



**Mejlis of the Crimean Tatar People
East European Development Institute
with support from
Bureau De Helling, the Netherlands**

**Report of the
Conference
“Five Years of Occupation of
Crimea: Future Prospects, Reality,
Challenges”**

**16 January, 2019
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Contents

1. **Introduction: Opening Remarks** – Serhiy Kurykin, Board Member, East European Development Institute
2. **Panel Discussion: 1 “Militarization of the Crimean peninsula and prospects of de-occupation”**

Panelists: Refat Chubarov, People’s Deputy of Ukraine, Head of the Mejlis of the Crimean Tatar People, **Yulia Kazdobina**, Advisor to the Minister of Information Policy of Ukraine, **Andriy Klymenko**, Expert of the NGO “Maidan of Foreign Affairs”, **Vitaliy Kononov**, Head of the Green Party of Ukraine **Moderator:** **Gayana Yuksel**, Advisor to the Minister of Youth and Sports of Ukraine, Member of the Mejlis of the Crimean Tatar People

3. **Panel Discussion: 2 “Crimea as a territory of lawlessness: legal aspects of occupation of the peninsula”**

Panelists: Akhtem Chiygoz, Deputy Head of the Mejlis of the Crimean Tatar People, **Ilmi Umerov**, Deputy Head of the Mejlis of the Crimean Tatar People, **Gulnara Bekirova**, Deputy Head of the Henichesk District Administration, Member of the Mejlis of the Crimean Tatar People, **Darya Sviridova**, Lawyer of Ukrainian Helsinki Union for Human Rights, **Maria Tomak**, Head of NGO “Media Initiative for Human Rights” **Moderator:** **Yuriy Lukanov**, journalist, writer

4. **Panel Discussion: 3 “Preservation of the unique cultural heritage of Crimea and the issue of education under conditions of occupation”**

Panelists: **Prof. Volodymyr Kazarin**, Rector of the National Tavrida V. I. Vernadsky University, **Evelina Kravchenko**, PhD. In history, Senior Researcher, Institute of Archeology of the National Academy of Sciences of Ukraine, **Elmira Ablyalimova**, Expert on Crimean Tatar Cultural Heritage, Ex-Director of the Bakhchisarai Historical-Cultural Reserve, **Riza Shevkiyev**, Head of the Charitable Foundation “Crimea Foundation”, Member of the Mejlis of the Crimean Tatar People, **Aliye Ibrahimova**, PhD. In history, Archeologist, Art Expert, Member of the National Committee of the International Council on Monuments and Sites (ICOMOS), **Yevhen Samukha**, Head of the International Liaison service, Office of the President of Ukraine in the Autonomous Republic of Crimea, **Moderator:** **Mridula Ghosh**, Board Chair, East European Development Institute

5. **Conclusions and Recommendations**
6. **Annex 1 – Program of the Conference**

**Author of the Report –
Mridula Ghosh, Board Chair,
East European Development Institute**

1. Introduction

The year 2019 marks two grim events in the history of Crimea, and especially for the Crimean Tatar people, indigenous people of the Crimean peninsula. First, the 75th anniversary of mass deportation in 1944 by Stalin, and second, 5 years since Crimea was occupied by Russia in February 2014. Disregarding more than 400 international legal acts, violating international treaties, Russia began the process of occupation of the Autonomous Republic of Crimea and the city of Sebastopol, both integral parts of the unitary state of Ukraine, by covertly sending its armed forces without any insignia, followed by a pseudo-referendum, as an attempt to formalize the occupation and annex Crimea as a part of the Russian Federation.

Majority of the countries of the world, except a few, did not recognize this occupation. In the course of the past five years, several resolutions on Crimea were adopted by the UN General Assembly, many resolutions on Human Rights and the situation of the Crimean Tatar people were also passed by the European Parliament. Numerous debates were held within the framework of the UN Security Council, many reports have been published by national and international Human Rights organizations, which clearly state the fact of occupation of the peninsula by Russia and the latter is mentioned as the state-aggressor.

Russian aggression was not limited to the occupation of Crimea. In early 2014, through massive and all-encompassing aid to separatists-rebels in the Donbas area of Ukraine, and soon after, through direct deployment of Russian military supervisors, humanitarian aid convoys carrying arms and ammunitions, Russia started its hybrid war in east Ukraine. About four hundred kilometers of the Ukrainian border, parts of Donetsk and Luhansk oblasts of Ukraine, including two major cities of Donetsk and Luhansk are not under Ukraine's control. More than eleven thousand casualties among Ukrainian service personnel alone (excluding disappearance and death of many civilians) till the end of 2018 and massive displacement of people from Crimea as well as from Donbas has resulted into a humanitarian crisis, unseen in Europe since many decades. To add to this is the propaganda and information war, aimed at demoralizing the democratic set-up of Ukraine and other states, supporting Ukraine.

Innumerable initiatives are undertaken to cope with this grave situation, to support the more than million displaced people, to provide urgent aid, shelter, and basic needs. Along with this, Ukraine also has invested its resources into building defense, a strong army and confronted the information war. The situation in Donbas and Crimea are different, although Ukrainian citizens are living in both places and are crossing the check posts to come to Ukraine. Donbas is formally not occupied, it is under rebel control, but the war is in active phase. Crimea is officially under illegal occupation by Russia. Russian law enforcement are fully in control of the peninsula today. Therefore, liaison with Donbas and Crimea and collection of information has different patterns. Consequently, strategy of return of Crimea into Ukraine will have its specific strategy, different from that of Donbas.

Before the occupation and shortly after, people of Crimea were promised improvement of living standards and well-being by Russian administration, and this was the Russian strategy to obtain their votes in favor of annexation in the staged referendum. Five years have passed and it is high time to analyze the situation in Crimea from at least three angles – military strategic, political and legal, and finally cultural, historic and humanitarian.

It is with these aims in mind that on 16th January 2019, a Conference was organized in Kyiv, jointly by the Mejlis of the Crimean Tatar people and the East European Development Institute, a Ukraine-based NGO with support from the Bureau De Helling (The Netherlands). The Conference, first of its kind in this commemorative year, consisted of three panel

discussions: Crimea as a military base for the aggressor and grey information zone, lawlessness in Crimea and Crimea, as a territory, where the cultural heritage is being destroyed. These violations are mostly targeted towards the indigenous people of Crimea, the Crimean Tatars, their cultural and historical heritage.

In his opening remarks, Serhiy Kurykin, EEDI Board member underscored the importance of discussing the above issues and said that only by stock taking and analyzing the impact of occupation on Crimea, can any viable strategy of return of Crimea to Ukraine be charted out. He also said a publication consisting of all conference papers and a summary report will be made available in both print and electronic forms.

The present report is a record of the proceedings of the Conference and analysis of the presentations made by individual panelists. Conclusions and recommendations are made at the end for further work by the organizers and other stakeholders.

2. Panel Discussion: 1 “Militarization of the Crimean peninsula and prospects of de-occupation”

In view of the geopolitical position of the peninsula, any discussion on occupied Crimea strategically focuses on the security and defense issues in and around Black Sea. This has heightened with the capturing of Ukrainian Navy vessels and servicemen on board and their detention in Moscow for more than two months. Suffice it to say that the presence of the Russian Naval base in the Ukrainian city of Sebastopol, and the legitimate right of Russia to have certain number of its armed personnel in Sebastopol paved the way for occupation of Crimea. Occupation of the peninsula, therefore, has and will continue to have a strong military component. From this perspective, the militarization of Crimea was discussed in the first panel.

The first presentation by Andrei Klymenko, expert of the NGO “Maidan of Foreign Affairs” and Editor of the Black Sea news portal, provided exhaustive technical details of the escalation of arms in Crimea by Russia. It is a proven fact that Crimea was needed as a military base for Russia in the first place. Russian soldiers number more in Crimea today than the number of US soldiers in the biggest US military base. The same is true for Russian medium and long range cruise missiles, submarines and missile launching mechanisms in Crimea. Mapping the circumference of target of these weapons show that they reach till London in the North-West, encompass the whole of North Africa, part of the Middle-East up to the Caucasus rim in the East, include the whole of Ukraine and Belarus as targets, as well as Baltic and Scandinavian countries. It is also a sordid fact that Ukrainian defense capabilities and infrastructure in the peninsula are used by Russia to cater to its needs. Thus, Ukrainian defense factories under occupation are now used to build armaments, battleships and other items for Russia.

At par with increase in arms build-up, Russia has been conducting a population replacement and internal migration policy. There has been a 21.3 percent rise in those who arrived from Russia since 2014. Encouragement is given to Russian citizens to migrate to occupied Crimea, in the very same way as Russian population was allocated homes in Crimea after deportation of the Crimean Tatars to Central Asia in 1944.

“The biggest challenge of the day is that – militarization under Russian occupation is a threat to the very existence of the Ukrainian state. It is also a challenge to the European order of balance of power, a challenge for the West. Militarization directly affects security of the Baltic states, Romania and Poland. Understanding the depth of this challenge is important to generate political will and then, to act and frame policies....”

– Refat Chubarov, Member of the Verkhovna Rada of Ukraine, Head of the Mejlis of the Crimean Tatar People

Thus, from a problem, Crimea has become a threat to the security of all neighboring states and the Black Sea region. It is also setting a dangerous precedent for any state to engage in territorial aggression. Klymenko concluded by saying that imposition of more sanctions is the answer. Resolutions in UN, European parliament are international framework commitments, which are morally and politically, and in some cases legally binding for the states-parties to them. Problem of the entry of vessels through the Kerch Strait was resolved

through tough bilateral moves and continuation of sanctions. This showed that Putin's aggression can be contained. With regard to the return of Crimea to Ukraine, Klymenko voiced the opinion that the Crimean Tatars today, constitute the critical mass of resistance to the occupation regime and they will play the key role in freeing Crimea.

In her presentation, Yulia Kazdobina, Advisor to the Minister of Information policy of Ukraine, dealt with the issues of access to and supply of information to the Crimean peninsula, because for Ukraine, Crimea is not just a territory, but it is a place of almost 2 million of its citizens. For years, Russia formed the public opinion in favor of occupation among part of the citizens by using massive propaganda and it continues to do so after occupation. Therefore, information strategy towards Crimea is a necessity. As of late January 2018, in the territory of Crimea the websites of 27 media remain completely or partially blocked. Among them are Internet resources focused on covering Crimean events: Krym.Realii, Center for Journalist Investigations, Blackseanews.net, 15 minutes, QHA, Krym-SOS, Events of Crimea, Sevastopol Meridian, as well as the national Ukrainian information and analytical resources: Ukrainskaya Pravda, Evropeyskaya Pravda, Hromadske radio, UAinfo, Obozrevatel, RBC-Ukraine, Ukrinform, DePo, Gordon, Information Resistance, Focus. In addition, there is a complete blockage of websites of the TV channels of the Black Sea Broadcasting Company, ICTV, Channel 5, Pershiy Channel, 112 Ukraine, and a partial blockage of ATR, Novy Channel, Espresso TV. Other TV channels from Ukraine can be watched via satellites. To resolve all these issues, the state responds. But its response is slow due to bureaucratic nature of policy making, to ensure uniformity and

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– Vitaliy Kononov, Head of the Green Party of Ukraine

and unanimity in positions of different ministries. This also includes communication with media and civil society. Kazdobina also mentioned that certain lack of interest in the Crimean question is noticeable, while Russian propaganda works hard to install its agenda, following its 19th century imperial model. Therefore, it is necessary to bust these myths and actively work on issues like the historiography of Crimea, the current situation, Ukraine's approach to Crimea, and approach to Crimean Tatars, forming and presenting concrete information products. This work should continue even after de-occupation or return of Crimea. In fact this work will then be no less relevant.

The next two presentations were by politicians and addressed the political implications of militarization and occupation. Refat Chubarov, member of the Verkhovna Rada, Head of the Mejlis of the Crimean Tatar People, welcomed everyone and highlighted that this conference marks the first event in a series of many others, commemorating the five years of Crimean occupation. Emphasizing the title of the Conference, Chubarov dealt with the challenges, realities and prospects. According to him, the reality on the ground in Crimea is clear and evident – there is constant repression, continuing economic crisis, rights abuse. The biggest challenge of the day is that – militarization under Russian occupation is a threat to the very existence of the Ukrainian state. It is also a challenge to the European order of balance of power, a challenge for the West. Militarization directly affects security of the Baltic states, Romania and Poland. Understanding the depth of this challenge is important to generate political will and then, to act and frame policies. One problem is there – that of the North

stream 2. The question is – will it generate a new kind of alliance between Russia and Germany. In that case, in the long run, German businesses will be hostage to this. With regard to the prospects that are in store for the future, Chubarov said, they range from the most pessimistic to the most optimistic ones. For several years preceding the occupation, Russia was acting in a very organized and concerted way. Hundreds of delegations were coming to Crimea from Russia. During the period close to the occupation, presence of tanks and military on the roads were there. Future prospects of return of Crimea to Ukraine are possible if the policy of sanctions continue. Sanctions will be effective if they are consistent. He also said that presidential and parliamentary elections of 2019 in Ukraine are also very significant due to their possible vulnerability to Russian interference. He highlighted that freedom for Crimea should be fought peacefully. Rights of the indigenous Crimean Tatar people and the issue of Crimea should be a cornerstone in these elections. Each political force should pronounce its standpoint on Crimea and issue of the rights of the Crimean Tatars. According to Chubarov, change of status of the Autonomous republic of Crimea into Crimean Tatar autonomy is a precondition for de-occupation.

Due to the occupation of Crimea by Russia, many political parties of Ukraine lost their voters, party offices and activists. Head of the Green Party of Ukraine Vitaliy Kononov in his presentation highlighted that the Greens lost more than two party organizations, and many of its members have left Crimea and came to mainland Ukraine and are receiving rehabilitation support from the party. Recognizing that militarization is a threat for the existence of Ukraine, Kononov also said that wiping off the existence of Crimean Tatars is the main aim of Russia and that alone will enable Russian imperialism to thrive, because the Crimean Tatars are a reminder of the non-Russian past and totally different history of the peninsula, much before 1783. Militarization is a strategy to achieve this end. Russia is a product of the evil empire; its imperial expansionist ambitions should be thwarted. The only way of doing so is strengthening the position of the Crimean Tatars within Ukraine. It should be recalled that Ukraine lost Crimea, but the Crimean Tatars lost their homeland. Quota for Crimean Tatars in state bodies of Ukraine should be allocated. This will empower the Crimean Tatars and improve their governing capability and pave the way for de-occupation. After the return of Crimea to Ukraine, the right to self-determination for the Crimean Tatars should be applied and Crimea should be renamed into Crimean Tatar autonomous republic within the territory of sovereign Ukraine, as part of the indemnification of past injustice inflicted on these indigenous people of Crimea.

3. Panel Discussion 2: “Crimea as a territory of lawlessness: legal aspects of occupation of the peninsula”

The second panel of the Conference focused on the legal aftermath of the occupation. Apart from full violation of the Budapest Memorandum and more than 400 international legal treaties and instruments, the overall Human Rights and humanitarian situation and treatment of inhabitants of Crimea worsened on the eve of the occupation. Several deaths and disappearances, arbitrary arrests of Crimean Tatars, incarceration of Oleg Sentsov, Olexander Kolchenko and many others in Russia symbolize the utter lawlessness of the peninsula. Panelists included two human rights activists, Maria Tomak and Daria Sviridova, two Crimean Tatar leaders, Ilmi Umerov and Akhtem Chiygoz, who were arrested and were under pressure by the occupation regime, as well as Gulnara Bekirova, spouse of one of the Crimean Tatar activists Edem Bekirov who was arrested in Crimea in December 2018 and at the moment of writing of this report, remains detained despite his ill health.

“In 1783, the first annexation of Crimea took place with severe loss for the Crimean Tatars. Since then, consistent attempts were made to exterminate these indigenous people, especially in 1944 by Stalin’s overnight mass deportation. For over 250 years Crimean Tatars have been waiting for justice – similarly, Ukrainians were waiting to the granting of “Tomos” for their independent Church for 333 years – the Crimean Tatars deserve their due.”

– Ilmi Umerov, Deputy Head of the Mejlis of the Crimean Tatar People

Elaborating his personal experience, Ilmi Umerov, Deputy Head of the Mejlis of the Crimean Tatar people mentioned that he was a victim of psychiatric abuse. He was arrested under a clause of the Russian law, which was reformed after occupation in 2014. On the question of prospects and what should be done – he spoke in favor of sanctions, political and diplomatic pressure – and strengthening of the war efforts of Ukraine. He also informed that a working group which made proposals to amendments to

the Constitution of Ukraine, emphasizing the rights of the Crimean Tatars as indigenous people of Crimea, but these changes were not yet put forward by the President. He expressed the hope that on the 75th commemoration of deportation, and on the 5th commemoration of occupation – 26 February – President would put forward to the parliament these amendments. His emotional claim was that in 1783, the first annexation of Crimea took place with severe loss for the Crimean Tatars. Since then, consistent attempts were made to exterminate these indigenous people, especially in 1944 by Stalin’s overnight mass deportation. For over 250 years Crimean Tatars have been waiting for justice – similarly, Ukrainians were waiting to the granting of “Tomos” for their independent Church for 333 years – the Crimean Tatars deserve their due.

Akhtem Chiygoz, Deputy Head of the Mejlis of the Crimean Tatar people, who was under arrest by the occupant regime, and was later released through an exchange of prisoners between Russia and Ukraine, maintained that monitoring of Human Rights is under way and should be continued. It is not possible to talk about any observation of or adherence to Human Rights standards in Crimea. In all areas – personal safety, cultural rights, ecological problems, Crimea is like a deep prison. In the opinion of Chiygoz, “a different format for international negotiations should be proposed to discuss Crimea. Budapest format did not work. Minsk format is not applicable to Crimea, as it is concentrated mainly on Donbas. Many experts say, Putin is not ready, but well, given certain conditions, he will be ready.”

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Gulnara Bekirova, Deputy Head of the Henichesk District Administration, and member of the Mejlis of the Crimean Tatar people, outlined that, Henichesk district in Kherson oblast of Ukraine is a neighboring area along the borders with

Crimea, and so people in this district were witness to many developments. She added, “We were witness to how our military did not violate the oath, and sided with Ukraine.” If in the past, Russian propaganda had influenced the southern districts of Ukraine to be tilted towards Russia, today, Kherson and other bordering districts are very pro-Ukrainian. Hence, steps for de occupation and return of Crimea should include activities in this oblast of Ukraine – legal education of the youth is important, especially for the youth, so that they can defend their rights. Bekirova reflected on the issue of her spouse Edem Bekirov’s detention by Russia in Crimea. On 12th December 2018, he left his home in Henichesk to visit his relatives in Simferopol in occupied Crimea. He was arrested while crossing the border. For 35 days he was not allowed to meet family members except 3 to 4 times meeting the lawyer. Of special concern is the state of his health, because he has chronic illnesses for the past 18 years. At the moment when Bekirova was speaking, due to his worsening health, he was sent from the detention center to a hospital, and was left in the corridor, with the promise of a paid room later. Scanty or no information about medical treatment, no liaison with family – and above

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all, no charges were as yet filed against him. These were the gross Human Rights violation that needed no elaboration.

The next presentation was by Darya Sviridova, Lawyer of UHUR. She said that five years is a lot of time and it is both frightening and sad to see the continuing occupation. She underlined some optimistic things that are observed in the legal front – as of today, ECHR had more than 4000 cases filed by Ukrainian citizens against Russia (there are also cases against Ukraine by Russia) – four cases are filed by Ukraine as a state. The growing understanding that battles should be fought through legal means is a mark of progress. Secondly, ICC also has two cases – ICJ has two cases (in particular, office

of the prosecutor). The most positive thing is that Georgia, Moldova and Azerbaijan also faced similar realities but Ukraine made huge strides ahead.

The regime that caused the occupation should not only be taught a political lesson but also face legal punishment. The greatest challenge is not to allow repetition of such an occupation, which can be achieved by – developing a concept on transitional justice (concept is getting prepared by the Ombudsman and NGOs), legalities of compensation and reparation, right to the truth, reform of justice.

Maria Tomak, Head of the NGO “Media Initiative for Human Rights and member of the group Human Rights in Action, emphasized that tactics of illegal capturing, kidnapping and detention of activists and ordinary persons which started in the Maidan and then were sued in Donbass and Crimea, triggered the war. Sixty-nine persons are currently under detention (out of them twenty four are military personnel) in Crimea and Russia. Defending their rights is possible if issues about the detainees are lobbied and pushed at the heart of agenda on international forum. Thus, legal status for the detainees should be obtained. Additionally, sanctions should be applied separately on those who are violating the law and Human Rights.

It is important that Ukraine should support the EU global HR Act, which will lay down all these principles.

4. Panel Discussion: 3 “Preservation of the unique cultural heritage of Crimea and the issue of education under conditions of occupation”

Occupation of Crimea has led to overall lawlessness and rights abuse, atmosphere of persecution and threats. These factors, in their turn, have resulted in massive displacement of people from the peninsula to mainland Ukraine. Sizable sections of these people are pro-Ukrainian and of Crimean Tatar nationality and other minorities. Due to the undefined status and problematic recognition of degrees of higher education institutions now under Russian occupation, students and youth were admitted to institutions in mainland Ukraine. Professionals from various fields were also displaced. Works of art, objects, treasures and archaeological sites are also under occupation. What to do and how to preserve cultural heritage and educate youth under conditions of occupation? Raising these issues of concern at the final panel discussion of the Conference were educationists, archaeologists, museum and cultural studies experts.

Prof. Volodymyr P. Kazarin, Rector of the Tavrida National V. I. Vernadskiy University, which has been relocated in Kyiv since 2016, said that without education it is not possible to have any real return or de-occupation of Crimea. It should be borne in mind that Russian laws are also being violated by the occupation regime – Olexander Kolchenko, imprisoned in Russia, is a student of the Tavrida University and is not able to study. Those who are detained are expelled. A country has no future if there is no education. Research levels are necessary as well. Difficulties are there, because no officials were helping, no executive orders were issued (unlike Donbass, from where most educational establishments were transferred to various parts of Ukraine) for

“Tavrida University can be used as a base and umbrella structure to include many institutions. But, in reality, Cabinet of Ministers, during its reorganization of the Odesa National Medical University, have added the license of Crimean Medical University. This way the capacity built and nurtured in Crimea will be dissipated in various places in Ukraine. There is another problem, that of legal vacuum for those who studied under Ukrainian administration, but graduated under Russian occupation and now want to come to Ukraine to get their diplomas certified. Some provision should be made for them to get their degrees legalized, if they would like to stay and work in Ukraine.”

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higher educational institutions to get transferred to Ukraine. Tavrida university was set up 100 years earlier in 1918 by V. I. Vernadsky in Simfereopol as a branch of the St. Volodymyr University of Kyiv (now the National Taras Shevchenko University). So it was shifted to Kyiv and had to undergo through the difficult process of license, transfer and legal formalities. It can be said that other institutions in Crimea, which were not transferred, might be allowed to operate within the Tavrida university. Licenses of most of the educational institutions operating in Crimea before occupation were canceled and the Crimean Federal University was formed, uniting all higher educational establishments into one. This Crimean Federal University and Sebastopol State University have Russian licenses. Other institutions

were “lost”, and Ukraine needs to take steps to renew their licenses and allow limited operation in mainland Ukraine. Ideally, Tavrida University can be used as a base and umbrella structure to include many institutions. But, in reality, Cabinet of Ministers, during its reorganization of the Odesa National Medical University, have added the license of Crimean Medical University. This way the capacity built and nurtured in Crimea will be dissipated in various places in Ukraine. There is another problem, that of legal vacuum for those who studied under Ukrainian administration, but graduated under Russian occupation and now want to come to Ukraine to get their diplomas certified. Some provision should be made for them to get their degrees legalized, if they would like to stay and work in Ukraine.

Yevhen Samukha, Head of the International Liaison Department of the Office of the Representative of the President of Ukraine in the Autonomous Republic of Crimea, underscored that five years of occupation is indeed a sad anniversary. Supporting whatever Prof. Kazarin had said, he added, that the basis or core group of support for the success of “Russian Spring” in Crimea were the Sovietized old people – but the main force behind de-occupation and return of Crimea should be the young people. Therefore, their right to education should be implemented and all conditions created for them.

Citing an excerpt from a report by Mustafa Dzemilev, Authorized Representative of the President of Ukraine on issues of Crimean Tatar people, who spoke at a Conference in Vienna in 2018, Samukha said, that due to the fact that Russian standards were introduced after occupation – the right to education for Ukrainian and Crimean Tatar children were violated. Number of Ukrainian schools were reduced four times, from 12000, their number went down to 300. Those who strive to teach their children Ukrainian or Crimean Tatar language, face persecution. Data of those parents are given to Russian Federal Security Service (FSB). Using a hybrid and combined policy of genocide and assimilation, the very basis of the Crimean Tatar language is being destroyed. To cater to these, steps were taken. Crimean residents can have education in Ukraine. Law of Education was amended to get access to secondary and higher

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education in Ukraine while remaining in Crimea (using correspondence courses and other means). This is valid for those who have documents certifying they were born in Ukrainian Crimea – they also can get attested and continue their education. Information about how to get admitted to Ukrainian educational establishments are regularly provided. Safety and security of these students are also ensured – their names are under cover. Zaporizhzhya and Odesa medical university took many students from Crimea. Thus some steps were taken and

problems are being resolved within mainland Ukraine. However, for primary and secondary education, it is problematic for Ukraine.

Prior to Russian occupation, Crimea had an estimated 14,000 cultural monuments and more than 300,000 museum pieces, equal to the total amount of pieces of the Louvre, six Historical and Cultural Reserves: in Alupka, Bakhchisaray, Kerch, Koktebel, in Chornomorske and Chersonesus, the latter is included in the UNESCO World Heritage List. There were 12 cultural and entertainment institutions: theaters, circuses, music institutions. Crimea's documented history and archives, as of 1 January 2014 contained almost 2 million paper records and up to 75,000 media documents. Russian actions after occupation seriously affected this area, accounting to a loss of USD 39 trillion.

Russian authorities and the so-called "authorities of Crimea" adopted legislation in August 2014, giving Crimean cultural heritage the status of national property of the Russian Federation. In October 2015, more than 220 historical and cultural objects in Crimea were assigned the status of objects of cultural heritage of [Russian] Federal significance. Recognizing these actions as illegal, the General Prosecutor's office of the Autonomous Republic of Crimea (of General Prosecutor's office in Ukraine) opened criminal proceedings on the illegal possession of objects of Crimean cultural heritage by the officials of the Russian Federation.

The action of russification affected currently operating Crimean Tatar institutions. Head of the Charity organization "Crimea Foundation" and member of the Mejlis of the Crimean Tatar People Riza Shevkiev made a presentation demonstrating how the concept of "Russkiy mir" has been impeding on the cultural world of Crimea and preventing the Crimean Tatars from realizing their collective cultural rights. Apart from education of children in their native language, efforts were directed against Crimean Tatars organizing their cultural and intellectual institutions. This ranged from building roads ignoring and tampering on sites containing relics of the Crimean Tatar people, acquiring and occupying the building, located at the address 2, Schmidt Street in the center of Simferopol, which hosted the office of the Mejlis and editorial of the paper Avdet. A Foundation "Crimea-Moscow" destroyed the plan of having a Crimean Tatar cultural center – Leader of the Russian community in Crimea, acquired the building and insisted – that it was the Arendt house (named after the physician who treated Pushkin).

The next two presentations were by professional archeologists, dealing with long term impact on the architectural objects, artefacts and museums of Crimea. Evelina Kravchenko, PhD. Senior Researcher of the Institute of Archeology of the National Academy of Sciences, started with a stock-taking of what was lost during the five years of occupation. With regard to the real estate and immovable part of archeological monuments, she said that there are only estimates, but no exhaustive list of those objects which were damaged. Documentation by experts (European association of archeology), citing examples from screenshots of excavation sites in Crimea, Khersones in Sebastopol were made. Additionally, movable items of archeological value (items in museums) Scythian gold, all other valuables and archives, are not precisely listed. No parallel lists were maintained in mainland Ukraine. Registers or lists should be prepared – in short there should be a census of archeological inscriptions. After the Second World War, one fifth of Ukraine's archeological research was concentrated in Crimea. Hence the historic and archeological value of this work is immense. A positive point to note is that the intellectual resource and related values are not lost, drawing on the research results of scientists who come to Ukraine personally through programs of Ukrainian museums – should be continued. Ukraine should take care of these people and maintain the capacity of museums for the future.

Aliye Ibrahimova, PhD, archeologist and art expert, Member of the National Committee of the International Council on Monuments and Sites (ICOMOS), reflected on the real threats to objects of UNESCO nomination has increased. The Khan's Palace in Bakhchisarai in Crimea is the most famous museum of Crimean Tatars' history that was the summer residence of the Crimean Khans. It is the unique and only example of the Crimean Tatars' palatial architecture. The palace was a candidate for nomination to the UNESCO World Heritage List since 2003 and was to be enlisted in 2014.

Thus, Khan's palace in Bakhchisarai (during the Soviet and post-Soviet period) was a very well researched site. From 2000-till 2015, for the first time in Ukraine, acting in close cooperation with the Mejlis, a joint project with Turkish support was launched for protection of the archeological monument of Bakhchisarai. Ibrahimova recalled with appreciation the then Vice Premier of Crimea Ilmi Umerov's intervention when a dispensary, housed within the museum complex was removed. However, occupation has turned things towards the negative again. Under the garb of refurbishment, reconstruction of the Khan palace is under way. This so called refurbishment is leading to total destruction of the palace and its authenticity. The pivotal wooden anti-seismic (earthquake resistant) construction is removed fully – and replaced by not good

quality wooden pieces joined with metallic rods – which might not be anti-seismic, might catch damp and thus, as a result of these constructions foundations of buildings of historic value and monuments are suffering irreparable damage.

“In the context of occupation of Crimea, culture should be put into a prior place, because the damage done is irreparable. Khan palace reconstruction is a specially targeted policy of eroding the Crimean Tatar legacy, marginalizing the presence of the only indigenous people on Crimea long before the imperial conquest of the peninsula by Russia in 1783...Such attempts are seen in the removal of Aivazovsky's paintings to Moscow in Russia, using the ancient Khersones site as a place for entertainment, status of more than a million artefacts found in the multiple excavations and so on. ... A very reasonable way to exercise on-site monitoring on behalf of UNESCO will be to assign a special Representative or Commissioner General, who will have the mandate to visit Crimea and examine sites and report directly to the Executive General.”

– Elmira Ablyalimova, expert on Crimean Tatar Cultural Heritage, Ex-Director of the Bakhchisarai Historical Cultural Reserve

Earlier, 204th session UNESCO Executive Board report dated 23 March 2018 also stated the following: “The Russian occupying authorities, having registered the illegal appropriation of the 32 historic buildings of the Bakhchisaray Crimean Khans Palace by 2017, launched the large-scale barbaric "restoration works" in this site in total defiance of international law, in particular of relevant UNESCO Conventions. For example, during the removal of all tiles and old oak beams from the Big Khan Mosque, the paintings of 18th century were damaged. In addition, cracks appeared on the facade of the building, and plaster crashed due to the application of cleaning technology that uses the water jet under high pressure. Also, a metal

canopy is being built around the part of the Main Building of the Khan's Palace "in order to ensure protection of the site during restoration works on the roofing in the rooms of the Divan Halls and the Golden Cabin". Due to the heavy load of metalwork there is a threat of destruction of the monument. The most alarming fact is that all these restoration works are supervised by construction personnel that have neither experience nor qualification in restoration of historic buildings. Such violent and off-hand actions pose a real threat of destruction of this unparalleled historical monument."

The final presentation was by Elmira Ablyalimova, expert on Crimean Tatar Cultural Heritage, Ex-Director of the Bakhchisarai Historical Cultural Reserve. She focused on the violation of humanitarian law in relation to cultural heritage items. In the context of occupation of Crimea, culture should be put into a prior place, because the damage done is irreparable. Khan palace reconstruction is a specially targeted policy of eroding the Crimean Tatar legacy, marginalizing the presence of the only indigenous people on Crimea long before the imperial conquest of the peninsula by Russia in 1783.

Such attempts are seen in the removal of Aivazovsky's paintings to Moscow in Russia, using the ancient Khersones site as a place for entertainment, status of more than a million artefacts found in the multiple excavations and so on. Making inventory of all heritage objects would allow the tracking of arbitrary taking away of museum objects from museums since 2014 and after. These objects – should be included into the heritage of Ukraine. Another key point was that, the Ukrainian state is not able to enforce its sovereign rights in matters of current interventions into cultural heritage and on archaeological findings discovered after the occupation. The question becomes relevant as the Russian Federation gives permissions on repairs, excavations on the territories of future constructive works and even more, on the territories of Historical and Cultural Reserves. To safeguard and protect the sites and objects, monitoring mechanism by UNESCO of the cultural heritage of Crimea is highly required. In fact, UNESCO reports say, "In response to these concerns and in line with past Executive Board decisions, the Secretariat has continued to monitor the situation in cooperation with its partners INTERPOL, the World Customs Organization, the International Committee of the Blue Shield and the International Council of Museums."

It is necessary to note that any action undertaken by the Russian Federation in the temporarily occupied Ukrainian territory seeking to modify jurisdiction in relation to Ukraine's cultural, industrial and technical heritage sites constitutes a direct violation of Ukraine's sovereign rights and of universally recognized standards and principles of international law, including the provisions of the Convention for the Protection of the World Cultural and Natural Heritage (1972), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), its First and Second Protocols, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects (1995), the Council of Europe Convention on the Protection of Archaeological Heritage (1992), the Council of Europe Convention on Offences relating to Cultural Property (2017), the United Nations General Assembly resolution 68/262 of 27 March «Territorial integrity of Ukraine», the United Nations Security Council resolution 2347 «Maintenance of international peace and security: destruction and trafficking of cultural heritage by terrorist groups and in situations of armed conflict», as well as the UNESCO Recommendation on International Principles Applicable to Archaeological Excavations (1956).

Ablyalimova proposes the following measures aimed at protecting cultural heritage objects, immovable sites, which are located in the temporarily occupied territory of Crimea:

- Creation of a Register of immovable heritage objects of Ukraine, which are located in the temporarily occupied territory of Crimea;
- Media monitoring as well as scientific publications with regard to transfer of museum objects as well as artefacts discovered as a result of archeological research from the temporarily occupied territory of Crimea to Russian Federation. Study of the international practice of restitution, reparation and re-vindication.
- Initiate discussion of the issue of the state of preservation of cultural heritage objects in the UN Cultural Affairs Committee.
- Setting up of an international platform to synchronize Ukraine's efforts to protect objects of cultural heritage which are under temporary occupation (with such participant states as Azerbaijan, Georgia, Moldova, Lithuania, Latvia, Estonia and others).
- Immediate ratification of the Second Protocol (1999) of the Convention on protection of cultural heritage in case of armed conflicts (1954).

In conclusion, Ablyalimova pointed out, that, so far, indirect monitoring had been used to ascertain the occupational regime's treatment of Crimea's cultural heritage. A very reasonable way to exercise on-site monitoring on behalf of UNESCO will be to assign a special Representative or Commissioner General, who will have the mandate to visit Crimea and examine sites and report directly to the Executive General.

Conclusions and Recommendations

1. Undoubtedly, Crimea continues to be under occupation by Russian Federation. The law of military occupation applies to the occupied territory of Crimea. The law of military occupation is set forth in Articles 42 to 56 in the 1907 Hague Regulations, the fourth 1949 Geneva Conventions, and the 1977 Additional Protocol I applicable to international armed conflicts. Both Russia and Ukraine are parties to the 1977 Additional Protocol I.
2. Under the law of occupation, an occupation is supposed to be temporary and does not alter the status of the territory in question. The occupying power does not enjoy sovereign rights over the territory in question. Therefore, all unilateral actions by Russian Federation are illegal and reversible, including arms build-up, militarization. This equally applies to population movements and their documentation (registration, right to residence permit, entry into voter's list etc.). These actions threaten the very existence of Ukrainian state and security for the Black sea region.
3. In addition, both Russia and Ukraine are bound by customary international humanitarian law. International human rights law also applies. Under the jurisprudence of the European Court of Human Rights, an occupying power, including when acting through local administrative authorities, is obliged to secure the European Convention on Human Rights. However, the all-pervasive atmosphere of lawlessness prevails in Crimea, accompanied by targeted persecution, psychiatric and physical abuse, torture, arrest and illegal detention of those who do not support occupation. The good news is that due to the wide and deep development of civil society in Ukraine, monitoring of Human Rights, humanitarian law can be ensured both directly and indirectly. This has helped build the required level of legal and political support internationally, leading to prolongation and tightening of sanctions.
4. However, opinion of the Ukrainian civil society varies. Due to the long process of legal battles and various impediments some consider the issue of Crimea has been a ritual flag to be waved when needed. Others consider it to be a failure for Ukraine.

These discussions do not undermine, on the contrary, they show the vibrant nature of civil society in Ukraine.

5. De-occupation of Crimea has to be seen under conditions of ethnocide of the Crimean Tatars and Ukrainians as well as others not favoring occupation, constant persecution of free thinking, media and education has led to destruction of the language and culture, violation of cultural rights and right to education in one's preferred language. Intellectuals, teachers and professors under persecution have moved to Ukraine, of which the V. I. Vernadsky Tavrida University is a glaring example. Ukraine has made liberal provisions enabling Crimean youth to access education round the year in Ukrainian institutions.
6. Priority of the issue of preservation of architecture, history and cultural heritage of Crimea can hardly be overstated. Crimea could be occupied easily partly due to the prolonged pro-Russian campaign on the peninsula, using an eclectic blend of Russian imperial precepts and Soviet time dogmas. Decolonization of the history of Crimea was not undertaken.
7. Current steps by the occupation administration to destroy old Crimean Tatar and Greek sites under the garb of "refurbishment", using the historic sites for entertainment, arbitrary removal of museum exhibits are red alerts for the whole world.

Based on the above the following recommendations can be made:

1. The very vast and broad issues reviewed in the three panels of the Conference require more detailed discussions and more conferences and events on each of the panel topics should be organized to understand and build capacity to face the challenges ahead.
2. A National Strategy of de-occupation or return of Crimea, having various components should encompass the task of building consensus within the Ukrainian public and inclusion of civil society. At present, the understanding of "why" and "how" with regard to return of Crimea is not well understood by the Ukrainian public beyond slogans, or political intent.
3. Occupation attacks the mindsets. Formal de-occupation might occur, but "mental occupation" might still go on. Therefore, breaking the information blockade is necessary. Consequently, providing Ukrainian sources of information to Crimea via satellites, radio waves and other means is extremely important. It is through supplying true and verified information and building people's opinion that real de-occupation will take place.
4. Crimean heritage sites, historic architecture, inscriptions and archeological findings should be documented and all changes made to them by the occupation regime monitored by the international community (under mandated authority or supervision of UNESCO)
5. History and culture of Crimea, which is at grave risk during the present occupation, should be studied in mainland Ukraine with the idea of de-colonization, concentrating on the study of the pre-1783 period, focusing on the history of the indigenous peoples, Crimean Tatars. Writing of an unbiased true history and national awareness about Crimea will disable imperial precepts from operating.
6. Mainstreaming the issue of Crimea in the current political and intellectual discourse, focusing on the rights of the Crimean Tatars as indigenous people is important so as to maintain the level of pressure and draw attention to all the illegal actions of the occupation administration, which are even contrary to existing Russian legislations.
7. In view of the comprehensive violation of all human rights in Crimea, especially in relation to the Crimean Tatars, such an international mechanism as a special

representative of the Crimean Tatars (with observer status) within the UN itself or within Ukraine's representation at the UN will facilitate the policy of inclusion of these issues into the debates on Crimea and general Human Rights situation.

Program of the Conference**“Five Years of Occupation of Crimea: Future Prospects, Reality, Challenges”****16 January, 2019, Kyiv, Ukraine**

10.00-10.30 – Registration of participants. Welcome Coffee

10.30-11.40**Opening Remarks** – Serhiy Kurykin, Board Member, East European Development Institute**Panel 1****“Militarization of the Crimean peninsula and prospects of de-occupation”****Panelists:**

Refat Chubarov, People’s Deputy of Ukraine, Head of the Mejlis of the Crimean Tatar People

Yulia Kazdobina, Advisor to the Minister of Information Policy of Ukraine

Andriy Klymenko, Expert of the NGO “Maidan of Foreign Affairs”

Vitaliy Kononov, Head of the Green Party of Ukraine

Moderator: Gayana Yuksel, Advisor to the Minister of Youth and Sports of Ukraine, Member of the Mejlis of the Crimean Tatar People

11.40-12.00 – Coffee Break

12.00-13.10 Panel 2**“Crimea as a territory of lawlessness: legal aspects of occupation of the peninsula”****Panelists:**

Ahtem Chiygoz, Deputy Head of the Mejlis of the Crimean Tatar People

Ilmi Umerov, Deputy Head of the Mejlis of the Crimean Tatar People

Gulnara Bekirova, Deputy Head of the Henichesk District Administration, Member of the Mejlis of the Crimean Tatar People

Darya Sviridova, Human Rights Expert, lawyer of Ukrainian Helsinki Union for Human Rights

Maria Tomak, Head of NGO “Human Rights Media Initiative”

Moderator: Yuriy Lukanov, journalist, writer

13.10-13.30 Coffee Break

13.30-14.40**Panel 3**

“Preservation of the unique cultural heritage of Crimea and the issue of education under conditions of occupation”

Prof. Volodymyr Kazarin, Rector of the National Tavrida V. I. Vernadsky University

Evelina Kravchenko, PhD. In history, Senior Researcher, Institute of Archeology of the National Academy of Sciences of Ukraine

Elmira Ablyalimova, Expert on Cultural Heritage of the Crimean Tatar People, Ex-Director of the Bakhchisarai Historical-Cultural Sanctuary

Riza Shevkiyev, Head of the Charitable Foundation “Crimea Foundation”, Member of the Mejlis of the Crimean Tatar People

Aliye Ibrahimova, PhD. In history, Archeologist, Art Expert, Member of the National Committee IKOMOS

Yevhen Samukha, Head of the International Liaison service, Office of the President of Ukraine in the Autonomous Republic of Crimea

Moderator: Mridula Ghosh, Board Chair, East European Development Institute

14.40-15.00 – Summing Up and Concluding Remarks