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TITLE

THE CRIMEAN ANNEXATION

**Whether the Referendum of Crimea is in Compliance with the Norms of International
Law**

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Abstract

In March 2014 Ukraine was crammed with a line of events, which eventually led to the annexation of Crimea into the territory of the Russian Federation. The Russian Federation refers to the right to secession as a legal basis, while the international community does not seem to accept this claim. Hence, the present article presents an overview and analysis of the legality of the Crimean annexation from the perspective of public international law. It serves to analyze specifically the legality of the Crimean referendum, the exercise of the right to remedial secession and self-determination of the “peoples” of Crimea. The article uses, as a major legal basis, the acknowledgement of the right to self-determination and unilateral secession by contemporary international law, as well as opinions of different expert in the field, who have extensively elaborated on the issue.

Keywords: right to secession, right to self-determination, unilateral/remedial secession, international law, annexation, peninsula, legality, vote, occupation, declaration of independence, conflict, referendum, territorial integrity.

LIST OF ABBREVIATIONS

ARC	Autonomous Republic of Crimea
EU	European Union
NATO	North Atlantic Treaty Organization
OSCE	Organization for Security and Cooperation in Europe
PACE	Parliamentary Assembly of the Council of Europe
UK	United Kingdom
UN	United Nations

INTRODUCTION

The rapidly developing events in Ukraine and, in particular, the attitude of Russia towards them, the situation around Crimea, the holding of a referendum, and the accession of Crimea to the Russian territory are attracting the close attention of the whole world. At the same time, for the legal justification of the legitimacy of Crimea's annexation, a number of Russian and pro-Russian sources attempt to compare the Crimean events with the case of Kosovo, and draw parallels between them. These sources also make reference to the example of the Quebec case. Along with this, both the Russian Federation and Ukraine make references to international law to give greater credibility and legal justification in support of their position.

In this view, the question arises why the Russian side suddenly recalled international law and began to justify its actions by international legal norms?

Modern international law embraces not only the role of an instrument that formalizes the agreement or treaties of subjects of international law on certain problems, but is also an independent factor that influences the foreign policy activities of states. Today, the level of development of human civilization corresponds most closely with the provision on the primacy of international law among other numerous factors that have an impact on the system of contemporary international relations.

Thus, the present research paper aim to analyze the legality of the Crimean annexation to the Russian territory in light of public international law. To reach this aim, we have posed a question of whether the referendum of Crimea complies with the norms of international law, and to completely answer the following question, the research paper has been divided into 3 chapters.

Chapter 1 present the general background of the Crimean case spreading light on the main events which raised a lot of legal question under international law.

Chapter 2 is devoted to the analysis of the legality of the Crimean referendum under the norms of the international law.

Chapter 3 analyzes the Crimean annexation from the perspective of the right to self-determination of the people of Crimea and territorial integrity of Ukraine.

The **Conclusion** summarizes the main results gained through the whole analysis of the present research paper.

The **Bibliography** illustrates all the materials we have used during our research.

CHAPTER 1

BACKGROUND OF THE CRIMEAN ANNEXATION

The accession of the Crimea to the Russian Federation is not recognized by the international community. The inclusion in the Russian Federation in early 2014 of part of the territory of the Crimean peninsula located within the administrative boundaries of the regions of Ukraine - the Autonomous Republic of Crimea and the city of Sevastopol was immediately preceded by multi-month anti-presidential and anti-government actions in Ukraine (EuroMaidan), which ended in February 2014 by the removal of Viktor Yanukovich from the post of president of the country. The actions of the new government and the radical appeals of a number of politicians led to an aggravation of the situation on the peninsula, facilitated by information coverage of the events.¹ A special position was taken by the “Mejlis” of the Crimean Tatar people, which claims to be the representative body of the Crimean Tatars. From February 21-23 he organized mass actions in support of the new Ukrainian government, and later, after the referendum on the annexation of the Crimea to the Russian Federation, rejected its legitimacy.²

From February 23-24, under the pressure of pro-Russian activists, the executive bodies of Sevastopol were changed. On February 26, supporters of the “Mejlis” and the new Ukrainian authorities tried to occupy the building of the Crimean parliament and blocked its work. Early in the morning of February 27, Russian special forces occupied the buildings of the authorities of the Autonomous Republic of Crimea, after which the deputies of the Supreme Council of the Autonomous Republic of Crimea, assembled in the parliament building and decided to hold a general referendum on May 25 on the expansion of the

¹ МИССИЯ ПО ОЦЕНКЕ ПОЛОЖЕНИЯ В ОБЛАСТИ ПРАВ ЧЕЛОВЕКА В УКРАИНЕ: ПОЛОЖЕНИЕ В ОБЛАСТИ ПРАВ ЧЕЛОВЕКА И ПРАВ НАЦИОНАЛЬНЫХ МЕНЬШИНСТВ (2014), available at: <https://www.osce.org/ru/odihr/122194?download=true>

² Меджлис выступил с обращением, поддерживающим Украину и осуждающим агрессию РФ (2014), available at: <https://www.unian.net/politics/896933-medjlis-vyistupil-s-obrascheniem-podderjivayuschim-ukrainu-i-osujdayuschim-agressiyu-rf.html><https://www.unian.net/politics/896933-medjlis-vyistupil-s-obrascheniem-podderjivayuschim-ukrainu-i-osujdayuschim-agressiyu-rf.html>

autonomy of the peninsula as part of Ukraine³. On March 1, the Federation Council of the Russian Federation granted the official addressing of President Vladimir Putin about the permission to use Russian troops on the territory of Ukraine, although by that time they were already actually used there, as Russian troops, together with volunteer units, blocked all objects and military units of the Ukrainian Armed Forces on the territory of the peninsula, whose command refused to submit to the government of the Crimea⁴.

On March 6, the wording of the question put to a referendum was changed⁵. In violation of the Ukrainian Constitution, the question of joining the Crimea to Russia was put to the vote. On March 11, the Supreme Council of the Autonomous Republic of Crimea and the Sevastopol City Council adopted the Declaration of Independence.⁶ On March 16, a referendum on the status of the Crimea was held, on the basis of which the independent Republic of Crimea was unilaterally proclaimed, which signed a treaty with Russia, according to which the territory of the self-proclaimed republic was proclaimed a part of the Russian Federation.⁷ According to the Russian legislation, new subjects of the Federation - the Republic of Crimea and the city of federal significance of Sevastopol - were formed in the adjoining territory, considered by Russia as an integral part of its territory.⁸ In the UN documents and legislation of Ukraine, the territory of the Crimea controlled by Russia is viewed as temporarily occupied part of Ukraine.⁹ From February 18 to 20, 2014 there was

³ *Парламент Крыма назначил референдум об автономии* (2014), available at: https://www.bbc.com/russian/international/2014/02/140227_crimea_parliament

⁴ *Как Украина потеряла Крым: Реконструкция событий*, available at: <http://reporter.vesti-ukr.com/art/y2015/n7/13328-krymnash-krymnenash.html#.VYfr7JD4EZA>

⁵ *Парламент Крыма принял Декларацию о независимости АРК и г. Севастополя* (2014), available at: http://www.crimea.gov.ru/news/11_03_2014_1

⁶ Ibid.

⁷ *Крымский парламент принял решение о вхождении Крыма в состав России* (2014), available at: http://ipress.ua/ru/news/krimskyj_parlament_prynyal_reshenye_o_vhozhdennyi_kryma_v_sostav_rossyy_52516.html

⁸ *Договор между Российской Федерацией и Республикой Крым о принятии в Российскую Федерацию Республики Крым и образовании в составе Российской Федерации новых субъектов* (2014), available at: <http://www.kremlin.ru/events/president/news/20605>

⁹ *Генассамблея ООН приняла резолюцию в поддержку территориальной целостности Украины* (2014), available at: <http://tass.ru/mezhdunarodnaya-panorama/1079720>

a sharp aggravation of civil confrontation in Kiev, which marked with a “peaceful” opposition to the parliament on February 18 and which reached its development into different shooting in the Ukrainian capital. The contribution to the impending aggravation of the confrontation was also visible by the attack on the buses of the Crimean “Anti-Maidan” in one of the regions, which occurred under conflicting circumstances. This contributed to the growth of concerns about the actions of the supporters of Euromaidan and the “nationalist ideology” in the Crimea.¹⁰ This time, however, unlike in the early 1990s, irredentist approaches to the status of the Crimea were also adopted by the Russian leadership¹¹, which did not limit itself this time with the inviolability of the 1954/1991 border, although in the generally established course of the Crimean events, certain contradictions remain related to the determination of the beginning of the Russian Federation’s actions to annex Crimea.¹²

Further, by the order of Russian President Vladimir Putin, a special operation was carried out to evacuate President Viktor Yanukovich and his family members to a safe place in the Crimea, since, according to Putin, “the organizers of the coup d'etat in Kiev were preparing the physical elimination of Yanukovich.”¹³ Thus, closing the meeting with the leaders of the special services involved, Vladimir Putin, in his own words, instructed “to begin work on the return of the Crimea to Russia.”¹⁴ In addition, the struggle for power and the further development of the political course, complicated by the conflict between the government (inclined to recognize the new Ukrainian government) and the leadership of the parliament (which placed the legitimacy of the new central government in doubt) continued for several more days.

However, already on February 27 the situation in the Crimea passed to a qualitatively different state, with a completely different balance of forces. Since that day, the actions of

¹⁰ Украинская оппозиция пригрозила разогнать парламент Крыма (2014), available at: <https://lenta.ru/news/2014/02/05/ask/>

¹¹ Matsuzato, Kimitaka. *Domestic Politics in Crimea, 2009-2015*. The Journal of Post-Soviet Democratization, Volume 24, Number 2, Spring 2016, available at: <https://muse.jhu.edu/article/619862/pdf>

¹² Richard Sakwa. *Frontline Ukraine: Crisis in the Borderlands*, pp. 107-108, p.220

¹³ Путин: организаторы госпереворота в Киеве готовили физическое устранение Януковича (2015), available at: <http://tass.ru/politika/1829545>

¹⁴ Путин объяснил, в связи с чем принял решение вернуть Крым в состав России (2015), available at: <http://tass.ru/politika/1816491>

numerous armed formations were unfolding on the territory of the Crimea: on the one hand, groups of well-armed and equipped Russian military without insignia, acting autonomously, under the orders of their own leadership, and not subordinate to local authorities; on the other hand- self-defense units from local residents. Until the end of the Crimean events, Russian troops and pro-Russian forces provided control over the strategic facilities and local authorities, their protection and functioning, and blocked Ukrainian military facilities, military units and headquarters. In the report of the OSCE Human Rights Assessment Mission, which worked in Ukraine in March-April 2014, it was noted that it was not possible to ascertain the belonging and subordination of the armed groups and detachments operating in the Crimea. Their participants were of different shapes and represented members of the detachments of “self-defense”, “Army of the Crimea”, Cossacks or members of other organizations. Acting outside the legal framework, these groups enjoyed the connivance and sometimes active complicity of the authorities, de facto controlling the territory of the Crimea, including law enforcement agencies.¹⁵

Furthermore, Russian military servicemen and Crimean self-defense units blocked all military facilities of the Ukrainian armed forces in the Crimea.¹⁶ The Ukrainian military received an ultimatum: “either go over to the side of the Crimean authorities, or lay down their arms, or leave” from the territory of the peninsula, otherwise they were promised an assault on military units.¹⁷ In the absence of clear orders from Kiev, Ukrainian servicemen did not provide armed resistance to Russian troops, which allowed the latter to seize Ukrainian military bases and garrisons on the peninsula without a fight.¹⁸ Nevertheless, the Russian leadership has long denied the involvement of Russian servicemen in the events in the

¹⁵ *Положение в области прав человека и прав национальных меньшинств на Украине. БДИПЧ* (2014), available at: <https://www.osce.org/ru/odihr/122194?download=true>

¹⁶ *Как Украина потеряла Крым. Реконструкция событий*, Игорь Гужва, Дмитрий Коротков, Дмитрий Соколов-Митрич, Владислав Сергиенко, available at:

<http://reporter.vesti-ukr.com/art/y2015/n7/13328-krymnash-krymnenash.html>

¹⁷ *Командующий Черноморского флота РФ поставил ультиматум украинским военным – Минобороны*, (2014), available at:

<https://korrespondent.net/ukraine/politics/3314235-komanduuischyi-chernomorskoho-flota-rf-postavyl-ultymatu-m-ukraynskym-voennym-mynoborony>

¹⁸ *Как России удалось взять Крым без боя?* (2015), available at:

https://www.bbc.com/russian/russia/2015/03/150320_crimea_film_battle

Crimea, recognizing their military intervention only after the annexation of the Crimea to the Russian Federation.¹⁹

Further, On March 6, the authorities of the Autonomous Republic of Crimea (ARC) and Sevastopol announced a change in the wording of the referendum issue and the postponement of the voting itself on March 16, 2014.²⁰ Two questions were put to the referendum: joining Crimea to Russia as a subject of the federation or restoring the 1992 Constitution while preserving the Crimea as part of Ukraine.²¹ The possibility to negatively answer both questions and preserve the status quo (the Constitution of the Autonomous Republic of Crimea in 1998) was not envisaged by the organizers of the referendum, and on March 11 the ARC and Sevastopol parliaments adopted an independence declaration aimed at legitimizing the upcoming accession process under the laws of the Russian Federation.²²

Hence, based on the results of the referendum, the Crimean authorities announced the independence of the Crimea as the Republic of Crimea, and Russia signed a treaty with the self-proclaimed state, soon it also ratified it, according to which from this day new constituents are formed within the Russian Federation - the Republic of Crimea and the city of federal significance Sevastopol, three days later transferred to the new, Crimean federal district.

Reaction of the international community

The accession of Crimea to Russia caused a predominantly negative international reaction. The Western community (the G-7, NATO member states, the European Union) regarded Russia's actions as aggression, occupation and annexation of part of Ukraine's territory, undermining the territorial integrity of Ukraine. OSCE and PACE adopted resolutions condemning the accession of Crimea to Russia.²³ The West's rejection of Russian actions in

¹⁹ *Заседание Международного дискуссионного клуба «Валдай»* (2012), available at: <http://kremlin.ru/events/president/news/46860#sel=195:13:agB.196:7:hAB>

²⁰ *Парламент Крыма принял постановление «О проведении общекрымского референдума»* (2014), available at: http://www.crimea.gov.ru/news/06_03_2014_1

²¹ Ibid.

²² *Референдум в Крыму: ответ «нет» не предусмотрен*, (2014), available at: <https://www.golos-ameriki.ru/a/world-ukraine-crisis-referendum/1869197.html>

²³ *Парламентская ассамблея ОБСЕ осудила Россию за аннексию Крыма* (2014), available at: <https://www.golos-ameriki.ru/a/1948485.html>

the Crimea led to the exclusion of Russia from the G8 and was one of the reasons for imposing sanctions against Russia from the Western countries²⁴. On March 27, 2014, the UN General Assembly adopted a recommendatory resolution in support of the territorial integrity of Ukraine, announcing the general referendum on March 16, 2014, as null and void.²⁵

On December 19, 2016, the UN General Assembly adopted a resolution entitled “The Situation of Human Rights in the Autonomous Republic of Crimea and the City of Sevastopol (Ukraine)”, in which the situation in the Crimea was characterized as “temporary occupation” and “annexation” of the part of the territory of Ukraine - the Autonomous Republic of Crimea and the city of Sevastopol. For the document voted 70 countries, against - 26, 77 countries abstained and 20 countries did not vote.²⁶

²⁴ *США и ЕС вводят санкции против чиновников РФ и Украины (2014)*, available at: https://www.bbc.com/russian/russia/2014/03/140317_eu_sanctions_russia.shtml

²⁵ *Генассамблея ООН приняла резолюцию в поддержку территориальной целостности Украины (2014)*, available at: <http://tass.ru/mezhdunarodnaya-panorama/1079720>

²⁶ *UN report details grave human rights violations in Russian-occupied Crimea*, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22140>

CHAPTER 2

LEGALITY OF THE CRIMEAN REFERENDUM

On 6 March 2014, the Supreme Council of the Autonomous Republic of Crimea adopted a resolution, “On the All-Crimean Referendum”, on the basis of articles 69-74, which specify referendum as a tool for free expression of will of people, designation and general procedure of the All-Ukrainian referendum.²⁷ “This resolution was meant to provide the legal basis for a referendum on independence, to be held on 16 March 2014, but was promptly contested by both Ukrainian and international voices”.²⁸ This was marked by the immediate decision of the Ukrainian Constitutional Court on March 14, 2014, which declared unconstitutional the resolution of the Verkhova Rada of the Autonomous Republic of Crimea “On holding of all the Crimean Referendum”.²⁹ Thus, in its final judgment, “the Constitutional Court of Ukraine stressed that the principles of integrity and territorial inviolability of Ukraine within its present borders, extending of sovereignty of Ukraine throughout its entire territory are established by the Constitution of Ukraine. Reduction of the existing borders of Ukraine, withdrawal of any subject of the administrative and territorial

²⁷ Constitution of Ukraine, articles 69-74, available at:

https://www.justice.gov/sites/default/files/eoir/legacy/2013/11/08/constitution_14.pdf

The articles read respectively as follows: Article 69 The expression of the will of the people is exercised through elections, referendum and other forms of direct democracy. Article 70 Citizens of Ukraine who have attained the age of eighteen on the day elections and referendums are held, have the right to vote at the elections and referendums. Citizens deemed by a court to be legally incompetent do not have the right to vote.

Article 71 Elections to bodies of state power and bodies of local self-government are free and are held on the basis of universal, equal and direct suffrage, by secret ballot. Voters are guaranteed the free expression of their will. Article 72 An All-Ukrainian referendum is designated by the Verkhovna Rada of Ukraine or by the President of Ukraine, in accordance with their authority established by this Constitution. An All-Ukrainian referendum is called on popular initiative on the request of no less than three million citizens of Ukraine who have the right to vote, on the condition that the signatures in favour of designating the referendum have been collected in no less than two-thirds of the oblasts, with no less than 100 000 signatures in each oblast. Article 73 Altering the territory of Ukraine IS resolved exclusively by an All-Ukrainian referendum. Article 74 A referendum shall not be permitted in regard to draft laws on taxes, budget and amnesty.

²⁸ “Eternal Territory? The Crimean Crisis and Ukraine's Territorial Integrity as an Unamendable Principle”, Yaniv Roznai, Silvia Suteu, New York University Public Law and Legal Theory Working Papers, p.1, available at: http://lsr.nellco.org/cgi/viewcontent.cgi?article=1514&context=nyu_plltwp

²⁹ Judgement of the Constitutional Court of Ukraine on all-Crimean referendum, March 15, 2014, Case No. 1-13/2014, available at:

<http://mfa.gov.ua/en/news-feeds/foreign-offices-news/19573-rishennya-konstitucijnogo-sudu-v-ukrajini-shhodo-referendumu-v-krimu>

structure of Ukraine from its body, changing of the constitutional status of administrative units, in particular of the Autonomous Republic of Crimea and the City of Sevastopol as an integral part of Ukraine, within holding of a local referendum contradicts constitutional principles³⁰ of Ukraine”³¹. Furthermore, The Constitutional Court held that “the Resolution contradicted also the fundamental principles of sovereignty and territorial integrity of a state, constituted in international law instruments, in particular the principle of mutual respect for the sovereign equality of each state including political independence, the ability to change the borders under international law by peaceful means and by agreement. As a result of these principles States Parties had to refrain from violation of territorial integrity or political independence of any state by use of force or threat of force or other manner inconsistent with the purposes of the United Nations, as well as actions directed against the territorial integrity or unity of any State Party”.³² This view was held on the basis of article 2(4) of the UN Charter, which specifies that: “All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state...”³³, and article 2 of the Final Act of Conference on Security and Cooperation in Europe of 1975, which reads as follows: “The participating States will refrain in their mutual relations, as well as in their international relations in general, from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations and with the present Declaration. No consideration may be invoked to serve to warrant resort to the threat or use of force in contravention of this principle. Accordingly, the participating States will refrain from any acts

³⁰ The expression of the will by the people shall be exercised through elections, referendum and other forms of direct democracy; citizens shall have the right to participate in the administration of state affairs, in all-Ukrainian and local referendums, to freely elect and to be elected to the bodies of state power and local self-government (part 1 of Article 38, Article 69 of the Constitution of Ukraine), Under Article 132 of the Constitution of Ukraine the territorial structure of Ukraine shall be based on the principles of unity and integrity of the state territory, the combination of centralization and decentralization in the exercise of the state power, and the balanced socio-economic development of regions taking into consideration their historical, economic, ecological, geographic, and demographic characteristics as well as ethnic and cultural traditions, Any changes to the territory of Ukraine shall be resolved exclusively by the all-Ukrainian referendum (Article 73 of the Constitution of Ukraine). Authority to call the all-Ukrainian referendum on issues indicated in said Article of the Constitution of Ukraine belongs to the Verkhovna Rada of Ukraine (paragraph 2 of part 1 of Article 85 of the Fundamental Law of Ukraine). Organization and procedure for conducting elections and referendums shall be determined exclusively by the laws of Ukraine (paragraph 20 of part 1 of Article 92 of the Constitution of Ukraine).

³¹ Ibid.

³² Ibid.

³³ UN Charter, article 2(4), available at: <http://www.un.org/en/sections/un-charter/chapter-i/index.html>

constituting a threat of force or direct or indirect use of force against another participating State. Likewise they will refrain from any manifestation of force for the purpose of inducing another participating State to renounce the full exercise of its sovereign rights. Likewise they will also refrain in their mutual relations from any act of reprisal by force. No such threat or use of force will be employed as a means of settling disputes, or questions likely to give rise to disputes, between them.”³⁴

Hence, in accordance with Ukrainian Constitutional Court the organization and conduct of the referendum on Crimea’s accession to Russia was in contradiction with the Ukrainian Constitution.

To see the question of the legality of the Ukrainian referendum from the international law perspective, it is worth referring to international standards of how states generally hold referendums. In this view, article 3 of the First Protocol to the European Convention on Human Rights clearly states that: “The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.”³⁵ Moreover, article 25 of the International Covenant on Civil and Political Rights establishes that: “Every citizen shall have the right and the opportunity...without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.”³⁶

Thus, it is obvious that both the European Convention on Human Rights and the International Covenant on Civil and Political Rights strictly underline the importance and exercise of the principles of freedom, secrecy, equality and universality of elections. These principles are also deeply enshrined in Code of Good Practice for Referendums developed through the Venice Commission.³⁷

³⁴ Helsinki 1975 Act, pp.4-5, available at: <https://www.osce.org/helsinki-final-act?download=true>

³⁵ European Convention on Human Rights, available at: https://www.echr.coe.int/Documents/Convention_ENG.pdf

³⁶ ICCPR, article 25, available at: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

³⁷ Available at: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad\(2007\)008-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad(2007)008-e)

Thus, the above-mentioned principles refer to the fact that a referendum requires the absence or at least restrained intervention of military forces from the opposing party and the neutral approach of administrative bodies- necessary elements, which have been absent in case of Crimea.

Furthermore, the principle of freedom also envisages that “the question put to the vote must be clear; it must not be misleading; it must not suggest an answer; electors must be informed of the effects of the referendum; voters must be able to answer the questions asked solely by yes, no or a blank vote.”³⁸ Meanwhile, the Crimean referendum ignored the requirements of this principle and posed two questions, of which the voters had to choose one: “1) Do you support the reunification of the Crimea with Russia as a subject of the Russian Federation?

2) Do you support the restoration of the Constitution of the Republic of Crimea of 1992 and the status of the Crimea as a part of Ukraine?”³⁹

Thus, in case of Crimea, the referendum only posed two questions instead of one, but also put an ambiguous choice in front of the voters in regard to the second question. “The second alternative is ambiguous, because there were two versions of the Crimean constitution in force in 1992. One explicitly stated that Crimea formed a constitutive part of Ukraine, one did not, and hence the definitive meaning of the second alternative remains unclear.”⁴⁰

In addition, pursuant to the Code of Good Practice on Referendums,
“a. Both national and international observers should be given the widest possible opportunity to participate in a referendum observation exercise.

The document begins by listing the principles of Europe’s electoral heritage applicable to both elections and referendums (universal, equal, free, secret and direct suffrage) and the conditions for implementing those principles (including respect for fundamental rights, stability of the law, organisation of the ballot by an impartial body, existence of an effective appeal system), adapting them to the specific features of a referendum. Its last section focuses on the specific rules applicable to the referendum, such as unity of substance and form, compliance with all superior law and the entire legal order, including procedural rules. The guidelines issued stress that the effect of the referendum must be clearly defined in the Constitution or the law and that providing for a quorum is not advisable; they also expand on certain principles concerning popular initiatives, suggesting the possibility of declaring them partially invalid, URL:

http://www.venice.coe.int/WebForms/pages/?p=02_Opinions_and_studies

³⁸ Code of Good Practice on Referendums. 3.1(c), available at:

[http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad\(2007\)008-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad(2007)008-e)

³⁹

<http://mfa.gov.ua/en/news-feeds/foreign-offices-news/19573-rishennya-konstitucijnogo-sudu-v-ukrajini-shhodo-referendumu-v-krimu>

⁴⁰ “The Crimea Crisis: An International Law Perspective”, Christian Marxsen, p.382, available at:

http://www.mpil.de/files/pdf4/Marxsen_2014_-_The_crimea_crisis_-_an_international_law_perspective.pdf

b. Observation must not be confined to election day itself, but must include the referendum campaign and, where appropriate, the voter registration period and the signature collection period. It must make it possible to determine whether irregularities occurred before, during or after the vote. It must always be possible during vote counting.

c. Observers should be able to go everywhere where operations connected with the referendum are taking place (for example, vote counting and verification). The places where observers are not entitled to be present should be clearly specified by law, with the reasons for their being banned.

d. Observation should cover respect by the authorities of their duty of neutrality.”⁴¹

In this view, Crimea invited OSCE observers for the referendum, which, however, did not take place. As later on an OSCE spokeswoman said, “Crimea could not invite observers as the region was not a full-fledged state and therefore not a member of the 57-member organization.” The OSCE military observers had been unable to enter Crimea because of the Russian forces occupation.⁴²

Moreover, “In its current form the referendum ... is in contradiction with the Ukrainian constitution and must be considered illegal,” Swiss Foreign Minister Didier Burkhalter, whose country is the current chair of the Vienna-based OSCE, said in a statement. “For any referendum regarding the degree of autonomy or sovereignty of the Crimea to be legitimate, it would need to be based on the Ukrainian constitution and would have to be in line with international law.” He also “ruled out the possibility of an OSCE observation of the planned referendum...as the basic criteria for a decision in a constitutional framework were not met,” the statement added.⁴³

In conclusion, the Crimean referendum cannot be in compliance with the international standards, hence, is not legal taking into consideration the above analyzed principles and standards. The referendum fundamentally relied on illegal grounds and use of force by the Russian troops.

⁴¹ Code of Good Practice on Referendums, 3.2 (Observation of referendum)

⁴² Crimea invites OSCE observers for referendum on joining Russia, March 10, 2014, available at: <https://www.reuters.com/article/us-ukraine-crisis-referendum-osce-idUSBREA2910C20140310>

⁴³ Crimea referendum illegal, no OSCE monitoring – Swiss, March 11, 2014, available at: <https://uk.reuters.com/article/uk-ukraine-crisis-referendum-osce/crimea-referendum-illegal-no-osce-monitoring-swiss-idUKBREA2A1RD20140311>

CHAPTER 3

SELF DETERMINATION VS. TERRITORIAL INTEGRITY

The right to secession

Groups that want to secede from a specific state, generally refer, in their actions, to the right to self-determination of peoples. In this light, the Russian Federation on various events have referred to and relied on the right to self-determination of the Crimean people, which let the latter justify Crimea's secession from Ukraine. In this view, it is worth noting that the right to unilateral secession turns into a relevant question when the parent country opposes the secession of the part of its territory.

Self-determination v. Territorial integrity

International law undoubtedly provides for a right to self-determination. Both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights⁴⁴, for instance, establish respectively that “all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”⁴⁵. The UN Charter as well establishes and recognizes “the principle of equal rights and

⁴⁴ International Covenant on Economic, Social and Cultural Rights, article 1, *available at*: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

⁴⁵ International Covenant on Civil and Political Rights, article 1, *available at*: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

self-determination of peoples”⁴⁶. The difficulty arises specifically in understanding the precise meaning of this right and the scope of its application in case of Crimea. A more complicated question is whether the right to self-determination implies or contains a reference to a right to secession, and, if so, by whom and in what circumstances.

Recently, it has been extensively argued by scholars and experts in the field that, in exceptional circumstances, the fair right to unilateral secession in case of serious injustices suffered by people, is quite possible and accepted generally on the basis of the General Assembly’s Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (hereafter: Friendly Relations Declaration)⁴⁷. More specifically, Principle V, paragraph 7 of the Declaration specifies that:

“Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour”.⁴⁸

Thus, the context entails the principle that the right to self-determination of peoples should not harm the territorial integrity of States. In this view, a significant number of scholars have argued in favour of the right to remedial secession. This can be well illustrated through the decision and remarks of the Canadian Supreme Court in *Reference re Secession of Quebec* case, where it noted that: “a number of commentators have further asserted that the right to self-determination may ground a right to unilateral secession in a third circumstance. Although this third circumstance has been described in several ways, the underlying proposition is that, when a people is blocked from the meaningful exercise of its right to self-determination internally, it is entitled, as a last resort, to exercise it by secession. The *Vienna Declaration* requirement that governments represent “the whole people belonging

⁴⁶ UN Charter, article 1(2), available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>

⁴⁷ Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, UN General Assembly Resolution 2625 (XXV), UN Doc. A/RES/2625 (XXV)

⁴⁸ Ibid. available at: <http://www.un-documents.net/a25r2625.htm>

to the territory without distinction of any kind” adds credence to the assertion that such a complete blockage may potentially give rise to a right of secession⁴⁹.

Moreover, Malcolm Shaw has also justly noted that: “such a major change in legal principle cannot be introduced by way of an ambiguous subordinate clause, especially when the principle of territorial integrity has always been accepted and proclaimed as a core principle of international law, and is indeed placed before the qualifying clause in the provision in question”⁵⁰.

Hence, considering the general scope of the right to self-determination and the right to remedial secession under international law, considerations on the Crimean case become relevant. In this regard, it is noteworthy that the Constitution of Ukraine does not contain a specific provision on a right to secede. As the European Commission for Democracy Through Law (Venice Commission) has noted: “It is therefore clear that the Ukrainian Constitution prohibits any local referendum which would alter the territory of Ukraine and that the decision to call a local referendum in Crimea is not covered by the authority devolved to the authorities of the Autonomous Republic of Crimea by virtue of Article 138 of the Ukrainian Constitution. This is confirmed by the judgment of the Constitutional Court of Ukraine of 14 March 2014 recognising the decision as unconstitutional. Since Article 28 of the Constitution of the Autonomous Republic limits the authority of the Supreme Soviet of the Autonomous Republic to matters within the authority of the Autonomous Republic under the Ukrainian Constitution, the decision also violates the Constitution of the Autonomous Republic”⁵¹. So, it becomes evident that the Ukrainian Constitution does view or establish referendums as an expression of the will of the people. However, this does not extend to local referendums. Particularly, the Constitution provides that the Autonomous Republic of Crimea can organize and conduct local referendums⁵², but Article 73 stipulates on the other hand, that: “issues of altering the territory of Ukraine are resolved exclusively by an All-Ukrainian referendum”⁵³.

⁴⁹ Supreme Court of Canada, *Reference re Secession of Quebec* [1998] 2 SCR 217, para. 134, available at: <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1643/index.do>

⁵⁰ Shaw (1997), p. 483.

⁵¹ European Commission on Democracy Through Law, Opinion on whether the decision taken by the Supreme Council of the Autonomous Republic of Crimea in Ukraine to organize a referendum on becoming a constituent territory of the Russian Federation or restoring Crimea’s 1992 constitution is compatible with constitutional principles, CDL-AD(2014)002-e, Venice, 21–22 March 2014, para.15, available at: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2014\)002-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2014)002-e)

⁵² Ibid. para.6

⁵³ Ibid. para.13

So, since referendums concerning the territorial *status quo* of Ukraine can only be resolved by a referendum on the national level, Crimea did not have the competence and authorization to organize and conduct a local referendum to secede from Ukraine. Furthermore, to consider such secession as constitutional, a constitutional amendment would be required, since on the basis of the fact that Crimea is the “inseparable constituent part of Ukraine”, the Ukrainian Constitution provides that: “The Constitution of Ukraine shall not be amended, if the amendments foresee the abolition or restriction of human and citizens’ rights and freedoms, or if they are oriented toward the liquidation of the independence or violation of the territorial indivisibility of Ukraine”⁵⁴. Therefore, Crimea could not claim a right to secession under Ukrainian constitutional law.

The question is, however, whether Crimea could claim a right to unilateral secession under public international law. In this regard, it should first be determined whether the people of Crimea actually qualified as the holders of this right. This can be determined on expert opinion that: “Although no international treaty defines the term “people” for the purposes of self-determination, it is generally accepted that this classification entails a subjective element, such as a common belief by members of the group that they share the same characteristics and beliefs and thus form a common unit, as well as an objective element, such as common racial background, culture, ethnicity, religion, language, and history”⁵⁵.

So, some of the groups living the peninsula, specifically the ethnic Russians and Crimean Tatars could be considered as ethnic minorities. However, this is also quite debatable. Although it is clear that the people living in Crimea share a common territory, it still remains us with doubts whether they, in fact, have a distinct group identity and the wish to be differentiated with it. In fact, inhabitants of the peninsula do not seem to comply with the requirements of “people” as provided by the expert opinion above.

As it was illustrated above, the right to remedial secession is generally exercised under exceptional circumstances. For instance, the existence of gross human rights violations or discriminatory actions against a specific group within a territory can be considered as prerequisites for such a right. In this view, it becomes clear that Crimea does not meet the

⁵⁴ Ibid. para.14

⁵⁵ Milena Sterio, Self-Determination and Secession Under International Law: The Cases of Kurdistan and Catalonia, vol.22, issue 1 (2018), *available at*: <https://www.asil.org/insights/volume/22/issue/1/self-determination-and-secession-under-international-law-cases-kurdistan>

existence of these prerequisites, as there have been no reports of gross human rights violations or discrimination against a specific group by the Ukrainian authorities⁵⁶.

Thus, it should be concluded that the situation in case of Crimea did not necessitate “extreme circumstances” acceptable for a claim for remedial secession. Based on the above analysis, the Crimean authorities could not claim a right to remedial secession.

CONCLUSION

Given the main findings of the present research paper, it may well be established that in case of Crimea, holding any local referendum on changing the status of part of the territory of a sovereign state is contrary to the Constitution of Ukraine (Article 73), which allows consideration of issues on changing the country’s territory only at a national referendum and does not provide for the possibility of holding a referendum on secession and annexation of any territory that is part of the country. Therefore, holding such a referendum is illegal. It should be noted that the Constitutional Court of Ukraine by its decision of March 13, 2014 officially recognized the decision of 6 March 2014 No. 1702-6 / 14 of the Verkhovna Rada of the Autonomous Republic of Crimea on holding a referendum on March 16 that does not comply with the country’s constitution.

In addition, the use of the Russian armed forces on the territory of Ukraine outside the limits of the deployment of these troops in places provided for by the interstate agreement between Russia and Ukraine is nothing more than the occupation of part of the territory of a sovereign state, such as Ukraine.

Further, with respect to the exercise of the right to self-determination in case of Crimea, it still remains a question whether the people of Crimea as a whole may be considered as holders of the right of self-determination in the first place, as there has been no evidence of gross human rights violations or discriminatory actions exercised by the Ukrainian authorities. Consequently, Crimea itself could not claim a right to remedial secession.

All in all, it should be concluded that the arguments for and against the just exercise of the right to self-determination and (remedial) secession as claimed by the Crimean and Russian authorities with the aim to justify the events on the Crimean Peninsula cannot be

⁵⁶ See Office of the United Nations High Commissioner for Human Rights, Report on the Human Rights Situation in Ukraine, 15 April 2014, *available at*: <http://www.ohchr.org/EN/Countries/ENACARegion/Pages/UARports.aspx>

brought forward, as Crimea's unilateral secession from Ukraine was not in compliance with the norms of international law.

BIBLIOGRAPHY

Cases

Judgement of the Constitutional Court of Ukraine on all-Crimean referendum, March 15, 2014, Case No. 1-13/2014, available at:
<http://mfa.gov.ua/en/news-feeds/foreign-offices-news/19573-rishennya-konstitucijnogo-sudu-v-ukrajini-shhodo-referendumu-v-krimu>

Constitutions

Constitution of the Federal Democratic Republic of Ethiopia, adopted on 8 December 1994, Art. 39(4), <http://www.refworld.org/docid/3ae6b5a84.html>

Constitution of Ukraine, articles 69-74, available at:
https://www.justice.gov/sites/default/files/eoir/legacy/2013/11/08/constitution_14.pdf

Statutes

Code of Good Practice on Referendums. 3.1(c), available at:
[http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad\(2007\)008-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=cdl-ad(2007)008-e)

Code of Good Practice on Referendums, 3.2 (Observation of referendum)

Periodical Materials

Matsuzato, Kimitaka. [Domestic Politics in Crimea, 2009-2015](#). The Journal of Post-Soviet Democratization, Volume 24, Number 2, Spring 2016, available at: <https://muse.jhu.edu/article/619862/pdf>

Internet Sources

Crawford JR, Boyle A (2012) Annex A. Opinion: referendum on the independence of Scotland—international law aspects. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/79408/Annex_A.pdf

Crimea invites OSCE observers for referendum on joining Russia, March 10, 2014, available at: <https://www.reuters.com/article/us-ukraine-crisis-referendum-osce-idUSBREA2910C20140310>

Crimea referendum illegal, no OSCE monitoring – Swiss, March 11, 2014, available at: <https://uk.reuters.com/article/uk-ukraine-crisis-referendum-osce/crimea-referendum-illegal-no-osce-monitoring-swiss-idUKBREA2A1RD20140311>

“Eternal Territory? The Crimean Crisis and Ukraine's Territorial Integrity as an Unamendable Principle”, Yaniv Roznai, Silvia Suteu, New York University Public Law and Legal Theory Working Papers, p.1, available at: http://lsr.nellco.org/cgi/viewcontent.cgi?article=1514&context=nyu_plltwp

European Commission on Democracy Through Law, Opinion on whether the decision taken by the Supreme Council of the Autonomous Republic of Crimea in Ukraine to organize a referendum on becoming a constituent territory of the Russian Federation or restoring Crimea's 1992 constitution is compatible with constitutional principles, CDL-AD(2014)002-e, Venice, 21–22 March 2014, para.15, available at: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2014\)002-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2014)002-e)

Matsuzato, Kimitaka. [Domestic Politics in Crimea, 2009-2015](#). The Journal of Post-Soviet Democratization, Volume 24, Number 2, Spring 2016, available at: <https://muse.jhu.edu/article/619862/pdf>

Milena Sterio, Self-Determination and Secession Under International Law: The Cases of Kurdistan and Catalonia, vol.22, issue 1 (2018), available at: <https://www.asil.org/insights/volume/22/issue/1/self-determination-and-secession-under-international-law-cases-kurdistan>

On 18 September, 55.3 % of the Scottish population voted against independence. See ‘Scotland independence referendum—Results’,

<http://www.bbc.com/news/events/scotland-decides/results>

[Richard Sakwa. Frontline Ukraine: Crisis in the Borderlands](#), pp. 107-108, p.220

See ICJ, Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo (Request for Advisory Opinion), Advisory Opinion of 22 July 2010, ICJ Reports 2010, p. 403, para. 81.

Shaw ([1997](#)), p. 483

“The Crimea Crisis: An International Law Perspective”, Christian Marxsen, p.382, available at:

http://www.mpil.de/files/pdf4/Marxsen_2014_-_The_crimea_crisis_-_an_international_law_perspective.pdf

Vidmar J (2012b) Territorial integrity and the law of statehood. *George Wash Int Law Rev* 44:697–747 , 710–711.

Weller M (2005) The self-determination trap. *Ethnopolitics* 4:3–28, pp. 16, 19.

Radan P (2011) Secession in constitutional law. In: Pavković A, Radan P (eds) *The Ashgate research companion to secession*. Ashgate, Farnham, pp 333–34

A.A. Токарев, [Электоральная история постсоветского Крыма: от УССР до России](#), Московский государственный институт международных отношений (университет), Москва, пр. Вернадского, 76, С. 32-41, available at:

http://www.vestnik.mgimo.ru/sites/default/files/pdf/004_istoriya_tokarevaa.pdf

Договор между Российской Федерацией и Республикой Крым о принятии в Российскую Федерацию Республики Крым и образовании в составе Российской Федерации новых субъектов (2014), available at:

<http://www.kremlin.ru/events/president/news/20605>

Заседание Международного дискуссионного клуба «Валдай» (2012), available at:

<http://kremlin.ru/events/president/news/46860#sel=195:13:agB,196:7:hAB>

Как России удалось взять Крым без боя? (2015), available at:

https://www.bbc.com/russian/russia/2015/03/150320_crimea_film_battle

Как украина потеряла крым: Реконструкция событий, available at:

<http://reporter.vesti-ukr.com/art/y2015/n7/13328-krymnash-krymnenash.html#.VYfr7JD4EZ>

[A](#)

[Как Украина потеряла Крым. Реконструкция событий](http://reporter.vesti-ukr.com/art/y2015/n7/13328-krymnash-krymnenash.html), Игорь Гужва, Дмитрий Коротков, Дмитрий Соколов-Митрич, Владислав Сергиенко, available at: <http://reporter.vesti-ukr.com/art/y2015/n7/13328-krymnash-krymnenash.html>

Командующий Черноморского флота РФ поставил ультиматум украинским военным – Минобороны, (2014), available at: <https://korrespondent.net/ukraine/politics/3314235-komanduuischyi-chernomorskoho-flota-rf-postavyl-ultymatum-ukraynskym-voennym-mynoborony>

Крымский парламент принял решение о вхождении Крыма в состав России (2014), available at:

http://ipress.ua/ru/news/krimskyy_parlament_prynyal_reshenye_o_vhozhdenny_krima_v_sos_tav_rossyy_52516.html

Путин: организаторы госпереворота в Киеве готовили физическое устранение Януковича (2015), available at: <http://tass.ru/politika/1829545>

Путин объяснил, в связи с чем принял решение вернуть Крым в состав России (2015), available at: <http://tass.ru/politika/1816491>

[Положение в области прав человека и прав национальных меньшинств на Украине. БДИПЧ](https://www.osce.org/ru/odjhr/122194?download=true) (2014), available at: <https://www.osce.org/ru/odjhr/122194?download=true>

Парламент Крыма назначил референдум об автономии (2014), available at:

https://www.bbc.com/russian/international/2014/02/140227_crimea_parliament

Парламент Крыма принял Декларацию о независимости АРК и г. Севастополя (2014), available at:

http://www.crimea.gov.ru/news/11_03_2014_1

Парламент Крыма принял постановление «О проведении общекрымского референдума» (2014), available at: http://www.crimea.gov.ru/news/06_03_2014_1

Парламентская ассамблея ОБСЕ осудила Россию за аннексию Крыма (2014), available at:

<https://www.golos-ameriki.ru/a/1948485.html>

Пресса США: что делать с Россией? (2016), available at:

<https://www.bbc.com/russian/features-37152766>

Украинская оппозиция пригрозила разогнать парламент Крыма (2014), available at: <https://lenta.ru/news/2014/02/05/ask/>

Референдум в Крыму: ответ «нет» не предусмотрен, (2014), available at: <https://www.golos-ameriki.ru/a/world-ukraine-crisis-referendum/1869197.html>

МИССИЯ ПО ОЦЕНКЕ ПОЛОЖЕНИЯ В ОБЛАСТИ ПРАВ ЧЕЛОВЕКА В УКРАИНЕ: ПОЛОЖЕНИЕ В ОБЛАСТИ ПРАВ ЧЕЛОВЕКА И ПРАВ НАЦИОНАЛЬНЫХ МЕНЬШИНСТВ (2014), available at: <https://www.osce.org/ru/odihr/122194?download=true>

Меджлис выступил с обращением, поддерживающим Украину и осуждающим агрессию РФ (2014), available at: <https://www.unian.net/politics/896933-medjlis-vyistupil-s-obrascheniem-podderjivayuschim-ukrainu-i-osujdayuschim-agressiyu-rf.html><https://www.unian.net/politics/896933-medjlis-vyistupil-s-obrascheniem-podderjivayuschim-ukrainu-i-osujdayuschim-agressiyu-rf.html>

США и ЕС вводят санкции против чиновников РФ и Украины (2014), available at: https://www.bbc.com/russian/russia/2014/03/140317_eu_sanctions_russia.shtml

Treaties

Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, UN General Assembly Resolution 2625 (XXV), UN Doc. A/RES/2625 (XXV)

European Convention on Human Rights, available at: https://www.echr.coe.int/Documents/Convention_ENG.pdf

ICCPR, article 25, available at: <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

Helsinki 1975 Act, pp.4-5, available at: <https://www.osce.org/helsinki-final-act?download=true>

United Nations

Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, UN General Assembly Resolution 2625 (XXV), UN Doc. A/RES/2625 (XXV)

UN Charter, article 2(4), available at: <http://www.un.org/en/sections/un-charter/chapter-i/index.html>

UN Charter, article 1(2), available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>

UN report details grave human rights violations in Russian-occupied Crimea, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22140>

See Office of the United Nations High Commissioner for Human Rights, Report on the Human Rights Situation in Ukraine, 15 April 2014, available at: <http://www.ohchr.org/EN/Countries/ENACARegion/Pages/UAREports.aspx>

Генассамблея ООН приняла резолюцию в поддержку территориальной целостности Украины (2014), available at: <http://tass.ru/mezhdunarodnaya-panorama/1079720>

Генассамблея ООН приняла резолюцию в поддержку территориальной целостности Украины (2014), available at: <http://tass.ru/mezhdunarodnaya-panorama/1079720>