
Crimea one year after Russian annexation

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On 18 March 2014, the Lower House of the Russian Parliament approved a Treaty to annex the Ukrainian Black Sea Peninsula of Crimea by 443 to 1 votes. This act violated Ukraine's sovereignty, representing a fundamental breach of international law; the Helsinki Final Act of 1975 and the terms of the 1994 Budapest Memorandum, whereby the nuclear arsenal stationed on Ukraine's territory after the collapse of the Soviet Union was relinquished in exchange for security assurances of its sovereign territorial integrity. Russia, the US, France and the UK all signed. The annexation also violated a number of bilateral agreements between Ukraine and Russia. Russia's actions were immediately condemned by the international community. A 13 March European Parliament Resolution "firmly condemns Russia's act of aggression in invading Crimea, which is an inseparable part of Ukraine and recognised as such by the Russian Federation".

One year later the situation in Crimea is bleak. The massive disruption of economic relations between Crimea and the rest of Ukraine, the nationalisation and confiscation of companies and a decrease in the agricultural and tourism sectors, along with international sanctions and isolation have brought about an increasingly difficult economic situation. Furthermore, there has been a worrying rise in extremism, xenophobia, and violations against human rights and fundamental freedoms. One of the most disturbing outcomes has been the persecution of persons belonging to minorities, in particular the Crimean ethnic Tatar community.

While war in Eastern Ukraine has drawn the world's attention away from Crimea, the plight of the people in an increasingly lawless Crimea should not be forgotten. The international community should remain committed to a policy of non-recognition while increased pressure needs to be placed on Russia over the deteriorating human rights situation.

BACKGROUND

Representing some 7% of Ukraine's territory, prior to annexation Crimea had a population of some 2 million: 60% were ethnic Russians, 25% ethnic Ukrainian and 12% ethnic Tatars. Crimea's history is a story of all these peoples. The Tatars view Crimea as their historical homeland. They populated Crimea in the 13th century following Genghis Khan's great Mongol expansion. By the middle of the 15th century, they had founded their own state, the Khanate of Crimea, which became a vassal state of the Ottoman Empire. Moscow began its reign in the 18th century, when Catherine the Great invaded the Peninsula. Viewed as Ottoman allies, the Tatars were regularly persecuted and driven into exile to the Ottoman Empire.

In 1783, Russia established its Black Sea Fleet in Sevastopol. The city was crucially important (and still is) as it offered access to Black Sea trade routes, the Caucasus and allowed Russia to extend its naval might in the Mediterranean. Today it also serves as headquarters for Russia's newly constituted Mediterranean Task Force, which has recently resumed permanent operations in the Eastern Mediterranean. The base's significance was highlighted during the 2008 Russia-Georgia war, when the Fleet was used to conduct a blockade against Georgia.

Only in 1944 did Crimea become an overwhelmingly Russian populated territory. Stalin ordered the deportation of the entire Crimean Tatar population to Central Asia. Almost 200.000 were abandoned there in camps, surrounded by barren wastelands. At least 40.000 died in the deportation and its aftermath. Tens of thousands of Russians were settled on the land vacated by the Tatars. In 1954, following Stalin's death, Nikita Khrushchev gave Crimea to Ukraine. However, the consequences of this decision were only really felt with the fall of the Soviet Union in 1991, which had a huge impact on Crimea's population, Ukraine and the new Russian state.

It was difficult for Russia to accept the independence of Ukraine due to the pivotal role of Ukraine for Russia. While in May 1992 the Russian Parliament adopted a resolution declaring the 1954 transfer of Crimea to Ukraine illegal and pledged to look for ways to reverse it, at the same time Russia clearly recognised Ukraine's sovereignty and territorial integrity via its signature of numerous documents, including the Belavezha Accords, the Budapest Memorandum and the 1997 Partition Treaty on the Status and Conditions of the Black Sea Fleet.

The annexation unfolds

Russia's annexation of Crimea began when armed men with no insignia, who were quickly labelled "little green men", appeared on the Peninsula in late February 2014, shortly after the departure from office of Ukraine's then President, Viktor Yanukovich. This was the beginning of what has become commonly known as "hybrid warfare" – covert as well as overt activities backed up by a disinformation campaign. As the unmarked men captured the Crimean government and parliament buildings, other pro-Russian actors began to claim that Kyiv's new pro-Western leadership were fascist nationalists, representing a significant threat to Russians and Russian speakers. While Ukraine's governance of Crimea was far from perfect – with Kyiv's attention frequently drifting away from the Peninsula, resulting in high unemployment, low salaries and pensions, and a collapsing infrastructure – this was not so different from many other parts of Ukraine. There was never an oppressive policy towards Russian speakers. The Russian language was furthermore protected by the Constitution of the Autonomous Republic in Ukraine.

The little green men spread out, taking control of key infrastructure, clearing the way for the seizure of power. The Ukrainian armed forces stationed on the peninsula were ordered by Kyiv to stay in their barracks and not fight back, with then acting President, Oleksandr Turchynov, declaring "we cannot launch a military operation in Crimea, as we would expose the eastern border and Ukraine would not be protected".

On 16 March 2014, with armed men hovering next to the ballot boxes, Crimeans voted in the hastily organised, illegal and illegitimate referendum to join Russia with some 96%. The international community condemned the referendum and the unfree and unfair circumstances under which it took place. The UN General Assembly immediately passed a (non-binding) resolution (68/262) declaring the referendum invalid. The EU suspended talks with Russia on easing visa restrictions and its Partnership for Modernisation Agreement and, on 17 March 2014 imposed the first travel bans and asset freezes against Russian and Ukrainian officials.

While Russia initially denied any military involvement, in the aftermath of the referendum Putin stated that Russian soldiers backed Crimean self-defence units to prevent a conflict. More recently, in a documentary on the annexation, President Putin stated it was all carefully planned, claiming that he personally oversaw the annexation. The annexation seems to have had several objectives: to rectify what Putin views as the historical injustice of 1954; to consolidate Russia's presence in the Black Sea with Crimea's strategic location allowing Russia to project power across the entire region including directly towards three NATO member states; to undermine Ukraine's security; create a destabilising factor in Ukraine's Euro-Atlantic integration aspirations; and to demonstrate that Russia is a great power and Putin a powerful leader. A large majority of Russians have never stopped viewing Crimea as culturally and ethnically a part of Russia; hence there was never any doubt in Putin's mind that the majority of Russian society would back his annexation. His ratings went up to 85% in the aftermath of the Duma decision.

STATE OF PLAY

Life on the Peninsula is increasingly difficult. Prices, along with unemployment have risen. The banking sector is paralysed with international investors long gone. While pensioners, some 500.000 people, have seen their pensions increase, many residents struggle to make ends meet. An embargo on any goods originating from Crimea, unless accompanied by a certificate of origin from the Ukrainian authorities, has been imposed, and trade and investment restrictions are in place. Russia has illegally taken control over more than 400 Ukrainian enterprises and seized some 18 onshore and offshore hydrocarbon fields. In 2013, Ukraine signed exploration and production agreements for large areas of Crimea's eastern and western coast with a number of international energy giants including eni, EDF, ExxonMobil and Royal Dutch Shell.

The tourism sector in particular has been badly hit. Prior to annexation Crimea received some six million tourists annually. 60% came from Ukraine. Russians amounted to some 30%, with the remainder being mainly passengers from international cruise liners docking at the Peninsula. According to the Crimean authorities tourist numbers more than halved in 2014, despite the Russian government launching a programme promoting tourism. The economic impact of sanctions, the drop in oil price and subsequent devaluation of the Ruble has made Russians more cautious

about spending money. Furthermore, other destinations, in particular Turkey and Egypt, are more popular – and often cheaper – than Crimea.

While Crimea remains dependent on water and electricity from Ukraine, there are frequent blackouts and disruptions. The closure of the North Crimean Canal, the main irrigation source for Crimea's interior dry steppe lands, has adversely affected agriculture, with numerous crops failing. Crimeans hope that the construction of a bridge connecting Crimea to Russia across the Strait of Kerch will bring an economic upturn, although it is not due to be completed before 2019. Furthermore, the economic downturn in Russia means there are less employment opportunities for seasonal workers. While Putin originally pledged \$18 billion for development, most of that money is yet to be seen. Instead Crimea has witnessed a huge influx of administrative and security personnel from Russia, along with a consolidated and enlarged Russian military presence.

Erosion of human rights

According to UNDP some 20.000 people have left Crimea for mainland Ukraine. While this is partly a consequence of the worsening economic situation, it is also a result of the deteriorating human rights situation, with a harsh crackdown on voices of dissent under way.

In a statement marking the one year anniversary of Crimea's annexation, Federica Mogherini, High Representative of the EU for Foreign Affairs and Security Policy stated that she felt *"deep concern at the deterioration of the human rights situation in the Crimean peninsula, including the denial of free speech and the persecution of persons belonging to minorities"*. The United Nations Human Rights Monitoring Mission in Ukraine has noted a continuation of worrying trends, including cases of enforced disappearances, arbitrary detentions, violence and ill-treatment committed by the so-called Crimean self-defence forces, often targeting journalists, human rights defenders and political opponents. According to Human Rights Watch, *"media freedom is under siege in Crimea"*. All Ukrainian-language printed media and regional or municipal media in Ukrainian are closed, the use of Ukrainian websites is banned and only one Ukrainian TV programme is available for Crimean residents. Most independent or critical journalists and activists have left for mainland Ukraine. Those who remain are constantly at risk of being attacked or worse, especially if they are perceived as pro-Ukraine.

Ukrainian schools in Scholkino and Kerch are being closed while the Ukrainian Gymnasium in Simferopol is under increased pressure. Only four Ukrainian schools remain operational, with an uncertain future. After the annexation Russia launched the so-called "passportisation" process, which required any permanent resident of Crimea with Ukrainian citizenship to either apply for Russian citizenship or declare an intent to maintain Ukrainian citizenship. Refusing to surrender Ukrainian passports and rejecting Russian citizenship can have dire consequences.

With the exception of the Russian Orthodox Church, most religious faiths are experiencing intimidation and discrimination; destruction of property, summonses for questioning and other forms of pressure are common. Several Kyiv Patriarchate Orthodox priests have been forced to leave Crimea, while Kyiv Patriarchate churches have been shut down in Sevastopol, Krasnoperekopsk, Kerch, and the village of Perevalne, which was subjected to an armed attack in June. Kyiv Patriarchate Archbishop Klyment of Simferopol and Crimea constantly receives threats and his dacha was burned down. The Kyiv Patriarchate is under increasing pressure to relinquish its main church in Simferopol.

The persecution of Crimean Tatars

No group has been hit harder than the Crimean Tatars. When Ukraine became independent in 1991 high numbers began to return to the Peninsula and Tatar in-migration has continued ever since. While their resettlement never enjoyed the full support of various governments in Kyiv, with struggles on issues such as land and property returns, the Tatars have remained a reliable pro-Ukrainian and pro-Western electoral bloc and staunch supporters of Ukraine's territorial integrity. The majority boycotted the illegal referendum and Russian local elections in September 2014.

In the past twelve months, their freedoms and rights have been repeatedly attacked. Moscow and the local Crimean authorities have banned public commemorations for the Tatar deportations, raided the Tatar parliament, and exiled the Tatars' two top political figures: Mustafa Dzhemiliev, Ukrainian President Petro Poroshenko's representative on Crimean Tatar affairs and Refat Chubarov, the President of the Mejlis of the Crimean Tatars. Tatar media has been all but closed down. The Tatars have also broadly been prohibited from celebrating their holidays and remembering the victims of political repressions; they are harassed by secret services and "self-defence forces" that search homes, offices and mosques. Certain Islamic books, including school books, previously considered legal under the Ukrainian law, have been banned and cited as "extremist" material.

Today the Tatars feel they are reliving the brutal events that led to the 1944 deportation. Many Tatars also feel abandoned by Turkey, their ethnic kin. While Ankara has professed itself the steadfast defender of the Crimean Tatars, this has been little more than lip service as Ankara has taken steps to deepen economic ties with Russia in the last 12 months. There were some 300.000 Tartars in Crimea at the time of annexation. An estimated 15.000 have already fled to mainland Ukraine.

PROSPECTS

While Putin may still be basking in his "glory", with high popularity ratings and many people in Crimea still euphoric about being part of Russia, this is unlikely to last forever. Crimea has quickly become a millstone around Russia's neck and this financial burden is likely to get heavier rather than lighter as time goes by and the realities of international isolation begin to hit home on the Peninsula. This will particularly be the case with the younger generation that will find themselves trapped under corrupt and criminal authorities with few opportunities for the future.

However, it seems unlikely that Crimea will be "returned" to Ukraine any time soon. Even if Putin's rule comes to an end it seems unlikely a new leader would make a U-turn. Such was the popularity of the annexation in Russia that any attempt at reversal would be political suicide. Even leading opposition figures such as Alexei Navalny and Mikhail Khodorkovsky recognise this fact with Khodorkovsky stating that the Crimea problem will go on for decades. Furthermore, Putin knows that no one can force him to return Crimea. A recent survey revealed that only 13% of Ukrainians believe that Western sanctions will bring about a return of Crimea. However, this is not a reason for the international community to give up on Crimea. Today Crimea has virtually dropped off the map. Though it is still internationally unrecognised, almost every country in the world now seems to see the Crimean situation as a fait accompli. During the recent Minsk II ceasefire negotiations, Crimea was not even mentioned during the discussions.

It is important that the international community, including the EU, maintains a strong focus on developments on the ground and stays consistent and united, avoiding any direct or indirect recognition of Crimea as was underlined by High Representative Mogherini on the anniversary of the illegal referendum. For example, Russia's recent effort to press UEFA, the European governing body for football, to recognise Crimea as an entity separate from Ukraine should be robustly rebuked.

There are several measures the West should take: (i) maintaining a strong policy of non-recognition of the illegal annexation of Crimea; (ii) continuing to ensure the strict implementation of all possible measures aimed to address the legal consequences of the annexation, including those related to the economy, visa policy, trade, financial area etc.; (iii) maintain the sanctions, irrelevant of developments related to the Donbas and Russia's compliance with the Minsk II agreement; (iv) condemning the flagrant violation of human rights and fundamental freedoms in Crimea by Russia and if necessary increasing sanctions as a consequence; (v) pressing Russia to give international organisations access to monitor the situation on the ground; (vi) continue to support Ukraine's economic and political transition, and, in the case of the EU, a rapid delivery of a visa-free regime for Ukrainian citizens once Kyiv has met the relevant criteria.

At the same time, despite the ongoing war with Russia in the East, Ukraine needs to focus on building a strong, democratic and prosperous state, including following through on commitments to quickly implement steps towards the decentralisation of the regions and efforts to strengthen the "national dialogue". By changing the image and face of Ukraine, there is a far greater likelihood that at some point in the future a compromise can be found regarding Crimea.

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