



Issue description

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Introduction:

Since 2014 Ukraine is constantly facing hardships. After the 2014 revolution, which overthrew the former government, pro-Russian unrests started to emerge throughout the eastern parts of the country. The most notable one was the unrest at the Crimean Peninsula, where unknown armed individuals occupied governmental buildings, requesting a status referendum. After the results of the plebiscite were announced, the independence of the de facto Republic of Crimea was declared. After applying to join to the Russian Federation, the Russian annexation of Crimea officially started. In a few weeks' time unrest broke out in the eastern regions, including the oblasts of Donetsk and Luhansk. Russian supported militants are still fighting with the Ukrainian forces. The war claimed many lives on both sides and its peak was probably the downing of Malaysian Airways Flight 17. Numerous armistices were signed, but almost every single one of them was broken in a few days. In 2018 the Ukrainian government passed a law about the reintegration of the Donbass region, which includes reforming their Anti-Terrorist Operation in the region. Ukraine also had to face its loss of access to the Sea of Azov, as the Russian built Crimean Bridge was opened. What is more, Russia increased its military presence in the region, resulting in the decay of Ukrainian shipping through the Sea of Azov. In late 2018, three vessels of the Ukrainian navy were seized by the Border Service of Russia, as they were approaching the Kerch Strait in order to reach a Ukrainian port in the Sea of Azov. Both the crew and the ships are held in Russian detention.

Definition of key terms:

Spetsnaz

The Special Purpose Military Units of Russia, including the Ground Forces, the Russian Navy and the National Guard. They played an important role in the annexation of Crimea, as they were sent in, disguised as civilians. The group also appeared in the Syrian Civil War.

Kerch Strait

The only passage that connects the waters of the Black Sea and the Sea of Azov. It is economically important both for Russia and Ukraine. According to a 2003 treaty between Russia and Ukraine, both countries have the right of free navigation in the strait and in the Sea of Azov.

Donbass

A region, which historically meant eastern Ukraine and southwestern Russia, but nowadays it is used when speaking about the Oblasts of Donetsk and Luhansk in Ukraine.



Oblast

An administrative division used in Ukraine.

Martial law

Invoked by a congress, instead of the ordinary civilian government, the state is put under the direct control of the military, in order to prevent the escalation of a crisis. Martial law is mostly ordered in case of a civil unrest movement, occupation by an external power, but can be ordered in case of an environmental catastrophe as well.

General overview:

Annexation of Crimea

The Kerch Strait conflict can be seen as the latest peak of the Russian military intervention in Ukraine which flared up in February 2014, when Russia took military actions against Ukraine and annexed the Crimean Peninsula. Just after the 2014 Ukrainian revolution, which overthrew the pro-Russian government and made the former prime minister Viktor Yanukovich flee to Russia, on 27th February local paramilitary groups, with the help of unmarked soldiers of the Spetsnaz, the Russian special forces, took over the government buildings in Crimea. The Russian soldiers appeared in green military-grade uniform, without insignia, but with masks on their face. Because of their uniform, these soldiers are also referred to as “little green men”. Their equipment comprised of modern Russian military equipment, including Russian firearms, bulletproof helmets and ballistic vests. They seized and made checkpoints at the Simferopol International Airport, the Supreme Council in Simferopol, the military airfield in Sevastopol, numerous military bases and other strategically important locations. A few of those locations include the Isthmus of Perekop and the Chonhar Peninsula, the only two routes connecting Crimea with the mainland, at the time. The Russian built Crimean Bridge which spans the Kerch Strait was only finished and opened on 16th May 2018.

At First the Russian president, Vladimir Putin, declared that the Russian Armed Forces, have nothing to do with the well-equipped soldiers who appeared at Crimea. Instead he suggested that they are members of local paramilitary groups who confiscated the equipment from the Ukrainian Army. Despite the denial, nearly all the observers thought it was the Russian special forces who intervened, which later turned out to be true, on 17th April, when the president avowed that Spetsnaz were involved in the creation of the checkpoints.

On 27th February the Supreme Council, as the building was occupied by local paramilitary groups, held an extraordinary session, with all the doors locked and all the members of the parliament confiscated of their electronic devices by the armed militants, electing the former Deputy of the Supreme Council of Crimea, Sergey Aksyonov the new Crimean Prime Minister. In the same session, the council also decided to hold a referendum, on 25 March, on the status of the region.

On 1st March the Russian Parliament approved a request made by the president, which was about deploying military power in Crimea in order to protect Russian interests and public order in Crimea. One of the most significant antecedents of this request was Sergey Aksyonov's proclamation in which he stated that from that point, the military institutions of Crimea will be controlled by the new authorities. In his proclamation, he also requested support from the Russian president, in maintaining peace on the peninsula. On the next day the Russian invasion



started, with hundreds of soldiers entering Crimea. On 6th March the Crimean de facto government modified the date of the referendum to 16th March. Also, they left only two options to vote on, one of them was to restore the 1992 constitution and being a part of Ukraine, the other was to apply to join to Russia. The third option, sticking with the current relations with Ukraine and the 1998 constitution was removed.

On 15th March the UN Security Council voted on adopting a draft resolution claiming the forthcoming referendum illegal. The majority voted in support of the resolution, however, Russia vetoed it. On the next day, the pronounced results of the plebiscite shown that 97 percent of the voters voted in favor of joining Russia. The referendum is considered invalid by several countries. On 17th March the Supreme Council of Crimea declared the independence of the Republic of Crimea and on 18th March the treaty about Crimea joining and becoming a feeder subject of Russia was signed by both the Russian president and the representatives of the self-proclaimed republic. The Russian intervention triggered response from around the world. Several EU leaders and the US convicted Russia. The Group of Eight decided not to attend the formal G8 summit, but to instead host an independent meeting to reform the Group of Eight, without Russia. NATO also announced the suspension of all cooperation with Russia, be it civilian or military.

Unrest in Donbass

In the beginning of April other regions of Ukraine got involved in the conflict. Pro-Russian protesters occupied the governmental buildings in the administrative centers of the eastern Donetsk, Luhansk and Kharkiv Oblasts, demanding a status referendum on the subject of their independence. After the appearance of armed militants, the Ukrainian government announced the launching of the Anti-Terrorist Operation against the pro-Russian activists. The buildings in Kharkiv were liberated quickly in a day. However, in the other two regions, the conflict just escalated, the separatists were gaining territories constantly. In May, referendums were held in both Oblasts, resulting in the declaration of independence of the Donetsk People's Republic and the Luhansk People's Republic. It was reported, that in both cases more than 88 percent of the participants voted in favor of independence and the attendance rate was above 75 percent. However, it is also true for both voting procedures that no independent observers were present to validate the process, therefore no government recognizes the results officially. After being rescheduled because of the revolution, the Ukrainian presidential election was held on 25th May. Some electoral districts were left out from the election, due to the constant conflicts between the Ukrainian military and the activists of the self-proclaimed states. Petro Poroshenko, a businessman with pro-western platform, was elected as the President of Ukraine.

On 26th May the Ukrainian Anti-Terrorist Operation successfully regained control over the Sergei Prokofiev International Airport in Donetsk, after a two days long combat. Starting from May, numerous Ukrainian aircrafts were shot down above the separatist-controlled regions, causing many casualties. Among the aircrafts of the Ukrainian Airforce, the activists also shot down Malaysia Airlines' Flight 17, a passenger plane, on 17th July. The incident claimed 298 lives. The launcher used, a surface-to-air missile launcher, was said to had been transported from Russia. The Ukrainian prime minister accused Russian military personnel with committing the act. It is also believed that the shutdown of the passenger plane was an accident, since the launcher which was used is designed to be used with an external radar, but this time there was no external radar connected to the system, so the on-board radar had to be used, which is only a rudimentary one, giving inaccurate image.

In June Ukrainian forces launched a major offensive in order to regain control over the borders with Russia in the western territories, which were previously lost due to the advancement of the separatist forces. While having a common border with the separatists, Russia was accused of



supplying the people's republics with firearms, ammunition, explosives, vehicles, regular soldiers and Spetsnaz members. Even though actual satellite images recorded Russian convoys travelling to the rebel-controlled areas, the president denied supporting the rebels with equipment, saying Russia only sent humanitarian aid to the region. Putin also mentioned that the weapons possessed by the separatists are probably weapons that they had stolen from the Ukrainian military during the combats. The liberation of the borderline would have meant the termination of the connection between Russia and the activists, which would have been a huge disadvantage for the rebels. In order to avoid that happening, between July and September Russia launched several missiles from Russian territory, targeting Ukrainian military bases. Russia denied committing such deeds, while the Bellingcat investigative journalism group claimed to have proven that many of the missiles were actually launched from Russian territory, using satellite images and other detection techniques.

In late August a group of unidentified armed individuals, wearing green uniforms, just as in the case of the Crimean annexation appeared in the region of Donbass. Some of them were captured and interrogated by the Ukrainian forces, the individuals claimed they are members of a Russian paramilitary group. NATO not only confirmed the presence of Russian troopers and military equipment, but the shelling processes as well. What is more, the Russian artillery forces were also accused with crossing the border. In the meantime, a Ukrainian naval ship was shot at from the coast of the Sea of Azov, by pro-Russian militants.

On 5th September, as a measure to restrain the war in the region of Donbass, the Minsk Protocol was signed by the representative of Ukraine, the Donetsk People's Republic, the Luhansk People's Republic, and the Russian Federation, agreeing on an immediate bilateral ceasefire. However, the ceasefire was broken shortly, by both sides. On the other hand, NATO confirmed the withdrawal of Russian soldiers from the rebel-controlled areas and the borderline. In first month of 2015, the conflict just escalated, the war reached one of its bloodiest periods. As an answer to the failed Minsk Protocol, another summit in Minsk was held on 11th February, agreeing on Minsk II. This was also violated in just a few days and the fiercest fighting around the city of Debaltseve continued. But in two weeks' time, both parties started to come to accordance with the ceasefire, withdrawing artillery from the frontline. Even though minor clashes still persisted, no large-scale battle was fought in the upcoming period. The peaceful period lasted until January 2017, when the race for the industrial zone of the city of Avdiivka, which was a buffer zone before, reached its peak. From March 2016 the Ukrainian army started to set up tactical points, in order to gain control over the region. It is not known that which party initiated the fight, but on 29th January heavy fighting broke out, which had not been seen since 2015. In 2017 many ceasefires were issued but all of them were violated almost instantly.

On 18th January 2018 the Ukrainian government passed the Donbass reintegration law with about a 2/3 majority, about recapturing the separatist controlled regions. The law described the Donbass region as temporarily occupied, and declared that for every financial, moral and physical damage caused in the war, the Russian Federation is to be held accountable. After the promulgation of the reintegration law, the Ukrainian president, Petro Poroshenko announced that the Anti-Terrorist Operation in the occupied regions will end in May, and will be replaced with the Joint Forces Operation, saying that the Anti-Terrorist Operation has been completed. This reformation and name changing can be traced back to the fact that the Ukrainian government wanted to emphasize in the name that they are not dealing with terrorists or paramilitary groups, but with Russian aggression. Since it is not an internal security issue, but a conflict involving external parties as well, the responsible body for the Joint Forces Operation will not be the Security Service of Ukraine, like in the Anti-Terrorist Operation, but the Armed Forces of Ukraine. The Commander of the Joint Forces Operation stated that one of their main assignment will be to stop equipment smuggling through the Russian border. However, for the



first time, in August, the Special Monitoring Mission (SMM) of the Organization for Security and Co-operation in Europe (OSCE) captured footage about convoys of military trucks crossing the border between Russia and Ukraine on an unguarded dirt road. Russia responded by asserting that on the trucks only food and medicine was transported for the people, who live in the war-torn zone. The same mission also recorded frequent ceasefire violations, by both sides. In December the Chief of the General Staff of the Armed Forces of Ukraine declared that the Joint Forces Operation regained control over several settlements in Donbass, while complying with the regulations set by the Minsk agreements.

Conflicts at the Sea

In the meantime, Ukraine had to face another issue, in the Sea of Azov. Their access to the port of Mariupol, in the Sea of Azov became endangered after the opening of the Russian built Crimean Bridge in May. The bridge does not only restrict passing vessels by its physical size, but it also serves as a wall, controlled by Russia. Mariupol is a crucially important industrial port in the economy of Ukraine. Just after the armed conflicts in the city had settled, and the port could have started functioning normally once again, the more and more frequent inspections by the Russian authorities have started causing delays for the Ukrainian ships travelling beneath the bridge, which often exceed a week's time. This causes huge losses to the owners. What is more, Russia significantly increased the presence of its border guard and naval vessels. All this results in a 25 percent drop in Ukrainian shipping from the Sea of Azov. As a response to Ukraine arresting a Ukrainian-registered Crimean fishing vessel sailing under the Russian flag in March, Russian border guards arrested a Ukrainian fishing vessel in the Black Sea, saying they violated Russia's exclusive economic zone, by fishing in it. According to a 2003 treaty titled Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait, the Sea of Azov and the Kerch Strait are recognized as important for both countries' economies, therefore both countries should have the right to use it freely. The treaty says that both signatories have the right to inspect ships in the Sea of Azov, which were carried out in the past regularly with no conflicts. However, that turmoil-free era on the seas has ended on 25th November 2018. Three vessels of the Ukrainian Naval Forces, two gunboats and a tug were seized by the Border Service of Russia, the agency responsible for border security. The Ukrainian convoy was travelling towards the Kerch Strait, towards the Sea of Azov, when their route was intermitted by the Russian forces. The ships' original plan was to complete a route from the port of Odessa, in the Black Sea, to the port of Mariupol, which is only possible through the Kerch Strait, since it is the only passage connecting the waters of the Sea of Azov and the Black Sea. In late September two naval vessels completed the exact same route, without experiencing any conflicts. As the Ukrainian flotilla proceeded towards the strait, the Russian forces accused them of violating Russian territorial waters and requested them to immediately turn back. Later they also claimed that the Ukrainian convoy failed to respond to their radio messages multiple times. The Ukrainian crew tried to refute the accusation by referring to the 2003 treaty between Russia and Ukraine which declares that any ship sailing under the flag of either the Russian Federation, or Ukraine, has right to navigate freely both in the Sea of Azov and in the Strait of Kerch. Knowing their reasoning was legitimate, the Ukrainian convoy continued their route which caused the Russian forces to respond with a more severe step. This step comprised of immobilizing and boarding the Ukrainian ships by force. As a result, the smallest of the Ukrainian vessels was rammed by the Russian Border Guard. However, during the attempt, not only the Ukrainian tugboat, but one of the Russian ships took damage as well, most likely from another Russian vessel. The Ukrainian flotilla tried to stay on its route. As an answer, the Russian authorities moved a large cargo ship underneath the Crimean Bridge, blocking the passage towards the Sea of Azov. Seeing the lack of possibility to enter the Sea of Azov, the Ukrainian flotilla turned back. As a



response, the Russian Border Guards started chasing the Ukrainian convoy, and to stop them, they opened fire. In similar cases, usually the engine is the part of the ship which is targeted, but pictures of the damaged Ukrainian gunboat show that it received a hit on the side of its body. This could be the result of extremely inaccurate shots, but it also shows the possibility that the Russian Border Guard may have aimed at the side on purpose. Firing at that exact position endangered the lives of numerous crew members unnecessarily. The result of the shots was injured crew members and disabled vessels which were later seized by the Russian forces. Two of the 24 crew members were injured, and the entire crew is currently held in Russian custody. This has been the first open conflict between Russia and Ukraine since the annexation of Crimea. After the incident, the Supreme Council of Ukraine decided to order martial law in 10 oblasts of Ukraine from 28th November, in order to avoid Russian invasion. The martial law automatically expired in 30 days. During this time no Russian man between the age of 16 and 60 was allowed to enter Ukraine.

After the incident, news emerged that the German Chancellor, Angela Merkel, and the Russian president agreed on sending German and French specialists to the Kerch Strait in order to monitor shipping traffic. Later Russia's Deputy Minister of Foreign Affairs declared that the agreement was not about permanent observation, but rather about a single occasion when the specialists could enter the area and collect relevant data.

Major Parties Involved

Ukraine

Ukraine has been experiencing a constant unrest since the revolution in 2014. Since NATO sees a stable and democratic Ukraine as the key of Euro-Atlantic peace, it has been contributing with Ukraine since the 1990s. After the conflict between Ukraine and Russia, on a meeting with the Ukrainian president, NATO reaffirmed that it is supporting Ukraine's sovereignty and territorial integrity.

Russian Federation

As the main supporter of the separatist forces, Russia plays a big role in the Ukrainian Crisis. Its actions, involving the annexation of Crimea and the seizure of the three Ukrainian vessels, have been condemned by numerous countries and organizations over the world, including NATO.

NATO-Ukraine Commission (NUC)

Established in 1997, one of its main tasks is to develop relationship between NATO and Ukraine.

Donetsk People's Republic (DPR), Luhansk People's Republic (LPR)

The two self-proclaimed republics in the Donbass region, which are in war with the Armed Forces of Ukraine since 2014. The commonly accepted viewpoint says they are backed by Russia, both with equipment and combatants, while Russia constantly denies sending any form of supply.



Timeline of events:

- 2003 – Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait
- February 2014 – Ukrainian revolution
- February 2014 – Paramilitary groups take over government buildings in Crimea
- 2nd March 2014 – Russian annexation of the Autonomous Republic of Crimea
- May 2014 – Referendums in Donetsk and Luhansk
- 8th August 2016 – As the conflict renews, Russia increases its military presence near the Crimea demarcation line
- 30th April 2018 – the Anti-Terrorist Operation has been completed in Donbass
- 25th November 2018 – conflict in the Kerch Strait

Previous attempts to solve the issue:

As we have seen, the current method of issuing peace treaties and armistices is not working in this situation. There were 20 or so armistice attempts during the conflict in Donbass, however, all of them seemed to be a failure. The treaties did not have enough power to restrain the parties from fighting. Also, the parties could easily give themselves a legal reason for breaching the agreements, saying the other has violated the terms, therefore they had to respond. Also, numerous sanctions by the EU were implemented both against Russian firms and individuals but none of them succeeded in improving the situation. The Parliamentary Assembly of the Council of Europe accepted a resolution in January 2019, which calls Russia to provide the necessary medical and legal assistance to the crew of the seized vessels, as it is defined in the 1949 Geneva Conventions. The same resolution also urges Russia to release the captured servicemen.

Possible solutions and approaches:

One possible solution for ending the conflict could be sending UN peacekeepers to the Donbass region, to ensure the implementation of the Minsk agreements by both fighting sides. However, it is not as simple as it sounds. Firstly, peacekeeping forces cannot just be deployed all over the region at once. There has to be a well-thought-out plan on building up the presence gradually. Secondly, deciding which nations should participate in the program needs careful negotiations. What is more, Russia would most likely not accept having UN forces on its border with Ukraine.



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Annex:



- Source: Ukraine National Security & Defence Council, Ukrainian navy, Ukrayinska Pravda, Kommersant **BBC**
- Up: Map of the route of the Ukrainian convoy on 25th November
- Down: Map of the rebel-controlled areas in Donbass



- Martial law in Ukraine **BBC**