

# On the International Law Issues of Crimean Public Investment in Russia

Zeliang Sun

Institute of Problem Solving: Indirect expropriation; Hebei University of Economics and Business, No. 47 Xuefu Road, Xinhua District, Shijiazhuang City, Hebei Province, China

2218084985@qq.com

**Abstract:** On March 16, 2014, Crimea held a referendum to leave Ukraine as part of the Russian Federation. The referendum is a legal procedure used by the people of a region when applying the principle of national self-determination, while the public investment in Crimea involves national sovereignty and territorial integrity. So, when the principle of national self-determination and territorial integrity conflict, does the referendum comply with international law and be recognized? Crimea and public investment in Russia are the case of "foreign self-determination". This paper analyzes the applicable conditions of "foreign self-determination" and the situation of the Crimean people's exercise of the right of national self-determination, and makes specific judgments on the legitimacy of Crimea and public investment in Russia.

**Keywords:** Crimea, principle of national self-determination, national referendum, international law

## 1. The Historical Origin of the Crimean Ethnic Composition

### 1.1. The Ottoman Turkey to the Tsarist Russia Period

The division and establishment of a country often have a direct or indirect relationship with the ethnic composition of a region. The success of the Crimean referendum in the number of votes, according to the procedural system of the principle of national self-determination, is largely dependent on the ethnic composition of the Crimean region. The races of inhabitants on the Crimean Peninsula, from BC until the end of the eleventh century, were composed of different tribal descendants, including the Goths and the Greeks. In the first half of the 13th century, big Mongolia had only jin, iron muzhen after the founding of the expansion of its territory, his descendants led the Mongolian tatar army conquered the black sea, the volga river basin, the Crimean Peninsula, Caucasus and central Asia, and established the powerful gold, also called qin khanate. From the 13th to the 15th century, with the continuous joining of other Turkic tribes around it, the language of the Golden Horde gradually became Turkic, and the Mongolian Tatars merged with the ancient local residents for a long time, forming a new Turkic-speaking nation, known as the Tatars in history. At the end of the 14th century, the Golden Horde was in decline, and in the first half of the 15th century, the Golden Horde was divided into the Kazan Khanate, the Astrakhan Khanate, the Siberian Khanate and the Crimean Khanate. At the end of the 15th century, the Crimean Khanate became a vassal state of the Ottoman Empire, took the orders of the Turkish Sultan. During this period, the Crimean Khanate often captured nearby Ukrainians and Russians by selling them as slaves. This was an early ethnic composition of the Crimea, dominated by Tatars, plus surrounding peoples existing in part due to slavery.

From the 15th century to the end of the 18th century, Russia and other Eastern European countries fought against the Turkish Empire and the Crimean Khanate, but with no significant success. At the turn of the 17th and 18th centuries, the main goal of Russia's foreign policy was to seize the southern land and gain access to the sea of Azov and the Black Sea, so that Russia's strategic position along its southern coast would have a clear maritime advantage over Turkey and the western states. In October 1768, when Russia went to war with Turkey, the weak Turkish Empire was defeated by Russia. In July 1774, Russia signed the most important treaty in the history of Russian-Turkish relations: the Treaty of Kuchuk-Keajji. Under the treaty, Russia occupied the Azov fortress, Kerch in Crimea, Yenika, Kimboen at the mouth of the Dnieper, the grasslands between the Dnieper and Bug rivers, and the large and small cabaret on the east bank of the Black Sea. Since then, Russia has occupied important access to the Sea of Azov and the Black Sea.

With the weakening of the Ottoman Empire, the Treaty of Kuchuk-Keajji separated the Crimean Khanate from the Ottoman Empire, which created the conditions for the annexation of Crimea. In 1777, Tsarist Russia sent troops to Crimea, pushing the pro-Russian Shahein to King Khan. Shortly afterwards, the Crimean nobles rebelled against Shahiin, who asked the Russians for assistance. Portkin led 70,000 Russian troops to Crimea. In 1783, the declining Ottoman Empire and The Austrian empire The Crimean Khanate was annexed to the Tsarist territory. Subsequently, the Tsarist Russia unified the Crimea, the lower Nie River, the Black Sea and the Sea of Azov, and implemented the policy of excluding the Tatars. The Russian government brought some of the Tatar nobles to its side, and made the ordinary Tatars serfs and deprived them of their land. According to some calculations, during the first ten years of their existence in the Tavlicheers province, more than three hundred thousand Tatars left the Crimea. During the outbreak of the Crimean war over the Asia Minor region, Russia moved the Islamic residents from

the coastal areas to the inland provinces. On the other hand, at the end of the 18th century and throughout the 19th century, a large number of Russian and Ukrainian peasants, as well as immigrants from France, Bulgaria, Germany, Greece, and Jews from Poland migrated to Crimea. At this time, Crimea accounted for about 70 percent.

### *1.2. During the Soviet Union*

As a typical confederate state, the establishment of the Soviet Socialist Republic after the October Revolution, all nationalities in Russia established their own independent states or autonomous republics. Crimea was dominated by the Bolshevik Party, composed of the Black Sea Fleet and local factory workers, in cooperation with the local Tatar residents. On October 18, 1921, the Crimean Peninsula formed the Crimean Soviet Socialist Republic. However, the local Tatar residents in Crimea did not adapt well to the new government. And only a small part of the Tatars with Islamic faith joined the Bolshevik Party. The Soviet regime could not accept this indifferent attitude, brutally suppress the Tatars, and made plans to move the Tatars. In May 1944, nearly 200,000 Tatars were relocated to Uzbekistan, Kazakhstan, and the Urals, and many of them died on the way. On June 30, 1945, according to the order of the Presidium of the Supreme Soviet, the Crimean Autonomous-Soviet Socialist Republic was changed to the state of Crimea. From 1944 to 1954, the Soviet government began moving the residents of Russia and Ukraine to their spare places after the Tatars moved out in Crimea. According to the data, ethnic Russians in Crimea account for 71.4 percent. By this stage, the ethnic composition of Crimea was more stable, with about two-thirds being ethnic Russians and the other third being Tatars, ethnic Ukrainians and others.

## **2. The Reasons Why the Crimea Officials Invested in Russia**

With the exception of the ethnic conflict between ethnic Russians, the dispute was the "gift" of Crimea to Ukraine by the Soviet Union under Khrushchev. After Khrushchev was elected the first secretary of the Central Committee of the Communist Party of the Soviet Union in 1953, Crimea was transferred to Ukraine on April 26, 1954. Crimea, which had never belonged to Ukraine, became part of Ukrainian territory. Some scholars analyzed the Crimean to Ukraine's economic and regional reasons, on the distance, the distance from Crimea to Kiev and the distance to Moscow, under the conditions of Kiev to manage Crimea will be more convenient, and Ukraine as the Soviet granary, its Dnieper River to Crimea enough fresh water to use, this kind of people's livelihood problem is objective general Crimea to Ukraine. But for Crimea's strategic position, these economic and management reasons are insignificant. Crimea serves as a battleground since ancient times. The peninsula location, the gateway of the "Black Sea", and the Kerch Strait connected with Russia on the east side, make Crimea the gate of Russia in the Black Sea waters. The most important thing is, Russia's Black Sea Fleet is based in the port of Sevastopol in southern Crimea. After the division of Crimea to Ukraine, Ukraine and Russia have long bitter over the Black Sea Fleet. Up until May 28, 1997, Russia and Ukraine signed the Agreement on the Status and Conditions of the stationing of the Black Sea Fleet of the Russian Federation in Ukraine, Consensus on Russia leasing the port of Sevastopol in Ukraine's autonomous state of Crimea for the stationing of the Black Sea fleet, The Russian Black Sea Fleet for a 20-year lease in Sevastopol Harbor, After the expiration date, both parties can automatically postpone it for 5 years if there is no objection.

Russia, as a military power dominated by heavy industry, would not give up such a strategic position. Even if Ukraine was a coalition state of the Union of Soviet Socialist Republics at that time, did Khrushchev have enough leverage and confidence to transfer Crimea to Ukraine? More ideas, by withholding Crimea, are in the political needs of Khrushchev's self-position. After Khrushchev came to power, he vigorously his opponents and eliminated his political opponents. In the central political environment of the Soviet Union, before Stalin's death, he began to promote a number of new Soviet cadres to the central government, focusing on Marinkov, Morotov and Khrushchev. Marinkov, former secretary of the Central Committee of the Communist Party of the Soviet Union and chairman of the Council of Ministers of the Soviet Union of the Soviet Union in March 1953, Khrushchev and other five members formed the Secretariat. In February 1955, Marinkov resigned as the chairman of the Council of Ministers of the Soviet Union and became the minister of electricity and the vice chairman of the Council of Ministers. As Stalin's comrade and supporter of Stalin, after World War II, Molotov was a member of the Central Committee of the Communist Party of Soviet and the Presidium of the Central Committee Conference of Soviet Ministers. The First Vice-Chairman, for Stalin. The second one in the leadership. Khrushchev elected first secretary, Malinkov is still not willing, even with Khrushchev as Stalin sent Morotov will be Malinkov united to overthrow Khrushchev. Khrushchev wants to secure his position; he needs the support of the Ukrainian coalition. So, the transfer of Crimea to Ukraine has a lot to do with Khrushchev's political purpose. There are also conspiracy theories that Khrushchev surrendered Crimea to compensate Ukraine for a large number of Ukrainian officials during the Great Purge. The purge refers mainly to the Soviet Anti-Soviet movement, a political repression campaign under Stalin, during which 1.3 million people were jailed and 680,000 were shot, including a large number of Ukrainians. Khrushchev, a fellow Stalin party, was also involved in the purge. The list of "villains" identified by the Central Committee of the Soviet Union not only passed through Stalin, but also passed through people such as Kazonovich, Molotov, Malinkov, etc. Khrushchev's salvation for the Stalin rebellion was just for Crimea on the Ukrainian side. One of these two arguments is that the Soviet authorities divided Crimea to Ukraine, mainly for political reasons. Whether Khrushchev was for his own political purpose or the redemption of the Great Purge should be the main reason for consolidating his political position, and the compensation for the great cleansing can also be regarded as the reason for Khrushchev to attract people. The Soviet Union gave up Crimea to the Confederate state of Ukraine, which was actually a big hidden danger for Russia itself.

After the collapse of the Soviet Union, Crimea became the autonomous republic of Ukraine through a referendum. Russia has been returning to Crimea since the region was divided to Ukraine, but when they signed the Treaty of Friendship and Cooperative Partnership in 1997 and the two sides agreed on the Black Sea fleet, Russia also recognized Crimea as Ukrainian territory. This is a move by Pu and Beijing to woo its neighboring countries to resist the squeeze of Europe and the United States. In the 2004 Ukrainian general election, the United States and Europe threatened the Kuchma authorities to promote the election legally by canceling the aid and reviewing the bilateral relationship, and fully supported the opposition leader, Sergei Yushchenko. Russia has supported Prime Minister Alexander Yanukovich from the east by rearranging or removing debt and lowering energy prices. After the election results, the United States and Europe did not recognize the election of Yanukovich and supported the "Orange Revolution" launched by the opposition led by Yushchenko and Tymoshenko, and finally succeeded in reelecting power. Mr Yushchenko was extremely anti-Russia, arguing bitterly with Russia over energy and the Black Sea fleet, hence Mr Putin's first "gas crisis" in Ukraine. Former Ukrainian Prime Minister Yumoshenko prime yushmoshenko challenged the Yushchenko government after visiting the United States and was re-elected prime minister, signing a long-term gas purchase contract with Putin after the price increase. This led to the collapse of the Yushchenko government and the presidential victory of the pro-Russian faction of Yanukovich in 2010.

After Yanukovich was elected president, he immediately adjusted his Russian policy. Russia and Ukraine reached important agreements on natural gas prices and the stationing of the Black Sea fleet. The lease term for military facilities in Crimea was extended until 2042, and in exchange, Ukraine received a 30% multi-year discount on Russian gas. But the deal has sparked a public protest in Ukraine. At the same time, the Principles of Internal and Foreign Policy Act established Ukraine's "non-aligned position" and prohibited seeking to join NATO in return for Russia's goodwill. Still, the move does not mean that Yanukovich is completely to Russia, with Ukraine's diplomatic pendulum moving back from one extreme to the middle. Yanukovich said that despite its adherence to a non-alliance policy, it is willing to work closely with NATO in military reform, counter-terrorism and international peacekeeping. That will still raise concerns in Russia. As a result, Russia signed in 2013 "the eu and eastern partners summit" on the agreement, put pressure on Ukraine, on the one hand, Russia to strengthen customs supervision, warning to cancel loans and bilateral free trade agreement, and set up trade protection wall, on the other hand, offered including reduce the gas price, cancel the export tariffs on oil and buy bonds and other favorable conditions. Under pressure, Mr Yanukovich's government announced a suspension of contact agreements with the European Union.

Ukraine government suspended and the eu integration plan, trigger the pro-European discontent, continuous protests in Ukraine, Ukraine for political reform and life improvement, extreme nationalism and new Nazis, western countries to support against the yanukovich regime. On February 21,2014, Yanukovich's government reached an understanding agreement with the opposition to hold a new Ukrainian presidential election. On February 22, the Ukrainian opposition unilaterally tore up the agreement, ousted President Yanukovich and formed a new government, causing violence and military conflict to spread in Kiev and Ukraine. More than 70 percent of Crimean residents are Russians, who do not recognize Ukraine's new government and call on Russia to protect them. Yanukovich, who fled to Russia, also asked Russia to protect the ethnic Russians in Ukraine. Putin launched the thunder campaign, considering the control of the Crimean government and various important facilities. Since March 1, Mr Putin's government against Ukraine crisis decisively take the following measures: one is not to admit the new government, emphasize yanukovich is the only legal President, the second is the Russian parliament authorized the President when necessary to use force to protect the rights of the Russians in Ukraine, three is to support the Crimean authority's referendum decision, four is to respect and support the Crimea to join Russia referendum results. In the Crimean referendum on March 16,96.77 percent of people voted to join Russia, while polls during this period showed that more than 90 percent of Russians supported Russia. On March 18, Russia formally took over over Crimea.

### **3. Principle of People to Self Determination**

#### *3.1. The Origin and Development of the Principle of National Self-determination*

The Crimea entered Russia in a referendum, also known as a referendum, which is a peaceful way for the people of a region to exercise their right of national self-determination. The principle of national self-determination can be traced back to the Italian Renaissance, and it is the product of international law based on the theory of civil sovereignty. Due to the differences in background and understanding between different regions and nationalities, it is difficult to give a unified definition of national self-determination in the world. However, whether the scholars' views of national self-determination are the right to establish a single ethnic government or the choice of political organization form on national independence, the main line — the formation of independent regime based on national groups is unchanged. In fact, the principle of national self-determination is the legal approval for certain ethnic groups to exercise the right of national self-determination, so the inevitable result of exercising the right of national self-determination is the emergence of political power. National self-determination in the initial objective historical background has been against colonial rule and alien oppression, from the end of the 18th century to the beginning of the 19th century, against the British colonial rule, 13 British colonies in North America, national self-determination is reflected in the declaration of independence, this is national self-determination as a political principle for the first time in human history. The Declaration of Human Rights, born in the French Revolution in 1789, "put the fate of the people's freedom into their own hands", making national self-determination formally proposed. In the future, the world carried out colonial resistance and independence, while national self-determination remained in the category of political principles. The principle of national self-determination became a principle of international law, with the purpose of the Charter of the United Nations signed in the

1945s after the end of the Second World War: " To develop friendly international relations on the basis of respect for the equal rights of the people and the principle of self-determination, and to adopt other appropriate measures to enhance universal peace."The principle of national self-determination has since become a principle of international law. The 1960 Declaration on the Independence of the United Nations, as well as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, gave people of all countries the right to self-determination from soft to hard law. And when the colonial almost does not exist and in the world, the scope of the principle of national self-determination, it can influence not only stay in colonial and race, national self-determination principle on the colonial and race conditions are no limit, which makes the use of national self-determination principle of nationalism and separatism, national self-determination principle need to be in the modern sense of description and limitation.

### *3.2. Application Subjects and Conditions of the Principle of National Self-determination*

The subject of the principle of national self-determination has always been relatively vague and controversial. From the history of the application of the principle of national self-determination, the early national self-determination was mostly realized by the name of "nation" or a certain race. From the second half of the 20th century to the 21st century, the use of the right to national self-determination was mostly caused by the national contradictions within a country. In the case of Kosovo independence, the conflict between the Albanian and Serbian tribes caused the war, and the Albanians declared Kosovo independence. Although there are too many external factors of independence, coupled with the UN takeover of Kosovo no longer meet the conditions for self-determination, he is still the application of self-determination, but this application is very dangerous. In the legal literature of the United Nations, the contents of the conventions and the declarations have certain differences in purpose. Take the Declaration on granting the Independence of Colonial States and Nations and the International Convention on Civil and Political Rights; the former, in its citation section, "Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights", Article 1 of the Declaration, "The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights ", Article 2, "All peoples have the right to self-determination;". Our translation of these three sentences is, "Considering the declaration of the people of the world in the Declaration of the United Nations Charter", "the slavery, rule and exploitation of all ethnic groups is the denial of basic human rights" and "all nations have the right to self-determination". The first article of the International Covenant on Civil and Political Rights is the same as the original English text of article 2 of the former Declaration, while the Chinese translation of article 1 of the Convention is that " all the people have the right to self-determination. "Therefore, in the conventions and declarations that stipulate the right to national self-determination, the definition of" people "or" nation "and" people " of the right to national self-determination is relatively vague. But that doesn't lead to very serious discrimination problems.

The principle of national self-determination is divided into external self-determination and internal self-determination. External self-determination is aimed at the indigenous people in the colonial areas and the legal and independent ethnic determination. According to the Declaration on the Grant of Colonial States and Ethnic Independence, the conditions of external self-determination follow in three points: (1) nations oppressed by foreign colonial rule; (2) those subjected to genocide and slaughter, and (3) those subjected to racial discrimination. Due to the grave disasters brought by the war, human demands for human rights, human dignity and value, the United Nations believes that we should give all ethnic rights equality and self-determination principles. However, after the realization of this right of external self-determination, most of the division of the original colonial ruling state will occur, which is allowed in line with the applicable conditions of external self-determination. As for internal self-determination, it is more reflected in the International Covenant on Civil Rights and Political Rights. Internal self-determination refers to the change of regime that occurs within one country through the exercise of the right of self-determination due to national issues. In addition to granting the right of self-determination, the provisions of the International Convention on Civil and Political Rights are not interference by other contracting parties, which has the effect of the Westphalia Treaty. So in these two cases of self-determination, the meaning of "people" is different. However, after World War II, especially at the end of the bipolar pattern, the colonies in the world almost disappeared, and the principle of national self-determination was applied less and less externally. At present, the use of the legal right of national self-determination was internal self-determination. Because in the absence of colonial rule or racial discrimination, genocide, national self-determination must not threaten the territorial integrity of a country. Here in the "people", the International Covenant on Civil and Political Rights, the translation we give is "the people" and is reasonable. People are a political concept that covers a wide variety of people. In view of colonial and racial issues, it is the right of the persecuted nation to give small ethnic rights to be independent. However, within a sovereign state, if any nation is given the right of independence, it will lead to the division and turbulence of the sovereign state, which goes against the original intention of safeguarding human rights. Giving the main statement of "people" not only avoids the hidden dangers of ethnic division, but also respects the human rights of the people involved in addition to the regime change caused by ethnic issues.

In summary analysis, for the application of the principle of national self-determination, in the declaration of colonial countries and national independence is "national" and the international convention on civil rights and political rights is the "people", in the world's colonial situation and racial discrimination and isolation, in addition to a single ethnic oppression, compound ethnic group by colonial rule is not a minority, but is not like the pattern of colonial rule in the 20th century. The main consideration, for a country between national groups in non-foreign self-determination under the condition of other contradictions, there is no doubt will be identified as a country's internal affairs and sovereignty part of the problem, so the 1966

convention using "people" as the main body, can cover a single national self-determination, and can avoid the threat of nationalism. The applicable conditions, except for external self-determination, there are no specific conditions for internal self-determination, because it is a change of domestic departments, and international law is granting rights and recognition to such groups, not restrictions.

### *3.3. Questions of the Principle of National Self-determination*

With the almost disappearance of the colonial areas in the world, and the United Nations vigorously advocated human rights protection, racial discrimination and genocide have also been valued and improved, the principle of national self-determination in line with the conditions of foreign self-determination, but the right of national self-determination independence and foreign self-determination cases are not minority. Due to the expansion of the two conventions in the second half of the twentieth century to the application scope of the right of private self-determination, the principle of national self-determination and the right of separation have a vague boundary. Whether the principle of national self-determination includes the right of separation is still controversial in the academic circle. If serious racial discrimination and genocide in the Declaration on the Grant of Colonial States and Ethnic Independence occur within a country, there is a certain legitimacy in the exercise of the right of self-determination and separation, but such events can still be recognized under harsh conditions. The right to separation needs to be greatly restricted, otherwise the right of separation in a country will bring complete threat to national sovereignty and territory, and bring disaster to the domestic order and people, which is contrary to the original intention of advocating human rights. However, the abuse of the principle of national self-determination and the Kurdish referendum on human rights are all the uncontrolled use of the right of national self-determination, which will make convenience for independents and separatists and bring hidden dangers to a country's national security. Therefore, the broad use of the contemporary principles of national self-determination by international law needs to be discussed and restricted.

## **4. The Legitimacy of Crimea, A Public Commitment to Russia**

Crimea, thanks to the turmoil of Ukraine's government and the support of Russia, eventually left Ukraine in a referendum and became part of the Russian Federation. In Crimea, the public investment in Russia has always been very controversial. From the perspective of international law, whether Crimea's accession to Russia complies with the principle of national self-determination in international law, we need to see whether the Crimean referendum is consistent based on the applicable conditions of the principle of national self-determination. But before this need to clear some problems to specific analysis.

Crimea, the public investment in Russia, belongs to the external self-determination or the internal self-determination? This issue is covered in part of the historical factors mentioned above. After Crimea was surrendered to Ukraine by Khrushchev, with the collapse of the Soviet Union, the Crimean government passed a constitution as the only, autonomous republic in Ukraine. So before Crimea was publicly committed to Russia, Crimea was part of Ukrainian territory. Then Crimea became the coalition state of the Russian Federation through national self-determination and separated from Ukraine, which destroyed the territorial integrity of Ukraine. Since it was divided, then the investment of Crimea in Russia belongs to foreign self-determination. Therefore, from the perspective of international law, Crimea's entry into Russia is not legal for the following reasons:

### *4.1. Crimea Does Not Meet the Applicable Conditions for External Self-determination*

According to the Declaration on the Independence of Colonial States and Ethnic Independence, there is no case of external self-determination: colonial rule, genocide and racial discrimination. Crimea is not a colony of any country, and the local people in Crimea have not been subjected to apartheid and racial discrimination, so it is obvious that Crimea does not apply to foreign independence from Ukraine. But it is racial discrimination was controversial, but the Crimean ethnic composition and history, the discrimination is the local tatar residents, but tatar residents only a small part of the total number of Crimea, Russian constitute seventy percent of the Crimean population, and appeal from the ethnic is the Russian, so on the condition of racial discrimination is not apply. Although the declaration is not binding, its application to foreign self-determination is in line with the international habits and the key points of self-determination that can be recognized by various countries, so the conditions of the declaration on the use of the right to national self-determination need to be considered and determined. Crimea is not eligible.

### *4.2. In Crimea, Russia Has Challenged the Principle of Territorial Sovereignty*

Since Crimea does not meet the separable situation of foreign self-determination, it causes the territorial division of Ukraine and ignores the principle of territorial sovereignty. The UN charter on the principle of national self-determination and sovereignty integrity, and on the declaration of colonial countries and national independence also pointed out that the exercise of sovereignty to maintain national territorial integrity of deprivation, shall not destroy the territorial integrity of other countries attempt to violate the purposes and principles of the UN charter incompatible behavior. Foreign self-determination is the only principle of national self-determination to recognize the right of separation, Crimea into Russia does not conform to this condition, so Russia use the situation of the Ukraine government chaos, to the Crimean military aid and admit its independence after joining the Russian federation, the Ukraine, Crimea into Russia violated the principle of territorial integrity and sovereignty.

#### 4.3. In Crimea, the Public Investment in Russia Is Not Complete

In addition to the international recognition of the referendum, the referendum also needs to have perfect laws for the legislative level of the referendum. Crimea should follow Ukraine's constitution and laws before it leaves Ukraine. Legislation on the referendum side is reflected in the Constitution, and Ukraine also has a complete referendum law. Ukraine's constitution stipulates those citizens can express their views if the Ukrainian parliament cannot reach a consensus on specific issues. Ukrainian citizens may hold a referendum on (1) amending the contents of the Constitution; (2) alteration of Ukraine's territory; (3) Ukrainian accession or withdrawal from international organizations; (4) termination of the powers of Parliament; (5) early dissolution of Parliament; and (6) the motion of the President to dissolve Parliament. Ukraine's referendum Law stipulates that a referendum can be initiated by the parliament, the president, the Central Election Commission, local autonomy institutions and citizens, and the outcome of the referendum can affect official decisions and be binding. The conditions for the full-name referendum in Ukraine require the participation of the voters of the whole country and the voting rate of the voters must exceed 50% to be valid. If the approval rate of 50% will be deemed to take effect. Looking at the referendum in Crimea, the process of joining Russia is from independence to joining the Russian Federation, and the voters participating in the referendum are always only the voters in Crimea, and do not meet the conditions of the national voters stipulated in the Ukrainian referendum law. Crimea is a referendum conducted only in the region, not a legal referendum.

#### 4.4. Crimea in Russia

The procedure of the principle of national self-determination, after a country requires the people to exercise the right of self-determination, should first conduct a referendum in accordance with the domestic constitution and the referendum law, and then organize citizens to vote according to the subject of the referendum. Crimea after independence into Russia, single from the point of regional independence, there is no serious ethnic separation, Ukraine government for the ownership of Crimea is controversial, in fact as early as after the collapse of the Soviet union Crimea became Ukraine territorial referendum, Ukraine into Russia referendum, however, in Russia, Crimea completely around the Ukrainian government to a referendum, without Ukraine the voters and the referendum, not according to the domestic law, nor in accordance with the internationally recognized the full name of the referendum procedure. Before the Crimean national separation cases affect territorial integrity, Crimea in the absence of serious national contradictions and struggle, once again challenged the principle of territory and sovereignty, which makes the scope of the principle of national self-determination, from national regional independence, this will make the difference between national self-determination and separatism more and more fuzzy, a threat to a country's domestic security and territorial issues. At present, there is no clear contemporary specific elements of application, only in the international convention on civil rights and political rights in the people have the right of self-determination and the principle of non-interference of other countries, but as the national self-determination principle is excessive, its scope is not restricted, it is easy to use by separatism, cause chaos, national self-determination principle in accordance with the contemporary international situation of specific constraints.

### 5. China's Attitude Towards the Principle of National Self-determination

China so far has not recognized the involvement of Crimea in Russia, but still considers Crimea belongs to Ukrainian territory. Crimea is also one of the causes of the war between Russia and Ukraine. Crimea into Russia, Ukraine broke with Russia, Russia has been in Ukraine and the policy, gas control and economic support is Russia in Ukraine, and Ukraine is its strategic position, but the strategic focus is the black sea portal in Crimea, Russia after the Crimea, however, Ukraine if not into the arms of the European Union and NATO, can only let Russia control, so the Crimea into Russia is the last straw that broke the camel. The Russo-Ukraine war has also brought grave disasters to the people of both countries.

China's attitude towards the principle of national self-determination, as one of the four victorious countries of World War II, China participated in the establishment of the United Nations, the first to sign the Charter of the United Nations. After the adoption of the International Convention on Civil Rights and Political Rights by the United Nations in 1966, China signed the Convention on October 5, 1998, but did not ratify it. In 1997, China signed the International Convention on Economic, Social and Cultural Rights, and it ratified it in 2001. In 2003 submitted to the UN the implementation of the international convention on economic, social and cultural rights of the first report reported that our country support colonies and threatened ethnic people independence is not interference by other countries, but in our country within a country minority do not enjoy the right to national self-determination, national self-determination may not endanger national sovereignty and territorial integrity. At the same time, our attitude in the Kosovo case is also clearly clear that Kosovo independence violates international law. The principle of national self-determination still maintains the applicable conditions embodied in the conventions and declarations in the last century, and has certain restrictions on the principle of national self-determination. China's national conditions also need to retain the application of the principle of national self-determination. On ethnic minorities and territorial issues in our country still exist more and serious hidden trouble, in Tibet and Xinjiang region still part of separatists in independent activities, Taiwan government, or people, "Taiwan independence" is not a minority, our country adhering to the highest principle of sovereignty and territorial integrity, the national self-determination principle cautious attitude, avoid separatist loopholes of the law, cause the harm of our territory and domestic order. Although the current principle of national self-determination has not been further

refined in the non-colonial era, China will always preserve the original attitude towards the principle of national self-determination.

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