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RUSSIAN FEDERATION STARTS A WAR WITH UKRAINE

On 1 March, 2014, Russia officially announced the dispatch of troops to Ukraine. "The 'reason' for this was disingenuous information about 'Russian citizens killed in the Crimea'. Russian security forces are carrying out a set of planned actions aimed at military provocations in Crimea and eastern Ukraine in order to destabilise the situation in Ukraine. Ukrainian armed forces have been put on full combat alert.

On 1 March, 2014, at approx. 5:00 p.m., the Federation Council unanimously and with applause ,supported Vladimir Putin's proposal "on using the armed forces of the Russian Federation on the territory of Ukraine until the normalisation of the socio-political situation in the that country has been reached". The decision was made In connection with the extraordinary situation in Ukraine, the threat to the lives of citizens of the Russian Federation, our compatriots, and the personnel of the armed forces of the Russian Federation...".¹

In fact, the Russian military intervention in Ukraine began before the official announcement of the deployment of troops. As soon as on 28 February, 2014, Russia began the inspection of readiness of the Western and Central military districts, including 150,000 soldiers, 80 ships, 90 aircraft and approx. 1,000 tanks. On that day, 10 Russian armoured vehicles began to move towards Simferopol, while approx. 10 military helicopters landed in Sevastopol.² On 27 February, 2014, the military conquest of major communications, military and administrative facilities of the Crimean autonomy began.

1. RUSSIAN TROOPS ARE CONDUCTING A SPECIAL OPERATION AIMED AT SEIZING STRATEGIC FACILITIES

1.1. Russian forces are striving to block and disarm units of the Armed Forces of Ukraine in Crimea. Ukrainian soldiers refuse to comply, but, at the same time, do not provoke an armed conflict.

As of 2 March, 2014, Russian soldiers arrived at all Ukrainian military units of internal troops in the Crimea and announced they would protect them from 'extremists'. Commanders and soldiers of Ukrainian military units replied that they did not need such protection and, in the case of their invasion into the Ukrainian territory, Ukrainian soldiers would act in accordance with the regulations.³

On 28 February, 2014, Russian soldiers began to block Sevastopol Marine Border Guard Detachment. Locals created a human shield between the Ukrainian and Russian soldiers in order to avoid bloodshed. On that day, gunmen caused a blackout in the headquarters of the Naval Forces of Ukraine in Sevastopol.⁴

On 2 March, 2014, Russian troops began the storming of the Detachment of Naval Forces of Ukraine No. 39 in Sevastopol. A KamAZ truck with soldiers broke into the territory of the military unit, but the road was blocked with armoured personnel carrier (APC). Russian soldiers were forced to go back on

¹ <http://itar-tass.com/politika/1013802>

² According to Unian - <http://www.unian.ua/>

³ https://www.facebook.com/arsen.avakov.1/posts/598490606907716?stream_ref=10

⁴ According to unian.ua, pravda.com.ua

foot.⁵ On the same day, Russian soldiers blocked the 36 Brigade of military forces of Ukraine in the village of Perevalnoye, as well as the military unit A-0669 in Kerch. Ukrainian soldiers announced they would fight to the death.⁶ Russian soldiers with machine guns seized military unit No. 2382 in Balaklava. Ukrainian soldiers defended their unit with batons and shields. At night, Russian soldiers forced Ukrainian soldiers to lie on the ground whilst they kicked them.⁷ On 2 March, 2014, the storming of the headquarters of the Simferopol Border Guard Detachment and the Azov-Black Sea Regional Administration began. Russian troops destroyed the means of communication. Ukrainian border guards prevented the capture of weapons.⁸ State Frontier Service of Ukraine reported that members of the Russian Special Forces used physical force, threatened the use of weapons and “demanded the submission to the new leadership of the Autonomous Republic of Crimea in the form of an ultimatum”.⁹

1.2. Servicemen of the Russian Federation take control of major institutions and communications of the Autonomous Republic of Crimea.

Soldiers control the buildings of the parliament and the government of Crimea, as well as the surrounding streets. Russian troops seized the Belbek airport in Sevastopol and the Kirov military airfield. Simferopol Airport is surrounded by troops. The operation of the State Enterprise ‘Krymaerorukh’ which provides aviation navigation on the peninsula is blocked.¹⁰ Checkpoints with armed men were set up at some entrance roads to the Crimea. On 28 February, 2014, *armed men* in military uniforms without markings took control of the state television and the building of the radio station ‘Crimea’. On that day, the blocking of several communication centres of ‘Ukrtelecom’, which provides landline phone communications and the Internet connections, began. On 1 March, 2014, unknown persons in uniforms again blocked several communication centres.¹¹

2. INFORMATION WARFARE AND PROVOCATIONS BY RUSSIA TO LEGITIMISE MILITARY INVASION

2.1. The reason for the military invasion is the myth of ‘extremists’ who allegedly threaten the Russian-speaking citizens.

The reason for the ‘protection’ of strategic objects of the autonomy by Russian troops are statements made by the Russian diplomacy about the alleged ‘extremists’ and ‘nationalists’ from Kiev and other regions who are trying to break into the territory of the Crimean peninsula. For example, on 1 March, 2014, the Russia’s Foreign Ministry reported a ‘treacherous provocation’ carried out by unknown armed men who allegedly tried to seize the MFA building in Crimea. However, the Crimean police stated that “this information is completely untrue”. On 2 March, 2014, Interior Minister Arsen Avakov enunciated: *“In the Crimea there are no forces of regular army or Ukrainian Ministry of Internal Affairs which would “threaten the citizens of the Russian Federation” or “Russian-speaking population”. Also, there are no units of the Self-Defence of the Maidan who have allegedly arrived from Kiev, on the territory. The whole destabilisation in the Crimea has its source and masterminds located in Russia”*.¹²

Head of the Russian Federation Council, Valentina Matviyenko stated that ***in the Crimea, there are reportedly ‘victims among Russians’, but the speaker of the Crimean Parliament, Vladimir***

⁵ <http://www.pravda.com.ua/news/2014/03/2/7017105/>

⁶ <http://investigator.org.ua/news/120529/print/>

⁷ http://espreso.tv/new/2014/03/03/ukrayinskyj_oficer_v_balaklavi_nashykh_poklaly_na_pidlohu_i_kopaly_yak_koshenyat

⁸ http://dpsu.gov.ua/ua/about/news/news_3412.htm

⁹ http://dpsu.gov.ua/ua/about/news/news_3414.htm

¹⁰ <http://www.radiosvoboda.org/content/article/25280143.html>

¹¹ <http://www.ukrtelecom.ua/presscenter/news/official?id=120389>

¹² https://www.facebook.com/arsen.avakov.1/posts/598490606907716?stream_ref=10

Konstantinov, stated that he had received no information which would confirm these announcements.¹³ The Russian TV channel 'Vesti' showed video footage featuring unknown 'extremists' who opened fire near the building of the Crimean government, which resulted, , in the "aggravation of journalists among others, but no one was seriously injured". It is noteworthy that 'extremists' got off buses with Crimean plates and were running around with weapons, which belonged to Russian soldiers.

Opposition Russian channel 'Dozhd' reported that, judging by the shells, the bullets fired by unknown people were blank cartridges. Thus, there is every reason to believe that the **Russian authorities had staged an armed attack on a government building**, in order to be able to link their statements about the 'extremist threat' with an actual incident.¹⁴

2.2. By using military pressure, the Russian Federation creates fully controlled and loyal authorities in the peninsula.

Local bodies of the self-government of the autonomy controlled by Russia do not recognise the legitimacy of the central government in Kiev. As stated by the representative of the President of the Autonomous Republic of Crimea, Sergey Kunitsyn, in conversation with him the illegitimate Prime Minister of the Crimea, Sergey Aksenov stated that "given what is happening here, far from all matters are decided by the Crimean leaders".¹⁵ On 1 March, 2014, **the illegitimate Prime Minister of the Crimea, Sergey Aksenov^{16,17} temporarily submitted to himself all the local military structures.** The self-proclaimed Prime Minister stated that the management of security forces, assigned by Kiev, allegedly "has not been consulted with the autonomy and cannot control the situation in the autonomy". In addition, **Sergey Aksenov addressed Vladimir Putin with a request to provide "assistance in ensuring peace and tranquility in the Autonomous Republic of Crimea"**. On 1 March, 2014, Sergey Aksenov decided to accelerate the referendum on the status of the autonomy and to change the date of the referendum from 25 April, 2014 to 30 March, 2014.¹⁸ It can be assumed that the presence of Russian troops is intended to provide controlled results of the referendum. Central authorities in Kiev say that the appointment of Aksenov is illegal, and the decision on the referendum is illegitimate.

Ukraine's Interior Minister stated that **emissaries of the Russian Federation suggest Ukrainian officers in the Crimea immediately obtain Russian citizenship**, but they received a negative response. On 28 February, 2014, the Russian Foreign Ministry instructed the consulate in Simferopol to urgently take steps to issue Russian passports to 'Berkut' soldiers.¹⁹ The consulate in Simferopol does not exclude the possibility that Russian passports may be issued not only to members of 'Berkut' Special Forces, but also to other citizens of Ukraine.²⁰

In addition, **Russia is harbouring a fugitive from Ukraine, Yanukovich, who can be used to further legitimise the military intervention.** Russian authorities currently believe that Yanukovich, accused of mass killing, is a legitimate president, and this fact is applied as an excuse to 'protect' the interests of the southern and eastern regions from the allegedly 'illegitimate' current government. On 28 February, 2014, during a press conference in Rostov-on-Don, when answering the question about

¹³ <http://interfax.com.ua/news/general/193810.html>

¹⁴ <http://www.pravda.com.ua/news/2014/03/2/7017125/>

¹⁵ <http://www.unian.ua/politics/891707-postiynne-predstavnitstvo-prezidenta-v-krimu-zahopleno-kunitsin.html>

¹⁶ On 27 February, 2014, the Crimean parliament, at the barrel of a gun, appointed leader of the party 'Russkoye Yedinstvo', Sergey Aksenov, prime minister of the autonomy.

¹⁷ Sergey Aksenov's reputation is highly questionable. According to some reports, in the 90's he headed a gang and even now maintains relations with criminal structures of the Peninsula. - <http://www.nr2.ru/moskow/236559.html>

¹⁸ <http://rian.com.ua/politics/20140301/340397798.html>

¹⁹ As early as on 26 February, 2014, The Minister of the Interior has decided to restructure Special Forces 'Berkut' and form on its base, a new division. Soldiers of 'Berkut' used grossly excessive force against journalists and protesters during anti-government protests in Ukraine.

²⁰ <http://www.unian.ua/politics/891470-ne-viklyucheno-scho-rosiyski-pasporti-zmojut-otrimati-ne-tilki-kolishni-berkutivtsi-genkonsul-rf.html>

Russia's role in the events in Ukraine, Viktor Yanukovich replied as follows: “Knowing the character of Vladimir Vladimirovich Putin, I am surprised he is so restrained and keeping silent”.²¹ It is significant that the very next day after the press conference, Russia officially announced the invasion of Ukraine and Yanukovich ‘supported this decision’.

2.3. Separatist provocations in the eastern regions by pro-Russian activists.

On 1 March, 2014, in some regions, pro-Russian protesters stormed regional administration buildings. **The storming took place in accordance with the same scenario.** On 1 March, 2014, in Kharkov, pro-Russian protesters stormed the regional administration building, in which the EuroMaidan supporters had barricaded themselves. The Euro-Maidan supporters were brutally beaten, forced to kneel publicly, 97 people were injured. One of the protesters, a citizen of Russia, raised the Russian flag on the administration building.²² A Member of Parliament, Vitaliy Danilov, argues that about 2,000 Russians came from the Belgorod region of Russia to Kharkov ‘without any political slogans, their only task was to provoke clashes’.²³

On 1 March, 2014, pro-Russian protesters conducting rallies in Donetsk placed the Russian flag on the regional administration building and declared their disobedience to the new head of the Donetsk administration, Andrey Shishatskiy. The press service of the administration reported that among the protesters were **approx. 70 active individuals who constantly provoked the crowd, and these were Russian citizens who came to the region.**²⁴ The city council reported the need to appoint a referendum regarding the future of the region. In Lugansk, protesters with Russian flags blocked members of Lugansk Regional Council, forcing them to make a decision about the illegitimacy of the central government and the possibility of ‘requesting help’ from Russia. On 1 March, 2014, during a rally of the Communist Party in Mariupol, a group of protesters broke into the administration building and installed a Russian flag on the flagpole.

Currently, the information that some border guard workers allegedly contribute to the bringing of Russian citizens to protests in Ukraine for specific remuneration, is being verified. In connection with the above mentioned threats, First Deputy Prime Minister Anatoliy Yarema stated that the Ukrainian government is considering closing of the state border with Russia or tightening control over the border crossing.

3. RUSSIA OPENLY TRAMPLES ON INTERNATIONAL LAW AND ITS ASSUMED OBLIGATIONS

3.1. Russia became the aggressor country, although it should be the guarantor of security of Ukraine.

According to article 10, paragraph 2 (1) of the Russian Federation Law On Defence, Russia may use its troops in another country in order to “protect the citizens of the Russian Federation outside the territory of the Russian Federation from an armed attack”. Russia has not provided any evidence that Russian citizens in Crimea are under threat. Especially that no investigation has been conducted with the involvement of Ukrainian law enforcement agencies, courts, or Russian and Western mediators. Therefore, there is no legal basis or political preconditions for the bringing of Russian troops to Ukraine. Moreover, **Russia itself, using its radical citizens and military special operations could cause the exacerbation of the situation (for example, the murder of Russian citizens or officials).** Ukrainian authorities currently consider diplomatic negotiations and international mediation as the only possible means of settling the conflict. Ukrainian soldiers show restraint and so far they have

²¹ <https://www.youtube.com/watch?v=GkFyw6AtEUg>

²² <http://www.unian.ua/politics/891684-rosiyskiy-prapor-na-harkivsku-oda-povisiv-moskvich.html>

²³ http://espreso.tv/new/2014/03/02/biyku_v_kharkovi_vlashtuvaly_rosiyany_z_bilhoroda

²⁴ <http://www.unian.ua/politics/891603-u-donetsku-na-mitingu-vimagali-vidstavki-gubernatora-prijijidi-rosiyani.html>

defended their positions without firing any shots. ***But as soon as the first blood is shed, the situation may become uncontrollable and develop by mirroring the Abkhazian and Ossetian scenario*** which involves the provocation of civil war, chaos, and the annexation of part of the territory.

With its actions, the Russian Federation has grossly violated a number of international laws and international agreements:

- The Budapest Memorandum on Security Assurances in connection with the accession of Ukraine to the *Treaty on the Non-Proliferation of Nuclear Weapons*. Under the agreement, Russia is obliged to refrain from the threat of force against the territorial integrity of Ukraine and never use their weapons against Ukraine. However, on 1 March, 2014, Russia refused to negotiate with Ukraine within the framework of the memorandum.
- *Agreement between Ukraine and the Russian Federation on the status and conditions of the residence of the Russian Black Sea Fleet on Ukrainian territory*. Russia has exceeded the number of military troops, which have the right to remain on the territory of Ukraine, moved its forces beyond the permissible dislocation and breached border control of the movement of troops. These violations, along with the interference in the internal affairs of Ukraine and disrespect to its sovereignty are contrary to Articles 4, 6, 8, 11, 12, 13 and 15 of the Treaty on the Black Sea Fleet.
- *The Treaty of Friendship, Cooperation and Partnership between Ukraine and the Russian Federation*. Russia violated the norms stipulated by the treaty on the peaceful settlement of disputes, non-aggression and non-interference in the internal affairs.

3.2. Instead of acting with the aim of preventing conflict, the West responds only after the fact.

Western leaders' calls for Russia to stop aggression and not to destabilise the situation in Ukraine are manifestly insufficient measures to prevent conflict. Russian senator, Oleg Panteleyev, when speaking in this context, quite clearly signalled that the West will come to terms with everything that Russia is doing in Ukraine. ***"There is no need to pay attention to anyone waving his fist. I spent ten years in the PACE. And we heard many things there, we heard accusations with regard to Chechnya and Beslan, and South Ossetia. You know how it is – they will talk and then they will stop talking"***²⁵, - the senator said. In fact, he admitted that the same scenario is being carried out in Ukraine as was used by Russia in other hot spots in the area of the former Soviet Union.

While the whole territory of Crimea was occupied by 'unknown' troops (soldiers had no insignia on their uniforms), the Western countries were slow to recognise that these were Russian troops, as there was no official recognition of this fact on the part of Russia. This inactivity and passivity of the international community provokes Russia to take more drastic steps and puts Ukraine in a hopeless situation.

Due to their economic interests, the governments of democratic countries have turned a blind eye to the gross violations of human rights in nondemocratic states for many years, which unleashed the autocrats. The responsibility for the armed invasion of Russian troops in Ukraine indirectly lies also ***on the European states, with whose weapons the army of the authoritarian government of the Russian Federation is equipped***. In particular, in the streets of Simferopol, Italian armoured vehicles Iveco LMV M65 were seen.²⁶ This military equipment is not owned by Ukraine's Ministry of Defence and, hence, it can only belong to the armed forces of the Russian Federation. Given the recent events, Western countries should reconsider existing contracts on equipping the Russian army, in particular, the acquisition by the Russian Federation of Mistral warships from France. Under the contract, France

²⁵ <http://www.unian.ua/politics/891623-rosiyskiy-senator-pro-mijnarodnu-reaksiyu-na-vvedennya-viysk-v-ukrajinu-pogovoryat-i-perestanut.html>

²⁶ <http://uainfo.org/yandex/285112-v-krymu-rossiyane-ispolzuyut-novye-bronemashiny.html>

shall build two ships of this kind for Russia. One is to be put into operation in 2015, and the other one (named 'Sevastopol') - in 2016.²⁷

The real reason for military aggression can be non-recognition by the Russian Federation of the new government in Ukraine and the unwillingness to lose its political and economic control over Ukraine. Russia declared war precisely at a time when Ukraine is undergoing the formation of a new government. Russia is not happy with the fact that it has no control over the current Ukrainian elites, who proclaimed a clear course towards European integration. European countries and the United States recognised the new government and expressed their willingness to provide financial support to Ukraine. It was at that point that the military intervention of Russian troops began.

The victory of the democratic revolution in Ukraine threatens the existence of the Russian authoritarian regime. That's what makes the Russian leadership proactive and continue to destabilise the situation in Ukraine, as well as to try to bring under its jurisdiction as much Ukrainian territory as possible. The Russian parliament is considering a bill on simplification of the accession of new subjects to the Russian Federation. In the southern and central regions of Ukraine (Odessa, Dnepropetrovsk, Vinnitsa, Kiev) mass rallies were held against the Russian occupation.

Thus far, the only real response to Russia's openly aggressive actions were the statements of the U.S., Canada, France, Germany, Italy, Japan and the UK, threatening Russia with suspension of their preparations for participation in the Group of Eight Summit in Sochi in June 2014.²⁸ It is obvious that the West should move from threats to more decisive actions in order to prevent bloodshed and fatalities, namely:

- Immediately impose economic sanctions with respect to Putin, his family, the oligarchs who support the regime, as well as all the MPs who voted for military intervention in Ukraine.
- Exclude Russia from G7, G20, OSCE, Interpol, deprive the country of the right to vote in the UN Security Council and other international organisations which will lead to its geopolitical isolation.
- Every country of the international community should strongly condemn Putin's actions in Ukraine.
- Budapest Memorandum signatories must ensure the security of Ukraine.
- The Association Agreement EU-Ukraine should be signed at the first possible opportunity.
- Ensure the presence of the missions of the UN, the OSCE and NATO in Ukraine in order to stabilise the situation.

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²⁷ http://ria.ru/defense_safety/20130618/944048769.html

²⁸ <http://www.whitehouse.gov/the-press-office/2014/03/02/g-7-leaders-statement>