

**Permanent Mission of Ukraine
to the International Organizations in Vienna**

Naaffgasse 23, 1180 Vienna, Austria, tel: +43 (0)1 4797172, e-mail: pm_io@mfa.gov.ua, http://vienna.mfa.gov.ua/en;
www.facebook.com/ukrainevienna; Twitter: @UKRinOSCE

Chairpersonship: Ukraine**Statement by Anton Korynevych,
Permanent Representative of the President of Ukraine in the
Autonomous Republic of Crimea**

*947th Meeting of the Forum for Security Co-operation,
27 May 2020*

Security Dialogue on Regional Security: The Black Sea and the Sea of Azov

Dear Chairperson, dear colleagues, greetings to all participants of the online meeting of the OSCE Forum for Security Co-operation. I appreciate the opportunity to speak at the pan-European platform to draw attention of the international community to the regional security issues of the Black and Azov Seas.

The ongoing occupation of the sovereign territory of Ukraine, the Autonomous Republic of Crimea and the city of Sevastopol, by Russia is a proven and internationally recognized violation of international law, clearly stated in numerous documents of the United Nations, OSCE Parliamentary Assembly and other international organizations and institutions.

The illegal actions of the occupying power in Crimea since 2014 have been the main factor in the continuous deterioration of the security situation in the Azov and Black Sea region, which is characterized by instability and a tendency to worsen. The rise in tensions was caused by the Russian Federation's efforts to legitimize the attempted annexation of the peninsula and to assert its dominance in the maritime areas. The prospect of the possible transformation of the Sea of Azov and the Black Sea into «Russian lakes» is a direct consequence of the occupation of Crimea.

The challenges and threats to security in the Azov-Black Sea region can be summarized as follows:

- the political sphere is characterized by Russia's attempt to overcome international isolation after the military invasion to Crimea by developing relations with individual Black Sea countries and influencing them in the form of «soft power», unlike the direct military aggression against Ukraine and Georgia with the occupation of parts of their territories;
- military direction is characterized by the comprehensive militarization of Crimea from pre-school education to deployment of missile systems S-400, increasing and upgrading of the naval composition of the Russian Federation's Black Sea Fleet which is equipped with cruise missiles «Caliber». The Russian Federation

*) Corrigendum due to the change of the distribution status

uses the peninsula as the main logistical base for Russian military operations in Syria, the increase in naval exercises and closure of maritime areas, including the exclusive maritime economic zone of Ukraine around the occupied Crimea. There are also signs of the reproduction of nuclear military facilities on the peninsula;

- the international legal sphere has been marked by the termination of the recognition of the powers of the International Fact-Finding Commission under Additional Protocol I to the Geneva Conventions; promotion by the Kremlin of Crimean collaborators abroad and involving of pro-Russian foreigners into activities on the peninsula; forced naturalization of the Crimean residents by the Russian Federation and deprivation of property rights of Ukrainian citizens and foreigners on the peninsula;
- the economic direction is characterized by the creation of artificial obstacles to free commercial navigation and endangerment of maritime transport in the Kerch Strait and the Sea of Azov as a result of the illegal construction of the so-called «Crimean Bridge» by the Russian Federation; the involvement of foreign vessels into illegal marine commercial transportation to the Crimean closed ports; increasing gas supplies via the Black Sea which creates an environmental hazard at the Black Sea depths saturated with hydrogen sulfide.

The issue of security in the Azov and Black Sea region is not strictly limited to a military component. No less important for understanding and assessment of the Russian hybrid war against Ukraine are large-scale and serious violations of international humanitarian law by the Russian Federation in the territory of the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol.

According to reports by a number of international organizations (OHCHR, OSCE ODIHR, Council of Europe), the human rights situation in the occupied Crimea has dramatically deteriorated. Reports confirm the existence of widespread abductions, enforced disappearances, torture, politically motivated persecution on ethnic and religious grounds, and discrimination. The basic rights to freedom of expression, peaceful assembly, religion and education are being violated, the media are being persecuted and banned, the Ukrainian and Crimean Tatar identities are being destroyed, and illegal conscription to the Armed Forces of the Russian Federation is being conducted. Many of these acts by the occupying power are classified as war crimes and crimes against humanity and are within the jurisdiction of the International Criminal Court.

As a result of the active militarization of Crimea, the local population is being replaced by the citizens of the Russian Federation, mainly members of the Russian security forces and members of their families, who have been resettled from the regions of Russia.

The situation of the indigenous Crimean Tatar People in the occupied peninsula deserves special attention. After the beginning of the occupation, Russia attempted to bribe key leaders of the Crimean Tatars with an offer to support its actions, but after being refused, it began fighting against the Crimean Tatars by destroying their national institutions, particularly Mejlis of the Crimean Tatar People, which was banned on

charges of extremist activities. Many Crimean Tatars who opposed the occupation in Crimea were prosecuted and tortured.

The forgoing indicates the dominance in the actions of the Russian Federation of exclusively military and political interests of the transformation of captured Crimea into a military base and the intentions of the Kremlin to spread expansion beyond the Black Sea.

Ukraine, for its part, is creating conditions for the preservation, restoration and maintenance of ties with its own citizens living in the temporarily occupied territories of Crimea and the city of Sevastopol. The major challenge remains for us, together with international partners, to compel Russia to provide unimpeded access for the international monitoring missions to the peninsula to obtain objective information on the humanitarian and security situation. We consider that this issue should be the first on the agenda of international negotiations, related to the returning of Crimea under general jurisdiction of Ukraine and as a consequence of the gradual stabilization of the security situation in the Azov and Black Sea region.

We face a significant deterioration of the security situation in the Sea of Azov and the Black Sea region marked by its intensive militarization. This negative development was sparked by the incompliance with the obligations under the Treaty on Conventional Armed Forces in Europe (CFE Treaty), acts of aggression and ongoing occupation of the sovereign territories of participating states.

International military experts and fora raised concerns over long-ranged sophisticated armaments deployed on the temporarily occupied Crimean Peninsula, Ukraine. Their location and types are well known.

The occupation of Crimea has led to a drastic increase in the number of conventional weapons and military equipment in the Black Sea region exceeding the limitations proscribed by the CFE Treaty.

The long-range missile weapons on the Peninsula are capable of striking the entire southern part of Ukraine and the territories of neighboring countries. The security of the Black Sea littoral states, of which two are already affected by foreign aggression, are also at stake.

The occupied territories of Ukraine and Georgia had been turned into grey zones inaccessible for verification and inspection activities under the CFE Treaty, Open Skies Treaty, the Vienna Document on Confidence and Security Building Measures and other arms control and non-proliferation regimes. This state of affairs continues to erode military transparency, predictability and trust in the region.

Since February 2014, the Autonomous Republic of Crimea and the city of Sevastopol have been occupied. The attempt to annex the sovereign Ukrainian territory was not recognized by the international community, as evidenced, most notably, by the United Nations General Assembly resolution 68/262 on the territorial integrity of Ukraine. This act of attempted annexation constitutes a flagrant violation of the imperative norms of international law, the UN Charter, the Helsinki Final Act, numerous OSCE commitments, bilateral and multilateral agreements.

Almost immediately after the illegal occupation of Ukraine's Crimea militarization of the Peninsula was unleashed.

It included, in particular, destabilizing transfers of weapons and military equipment, including nuclear capable aircraft and missiles, weapons, ammunition and military personnel to the territory of Ukraine.

The occupation and subsequent militarization of Crimea led to the expansion of the area of use of warships and military aircraft in the Black Sea region and far beyond in the entire Mediterranean basin. Thus, such activity has far-reaching consequences for security not only in the Black Sea area, but in the entirety of Southern Europe, as well as in the North Africa and the Middle East.

Multiple illegal military exercises conducted in Crimea and around it reflects aggressive military posture towards Ukraine and other Black Sea littoral states. Such exercises also entail considerable long-term negative environmental consequences in the region.

The Sea of Azov region has been also intensively militarized. The number of warships with their expansion to the whole territory of the Sea has significantly increased. The progressive militarization of the Sea of Azov has implications not only for maritime trade and supplies into Ukraine, but also poses an additional military threat to Ukraine and leads to escalation of the security situation in the region. The illegal construction of the Kerch Strait bridge has substantially contributed to this threat, in particular by facilitating further militarization of Crimea and involvement of additional maritime and other forces to the area under the pretext of protection of the bridge and its infrastructure.

What is more alarming is that the occupying power is taking steps to renuclearize Crimea, in particular by deploying carriers and other means capable of delivering nuclear weapons, as well as by actively developing nuclear infrastructure on the Peninsula. Taking into account the strategic location of Crimea in the region, as well as Ukraine being part of the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear-weapon State, deployment of nuclear forces in Crimea constitutes a serious challenge to the existing non-proliferation regime and must meet due response by the international community.

Given the current volatile security situation in the Black Sea and the Sea of Azov region and its possible far-reaching negative implications, the issue of the militarization of Crimea must be high on the agenda of all international organizations concerned, in particular the UN and the OSCE.

In this context, it should be noted that two resolutions entitled “Problem of the militarization 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” were adopted by the UN General Assembly in 2018 and 2019. The main goals of these important documents are to urge the Russian Federation to withdraw its military forces from Crimea and to stop the illegal occupation of Ukraine’s territory, as well as to ensure that Russia halts harassment of commercial vessels and restrictions to international shipping in the Black Sea and the Sea of Azov.

The consolidated position of the OSCE participating States was also made clear in 2019 in respective Parliamentary Assembly resolution (“*On the Militarization by the Russian Federation of the Temporarily Occupied Autonomous Republic of Crimea and*

the City of Sevastopol, the Black Sea and the Sea of Azov”). Most notably, it encourages the OSCE Chairpersonship, Institutions and participating States to develop relevant measures aimed at deterring further aggressive actions and impediment of the freedom of shipping by the Russian Federation in the Sea of Azov and the Black Sea.

The international community should redouble its concerted actions to restore security and full compliance of international law, OSCE fundamental norms and principles in the Black Sea and the Sea of Azov region. These efforts must be based on full respect of the sovereignty and territorial integrity of states, refraining from the threat or use of force, non-intervention in internal affairs and the fulfillment in good faith of obligations under international law.

The OSCE can play a greater role in monitoring and responding to the degrading security and social and economic situation in the Sea of Azov and the Black Sea region.

The SMM has already confirmed the negative impact of the impediment of navigation on the social and economic well-being of Ukrainians residing in areas located on the coastline of the Sea of Azov. The SMM reports confirm that “delays and reduction in ships willing to navigate through the Kerch Strait have led to reduced business, including cancelled contracts and an inability to acquire new contracts due to ongoing uncertainties” and increased costs of insurance policies. This monitoring is important and must continue on a daily basis.

The SMM is regularly denied access to the temporarily occupied areas in the southern Donetsk region adjacent to the Sea of Azov. This is an area of established supplies routes of weaponry and manpower to the conflict area.

We believe that more vigilance and reporting by the SMM are needed on activities related to the militarization of the occupied Crimea and adjacent territorial waters, the Sea of Azov and the Black Sea. The consequences of such destructive policy to the local population, security of Ukraine and environment should be also reflected in its reports. Amid constant infringement of the SMM mandate, the tool of distance monitoring is of particular relevance to this end.

The Prosecutor's Office of the Autonomous Republic of Crimea provides procedural guidance of pre-trial investigations in criminal proceedings on war crimes and crimes against humanity committed against the civilian population of the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol by representatives of the occupying power and its administration.

This category of crimes includes wilful killing; long-term illegal detention; deprivation of the right to a formal and fair trial, illegal application of criminal law of the occupying power; torture, inhuman treatment; illegal deportation and colonization (replacement of the civilian population of the occupied territory by the civilian population of the occupying power); illegal transfer of convicts; illegal conscription into the armed forces of the Russian Federation; illegal appropriation of state and private property by the occupying power.

Evidence of other crimes caused by aggression against Ukraine is being collected, namely: persecution of civilians on discriminatory, political, racial, national and religious grounds, suppression of freedom of speech (mass searches, detentions and criminal prosecutions), movement of children to the territory of the Russian Federation

by adoption, propaganda to serve in the military of the occupying power among minors; appropriation and destruction of cultural property (cultural erasure); crimes in the field of ecology.

These crimes are the most serious violations of the laws and customs of war provided for in the Geneva Conventions and their Additional Protocols, in particular the Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

Evidence gathered during the investigation is used not only in national proceedings, but also sent to the Office of the Prosecutor of the International Criminal Court (ICC).

As of now, the Prosecutor of the ICC received seven communications and additions to them submitted by the Prosecutor's Office of the Autonomous Republic of Crimea, namely: on illegal and extensive destruction and appropriation of state and private property by representatives of the occupying power of Crimea (over 4,000 objects); on the forcible transfer of civilians from Crimea (almost 45,000 internally displaced civilians); on the forcible transfer of convicts to the territory of the Russian Federation (about 470 identified persons, although the actual number is about thousands of persons), including the review of decisions of Ukrainian courts in accordance with the legislation of the Russian Federation; on the forced conscription of the Crimean population into the Armed Forces of the Russian Federation (about 21,000 people); on the forced expulsion and deportation of civilians from Crimea (on the basis of decisions of the courts of the occupying power); on the use of civilians during the seizure of military units and facilities (so-called "human shields"); on the forcible transfer of Crimean residents to mainland Ukraine.

The evidence has been collected and three more communications are being prepared thus far, including additions to previously sent communications, namely: on the illegal appropriation of private property by the occupying power, the so-called "nationalization"; on the illegal persecution of journalists, the suppression of freedom of speech in the occupied Crimea; on the propaganda of military service in the Armed Forces of the Russian Federation among children.

Ukraine remains one of the main targets of Russia's aggression in the Azov and Black Sea region which means Russia won't be stopping soon. The more Russia talks about fighting for peace, the more the Kremlin is preparing for war.

Therefore, taking the opportunity to address this esteemed and influential international OSCE Forum for Security Co-operation, and taking into consideration the direct interdependence between the regional security issues in the Black and Azov Seas and de-occupation of the Crimean peninsula, I call on foreign partners to adhere to the policy of non-recognition of the Russian attempted annexation of Crimea and sanction policy against the occupying power.