

The Obligation of Non-Recognition: The Case of the Annexation of Crimea

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***Abstract:** The aim of this article is to discuss the obligation of non-recognition arising out of the illegal use of force by Russia against Ukraine and the subsequent annexation of Crimea. The thesis underlying the article is that these events amounted to a gross violation of international law, and consequently, States are under an obligation not to recognize Crimea as part of the Russian Federation. The article starts with a section which briefly defines the obligation of non-recognition, tracing its evolution and examining the content of the obligation. The second and main part discusses the case of Crimea, highlighting the most important facts, discussing the statements on this case issued by the UN GA and the UN SC, and examining the stance adopted by other international organizations and States on this issue.*

Introduction

In November 2013, when the Ukrainian authorities announced that they had suspended the preparations for the conclusion of an Association Agreement with the European Union, it would have been hard to imagine that the crisis prompted by this decision would lead to one of the most flagrant violations of international law in recent decades: the annexation of the Crimean Peninsula by the Russian Federation. Even more unsettling is the fact that half a decade later, the international community has still not managed to address this situation effectively.

While the Russian use of force and annexation of Crimea has become a major topic of discussion in the international legal scholarship, the doctrine of law does not present a uniform position