

# Change in the Status of the Crimean Tatars: from National Minority to Indigenous People?\*

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## Abstract

Starting from the 1950s the term “indigenous peoples” has gained a tenacious worldwide popularity thanks to growing academic focus on the rights of Indian and Inuit peoples. Contiguous normative efforts of some influential international organizations such as International Labour Organization, World Bank, and United Nations also encouraged the instrumentalization of the term by some right-seeking disadvantaged groups. Since the 1990s, the Crimean Tatars have also strived to be recognized as “indigenous people of Crimea”. They eventually seemed to have reached their goals. Ukrainian parliament gave the status of indigenous people to Crimean Tatars after Russian Federation’s seizure of Crimea in March 2014. However, the seizure itself prevented the implementation of the parliament act. This article mainly focuses on the reasons behind Tatar claims for gaining the indigenous people status as well as Ukraine’s and Russian Federation’s reactions to those claims. The main objective of the article is to identify historical changes in the status of the Crimean Tatars.

## Keywords

Crimean Tatars, National Minority, Indigenous People, Ukraine, the Russian Federation

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## Introduction

Etymologically the word “indigenous”, meaning naturally existing in a place or country rather than arriving from another place, or native (Cambridge Dictionaries Online <http://dictionary.cambridge.org/dictionary/british/indigenous> last accessed on 01.05.2015), stems from the Latin word *indigena* (Merriam Webster Dictionary <http://www.merriam-webster.com/dictionary/indigenous> last accessed on 01.05.2015). Historically, the use of the word as a form of self-identification was not common. For example, as Shane Greene (2008: 249-250) notes, many Andian communities in Peru historically preferred using the term *campesino* or provincial forms of self-identification rather than *indigena*. Likewise, in Tsarist Russia, the Russian state bureaucracy - not the native peoples themselves - used the term *tuzemtsy* (native, literally those lands’ people) at the early stages of Siberian expansion, to denote Siberian non-Russians.<sup>1</sup> Until 1930s, Soviet state used the term *korennoy narod* (indigenous people, literally rooted people) to emphasize the connection between the people and the land. The term also signified the official recognition of the people as a distinct ethnic community.<sup>2</sup> However, Stalin introduced the term *malochislenniye narody* (small-numbered peoples) in order to eliminate any claims linked to the territory (Varfolomeeva 2012: 32).

After the Second World War, the global rise of ethnic politics (Greene 2006: 250) and the gradual integration of “indigenous peoples” concept into the collective rights conceptual framework (Bowen 2000: 12) facilitated the increasing circulation of the word “indigenous” among native peoples. Under those circumstances, the idea of “the sons of the soil”, which signified a prior right to the disposal and use of the land because of being the earliest occupants, became commonplace (Sadik 1998: 10). Crimean Tatars’ long-lasting claims for their indigenesness were not an exception.

This article focuses primarily on Crimean Tatars’ self-identification endeavour for their indigenesness and their current status. The article firstly discusses the global rise of indigenism and its preliminary results in international politics. After giving brief information about Tatar historical roots in the Crimean Peninsula, the article scrutinizes the reasons behind Tatar claims for gaining the indigenous people status and Ukrainian and Russian Federation’s reactions to those claims.

## The Rise of Indigenism

Indigenism is a term used to describe the international movement that aims to support and defend the rights of the world's 'first peoples' (Niezen 2003: 4). Although the concept of indigenous peoples has its roots in a primordial identity related to land and culture (Niezen 2003: 3), the usage of the term "indigenous peoples" and the rise of indigenism are ironically new phenomena (Hannum 1996: 75). An influential international organization of post-World-War I, the International Labour Organization (ILO), became the centre for the articulation and dissemination of the concept. As early as 1921, the ILO started to coordinate a series of studies on indigenous workers (Hannum 1996: 77). In 1957 the ILO adopted the first binding multilateral document (The ILO Convention on Indigenous and Tribal Populations in Independent Countries No: 107) recognizing some land rights of the indigenous people (Barsh 2001: 14). However, the logic behind ILO's early efforts was merely the integration of indigenous populations into the titular nationality (Vik 2013: 518-519).

The "integrational approach" of the Convention No: 107 started to be questioned during the codification initiatives of the 1970s (International Labour Organization Web Page [http:// www.ilo.org/indigenous/Conventions/no107/lang--en/index.htm](http://www.ilo.org/indigenous/Conventions/no107/lang--en/index.htm) last accessed on 27.05. 2015). For example in 1971, as a response to the integrational approach, UN Special Rapporteur Jose Martinez Cobo started to prepare a report called "Study of the Problem of Discrimination against Indigenous Populations". Cobo's basic object was to foster the unique identities of the indigenous peoples (United Nations Permanent Forum on Indigenous Issues Web Page [http://undesadspd.org/IndigenousPeoples/LibraryDocuments/Mart%C3%ADnez\\_CoboStudy.aspx](http://undesadspd.org/IndigenousPeoples/LibraryDocuments/Mart%C3%ADnez_CoboStudy.aspx) last accessed on 30.05.2015). ILO Convention No: 169 Concerning Indigenous and Tribal Peoples in Independent Countries (1989) followed Cobo's path in recognizing indigenous peoples' distinct identity (Varfolomeeva 2012: 13). ILO Convention No: 169 had two main objectives related to the identity sphere: guaranteeing the respect for the cultures, ways of life, and traditional institutions of indigenous peoples, and fostering effective participation of those peoples in decision making processes that affect them (Sargent 1998: 456).

Thanks to the rhetorical success of the codification efforts of the 1970s and 80s, popular interest towards the concept of indigenous peoples has increased tremendously since the late 1980s. The discovery of the interconnectedness of the indigenous people status with legal protections classified in international treaties encouraged “peoples” to claim their indigenousness (Corn tassel 2003: 76). As Jeff J. Corn tassel (2003: 76) and Erik Larson (2007: 125) state, even the descendants of the Dutch colonizers of South Africa (*Afrikaner*) worked for obtaining the status of indigenous people at the 1994 and 1995 meetings of the UN Working Group on Indigenous Populations.

The global rise in the indigenous people status claims naturally raised the issue of definition. Starting from the late 1970s, the definition of indigenous people concept has preoccupied academic theorists, right-seeking groups, as well as the bureaucratic cadres of states, and has been a source of controversy. Generally speaking, right-seeking groups mostly advocated self-identification approach because they feared from the misuse of any objective criteria by states to exclude certain groups. For example in 1977, in the second general assembly of the World Council of Indigenous Peoples, a resolution giving only indigenous peoples the right to define their status was passed (Corn tassel 2003: 75). To contravene any “extreme” claims by groups for indigenous status, the bureaucratic cadres of most states opposed self-identification. Some of them strained to bring about definite objective criteria and some alternatively tried to exploit the ongoing vagueness of the concept (Summers 2007: 245-246, Göcke 2013: 19).

The international law tried to build a bridge between two opposing sides. In both Cobo’s work and ILO Convention No: 169, self-identification was considered as a fundamental criterion for the identification of indigenous and tribal peoples, (Aponte 2010: 248, International Labour Organization Web Page <http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm> last accessed on 30.05.2015) however it was balanced with some objective criteria. For example, Cobo set forth historical continuity with pre-invasion and pre-colonial societies and non-dominant position in society as two objective criteria (Meijknecht 2001: 74). As John R. Bowen rightfully asserts, indigenousness should easily turn into the legitimization tool of politically or militarily dominant groups for their exclusionist and/

or racist practices and in the final analysis becomes a factor in endangering democracy in a society. In this context, Cobo's non-dominancy criterion becomes a critical point for the protection of democracy in societies where indigenosity constitutes the basic source of controversy between dominant groups and minorities (Bowen 2000: 14). Similar to the Cobo's work, ILO Convention No: 169 designated the presence of traditional life styles, social organization, political institutions, and historical continuity with pre-invasion period as objective criteria along with self-identification (International Labour Organization Web Page <http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm> last accessed on 30.05.2015). With the effect of those efforts, at least the links indigenous people have with pre-invasion lands become almost universally accepted objective criterion that differentiates indigenous people from minority (Meijknecht 2001: 74-75).

Historical evidence shows that, claims on special cultural and historical ties to the indigenous territory prompted sequent demands for self-determination that have been echoed in basic documents of international law (Bowen 2000: 12, Kingsbury and Grodinsky 1992: 387). For example, Article 3 of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which was adopted by an overwhelming majority vote at the UN General Assembly in September 2007, recognizes the right to self-determination to indigenous people (United Nations Web Page [http://www.un.org/esa/socdev/unpfi/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf) last accessed on 11.02.2016). The article follows a broader definition of self-determination (Wiessner 2008: 1160) which includes the determination of the political status and the pursuit of economic, social, and cultural development (United Nations Web Page [http://www.un.org/esa/socdev/unpfi/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf) last accessed on 11.02.2016). Article 4 of the declaration concretizes the internal nature of the right of self-determination. According to this article, "indigenous peoples in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions" (United Nations Web Page [http://www.un.org/esa/socdev/unpfi/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf) last accessed on 11.02.2016).

Self-determination right given by the UNDRIP is not unrestricted. According to Article 46 of the declaration, it has to be exercised in a manner com-

patible with the territorial integrity or political unity of sovereign states. In other words, territorial integrity and political unity constitute the two vogue restriction rationales of the right. However, the declaration constitutes a comprehensive document devoted to the rights of indigenous peoples such as the right to participate in decision making, rights to lands, territories and resources, and rights to culture. Additionally, in the preamble and the Article 30 of the declaration, the demilitarization aim can be clearly seen. Article 30/1 of the declaration states that: “Military activities shall not take in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned” (United Nations Web Page [http://www.un.org/esa/socdev/unpfii/documents/DR\\_IPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DR_IPS_en.pdf) last accessed on 11.02.2016). It should be noted that, both the Russian Federation and Ukraine abstained in the voting on draft resolution (UN Human Rights Office of the High Commissioner Web Page <http://www.ohchr.org/EN/Issues/IPeoples/Pages/Declaration.aspx> last accessed on 29.08.2016).

### **Tatar Historical Roots in the Crimean Peninsula**

The first known settlers in Crimea were the Greeks. In the 6th and 5th centuries B.C. Greeks established colonies called *Chersonesus* (near the modern city of Sevastopol) and *Pantykapei* (near the city of modern Kerch) in the Crimean Peninsula (Holovaty 1996: 136, Bähler 2006: 156). Following the enduring dominance of Greek colonizers, the earliest known Turkic invaders of Crimea were Huns. During the second half of the 4th century A.D., Huns successfully invaded parts of the Crimean Peninsula (Kırımlı 2011: 84). Later on, Turkic Khazar Empire took control in the peninsula by the end of the 7th century. After the disintegration of the empire, Pechenegs and Kumans – two tribes of Turkic origin - dominated Crimea until the 13th century. Despite the influence of Byzantines, Venetians and Genoese in some coastal cities of Crimea, the tribes of Turkic origin left a strong cultural and linguistic legacy to the Crimean Tatars (Kırımlı 2011: 85).

Another important milestone in Crimean history was the occupation of Crimea by the armies of Mongol Genghis Khan in the 1240s. After the dissolution of the Great Chinghiside Empire, Crimea became a territory of the western branch of the Mongolian Empire, the Golden Horde. By the influence of the demographic dominance of Turkic tribes over Mongolians, the

Golden Horde became gradually Turkified and Islamicized (Kırımlı 2011: 85).<sup>3</sup> During the second half of the fourteenth century, the Golden Horde lost power by foreign invasions of Lithuanians from the north and Timur from the east. Throughout this turmoil, Crimean Khanate was established in the mid-15th century (Özarslan 2014: 98, Magocsi 2010: 177), but due to an internal political crisis and increasing military presence of Ottomans in the north of the Black Sea<sup>4</sup>, the Khanate recognized the overlordship of Sultan Mehmet II in 1478 (Setton 1997: 334).

### **Outward and Inward Migrations**

Russians were latecomers to Crimea. Russian suzerainty in the peninsula was established in 1783 during the reign of Catherine the Great, after the Turco-Russian War of 1769-1774. Baron Igel'strom and Prince Potemkin, as the architects of new Russian policy towards the Crimean Tatars, proposed a tolerance program towards the Peninsula's Muslims (Fisher 1987: 71-72). Throughout this program, the Crimean Muslims legally sustained freedom of religious profession and worship, property rights and equality before the law (Roberts 2007: 157). On the other hand, Islamic clergy was integrated into the imperial bureaucracy and Muslim institutions were opened under the control of the government (Fisher 1987: 71).

Shortly after, despite the presence of a "positive program" towards the Crimean Tatars, de-facto Russian pressure against the Tatars made by local Russian administration in Crimea increased (Eren 1998: 326). A series of voluntary migrations is followed by mass deportations. For example, after the dismissal of Khan Shahin Giray, a part of the Crimean Tatar community strongly tied to Khan and a Tatar community in Kefe left the country (Fisher 1987: 78). Turco-Russian War of 1787-1793 and the Peace of Jassy, revealed the impossibility of any further Ottoman dominance in the region and created an impetus for further migrations. Migration statistics of Crimean Tatars vary, with estimates of total emigrants ranging from 300.000 to 500.000 between the years 1783 and 1853 (Eren 1998: 326). Prior to the Crimean War, the total number of Crimean Tatars in the peninsula was between 275.000 and 295.000 according to different estimates (Williams 2001: 173). The Crimean War of 1853-1856, The Turco-Russian War of 1877-78, Soviet ideological deportations of late 1920s, and finally Stalin's mass deportation of 1944 virtually removed Tatar presence in Crimea (Özarslan 2014: 99-100). In

1959, 1970, and 1979 Soviet censuses Crimean Tatars were excluded from the nationalities list (İzmirli 2008: 238). According to some estimates, Tatar population in Crimea was only 10.000 in the late 1970s (Ozhiganov 1997: 94). According to the 1989 population statistics of the Soviet Union, the Crimean Tatars constituted only 1.6 % of the Crimean population (38.365 people) (Yevtouxh 1995: 72).

On the other hand, large-scale emigration of Russian speaking Soviets to Crimea became another factor distorting the demographic majority of Tatars. As İdil P. İzmirli (2008: 228) states, nearly 90 % of the Crimea's ethnic Russian inhabitants settled in Crimea following the mass deportations of Crimean Tatars after the Second World War. The primary wave of Russian migration and settlement (roughly 51.000 Slavs) was organized in line with a *GKO* (State Defence Committee) decree of August 14, 1944. Throughout the contiguous migration waves, Russian and Ukrainian settlers (the majority of them were Soviet military personnel and workers in the tourism sector) gradually filled the vacuum left by the deported Tatars in the peninsula (İzmirli 2008: 228, 231, Kuzio 2014: 103, Bowring 2005: 71).

### **The Historical Roots of Crimean Tatars' Indigenousness**

In addition to their long and deep-rooted history in the peninsula, the Crimean Tatars enjoyed a brief interlude of semi-independence shortly after the disintegration of the Russian Empire between November 1917 and January 1918 (Bukkvoll 1997: 55). In this context, the Crimean Tatar community convened the first *Crimean Tatar Kurultai* in Bakhchisarai on 24 November 1917. *The Kurultai* as a de facto legislative authority in Crimea appointed a military commander and an executive authority – the National Directory. It also adopted a “Crimean Constitution” (Pipes 1997: 81). What is more, in December 1917, *Milli Fırqa*, a nationalist party of the Crimean Tatars, proclaimed independence under the leadership of Numan Chelebichan. However, after the establishment of the Bolshevik authority in the peninsula, in January 1918, the *Kurultai* and the National Directory were abolished and Chelebichan was executed (Uehling 2004: 36).

In April 1918, the fate of the Crimean Tatars was changed once again with the German occupation and the contiguous Bolshevik-German confrontation. On the other hand, starting from the surrender of German troops in



November 1918, Crimea hosted the last remnants of the White Army until the reinvasion of Crimea by the Bolsheviks (Kırımlı 2013: 1939). During the early months of this turmoil, some Tatar groups supported German forces in German-Bolshevik struggle. For instance, Cafer Seydahmet allied with German officials to organize a Muslim cavalry in Dobruca – a Romanian coastal area, where several Tatar historical settlements were found. Under the command of General Suleiman Sulkiewicz, the Tatar forces assisted the German army against the Bolsheviks (Williams 2015: 67). However, after the defeat of the German forces, most of the organized groups of the Crimean Tatar community allied with Bolsheviks against the White Army because of the White Army's indifference to Crimean Tatars' national rights (Kırımlı 2013: 1939). For example, Veli Ibrahimov, one of the most influential leaders of the leftist fraction of the *Milli Fırqa*, organized a struggle against the Whites. Nevertheless, the Crimean Tatar community was deeply frustrated following the final victory of the Bolsheviks, because of the local communist party's reluctance in recognizing Crimean Tatars' national rights, its policy of establishing large state farms (*sovkhoses*), and the repressive activities of the secret police (*Crimean Cheka*) (Williams 2015: 69).

In response to those policies, some Crimean Tatar groups organized a guerilla campaign in Yaila Mountains against the Bolshevik authorities (Williams 2015: 69). Correspondingly, powerless in its attempts to stop the development of the Crimean Tatar movement, the central administration commissioned Sultan Galiyev – a Volga Tatar Communist Leader – to solve the issue. Galiyev recommended a kind of self-rule for the Crimean Tatars (Uehling 2004: 36) and the Bolsheviks followed Galiyev's recommendations. On 18 October 1921, following a negotiation process between Tatar representatives and Russian communists, *Sovnarkom* (Soviet Narodnyh Kommissarov – Council of Peoples' Commissars) of the Russian Soviet Federated Socialist Republic (RSFSR) approved the formation of the Crimean Autonomous Soviet Socialist Republic (CASSR) as an integral part of the RSFSR (Fisher 1987: 133-134). As Aydingün points out, although the name of the state did not imply the titular name of "Tatar", the 1920s constituted a decade of liberty for the Crimean Tatar community (Aydingün 2013: 1950). As İzmirlı rightfully notes, the territorial autonomy granted to the Crimea was a clear sign for the recognition of a de-facto indigenous status for the Crimean Tatars in the peninsula (İzmirlı 2008: 230).

Under the leadership of Veli Ibrahimov and *Milli Firka*, Crimean Tatars enjoyed 30 % and 60 % of the party and governmental seats respectively. Apart from the nativization (*korenizatsiya*) efforts in the Crimean *nomenklatura* (bureaucratic elite), the Crimean Tatar language became the language of instruction in Crimean elementary schools (Özçelik 2016: 169). Moreover, the Crimean Tatar language was recognized as an official language together with Russian in 1921, 1926, and 1938 Constitutions of the Autonomous Republic (Bowring 2009: 61). It should also be noted that some scholars question the intimacy of Bolshevik policies. For example, according to Kırımli, those compromises of the Bolsheviks were only tactical. The Bolsheviks made those symbolic gestures to guarantee the loyalty of the Crimean Tatars to the newly established regime and disseminate a propaganda message to the eastern communities (Kırımli 2013: 1939).

### **1960s to 1980s: Indigenousness Claims without a Reference to the Concept of “Indigenous People”**

The Autonomous Republic status of Crimea did not last long. Following the mass deportations of 1944, the CASSR was formally abolished on 30 June 1945 and the region was transformed to an ordinary *oblast* (region) of the RSFSR. On 19 February 1954, the Presidium of the Supreme Soviet of the USSR decided to transfer the Crimean Oblast from the RSFSR to the Ukrainian Soviet Socialist Republic (SSR) (Liber 2016: xxi). On 5 September 1967, the Presidium of the Supreme Soviet of the USSR formally denounced the unjustly deportations, but did not agree to grant a settlement permission to the deported Crimean Tatars in their native lands (Minahan 2000: 190). The decree<sup>5</sup> mentioned about the Crimean Tatar deportees’ rootedness in Uzbekistan with the word “*ukorenilis*” (taken root), but did not grant their right to return to the Crimean Peninsula. In other words, the decree of 1967 ironically overlooked the primordiality of Tatars in Crimea while creating an artificial “rootedness” discourse of deported Crimean Tatars in Uzbekistan (Williams 2015: 125-126).

During the 1960s and 1970s, the Crimean Tatar national movement adopted a policy of non-violent protest based on the methods of petitions, public meetings, street demonstrations, and other mass gatherings (Abdulganiyev 2002). For instance, it is estimated that, between 1956 and 1973, the Crimean Tatar movement introduced 66 national documents with 4

million signatures (Zisserman-Brodsky 2003: 132). During the period of “Khrushchev Thaw”, the Crimean Tatar petitions almost always appraised Lenin’s policies regarding Crimea and denounced Stalin’s human rights violations. Lenin’s monuments or statues became rallying points in most of the public meetings and street demonstrations (Zisserman-Brodsky 2003: 133-134). The Crimean Tatars also tried to use international law to protect and promote their own national goals. As James Minahan (2000: 190) rightfully asserts, the primary goal of the demonstrations and protests was to bring the Crimean issue before the United Nations and some other influential international organizations. However, Crimean Tatar movement refrained from using the concept of “indigenous people” in their petitions until 1990s. *Propiska* (residence permit) problems, imprisonment of Tatars (Uehling 2004: 41), and the calls for restoration of the CASSR and autonomy (Zaslavsky 1982: 122, Zisserman-Brodsky 2003: 133) – rather than the status of indigenoussness - became main subjects of controversy. On the other hand, some younger factions of the Crimean Tatar national movement sought to link their struggle to the wider dissident movement in the USSR (*Encyclopedia of Nationalism...* 2001: 253). In this context, they managed to get the support of human rights activists such as Alexei Kosterin, Petro Grigorenko,<sup>6</sup> Andrei Sakharov, Yelena Bonner, and Lyudmila Alexeeva (Cemiloglu 1995: 97, Abdulganiyev 2002, Uehling 2004: 41).

### **1990s and 2000s: Crimean Tatars Intensify Their Indigenoussness Claims**

After the collapse of the Soviet Union, independent Ukraine inherited the territories of the Ukrainian SSR including Crimea. In this context, indigenoussness and the status of Crimea became major subjects of dispute emerged between the Russian majority of Crimea and the Crimean Tatars.

The early signs of Crimean Tatars’ posture about the indigenoussness issue became visible in the final days of the Soviet Union. In June 1991 in a declaration made at the Second *Kurultai* convened in Akmescit (Simferopol), it was proclaimed that: “The land and natural resources of the Crimea, including its therapeutic recreational potential, are the basis of the national wealth of the Crimean Tatar people and cannot be utilized without its will or its clearly expressed approval” (Williams 2015: 144). What is more, Crimean Tatar sovereignty claims were articulated by the *Mejlis* – a plenipotentiary committee for the Crimean Tatar people that was elected in line with the

decision taken by the *Kurultai* on 30 June 1991, but lacked recognition of the prospective Russian dominated Crimean and Ukrainian authorities (Dorosweska 1992: <http://www.circassiancenter.com/cc-turkiye/arastirma/0252-mustafa.htm> last accessed on 19.09.2016, Babin 2014: 86). The newly elected *Mejlis* declared sovereignty, adopted a national anthem, a national flag, and elected a chairman, Mustafa Cemilev (Aydingün and Aydingün 2004: 102, Uehling 2000: [http://www.iccrimea.org/scholarly/krim\\_tatars.html](http://www.iccrimea.org/scholarly/krim_tatars.html) last accessed on 19.09.2016). However, it should be noted that, from the start, Tatar political organizations refrained from formulating their sovereignty claims on a fully territorial basis. For example, “The Declaration of National Sovereignty of the Crimean Tatar People” of 1991 displayed *Kurultai’s* intention to create a sovereign state in Crimea, but set forth the limitations of sovereignty by confirming Ukraine’s territorial integrity (*Mejlis of the Crimean Tatar People Official Website* 2016: [http://qtm.org/dokumenty\\_1\\_sessii\\_2\\_kurultaya.doc](http://qtm.org/dokumenty_1_sessii_2_kurultaya.doc) last accessed on 10.01.2017, Kullberg 2004: 34). Likewise, the draft constitution of the Crimean Republic that was proposed by the *Mejlis* in December 1991 was based on the view of “shared sovereignty”. According to the draft constitution, sovereign power in the future Crimean state will belong to “the people of Crimea – Crimean Tatars, Krymchaks, Karais, who make up the indigenous population of the republic, and citizens of other nationalities, for whom by virtue of historical circumstances Crimea has become their homeland” (Wilson 1998: 289-290). This means, *Mejlis* took a deliberate position on the sovereignty issue not to antagonize other native nationalities of Crimea, but firmly rejected post-invasion Russian-speaking settlers’ inclusion to the sovereignty sphere.

Conversely, the Crimean Russians pre-emptively voted to establish a Russian-dominated autonomous republic within Ukraine in a referendum held on 20 January 1991 (Williams 2015: 58), and in spring 1991, the Supreme Council of Ukraine approved the status of the Crimean Autonomous Republic (Wolczuk 2001: 157). Under those conditions, a contiguous disagreement was publicly expressed through the statements of the Crimean Tatar leaders about the legal foundations of the autonomous republic. In February 1992, in line with the earlier draft constitution of the *Mejlis*, Cemilev proposed a two-chamber parliament for Crimea and sparked the Russian majority’s reactions. According to the proposal, one house of the Crimean parliament would be limited to indigenous Tatars, and the house

would have an absolute veto power over legislation (Kamm 1992: <http://www.nytimes.com/1992/02/08/world/chatal-khaya-journal-crimean-tatars-exiled-by-stalin-return-home.html> last accessed on 17.01.2017).

The newly established autonomous republic did not follow its predecessor of the 1920s and failed to recognize either the indigenesness claims or the legislative proposals of the Crimean Tatar organizations (Williams 2015: 58). For example, according to the 1998 Constitution of the Autonomous Republic of Crimea, Crimean Tatar language lost the status of a state language, and this move further blurred the status of Crimean Tatars in Crimea (Bowring 2009: 60). The rights of the indigenous peoples were not also addressed in the constitution as a basis for autonomy (Babin 2014: 87). The Ukrainian governments tried to decrease the level of autonomy in the republic in a series of efforts during the 1990s (Wolczuk 2001: 157), but those efforts did not provide any concrete constitutional guarantees for the Crimean Tatar population with respect to their rights linked to indigenesness. Likewise, despite the introduction of the term “indigenous peoples” in Article 11, 92, and 119 of the 1996 Ukrainian constitution, the link of indigenesness to special rights was not addressed. What is more, the lack of any definition of the term in the constitution created a misunderstanding about the boundaries between national minority and indigenous peoples (Berry 2016: 136). In reaction to those developments, the *Mejlis* consistently claimed that the Crimean Tatar community is not a national minority, but the indigenous people of Crimea (Bowring 2009: 61).

As Williams rightfully asserts, one of the *Kurultai*'s leading objectives has always been to “strive to have the Crimean Tatars recognized as the indigenous people of the Ukraine and the Crimea”. To this end, a charitable, non-profit organization named the *Foundation for Research and Support of Indigenous Peoples in the Crimea* was established in 1997. The organization was headed by Nadir Bekirov – a member of the *Mejlis*, and it has been strongly tied to other political organizations of the Crimean Tatar movement (Williams 2001: 445). The leading significance of the organization came from its capacity to increase the visibility of the indigenesness issue in international arena. For example, on April 2000, the foundation submitted a report to the Council of Europe to demonstrate the situation of Crimea on the basis of the rights of indigenous peoples<sup>7</sup>. In this report, the

foundation clearly opposed to be identified as a “national minority” and asserted the indigenusness of the Crimean Tatars with some historical, social and economic evidences. The report also defined the Crimean Tatars as the *only* indigenous people in Ukraine, however pragmatically added “two other small indigenous communities (Krymchaks and Karais)” to the macro Crimean Tatar identity. The report, on the other hand, tried to demonstrate the internal nature of Crimean Tatar self-determination claims with those words: “...The most acceptable is the concept of indigenous people including the right for internal self-determination, which allows the Ukrainian state to preserve its territorial integrity and at the same time to promote the vital interests of Crimean Tatars...” (Eur.ac Research 2000: <http://miris.eurac.edu/mugs2/do/blob.html?type=html&serial=1035552231072> last accessed on 18.01.2017).

Similar to the *Foundation for Research and Support of Indigenous Peoples in the Crimea*, the *Mejlis* also actively pursued a strategy of internationalization of Crimean indigenusness claims. To this end, it tried to institutionalize contacts with the subsidiary bodies within the structure of the United Nations, such as Working Group on Indigenous Populations, Working Group on the Draft of the Declaration on the Rights of Indigenous Peoples, and the Working Group on the Permanent Forum for Indigenous Peoples (Eur.ac Research 2000: <http://miris.eurac.edu/mugs2/do/blob.html?type=html&serial=1035552231072> last accessed on 18.01. 2017).

Finally, in many instances, the Crimean Tatar political organizations demanded from Ukraine to ratify the ILO convention of 169 and the UN-DRIP (Bowring 1999: 243). However, until the date of Russian annexation (March 2014), Crimean Tatars had possessed the status of national minority in accordance with Ukrainian jurisprudence.

It should be noted that, some clear signs of a split among Crimean Tatar community became evident in 2009 during the preparatory stages of the “First World Congress of the Crimean Tatars”. A loose group opposed the gathering of the congress on the grounds that it would create an enmity among Crimean Tatar community and serve the personal interests of Cemilev (Kırım Bülteni 2009: 1). The group, which was composed of some non-governmental organizations such as *Milli Firqa*, *Sebat*, *Foundation for Research and Support of Indigenous Peoples in the Crimea*, and *Permanent*

*Active Assembly of Veterans of the National Movement of Crimean Tatars*, established *Crimean Tatar Popular Front* as an umbrella organization in late January 2012 (The Ukrainian Week 2012: <http://ukrainianweek.com/Politics/52392> last accessed on 26.01.2017). *The Crimean Tatar Popular Front* took an anti-Orange stance, supported cooperation with pro-Russian Yanukovich government of Ukraine, and opposed any cooperation initiatives of the Crimean Tatar groups with the Western world (The Ukrainian Week 2012: <http://ukrainianweek.com/Politics/52392> last accessed on 26.01.2017; Kırım Haber Ajansı 2012: <http://qha.com.ua/tr/siyaset/kirim-tatar-halk-cephesi-ktmm-ile-yumruklastmaya-hazir/106788/> last accessed on 26.01.2017).

### **Crimean Annexation and Ukrainian Recognition of Crimean Tatars' Indigenous Status**

In February and March 2014, a chain of events that took place in Ukrainian capital Kiev and Crimea opened a road to the incorporation of Crimea into Russian territory and multiplied the unanswered questions regarding the Crimean Tatars' status of indigenesness. On 22 February 2014, protesters in Kiev managed to take control of presidential administration buildings and the Ukrainian parliament voted to unseat President Viktor Yanukovich (Korobko and Musa 2014: 89). In retaliation, on 27 February, pro-Russian gunmen with uniforms seized the Supreme Council of the Autonomous Republic of Crimea, and the council voted to hold a secession referendum in Crimea. The referendum of 16 March 2014, which was considered as illegal by Kiev and the Western powers, was used as a complementary legitimization tool in justification of Supreme Council's 16 March 2014 decision to become a constituent territory of the Russian Federation (Özarslan 2014: 122-123). On 18 March 2014, President of the Russian Federation Vladimir Putin and the leaders of the Autonomous Republic of Crimea signed a bill about the annexation of Crimean territories to the Russian Federation (Bilkova 2016: 195). Crimean Tatar masses opposed annexation and marched in the streets of Simferopol in support of Kiev's new government (McFadgen 2014: <http://blog.lib.umn.edu/gpa/globalnotes/2015/03/humphrey-fellow-muslimova-refl-php> last accessed on 23.09.2016).

Under those circumstances, on 17 March 2014, the Deputy Chairman of the *Mejlis*, Nariman Celal called on Ukrainian Parliament (*Verkhovna*

*Rada*) to recognize indigenous people status of the Crimean Tatars<sup>8</sup>. It should be noted that, the annexation of Crimea and Tatars' opposition to annexation changed Ukraine's policy regarding Tatars' status sharply. On 20 March 2014, *Verkhovna Rada* adopted a resolution recognizing the Crimean Tatars as indigenous people (Crimean News Agency 2014: <http://qha.com.ua/en/politics/ukraine-recognized-crimean-tatars-indigenous-people-of-crimea/130931/> last accessed on 23.09.2016). Article 2 of the resolution guaranteed the self-determination right of the Crimean Tatars within Ukraine. The resolution also recognized *Mejlis* as a high representative body of the Crimean Tatar community (Babin 2014: 98).

The basic reason for Ukrainian manoeuvre about Crimean Tatars' status should be Ukrainian government's quest for Crimean Tatars' support to restore Ukraine's lost territorial integrity. Crimean Tatar protests against annexation helped Ukrainian government to foresee Tatars as a potential ally against an imminent threat. Secondly, Russian Black Sea Fleet stationed at Sevastopol, Crimea, has been regarded as a security threat by the new Ukrainian government (Crimealibre <http://crimealibre.com/russian-admiral-dismisses-poroshenko-s-threat-to-fight-for-returning-crimea-as-bluff/> last access on 25.09.2016). The Ukrainian state administration attempted to play the Tatar card and international law in its struggle against pro-Russian Crimean separatism and the Russian fleet in Crimea. Ukrainian government sought to bring forward the demilitarization of Crimea in the light of provisions of the UNDRIP (Shevel 2014: <https://www.washingtonpost.com/news/monkey-cage/wp/2014/03/25/to-strengthen-claims-on-crimea-russia-and-ukraine-woo-crimean-tatars/> last accessed on 23.09.2016). As it was explained before, Article 30/1 of the declaration makes the permission of indigenous peoples a precondition for the military activities in the lands of indigenous peoples.

In May 2014, *Verkhovna Rada* passed a resolution ratifying the UNDRIP (Altan 2014: <http://www.iccrimea.org/reports/dont-cry-ukraina.html> last accessed on 29.09.2016). The Ukrainian administration also tried to make symbolic gestures to gain the support of the Crimean Tatars. For example, in September 2015, Ukrainian president Petro Poroshenko actively supported Mustafa Cemilev's strategy of launching a blockade on the Ukrainian side of the Crimean border checkpoints to prevent the entrance of Ukrainian



commercial trucks into the republic (Sinelschikova 2015: [http://rbth.com/politics/2015/09/24/crimean\\_tatars\\_blockade\\_border\\_posts\\_over\\_political\\_discrimination\\_49541.html](http://rbth.com/politics/2015/09/24/crimean_tatars_blockade_border_posts_over_political_discrimination_49541.html) last accessed on 12.04.2017). On 12 November 2015, the Ukrainian Parliament officially recognized the 1944 mass deportation of Crimean Tatars as genocide amid intense Russian pressure (Ria Novosti 2015: <https://ria.ru/world/20151112/1319286617.html> last accessed on 29.09.2016). On February 2016, a Crimean Tatar National Flag, the *Kök Bayrak*, was erected in Kiev's city centre, in front of the Ukrainian Ministry of Foreign Affairs (Altan 2014: <http://www.iccrimea.org/reports/dont-cry-ukraina.html> last accessed on 29.09.2016). In April 2016, Ukrainian government approved the relocation of the *Mejlis* to Kiev following Crimean Supreme Court's decision to ban the *Mejlis* (Reuters 2016: <http://www.newsweek.com/crimean-tatar-council-relocates-kiev-after-russian-ban-452957> last accessed on 12.04.2017). On 4 July 2016, Ukrainian Embassy in Tajikistan raised the *Kök Bayrak* next to the state flag of Ukraine (Ministerstvo Zakordonnihsprav Ukraini <http://mfa.gov.ua/ua/news-feeds/foreign-offices-news/48991-u-posolystvi-ukrajini-v-tadzhikistani-pidnyato-krimskykotatarsykij-prapor> last accessed on 29.09.2016).

More importantly, on 18 May 2016, Ukrainian president Poroshenko declared his readiness to amend Ukrainian constitution on the establishment of the Crimean Tatar national autonomy (Crimean News Agency 2016: <http://qha.com.ua/en/politics/poroshenko-we-initiate-creation-of-crimean-tatar-autonomy/137206/> last accessed on 12.04.2017). On 22 September 2016, the Ukrainian parliament approved a recommendation to the president to establish Crimean Tatar Autonomous Republic via a constitutional amendment (Lb.ua 2016: [https://en.lb.ua/news/2016/09/22/1903\\_ukrainian\\_parliament\\_favours.html](https://en.lb.ua/news/2016/09/22/1903_ukrainian_parliament_favours.html) last accessed on 12.04.2017). However, until now, Poroshenko has not taken an initiative to convene a constitutional commission to prepare aforementioned amendments regarding the status of Crimea (Unian Information Agency 2017: <https://www.unian.info/politics/1734946-chubarov-calls-on-ukraine-authorities-to-change-crimea-as-status-in-constitution.html> last accessed on 12.04.2017).

### **Russian Federation's Response and Current Situation**

Following the seizure of the Supreme Council of the Autonomous Republic by pro-Russian gunmen on 27 February 2014, Russian and de facto Crime-

an administrations, like their Ukrainian counterparts, jointly developed a strategy for guaranteeing the loyalty of the Crimean Tatars. In this context, on 11 March 2014, the Crimean Supreme Council adopted a declaration “On Guarantees for the Restoration of Rights of the Crimean Tatar People”. By the declaration, the Crimean Supreme Council showed its willingness to provide some constitutional guarantees for the rights of the Crimean Tatars. For example, the declaration promised to grant the Crimean Tatar language the status of an official language in Crimea, to increase the representation of Crimean Tatars in executive bodies to at least 20 %, and to officially recognize the Crimean Tatar self-government organs, the *Kurul-tai* and the *Mejlis* (Shevel 2014: <https://www.washingtonpost.com/news/monkey-cage/wp/2014/03/25/to-strengthen-claims-on-crimea-russia-and-ukraine-woo-crimean-tatars/> last accessed on 23.09.2016). What is more, Russian authorities invited Mustafa Cemilev to Moscow to a meeting with the former president of Russia’s Tatarstan Republic Mintimer Shaimiyev. The meeting was held on 12 March 2014 (Kurmasheva and Synovitz 2014: <http://www.rferl.org/a/russia-tries-to-win-over-crimean-tatars/25294599.html> last accessed on 29.09.2016). Within the same day, in a telephone call to Cemilev, Vladimir Putin talked about a guarantee to Crimean Tatars rights with those words: “measures will be taken to solve all the social and legal problems of Crimean Tatars that went unsolved by the Ukrainian authorities for many years” (Gutterman 2014: <http://www.reuters.com/article/us-ukraine-crisis-putin-crimean-idUSBREA2B1CM20140312> last accessed on 29.09.2016)<sup>9</sup>.

Simultaneously, on 16 March 2014, a referendum about the status of Crimea was held. According to the results, over 95 percent of the Crimean voters (officially declared voter turnout was 83.1) voted to secede from Ukraine and join Russia. Accordingly, the Crimean Supreme Council voted to join Russia (The Washington Post 2014: [https://www.washingtonpost.com/world/crimeas-parliament-votes-to-join-russia/2014/03/17/5c3b96ca-adba-11e3-9627-c65021d6d572\\_story.html?utm\\_term=.02f9eb9b5c07](https://www.washingtonpost.com/world/crimeas-parliament-votes-to-join-russia/2014/03/17/5c3b96ca-adba-11e3-9627-c65021d6d572_story.html?utm_term=.02f9eb9b5c07) last accessed on 27.01.2017). On the other hand, the Russian government started to establish its own citizenship regime in Crimea and obliged the residents of Crimea to either accept Russian citizenship or to apply for residence permits within 30 days starting from 24 March (Daily Sabah 2016: <http://www.dailysabah.com/europe/2014/04/05/history-of-tatars-in-crimean-peninsula> last accessed on 06.10.2016).

As a reaction to the referendum and the de-facto annexation of the peninsula to the Russian Federation, an important decision was adopted on 29 March 2014, at the second special session of the 6th *Kurultai* of the Crimean Tatar People. The decision reiterated the indigenoussness claims of the Crimean Tatars and implicitly declared the annexation invalid by referring to the indigenoussness paradigm. The decision suggested that "...the changing of the status of Crimea was made without the agreement and clearly expressed will of the Crimean Tatar people – indigenous people of Crimea...". In this respect, the declaration referred to the Article 3 (right to self-determination), Article 4 (right to the autonomy and self-governance), Article 5 (right to maintain and strengthen distinct political, legal, economic, social and cultural institutions, while retaining the right to participate fully, if they so choose, in political, economic, social and cultural life of the State), Article 30 (military activities shall not take place in the territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed), and Article 40 (right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States and other parties) of the UNDRIP. The *Kurultai* also requested support from the United Nations, the Council of Europe, the European Union, the Organization for Security and Cooperation in Europe, and government of states for its self-determination claim (Mejlis of the Crimean Tatar People Official Website 2014: <http://qtm.org/en/news/4414-decision-of-6th-kurultay-of-the-crimean-tatar-people-on-implementation-of-right-to-self-determinati-on-by-crimean-tatar-people-in-their-historical-territory-crimea> last accessed on 27.01.2017).

In line with the declaration, on 1 April 2014, in an Arria-formula meeting<sup>10</sup> of the United Nations Security Council, Mustafa Cemilev questioned the legitimacy of the referendum by suggesting the absence of a common territorial identity of the "Crimean People". Cemilev stated that, in Crimea only the Crimean Tatars, who overwhelmingly boycotted the referendum, may claim the right of self-determination (Mejlis of the Crimean Tatar People Official Website 2014: <http://qtm.org/ru/новости/4418-мустафа-джемилев-абсурдно-вообще-решать-вопрос-о-принадлежности-того-или-ино-го-региона-области-или-поселка-к-какому-либо-государству-на-основе-местного-референдума> last accessed on 27.01. 2017).

Russia's stance on the issue of Crimean Tatars' status has gradually changed since Crimean Tatars' well-attended boycott of the March 2014 referendum and Russia's maintenance of full control over the peninsula starting from May 2014. For example, on 16 May 2014, Putin showed Russia's changing attitude towards the Crimean Tatar issue with those words:

The question of recognizing the Crimean Tatars as an indigenous people of Crimea can be considered, but the matter should be thoroughly examined to avoid causing damage. We could think it over, of course. But in dealing with this problem we must not create another one... They (The Greeks) were there before you and us. So we need to look at this in a most careful way... (Interfax 2014: 1)

In 2014, Crimean prosecutor banned the Crimean Tatar leaders Mustafa Cemilev (Goble 2014: <http://www.interpretermag.com/moscow-trying-to-force-crimean-msd-to-break-with-crimean-tatars/> last accessed on 02.10.2016) and Refat Chubarov (Quinn 2014: <https://the-moscowtimes.com/articles/leader-of-crimean-tatars-labeled-extremist-banned-from-home-370-50> last accessed on 02.10.2016) from entering Crimea for five years. On 15 September 2014, armed and masked men with military uniforms raided the *Mejlis* (RFERL 2014: <http://www.rferl.org/a/crimean-tatar-mejlis-raid-police-search-avdet-simferopol/26587038.html> last accessed on 03.10.2016). In 2015, the Russian government organized a media operation towards influential Crimean Tatar newspapers, news agencies, and TV channels. *ATR*, *Meydan Radio*, *Lider FM*, and *Avdet Newspaper* did not manage to receive broadcasting licenses from the Russian authorities (Shevchenko 2015: <http://www.bbc.com/news/world-europe-32145218> last accessed on 03.10.2016). In April 2015, Vice-Chairman of the *Mejlis* Nariman Celal was arrested (Qırım'ın Sesi 2015: <http://www.qiriminsesi.com/ktmm-baskan-vekili-nariman-celal-tutuklandi.html> last accessed on 27.01.2016). In April 2016, Crimean Supreme Court banned the *Mejlis* and accused it of extremism. On 12 May 2016, deputy head of the *Mejlis*, İlmi Umerov was arrested and in August 2016, he was sent to a psychological institution "for examination" (Human Rights Watch 2016: <https://www.hrw.org/news/2016/08/26/crimean-tatar-activist-confined-psychiatric-hospital> last accessed on 12.04.2017). In September 2016, Russia's Supreme Court confirmed the decision of the Crimean Court and banned the activities of *Mejlis* in Russian territories including Russian-occupied Crimea (Cooper

2016: <https://www.hrw.org/news/2016/09/29/crimean-tatar-elected-body-banned-russia> last accessed 05.10.2016) On 18 August 2016, Putin openly warned the Crimean Tatars “not to strive for special status on the Crimean Peninsula” (RFERL 2015: <http://www.rferl.org/a/putin-warns-crimean-tatars-not-look-for-special-status/27194567.html> last accessed on 03.10.2016).

On the other hand, Russian authorities tried to create alternative pocket Crimean Tatar organizations to guarantee the loyalty of at least some fractions of the Crimean Tatar community. In this context, Russian government took active role in the establishment and/or resurgence of organizations such as *Milli Firqa*, *Kyrym*, and an alternative Muftiate called *Islamic Muftiate of Tavriia* (Aydın 2014: 90). Those organizations followed a unique path in their attitudes towards the Ukrainian and Russian governments. For example, the head of the pro-Kremlin movement *Kyrym*, Remzi Ilyasov, asked Turkey to recognize Crimea as a part of Russia (Ria Novosti 2016: <https://ria.ru/world/20160701/1455610065.html> last accessed on 06.10.2016). Ilyasov used the term “terror” to describe Ukraine’s intelligence activities in the peninsula (Southfront 2016: <https://southfront.org/putin-accuses-kiev-authorities-in-terrorism-crimean-parliament-calls-incident-declaration-of-war/> last accessed on 06.10.2016). Following the decision of the Crimean Supreme Court about the ban of the *Mejlis*, Ilyasov announced his intent to establish a new Mejlis that seeks to maintain cordial relations with the Russian authorities (News from Crimea 2016: <http://en.sobytiya.info/pro-russian-tatars-are-doing-to-establish-their-mejlis-in-crimea.html> last accessed on 06.10.2016).

Starting from June 2016, Russian administration made a tactical change in its Crimean Tatar strategy in reaction to Poroshenko’s speeches about the establishment of Crimean Tatar national autonomy. In this context, Russian-backed Crimean Tatar political figures attempted to articulate the possibility of a “national and cultural autonomy” for Crimean Tatars through the initiative of the Russian authorities. For example, on 9 June 2016 head of the Regional National Cultural Autonomy of Crimean Tatars in the Republic of Crimea Eyvaz Umerov and on 12 June 2016 the Kremlin appointed Head of the Crimean State Committee for Interethnic Relations Zaur Smirnov talked about a plan to create a national-cultural autonomy of the Crimean Tatars in Russia at federal level (Crimean News

Agency 2016: <http://qha.com.ua/en/politics/russia-wants-to-create-crimean-tatar-autonomy/137479/> last accessed on 13.04.2017; Euromaidan Press 2016: <http://euromaidanpress.com/2016/06/14/will-history-repeat-itself-crimea-a-federal-national-and-cultural-ghetto-for-the-crimean-tatars/> last accessed on 13.04.2017). However, that kind of a national-cultural autonomy status does not imply territorial autonomy. In other words, it refers to the devolution of political powers to Tatars at the federative level on a non-territorial basis. As Gayana Yuksel—a member of the *Mejlis*—states, national-cultural autonomy does not recognize Crimean Tatars as the indigenous people (Crimean News Agency 2016: <http://qha.com.ua/en/politics/cultural-autonomy-imitates-care-of-crimean-tatars/137530/> last accessed on 17.04.2017).

## Conclusion

The Crimean Tatars, as an indigenous component of the Crimean population, have gradually highlighted their indigenousness since the rise of indigenism in the second half of the 20th century. However, from 1960s to 1980s, the Crimean Tatar political elite articulated Crimean Tatar's indigenousness claims without any reference to the concept of “indigenous peoples”. In other words, until 1990s, the Crimean Tatar political elite refrained from using the concept of indigenous peoples to assert their claims to land. *Propiska* (residence permit) problems, imprisonment of Tatars, and the calls for restoration of the CASSR and autonomy - rather than the status of indigenousness - became main subjects of controversy.

The 1990s constitute a milestone in Crimean Tatar political struggle for land and cultural rights. In the 1990s and the first decade of the 21st century, the Crimean Tatars increasingly link themselves to the indigenous peoples paradigm. Starting from a declaration made at the Second *Kurultai* in 1991, claims of indigenousness have consistently been articulated by Crimean Tatar organizations such as *Mejlis* and the *Foundation for Research and Support of Indigenous Peoples in the Crimea*, and became the common point of almost all Crimean Tatar political organizations reflecting conflicting interests.

Under those conditions, the Russian-Ukrainian crisis of 2014 surprisingly created an opportunity for the recognition of Crimean Tatar indigenousness claims. In order to guarantee the support of the Crimean Tatar com-

munity, both Ukrainian and Russian authorities took initiatives to satisfy Crimean Tatar land and cultural rights. Firstly, the Crimean Tatars seemed to have reached their goal of having indigenous people status with a resolution of *Verkhovna Rada* in 2014. However, the resolution did not solve the issue. Because, *Verkhovna Rada's* resolution of 20 March 2014 recognized the Crimean Tatars as indigenous people, but the state that lost its control over their territory; the Ukrainian state gave them that right. Following the attempt of Ukraine, in March 2014, Russian-controlled Crimean Supreme Council adopted a declaration "On Guarantees for the Restoration of Rights of the Crimean Tatar People" and Vladimir Putin talked about a guarantee to Crimean Tatars' rights.

However, Russia's stance on the issue of Crimean Tatars' status has gradually changed since Crimean Tatars' well-attended boycott of the March 2014 referendum and Russia's maintenance of full control over the peninsula starting from May 2014. After the annexation of Crimea, the Russian government and the de-facto Crimean administration worked for gradual decline of Crimean Tatar indigenusness claims by either increasing their pressure over influential Crimean Tatar political figures, organizations and media channels or deepening a split in Crimean Tatar community by forging organizations or interest groups loyal to the Russian government. In June 2016, Russian administration made a tactical change in its Crimean Tatar strategy in reaction to Poroshenko's speeches about the establishment of Crimean Tatar national autonomy. However, Russian national-cultural autonomy draft voiced by Umerov and Smirnov does not imply territorial autonomy or a status of indigenusness.

It should also be noted that, a split among leading Crimean Tatar political organizations over the issue of leadership intersected with Russian-Western power struggle in the region. The Russian-Western power struggle created an opportunity for the recognition of Crimean Tatar indigenusness claims, but ironically became the leading factor hindering the realization of them.

## Notes

1. Despite the fact that Tatars were the early inhabitants of Crimea like non-Russians in Siberia, official documents never applied the term *tuzemtsy* to Crimean Tatars (Sokolovski 2000: 93-94). The Crimean Tatars were categorised as *inorodtsy* (internal aliens) and had exempted from serving in the Tsarist army

- in the 19th century until the Military Reforms of 1874. See. (Williams 2001: 184).
2. The Crimean Tatars were not included in indigenous peoples list of Russian Soviet Federative Socialist Republic, which was designated by a special decree on October 25th 1926. See. (Varfolomeeva 2012: 25-27; Sillanpää 2015: 171).
  3. According to Kırımlı, Turkic presence in Crimea dates back to 6th century. See. (Kırımlı 1996: 1).
  4. For instance, in 1475, Ottoman forces captured Kefe and some other Black Sea ports and Mangup fortress in Crimea. (Magocsi 2010: 179).
  5. See. Krim.Realii. “Ukaz Prezidiuma Verhovnovo Sovieta SSSR O Grazhdanah Tatarskoi Natsionalnosti, Prozhivavshih v Krimy”. <http://ru.krymr.com/a/27229459.html> [Accessed 04.09.2016].
  6. Alexei Kosterin and Petro Grigorenko were supporters of a return to Leninist ideals within the party. See. (Reddaway 1982: 129).
  7. In 2005, the Foundation for Research and Support of Indigenous Peoples of Crimea submitted another report to update the earlier report. See. (Unrepresented Nations and Peoples Organization Web Page 2005: <http://www.unpo.org/article/1751> last accessed on 17.01.2017).
  8. For further information please refer to: Ukrainskaya Pravda. “Verkhovnaya Rada Priznala Krimskih Tatar Korennym Narodom b Krimy”. 20 March 2014. <http://www.pravda.com.ua/rus/news/2014/03/20/7019670/> [Accessed 23.09.2016]. Kommentarii. “Tatary Hotyat Poluchit Statue Korennovo Naroda b Krimy, shtoby Otstaivat Ukrainskuyu Gasudarstvennost”. <http://comments.ua/politics/457719-tatari-hotyat-poluchit-status-korennogo.html> [Accessed 23.09.2016].
  9. See also. (Yapıcı 2016: 231).
  10. The Arria-formula meetings are informal gatherings of the members of the United Nations Security Council with persons whom the inviting members of the Council believe it would be beneficial to hear their views. The Arria-formula meetings do not constitute an activity of the council, and they are not announced in the Daily Journal of the United Nations. For details please refer to: United Nations Security Council Web Page. <http://www.un.org/en/sc/about/methods/bgarriformula.shtml> [Accessed 27.01.2017].

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# Kırım Tatarları'nın Statüsündeki Değişiklik: Ulusal Azınlıktan Yerli Halklığa Mı?\*

Utku Yapıcı\*\*

## Öz

1950lerden itibaren Kızılderili ve Eskimo halklarının hakları konusundaki akademik ilgi artışına bağlı olarak “yerli haklar” kavramı dünya çapında bir popülerlik kazandı. Uluslararası Çalışma Örgütü, Dünya Bankası ve Birleşmiş Milletler gibi etkili uluslararası örgütlerin normatif çabaları, hak arayışındaki mahrumiyet çeken grupların bu terimi araçsallaştırma süreçlerini hızlandırdı. 1990lardan itibaren Kırım Tatarları da “Kırım’ın yerli halkı” olarak tanınma mücadelesine giriştiler. Hedeflerini görünürde gerçekleştirdiler. Ukrayna parlamentosu 2014 Martında Kırım’ın Rusya Federasyonu tarafından işgalinin ardından bu statüyü Kırım Tatarları’na verdi. Ancak, bizzat işgalin kendisi, parlamento kararının uygulanmasını engelledi. Bu makale, esas olarak Kırım Tatarları’nın yerli halk statüsü taleplerinin nedenlerine ve bu taleplere Ukrayna ve Rusya Federasyonu’nun tepkilerine odaklanmaktadır. Çalışmanın ana hedefi Kırım Tatarları’nın statüsündeki tarihsel değişimleri saptayabilmektir.

## Anahtar Kelimeler

Kırım Tatarları, Millî Azınlık, Yerli Halk, Ukrayna, Rusya Federasyonu

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# Изменение статуса крымских татар: от национальных меньшинств до коренных народов?\*

Утку Япыджи\*\*

## Абстракт

Начиная с 1950-х годов термин «коренные народы» завоевал популярность в мире благодаря растущему научному интересу к правам индейцев и инуитов. Совместные нормативные усилия некоторых влиятельных международных организаций, таких как Международная организация труда, Всемирный банк и Организация Объединенных Наций, также способствовали использованию этого термина некоторыми сообществами и группами, находящимися в неблагоприятном положении и добивающимися защиты своих прав. С 1990-х годов крымские татары также стремились быть признанными «коренными жителями Крыма». Кажется, что они достигли своих целей. Украинский парламент придал крымским татарам статус коренного населения в марте 2014 года, уже после захвата Россией территории Крыма. Однако сам захват помешал реализации этого решения парламента. В этой статье основное внимание уделяется тем причинам, которые лежат в основе требований крымских татар на получение статуса коренных народов, а также реакции Украины и Российской Федерации на эти претензии. Главная цель статьи - выявить исторические изменения в статусе крымских татар.

## Ключевые слова

Крымские татары, национальное меньшинство, коренные народы, Украина, Российская Федерация

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