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Crimea: Time for the US Administration to Read the Truth

By Timothy Bancroft-Hinchey
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*The approach towards the Crimea by the United States of America is as unfounded, unjust and illegal as the transfer of the Crimea by **Khrushchev** from the Russian Soviet Federated Socialist Republic to the Ukraine Soviet Socialist Republic in 1954, meaning that calls for the return of this part of Russian territory are based on ignorance.*

There appears to be a great deal of confusion among the new US Administration headed by President Trump as to the Crimea question. Let us once and for all address the history and the legality of the issue and we shall conclude that Crimea is Russia, Crimea belongs to Russia and should according to international law remain so.

The decision by the Presidium of the Supreme Council of the Union of Soviet Socialist Republics decided on February 19, 1954 to transfer the Province of Crimea from the Russian Soviet Federative Socialist Republic to the Ukrainian Soviet Socialist Republic, in secret, without informing the population. The decree appeared only a week later on February 27 on the front page of Pravda newspaper, as follows:

“Decree of the Presidium of the USSR Supreme Soviet transferring the Crimea Province from the Russian SFSR to the Ukrainian SSR.

Taking into account the integral character of the economy, the territorial proximity and the close economic and cultural ties between the Crimea Province and the Ukrainian SSR, the Presidium of the USSR Supreme Soviet decrees:

To approve the joint presentation of the Presidium of the Russian SFSR Supreme Soviet and the Presidium of the Ukrainian SSR Supreme Soviet on the transfer of the Crimea Province from the Russian SFSR to the Ukrainian SSR.”

The decision was illegal

The decision was illegal, firstly because the Presidium of the Supreme Council did not have the quorum necessary, seating only 13 of 27 members, so fewer than 50 per cent. Secondly, the decision violated the Constitution of the Russian SFSR and the Constitution of the USSR. According to the text signed on June 27 2015, Russian Deputy Prosecutor General Sabir Kehlerova Mironov of the Office of the Prosecutor General of the Russian Federation

“Neither the Constitution of the RSFSR or the USSR Constitution ... provide powers of the Presidium Supreme Soviet of the USSR and for the consideration of the changes in the constitutional legal status of the Autonomous Soviet Socialist Republic, members of the union republics. In view of the above, the decision adopted in 1954 by the Presidium of the Supreme Soviets of the RSFSR and the Soviet Union on the transfer of the Crimean region of the RSFSR to the Ukraine SSR, did not correspond to the Constitution (Fundamental Law) of the RSFSR and the Constitution (Fundamental Law) of the USSR.”

The decision was made before a constitutional change granted the Presidium of the Supreme Soviet (Advisory) Council under Articles 22 and 23 to carry out transfers of territories.

The legality of the current question

Let us imagine for a moment that the 1954 decision had been legal (which it was not). What

happened in 2013 was that an illegal coup d'état removed the democratically elected President of Ukraine (Viktor Yanukovich). In the absence of the supreme representative of justice, according to the Constitution of the Republic of Crimea, its Legislative Assembly now passed to be the body exercising legal force. It was this body which decided to hold a free and fair referendum, internationally observed and approved, on the status of the population of Crimea, which voted overwhelmingly to return to its rightful place, inside the Russian Federation.

There is no possible doubt on the issue, which is crystal clear. Crimea is Russia, end of story. Move on and move forward, or keep pressing the same key and cause a damaging stalemate in international relations.

And more: isn't it about time the United States of America ceased sticking its nose into everyone's business? There are better claims for Lakota and Aztlan to change their status than the Crimea. Suppose someone decided to start stirring up trouble over there and see how Washington likes it?