

# The Status of the Crimean Tatars in Ukrainian and International Law

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*Abstract:* This paper addresses issues relating to the long overdue need to provide for the specific collective rights under international law of the Crimean Tatars as they pertain to indigenous peoples. These rights, in particular the right to self-determination, are especially topical in view of the occupation and annexation of the Crimean peninsula—the historical homeland of this indigenous people—by the Russian Federation. The paper analyzes previous failures to secure Crimean Tatars' indigenous rights and the current legislative proceedings. The stance and views of the international community expressed in resolutions and other documents adopted by leading international organizations are also considered. The paper also explains why the status of indigenous people acquired by the Crimean Tatars is linked to the current constitutional revision of the chapter on the Autonomous Republic of Crimea, and why it is a crucial element of any strategy for the de-occupation of Crimea.

**Key words:** Crimean Tatars, indigenous rights, indigenous status, self-determination, occupation/annexation of Crimea

## Introduction

The “indigenoussness” of certain ethnic groups has been vigorously debated since the second half of the 20th century, culminating in the adoption of the Declaration on the Rights of Indigenous Peoples by the UN General Assembly on 13 September 2007.<sup>1</sup> However, the

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<sup>1</sup> For more detail see Borys Babin, Olena Hrinenko, and Anna Prykhod'ko, *Pytannia rozvytku ta realizatsii mizhnarodnykh standartiv prav korinnykh narodiv* (Odesa: Feniks, 2018).