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In Crimea, Time for Pressure, not Acceptance

Why we cannot lose sight of the Crimean Tatars

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Why we cannot lose sight of the Crimean Tatars

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Misguided calls within Germany for tacitly accepting – or even legalizing – Russia’s 2014 annexation of Crimea are diverting attention from the situation there on the ground. Disregarding Russian promises made to the Crimean Tatar community, authorities are now cracking down on Tatar political and media organizations, under the pretext of the fight against “political extremism.” As a result, Crimean Tatars have once again become a vulnerable minority under Russian rule – in the only place they call their homeland: the Crimean peninsula. Germany and the international community must therefore pressure Moscow to concede the same basic human and minority rights to Crimean Tatars that Russia has demanded for the region’s Russian-speaking population.

Only eight months after the March “referendum” on Crimean secession from Ukraine, two prominent German Social Democratic politicians caused a stir by proposing the recognition a posteriori of the Russian annexation of the peninsula. Matthias Platzeck, head of the German-Russian Forum and former prime minister of Brandenburg, and Egon Bahr, former companion of Willy Brandt and inventor of German Ostpolitik, each proposed “solutions” to this contentious issue. Bahr suggested accepting the annexation without formal recognition, in much the same way West Germany stabilized its relationship with East Germany in the early 1970s. But Bahr’s historical analogy ignores the fact that it took West Germany many years, not months, to arrive at its “new eastern policy.” It also ignores the fact that Crimea today is not merely within Russia’s sphere of influence (as the GDR had been in the Soviet Union’s) but that it has been made part of the Russian Federation by means of military takeover, thinly disguised with a “Potemkin referendum.”¹

Although Platzeck and Bahr represent a decidedly marginal position in the political arena, they do seem to echo a general sentiment in the German public, which short of formally accepting the annexation, favors treating it as a *fait accompli* on the grounds of geopolitical necessity. In a recent survey, 39 percent of Germans wanted to recognize Crimea as part of Russia, while 48 percent opposed this.² According to the pro-recognition argument, if we cannot do anything to bring Crimea back, why not just accept it and move on? The majority of

Crimea’s population was in favor of annexation, so the argument continues, and one must remember the long history of Russian presence in Crimea, including the presence of the Black Sea Fleet. After all, aren’t Russian actions in Crimea somehow “understandable”? Echoing Russia’s own logic, this argument sounds the bell for a “post-Crimea” phase that, implicitly or explicitly, recognizes – and legitimizes – Russia’s actions.

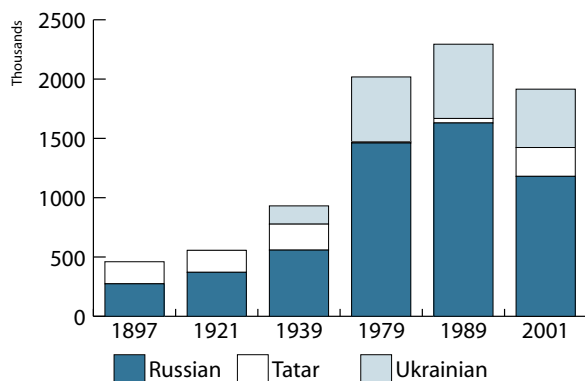
Such thinking blatantly ignores those who opposed the annexation and are now forced to live as part of the Russian Federation. Most visibly this includes the vulnerable Crimean Tatar minority who, after about twenty years of relatively peaceful existence in their homeland, are once again under pressure. Contrary to what Russia promised the Crimean Tatar community, we are now seeing a crackdown on Tatar political and media organizations (under the pretext of fighting “political extremism”) and mounting harassment of Crimean Tatars. Russia’s annexation of 2014 could well become the “third tragedy” of the Crimean Tatar community – after the Russian conquest of 1783 and Stalin’s mass deportations of 1944.³

A History of Repression

While the community of Crimean Tatars shrank following the takeover of Crimea by the Russian empire from the Ottoman Empire in 1783, it was under Stalin that Crimean Tatars faced their most brutal treatment in the peninsula. After regaining

Crimea in 1944, following its occupation by Nazi and Romanian forces, Stalin ordered the deportation of Crimean Tatars on the pretext of alleged collaboration with the Nazis. Around 240,000 Crimean Tatars were deported to the far east of the Soviet Union. Only around half of them survived.

Chart 1: Population of Crimea (1897–2001)



Source: Gwendolyn Sasse, *The Crimea Question: Identity, Transition, and Conflict* (Cambridge, Mass., 2007), p. 275

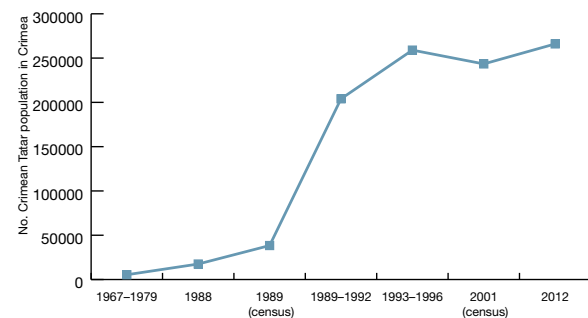
Despite their strategy of nonviolent resistance, Crimean Tatars continued to face oppression under the Soviet regime. The charismatic leader of the Crimean Tatars, Mustafa Dzhemilev (b. 1943), was interned numerous times as a Soviet dissident and holds the record for the longest hunger strike (303 days). Only under glasnost in the final years of the Soviet period were Crimean Tatars finally allowed to return to Crimea, but they received no assistance for their relocation nor were they recompensed for their deportation.

Toward the end of the Soviet regime, the stream of Crimean Tatars returning to their homeland increased steadily (Chart 2). Later, within the newly independent Ukrainian state, Crimean Tatars slowly gained more rights and assistance to strengthen their community institutions and self-governance structures. Most importantly, a council of representatives of Crimean Tatars – the Mejlis – was recognized in 1999.⁴

Yet Crimean Tatars remained at risk from discrimination. Certainly, tensions between Crimean Tatars and pro-Russian groups preceded Crimea's annexation.⁵ Pro-Russian groups in Crimea patho-

logized the Tatar community as “extremist nationalist” and “Islamist” and continued to blame Tatars for alleged collaboration with the Nazis.⁶ Land allocation also led to tensions: starting in the mid-2000s, Crimean Tatars began to settle land without permission from the Crimean authorities, protesting the authorities' failure to allocate land to them fairly. In response pro-Russian groups would regularly picket this land, arguing the Crimean Tatars were illegal squatters.⁷ The same pro-Russian groups whose antagonism toward Crimean Tatars was visible before 2014 were the ones who eventually facilitated Russia's annexation of the peninsula in March.⁸

Chart 2: Number of Crimean Tatars in Crimea (1967–2012)



Source: Andrew Wilson (University of Glasgow), “Needs Assessment for the Crimean Tatars and Other Formerly Deported Peoples of the Crimea” (privately published paper), December 14, 2012. <<http://dx.doi.org/10.2139/ssrn.2309854>>

However, the Ukrainian state authorities remained suspicious of Crimean Tatars, too, and were unwilling to adopt legislation that would recognize them as an indigenous people of Ukraine – or at least, not until after Russia's annexation.⁹ The situation for Crimean Tatars was thus tense even before the annexation, not only because of the limited desire within Ukraine to make life easier for Crimean Tatars but also because of the confrontations with antagonistic pro-Russian groups.¹⁰

Broken Promises

Within Crimea, Crimean Tatars have been the most active opponents of the annexation, boycotting the referendum en masse in March as well as the parliamentary elections in September, despite the

pressure put onto the community in the run-up to both events. According to media reports, houses of Crimean Tatar were singled out with X-shaped marks on their front doors before the referendum, evoking memories of similar actions before the deportation in 1944.¹¹

After the annexation, Moscow initially tried to ease the concerns of Crimean Tatars by including them into the Russian Act for the rehabilitation of repressed ethnic groups. However, many other promises – for example, for political autonomy and quotas in government bodies – remained unfulfilled. The events that followed the annexation showed the true nature of the new Russian approach toward Crimean Tatars. By co-opting such rival institutions as the marginal pro-Russian Milli Firka Party, and intimidating those it sees as its biggest opponents (in particular Mustafa Dzhemilev, the former leader of the Mejlis, the Crimean Tatar council), Crimean and Russian authorities sought to break Crimean Tatar resistance. This April Dzhemilev was the first to be banned from returning to Crimea (for five years). A ban on the current leader of the Mejlis, Refat Chubarov, followed in July. In September the Mejlis – along with a charitable foundation it runs – was raided and ordered closed on grounds that it was “never properly registered.”¹²

Mosques and Crimean Tatar homes have also been raided in search of “weapons, drugs, and prohibited literature,” and Crimean Tatar commemorations of the Day of Deportation (May 18) were banned just days before the event, even though pro-Russian celebrations were allowed to occur.¹³ In addition, a number of Crimean Tatar activists have disappeared or been forcibly abducted, with pro-Russian paramilitary groups involved. Some were later found dead, but investigations have yielded no results.¹⁴

Crimean Tatar media platforms, such as the TV station ATR, have also received official and informal warnings for their allegedly “extremist activities” – for example reporting about cases of harassment and referring to the events of March as an “occupation” or “annexation.”¹⁵ Crimean Tatar journalists

have therefore resorted to “self-censorship” in order to avoid possible arrest or forced closure, as happened to the Crimean newspaper Avdet.

Dzhemilev has described this treatment as “history repeating itself.” According to the former dissident, the authorities are falling back on the same kind of rhetoric once used by the Soviet regime to label Crimean Tatars as “anti-Soviet” and “extremist.”¹⁶ For the Russian and Crimean authorities, the Crimean Tatars pose the greatest potential for mobilization against Crimea’s annexation as a well-organized and vocal community with a history of counter-authoritarian protest. The oppression campaign against the Crimean Tatars is therefore likely to continue in the future.

Time for Pressure, Not Acceptance

Here in Western Europe it is perhaps tempting to wonder: why bicker about a small peninsula? Accepting the annexation could perhaps pave the way for the very “restart in relations with Russia” that the new EU High Representative Federica Mogherini has called for – and provide the ground for abolishing those sanctions that are crippling the Russian economy. However this path would accept the injustice and illegality of Russia’s actions in Crimea and Eastern Ukraine. Rather, a genuine “restart” can only work when Russia steers away from its Darwinist approach to international law, but the prospects for this remain very bleak indeed.

Instead of harboring premature and fruitless discussions about whether or not to accept the annexation, Germany and the international community should exert more pressure on Russia regarding its treatment of the Crimean Tatar minority.

Inasmuch as Russia has demanded that Kiev respect the rights of the Russian-speaking population in Crimea and Eastern Ukraine (whether they were actually threatened or not shall not be elaborated here), the same duties apply to Russia as an occupying power in Crimea. It is not sufficient to criticize only the de-facto authorities in Crimea for their maltreatment of Crimean Tatars. However, it was the extension of

Russian legislation into Crimea that now provides the pretexts for the raids and harassments that are currently taking place, just as Russian prosecutors and FSB agents are now involved in persecuting Crimean Tatars. Russia must comply with international human rights law, including all treaties ratified by Russia, such as the European Convention on Human Rights.

A return of Crimea to Ukraine may be unlikely in the foreseeable future, but this fact does not relieve the international community of its responsibility to pay close attention to what is actually happening on the peninsula.

Therefore, Germany and the international community should first and foremost pressure Russia to ensure access to Crimea for the OSCE's Special Monitoring Mission and to allow the establishment of a permanent OSCE presence to operate and report on the situation.

Secondly, OSCE participating states should convene informal and open Permanent Council briefings

on Crimea with representatives from civil society and other international organizations to report on developments and discuss international responses.

Thirdly, the UN Security Council should adopt a Chapter VI resolution, urging the de facto authorities of Crimea and Russia to implement the recommendations in the reports on Crimea by the UN Human Rights Monitoring Mission in Ukraine and the Council of Europe commissioner for human rights.¹⁷

Forgetting about Crimea and the fate of the Crimean Tatars means implicitly acknowledging Russia's claim to the region. Instead, the international community must demonstrate to Russia that its arbitrary interpretation of international law regarding Crimea has long-term consequences. We are not yet in a post-Crimea phase. On the contrary: with the annexation of Crimea, a new era has just begun.

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Notes

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- 2 The survey was conducted by Infratest dimap in November. See “39 Prozent der Deutschen für Anerkennung der Krim-Annexion,” ZEIT Online, November 24, 2014 <<http://www.zeit.de/politik/deutschland/2014-11/deutsche-umfrage-krim-annexion>> (accessed December 2, 2014).
- 3 Idil Izmirlı, “For Crimea’s Tatars, Russia’s Occupation is a ‘Third Tragedy,’” Atlantic Council, May 20, 2014 <<http://www.atlanticcouncil.org/blogs/new-atlanticist/for-crimea-s-tatars-life-under-russia-s-occupation-is-a-third-tragedy>> (accessed December 2, 2014).
- 4 Robert Coalson, “Explainer: What Is The Crimean Tatar Mejlis?” RFERL, May 5, 2014, <<http://www.rferl.org/content/ukraine-crimea-tatars-explainer/25373796.html>> (accessed December 2, 2014).
- 5 Indeed the Russian Consul in Simferopol, Vladimir Andreev, was removed in 2013 because he had called for a boycott of the first Crimean Tatar film, *Khaitarma*, claiming that the film “falsified history” and ignored the Crimean Tatars’s “betrayal” of the “Soviet Army, the Soviet people, and the Soviet Union en masse.” See Idil Izmirlı, “Russian Consul General to Crimea Resigns Following Offensive Comments About Crimean Tatar Deportation,” June 5, 2013 <http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=40985%20-%20.UbhC9OdHKj9#.VH2R-qjGsXItp> (accessed December 2, 2014).
- 6 Personal interviews conducted by Eleanor Knott, 2012–13.
- 7 OSCE, “The Integration of Formerly Deported People in Crimea, Ukraine: Needs Assessment,” August 2013 <<http://www.osce.org/hcnm/104309?download=true>> (accessed December 2, 2014).
- 8 For example, prior to annexation, the marginal nationalist “Russian Unity” party was involved in a number of violent attacks on the premises of Crimean Tatars (<http://qha.com.ua/crimean-tatar-structures-in-molodizhne-under-threat-again-127508en.html>). The leader of the “Russian Unity” party, Sergei Aksyonov, is now head of the Crimean government, “elected” on February 27, 2014 by an unverifiable number of votes while the parliament building was seized by unidentifiable military troops. <http://www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=42027&tx_ttnews%5BbackPid%5D=756&no_cache=1#.VIHunjG-G9yQ> (accessed December 2, 2014).
- 9 Oxana Shevel, “Who are the Crimean Tatars, and Why are They Important?” Monkey Cage, March 1, 2014 <<http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/03/01/who-are-the-crimean-tatars-and-why-are-they-important/>> (accessed December 1, 2014).
- 10 See Gwendolyn Sasse, *The Crimea Question: Identity, Transition, and Conflict* (Cambridge, Mass., 2007).
- 11 Natalia Antelava, “Who Will Protect the Crimean Tatars?” *The New Yorker*, March 6, 2014 <<http://www.newyorker.com/news/news-desk/who-will-protect-the-crimean-tatars>> (accessed December 17, 2014); Ron Synovitz et al., “Fear Rife Among Crimea’s Minority Tatar Population,” RFERL, March 7, 2014 <<http://www.rferl.org/content/fear-among-crimeas-minority-tatar-population/25289577.html>> (accessed December 2, 2014).
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- 13 “Crimean Tatars Mark 70th Anniversary Of Deportation,” RFERL, May 18, 2014, <<http://www.rferl.org/content/ukraine-crimea-tatars-deportation/25389125.html>> (accessed December 2, 2014).
- 14 Human Rights Watch, “Rights in Retreat, Abuses in Crimea,” November 2014, p. 1 <http://www.hrw.org/sites/default/files/reports/crimea1114web_0.pdf> (accessed December 2, 2014).
- 15 Ibid, pp. 25–26.
- 16 “Interview: Mustafa Dzhemilev: ‘There Is A Certain Tension In The Air,’” RFERL, May 16, 2014 <<http://www.rferl.org/content/ukraine-crimea-dzhemilev-interview/25387012.html>> (accessed December 1, 2014).
- 17 These recommendations are based on the Human Rights Watch Report, “Rights in Retreat” (see note 16).

The opinions expressed in this publication are those of the authors and do not necessarily reflect the views of the German Council on Foreign Relations (DGAP).

Herausgeber:

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