foreign Affairs of Ukraine, 26 October 2020 [<https://www.kmu.gov.ua/en/news/ssha-gotovi-do-spivpraci-nad-stvorenniam-krimskoyi-platforni-inicijovanoyi-ukrayinoyu> access: 14 February 2021].
 - 17 P. Dickinson, *What Can Ukraine Expect from a Biden Presidency?*, Atlantic Council [<https://www.atlanticcouncil.org/blogs/ukrainealert/what-can-ukraine-expect-from-a-biden-presidency/> access: 14 February 2021].
 - 18 Ibid.
 - 19 K. Calamur, *Was Obama Too Soft on Russia?*, "The Atlantic", 15 February 2017 [<https://www.theatlantic.com/news/archive/2017/02/trump-obama-russia-crimea/516777/>].
 - 20 S. M. Walt, *Obama Was Not a Realist President*, "Foreign Policy", 07 April 2016 [<https://foreignpolicy.com/2016/04/07/obama-was-not-a-realist-president-jeffrey-goldberg-atlantic-obama-doctrine/>].
 - 21 C. M. Blow, *Third Term of the Obama Presidency*, "New York Times", 08 November 2020 [<https://www.nytimes.com/2020/11/08/opinion/biden-obama-presidency.html> access: 17 February 2021].

opportunity to prove the opposite, at least regarding foreign policy. For example, S. M. Walt assumed Obama was not a realist president by putting domestic policy first and avoiding making tough decisions in the international arena²². That would be a profound shift for the 46th US president that he seemed to be lacking.

Joining the Crimean Platform would also help Biden to ease the charged atmosphere around Trump's rhetoric and turn over the toxic page of the US-Ukraine bilateral relations caused by recent scandals in 2019-2020. It is expected that neither President Biden nor his successors will have a better chance of being involved in Ukraine's issues and taking the leading role in that initiative. Undoubtedly, Kyiv has prepared a big agenda in terms of expectations from Joe Biden's administration. Furthermore, during the primaries, Joe Biden, as a candidate for the Democratic nomination, promised to define Ukraine as a foreign policy priority.²³

Appointing a new US ambassador to Ukraine, increasing, or at least maintaining, the amount of annual military and financial assistance, possibly bringing back the position of the Special Representative on Ukraine Negotiations and enlargement of the Normandy Format, prolongation of sanctions on Nord Stream 2 (which has already taken place), and the Crimean Platform are just the main expectations on the list. A special international forum on Crimea negotiations seems to be the very way of having continued talks to support Ukraine's territorial integrity and sovereignty.

Another reason why Ukraine should insist on US involvement particularly is a possible reluctance of Russia to invite the US to the Normandy Format of negotiations. The recent developments around the extension of the Strategic Arms Reduction Treaty (START III) showed that the Kremlin wanted to secure an official channel of communication with Washington and would rather avoid possible tensions within the aforementioned format.



Joining the Crimean Platform would also help Biden to ease the charged atmosphere around Trump's rhetoric and turn over the toxic page of the US-Ukraine bilateral relations caused by recent scandals

What is more, the Crimean Platform seems to be very productive in general because it is an entirely new initiative and none of the sides can argue non-compliance with previous obligations. Another strategic reason for attracting the US into the initiative is the format of the talks, which is to be determined by its participants. The Crimean Platform should be seen as encouraging for Washington because Kyiv is in charge of that initiative, and not Moscow. That is why the United States involvement seems to be the most beneficial outcome for both Ukraine and America.


But why, despite prominent positions, should the US support Ukraine and (as a special trend of the diplomatic policy) take part in the Crimean Platform?

22 S. M. Walt, n.20.

23 *The Presidential Candidates on Russian Aggression Against Ukraine*, Council on Foreign Relations, 30 July 2019 [<https://www.cfr.org/article/presidential-candidates-russian-aggression-against-ukraine> access: 16 January 2021].

The issue may be seen in two dimensions. First, Ukraine remains a real barrier against the expansion of Russian aggression in Europe, responding thus to US foreign policy benchmarks (which found confirmation by President Biden's team) to deter another global leader seeking to crack down on its favoured redistribution of geopolitical spheres in the world.

In this respect it must be noted that bipartisan US support for Ukraine has been a consistent feature since the country first gained independence in 1991 regardless of the political party controlling the White House. This has remained the case despite



For Biden, the present confrontation with Moscow is a postscript to the Cold War, which calls for support to Ukraine in all possible spheres, including diplomatic one

the contradictive character of political processes in Ukraine, as, according to Zbigniew Brzezinski's Strategic Vision, without Ukraine, Russia ceases to be a Eurasian empire.²⁴

In accordance with this approach, Ukraine's independent status is among the foreign policy interests of the US. As pointed out by American analysts, Russia's current conflict in Ukraine is not just about Crimea or Donbas; it is also about Ukraine's place

in Europe, that is, where the country fits between Russia and such institutions as the European Union and NATO²⁵. It may be added, at the same time, that Russian aggression is not about Ukraine only, but about a stable world order that corresponds to American orientation in European and global affairs.

So, as to Joe Biden's election victory, it paves the way for a new chapter in the strategic partnership between Ukraine and the US. For Biden, the present confrontation with Moscow is a postscript to the Cold War, which calls for support to Ukraine in all possible spheres, including diplomatic one. The Biden presidency might well play an active role in the forthcoming negotiation process regarding the Crimean Platform. As for Crimea, as Steven Pifer stresses, Ukraine cannot at present muster the political, diplomatic, economic, and military leverage to effect the peninsula's return. However, the US government knows how to execute the non-recognition policy. It did so for five decades about the Baltic states' incorporation into the Soviet Union. The Biden presidency will remain supportive of Kyiv's claim to Crimea and will not recognise its annexation by Russia – and the White House will express this view²⁶.

Crimea Is Vital for Europe's Security and US Interests

Another dimension, dealt with through possible US participation in the Crimean Platform, applies to the militarisation of the Crimean Peninsula, which poses a significant threat to the security of the

24 Z. Brzezinski, *The Premature Partnership*, "Foreign Affairs", March/April 1994, p. 80.

25 S. Pifer, *The Biden Presidency and Ukraine: Order from Chaos*, Brookings, 28 January 2021 [<https://www.brookings.edu/blog/order-from-chaos/2021/01/28/the-biden-presidency-and-ukraine/> access: 14 February 2021].


26 Ibid.

United States and its allies in Europe. According to the EU's statement in the OSCE, Russia has moved systems of advanced weapons, including aircraft and missiles, capable of carrying nuclear munitions, weapons, and military personnel, to Ukraine.²⁷ The aforementioned concerning developments pose a significant threat not just to the peninsula or Ukraine in general, but to the Black Sea region's security as a whole. Joint countering of the militarisation is undoubtedly in line with the US and European interests, but the new US administration is more likely to lead in this role. According to Ukraine's commander of the Joint Forces Operation, Serhiy Nayev, the Joint Task Force of the Russian armed forces in occupied Crimea consisted of 32,000 soldiers in 2020, a more significant number in comparison to spring 2014.²⁸ Besides that, the Russian Federation had created a multi-stage anti-aircraft missile system over and around the peninsula.²⁹ From the geopolitical point of view, the placement of Russian nuclear weapons calls for a response from Western leaders, bringing that question to the international community.

The placement of nuclear-capable weapons has undoubtedly become a most unwelcome scenario for the US, Europe, and Ukraine. Simultaneously, as noted by the deputy assistant secretary-general for political affairs of NATO, James Appathurai, Russia

has been seen using the enhanced militia capability to transfer forces into the Eastern Mediterranean, the Middle East, and potentially elsewhere.³⁰

In that respect, it would be necessary to recall the recent words of Ukraine's foreign minister Dmytro Kuleba: "Today's Ukraine is not only a security recipient but a security donor in its region. Ukraine has been successfully countering Russian aggression for almost seven years now, protecting not only itself but a wider region between the Baltic and Black Seas".³¹



***an international forum
dedicated to the de-occupation
of Crimea can be considered
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Ukraine's territorial integrity
and sovereignty by the US***

All in all, an international forum dedicated to the de-occupation of Crimea can be considered a very concrete way of supporting Ukraine's territorial integrity and sovereignty by the US. Ukraine should particularly insist on US involvement due to a possible reluctance by Russia to invite the US to the Normandy Format.

27 *EU Statement on "Russia's Ongoing Aggression against Ukraine and Illegal Occupation of Crimea"*, OSCE Permanent Council No. 1296 Vienna, 17 December 2020 [<https://www.osce.org/files/f/documents/7/6/476167.pdf>].

28 *About 32,500 Russian Soldiers Currently Stationed in Occupied Crimea*, "UkrInform", 10 July 2020 [<https://www.ukrinform.net/rubric-defense/3060518-about-32500-russian-soldiers-currently-stationed-in-occupied-crimea.html>].

29 G. Mader, *How Much Has Russia Militarised the Crimea?*, European Security and Defence, 10 March 2020 [<https://euro-sd.com/2020/03/allgemein/16510/how-much-has-russia-militarised-the-crimea/> access: February 17 2021].

30 *The Militarization of the Black Sea after the Annexation of Crimea*, Chatham House [<https://chathamhouse.soutron.net/Portal/Default/en-GB/RecordView/Index/182837> access: 18 February 2018].

31 D. Kuleba, *Why Is Ukraine Still Not in NATO?*, Atlantic Council, 16 February 2021 [<https://www.atlanticcouncil.org/blogs/ukrainealert/why-is-ukraine-still-not-in-nato>].

The Crimean Platform seems to have become the only effective format of Ukraine's negotiations for the Biden administration. Among all the invited states, the US has the most substantial record of condemning the Russian occupation of Crimea and not recognising the peninsula as a part of the Russian Federation by adopting the Pompeo Declaration in 2018, referring to Welles's statement of 1940. The Crimean Platform should be seen as very encouraging for Washington because Kyiv is in charge of that initiative, and not Moscow. Furthermore, Russia has been militarising the Crimean Peninsula, which poses a significant threat to Ukraine and the security of the United States and its allies in Europe. That is why the United States' involvement seems the most beneficial outcome for both Ukraine and the US.

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DIPLOMATIC CONFRONTATION IN THE OSCE ON RUSSIA'S OCCUPATION AND MILITARISATION OF CRIMEA

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Mission of Ukraine to the OSCE*

The OSCE is the only international organisation that has been directly involved in resolving the ongoing Russia-Ukraine conflict. The Russian aggression against Ukraine, illegal occupation of Crimea, and militarisation of the peninsula have been intensively discussed in the OSCE forums. The Crimean and Black Sea security issues have been in focus since the spring of 2018, when the illegal construction of the Kerch bridge had been completed, as a result blocking free passage of Ukrainian vessels from the Black Sea to the Sea of Azov and significantly affecting the security of the entire region. The article highlights the role of the OSCE in the de-occupation and demilitarisation of Crimea, discussions of these issues in the OSCE Permanent Council and Forum for Security Cooperation, negotiation tactics of Ukraine, and reaction of Russia and Ukraine's partner countries.

OSCE As a Comprehensive Diplomatic Platform for Russia-Ukraine Conflict Resolution

The Russian-Ukrainian war, caused by the Russian aggression against Ukraine, and the occupation of Crimea and parts of Donbas have been ongoing for seven years. The Russian Federation illegally occupies 7.2% of Ukrainian territory. All these years, the Armed Forces of Ukraine on the front line and Ukrainian diplomats on international platforms, primarily the UN system in New York and the OSCE in Vienna, have been resisting and confronting Russian actions.

One of the most important and powerful components of ensuring security, sovereignty, and territorial integrity of Ukraine in counteraction of Russian aggression is the continued active

involvement of the comprehensive regional security organisation, the OSCE. Ukraine needs to continue making maximum use of the OSCE tools to politically and diplomatically ensure effective protection of its sovereignty and territorial integrity in the framework of the internationally recognised borders, including the Autonomous Republic of Crimea and the city of Sevastopol, and to prevent this issue from being replaced by attempts of individual countries to establish a dialogue with Russia on a business-as-usual basis, while leaving its flagrant violations of the international norms and principles unpunished.

In this article, we examine issues on the international agenda that have been put forward in the OSCE, specifically the Russian occupation and attempted annexation of the Autonomous Republic of Crimea and the

city of Sevastopol, as well as more active and prevalent attempts to block a large area of the Black Sea and the Sea of Azov. The latter can be seen as an attempt to annex these sovereign territories of Ukraine and territories in international waters, which cannot be claimed by any state as governed by the internationally recognised Law of the Sea. Such actions could be seen as the “third front” of Russia’s aggression against Ukraine alongside the occupation of Crimea (first front) and parts of Donetsk and Luhansk regions (second front).



From the very first days of Russia’s aggression against Ukraine in February 2014 to this day, the OSCE might have been the only international organisation that, on a daily basis, is actively involved in the resolution process of the Russian-Ukrainian conflict

The abovementioned discussions in the OSCE framework are characterised by Ukraine’s active presentation of relevant and factual information (texts, videos, and photos), data of other international organisations, and Ukraine’s military intelligence and security agencies, which confirm Russia’s disregard and infringement of international norms and principles, its obligations as a member of the UN and the OSCE, as well as numerous bilateral and multilateral agreements between Russia and Ukraine.

An analysis of Ukraine’s current efforts to counter Russian aggression on a wide range

of diplomatic platforms and tracks allows us to make proposals on how to optimise and coordinate the necessary actions of our state to ensure security and sovereignty and restore territorial integrity within its internationally recognised borders. In the current geopolitical conditions, Ukrainian diplomacy needs to focus on the complex task of joint implementation of different components of its priority political and security efforts¹.

From the very first days of Russia’s aggression against Ukraine in February 2014 to this day, the OSCE might have been the only international organisation that, on a daily basis, is actively involved in the resolution process of the Russian-Ukrainian conflict. The most prompt and effective reaction of the world community to the beginning of the Russian aggression was the launch of a special field presence of the OSCE in Ukraine. As early as March 2014, the OSCE Special Monitoring Mission to Ukraine (SMM) was established to promote peace, stability, and security, and to monitor and support the implementation of OSCE principles and commitments² throughout the occupied territory, including Crimea, as well as monitor the implementation of the Minsk agreements.

An important area of Ukraine’s active diplomatic work to de-occupy Crimea is a proper full implementation of the provisions of the Budapest Memorandum, according to which the five nuclear states – permanent members of the UN Security Council (USA, UK, France, Russia, and China) – assured/reaffirmed their obligation to refrain from the threat or use of force against the territorial integrity or

1 I. Lossovskiy, *Дипломатичні пріоритети України у протистоянні російській агресії (Diplomatic Priorities of Ukraine in Confrontation of Russian Aggression)*, «Стратегічна панорама», № 1-2, 2019, с.5-19.

2 I. Lossovskiy, *Частина I. 45-та річниця Гельсінкського Заключного акта та його роль у міжнародних гарантіях територіальної цілісності й безпеки України (45th Anniversary of the Helsinki Final Act and Its Role in the International Guaranties for the Territorial Integrity and Security of Ukraine)*, «Зовнішні справи – UA Foreign Affairs», № 7-8, 2020, с.27-34.

political independence of Ukraine, taking into account the commitment of Ukraine to eliminate all nuclear weapons from its territory, the world's third largest nuclear arsenal. The memorandum in fact confirmed guarantees provided earlier in the 1975 OSCE Helsinki Final Act³. The importance and necessity of Ukraine's involvement of the OSCE mechanisms is determined by those guarantees set out in the 1975: respect the territorial integrity of each of the participating states; respect independence, sovereignty, and existing borders; refrain from the threat or use of force against the territorial integrity and political independence of the participating states; guarantee that no weapons will ever be used against another state except in cases of self-defence; refrain from economic coercion.

The continued armed aggression of the Russian Federation against Ukraine is designed to undercut the current world order, which is based on the respect of and commitment to the European democratic values. The only effective response from the international democratic community to Russia's aggressive actions is to maintain support and solidarity toward Ukraine and strengthen the political, diplomatic, and economic pressure until all Minsk agreements are fulfilled and Ukraine's rightful territorial integrity is restored to its internationally recognised borders, including Crimea.

Russia's aggressive actions are based on outdated geopolitical fears and views about Russia's historical insecurity, which have been exacerbated by the Kremlin regime. This has led to Russia challenging and undermining the world order that is based on core democratic values.

The worry in Ukraine is compounded by the critical situation regarding human rights on the territory of the temporarily occupied Crimea, which continues to worsen. The peninsula has become a place of fear and repression against people with opposing views – first and foremost, Ukrainian human rights activists and ethnic Crimean Tatars. There is plentiful evidence showing mass infringements on human rights and basic freedoms in Crimea⁴. This is happening alongside the militarisation of Crimea while closing Crimea to any international observation and methods of international control.

With Russia's aggression, Ukraine expects support and solidarity from the international democratic community and further strengthening of the political, diplomatic, and economic pressure by placing more sanctions on the aggressor with the goal of forcing the Kremlin into a peaceful resolution.

The Most Promising OSCE Forums and Instruments for Crimea's De-occupation

The main OSCE forums that focus on the situation around the occupation and militarisation of Crimea as well as on Russia's attempts to block and virtually annex large swaths of the Black Sea and the Sea of Azov, including the Kerch Strait, are the Permanent Council of the OSCE, its committees, the Forum for Security Cooperation (FSC), and numerous events conducted by the OSCE's independent institutions. The Permanent Council of the OSCE meets on a weekly basis, while the others meet on a regular basis, in the organisation's headquarters in Vienna. Also, there are annual meetings with the six

3 *Helsinki Final Act*, 1 August 1975 [<https://www.osce.org/helsinki-final-act>].

4 G. Steinhauser, Human Rights Worsen in Crimea, Report Says, "Wall Street Journal", 27 October 2014 [<https://www.wsj.com/articles/human-rights-worsen-in-crimea-report-says-1414416579>].


littoral states (Bulgaria, Georgia, Romania, Russia, Turkey, and Ukraine) regarding the implementation of the *Confidence- and Security-Building Measures* document relating to the naval and military situation in the Black Sea, which was signed as part of the OSCE in 2002⁵.

Even with Russia's attempts to create a so-called "positive agenda"⁶ for the organisation, which would shy away from asking tough questions, the OSCE keeps cognisant that the return of Ukraine's sovereignty and territorial integrity to its internationally recognised borders through Russia's compliance to the norms and principles of the OSCE, de-occupation of Crimea, and the return to the fundamental principles of international law comprise the only way to reinstate the trust in and safety of the OSCE region, and to maintain a strong and effective platform for security on the entire European continent.

Considering the consensual character of OSCE decisions, the main instrument in the hands of the international community against the infringing party, in this case Russia, is political and diplomatic pressure from a majority of countries on the aggressor state, showing and ensuring Russia's isolation from the rest of the world.

Apart from the regular plenary meetings of the OSCE forums, during which, over the past seven years, Ukraine has consistently raised the question of the Russian aggression, the illegal occupation and attempted annexation of Crimea, an important event took place during sessions of the 25th Ministerial Council meeting (Milan, December 2018) focusing on "The Issue of the Militarisation of the Autonomous Republic of Crimea and

the Parts of the Black and Azov Seas". This was organised by the ministers and deputy ministers of 12 countries and became an important forum covering the continuation of the "Friends of the De-occupation of Crimea" platform, as it became a joint event held with partnering states. This thematic discussion was the first open parallel event of such a high level to be held in the OSCE. In this way, the OSCE has been able to maintain vigilance over the issues arising from the attempted annexation and the continued militarisation of the Crimean Peninsula and the growing occupation of the waters in the Black Sea and the Sea of Azov.

 ***Even with Russia's attempts to create a so-called "positive agenda" for the organisation, which would shy away from asking tough questions, the OSCE keeps cognisant that the return of Ukraine's sovereignty and territorial integrity to its internationally recognised borders through Russia's compliance to the norms and principles of the OSCE, de-occupation of Crimea, and the return to the fundamental principles of international law comprise the only way to reinstate the trust in and safety of the OSCE region***

The 16th annual consultations on the implementation of the *Document on Confidence- and Security-Building Measures in the Naval Field in the Black Sea*⁷ (December 2018, Vienna) included a detailed discussion of Russia's aggressive actions in the Black Sea and the Kerch Strait, including the attacks, shelling, and capture of three Ukrainian

5 *Document on Confidence- and Security-Building Measures in the Naval Field in the Black Sea*, UN, 03 June 2002 [<https://digitallibrary.un.org/record/466840>].

6 I. Lossovskyi, n.2.


7 *Document*, n.5.

ships that took place on 25 November 2018, illegal obstruction and blocking by Russia of navigation in the Kerch Strait, and the ongoing militarisation of the Black Sea region and the temporarily occupied Crimean Peninsula. During the next, 17th and 18th, annual consultations (December 2019 and December 2020 respectively), Ukrainian diplomats continued to provide proof of Ukraine's position on Russia's aggressive policy and illegal actions in the Black Sea region and its blatant violation of the provisions of the document and other instruments of international law, territorial integrity and sovereignty of Ukraine, and fundamental OSCE principles and norms⁸. At the same time, relevant video and photo materials were shown, and the statistics of Russian violations were given.

The Chairpersonship of Ukraine at the OSCE Forum for Security Co-operation in 2020 played an important role for Ukrainian diplomacy in defending the sovereignty and territorial integrity of the state. The Ukrainian side took advantage of the opportunities provided by this Chairpersonship and initiated discussions on different political and military issues such as Russia's militarisation of the temporarily occupied Crimea, Russia's obstruction of free navigation in the Azov-Black Sea region, illicit arms trafficking through the uncontrolled section of the Ukrainian-Russian border, hybrid threats to security in the region, the phenomenon of private military companies, etc.

The 27th ministerial meeting of the OSCE (December 2020, Tirana) was used by

the Ukrainian delegation to promote issues important to the Ukrainian side, e.g., restoring sovereignty over Crimea and Donbas. Within the framework of the meetings of the OSCE Council of Ministers, a high-level information event, "International Response to the Occupation of Crimea: Next Steps", was organised by Ukraine and chaired by Minister for Foreign Affairs D. Kuleba⁹. The event, which was attended by more than 150 delegates, including the leadership of the foreign ministries of Turkey, Lithuania, the United States, Poland, and Georgia, became very important for promoting the de-occupation of Crimea in the international arena.



the OSCE Special Monitoring Mission, which has become the source of accurate and reliable information, plays the leading role among the OSCE structures and is a tool used to enforce the Minsk agreements, even with the severe restrictions on its ability to fulfil its mandate

Ukraine's plans to involve the OSCE in the work of the Crimean Platform became the basis for expert work at the level of the OSCE delegations in Vienna. The Crimean Platform is part of Ukraine's strategy for de-occupation. It is expected to work on several levels. The first is the highest political level, which will include heads of state and government. The second is the level of foreign and defence ministers. The third

8 *РФ хоче удвічі наростити озброєння в окупованому Криму – Україна в ОБСЄ (Russia Wants to Double Arms in the Occupied Crimea - Ukraine in the OSCE)*, "UkrInform.ua", 15 December 2020 [https://www.ukrainform.ua/rubric-crimea/3154594-rosia-majze-udvici-planue-narostiti-ozbroenna-v-okupovanomu-krimu-ukraina-v-obse.html].

9 *Dmytro Kuleba Informs OSCE Participating States about Five Priorities of the Crimean Platform*, Ukraine's Mission to the OSCE, 03 December 2020 [https://vienna.mfa.gov.ua/en/news/dmitro-kuleba-rozpoviv-derzhavamuchasnicyam-obse-pro-pyat-prioritetiv-krimskoyi-platformi].

is the inter-parliamentary level with the participation of members of parliaments. The fourth is the level of experts and civil society.

The tools developed under international law and the corresponding OSCE structures are widely used by Ukraine to prevent Russia from attempting to legitimise the Russian occupational jurisdiction over the Autonomous Republic of Crimea and the city of Sevastopol, to prevent the misinformation regarding the hybrid armed aggression in the Donbas, and to show how Russia is evading their obligations under international law. In this regard, the OSCE Special Monitoring Mission, which has become the source of accurate and reliable information, plays the leading role among the OSCE structures and is a tool used to enforce the Minsk agreements, even with the severe restrictions on its ability to fulfil its mandate placed on them by the Russian occupation administrations. Its mandate is supposed to allow the SMM to monitor all territory within Ukraine's internationally recognised borders, which would also entail the monitoring of the Crimean Peninsula and the adjacent waters of the Black Sea and the Sea of Azov. Even with all of this, Russia still fails to recognise the SMM's legitimate right to entirely fulfil its mandate, which prevents any meaningful monitoring of the temporarily occupied territories, especially Crimea and the adjacent waters.

Latest Statistics on the Continuing Militarisation of the Crimea

At the same time, Russia in the past few years has continued its deliberate policy of militarisation of the temporarily occupied Crimea, adjacent territorial waters, and the entire Black Sea basin. Further increase of combat capabilities of the occupation forces

of Russia in the peninsula is being performed by rearmament with modern weapons and military equipment.

Currently, the following military personnel and weapons are located on the temporarily occupied peninsula: 32,500 military personnel; more than 60 combat ships, including six sea-launched cruise missile carriers; seven attack submarines; up to 200 tanks; about 400 combat armoured vehicles; more than 280 artillery systems of different calibres, including MLRS; up to 120 air defence systems; ten coastal missile complexes; more than 180 aircraft and helicopters¹⁰.

The Russian Federation has significantly strengthened its air component, additionally deploying bomber, assault, fighter, and army aviation. The number of combat aircraft has increased fivefold, and striking helicopters 1.5 times during the period of occupation. In particular, the new Su-30SM and Su-30M2 multipurpose aircraft, as well as Mi-28 and Ka-52 helicopters, have been deployed on the airfields. Replacing the obsolete Su-27 and Su-24 aircraft with Su-30SM/M2 fighters and Su-34 bombers, accordingly, has been pre-planned for 2020-2021. The new aircraft have the ability to conduct combat operations more effectively in the air and also on land (or sea) targets by employing modern high-precision Russian-manufactured weapons. At the moment, the Russian Federation uses seven airfields – Belbek, Kacha, Saki, Gvardiiske, Dzhankoi, Yevpatoria, and Kirovske – out of 13 military airfields based on the territory of the temporarily occupied Crimea. The airfield infrastructure, in particular on Gvardiiske and Belbek airfields, can provide reception of long-range and strategic aviation aircraft. Common operational

¹⁰ *Russia*, n.8.

capacity of the airfield net is about 450-500 aircraft of the operational-tactical aviation. By 2025, they plan to deploy the air force and air defence troops of the navy on the basis of the 27th mixed aviation division and the 31st air defence division of the 4th air force and air defence army, naval aviation regiments of the Russian Black Sea Fleet¹¹.

In the naval component, there are plans to further increase the number of ships of the Russian Black Sea Fleet by combat ship replenishment of close maritime zones. Six submarines, three frigates, and three small missile ships have been included in the Black Sea Fleet. These vessels are the carriers of "Kalibr" type sea-launched cruise missiles (these missiles can hit land targets at a range of up to 1,500 km with normal load and up to 2,600 km with a nuclear combat part). It is expected that 84 vessels and combat boats will be included to increase the combat strength of the Black Sea Fleet, 61% of which are new. The priority are carriers of "Kalibr" type sea-launched cruise missiles. Twenty-five ships/submarines will be armed with sea-launched cruise missiles with the ultimate missile salvo of 184 missiles (at present there are 12 ships/submarines with the ultimate missile salvo of 84 missiles). The inclusion of three more combat ships and not less than two strike ships in the Black Sea Fleet is expected.

Russia continues to hold illegal military exercises on the temporarily occupied peninsula and in the adjacent territorial waters. The Ukrainian side in the OSCE and in other diplomatic platforms insists that the stationing of Russian troops in Crimea and conduct of any military activities without the consent of Ukraine are illegal. Such actions contravene international law and further aggravate regional stability and security.

Ukrainian diplomats express resolute protest over Russia's conscription of Ukrainian citizens from the temporarily occupied territory of Crimea and Sevastopol into Russian military service. In accordance with international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, it is forbidden for the occupying power to compel protected persons to serve in its armed or auxiliary forces. Neither exerts of pressure nor propaganda aiming at securing voluntary enlistment are permitted. From the very start of the illegal occupation of the peninsula, the Russian Federation has conducted 11 illegal conscription campaigns, during which approximately 25,000 persons have been illegally called up for military service into the armed forces of Russia. During the 2020 autumn campaign, more than 500 persons from Crimea were conscripted to serve in the Russian army. Ukraine has repeatedly urged Russia to cease these violations and strictly abide by the commitments of the occupying power.

Conclusions

The response to the discussions throughout the OSCE forums of the Russia-Ukraine conflict confirms the unwavering international support for Ukrainian actions in their relentless fight to maintain and regain Ukraine's sovereignty and territorial integrity, reflecting the position of open condemnation by the majority of the participating countries of Russia's aggression, and militarisation and occupation of Crimea and Sevastopol, as well as large areas of the Black Sea and the Sea of Azov, the return of which would entail de-occupation of the peninsula and the reinstatement of the freedom of navigation in the Black Sea and the Sea of Azov and through the Kerch Strait.

11 Ibid.

With all of these considerations, Russia continues to demonstrate its unwillingness and unpreparedness for a constructive discussion of a peaceful resolution of the conflict. Even with the plethora of statements from various countries confirming and condemning Russia's involvement in the armed conflict, including the occupation of Crimea and the adjacent waters, it continues to deny its proven and indisputable involvement in the conflict. The current situation shows a clear distrust from the majority of the OSCE participating states toward the Russian "argumentation" and creates a clear isolation of Russia as the only country supporting such an outrageous position.

The OSCE has been the only international organisation that is actively involved on a daily basis in the resolution process of the Russian-Ukrainian conflict, which started with the occupation and attempted annexation by Russia of the Autonomous Republic of Crimea and the city of Sevastopol. This gives the organisation special importance in the entire process of peaceful settlement.

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CIVIL SOCIETY IN OCCUPIED CRIMEA: A FIGHT FOR THE RIGHTS

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The annexation of Crimea in 2014 brought about many internal problems. The laws and rules established by the Russian Federation in Crimea have significantly complicated NGOs' work and, in some places, even made it impossible for them to operate. New human rights movements have emerged in response to the Kremlin's aggressive policy toward ethnic and religious minorities, as well as toward ordinary citizens who opposed the establishment of the Russian regime. The purpose of this paper is to establish the real state of development of the civil society in Crimea and to describe the conditions in which it has to operate.

Introduction

The life of Crimeans has changed after the Russians occupied the peninsula. The new regime has gradually consumed all areas of Crimean life, including civil activity. Legislation restricting the activities of human rights organisations, constant violation of the rights of ethnic and religious minorities, the rejection of the pro-Ukrainian position, and the arbitrary detention of civil activists by law enforcement authorities became a point of departure for civil society and organisations in Crimea.

According to the Civil Society Organization Sustainability Index (CSOSI), the sustainability of Russia's civil society organisations (CSOs) has been constantly falling since 1997. Today this indicator has dropped to a critical score of 4.7 (out of 7, where 7 is "very low" and 1 is "very high"). In 2019, Russia overtook only Azerbaijan and Belarus in the Eastern European region

(which have 5.7 and 5.5 points respectively). These trends have also become relevant for occupied Crimea. For comparison, the indicator of sustainability of CSOs in Ukraine in 2019 was 3.2 (average sustainability of CSOs, close to "high")¹.

The civil movement in Crimea since the Russian occupation can be divided into two types:

- official public associations and movements registered according to the norms of the occupying authorities of the Russian Federation;
- opposition civil movements, mostly unregistered, which are oppressed by the Russian authorities.

Due to the fact that registration of organisations not loyal to the occupying power is almost impossible, this article will consider both officially registered associations and informal movements

1 *Russia and Ukraine on the Interactive Map*, Civil Society Organization Sustainability Index, [<https://csosi.org/>].

aimed at protecting the rights and interests of various groups of people. The focus of the paper will be mostly on human rights organisations and movements.

Legal Environment of Crimean Civil Society

According to the CSOSI, the legal environment has become one of the indicators of sustainability of Russian CSOs. It has been worsening, particularly in the recent five years. Today there is a steady increase, with a change from 5.6 in 2015 to 6.1 in 2019. One of the reasons is a growing number of laws restricting the activities of civil society and especially organisations dealing with the protection of human rights, environment, and public interests. Unfortunately, these restrictions also remain relevant for Crimea.

Legislation governing the activities of civil society in Russia and imposed by the occupation authorities in Crimea includes:

- The federal law of 12.01.1996 No. 7-FZ “On non-profit organisations”;
- The federal law of 19.05.1995 No. 82-FZ “On public associations”, which was supplemented by the “Foreign Agent” law in 2012 on the inclusion of organisations that receive funding from abroad in a special register of “foreign agents”;
- The “Undesirable Organisations” law (officially the federal law of 23.05.2015 No. 129-FZ “On amendments of some legislative acts of the Russian Federation”);
- Amendments from 2017 to the laws on media and information, allowing foreign media organisations to be classified as “foreign agents” (*Radio Liberty* came under this law in 2019).

Most of the special laws are aimed at limiting activities of CSOs that act contrary to the Russian state policy of restricting the rights and freedoms of people.

According to the Ministry of Justice of the Russian Federation², from the beginning of the occupation until 14 January 2021, 1,154 public organisations, 10 civil movements, 799 religious organisations, 295 trade unions, 157 non-profit foundations, including charitable foundations, and 86 national and cultural autonomies were registered in Crimea.

It should be noted that public organisations created during this period operate mostly in military-patriotic (organisations of veterans, the war-disabled, patriotic education) and sports areas. This trend is relevant for the new youth organisations created during the period of occupation. Russia’s direct support of such organisations makes them a mechanism of local propaganda. Only nine organisations are involved in human rights activities among all the NGOs.

A rather unique phenomenon of non-profit organisations (NPOs) in Russia is the Cossack community. Their NPO unites the associations of ethnic minorities that provide self-organisation and public service. Sixty-six Cossack communities have been registered during the period of occupation in Crimea. According to *Krym.Realii*, these organisations took part in the occupation of the peninsula as a paramilitary formation. Thus, it is difficult to classify them as civil society organisations.

Post-Annexation Activism

After the annexation of Crimea in 2014, numerous movements have been created by the Crimean Tatars to protect their interests. Russian authorities actively try to

2 *Information about Registered Non-profit Organizations*, Information portal of the Ministry of Justice of the Russian Federation [<http://unro.minjust.ru/NKOs.aspx>].

suppress their activities. Arrests of activists, harassment, and bans on assembly, control of freedom of speech, and other violations have become regular.

The most popular Tatar movement is Crimean Solidarity, established in 2016. This movement arose in response to illegal detentions and to protect victims of political repression. Crimean Solidarity unites relatives of political prisoners, civic activists, independent media, and bloggers, as well as lawyers and human rights activists. Its members provide support and legal advice to “at-risk groups” who are under particular pressure from the occupation authorities. The lawyers of Crimean Solidarity also pay special attention to the release of political prisoners and to countering discrimination, inter-confessional and religious strife. The Russian authorities regularly persecute members of this movement. For example, 32 criminal cases were brought against Crimean Solidarity activists in 2019.

Another important element of Tatar activism in Crimea is the Mejlis of the Crimean Tatar people, a representative body of the Crimean Tatars, which was established in 1991. The Mejlis opposed the annexation of Crimea by Russia and was put in Russia’s registry of terrorist organisations and banned in 2016.

In 2014, the Mejlis gathered a mass rally near the Crimean parliament to counter the illegal change of power on the peninsula. After that, the Russian authorities banned the new head of the Mejlis Refat Chubarov and former head Mustafa Dzhemilev from entering Crimea. Moreover, a number of leaders of the Mejlis were prosecuted. Today this institution supports the Crimean Tatar National Movement, and its members represent the Tatar position of Ukrainian Crimea in the parliament and internationally.

In 2018, bloggers and activists created a new civil movement, Vilnyy Krym (Free Crimea). The main goal of this movement is to oppose

the curtailment of freedom of speech and to protect the interests of independent media. The movement is not based on the protection of a particular ethnic group, but includes all interested representatives. Vilnyy Krym regularly holds events on information dissemination and media literacy.



After the annexation of Crimea in 2014, numerous movements have been created by the Crimean Tatars to protect their interests. Russian authorities actively try to suppress their activities

All above-mentioned organisations cooperate with Ukrainian CSOs and the government. They help Ukrainian and international platforms to cover current events in Crimea. Of course, their activities are not enough to fully combat all violations occurring on the peninsula. However, without their efforts, there would not have been the small victories that the civil society of Crimea is achieving to protect its people.

Review of Human Rights Violations in Occupied Crimea

As was mentioned before, human rights violations have become an ordinary practice of the Russian self-proclaimed authorities. Both Ukrainian and international organisations, including the United Nations, record such human rights violations. For example, the UN secretary-general annually issues reports on the “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine”, where human rights violations are recorded. Annual and monthly reports of CrimeaSOS are also a valuable source of detailed information about the state of human rights in Crimea.

According to CrimeaSOS data, during almost seven years of the Russian occupation of Crimea, 44 people have been victims of enforced disappearances on the peninsula. The fate and whereabouts of 15 of them are still unknown³. In addition, during the period of the Russian occupation of Crimea, at least 138 people have been prosecuted for political reasons. Some 119 of them have been imprisoned for various terms⁴.



In the context of illegal criminal prosecution, the problem of non-provision of medical assistance to political prisoners with serious illnesses requiring urgent medical intervention and threatening their life and health is extremely acute, especially during the coronavirus pandemic

In recent years, the occupation authorities in Crimea have continued to use repressive policies against “disloyal” groups of the population. Activists who assist victims of political repression and report the illegal actions of the Russian security officers on social media are persecuted.

The use of administrative legislation to combat civilians disloyal to the occupation authorities, as well as the use of torture to recruit for cooperation with the Russian secret services, is increasingly becoming widespread. In response to the intensification of administrative persecution, the Crimean

Tatar community created the Crimean Marathon initiative in 2017 to raise funds for paying fines for civil activists.

Along with a number of administrative sentences, the occupation authorities are initiating criminal cases against Crimean Tatar civil and religious activists, persons with pro-Ukrainian views, and those who express their position on social networks. In 2019, the biggest number of criminal cases was recorded against Crimean Tatars since the beginning of the occupation. As a result, today 70% of all political prisoners in Crimea are Crimean Tatars. Courts controlled by the Russian Federation sentence them to up to 19 years in prison on fabricated cases and on charges of crimes that had not been committed. Those who have served their sentences are subjected to lengthy administrative supervision, which severely restricts their rights, including a ban on leaving Crimea without special permission and the obligation to register with special bodies twice a month. The occupying authorities are deporting political prisoners to Russia to complicate the access to them for lawyers and family members.

The practice of “group cases” is actively used, when charges are brought against several persons at once. The most infamous are the “Hizb ut-Tahrir” case, the “Tablighi Jamaat” case, and the so-called “Extortion case”. The main reason for the arrests is designated as participation in the activities of banned and terrorist organisations. About 70 people in Crimea have been detained under this article, although the charges are largely fabricated⁵.

3 *Enforced Disappearances in Crimea during the Period of Occupation by the Russian Federation in 2014-2020*, KrymSOS [<https://krymsos.com/files/d/e/de39035-----pdf>].

4 *Detention Conditions of Crimean Political Prisoners: Overview of Cases*, KrymSOS [<https://krymsos.com/files/9/2/92485e8-365b7e0-----1-----pdf>].

5 *The Hizb ut-Tahrir Case*, Crimean Solidarity [<https://crimean-solidarity.org/cases/delo-xizb-uttaxrir-14>].

In the context of illegal criminal prosecution, the problem of non-provision of medical assistance to political prisoners with serious illnesses requiring urgent medical intervention and threatening their life and health is extremely acute, especially during the coronavirus pandemic. Moreover, the occupying authorities of the Russian Federation are massively inoculating the population of Crimea from COVID-19 with a vaccine that has not received World Health Organisation approval.

The oppression of religious organisations and violations of the right to peaceful assembly are also a serious problem on the peninsula. In recent years, cases of persecution of representatives of Jehovah's Witnesses, Muslims (in particular those involved in the Hizb ut-Tahrir cases), and the community of the Orthodox Church of Ukraine (OCU) have become more frequent.

The local government controlled by the Russian Federation regularly refuses representatives of the Muslim community of Crimea to hold religious holidays, and also intimidates them with warnings about violating anti-extremist legislation. The occupation authorities impede the activities of the Orthodox Church of Ukraine in Crimea, having unjustifiably evicted it from the premises of the cathedral in Simferopol and initiated the demolition of the cathedral in Yevpatoria. As a result, members of the Ukrainian Orthodox community in these cities are deprived of the right to profess and practice religion. At the end of 2019, out of 25 priests of the OCU who were in Crimea before the occupation, only five remained. The rest were forced to move to mainland Ukraine due to the pressure on them and their families.

Another trend that began to be clearly seen since 2017 involves illegal detentions followed by the use of torture in order to recruit for cooperation with the special services of the Russian Federation. During forcible confinement, the victims are subjected to torture with electric shocks, beatings, death threats, psychological pressure, etc. By torture, they are persuaded to transmit information about the life of local Crimean Tatar and Muslim groups and communities. The fact that the cases have taken place in different regions of Crimea and followed the same pattern indicates that these are not local "excesses", but a planned and systematic policy.

Violation of rights of sexual minorities by the occupation authorities in Crimea is quite frequent. These are, in particular, actions based on homophobia, discrimination, violation of the right to peaceful assembly. The Federal Security Service, local police, and radical right-wing organisations are trying to limit the activities of the LGBTQ+ community by banning the activities of specialised clubs and organisations, as well as through harassment and threats.

Representatives of the Russian border service in occupied Crimea groundlessly detain activists when the latter cross the administrative border between Crimea and mainland Ukraine. FSB and border guard officers are trying to recruit Ukrainian citizens for confidential cooperation with the Russian Federation⁶.

There is a tendency to militarise children's education. Occupation authorities are agitating children to join the ranks of the "Yunarmiya" – a youth military-patriotic movement whose main goals are "to

6 *FSB Recruits Ukrainians Who Visit Crimea – Counterintelligence*, "UkrInform.ua" [<https://www.ukrinform.ua/rubric-crimea/2811317-fsb-verbue-ukrainciv-aki-vidviduut-krim-kontrrozvidka.html>].

increase the prestige of military service and preserve patriotic traditions". Thus, a patriotic attitude toward the occupying state is forcibly implanted among Crimean children.

In addition, the occupation authorities deprive Crimeans of the right to receive education in their native language. The number of students studying in the Ukrainian and Crimean Tatar languages is constantly decreasing. As of the end of 2019, only 250 children were receiving school education in Ukrainian, and 6,000 children in Crimean Tatar. Thus, Crimea is going through forced russification.

The Russian Federation violates the rights of Crimeans to free access to information. Providers in occupied Crimea are blocking 18 Ukrainian information websites and two social networks (LinkedIn and Telegram).

At the same time, human rights violations in Crimea go far beyond persecution for political or ethnic reasons: A large number of residents of the north of the peninsula suffered from chemical emissions in Armyansk in August 2018. The Russian authorities are hiding real information about this incident and its consequences from the population. Moreover, since August 2020, the population of some regions of Crimea has had no free access to fresh water⁷.

Support by Ukrainian Organisations

A number of organisations in Ukraine deal directly with Crimean issues. The first group of organisations includes CrimeaSOS, Crimean Human Rights Group, Crimean Tatar Resource Centre, Crimean project-educational platform Q-Hub, etc. All of them have been created as a reaction to the illegal actions of the Russian Federation in Crimea and are aimed at monitoring human rights

on the peninsula, working with migrants, and engaging in international advocacy.

The human rights organisation ZMINA, the Ukrainian Helsinki Human Rights Union, the Centre for Civil Liberties, and the Media Initiative for Human Rights are also engaged in Crimean issues by examining human rights violations. The media that cover the problems of occupied Crimea are also worth mentioning. *Krym.Realii* is a Crimean project of the Ukrainian office of *Radio Svoboda*, which was created in 2014 immediately after the occupation of the peninsula. In 2015, the same team created *Radio Krym.Realii*. Information centre QirimInfo, created by the CrimeaSOS organisation, covers events in Crimea. Other independent media with "Crimean roots" are the Crimean News Agency (QHA) and ATR TV channel.

Constant attention of the civil society in Ukraine to the issue of occupied Crimea allows keeping the urgency of this issue both within the country and at the international level. In addition, human rights activities by CSOs help victims of the Kremlin regime on the peninsula to find help and support in difficult situations, from finding a lawyer to providing asylum.

International institutions such as the United Nations, the International Migration Organisation, and Amnesty International support the activities of Ukrainian organisations. This creates the conditions for an effective fight against illegal actions and crimes against people and their freedom.

Conclusion

By looking at the whole range of offenses taking place in Crimea and the meagre number of internal organisations and movements that are trying to fight them, several central problems can be identified.

⁷ *Overview of the Situation in Crimea for 2020*, KrymSOS [<https://krymsos.com/files/7/f/7fd8a44-----ru.pdf>].

The first problem is that civil activism is not supported by the occupying power, but is suppressed in every possible way. Human rights organisations and movements cannot officially register, which could give them more rights under the Russian law. In addition, there are ongoing arrests of activists for various reasons.

The second problem is Russia's restriction of human rights organisations' access to support from Ukraine and international partners. This is evidenced by the ban on activists traveling from or to Crimea, restrictions on obtaining foreign funding by CSOs, and the forcible transfer of activists under investigation to Russia to minimise external interference.

And while the existing problems often lead to the creation of new informal human rights movements, this is rather a negative result.

Such arbitrariness on the part of the Russian authorities with regard to the civil sector and its deplorable results should be indicative also for Ukraine. Ukraine, for its part, must continue to actively cover the human rights situation in Crimea, involving the international community in this issue to increase pressure on Russia.

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ADDRESSING RUSSIA'S OCCUPATION OF CRIMEA: FROM CONFLICT MANAGEMENT TO PEACEBUILDING

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Which conflict resolution method should be employed to maximise the outcomes of acceptable regional security and sustained peace in Crimea? As the current international conflict management mechanisms are of limited effect, Ukraine pushes for the new Crimean Platform format. The author explores whether the “peacebuilding” approach used to address the armed conflict in Donetsk and Luhansk oblasts is hereto relevant. Some good practices of this approach – dialogue, advocacy of humanitarian issues, and people connectivity – can be used for the temporarily occupied Crimea.

Introduction

The phenomenon of temporarily occupied Crimea has been an “unknown known” for many international relations analysts and politicians. Some prefer to treat the issue separately from the conflict in Donetsk and Luhansk oblasts. Others submit to the belief that the issue is unsolvable as Russia would never return Crimea to Ukraine.

Behind these approaches is the balancing of a relatively small power of Ukraine versus the formerly imperial, nuclear-armed, and militarily strong Russia. Moreover, when neoliberalism fell out of fashion, a sentiment emerged that neither Crimea nor “Ukraine crisis” should be a security concern for Europe, or even that it is Ukraine, not Russia, that is the greatest security challenge in Europe, and that the EU should not become a junior partner to the US geopolitical ambitions vis-à-vis Russia. Somewhat at odds is the issue of Russia’s human rights violations in Crimea – international reaction to human rights is an element of the liberal international order

that still stands, while democracy and other values that once were considered essential components of “democratic peace” are often labelled as “Western” and discarded.

Conflict Management

Conflict management for Crimea remains centred on bilateral contacts and reactive policy actions in multilateral institutions. The UN Security Council (UN SC), a principal body to address international conflicts, has not been able to act on the issue because of Russia’s veto power. The case descended to the UN General Assembly (UN GA), which has adopted several politically important resolutions, eventually defining the conflict over Ukraine’s Crimea as a “temporary occupation”. First and foremost, the United Nations General Assembly Resolution 68/262 of 27 March 2014 defined the unlawfulness and inadmissibility of Russia’s seizure of Crimea, and affirmed support for Ukraine’s sovereignty, independence, “national unity”, and territorial integrity within its internationally recognised


borders. The resolution also invalidated the 16 March 2014 “referendum” in Crimea.

Russia’s objections to international regulation were helped by China’s position. Not recognising Russia’s annexation of Crimea, China has been abstaining from voting, and voted “against” the UN GA resolution of 07 December 2020: A Chinese expert explained that China saw “complex historical dimensions of the situation in Crimea and remains committed to a diplomatic solution that considers the interests of all parties involved”.¹

Even though no sanctions were authorised by the UN, the sanctions over Crimea were imposed by the US, EU, Canada, Japan, Australia, and many other “Western” states, which supplemented personal sanctions with selected sectoral and trade ones – for example, the “Prohibition of Imports into the European Union of Goods from Crimea” or the “Prohibition of European Investments in Crimea”. Unlike the sanctions related to the Minsk process, “Crimea sanctions” are expected to stay even if progress is made toward conflict resolution in Donbas. Of note, Ukraine imposed the sanctions on Russia only in 2015.

All these measures notwithstanding, the situation has not improved, and human rights violations have increased. Moreover, the risk of the conflict relapse into armed hostilities is present and growing. Russia’s militarisation of Crimea and the Black Sea after the annexation was followed by the skirmish and capture of Ukrainian

servicepersons and seizure of naval boats on 25 November 2018 in the Kerch Strait, which prompted analysts to warn, “Further incidents remain a real possibility.”²



Conflict management for Crimea remains centred on bilateral contacts and reactive policy actions in multilateral institutions

Remarkably, Russia’s eventual return of the detainees and the boats to Ukraine might have signalled that there is still a cap for Russia in terms of the degree of violence in foreign policy. Yet, there remains a long-term threat of the conflict’s relapse into armed hostilities: President Vladimir Putin in his March 2014 speech on Crimea’s accession to the Russian Federation referenced Kyivan Rus specifically, and on another occasion, “in December 2019, he once more referred to southeastern Ukraine as ancestral Russian lands, claiming they had been inexplicably and erroneously handed to Ukraine by the Bolsheviks”.³ Additionally, there is a recurring narrative that Russia has a strategic need for the land corridor from the occupied territories of Donbas to Crimea, which calls for watching the military dynamics of the conflict in Donetsk and Luhansk oblasts when analysing Crimea. This is supported by the entities in control of certain areas of Donetsk and Luhansk regions (CADLR) ideologically connecting Crimea and Donbas and advocating for joining Russia.

1 Z. Lihua, *Explaining China’s Position on the Crimea Referendum*, Carnegie-Tsinghua Centre for Global Policy, 01 April 2015 [<https://carnegietsinghua.org/2015/04/01/explaining-china-s-position-on-crimea-referendum-pub-59600> access: 28 February 2021].

2 *Reducing the Human Cost of Ukraine’s War*, International Crisis Group, 04 February 2019 [<https://www.crisisgroup.org/europe-central-asia/eastern-europe/ukraine/reducing-human-cost-ukraines-war> access: 28 February 2021].

3 T. Kuzio, *Putin Forever: Ukraine faces prospect of endless imperial aggression*, Atlantic Council, 13 February 2020 [<https://www.atlanticcouncil.org/blogs/ukrainealert/putin-forever-ukraine-faces-the-prospect-of-endless-imperial-aggression/> access: 28 February 2021].

There is an established connection to Crimea in CADLR “oversight” and “governance”. A member of the Russian State Duma “representing” Crimea, Andrey Kozenko, asserted, “The Republic of Crimea has always supported and will continue to support the people of Donbass”.⁴

The UN General Assembly Resolution of 07 December 2020 specifically addressed the militarisation, following up on previous resolutions, 73/194 of 17 December 2018 and 74/17 of 09 December. Of special interest in this resolution was the statement, “Recalling that the temporary occupation of Crimea and the threat or use of force against the territorial integrity or political independence of Ukraine by the Russian Federation is in contravention of commitments made in the ... [Budapest] Memorandum”. The resolution specifically voiced the concern over “the efforts of the Russian Federation to extend its jurisdiction over the nuclear facilities and material in Crimea” and the “destabilizing impact on the international verification and arms control regimes ... transfers by the Russian Federation of advanced weapon systems, including nuclear-capable aircraft and missiles”.⁵

Ukraine officially stays committed to a peaceful politico-diplomatic resolution of

the Russian-Ukrainian conflict. The Crimean Platform was designed as “a foreign policy instrument of the de-occupation strategy. This flexible international format is aimed at consolidating international efforts and achieving synergy of intergovernmental, parliamentary, and expert levels”.⁶ Among regionally important powers, the idea was supported by the US, calling “like-minded partners” to join this framework.⁷ Apart from Ukraine’s traditional Baltic-Nordic friends, Canada, the UK, Turkey, Georgia, and Switzerland also signalled they would join. Germany and France remain cautious, despite the confirmation that France will participate in inaugural 23 August 2021 summit, but “there’s some need for clarification about its purpose”.

The platform’s security direction will reportedly include discussions “on the level of Ministers of Foreign Affairs and Ministers of Defence” to address the impact of Crimea’s occupation on the security situation in the Black Sea, but also broader implications for the Middle East and Northern Africa region. The platform will also have a strong focus on the human rights violations in Crimea.⁸

An open question remains whether Russia would be willing to join the new mechanism, and the indications are that this is presently

4 В Донецке стартовал первый день интеграционного форума “Русский Донбасс” (*The First Day of the Integration Forum “Russian Donbass” Has Started in Donetsk*), Russian Center, 28 January 2021 [<https://russian-center.ru/v-donetske-startoval-pervyj-den-integratsionnogo-foruma-russkij-donbass/> access: 28 February 2021].

5 *Resolution Adopted by the General Assembly on 7 December 2020*, United Nations General Assembly, 14 December 2020 [<https://undocs.org/en/A/RES/75/29> access: 28 February 2021].

6 *The Crimean Platform Will Become a Foreign Policy Instrument of De-Occupation Strategy*, “Ukraine Analytica”, 25 February 2021 [<https://ukraine-analytica.org/the-crimean-platform-will-become-a-foreign-policy-instrument-of-the-de-occupation-strategy> access: 28 February 2021].

7 *Remarks at a UN Security Council Briefing on the Ukraine Conflict and Implementation of the Minsk Agreements (via VTC)*, United States Mission to the United Nations, 11 February 2021 [<https://usun.usmission.gov/remarks-at-a-un-security-council-briefing-on-the-ukraine-conflict-and-implementation-of-the-minsk-agreements-via-utc/> access: 28 February 2021].

8 A. Demchenko, *Марія Мезенцева: «Українська делегація не змінюватиме платівки стосовно Росії, яка порушила принципи Ради Європи»* (Maria Mezentseva: “Ukrainian Delegation Will Not Change the Record Regarding Russia, Which Violated the Principles of the Council of Europe”), “LB.ua”, 11 February 2021 [https://lb.ua/world/2021/02/11/477425_mariya_mezentseva_ukrainska.html access: 28 February 2021].

unlikely. Thus, the initiative will likely serve to keep Crimea on the international agenda. The platform envisages an international expert component to develop recommendations on the “de-occupation strategy”. Such coordination is needed more than ever, given some uncertainty over future German policy direction toward Russia. As has been noted, “Berlin’s calls for further talks with Moscow, which come whenever Russia makes the headlines, ignore the fact that there is already an abundance of dialogue between the Kremlin and various European leaders – it is just that this dialogue produces no results”.⁹

A Peacebuilding Approach

The concept of peacebuilding, including conflict prevention and transformation, ought to be explored in relation to Crimea. In the ongoing conflict, the immediate goal would be to de-escalate the tension and prevent future armed incidents that could lead to all-out hostilities and a regional war.

International peacebuilding has been quite popular in relation to the conflict in the east of Ukraine. But in fact it was also practised in the past in Crimea, to address internal situation and to learn how the multi-ethnic region, unlike some other territories of former Soviet states, had avoided violent conflict.¹⁰ The basic understanding of peacebuilding at the UN includes “efforts to assist countries and regions in their transitions from war to peace and to reduce

a country’s risk of lapsing or relapsing into conflict by strengthening national capacities for conflict management, and laying the foundations for sustainable peace and development”.¹¹

According to some experts, this is a methodology applicable to civil wars, rather than international conflicts, “as wars between nation-states virtually ceased to exist and as fragile states with internal armed conflicts became the main threats to global peace and security”.¹² Nevertheless, the peacebuilding approach is used to strengthen national institutions and national unity. This is extremely useful for Ukraine.



In the ongoing conflict, the immediate goal would be to de-escalate the tension and prevent future armed incidents that could lead to all-out hostilities and a regional war

Furthermore, on a grassroots level, peacebuilding, save for the limitation of the access, may affect the resilience of Ukrainian citizens residing in Crimea. As if in anticipation, Russia reportedly resettled 500,000 to one million persons to Crimea, but the core of its 2.5 million population are still Ukrainian citizens. Interestingly, the EU recently called on Russia to “stop changing

9 G. Gressel, *Dead-end Pragmatism: Germany’s Russia Strategy after Merkel*, European Council on Foreign Relations, 09 February 2021 [https://ecfr.eu/article/dead-end-pragmatism-germanys-russia-strategy-after-merkel/ access: 28 February 2021].

10 G. Sasse, *Conflict-prevention in a Transition State: The Crimean issue in Post-Soviet Ukraine*, “Nationalism and Ethnic Politics”, 8:2, 2002, pp.1-26, DOI: 10.1080/13537110208428659.

11 *Peace and Security*, United Nations [https://www.un.org/en/sections/issues-depth/peace-and-security/ access: 28 February 2021].

12 M. Von Der Shulenburg, *Rethinking Peacebuilding: Transforming UN approach*, International Peace Institute, September 2014 [https://www.ipinst.org/wp-content/uploads/publications/ipi_e_pub_rethinking_peacebuilding.pdf access: 28 February 2021].

the demographic structure on the peninsula by the resettlement of its own civilian population to the peninsula".¹³

This humanitarian approach may have an intricate relationship with identity issues. Tatiana Kyselova noted that in Ukraine, "identities are not stable, but instead are constantly shifting and mixing, and it is likely that even ethnicity is shifting as well".¹⁴ Enhanced work on a "civic nation" that Ukraine has to a large extent been implementing may also empower the residents in Crimea. International peacebuilders should also support targeted work with Russian speakers: As Taras Kuzio observed, "It is therefore long overdue for Western scholars to come to appreciate and study the phenomenon of Russian-speaking Ukrainian patriotism".¹⁵

An essential element in the peacebuilding approach is the use of dialogue between the parties to the conflict. This supplements the conflict management approach with multi-track diplomacy, involving experts and representatives of civic society organisations. Is there room for such a dialogue over Crimea? In fact, one such dialogue has already been taking place for several years. Reportedly, the fourth Truth, Justice, and Peacebuilding Commission meeting was held in Paris, supported by the EU. The *Declaration of Intellectuals*, adopted at the meeting,

stated that "a lasting and equitable peace in the Donbas and the de-occupation of Crimea are possible and necessary. ... For the establishment of a lasting peace, it is necessary to identify and eliminate the basic reasons for the conflict between Russia and Ukraine, and also between Russia and the West". The members of the commission include the Ukrainian Catholic University (Lviv), the Mohyla Academy (Kyiv), the international association "Memorial" (Moscow), and the College of the Bernardines (Paris).¹⁶

An interesting interplay is among the conflict management, peacebuilding, and advocacy for human rights. It is especially relevant in the context of the Crimean Platform, which will have the human rights element, but it is not clear to what extent it would be a core component in relation to the political, security, economic, and environmental components. A delicate balance may be needed going forward, when a dialogue with Russia becomes possible. Based on the experience of some intrastate conflicts, the UN-connected experts noted that "conflict resolvers, eager to achieve a negotiated settlement to a conflict with minimum loss of life, may insufficiently factor in the relevance of human rights to the long-term success of their work. Human rights advocates, by limiting their activities to shaming, negative publicity, and judicial condemnation of responsible

13 *Ukraine: Declaration by the High Representative on Behalf of the European Union on the Illegal Annexation of Crimea and Sevastopol*, European Council, 25 February 2021 [https://www.consilium.europa.eu/en/press/press-releases/2021/02/25/ukraine-declaration-by-the-high-representative-on-behalf-of-the-european-union-on-the-illegal-annexation-of-crimea-and-sevastopol/ access: 28 February 2021].

14 T. Kyselova, *Mapping Civil Society and Peacebuilding in Ukraine: Peacebuilding by Any Other Name*, Mediation and Dialogue Research Center, June 2019 [https://md.ukma.edu.ua/wp-content/uploads/2019/10/ENG-Ukraine-Mapping-Civil-Society-Report-2019.pdf access: 28 February 2021].

15 T. Kuzio, *Russian-Speaking Patriotism in Ukraine: Under-Researched and Misunderstood (Part II)*, NYU Jordan Center for the Advanced Study of Russia, 11 February 2021 [https://uacrisis.org/en/73801-possibility-peace-donbas-end-occupation-crimea access: 28 February 2021].

16 *The Possibility of Peace in Donbas and of an End to the Occupation of Crimea*, Ukraine Crisis Media Center, 28 October 2019 [https://uacrisis.org/en/73801-possibility-peace-donbas-end-occupation-crimea access: 28 February 2021].

individuals, may miss opportunities for human rights improvements that could be achieved through the use of negotiation and diplomatic techniques”.¹⁷

One approach in peacebuilding advocates for the restoration of economic connections with occupied territories, which may prevent the parties from hostilities. However, there are serious limitations. First, future de-occupation of the peninsula has to address legal ramifications of seized assets and unlawfully exploited resources. Remarkably, key “investors” in Crimea may be from President Putin’s circle: For example, companies related to Arkady Rotenberg reportedly acquired about 25 percent of “nationalised” resorts and the bulk of lucrative infrastructure contracts.¹⁸ Some experts have concluded that not economic relations but “diplomacy and politics” were the reason that led to the resolution of conflicts, while “the legal status may put constraints on the possible economic activities to mitigate the conflict”.¹⁹

Moreover, Russia may politicise economic connectivity, using it as a sign of the occupation’s recognition in issues such as the resumption of water and electricity supplies and the unblocking of transportation routes. Moreover, economic connectivity is difficult where embargoes are used to repel the occupation. From the humanitarian perspective, for the issue of water or vital

supplies in the future, Ukraine’s government would probably partner with a reputable international organisation, should such a need arise.



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The grassroots humanitarian component addressed by international peacebuilders would support President Zelenskyy’s “people-centred” policy toward de-occupation: “Dear Crimeans! It’s time to come back home”.²⁰ Good practices can be learned from the experience of Donbas “line of contact” to focus on the flow of people across the administrative boundary. And some partner support is arriving. Recently, the UK has announced funding for a new project “to improve access to vital services for Ukrainians living in Crimea”. The UK will contribute GBP 168,000 to this project, “which will support the local authorities in the neighbouring Kherson region to help those who are struggling to visit hospitals or apply for Ukrainian passports”.²¹

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- 17 E.F. Babbitt, *Conflict Resolution and Human Rights in Peacebuilding: Exploring the Tensions*, UN [https://www.un.org/en/chronicle/article/conflict-resolution-and-human-rights-peacebuilding-exploring-tensions access: 28 February 2021].
- 18 Y. Reznikova, *Рассказ о том, как Аркадий Потенберг стал главным владельцем крымских курортов (The Story on How Arkady Rotenberg Became Main Owner of Crimean Resorts)*, “Proekt”, 25 February 2021 [https://www.proekt.media/guide/arkadiy-rotenberg-krym/ access: 28 February 2021].
- 19 *Workshop: Economic Connectivity in European Conflict Regions*, Vienna Institute for International Economic Studies, 01 July 2016 [https://wiiw.ac.at/files/events/report-economic-connectivity-workshop-16-09-02-n-341.pdf access: 28 February 2021].
- 20 *Address by the President of Ukraine on the Occasion of the Day of Resistance to the Occupation of the Autonomous Republic of Crimea and the City of Sevastopol*, 26 February 2021 [https://www.president.gov.ua/en/news/zvernennya-prezidenta-ukrayini-z-nagodi-dnya-sprotivu-okupac-66821 access: 28 February 2021].
- 21 *UK to Allocate GBP 168,000 to Kherson Region for Project to Improve Life of Ukrainians Living in Crimea*, “Interfax”, 20 February 2021 [https://en.interfax.com.ua/news/economic/725149.html access: 28 February 2021].

Remarkably, applying the peacebuilding approach to the temporarily occupied Crimea could potentially provide synergies with peacebuilding regarding the armed conflict in Donetsk and Luhansk oblasts and strengthening national unity. Tatiana Kyselova noted that, common for both Crimea and Donbas, “many conventional peacebuilding strategies that originate from other contexts of internal civil wars are not directly applicable here. The external aggression element should be taken into account when designing any peacebuilding intervention, including security aspects and the impact on the geopolitical level of the conflict”. Yet, Kyselova’s research also found obstacles in raising international donor funding: “The exclusion of Crimea as an issue from the peacebuilding agenda in Ukraine was not seen as due to civil society but rather to donors and the Ukrainian government”.²² Hopefully, renewed activism with the Crimea Platform may open more doors in this regard.

Will Russia Ever Return Crimea?

One has to spend a long time to find optimistic expert views on the future of Crimea with Ukraine. Some regional scholars, e.g., Ivan Katchanovski, suggest that “a return of Crimea from Russia to Ukraine is virtually impossible”.²³ Seasoned diplomat Steven Pifer asserted, “Ukraine lacks the leverage to restore sovereignty over Crimea, at least for the foreseeable future. But that does not mean the West should accept it”.²⁴

Nevertheless, there have been several notable historical precedents of reversing

the status of annexed territories. One such relatively recent case was the 1978 Camp David Peace Agreement, whereby Israel gradually returned the occupied Sinai Peninsula to Egypt. The accords included demilitarisation of Sinai to reassure Israel. Notably, the sense of urgency that prompted US administrations to become heavily involved in designing peace was created by the spark of the 1973 war. Yet, as early as 1972, President Anwar Sadat was willing to establish his credibility and was predisposed to the peace process.²⁵

Presently, Russia’s authorities have been dismissing any suggestion of resolving the conflict amicably. The debate over Crimea is legally punishable and a taboo in Russia. Nevertheless, some critical opposition voices, such as that of Garry Kasparov or prominent theatre and movie artists, have publicly opposed the annexation despite facing oppression and hate speech. Others, such as Russian opposition politician Alexey Navalny, admitted the need to have negotiations over Crimea.

Meanwhile, the strategic value of Crimea for Russia, at a close examination, is essentially reduced to securing Sevastopol’s warm water port and naval base, and the advantage of building “important strategic defence capabilities”. It also includes “the need to regain influence over Ukraine’s future direction. ... Should Putin’s strategy fail to achieve the outcomes that he desires, Crimea could well serve an additional strategic function, as a base of operations for future military action against Ukraine”.²⁶

22 Kyselova, n.14.

23 I. Katchanovski, *Crimea: People and Territory before and after Annexation*, “e-IR”, 24 March 2015 [https://www.e-ir.info/2015/03/24/crimea-people-and-territory-before-and-after-annexation/ access: 28 February 2021].

24 S. Pifer, *Crimea: Six Years after Illegal Annexation*, Brookings, 17 March 2020 [https://www.brookings.edu/blog/order-from-chaos/2020/03/17/crimea-six-years-after-illegal-annexation/ access: 28 February 2021].

25 S. Telhami, *The Camp David Accords: A Case of International Bargaining* [https://www.files.ethz.ch/isn/6847/doc_6849_290_en.pdf access: 28 February 2021].

26 *Crimea’s Strategic Value to Russia*, CSIS, 18 March 2014 [https://www.csis.org/blogs/post-soviet-post/crimeas-strategic-value-russia access: 28 February 2021].

And if we admit that the threat from NATO, even today, is more perceived by the Russian authorities than real, then probably the value is in the Kremlin's ambition to control its "near abroad" and project the "great power" status worldwide. Andrei Illarionov even questioned the military strategic value of the Black Sea "lake" and concluded that "from an economic, political, and military point of view, [Crimea] is a huge liability 'earned' by Vladimir Putin and the Putin regime".²⁷

However, in the short term, the costs of President Putin's adventurism appear to be manageable. Russia's economy, despite the impact of sanctions, has been robust enough to absorb those costs, at least at a basic level. According to Leonid Bershidsky²⁸, "The subsidies poured into Crimea have varied between USD 1 billion and USD 2.7 billion a year, a manageable amount for the USD 1.6 trillion Russian economy". Yet, Bershidsky also believes that President Putin lost the "bargaining power" on the world stage, which has a far worse impact. Domestically, "Russians' post-Crimea enthusiasm is gone, eroded by six years of falling incomes. Now, Putin's financial costs are coming, too: Increased social and infrastructure spending are necessary to keep his support from sliding further, and, judging by the lack of reaction in the polls to Putin's recent

promises, as well as pronounced apathy during recent elections, Russians don't trust him, either". In the environment of a slow economic growth and questionable institutional reforms, the burden of the occupied Crimea will likely be increasingly heavier.

Furthermore, the curtailing of electoral democracy could backfire one day – a Russian analyst even mentioned conflicts with "unfavourable" Ukrainian legacy of direct elections of mayors that do not fit with the Russian governance system.²⁹ Small businesses complain about a poor investment climate,³⁰ while no large industries are in place to support growth. Transparency is likely to further decrease, as in order to promote investment in Crimea, the Russian authorities came up with the initiative to establish "special law areas", where international investors would be granted anonymity from sanctions.³¹

Conclusion

Peacebuilding may be useful not only to resolve the Russian-Ukrainian conflict in the longer term, in the absence of effective conflict management frameworks, but also to prevent the conflict's relapse into violent military escalation. With the current limitations of some international

27 I. Tikhonenko, *Андрей Илларионов о мифах присоединения Крыма (Andrei Illarionov on the Myths of the Accession of Crimea)*, "Golos Ameriki", 31 March 2014 [https://www.golosameriki.com/a/illarionov-on-crimea/1883277.html access: 28 February 2021].

28 L. Bershidsky, *Five Years Later, Putin Is Paying for Crimea*, "Bloomberg", 16 March 2019 [https://www.bloomberg.com/opinion/articles/2019-03-16/russia-s-annexation-of-crimea-5-years-ago-has-cost-putin-dearly access: 28 February 2021].

29 Y. Sovayev-Guryev, A. Galanina, S. Izotov, *Наш: россияне не изменили отношения к возвращению Крыма (It Is Ours – Russians Haven't Changed Their Attitudes to the Return of Crimea)*, "Iz.ru", 18 March 2019 [https://iz.ru/857392/egor-sozaev-gurev-angelina-galanina-sergei-izotov/nash-rossiiane-ne-izmenili-otnosheniia-k-vozvrashcheniiu-kryma access: 28 February 2021].

30 Y. Removskaya, *«Происходит сворачивание бизнеса»: как выживают предприниматели на полуострове ("Business Is Collapsing": How Entrepreneurs Survive on the Peninsula)*, "Iz.ru", 18 March 2019 [https://iz.ru/857392/egor-sozaev-gurev-angelina-galanina-sergei-izotov/nash-rossiiane-ne-izmenili-otnosheniia-k-vozvrashcheniiu-kryma access: 28 February 2021].

31 *Власти предложили для Крыма особый правовой режим для защиты от санкций (Authorities Proposed Special Legal Framework for the Protection against Sanctions for Crimea)*, "RBC", 03 February 2021 [https://www.rbc.ru/economics/03/02/2021/6019478c9a794725cd0cce58 access: 28 February 2021].

organisations, where Russia has a strong voting position, to address the temporary occupation of Crimea, the focus should be on bilateral and independent support for humanitarian connections, service delivery to Ukrainian citizens resident in Crimea, and private, including expert, diplomacy.

The absence of Russia's genuine consent for peace negotiations suggests the Crimean Platform could serve to keep the issue on the agenda and build a network of international partners, with synergies to the resolution of the armed conflict in Donetsk and Luhansk oblasts.

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MAKING THE CRIMEAN SANCTIONS WORK: WHAT UKRAINE AND THE WEST CAN DO TO INCREASE THE EFFICIENCY OF THE SANCTIONS REGIME

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The Crimean package of Western sanctions is supposed to stay in force until Russian troops leave the occupied peninsula. It has had a significant economic impact on Crimea's economy but has failed to check the continuing militarisation of Crimea as well as human rights and international humanitarian law violations. The package is rather strong; yet, Russia has adapted to the restrictive measures and has learned to bypass some of them. The article argues that the occupation of Crimea has to be viewed in a wider context; violations of the sanctions should be investigated and corrected where necessary, and additional sanctions should be imposed.

The Goal and Impact of the Crimean Sanctions

The Crimean sanctions imposed by Western countries on the Russian Federation in 2014 in support of Ukraine's territorial integrity have been in place for over six years. Although individuals and entities have been added on several occasions, the general framework has stayed the same. Restrictions on economic relations with the occupied peninsula were imposed to send a message to Russia and the world that the illegal occupation of another state's territory was unacceptable and had to be reversed. Western countries pledged that the sanctions would stay in place until the occupying state complied.

Over the six years, Crimea has become almost isolated, and its economy has significantly deteriorated. Its banking sector – the economy's backbone – is reduced to only six Russian banks. All Ukrainian and foreign banks as well as 27 Russian banks that had been present on the peninsula prior to the occupation have left. Compared to 2013, the throughput of goods through the Crimean ports has decreased more than five times. Foreign direct investment has dried up, and about 70% of construction and development (worth USD 6.03 billion for Crimea and 1.34 billion and Sevastopol) is carried out with the money coming directly from the Russian state budget. In 2019, only 32.6% of Crimea's revenue came from its own earnings; the remaining 67.4% were Russian subsidies.¹

1 A. Klymenko, T. Guchakova, O.Korbut, *The Real Impact of Crimean Sanctions (6-8). The Peculiarities of Economic Processes in Occupied Crimea under Sanctions*, "Black Sea News", 20 May 2020 [<https://www.blackseanews.net/en/read/163314>].

Nevertheless, no reversal of the occupation is in sight. Russia claims that Crimea's annexation is a *fait accompli*,² flouts international court rulings, and continues integrating and militarising the peninsula.



Restrictions on economic relations with the occupied peninsula were imposed to send a message to Russia and the world that the illegal occupation of another state's territory was unacceptable and had to be reversed

While some argue that the Crimean sanctions regime is weak, this is not the case. The initial designations indeed concerned only individuals and specific entities. However, the approach swiftly hardened. Executive order no. 13685 signed by US President Obama on 19 December 2014³ imposed comprehensive sanctions on the occupied peninsula, banning all investment, all exports and imports, and provision of services. The European Council decision 2014/933/CFSP of 18 December 2014⁴ finalised the EU Crimean sanctions package. It currently includes a ban on Crimean exports unless they have a Ukrainian certificate of origin; a ban on

investment in Crimea; sectoral sanctions banning EU exports in the transport, energy, and telecommunications sectors; a ban on supply of equipment used for extraction of oil, gas, and minerals; and a ban on provision of tourist services. A number of other states, such as Canada, Australia, Norway, etc., have mirrored the EU and the US measures.

A better explanation of why the sanctions have failed to produce the desired effect is the size of the Russian economy. Although severely affected in 2014 by depreciating rouble, capital flight, and decreased oil prices, it proved resilient and already in 2016 started showing modest growth. After a 4.3% contraction in 2020, mostly due to the coronavirus pandemic, the country is expected to grow 2.6% in 2021.⁵ Russian GDP in 2020 was 106.61 trillion roubles (about USD 1.4 trillion).⁶ Although Russia does have to spend significant sums of money on both planned and unplanned infrastructure projects in Crimea, the amount is sustainable, and so are the Russian annual subsidies to Crimea, which comprise about 2% of Russia's GDP.⁷

Ukrainian Economic and Sanctions Policy toward the Occupied Crimea

Ukraine's economic policy in relation to the occupied peninsula has been a lot less consistent than the Western one. In August

2 *Putin: Russia Will Not Give up Crimea under Any Circumstances* (Путин: Россия не уступит Крым ни при каких условиях), "TASS", 04 June 2018 [<https://tass.ru/politika/5262626>].

3 *Blocking Property of Certain Persons and Prohibiting Certain Transactions with Respect to the Crimea Region of Ukraine*, USA, Executive Order 13685 of 19 December 2014 [<https://www.federalregister.gov/documents/2014/12/24/2014-30323/blocking-property-of-certain-persons-and-prohibiting-certain-transactions-with-respect-to-the-crimea>].

4 *Council Decision 2014/933/CFSP Amending Decision 2014/386/CFSP Concerning Restrictive Measures in Response to the Illegal Annexation of Crimea and Sevastopol*, EU, 18 December 2014 [<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014D0933&qid=1613567914859>].

5 *Russia Economic Report*, The World Bank, 16 December 2020 [<https://www.worldbank.org/en/country/russia/publication/rer#:~:text=Russian%20economic%20growth%20is%20projected,than%20the%20forecast%20of%20September.&text=In%20such%20a%20case%2C%20GDP,by%202.8%20percent%20in%202022>].


6 *Russia's GDP Down 3.1 Pct in 2020*, "Xinhua", 02 February 2021 [http://www.xinhuanet.com/english/2021-02/02/c_139713919.htm].

7 Author's own calculation based on the numbers in Klymenko et al., n.1.

2014, it adopted a law creating a free economic zone in Crimea and regulating economic relations with the occupied territory.⁸ Per Ukrainian authorities, the legislation was meant to provide for Ukraine's national security and the interests of Ukrainian entrepreneurs working under the occupation.⁹ The law proclaimed that despite Russia's attempted annexation, Crimea remained a Ukrainian territory along with the enterprises registered there in accordance with Ukrainian legislation. However, trade operations between Crimean enterprises and those located in mainland Ukraine were treated as exports and imports for the purposes of taxation and customs control. The law also freed Ukrainian enterprises working in Crimea from the obligation to pay taxes in Ukraine and made those supplying goods to Crimea eligible for 20% VAT returns and excise tax exemption.

As a result, the amount of trade with Crimea has significantly increased. In the first 10 months of 2015, Ukrainian companies "exported" USD 702 million worth of goods to Crimea.¹⁰ This was clearly a way to sell goods to Russia while bypassing regular customs and taxation rules, and the situation led to protests. The "Crimea Civic Blockade" organised by the Mejlis – the self-governing body of the Crimean Tatar people – resulted in termination of cargo transportation

from mainland Ukraine, a ban on trade with Crimea, and termination of electricity supplies. On 16 December 2015, the cabinet of ministers adopted resolution no. 1035 to meet protesters' demands.¹¹ The resolution is still in place along with the law on free economic zone.



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The law of Ukraine "On Sanctions"¹² was also adopted in August 2014 and has been criticised ever since for its failure to produce a coherent and transparent sanctions policy. Presidential decrees imposing sanctions do not specify why and according to which criteria individuals and entities are added to or removed from the sanctions lists. Imposition of sanctions does not seem to apply pressure on the Russian Federation, as the sanctions lists often include Ukrainian citizens or low-level officials (such as the lowest level election commissioners involved in conducting the illegal referendum in 2014), and often looks like an attempt to punish individual perpetrators. The enforcement mechanism is rather patchy.

8 *Law of Ukraine "On Creation of a Free Economic Zone 'Crimea' and on Peculiarities of Economic Activity in the Temporarily Occupied Territory of Ukraine"*, Ukraine, No. 1636-VII, 12 August 2014 [<https://zakon.rada.gov.ua/laws/show/1636-18#Text>].

9 *FEZ "Crimea". What Does This Legislation Actually Provide for?* Representative Office of the President of Ukraine in the Autonomous Republic of Crimea, 10 August 2014 [<http://www.ppu.gov.ua/vez-krim-shho-zh-naspravdi-peredbachaye-daniy-zakonodavchiy-akt/>].

10 *Goods Transported into Crimea 2.7 Times Exceed the Goods Transported out of Crimea*, "Ukrainska Pravda", 16 December 2015 [<https://www.pravda.com.ua/news/2015/12/16/7092700/>].

11 *Resolution of the Cabinet of Ministers of Ukraine "About Restriction of Deliveries of Specific Goods (Works, Services) from the Temporarily Occupied Territory to Other Territory of Ukraine and / or from Other Territory of Ukraine to the Temporarily Occupied Territory"*, Ukraine, No. 1035, 16 December 2015 [<https://zakon.rada.gov.ua/laws/show/1035-2015-%D0%BF#Text>].

12 *Law of Ukraine "On Sanctions"*, Ukraine, No. 1644-VII, 14 August 2014 [<https://zakon.rada.gov.ua/laws/show/1644-18>].

Both the Ukrainian parliament and the cabinet of ministers are currently developing necessary amendments to the law.


Enforcement of the Crimean Sanctions

Imposed on a territory occupied by a foreign state, the Crimean sanctions turned out to be vulnerable to bypassing via entities registered in the Russian territory. Evidence collected by the Centre of Journalist Investigations – a Crimean media organisation that was forced to relocate to mainland Ukraine after the occupation – suggests that there are at least several ways in which Crimean residents manage to engage in activities prohibited under the sanctions regime.

Financial sanctions are bypassed by opening correspondent accounts of Crimean banks in the Russian banks which, in turn, have their correspondent accounts abroad. To make internet purchases, residents of Crimea can open accounts in the neighbouring Krasnodarskiy Krai of the Russian Federation across the Kerch Strait and get credit cards, such as Visa and MasterCard, mailed to them without even having to leave their homes. Operations with the cards are cleared in the territory of the Russian Federation. The ban on passenger transport, trucks, and large machinery exports to Crimea is bypassed via a leasing scheme. A leasing company registered in Russia can make a deal with both a bank in the occupied territory and a machinery supplier. Both Russian companies, such as KAMAZ, and joint enterprises, such as PSA Peugeot Citroën Russia, are involved in these operations¹³. Similar schemes exist in the Crimean military industry that

allow Crimean enterprises to participate in export-import operations.

Ukrainian experts such as Yuriy Smelyanskiy of the Maidan of Foreign Affairs believe that all Russian entities involved in such intermediary operations with Crimean entities should also be sanctioned. The monitoring group of the Institute for Black Sea Strategic Studies, the Maidan of Foreign Affairs, and *Black Sea News* has compiled several lists of the Russian enterprises working with military enterprises in Crimea and Sevastopol and advocates for their inclusion in the sanctions lists.¹⁴

 ***Imposed on a territory occupied by a foreign state, the Crimean sanctions turned out to be vulnerable to bypassing via entities registered in the Russian territory***

One of the most egregious cases of sanctions regime violation was the sale of four Siemens gas turbines for production of electrical energy to Russia, with their subsequent installation in Crimea. Although Siemens claimed that it was misled into believing that the turbines were meant for the Russian territory, an investigation by *Euromaidan Press* clearly demonstrates that the sale was most likely intentional. The contract was concluded in secret with a company that had started building power plants in the occupied Crimea, and the capacity of the turbines to be supplied did not match the need of the Taman power plant, for which

13 *Schemes to Bypass "Crimean Sanctions"*, Center for Journalist Investigations [https://investigator.org.ua/ua/cr-sanct-ua-schemas/].

14 A. Klymenko, T. Guchakova, O. Korbut, *The Real Impact of Crimean Sanctions (9)*. The Updated "Crimean Sanctions Package", "Black Sea News", 06 June 2020 [https://www.blackseanews.net/en/read/163357].

they were purportedly intended.¹⁵ The EU, however, did not fine Siemens. Instead, it added three Russian nationals and three companies responsible for the purchase and transfer of the turbines to their end owner to the sanctions lists.¹⁶

Recalibration of Crimean Occupation

Sanctions packages against the Russian Federation over its aggression in Ukraine were imposed in 2014 in several instalments to resolve two problems that had emerged at that time – namely, to reverse the illegal occupation of Crimea and to stop Russian aggression in the Donbas region of Ukraine. Since then, the situation has evolved, and it has become clear that the Russian aggression in Ukraine was just an episode. It was followed by the Russian support for the Assad regime in Syria, interference in the US elections and political processes in other countries, the use of weapon-grade nerve agent in the British territory, and so forth. It has become clear that the world is facing an aggressive and revisionist Russia keen on undermining the West and extending and protecting its sphere of influence.

To make Russia leave the Crimean Peninsula, the issue has to be recalibrated. Practitioners, such as the former deputy assistant secretary for Russia, Ukraine, and Eurasia at the Department of Defense and former director for Russia at the US National Security Council Michael Carpenter, stress that to be effective in changing another state's behaviour, sanctions have to meet

several criteria. First, they need to have a serious impact; second, they have to be tied to concrete behaviour and be reversible; and third, they have to be part of a larger framework.¹⁷

Another useful way to look at sanctions is suggested by a former member of the Secretary of State's Policy Planning Staff at the US State Department, Edward Fishman. He believes that sanctions should be subdivided into four categories, namely "*deterrent sanctions*, focused on discouraging future malfeasance; *coercive sanctions*, aimed at building leverage that can be traded for proactive concessions; *normative sanctions*, intended to 'name and shame' bad actors and signal that their behavior is unacceptable by imposing punishments on them; and *attritional sanctions*, designed to advance long-term goals".¹⁸

How do both of these frameworks apply to the situation in Crimea?

Russia's Policies on the Peninsula and Possible Sanctions

The most obvious policy pursued by Russia on the occupied peninsula following its occupation was aimed at integrating Crimea into the Russian state system. The smart sanctions approach taken by the European Union (as opposed to the comprehensive sanctions imposed by the US) was intended to make the integration more difficult and to highlight the non-recognition policy. However, once the peninsula came under

15 A. Shandra, *How Siemens Chose to Ignore the Obvious. An Investigation into the Crimean Sanctions Break*, "Euromaidan Press", 24 July 2017 [<http://euromaidanpress.com/2017/07/24/how-siemens-chose-to-ignore-the-obvious-crimea-turbines/>].

16 *Crimea: Siemens Gas Turbines Delivery Penalties*, "Brussels Diplomatic", 05 August 2017 [<https://brusselsdiplomatic.com/2017/08/05/crimea-siemens-gas-turbines-delivery-penalties/>].

17 M. Carpenter, *How to Make Sanctions on Russia Work*, "The American Interest", 18 December 2018 [<https://www.the-american-interest.com/2018/12/18/how-to-make-sanctions-on-russia-work/>].

18 E. Fishman, *Make Russia Sanctions Effective Again*, "War on the Rocks", 23 October 2020 [<https://warontherocks.com/2020/10/make-russia-sanctions-effective-again/>].

the Russian control, it became clear its occupation and integration were not the only purposes.

Militarisation of Crimea and the Sea of Azov, which has turned it into a major threat to regional security, started immediately after the occupation. Security analysts note that Russia can now project its power as far as the Mediterranean and to most of Europe. A recent address to foreign states and international organisations adopted by the Ukrainian parliament on 16 February 2021¹⁹ also stressed the risk of nuclear weapon proliferation. The peninsula's nuclear infrastructure has been mostly restored, and there is a risk that nuclear warheads may be relocated to its territory.



Symbolic sanctions, however, remain a viable and necessary option. Respect for human rights and the rules of war is key to the rules-based international order Russia seeks to undermine

Violations of international humanitarian law, which started with the decision to enforce the Russian rather than Ukrainian law on the occupied territory and to force its residents to adopt Russian citizenship, entail multiple violations such as drafting Ukrainian young men into the army, private and government property redistribution, etc. Another big issue often cited by Ukrainian officials is the violation of the 1954 Hague Convention for

the Protection of Cultural Property in the Event of Armed Conflict.

Human rights violations have also become a regular feature of Crimean life. They include forced disappearances, politically motivated persecution of ethnic Ukrainians and Crimean Tatars, persecution of religious communities, persecution of human rights defenders, suppression of media freedom, freedom of expression and information, etc.

As the analysis above has shown, sanctions imposed on Crimea per se are rather strong. Imposing more economic sanctions on the peninsula is likely to have a strong adverse effect on the peninsula's population. Its economy has already significantly deteriorated. One has to keep in mind that it is the behaviour of the Russian state that the policy seeks to change. Crimea in this case is not a subject – it is an object. Closing up the loopholes and preventing possible violations, however, is a necessary measure. Leaving the current framework in place and fine-tuning it to make sure it is properly enforced will serve as an attritional measure.

Militarisation of Crimea and the Sea of Azov appears to be the policy that calls for both deterrence to stem the continued Russian aggression and coercion to make Russia and its troops leave the peninsula. Although sanctions may play a role in this approach, applied to Crimea alone they will not be strong enough. Therefore, they have to be applied to individuals and entities in mainland Russia. Some ideas regarding additional individuals whose appearance on the sanctions lists may

19 *Resolution of the Verkhovna Rada of Ukraine "On the Appeal of the Verkhovna Rada of Ukraine to the United Nations, the European Parliament, the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, the BSEC Parliamentary Assembly, Governments and Parliaments Condemning the Temporary Occupation of the Autonomous Republic and the Autonomous Republic Human Rights and Freedoms in the Temporarily Occupied Territories and on the Release of Political Prisoners - Citizens of Ukraine"*, Ukraine, No. 1229-IX, 16 February 2021 [http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_2?id=&pf3516=4655&skl=10].

change Putin's calculus can be found in the work of the International Centre for Policy Studies.²⁰ In addition, the response to this problem has already been bumped up the escalation ladder, and such collective entities as NATO as well as national militaries are working on it.

Symbolic sanctions, however, remain a viable and necessary option. Respect for human rights and the rules of war is key to the rules-based international order Russia seeks to undermine. In addition, punishing human rights violations in the occupied territory does not raise the issue of sovereignty since the occupying country does not have one. The US and Europe have not applied the measures under the Magnitsky Act to the situation on the peninsula. Ukrainian NGOs have recently submitted a list of names to the US government calling to highlight the fate of three human rights defenders.²¹

The West should consider reversing its policy on not sanctioning judges. In Russia, courts are not independent judiciaries; they are a part of the ruling regime, often making politically preordained rulings. This is especially the case in Crimea in relation to Crimean Muslims. These instances are well documented both domestically in Ukraine and at the international level.²² Often, judges

are also corrupt and may in fact have some assets outside the country.

Another area where mostly symbolic sanctions can be useful is the area of cultural property. Ukrainian cultural heritage gets transported out of Crimea to the Russian territory. Russia issues permits to conduct excavations in Crimea without Ukraine's permission. People involved in this need to be named and shamed and also denied visas to travel outside of the Russian Federation. After many years in the Soviet Union, with no ability to travel abroad and to work with their foreign colleagues, they value this opportunity, and, as experience has shown, they are capable of organised protest.²³

A situation that may call for international attention is the water shortage on the peninsula. Following the occupation, Ukraine stopped supplying water to the peninsula through the Eastern Crimea Canal as a display of the non-recognition policy. In addition, it is the occupying power's duty to provide for those residing under the occupation. Due to the draught of 2019-2020, reservoirs had dried up and water in Crimean cities is currently being rationed. In early February 2021, the decision was made in Russia to go ahead with a water desalination project in Crimea.

20 M. Kapitonenko, A. Galoushka, Y. Kiyan, M. Stepanenko, *Sanctions against Russia: Current Status, Prospects, Successes and Gaps in the Multilateral International Sanctions Regime against the Russian Federation*, ICPS - Kyiv 2019 [http://www.icps.com.ua/assets/uploads/images/files/t_sankcii_rf_a4_eng_final.pdf.pdf].

21 M. Tomak, *Russia's Crimean Crimes Demand Tougher Sanctions*, The Atlantic Council, 19 January 2021 [<https://www.atlanticcouncil.org/blogs/ukrainealert/russias-crimean-crimes-demand-tougher-sanctions/>].

22 Ukrainian human rights organisations such as Crimean Human Rights Group (<https://crimeahrg.org/en/category/monitor-2/>) and Krym SOS (<https://krymsos.com/en/reports/analitichni-zviti-po-krimu/>) in their monthly reports stress the role of courts whose judges regularly make rulings without sufficient evidence and are biased toward the prosecution. Starting from 2016, the UN General Assembly adopts an annual resolution on the "Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol, Ukraine", documenting systematic human rights violations on the peninsula. The latest resolution A/RES/75/192 of 16 December 2020 (<https://digitallibrary.un.org/record/3894858?ln=en>) and the UN secretary-general's report on the human rights situation in Crimea (https://reliefweb.int/sites/reliefweb.int/files/resources/A_74_276_E.pdf) can be found on the UN website. They also indicate that courts in Crimea and in Russia make politically preordained rulings in cases involving Crimean prisoners.

23 S. Mokrenyuk, *Cultural Heritage: Sanctions and Their Role in Countering the Russian Aggression*, "The Voice of Crimea", 24 November 2020 [<https://voicecrimea.com.ua/main/mainnews/kulturna-spadshhina-sankcijni-mexanizmi-ta-%D1%97x-rol-u-borotbi-z-rosijskoyu-agresiyeyu.html>].

According to the *Deutsche Welle* report²⁴, Russia does not have all the necessary technology to implement the project on its own. Imports, most likely from Europe, will be needed. As of today, supply of the necessary technology is banned. The Ukrainian foreign minister has said that Ukraine is going to block Russia's attempts to build desalination plants in Crimea.²⁵ Leaving sanctions in place may lead to accusations of human rights violation; lifting them to allow the necessary equipment in may lead to accusations that the West has recognised the annexation while at the same time stimulating additional spending by Russia.

Wider Framework

As mentioned above, Crimea's occupation is only one of the displays of the Russian aggressive behaviour. It is also a sign of the deteriorating liberal world order. This means that the issue of Crimea's occupation cannot be resolved by narrowly focusing only on Crimea. It also cannot be resolved without involving other powerful players. Russia has to be coerced into leaving the peninsula, and a new settlement needs to be negotiated to make sure Russia does not try to come back.

In two consecutive national security strategies, Ukraine stated that it was going to rely primarily on political and diplomatic means to liberate Crimea. The Crimean Platform, positioned as "our initiative to consolidate international efforts for the de-occupation of Crimea"²⁶ is a step in this

direction. It is not clear whether Russia is going to join – most likely not, at this point, since it continues claiming that Crimea's annexation cannot be reversed and refuses to talk about it – but Ukraine has already extended an invitation. Negotiations are a significant part of the coercive diplomacy approach. Negotiating only with like-minded players, however, is not likely to yield the desired results.

China and India, posed to become the largest economies in the world along with the United States, have taken a neutral stance on the occupation of Crimea. Both of them had abstained on the 2014 UN resolution in support of Ukraine's territorial integrity. India currently continues to abstain on the human rights resolutions, and China votes against them. Neither of these countries has imposed sanctions. While expecting their full support and participation in pressuring Russia is not realistic, these countries are going to play a significant role in the future global architecture. Engaging with them and widening the focus of the Crimean Platform agenda to include discussions of the future settlement could not only add more legitimacy to the effort but also serve as an additional incentive for Russia to join.

Conclusion

Crimea cannot be freed from the occupation by either only applying pressure or applying it to Crimea alone. The issue of Crimea's occupation is part of a much

24 A. Gurkov, *Desalinating Water in Crimea: How Much Is This Going to Cost Crimea and Its Residents*, "Deutsche Welle", 02 February 2021 [<https://www.dw.com/ru/opresnenie-vody-v-krymu-kak-dorogo-ono-obojdetsja-rossii/a-56399577>].

25 Y. Leshchenko, *Ukraine Is Going to Block Construction of Water Desalination Appliance in Crimea – Kuleba*, "Dzerkalo Tyzhnya", 25 December 2020 [<https://zn.ua/ukr/POLITICS/ukrajina-bude-blokuvati-budivnitstvo-ustanovki-dlja-oprisnennja-vodi-v-krimu-kuleba.html>].

26 *Zelensky Urged Ambassadors to Work More Actively to Attract Other Countries to Participate in the Crimean Platform*, "Interfax-Ukraine", 17 December 2020 [<https://interfax.com.ua/news/political/710560.html>].

larger problem – Russian revisionism and aggression seeping through the cracks of the deteriorating world order. Consequently, while the Crimean sanctions are important as an attritionary measure and have to be fine-tuned and expanded, additional measures are needed. First and foremost, Ukraine needs to put its economic and sanctions policy in order, align it with the Western non-recognition policy. Second, additional pressure on Russia has to be applied. Third, the Crimean Platform initiated by Ukraine needs to expand its focus to include discussions of the future settlement and reach out to the countries that may not be its primary allies on the issue of territorial integrity but that are going to have a significant role in the future global architecture.

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THE BLACK SEA AND THE BALTIC SEA: TWO SEAS, ONE SECURITY CHALLENGE

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The article examines the current stance and military balance between the Russian and NATO forces in the Baltic and the Black Sea regions, as well as Russian actions to undermine the security of the Black Sea region. The current capacity of the Russian forces in the occupied Crimea and the Kremlin's power projection are studied.

The current Russian maritime policy on the European continent is focused on resistance to and displacement of NATO forces from the Atlantic operational area. It is directed by the *Fundamentals of State Policy of the Russian Federation in the Field of Naval Activities for the Period up to 2030* (dated 20 July 2017). This document considers “the desire of a number of states, primarily the United States of America (USA) and its allies, to dominate the World Ocean, including the Arctic, as well as to achieve the overwhelming superiority of their naval forces¹” as one of the greatest threats to the national security of the Russian Federation in the maritime domain. The Baltic and the Black seas are vitally important areas for Russia in all aspects of its national security. This has been proven during the last few centuries. Currently, the Russian naval forces in the Baltic and the Black seas are gaining significance as two military wrenches to project power toward the Atlantic, primarily against NATO and the alliance members.

Russian Naval Bastions in the Baltic and Black Seas

In both regions, Russia is rebuilding its maritime capabilities, which had been significantly decreased after collapse of the Soviet Union. Currently, in both areas, they concentrate military power within two “naval bastions”: Kaliningrad area in the Baltics and Crimea in the Black Sea. However, despite efforts, the Russian military potential there is still weaker than NATO's. It is the reason why they widely use hybrid technologies to gain geopolitical dominance while minimising costs and military engagement. The ultimate goals are to restore the status of Russia as a superpower and to keep steady the multidimensional influence within the territory of the former USSR.

Let us take a look at several influences of this strategic goal realisation by Russia in both areas.

1 Legal Portal of the Russian Federation
[<https://www.garant.ru/products/ipo/prime/doc/71625734/>].

From geopolitical perspective, both areas have been “windows to Europe” for Russia since the times of Peter the Great (the Baltic Sea, 1703) and Catherine the Great (the Black Sea, 1774). It is important to keep these “windows” always open and under control. This is a guarantee for the growth of their economy and geopolitical impact, including in areas beyond the Russian Empire. After the collapse of the USSR, Russian control over the Black and Baltic seas seriously weakened: Access was limited and military power fall down.

The Soviet Black Sea fleet saw a significant drop, from 800 surface ships and 28 submarines to no more than a tenth of this number, consisting of aging ships. Five out of six cruisers were decommissioned. The 5th Soviet Navy squadron, which conducted maritime operations in the Mediterranean Sea (comprising up to 50 warships from the Black Sea and Northern Fleet), was dismantled in 1992². Russia lost a significant portion of the Black Sea coast. Much of the maritime infrastructure passed under the jurisdiction of independent Ukraine and Georgia. NATO nations (Turkey, Bulgaria, and Romania) and the alliance’s partners Georgia and Ukraine control more than 90% of the Black Sea coastline.

In the 2010s, the Turkish Navy was double the size of the Russian Black Sea fleet: 120 against 60 combat ships. Each of the other Black Sea nations in addition had up to 20-30 combat units of the surface fleet, mostly built in the Soviet era. However, certain capabilities of these small navies could repel possible aggression from sea. For example, at the end of 2013, the Ukrainian Navy had the potential to launch up to 50 P-15M (Styx

or SS-N-2) anti-ship missiles from warships and coastal batteries.

Maritime economy of the Black Sea is mostly concentrated in cargo transportation of oil, raw materials, metal, and agriculture products among littoral states and outside via the Bosphorus Strait. The economic performance of the region during the 1990s was highly unstable, and even the countries that were spared from conflicts did not fare much better. However, in the 2000s, the region enjoyed a fairly rapid economic recovery accompanied by welcome structural changes, although the labour market situation and social conditions in general were difficult. Both the economic heterogeneity of the Black Sea and political issues are still critical factors behind the low level of regional integration. Russia’s growing economy has kept energy dependency of most its neighbours and prevented them from a deeper economic cooperation with the European Union. The outlook for the Black Sea countries is slightly positive, with annual growth of 3%-5% feasible in the medium and long run. More decisive steps toward regional and European economic integration would be beneficial. However, such integration will require significant changes in the stance of regional and European policymakers and the resolution of “frozen conflicts”³. Russia definitely does not want that to happen. They want to keep income from oil and gas exports to Europe and minimise direct cooperation of the Black Sea region neighbours with the European Union.

Crimea is also vital for Russia as a geopolitical projector of power beyond, to Northern Africa, with the aim to restore the

2 *Россия создает Средиземноморскую эскадру ВМФ РФ. Практически (Russia Is Creating a Mediterranean Navy Squad of RF in Practice)*, “Neftegaz”, 07 April 2013 [https://neftgaz.ru/news/politics/257998-rossiya-sozdaet-sredizemnomorskuyu-eskadru-vmf-rf-praktichieski/].

3 V. Astrov, P. Havlik, *Economic Developments in the Wider Black Sea Region*, WIIW Research Report No. 349, September 2008 [https://wiiw.ac.at/economic-developments-in-the-wider-black-sea-region-p-458.html].

old Soviet influence and minimise NATO Mediterranean Dialogue initiatives.

The collapse of the USSR caused the same sad story for Russian military capabilities in the Baltic Sea. The Soviet Baltic fleet was the largest in the region and had 232 warships, including 32 diesel submarines, around 400 combat aircraft and helicopters, and 16 coastal missile launchers.



Crimea is also vital for Russia as a geopolitical projector of power beyond, to Northern Africa, with the aim to restore the old Soviet influence and minimise NATO Mediterranean Dialogue initiatives

After 1991, Russian access to the Baltic Sea became much more limited. They lost naval bases in Poland, Latvia, Estonia, and Germany and controlled only 7% of the Baltic coast, 500 km.

Change of the geopolitical picture in the Baltics continued in the 2000s: Six of its littoral states (out of nine) gained status of NATO members and eight became members of the European Union. The only country outside these organisations was the Russian Federation. During at least the last 10-12 years, it demonstrates growing political disputes with Western countries, especially NATO members. However, Moscow keeps very active in promoting their oil and raw materials, which bring Russia 36%-51% of the national budget. The port of St. Petersburg accounts for 52% of international container traffic

from Russia to the West. Trade with Russia accounts for up to 40% of the foreign trade of its Baltic neighbours, primarily Latvia, Lithuania, and Estonia. The economy of the region is probably better developed than the Black Sea region. About 125,000 vessels a year pass through the Danish Straits, which connect the Baltic Sea with the North Sea. The Danish Straits have the fifth largest oil pipeline in the world, with 3.3 billion barrels per day (more than through the Bosphorus, Panama, or Suez Canals). Most of these shipments are from the Russian port of Primorsk⁴.

Since the Russian economy started to show some positive tendencies and growth in the 2000s, they immediately invested in their defence. Nowadays, the Russian defence spending in absolute terms has reached the level of defence spending of the USSR in 1990. From USD 7 billion in 1998, the current Russian defence budget rose to about USD 70 billion. Thus, in 20 years, there has been a tenfold increase in defence spending. Half of the Russian defence budget goes to the development and purchase of new weapons, which has significantly modernised the armament of the Russian army. Expenditures per Russian military increased to USD 75,000 per year (from USD 16,000 in 1995).

The fact of steadily growing military spending allowed Russia to “build up muscles” and bring back their military power into two critical areas: the Black and the Baltic seas.

Currently, they are mostly concentrated in two “bastions”: the Kaliningrad district in the Baltics and Crimea in the Black Sea. The primary feature of both is the creation of an

4 М. Гончар, А. Риженко, Б. Устименко, *Підводний простір Балтики: російські можливості (Underwater Space of the Baltic: Russian Opportunities)*, Чорноморська безпека, №1, 2021 [https://geostrategy.org.ua/chornomorska-bezpeka/chornomorska-bezpeka-1-39-2021/zavantazhyty-zhurnal-chornomorska-bezpeka-1-39-2021].

“Anti-Access / Area Denial” (A2 / AD) zone with a full spectrum of situation awareness, air defence, and striking capabilities.

At least during the last five years, an intensification of Russian military exercises in the Baltic and Black seas has been observed. These exercises include live firing and simulation of massive missile strikes from coastal complexes, surface ships, aircraft, and helicopters against NATO forces and military facilities in the regions. This involves the coastal missile systems. Due to the deployment of the S-400, a tiered air defence system has been created, capable of detecting targets at a range of up to 600 km and destroying at a range of up to 240 km.



the Russian Crimean “bastion” changed the balance of power in the entire Black Sea region.

The number of new warships entering into service of the Black Sea fleet is 3.6 times more than in the Baltic Fleet and 4.5 times more than in the Northern Fleet

The backbone of the Russian Baltic Fleet has significantly increased with long-range strike capabilities of a new frigate project 11540, four new corvettes project 20380, two “Buyan” missile corvettes project 21630, and three “Karakurt” missile boats project 22800, which during the last 10 years have become part of the surface fleet. Each of these ships is a carrier of eight cruise missiles with a range up to 1,500 km, including a nuclear warhead. Several more

“Karakurt” missile boats are expected to arrive in the next few years.

Similar to the Baltics, the Russian Crimean “bastion” changed the balance of power in the entire Black Sea region. The number of new warships entering into service of the Black Sea fleet is 3.6 times more than in the Baltic Fleet and 4.5 times more than in the Northern Fleet. The total size of the surface fleet exceeded 50 warships and submarines. The tempo of the Black Sea Fleet development may allow doubling the missile salvo of “Kalibr” missiles, from 80 to 168 by 2027. In addition, over the last two years, Russia has been deploying warships from the Northern and Caspian seas to the Black Sea to increase its military potential in the region.

NATO’s Superiority at Sea

Meanwhile, despite efforts and investment in military potential, the Russian naval forces in both regions are still weaker than NATO. Both areas are operational areas for NATO’s permanent strike and mine task groups, engaging NATO warships from outside the regions.

For example, since January 2021, the NATO’s permanent strike task group 1 (SNMG1) consists of warships from Canada, Denmark, France, Germany, Netherlands, Norway⁵; strike task group 2 (SNMG2) includes warships from Spain, Italy, Turkey, Greece, Germany; the NATO mine countermeasures task group 1 (SNMCMG1) has warships from the Belgium, Estonia, Germany, and the UK⁶.

These tasks groups periodically visit the Black and Baltic seas, conduct multinational

- 5 *SNMG1 Participates in the Norwegian Exercise TG 21-1*, NATO, 19 February 2021 [<https://mc.nato.int/media-centre/news/2021/snmg1-participates-in-the-norwegian-exercise-tg-211>].
- 6 *Ukrainian Storm Warning: Grave Danger to Europe in Maritime Domain*, Center of Defense Strategies, November 2020, p. 33.

exercises (BALTOPS, Sea Breeze, Sea Shield, Agile Spirit) and run cross-training activity with NATO partner nations.

The only limitation for the Black Sea is that non-Black Sea NATO nations' warships can stay no more than 21 days on each single voyage (Montreux Convention, 1936).


Hybrid Warfare Is the New Method to Gain Dominance at Sea

Thus, Russia opts to engage using non-conventional (hybrid) methods to gain dominance and compete with NATO forces.

Russia continues to restrict the freedom of navigation from between the Black Sea and the Sea of Azov assured by the United Nations Convention on the Law of the Sea (UNCLOS, 1982). The Kerch Bridge, which limited the dimensions of vessels passing the Kerch Strait, was built without Ukraine's consent. Also, they continue to detain vessels from different countries at the entrance and exit of the Kerch Strait on the way to or from the ports of Ukraine in the Sea of Azov: Berdyansk and Mariupol. The average delay time for vessels bound for Ukrainian ports is up to two days in each direction (this is much longer than the waiting time for vessels bound for Russian ports). It harms the maritime economy of Ukraine and its business partners.

Since 2017, numerous cases of GNSS (Global Navigation Satellite System) spoofing have been recorded in the Baltic Sea (first during the Russian exercise "Zapad" in 2017) and in the Black Sea. The Center for Advanced Defense Studies (C4ADS, United States) identified around 10,000 cases of spoofing

that have affected more than 1,300 vessels around Russia and occupied territories since 2016⁷. Spoofed signals are able to force GNSS receivers to lose their lock on authentic satellite signals and instead lock on the signals generated by a spoofing device. After that, the spoofing transmitter can relay a false position or timing information to the victim receiver. GNSS in general cover the following navigation systems: GPS (US), GLONASS (Russia), Galileo (European Union), BeiDou (China), QZSS (Japan), and NavIC (India)⁸.



Manipulating SOLAS-74, Russia declares areas of the sea, unreasonably large in size and for an unreasonable duration, to be prohibited for navigation, ostensibly for combat training and shooting

Signal generators capable of conducting spoofing attacks used to cost of tens of thousands of dollars and required expert knowledge to operate. But this all began to change over the past decade with the advent of cheap, commercially available, and portable "software defined radios" (SDR) and open-source code capable of transmitting spoofed GPS signals. The Russian Federation is a pioneer in the use of these techniques to further its strategic interests. In response to NATO's advantage in C4ISR capabilities, Russia has prioritised the development of a comprehensive suite of asymmetrical EW systems designed to deceive, degrade, and deny military and civilian GNSS receivers, without targeting a single GNSS satellite.

7 О. Бедраченко, *Російська електронна війна: як Росія дезорієнтує GPS-навігацію в Криму та в Чорному морі, дослідили американські експертки (Russian Electronic Warfare: US Experts Investigate How Russia Disorients GPS Navigation in Crimea and Black Sea)*, "VoA News", 22 April 2019 [<https://ukrainian.voanews.com/a/navigatsija-rosija-vijna/4886608.html>].

8 *Above Us Only Stars*, C4ADS [<https://www.c4reports.org/aboveusonlystars>].

These systems are now in use across Russia's western and southern military districts at the border with NATO (including the Black and Baltic seas) and have been forward-deployed at the occupied territories of Ukraine and in Syria. C4ADS identified GNSS spoofing activities in proximity to the Kerch Bridge on two occasions – on 15 September 2016 and 15 May 2018 during Putin visits to this area.

Also, on 25 November 2018, an impact on AIS system (deactivation of transmitters) was recorded by the Ukrainian Navy at the entry to the Kerch Strait. Within a few hours, AIS transmitters were deactivated and most of sea contacts in vicinity of the Kerch Strait simply disappeared from screens.

On the same day, the case of Inmarsat satellite radio re-routing was observed. A Ukrainian Navy gunboat during the activation of its aboard Inmarsat radio received a connecting satellite physically located over Gulf of Guinea in African coast. Obviously, no connection happened

Manipulating SOLAS-74, Russia declares areas of the sea, unreasonably large in size and for an unreasonable duration, to be prohibited for navigation, ostensibly for combat training and shooting. For example, in August 2019, they restricted navigation for this purpose in almost 25% of the Black Sea waters for three weeks, including international shipping routes between Ukraine, Georgia, Romania, Turkey, and Bulgaria. Merchant ships were forced to bypass large sea areas, where most of the declared activities were not carried out.

The same practice is also known in Baltic Sea, in particular close to the coast of Lithuania, Latvia, and Estonia. All these “hybrid” methods make Russia more powerful

by weakening neighbouring countries, bringing about negative economic and social consequences for them.

Conclusion

Russia is actively restoring its military capability in the Baltic Sea and the Black Sea. It uses the same or similar ways and means in both regions to reach the Kremlin's strategic goal of military domination in the two seas. Development of technologies allows Russia to also use non-military, non-lethal means that are nevertheless effective and dangerous for civilian life. A clear understanding of that may increase the Euro-Atlantic community's proactive activities to restore security in both regions. Crimea is of primary significance for Russia, which uses it to project its military forces to accomplish strategic tasks in the area of Moscow's national interests, mostly competing with the US and NATO in the Mediterranean and the Atlantic. Russia will keep the Crimean case in high priority on the national political and diplomatic agenda. International support can help Ukraine to restore its sovereignty.

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A CHANGE OR CONTINUATION OF THE STATUS QUO IN THE BLACK SEA REGION: THE CASE OF CRIMEA'S ANNEXATION

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Although armed conflicts in the Middle East, which have engulfed the Mediterranean region since the outbreak of the uprisings in Arab countries, came to the fore, armed conflicts in the Black Sea region have the potential of initiating a wide range of crises. The crises in Moldova, Georgia, Kosovo, and Ukraine have already been on the agenda of policymakers. Several political changes have been introduced in the Black Sea region in order to cope with the changing security environment. Relations between Turkey and the Russian Federation have played a vital role. The annexation of Crimea has brought the question regarding the relations in the region into focus.

Introduction

The annexation of Crimea has been the primary source of security concerns in the region. Even though Ukraine has been the most affected country because of the attempted annexation, its effects spill over to the relations of Turkey and the Russian Federation, Turkey and Ukraine, and the relations of all three with the European Union. The question of how the annexation of Crimea has changed the security environment in the Black Sea region has to be addressed.

The characteristics of the Black Sea provide some challenges and opportunities for the region's countries, including regional equilibrium and future outlook. It could be argued that the geopolitical position of the Black Sea has been crucial for the countries of the region in terms of energy

trade, combating terrorism, exclusive economic zones, naval bases, etc. However, the recent developments in the eastern and northern part of the Black Sea have re-organised power relations in the region. In that respect, Russia's wishes to enhance influence over the region bring about important security challenges to the United States, European Union, and especially Turkey. Even though Turkey acts in coherence with the North Atlantic Treaty Organization in the Black Sea, the gradual increase of mistrust between Turkey and the US and the EU has opened a window of opportunity for the relations between Turkey and the Russian Federation.

The Russian-Turkish relations are crucial to understand the change or continuation of the status quo in the security environment of the Black Sea. Even though these two countries fought for the control of the


Black Sea and Crimea during the 18th and 19th centuries, recently they have not experienced any significant conflict in the region. However, it does not mean that their interests do not overlap in the Black Sea region. On the contrary, the current situation contains huge security risks for both states and for the regional countries. Not only the position of Turkey, alienated by Western countries, but also the interests of other countries pose multiple questions regarding the developments in the region, such as possible consequences of the annexation of Crimea. Therefore, the aim of this paper is to examine the strategic importance of Crimea, its effect on the security environment in the region, and the role of Crimea in the relations between Turkey and the Russian Federation.

Strategic Importance of Crimea and Its Annexation

The strategic importance of Crimea cannot be analysed in isolation from the Straits or from the Black Sea. Despite its seasonal availability for naval forces, it provides a hub and serves as a route for the pipelines. The throughput capacity of Crimea and Ukraine has been crucial for decades. Crimea hosted important bases during the Soviet era. Strategic importance of this peninsula has been crucial for the Russian Federation too. Naval bases in the Crimean Peninsula have been central for the Black Sea, the Straits, and the Mediterranean Sea policies of the Soviet Union and the Russian Federation.

Even though the geopolitical position of Ukraine and Crimea has been often presented as a buffer region for the Russian Federation, the importance of Crimea is not limited

to this. There are other aspects that keep Crimea important for the policy agendas. One of the other features of Ukraine and Crimea in particular is that their geopolitical position provides important routes for the energy transportation. This turns the position of Crimea into an international issue. Ukraine and Crimea became an issue not only for the region but also for other countries that are not neighbouring the Black Sea.



***The Russian-Turkish relations
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environment of the Black Sea***

These routes provide economic advantages for Ukraine as well, while the language and demographic proximity of Crimea play a crucial for the Russian Federation's policy agenda. These kinds of proximities have been used during the annexation and after the annexation for re-arranging power relations in the region. Thus, there are different aspects of the annexation of Crimea. The strategic importance of Ukraine and Crimea might be traced in the writings of Zbigniew Brzezinski, according to whom, the independence of Ukraine from Russia generated crucial anxiety for the latter. Independence of Ukraine pushed the Russians to rethink their geopolitical space.¹ On the other hand, Evvazov argued that the loss of Ukraine could not be compensated or compared with any other Soviet periphery.²

1 Z. Brzezinski, *The Grand Chessboard: American Primacy and Its Geostrategic Imperatives*, Basic Books, 1997, pp. 112-115.

2 D. Еввазов, *Секьюритизация и Региональная Активность Держав на Примере Политики России в Украинском Кризисе (Securitization and Regional Activity of Powers on the Example of Russian Policy in the Ukrainian Crisis)*, "Международные процессы" (International Trends), 15 (4), 2017, p. 162.

Ukraine and the Russian Federation had signed several agreements about the navy,³ which became a milestone for their relations. According to the agreements, Ukraine allowed to lease bases in Sevastopol to the Russian Navy from 1997 to 2017. The agreement established two national Black Sea fleets for Ukraine and the Russian Federation.⁴ However, this agreement had important clauses for the geopolitical position of Crimea. Under this agreement, the Russian Federation had obtained the right to position its military vehicles, planes, air defence systems, and some military personnel on the Crimean Peninsula. Ukraine and the Russian Federation agreed to establish a naval base in Crimea; in exchange, Ukraine would have discounts for energy supplies, rental income, and naval division compensation from the Russian Federation. These agreements have been followed by a fourth agreement, which extended the lease until 2042. The so-called Kharkiv Pact⁵ also provided for a possible extension of the agreement for five more years in exchange for a multiyear discount on the natural gas that was supplied by the Russian Federation to Ukraine.

Just a few days after the so-called “Crimean referendum” in 2014, the Kharkiv Pact had been terminated. There are several aspects of these agreements. One of them is that Ukraine used the geopolitical importance of the Crimean Peninsula for economic reasons. On the one hand, this provided income for the

budget. On the other hand, Ukraine benefited from discounted gas prices. It also showed that the Russian Federation wanted to keep its position over the Crimean Peninsula.

Due to the geopolitical importance of Ukraine and Crimea in particular, it might be argued that policies regarding Crimea have been important for the political agenda of regional countries and especially for the Russian Federation. Ukraine’s move westward has been closely monitored by the Russian Federation. After the so-called “colour revolutions”, the Russian Federation started to consider how it might be affected by the developments in the region. As the post-Soviet countries were perceived in Russia as being within the Russian sphere of influence, the protests and other political developments had the potential of a spill-over to the Russian Federation as well. One might easily remember developments and a harsh reaction of the Russian Federation toward Georgia in 2008. These developments have been monitored by other countries as well. However, the attention of non-regional countries and the harsh reaction of Russia are not limited to the developments in the early 2000s. All that might be easily traced in the annexation of Crimea, too. Crimea has been one of the important issues in the relations of Ukraine with the Russian Federation. Russian policies over the Crimea created a different atmosphere for the relations between the Russian Federation and Turkey.

3 Ukraine and the Russian Federation had signed three agreements. These are “The Agreement between the Russian Federation and Ukraine on the Parameters of the Division of the Black Sea Fleet”, “The Agreement between the Russian Federation and Ukraine on the Status and Conditions of the Presence of the Russian Federation Black Sea Fleet on the Territory of Ukraine”, and “The Agreement between the Government of the Russian Federation and the Government of Ukraine on Payments Associated with the Division of the Black Sea Fleet and Its Presence on the Territory of Ukraine”. These agreements are now known as the Partition Treaty on the Status and Conditions of the Black Sea Fleet. Full treaty might be accessed (in Russian language) at <http://docs.cntd.ru/document/901737969> or https://web.archive.org/web/20140321072522/http://www.mid.ru/bdcomp/spd_md.nsf/0/BBC88CF0F9DF3F9F44257C9800383F4D.

4 It should also be remembered that main naval base of Soviet Russia was in the Crimean Peninsula. After the dissolution of the USSR, the status of the Autonomous Republic of Crimea and special status of Sevastopol had become an ongoing problem. After the annexation of Crimea, the legal regime of these regions has changed. It can be accessed via “Стаття 3. Тимчасово окупована територія Про забезпечення прав і свобод громадян та правовий режим на тимчасово окупованій території України” (*Article 3. Temporarily Occupied Territory on Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine*) at <https://zakon.rada.gov.ua/laws/show/1207-vii#Text>.

5 The fourth agreement is known as “The Agreement between Ukraine and Russia on the Black Sea Fleet in Ukraine” or Kharkiv Accords as well.


Impact of the Crimean Factor on the Relations between Turkey and the Russian Federation

Even though the situation in Crimea has not been raising serious concerns in relations between Turkey and the Russian Federation, the strategic importance of Crimea and Western countries' stance against its annexation can be still a compelling subject in the future of Turkish-Russian relations. Similarities of the Russian interventions in Georgia and Crimea in a political sense⁶ and similarities of Turkish response to both cases bring the question about how the Russian wishes to enhance their presence in the Black Sea will influence security policies of Turkey in the Black Sea and the relations between the two countries.

While rising instability in the Middle East and the Eastern Mediterranean have been continuing, both countries eventually found a way to push their relations in a much more cooperative way by establishing bilateral or multilateral dialogue processes. From that perspective, the Black Sea might be seen as an interesting case as the developments there do not raise problems so far. The status quo in the region might face new challenges with the attempts to enhance influence over the region, which might dominate the security agenda of both countries. Hence, the annexation of Crimea is still a critical point for future relations of the two countries due to a variety of concerns.

There are several developments in the Black Sea, the Middle East, and the Eastern

Mediterranean that influenced the relations between the Russian Federation and Turkey. The Arab Spring and its spill-over effects have created a vast turmoil in several countries in the Middle East, and its aftermath had a huge impact on neighbouring and non-neighbouring countries. The presence of Russia in countries so close to Turkey as Georgia, Ukraine, and Syria carries the potential to affect the relations either positively or negatively.

 ***Even though the situation in Crimea has not been raising serious concerns in relations between Turkey and the Russian Federation, the strategic importance of Crimea and Western countries' stance against its annexation can be still a compelling subject in the future of Turkish-Russian relations***

The interests of Russia and Turkey have been clashing in Syria and Libya for a long time. The failure of cooperation between Turkey and the US in Syria, deteriorating relations between Turkey and the EU, as well as internal conflicts in Iraq and Syria have generated a competitive environment for Turkey and the Russian Federation, who both have a desire to play an influential role in regional issues.⁷ However, the endeavours of both countries to extend their presence and influence throughout the mentioned regions did not bring about conflicts between

6 "These similarities are identified with political reasons [for the] Russian stance against the 'orange revolutions', which [are] believed [to be] a Western trap to Russia." See M. E. Becker, M. S. Cohen, S. Kushi, I. P. McManus, *Reviving the Russian empire: the Crimean intervention through a neoclassical realist lens*, "European Security", 25 (1), 2016, p.120.

7 Dimitri Trenin (2016) implies that the Russian intervention in Syria in 2015 is the revival attempt of the country's great power status, which was started to be neglected in Gorbachev's period in the USSR. Becker et. al. (2015): "The Crimean intervention is a part of the revival of Russian Empire, particularly the gradual increase of the wealth and political consolidation under the Putin ascendancy has led to Russia to re-emphasize its assertive power in foreign policy". On the other hand, President Erdogan has been seeking an assertive role for Turkey in regional and global politics, he also declared the aim that "transformed from a regional power to a global one". See his speech at AK Party Gümüşhane Provincial Congress in 2017 [<https://www.tccb.gov.tr/en/news/542/87401/turkish-nation-stands-tall-just-as-it-has-been-for-thousands-of-years>].

them, with the exception of the turmoil period in Syria, which started with a Russian jet downed by Turkey⁸. Important issues in these regions might shadow the importance of Crimea in the relations. However, policies toward Crimea cannot be understood without accounting for the impacts of other controversial issues indicated above.

Despite the historical antagonism between Turkey and the Russian Federation, the two countries established a mechanism of mutual cooperation on various problematic issues, especially after the 15 July coup attempt in Turkey. However, before the coup attempt, the Turkish-Russian relations were strained due to many controversial issues, including the annexation of Crimea, even though Turkey hesitated to openly criticise the Russian activity in the early period of annexation of Crimea⁹. As Turkish-Russian relations were strained further by the Syrian Civil War, Turkish authorities publicly started to criticise the Russian activities in Crimea. Turkish Prime Minister Davutoğlu boldly stressed that Turkey might give a response to Russian activities in Crimea¹⁰, while President Erdoğan also responded to the Russian Prime Minister Medvedev's statement on 1915 events by raising the issue of the annexation of Crimea.¹¹

While relations between Turkey and its Western partners were deteriorating, the Turkish-Russian relations had a much more positive trajectory. Crimea has been swept under the carpet for a while. However, the potential of controversy over the Crimea issue has shown itself. Aktürk asserts that Russia has become a military and political hegemon with the annexation of Crimea¹², thereby, in a strategic sense, achieving a greater leverage in the Black Sea against Turkey. The statement of non-recognition of the Russian annexation of Crimea by Turkish authorities might have been seen¹³ as a part of silent but countering policies of Turkey.

Regardless of the consolidation of the Russian influence, which started with the Russian-Georgian War in 2008, the Crimean annexation has brought the potential to re-adjust the status quo in the region. Due to the contemporary status of Crimea, increasing Russian navy in the Black Sea has enhanced the Russian presence in the region.¹⁴ On the other hand, Russian military presence in Abkhazia since 2009¹⁵ is another component of the increasing Russian influence in the Black Sea. The words of the Russian former Chief of Staff Valeriy Geramisov also acknowledged that. According to him, Turkey


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- 8 The Russian SU-24 jet was shot down by a Turkish F-16 due to breaking engagement rules on the Syria-Turkey border in 2015. This is an important turning point in the Turkish-Russian relations that brought both countries on the edge of war.
 - 9 B. Devlen, "Don't poke the Russian bear": Turkish Policy in the Ukrainian Crisis, "NOREF Policy Brief", May 2014, p. 2.
 - 10 Davutoğlu: Böyle devam ederse Rusya'ya yanıt veririz (Davutoğlu: If It Continues This Way, We'll Give a Response to Russia), "Cumhuriyet", 15 February 2016 [https://www.cumhuriyet.com.tr/haber/davutoglu-boyle-devam-ederse-rusyaya-yanit-veririz-481538].
 - 11 Erdoğan: "Rusya, Kırım'ın hesabını versin" (Erdoğan: Let Russia Answer for Crimea), "BBC Türkçe", 27 April 2015 [https://www.bbc.com/turkce/multimedya/2015/04/150427_vid_erdogan_putin].
 - 12 A. Şener, "Türkiye'nin Rusya ile ilişkilerinin yükselişi ve gerilemesi, 1992-2015: Neorealist Bir Değerlendirme" in G. Özcan, E. Balta, B. Besgul (eds.), *Türkiye ve Rusya İlişkilerinde Değişen Dinamikler: Kuşku ile Komşuluk*, İletişim, 2017, p. 141.
 - 13 The statement was published by Presidency of the Republic of Turkey Directorate of Communication, 16 October 2020 [https://www.iletisim.gov.tr/english/haberler/detay/we-have-always-supported-ukraines-sovereignty-and-territorial-integrity-including-crimea].
 - 14 P. Michael, *The Naval Power Shift in the Black Sea*, "War on the Rocks", 09 January 2019 [https://warontherocks.com/2019/01/the-naval-power-shift-in-the-black-sea/].
 - 15 K. Alexandra, S. Wezeman, *Russia and Black Sea Security*, "SIPRI Background Paper", December 2018, p. 11-12.

is not a master of the Black Sea anymore.¹⁶ In this sense, Russia also has benefited from the internal turbulence in NATO.

However, Turkey's threat perception and its security agenda in the Middle East and the Eastern Mediterranean shadow the current situation in the Black Sea. Due to imminent threats in these regions, increasing Russia's presence in the Black Sea does not become a priority issue. Strategic relations between Turkey and Ukraine have continued to improve with economic and military agreements. Ukraine bought Turkish Unarmed Aerial Vehicles (UAVs) in 2019 and agreed to reinforce its navy by purchasing Turkish Ada-Class corvettes.¹⁷ Additionally, Turkey's supportive role is important for the modernisation of the Ukrainian army in line with NATO standards.¹⁸ Beyond that, Turkey's joining NATO exercises and conducting drills with US Navy in the Black Sea demonstrate that the Russian threat is considered seriously by Turkish authorities. On the other hand, Egyptian-Russian naval training in the Black Sea in November 2020 is another indicator to witness that regional actors do not solely define the regional balance anymore.¹⁹

On identity and cultural relations, Turkey has interests about the status of the Crimean Tatars, which became a problematic issue

after the annexation of Crimea by Russia.²⁰ The status of the Crimean Tatars has been a controversial issue for a long time. Prime Minister Davutoglu and President Erdogan declared that the status of the Crimean Tatars is vitally important for Turkey. Both of them also declared that Turkey was determined to protect the Crimean Tatars' rights.²¹ Turkey's support to the Crimean Tatars creates another political sphere for Turkey in the Crimean issue.



the conflict of interests over Crimea between Russia and Turkey seems inevitable but deferrable. However, policies over Crimea are intertwined with other controversial areas such as Syria and Libya

With these developments, Turkey is slightly but emphatically changing the field against Russia; yet, these efforts do not seem sufficient. Turkey's intertwined relationship with Russia in Syria and Libya and its tense relations with Western countries have created obstacles to establish balance-of-power policies against Russia in the Black Sea. Turkey's reluctance to join economic sanctions applied by Western

16 *Российский генштаб: безраздельное господство Турции в Черном море закончилось* (Russian General Staff: *Turkey's Undivided Domination in the Black Sea Is Over*), "err.ee", 14 September 2016 [<https://rus.err.ee/234706/rossijskij-genshtab-bezrazdelnoe-gospodstvo-turcii-v-chernom-more-zakonchilos>].

17 Y. Göksel, *Ukrayna, korvet ve İHA ihtiyacını Türkiye'den karşılayacak*, "Anadolu Agency", 18 December 2020 [<https://www.aa.com.tr/tr/ekonomi/-ukrayna-korvet-ve-ihaihtiyacini-turkiyeden-karsilayacak-/2080972>].

18 *Turkey Helping Ukraine Achieve NATO Standards: Experts*, "Anadolu Agency", 20 January 2021 [<https://www.aa.com.tr/en/turkey/helping-ukraine-achieve-nato-standards-experts/2116903>].

19 *Egyptian Naval Vessels Head to Black Sea for "Friendship Bridge-3" Exercise*, "Egypt Today", 16 November 2020 [<https://www.egypttoday.com/Article/1/94314/Egyptian-naval-vessels-head-to-Black-Sea-for-Friendship-Bridge>]; J. Dettmer, *NATO Boosts Black Sea Naval Presence*, "Voice of America", 03 February 2021 [<https://www.voanews.com/europe/nato-boosts-black-sea-naval-presence>]; D. Hamit, *US, Turkish Navies Conduct Joint Exercises in Black Sea*, "Anadolu Agency", 12 February 2021 [<https://www.aa.com.tr/en/americas/us-turkish-navies-conduct-joint-exercises-in-black-sea/2142199>].

20 Turkey and the Russian Federation are not unfamiliar with these kinds of identity and cultural issues. The post-Soviet Turkic countries have been another controversial issue between them.

21 *Erdoğan Tatar lider ile görüşti*, "Al Jazeera-Turk" [<http://www.aljazeera.com.tr/haber/erdogan-tatar-lider-ile-gorustu>].

countries against Russia during the Russian-Georgian War and the annexation of Crimea is an important indicator of how the relations will continue.

Finally, as Dmitry Peskov, Kremlin spokesperson, stated, "These relations are of a mutually beneficial nature, and they are based on the principles of non-interference in each other's domestic affairs and on the respect for each other's interests".²² Russia considers Crimea as an internal issue. However, several considerations, such as the status of the Black Sea, NATO's position, and Ukraine's territorial integrity, affect Turkey's interests in the region. In this sense, the conflict of interests over Crimea between Russia and Turkey seems inevitable but deferrable. However, policies over Crimea are intertwined with other controversial areas such as Syria and Libya.

Conclusion

The annexation of Crimea has brought changes to the security environment in the Black Sea. The strategic importance of Crimea was examined in its historical and contemporary context. Turkey and Russia are the most powerful countries in the Black Sea region; therefore, their relations are a key component of the regional security architecture.

However, the relations between these countries are affected not only by the developments in the Black Sea region. Their interests and policies also conflict with each other in Syria, Libya, and the Caucasus. Thus, the annexation of Crimea is only one of the factors in the Turkish-Russian relations.

Russia's overstretching wishes in the Black Sea and Eastern Mediterranean carry the potential to create possible areas of conflict not only for Turkey but also for the region. Even though the annexation of Crimea seems less relevant for the foreign policy of Turkey, the Russian wishes to enhance its influence in the Black Sea might clash with Turkey's re-adjusted sea policies (the Blue Homeland). Although Turkey's political agenda has been occupied by the developments in the Eastern Mediterranean, the Black Sea still keeps an important place in its policies. Crimea shows that "frozen conflicts" from time to time change the relations between Turkey and the Russian Federation, creating a struggle between the changes and wishes to keep the status quo in the region, as it is the case with the annexation of Crimea.

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22 *Russia Will Continue Explaining Its Position on Crimea to Turkey, Kremlin Says*, "TASS Russian News Agency", 04 December 2020 [<https://tass.com/politics/1231437>].

UA: UKRAINE
ANALYTICA

Issue 1 (23), 2021

ISSN 2518-7481