

Russia & Eurasia Studies Centre –

Renewing the Resistance: The UK's role in the Crimea Platform

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April 2021

Introduction

In the dying days of March 2021, Russia began mobilising its troops in and around Ukraine, relocating equipment and men to the occupied peninsula of Crimea. Russian Defence Minister Sergei Shoigu had announced that the 56th Airborne Brigade was being permanently relocated to Feodosiia,¹ but there were a host of other – unexplained – Russian military movements.² At the time of writing, Russian forces continue to gather in Crimea and elsewhere. While there is no strong evidence for an imminent attack on Ukraine, the force movements represent unusual activity

beyond the scope of regular exercises or troop rotation, suggesting more than a coercive demonstration or signalling on the part of the Russian military. Ukraine and U.S. European Command are on high alert, waiting uneasily.

The centrality of Crimea to this escalation shows the importance of continued international monitoring of the Russian government's actions there, amid increased militarisation and a deteriorating human rights and socio-political situation on the peninsula. Given this prominence,

¹ 'Shoigu anonsiroval sozdanie novogo polka VDV v Krymu', RBK, 25 March 2021, <https://www.rbc.ru/rbcfreenews/605c9e949a79474ed7080200>. This link and all other URLs were last accessed on 6th April 2021.

² "'Potential Imminent Crisis' Russian Military Exercises near Ukraine's Borders Provoke Concern from Kyiv and Washington as Tensions Escalate in Donbas", Meduza, 1 April 2021, <https://meduza.io/en/feature/2021/04/01/potential-imminent-crisis>.

Crimea must also be at the heart of discussions over how to counter ongoing Russian aggression – not just part of the backstory.

The Crimean Peninsula is Ukrainian territory but has been under Russian *de facto* control since the Russian government sent in its ‘little green men’ to seize the peninsula in February 2014. On 16th March 2014, the occupation authorities hastily organised an illegal referendum, which did not offer voters the option to remain in Ukraine. Since then, the Kremlin has declared the matter closed, euphemistically celebrating Crimea’s ‘historic return’ to Russia, and imposing its own legislation and regulation on the territory. Alongside this, it has continued its war in Eastern Ukraine, where over 13,000 people have died. Despite international condemnation and sanctions over Russia’s annexation of Crimea, the situation there has deteriorated further. The UK has been admirably steadfast in its commitment to Ukrainian territorial sovereignty; however, there is still more to be done, especially as international attention

has appeared to wane in recent years.

The National Security Strategy of Ukraine places the UK among Ukraine’s top five strategic partners.³ Young people in Ukraine appear to share this favourable opinion, placing more trust in the UK government and its institutions than in those of any other country.⁴ The UK earned this trust by pushing for harsher sanctions on Russia for its aggressions against Ukraine and by helping to bolster Ukraine’s security as a member of the EU (formerly) and NATO. Now outside the EU, the UK government has consistently demonstrated an understanding of the importance of Ukraine to European security. Boris Johnson even cited the UK’s ability to provide more coherent support to Ukraine as part of the government’s justification for merging the Department for International Development into the Foreign and Commonwealth Office.⁵ In the Integrated Review, the UK government reiterated its support for Ukraine, stating firmly its intention to build up the capacity of the latter’s armed forces,⁶ while the Defence

³ Volodymyr Zelenskyy, ‘Ukaz Prezidenta Ukrayini №392/2020’, Ofitsiynе internet- predstavnytstvo Prezidenta Ukrayini, 14 September 2020, <https://www.president.gov.ua/documents/3922020-35037>.

⁴ Orysia Lutsevych and Marina Pesenti, ‘UK’s Culture Work in Ukraine Is a Post-Brexit Blueprint’, Chatham House, 17 February 2021, <https://www.chathamhouse.org/2021/02/uks-culture-work-ukraine-post-brexit-blueprint>.

⁵ ‘Global Britain Debate, House of Commons’, Hansard, 16 June 2020,

<https://hansard.parliament.uk/commons/2020-06-16/debates/20061637000001/GlobalBritain>.

⁶ The Government of the United Kingdom of Great Britain and Northern Ireland, *Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy: Presented to Parliament by the Prime Minister by Command of Her Majesty*, GOV.UK, March 2021, 61, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/969402/The_Integrated_Review_of_Security_Defence_Development_and_Foreign_Policy.pdf.

Command Plan confirmed this would extend to maritime training.⁷

In October 2020, the UK and Ukraine signed a detailed Political, Free Trade and Strategic Partnership Agreement (henceforth Strategic Partnership Agreement) that covered security issues as well. But all sides agreed that the agreement, while most welcome, was intended as a springboard and not a limit to UK-Ukrainian partnership. With an eye to expanding this collaboration, Ukrainian Foreign Minister Dmytro Kuleba invited Great Britain to participate in the Crimea

Platform while in London to sign the agreement.⁸ Amid the uncertainty of the prospects of the Normandy format and the Minsk negotiating process, which are unlikely to expand any time soon, and taking into account the UK government's willingness to play a global role in the Baltic-Black Sea region, this briefing will argue that the next step is for the UK to not only accept Mr Kuleba's invitation but to also play a leading role in the de-occupation process and in championing the Crimea Platform.

The Crimea Platform

Ukrainian President Volodymyr Zelensky first announced the Crimea Platform at the United Nations (UN) in September 2020. The Crimea Platform seeks to reverse and/or mitigate the negative trends observed on the Russian-occupied peninsula. These include military build-ups and militarisation, political persecution, and violation of international norms, to name just a few issues. While some of these problems arise from the imposition of domestic Russian legislation and regulations upon the peninsula, others are spurred by

Russian efforts to legitimise their illegal annexation as well as to use Crimea as a base from which to secure Russian defences and project military power across the Azov, Black, and Mediterranean Seas.

Consequently, Russia's occupation of Crimea carries serious repercussions not only for regional security but also for the meaning and value of legal and international norms. The Crimea Platform is aimed at formulating and cohering an international response to these repercussions as well as setting out a long-term plan that works towards de-occupation of the

⁷ The Government of the United Kingdom of Great Britain and Northern Ireland, *Defence in a Competitive Age: Presented to Parliament by the Secretary of State for Defence by Command of Her Majesty*. GOV.UK, March 2021, 29, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/9](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/971859/CP_411_-_Defence_in_a_competitive_age.pdf)

71859/CP_411_-_

Defence_in_a_competitive_age.pdf.

⁸ 'Britain and Ukraine Unveil New Strategic Partnership', Atlantic Council, 13 October 2020, <https://www.atlanticcouncil.org/blogs/ukrainealert/britain-and-ukraine-unveil-new-strategic-partnership/>.

peninsula. This may sound an unrealistic prospect at the current moment of writing (April 2021), but the independence of the Baltic States was perceived in much the same way even in the middle of the 1980s. More importantly, to accept as a final objective anything less than the reintegration of Crimea into Ukraine is tantamount to accepting the annexation and approving the flouting of international law. Any such attitude will – and has had – implications far beyond Ukraine as the Russian government seizes on opportunities to pursue its interests (or sometimes vendettas), safe in the knowledge that any punishment it might receive will not fit the crime. Faced with such realities, the Ukrainian government's decision to renew international commitment to its territorial integrity represents a welcome, pragmatic and necessary development.

If previously many of the problems associated with Russia's occupation of Crimea have been addressed on an *ad hoc* basis, then the Crimea Platform will provide structures and mechanisms for a longer-term and more cohesive approach to be implemented across various levels, from international heads of state and government, to Ministers of Foreign Affairs, parliamentarians, and civil society. The Ukrainian Ministry of

Foreign Affairs intends to use the platform to achieve much more than just keeping Crimea in the news cycle; it will use it to resolve associated problems and create the mechanisms to achieve real change. An inaugural summit, which is scheduled to take place in Kyiv on 23 August 2021, will launch the Crimea Platform officially with the objective of addressing the issues detailed below:

Consolidating non-recognition of Russia's annexation of Crimea

Within the framework of the Crimea Platform, participants will restate their adherence to a non-recognition policy of Russia's annexation but also devise some core guiding principles that set common 'red lines'. This reaffirmation is an important starting point given that a study examining voting on UN resolutions relating to Crimea from 2014 to 2020 suggests support for Ukraine is gradually declining. In this period, favourable votes decreased from 100 in 2014 to 70 in 2016 and 63 in 2020.⁹ While the overall analysis also showed a reduction in the number of countries opposing Ukraine's position, of the 74 countries who altered their stance since 2014, Ukraine has lost the support of 40.¹⁰ Therefore, the Crimea Platform presents a welcome change to

⁹ Yah Batoh and Khrystyna Holynska, 'Should We Feel Lonely? Assessing International Support of

Ukraine Regarding Crimea', *Ukraine Analytica* 23, no. 1 (2020): 15–25.

¹⁰ Batoh and Holynska, 24.

reinvigorate Ukraine's arguments on the international stage.

As well as agreeing to abide by commonly-agreed guidelines, participants will exchange information about potential breaches, elaborate preventive measures, and use their diplomatic contacts to urge third countries to adopt a policy of non-recognition. Such measures will include ensuring a ban on the formal recognition of the annexation of Crimea and the city of Sevastopol by the Russian Federation and a ban on official figures visiting these areas, as well as active discouragement of private citizens from visiting. These guidelines will also state that participating states should not provide consular services to nationals in Crimea as part of their missions in the Russian Federation and any new international documents signed with Russia should include a so-called 'Crimea clause' which excludes their application to the peninsula. Likewise, there should be a ban on imports of goods from Crimea that do not have Ukrainian certificates of origin, and a ban on services from tourism to engineering.

Measuring and mitigating the militarisation of Crimea on regional security

Russia's ongoing militarisation of Crimea complicates the security situation in the region and poses additional threats to Ukraine, other Black Sea coastal states, the EU, and NATO. According to data from the Ukrainian Ministry of Defence, when compared to the pre-occupation period, the Russian Federation has nearly tripled the personnel strength of its military in Crimea, from 12,500 to over 32,500 people. The number of Russian weapons and military equipment was significantly increased as well. In total, the naval component of the Russian Black Sea Fleet includes 70 ships and submarines, including 13 Kalibri naval-based cruise missile carriers. This is of international significance, given that the latter can potentially carry nuclear weapons and that Russia has also imported warships, missile systems, and combat aircrafts into Crimea and restored the peninsula's nuclear infrastructure, raising a very real threat of nuclear weapon proliferation.¹¹ As such, the Crimea Platform will also task its participants with considering joint action on countering Russia's militarisation and military expansion in the region.

¹¹ 'Russia Getting Ready to Deploy Nuclear Weapons in Crimea', KyivPost, 8 December 2020, <https://www.kyivpost.com/ukraine-politics/russia-getting-ready-to-deploy-nuclear-weapons-in-crimea.html>; Manuel Herrera, 'Prospects of

Nuclearization of the Crimean Peninsula', Global Risk Insights, 25 July 2019, <https://globalriskinsights.com/2019/07/nuclearization-crimea-peninsula/>.

The drastic increase in Russia's military presence in the Black Sea and the Sea of Azov also disrupts trade to and from Ukrainian ports. According to a 2003 bilateral agreement, Ukraine and Russia share the territorial waters of the Azov Sea as well as the Kerch Strait, which separates the Azov Sea from the rest of the Black Sea. The agreement explicitly states that Russian and Ukrainian vessels have free navigation in the Sea of Azov and the Kerch Strait.¹² However, since the completion of the Kerch bridge connecting Russia with Crimea - and reinforced by a general military build-up in the area - Russia has been attempting to turn the sea into its own lake, rendering Crimea a grey zone inaccessible for the verification and inspection activities required in accordance with international and arms control treaties.

Given the broader geographical scope of these security concerns, the Ukrainian Ministry of Foreign Affairs aims to use the Crimea Platform to bring participants together to establish an annual Security Forum for the Sea of Azov, Black Sea and Eastern Mediterranean. Participants will discuss an enhanced NATO presence in the region, place the

freedom of navigation challenge in the Azov-Black Sea region high on the international agenda, and conduct regular joint expert events to bolster analytic and monitoring capacity.

The question of monitoring is especially important to ensuring Ukraine's allies can formulate informed interpretations of Russian military build ups and calibrate responses that send a firm signal without leading to conflagration that would endanger Ukrainians or other allies in the Black Sea region unnecessarily. Crimea's inhabitants must be central to any discussion around how to deter Russian militarisation, especially given that so much of Russian militarisation impacts Crimeans' own rights; for example, since 2014, the Russian Federation has conducted eleven illegal conscription campaigns, with some 28,000 people forcibly conscripted to the Russian military.¹³ As an occupying power, Russia has no right to conscript people but, what is worse, it is launching criminal proceedings against those who refuse; according to the Ukrainian Ministry of Foreign Affairs, Russian courts have brought 163 criminal cases against those who 'evaded military service' since 2018.¹⁴

¹² The 'Agreement between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Strait of Kerch' (2003) can be read in full [here](https://www.ecolex.org/details/treaty/agreement-between-the-russian-federation-and-the-ukraine-on-cooperation-in-the-use-of-the-sea-of-azov-and-the-strait-of-kerch-tre-149547/): <https://www.ecolex.org/details/treaty/agreement-between-the-russian-federation-and-the-ukraine-on-cooperation-in-the-use-of-the-sea-of-azov-and-the-strait-of-kerch-tre-149547/>.

¹³ Data from the Ukrainian Ministry of Foreign Affairs, provided to the author by the Ukrainian Embassy in London via email.

¹⁴ See also: 'Crimea: Conscription Violates International Law', Human Rights Watch, 1 November 2019, <https://www.hrw.org/news/2019/11/01/crimea-conscription-violates-international-law>.

Violations of human rights and international humanitarian law

In the seven years since Russia's occupation of Crimea began, 44 people have been victims of enforced disappearances and the fate and whereabouts of 15 of them are still unknown.¹⁵ During this same period, at least 138 people have been prosecuted for political reasons and 119 of these have been imprisoned.¹⁶ Most audaciously, the occupying authorities accuse those who publicly affirm Ukraine's sovereignty over Crimea of 'undermining Russian territorial integrity', even bringing charges against one Ukrainian journalist.¹⁷ It is worth recalling here that the Russian-imposed judiciary and law enforcement agencies are not independent of the political authorities.

Along with a number of administrative sentences, the occupation authorities have also initiated a relatively large number of criminal cases against Crimean Tatar civil and religious activists, with no signs of relenting. The year 2019 saw the largest number

of criminal cases against Crimean Tatars since the start of the occupation. Many languish in prison for crimes that were never committed. The authorities actively employ the highly suspect practice of 'group cases', whereby charges are brought against several persons at once. The most infamous was the "Hizb ut-Tahrir" case, criticised by the European Court of Human Rights. This case involved "Ukrainian Muslims receiving sentences of up to 20 years' imprisonment almost entirely on the testimony of such anonymous 'witnesses'".¹⁸

Russia has also discriminated against the Orthodox Church of Ukraine (OCU), which gained autocephaly in January 2019, making it independent from the Russian Orthodox Church. In response, the occupation authorities evicted the OCU from the main Cathedral in Simferopol and ordered another temple in Yevpatoriia to be abolished. The EU has also claimed that Russia is forcing through deliberate demographic changes in Crimea to Russify the territory.¹⁹ According to Ukraine's Ministry of

¹⁵ 'Enforced Disappearances in Crimea: New Research Attempts to Shed Light on What Happened', Uacrisis.org, 4 December 2020, <https://uacrisis.org/en/crimea-new-research>.

¹⁶ 'Analytical Report "Detention Conditions of Crimean Political Prisoners. Overview of Cases"', CrimeaSOS, accessed 30 March 2021, <https://krymsos.com/en/reports/analitichni-zviti-po-krimu/6024e5c6e2034/>.

¹⁷ 'Lawyers For Crimean Journalist Charged With Separatism Start Studying Case', RadioFreeEurope/RadioLiberty, 8 December 2016, <https://www.rferl.org/a/mykola-semena-reporter-rferl-crimea-separatism-charges/28163375.html>.

¹⁸ Halya Coynash, 'ECHR Issues Crucial Judgement against Russia over Secret Witnesses Used to Jail Crimean Tatar Political Prisoners', Kharkiv Human Rights Protection Group, 7 October 2020, <http://khpg.org/en/1601080799>.

¹⁹ 'Ukraine: Declaration by the High Representative on Behalf of the European Union on the Illegal Annexation of Crimea and Sevastopol', European Council. Council of the European Union, 25 February 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/02/25/ukraine-declaration-by-the-high-representative-on-behalf-of-the-european-union-on-the-illegal-annexation-of-crimea-and-sevastopol/>.

Foreign Affairs, over 50,000 Ukrainian citizens have had to leave Crimea since 2014 with approximately 500,000 Russian citizens moving to the peninsula from the Russian Federation. Over the course of nine months in 2020 alone, 43,000 Russian citizens relocated to Crimea with some estimates claiming this is an underestimation.²⁰

Under the pretext of the COVID-19 epidemic, Russia is now artificially restricting Crimean residents' freedom of movement and contact with mainland Ukraine. Crimean residents who have been forcibly issued Russian passports are allowed to leave for mainland Ukraine and return to the peninsula only once. For those citizens who have refused to obtain a Russian passport, only departure from the Crimea is possible – they are then banned from returning home. To battle these egregious violations, the Crimea Platform will call on participants to introduce a mechanism for states and international organisations to provide swift and coordinated reactions to these violations, including by enhancing monitoring and publicising cases of political repression in international media outlets.

Proper implementation and strengthening of sanctions

The original EU and US sanctions enforced in March 2014 in response to Russia's annexation of Crimea were underwhelming. Although they had been reinforced by much tougher sanctions by the end of that year, an original impression remained among some (including a Russian government official who spoke to this author in 2018) that the West had not taken Crimea's invasion seriously – an impression with lasting consequences. In light of this context, participants of the Crimea Platform will work together on consolidating, synchronising, and closing loopholes for current sanctions. To avoid further suffering for Crimea's inhabitants, any further expansions would largely relate to violations of human rights in Crimea and of international humanitarian law, including hosting illegal elections and imposing conscription to the Russian armed forces.

The sanctions would address the aforementioned militarisation of Crimea and adjacent waters of the Azov and Black Seas by requesting a ban on the sale of arms and related materiel, dual-use goods and technology, and related services to the Russian Federation. Participants

²⁰ Data from the Ukrainian Ministry of Foreign Affairs, provided to the author by the Ukrainian Embassy in London via email.

would also bring sanctions against Russian military enterprises involved in the modernisation of the Russian military forces and facilities located in Crimea. Finally, Crimea Platform participants should act to punish the illegal expropriation of Ukraine's state and private enterprises, which Russia has seized since occupying the peninsula; for example, Masandra Winery, which was forcibly nationalised in 2014 before being sold off in 2020.

However, as much as applying new targeted sanctions, the emphasis should also be on closing loopholes. Financial sanctions are easily bypassed by Crimean banks, which use so-called 'correspondent accounts' in Russian banks that, in turn, have their own such accounts overseas. Similar schemes exist in the military industry, allowing Crimea-based Russian enterprises to participate in export-import operations despite clear restrictions and prohibitions in place.²¹

Mitigation of adverse economic and environmental impact of the occupation of Crimea on the region

Inevitably, the imposition of sanctions and maintenance of them will continue to hurt those living on the peninsula. As part of the Crimea Platform, it is to be hoped there will also be a plan from Ukraine and its allies – difficult as it is in the hostile media and political environment Russia has imposed – to win the hearts and minds of Crimea's population, or those settled there before 2014. One way to do this is to focus on repairing the environmental damage caused by Russia's annexation and military activities.²² Unfortunately, this ecological damage spreads far beyond Crimea, with direct implications for the broader Black Sea region.

Likewise, Russia's occupation of Crimea is having an adverse effect beyond the direct territory, and it is envisaged that participants of the Crimean Platform will discuss concrete ways to disrupt Russian activities that undermine the principle of freedom of navigation, disrupt supply chains and thus negatively affect, in particular, the stability of

²¹ Yuliya Kazdobina, 'Making the Crimean Sanctions Work: What Ukraine and the West Can Do to Increase the Efficiency of the Sanctions Regime' 23, no. 1 (2021): 62–64.

²² Svitlana Andrushchenko, 'The Environmental Impact of Military Actions in Eastern Ukraine and the

Annexation of the Crimea', *Ukraine Analytica*, 24 May 2016, <https://ukraine-analytica.org/the-environmental-impact-of-military-actions-in-eastern-ukraine-and-the-annexation-of-the-crimea/>.

international food security. In 2018 alone, Russia's tactic of boarding and carrying out deliberately time-consuming inspections of merchant vessels travelling to and from Ukrainian ports cost Ukraine's economy one billion hryvnas (£26 million).²³ In violation of the United Nations Convention for the Law of the Sea, Russia only targets vessels heading towards Ukrainian ports and holds them for unjustifiably long times; for example, the delay in passage through the Kerch Strait by Canadian bulker Federal Nagara reached 282 hours.²⁴ Such delays have considerable impacts on global food chains as Ukraine is the world's second largest exporter of grains.

²³ 'Omelyan Skazav, skyl'ky vtratyly ukrayins'ki porty cherez diyi Rosiyi v Azovi', Ukrinform, n.d., <https://www.ukrinform.ua/rubric-crimea/2566428-omelan-skazav-skilki-vtratili-ukrainski-porti-cerez-dii-rosii-v-azovi.html>.

²⁴ Ihor Kabanenko, 'Freedom of Navigation at Stake in Sea of Azov: Security Consequences for Ukraine

and Wider Black Sea Region', Jamestown, 6 November 2018, <https://jamestown.org/program/freedom-of-navigation-at-stake-in-sea-of-azov-security-consequences-for-ukraine-and-wider-black-sea-region/>.

As reflected by the variety of the subject matter covered in the preceding section, the Crimea Platform offers a wide-ranging, ambitious yet practical guide to addressing the numerous issues related to Ukraine. The international community has a vested interest in tackling many of these issues, whether to guard food security, prevent unnecessary conflagration or uphold international norms. As the target of Russian malign activity and one of Ukraine's strongest supporters and allies, Great Britain is well-placed to assume particular responsibilities and interests within the Crimea Platform. In doing so it can build not only on its Integrated Review but also on the strategic partnership it signed with Ukraine in 2020.

UK support for Ukraine

The UK and Ukraine's Strategic Partnership Agreement came into force on 1st January 2021 although talks began as early as 2017. Originally intended to maintain continuity with Ukraine's EU association agreement after Brexit, the Strategic Partnership Agreement eventually extended beyond this by focussing on tackling Russia's invasion of, and interference in, Ukraine. According to David Riley, Director of the Eastern Europe and Central Asia Directorate at the

Foreign, Commonwealth and Development Office (FCDO), the Strategic Partnership Agreement was intended as a "springboard" for a future relationship, and not as a "cap or a ceiling".²⁵

The agreement laid out seven general principles guiding the strategic framework. The first principle states that "respect for democratic principles, human rights and fundamental freedoms [...] and respect for the principle of the rule of

²⁵ Chatham House, *The UK-Ukraine Strategic Partnership: A Closer Look at the New Agreement*, 2020,

<https://www.chathamhouse.org/events/all/research-event/uk-ukraine-strategic-partnership-closer-look-new-agreement>. 35.00.

law shall form the basis of the domestic and external policies of the Parties and constitute essential elements of this Agreement". The second principle states that "promotion of respect for the principles of sovereignty and territorial integrity, inviolability of borders and independence also constitutes an essential element of this Agreement."²⁶ Both principles implicitly place Crimea at the heart of the agreement.

At the official signing, UK Prime Minister Boris Johnson sought to put the Strategic Partnership Agreement in a broader context:

The UK is Ukraine's most fervent supporter. Whether it's our defence support, stabilisation efforts, humanitarian assistance, or close cooperation on political issues, our message is clear: we are utterly committed to upholding the sovereignty and territorial integrity of Ukraine. The Partnership Agreement we signed today ... will bring increased security and

*prosperity for both the people of the UK and Ukraine.*²⁷

The forceful phrasing is fortunately reflected in the agreement's plan of action, which offers far more than just blandishments. As part of the Strategic Partnership Agreement, a "Memorandum of Intent" was signed between the Ministry of Defence of Ukraine and the UK Ministry of Defence (MOD) in October 2020 securing £1.25 billion to supply modern military equipment, arms and facilities to the Ukrainian Navy, among other commitments.²⁸ The UK will use this money to support Ukraine's ship building capability in Mykolaiv, to fund the regeneration of Ukraine's naval base facilities on the Sea of Azov and the Black Sea, and to increase the capability of the Ukrainian Navy's Mosquito Flotilla.

The Strategic Partnership Agreement took place in the same year as the UK not only continued but expanded Operation ORBITAL, an ongoing project led by the UK MOD.²⁹ Launched in 2015, the purpose of ORBITAL is to build Ukrainian military capacity and it encompasses a new

²⁶ 'Political, Free Trade and Strategic Partnership Agreement between the United Kingdom of Great Britain and Northern Ireland and Ukraine', 8 October 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/934935/CS_Ukraine_1.2020_UK_Ukraine_Political_Free_Trade_Strat_Partner_Agreement.pdf.

²⁷ 'UK, Ukraine Sign Partnership Agreement', accessed 1 April 2021, <https://www.ukrinform.net/rubric-politics/3114362-uk-ukraine-sign-partnership-agreement.html>.

²⁸ Nathan Gain, 'New Details Emerge on UK-Built FACM Vessels for Ukraine', Naval News, 10 March 2021, <https://www.navalnews.com/naval-news/2021/03/new-details-emerge-on-uk-built-facm-vessels-for-ukraine/>.

²⁹ Ministry of Defence, 'Operation ORBITAL Explained: Training Ukrainian Armed Forces', Medium, 21 December 2020, <https://medium.com/voices-of-the-armed-forces/operation-orbital-explained-training-ukrainian-armed-forces-59405d32d604>.

Maritime Training Initiative. Moreover, there are numerous ongoing projects that demonstrate the UK's commitment to Ukrainian security and rights, from initiatives to help Ukraine tackle serious and organised cross border crime, to support in the fight against corruption.³⁰

On the human rights front, the UK is funding the UN Human Rights Monitoring Mission in Ukraine (HRMMU), which is the only organisation with an operational mandate from the Ukrainian government to document and address human rights challenges across Ukraine, including in Donetsk and Luhansk, and in Crimea (albeit remotely for the latter). The UK also funds the *Release our Relatives* radio programme, which seeks to raise awareness of human rights protections in the context of political prisoners, and a scheme to promote fair trials for Ukrainian political prisoners in non-government controlled eastern Ukraine, Crimea and Russia.³¹ In February 2021, the UK also announced funding for a new project to improve access to vital services for Ukrainians living in Crimea.³²

Why should the UK expand and extend its support?

Most of the issues raised above have direct, indirect, or potential implications for the UK. First and foremost is the issue of security. Russia's heightened activities in the Sea of Azov and in the Black Sea herald a serious escalation in the conflict and pose a significant challenge to the UK's allies in NATO and its member-states in the region. The modernisation of the Russian Black Sea Fleet has involved extending new sea-based missile capabilities, increasing the risks to NATO infrastructure, equipment, and populations in the Black Sea region. On 25 November 2018, Russian forces blocked the passage, fired at and seized two Ukrainian navy ships and a tugboat, wounding six and detaining 23 Ukrainian service personnel. Four days later, Ukraine called on NATO to send ships to the area.³³

Avoiding similar flare ups, which could even lead to conflagration, requires the UK on its own and through NATO to take a firm line against Russia, maintaining a presence in the region to ensure freedom of navigation but also to act as a visual cue to remind

³⁰ All programme details available here: <https://www.gov.uk/government/publications/uk-programme-assistance-to-ukraine-in-2020-2021>.

³¹ Ibid.

³² Dominic Raab, 'Foreign Secretary Reaffirms UK's Solidarity with Ukraine on Seventh Anniversary of Illegal Annexation of Crimea', GOV.UK, 20 February 2021,

<https://www.gov.uk/government/news/foreign-secretary-reaffirms-uks-solidarity-with-ukraine-on-seventh-anniversary-of-illegal-annexation-of-crimea>.

³³ 'The Kerch Strait Incident', IISS, n.d., <https://www.iiss.org/publications/strategic-comments/2018/the-kerch-strait-incident>.

Russia of Ukraine's allies. Consistency is key if NATO is to avoid giving the impression of being unduly provocative. Getting this balance right – defending Ukraine without sparking conflict – will require careful monitoring of the situation in the Black Sea and Sea of Azov. It will no doubt also require careful management of NATO members too, with Turkey in recent years less inclined to allow NATO to engage in the area.³⁴

Likewise, the possibility of nuclear proliferation on the Crimean Peninsula is also worthy of the UK's – and international – attention and requires careful monitoring. The Crimea Platform is therefore useful for providing a space for dialogue and the scope for enhanced monitoring and analysis of what is happening on the occupied territory. Used in this way, the Crimea Platform can provide a mechanism for ensuring firmer, more informed action, and less bombastic and provocative rhetoric. Combined, these approaches will set clear red lines without being needlessly provocative. By assuming a firm and consistent stance against the Russian government's malign activity – wherever it may be – the UK has a chance to demonstrate the political and diplomatic resolve to commit to a

long-term strategy of resisting Russian aggression.

Securing the UK domestically will of course require action beyond Crimea; however, while far from the first evidence of the post-Soviet Russian state's willingness to use military force abroad, the annexation did represent a turning point – in terms of sheer audacity alone. As noted, the relatively weak immediate international response did nothing to deter Russia from further acts of aggression against Ukraine. This had a direct, and somewhat forgotten, impact on the UK when ten British citizens – passengers on Malaysia Airlines Flight MH17, were shot out of the air by Russian-backed separatists in east Ukraine using a Russian-origin BUK missile.

Less explicitly, it is in the UK's interest to take serious measures to work towards a de-occupation strategy in Crimea, and to show support for Ukrainian sovereignty, as this also signals an intention to restore the rules-based order and uphold international law. The Russian security services' poisoning of Sergei and Yuliya Skripal in 2018 suggests that the Russian government is not convinced that serious consequences

³⁴ Under the 1936 Montreux Convention, Turkey has control over and regulates the transit of naval

warships through the Bosphorus and Dardanelles Straits.

will follow even if it uses chemical weapons on UK soil. While a consistent and serious approach towards the Russian state's malign activities would require a multifaceted approach - including a crackdown on Russian government-affiliated elites parking their money in London - the Crimea Platform is welcome in that it provides scope for clear action that shows a long-term commitment to red lines, rather than merely unconvincingly describing them. In addition, even less dramatic cases of Russia's flouting of international norms, as with freedom of navigation, can and do have an impact on food and other global supplies, shortages of which will also affect the UK.

Finally, the UK should also be sensitive to the geostrategic benefits of assuming a leading role in the Crimea Platform, particularly as it looks to forge its post-Brexit role on the international stage. The Integrated Review revealed that the UK government is aware of the nature of the Russian threat and set out ambitions, if not a clear or detailed plan of action, for realising its vision of a Global Britain. Although this will involve a 'tilt' to the Indo-Pacific, the document is also clear that the UK still remains committed to European security, including working alongside its NATO partners. When placed in the context of growing resentment and

anger among several Central and Eastern European countries over Germany's decision to continue with the construction of the Nord Stream 2 pipeline, leading calls for greater resilience and deterrence against Russia could bring the UK influence in the eastern half of the continent. Realising these opportunities will require the UK to continue and to build upon its support for Ukraine.

Policy Recommendations

To enable this expansion, there are concrete steps available to the UK government that would confirm their intention to be the proactive partner described in the Strategic Partnership Agreement. The UK Foreign Secretary, Dominic Raab, has already welcomed the Crimea Platform publicly and the FCDO is working closely with the Ukrainian Embassy to develop the international format of the Platform. With the UK's future membership of the Platform almost a given, it is important to think of what steps the UK can take (within and without the Platform) to help Ukraine in its efforts to refocus the international community on Crimea. Listed below are ten specific measures that the UK government should consider:

1. For the Crimea Platform launch in August 2021, the President of Ukraine has invited over 100 foreign heads of state and government to Kyiv, including the UK Prime Minister. Boris Johnson should attend this in person. As a signal of the UK's commitment to Ukraine, there should also be a separate official visit to Ukraine in 2021 or 2022, as the last UK Prime Minister to visit Kyiv was Tony Blair in 2005.
2. To help promote Ukrainian sovereignty and the

international salience of Crimea's annexation, the UK should work actively with its allies and partners around the world, especially in the Commonwealth, to encourage them to support Ukraine in international organisations, including the UN General Assembly, when the issue of Crimea is raised.

3. Within the auspices of the Crimea Platform, the UK should support and work towards the establishment of an annual Security Forum for the Sea of Azov, Black Sea and Eastern Mediterranean as well as actively participate in its activities.
4. The UK should encourage NATO to work closely with Ukraine, either through close cooperation (Ukraine working with the Alliance towards a Membership Action Plan) or by establishing elements of the Alliance's forward presence in Ukraine. A full-scale NATO Maritime Training Mission in Ukraine could be based at the new naval facilities being built with UK assistance under existing agreements and partly financed by UKEF.
5. If the point above is a longer-term goal, then as an immediate step the UK should consider an urgent increase in

its military presence in the Black Sea and on the territory of Ukraine; for example, by deploying the UK's rapid response force 16th Air Assault Brigade for joint training, as happened in 2020, or by sending naval assets to the basin of Black Sea.

6. The UK government should contribute to regular joint expert events aimed at increasing monitoring and analytical capacity of the human rights situation in Crimea. This should include facilitating UK civil society experts to also attend and contribute to any such events and/or fora.
7. The UK should extend its existing Magnitsky-style human rights regime sanctions to target those officials involved in human rights abuses in Crimea.³⁵ Ukrainian civil society activists have produced a list of those involved in the persecution of Crimean human rights defenders that the UK should consider.³⁶

8. Given the role of the Russian state-imposed judiciary in facilitating political persecution, the UK should reconsider its blanket position on refusing to sanction judges. The judiciary in Russia and in occupied Crimea is not independent and actively facilitates human rights abuses, as has been documented in frequent reports.³⁷
9. The UK should sanction all Russian entities that function as intermediaries for Crimean organisations with the aim of avoiding international sanctions.³⁸
10. Going beyond the framework of the Crimea Platform, the UK should offer Ukraine support with vaccinations deliveries. Although supplies have slowed down recently,³⁹ the Russian occupation authorities have offered inhabitants of Crimea and East Ukraine the Russian-developed Sputnik vaccine. If the UK wants to prove that it is a staunch ally of Ukraine – and to send a message to

³⁵ 'UK Announces First Sanctions under New Global Human Rights Regime', GOV.UK, 6 July 2020, <https://www.gov.uk/government/news/uk-announces-first-sanctions-under-new-global-human-rights-regime>.

³⁶ Maria Tomak, 'Russia's Crimean Crimes Demand Tougher Sanctions', Atlantic Council (blog), 19 January 2021, <https://www.atlanticcouncil.org/blogs/ukrainealert/russias-crimean-crimes-demand-tougher-sanctions/>.

³⁷ 'Analytical Reports about Crimea', CrimeaSOS, n.d., <https://krymsos.com/en/reports/analitichni-zviti-po-krimu/>.

³⁸ A list of key entities can be found here: Andrii Klymenko, Tetyana Guchakova, and Olha Korbut, 'The Real Impact of Crimean Sanctions (9). The Updated "Crimean Sanctions Package"', BlackSeaNews, 6 June 2020, <https://www.blackseanews.net/en/read/163357>.

³⁹ 'Krymu ne khvataet vaksiny ot Covid-19 - Aksenov', RIA Novosti Krym, 24 February 2021, <https://crimea.ria.ru/society/20210224/1119296383/Krymu-ne-khvataet-vaksiny-ot-Covid-19-Aksenov.html>.

Ukrainians that their brave determination to pursue a democratic path is worthwhile – then we should provide vaccines.