

Kissinger's edict on Crimea

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Approximately three weeks ago Henry A. Kissinger (former United States Secretary of State to presidents Richard Nixon and Gerald Ford), made a shocking pronouncement that then President-Elect Donald J. Trump should accept Crimea as part of the Russian Federation.

If we are to understand the assertion correctly, this would mean that the US would have to concede to the illegal seizure of this territory by Russia, which

did not control the territory before February 26th 2014. According to all international protocols, prior to the date, Crimea was considered to be part of Ukraine.

With this unsolicited advice, Kissinger seems to have taken a page out of edicts written in the Middle Ages – a series of 15th century papal bulls or decrees which gave authority to monarchs to go out and seize indigenous lands and “civilise” its native population. When Pope Nicholas V issued the bull *Romanus Pontifex* in 1455, it sanctified conquests in the New World by giving a right to conquer newly discovered lands. With that pronouncement came an unprecedented amount of indigenous land grabs.

Six hundred years later, an intense two week discussion on the enduring impact of the edict on indigenous peoples took place in 2012 at the 11th session of United Nations Permanent Forum on Indigenous Issues (UNPFII), titled Doctrine of Discovery. Attended by approximately 1,500 indigenous leaders and representatives from remote parts of the world, the gathering examined the footprints of this doctrine and ways to redress the matter of lands, territories and resources which have been confiscated, taken, occupied, used and damaged without indigenous peoples’ free, prior and informed consent under articles 28 and 37 of the United Nations Declaration for the Rights of Indigenous Peoples (UNDRIP).

Continuation of this legacy has taken on different forms for the indigenous Crimean Tatars. Their edict was authorised in 1782 by Grigory Potemkin, a Russian statesman who wrote to his mistress Catherine II: “Imagine Crimea is yours”, as imperialist Russia sought to take the “Jewel Crown” for itself. At the time, Crimea was, in fact, a sovereign state ruled by the Crimean Khanate, which was a major player in the arena of political and military international relations within the Eurasian space. The notion of Crimea as a Russian land was the starting point in implementing the mentioned

seizure edict on Crimea. According to a Crimean Tatar intellectual, Ismail Gasprinskii, writing in 1905, the systematic oppression and confiscation of indigenous lands caused nearly one million Crimean Tatars to emigrate to Romania and other parts of the Ottoman Empire.

Crimean Tatars are the indigenous people of Crimea, and Ukraine has repeatedly argued this at the forum of the UNPFII since 2005, to lobby on two key areas: human rights and the correction of historical wrongs. Since the 2014 occupation of Crimea, they have added one more matter to the agenda in an effort to uncover the underlying purpose of contemporary operation of the Doctrine of Discovery that has been affecting the indigenous Crimean Tatars since 1782.

Russia has not hidden its desire to be a great power again, whether during the era of tsarist imperialism or during the Soviet times, which would ostensibly provide the reason for its invasion of Ukrainian Crimea. In 2005 Putin famously referred to the breakup of the Soviet Union as the “greatest geopolitical catastrophe of the century”. As a matter of fact, Putin first reintroduced the tsarist concept of New Russia (*Novorossiia*) into modern Russian political discourse during his televised question and answer session on April 17th 2014, several months after annexing Crimea.

Moreover, talk of Crimea as an economic burden given the sanctions was rebuked by Putin when he stated, “This is not the price we have to pay for Crimea. This is actually the price we have to pay for our natural aspirations to preserve ourselves as a nation, as a civilisation and as a state.”

Yes, but on whose land and at whose expense?

When the dubious Crimean referendum on the annexation took place on March 16th 2014 in an effort to legitimise the occupation, the Crimean Tatar leadership immediately labeled this as the “Potemkin Referendum” and considered the 2014 annexation as the repeat of an illegal act (the first being committed by imperialist Russia). Chairman Refat Chubarov of the Crimean Tatar Mejlis appealed to the Crimean Tatars to boycott this “sham of democracy” as illegal and against Ukrainian law that willfully ignored indigenous Crimean Tatars' right to self-determination under Article 3 of the UNDRIP.

When it comes to Crimea and the indigenous Crimean Tatars, the intersection of the potentates of the old world and the new world found no difficulty in convincing themselves they have a right to conquer and rule over indigenous lands.

The annexation, invasion, deportation and annihilation of the indigenous Crimean Tatars reached its pinnacle on May 18th 1944 based on a secret Kremlin decree whereby Soviet soldiers deported en masse the entire indigenous people from their ancestral homeland of Crimea, in a deplorable act known as the *Surgun* or violent expulsion. This resulted in 46 per cent of the Crimean Tatar people either perishing at the time of deportation or in route or in places of exile. The Verkhovna Rada (parliament) of Ukraine recognised the 1944 *Surgun* as a genocide with the support of 245 MPs exceeding the minimum of 226 votes needed.

Without a doubt, this is considered one of the most blatant examples of demographic engineering with the goal being to erase the indigenous Crimean Tatars link to the Crimean Peninsula. When the deportation was complete, Crimean writer Aleksei Gaivoronskii described the deportation as the fulfillment of the “eternal dream of tsarism”.

During the Soviet era, it was forbidden to use the word “Crimean”. Any mention of Crimea by Crimean Tatars was taken as a code for return and was vehemently suppressed. They were told there were no such group as the Crimean Tatars; only “Tatars” existed. As explained by Mustafa Dzhemilev, indigenous MP of the Ukrainian Verkhovna Rada and the Leader of the Crimean Tatar

People, the endeavour was an attempt to hide the ethno genesis of the Crimean Tatar people and their pre-Golden Horde link to the Crimean peninsula.

Today, in occupied Crimea 300,000 Crimean Tatars or 12 per cent of the Crimean population (along with 28 per cent of people with Ukrainian descent), cannot say that Crimea is Ukraine due to fear of persecution or even death. The past has become the present.

As was mentioned earlier, during Kissinger's meeting with Putin as part of a "long-standing friendly dialogue," he criticised the West and expressed hope that it would finally be reconciled with Russia's annexation of Crimea. Not a word was uttered about the fate of the Crimean Tatars.

Let me remind Kissinger that Putin understands the political weight of the indigenous factor. In the run up to the 2014 referendum, **Putin requested to speak to Mustafa Dzhemilev via a phone conversation** and conveyed that he would do everything to protect the "Tatars" if the Crimean Tatar leader accepted the "unification" of Crimea with Russia. The indomitable former prisoner of the Soviet gulags made his position clear by stating: "There isn't any issue that cannot be resolved in other ways and by other means without sacrificing the territorial integrity of Ukraine". Kissinger might want to use Dzhemilev as his moral and intellectual compass concerning this issue.

By advocating for the "giving away" of Crimea to Putin, Kissinger instead displayed a frame of mind much reflected in the old Papal Bulls. While the Episcopal Church and the World Council of Churches has denounced the Papal Bulls such as *Dum Diversas* (1492) and *Inter Caetera* (1493), the edicts have never been rescinded. Possibly drawing strength from such Middle Ages edicts, Kissinger has come to treat the indigenous Crimean Tatars as "invisible people." He sees Crimea as *terra nullius*, meaning being void or empty land, and ready to give away what is not his to yield and what should never be legally recognised as Russia's to take.

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