

Volodymyr MAKARCHUK

Lviv Polytechnic National University,
Educational and Research Institute of Law,
Psychology and Innovative Education,
Professor of the Theory of Law
and Constitutionalism Department,
Dr. Habil. (Law), Full Professor
volodymyr.s.makarchuk@lpnu.ua
ORCID: 0000-0001-6292-8419

**DEMARCATIION AND LEGALISATION OF THE BORDERS
OF THE UKRAINIAN SSR WITH ITS NEIGHBOURS –
ACCESSION OF CRIMEA TO THE UKRAINIAN SSR**

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This article is part of a series of 5 articles dedicated to the establishment of the borders of the Ukrainian SSR (and its legal continuation under the Union Constitution of 5 December 1936 of the Ukrainian SSR) with the neighbouring Soviet republics – the RSFSR, the Belorussian SSR (BSSR) and the Moldavian ASSR (Moldavian Autonomous Socialist Soviet Republic; since 1936 – the Moldavian Autonomous Soviet Socialist Republic) and the latter’s legal successor – the Moldavian SSR. The author points out that the issue of transferring Crimea to the Ukrainian SSR was primarily driven by economic considerations – the war-torn and ruined by the deportation of the indigenous population, waterless Crimea was “hung around the neck” (budget) of the Ukrainian SSR. The event was tacitly timed to coincide with the celebration of the 300th anniversary of Ukraine’s “reunification” with Russia. The transfer of the territory was not subject to any expression of popular will (referendum), and the decision was made behind the scenes by the Presidiums of the Supreme Soviet of the USSR and the two “fraternal republics”. The thesis of contemporary Russian propaganda that Crimea was “given to Ukraine by a drunken Khrushchev”, who at the time was not yet a top figure in the Soviet leadership, is also questionable. In any case, the transfer of Crimea to the Ukrainian SSR had full legal force, which is being actively disputed by Russian politicians and scholars of the post-Soviet period. It was within the framework of Ukrainian statehood that the multinational peninsula received autonomous status (within the Russian Federation it is now part of the Southern Federal District).

The consideration of the issue is brought to the 2010s, without touching on the events of the so-called “Russian Spring” of 2014, which began with the occupation of Crimea by the regular Russian army and its proxies – “polite people”. Attention is paid not only to the legal but also to the political and economic aspects of the peninsula’s being part of the Ukrainian SSR and independent Ukraine.

Keywords: borders of the Ukrainian SSR, modern borders of Ukraine, national question in the internal policy of the USSR.

Formulation of the problem. The Final Act of the Helsinki Conference on Security and Cooperation in Europe (1975) established the principle of inviolability of European borders. At the same time, the collapse of the bipolar world and the collapse of the communist empires (the USSR and the SFRY) led to a series of bloody armed conflicts between the until recently friendly neighbors in Eastern Europe and the Balkans. Vladimir Putin, the newly-minted “collector of russian lands” and author of the concept that the collapse of the Soviet Union was the greatest geopolitical catastrophe of the twentieth century, began active military actions against independent Ukraine from the “sacred” Crimea. The rationale for these efforts, from the point of view of international law, was insignificant (here I refer the reader to two of my own publications dated 2015 [1; 2]), and the arguments for the alleged “illegitimacy” of the transfer of “russian Crimea” to Ukraine looked frankly far-fetched.

Analysis of the study of the problem. The topic has been acutely relevant since the events of 2014, and for today has a strong domestic and foreign historiography, which includes hundreds, if not thousands of titles in many languages.

The purpose of the article. Modern international law does not recognize any annexations of territories carried out by the aggressor unilaterally, contrary to the will of the other party, confirmed by the relevant international legal agreements. In addition, the so-called new international law considers any “popular expression of will” (plebiscites, referendums) carried out under actual military occupation to be null and void. Without questioning the state-territorial affiliation of Crimea, we will try to challenge perhaps the main argument of Putin-Lavrov diplomacy about the allegedly illegitimate way in which the Crimean region was transferred in 1954 from one Soviet republic to another.

Presenting main material. According to the results of the first all-russian census of 1897, the Ukrainian segment of Crimea (5 districts and two townships) ranged from 2.8 % in Yalta district to 22.3 % in Perekop district [3]. However, the percentage of the Great russian population in only two territorial units (Sevastopol and Kerch-Yenikapin governorates) exceeded half (over 50 %). In the summer of 1917, Mykhailo Hrushevsky defended the autonomous rights of the peninsula along with the rest of Ukraine from the russian government. The experts involved in the negotiations on autonomy by the Provisional Government argued that Ukraine was exclusively the lands of the Zaporizhzhia Army, with which Bohdan Khmelnytsky came to the Pereyaslav Rada, and nothing else.

The Red Army first captured Crimea in March 1918. The Republic of Taurida was proclaimed, which lasted about a month. The peninsula was then occupied by German troops, who created a regional government headed by Tsarist General S. Sulkiewicz. The latter wanted to transfer Crimea to the White Guard Russia. However, P. Skoropadskyi was of the opinion that Crimea was part of Ukraine. In response to Sulkiewicz’s objections, the hetman declared an economic blockade, significantly complicating the economic life of the peninsula. In the fall of 1918, an agreement was reached on Crimea’s accession to Ukraine as a territorial autonomy. The fall of the Hetmanate prevented these plans.

After the end of the Civil War, the government of the RSFSR (as it was called at the time) retained Crimea, incorporating the peninsula directly into its own state. At that time, the majority of its population was not russian. They resorted to demographic falsifications. The Slavs (Ukrainians, russians, and Belarusians) were united into one national group called “russians”. Similarly, 2. Tatars and Turks, and 3. Jews and Karaites (Jews by faith) were also grouped into common national groups. It is interesting that similar “religious” manipulations (Roman Catholics, Greek Catholics, Orthodox) were used in the so-called Eastern Kresy and by the authorities of the Second Polish Republic along with the atheistic Union of the SSR. The census yielded the following results: a total of 729 thousand people were registered in

Crimea. Of these, 51.5 % were “russians”, 25.9 % were Crimean Tatars, 6.8 % were Jews, 5.9 % were Germans, and others were Armenians, Bulgarians, Poles, and Greeks [4, p. 98].

On October 18, 1921, Chairman of the RSFSR Council of People’s Commissars V. Lenin and Chairman of the Central Executive Committee M. Kalinin signed a decree on the formation of the Crimean Autonomous Soviet Socialist Republic. The Central State Archives of Ukraine has preserved the “Report” of the Commission on Administrative and Economic Zoning of Crimea, which it sent to the Central Executive Committee of the Crimean Autonomous Soviet Socialist Republic in March 1923 and according to which the autonomous government of the peninsula decided to appeal to Ukraine with a proposal to transfer 10 volosts of the Dnipro and Henichesk districts of Tavria to autonomy.

The initiators planned to fill the local budget with this “small” territorial concession” (what other accounts between the “brotherly republics” are there?): “The communal economy of Crimea, supported by rather insignificant allocations from the center”, they wrote, “which are barely enough to maintain the economy that survived the destruction, not to mention the reconstruction of the destroyed, cannot count on support either from industry, whose condition is critical, or from the small population, whose solvency is extremely weak, and therefore cannot serve even as a direct basis for the local budget, which could support medical centers and art monuments, the preservation of which is a state necessity” [5, p. 70]. The government of the Ukrainian SSR at the time, headed not by a Ukrainian but by a Bulgarian internationalist, H. Rakovsky, and the authorities of the districts mentioned in the Note reacted sharply against the idea. The ethnographic factor also had an impact: here, the percentage of Ukrainians in the aforementioned 1897 census consistently exceeded 50 %.

The Second World War was a severe test for the population of the peninsula. As a result of high mortality, the extermination of the Jewish and Karaite populations by the German invaders, and Soviet deportations, the number of residents by the end of the summer of 1944 had fallen to 780 thousand people, 75 % of whom were russians and 21 % Ukrainians [6].

As a result of Soviet deportations of 228.5 thousand Crimean Tatars, Germans, Bulgarians, Greeks and other unreliable minorities, the demographic composition of the population changed, and thus the need to preserve the flimsy “autonomy” disappeared. On June 30, 1945, the Presidium of the Supreme Soviet of the USSR adopted a (preliminary) resolution on the transformation of the Crimean Autonomous Soviet Socialist Republic into the Crimean Oblast within the RSFSR. On June 25, 1946, the Supreme Soviet of the USSR adopted the (full) Law on the transformation of the Crimean Autonomous Soviet Socialist Republic into the Crimean Oblast within the RSFSR and on the introduction of relevant amendments to Article 14 of the Constitution of the RSFSR.

According to statistics, in 1950 the Crimean industry reached only 81 % of the pre-war level. Agriculture did not reach the pre-war level either. In 1950, the sown area amounted to only 881,900 hectares, while before the war it was 987,400 hectares. The yields of grain and industrial crops depended entirely on weather and climate conditions, irrigation capabilities, and the application of chemical and mineral fertilizers. In 1950, the average yield was only 3.9 centners of grain per hectare. The areas under industrial crops were not restored. Livestock production also did not reach the pre-war level. And the situation continued to deteriorate.

Realizing that the technical and budgetary capabilities of the RSFSR were not able to provide large-scale assistance to bring the region out of decline (water, labor, food, etc.), the population and local authorities were looking for a way out. The initiator of the cutting of the Crimean Gordian knot was not the usual in such cases “party” (within which, after the death of J. Stalin on March 5, 1953, a fierce struggle unfolded, and N. Khrushchev was still strengthening his position), but ... the “government” in the person of G. Malenkov. On January 25, 1954, at a meeting of the Presidium of the CPSU Central Committee (chaired by the then Prime Minister H. Malenkov), a draft Decree of the Presidium of the Supreme Soviet of the USSR on the transfer of the Crimean region from the RSFSR to the Ukrainian SSR was approved.

Only Pavel Titov, the first secretary of the Crimean regional committee of the CPSU, opposed the transfer (it seems that he had his own “skin in the game” reasons for fearing for his position in the new

republican party organization), for which he was removed from his party post on the peninsula and recalled to Moscow as Deputy Minister of Agriculture of the RSFSR.

On February 5, 1954, the Council of Ministers of the RSFSR concluded that it was expedient to transfer the Crimean region to Ukraine. The ministers addressed this proposal to the Presidium of the Supreme Soviet of the RSFSR. In turn, the latter entered into relations with the Presidium of the Supreme Soviet of the Ukrainian SSR and received an agreement in principle. After that, the issue of the transfer of the Crimean region to Ukraine was considered at a joint meeting of the Presidium of the Supreme Soviet of the RSFSR with the participation of representatives of the Crimean regional and Sevastopol city Councils of Deputies of Workers. The adopted resolution stated: "Taking into account the common economy, territorial proximity and close economic and cultural ties between the Crimean region and the Ukrainian SSR, as well as taking into account the consent of the Presidium of the Supreme Soviet of the Ukrainian Republic, the Presidium of the Supreme Soviet of the RSFSR considers it expedient to transfer the Crimean region to the Ukrainian Soviet Socialist Republic" [7, c. 46]. This resolution was sent to the Supreme Soviet of the USSR.

On February 13, 1954, the issue of "On the submission of the Presidium of the Supreme Soviet of the RSFSR on the transfer of the Crimean region to the Ukrainian SSR" was considered at a meeting of the Presidium of the Supreme Soviet of the Ukrainian SSR. The adopted resolution emphasized that "the Presidium of the Supreme Soviet of the Ukrainian SSR expresses its heartfelt gratitude to the Presidium of the Supreme Soviet of the Russian Soviet Federative Socialist Republic for this generous noble act of the fraternal Russian people. The Ukrainian people will welcome the decision to transfer Crimea to the Ukrainian SSR with a sense of deep satisfaction and ardent gratitude as a new vivid manifestation of the boundless trust and sincere love of the Russian people, a new testimony to the unbreakable fraternal friendship between the Russian and Ukrainian peoples". The Presidium of the Verkhovna Rada of Ukraine also decided: "To request the Presidium of the Supreme Soviet of the USSR to transfer the Crimean region from the Russian Soviet Federative Socialist Republic to the Ukrainian Soviet Socialist Republic". This resolution was also sent to the Presidium of the Supreme Soviet of the USSR. The Presidiums of the Supreme Councils of both republics acted in strict accordance with Articles 15-b of the Constitution of the Ukrainian SSR and 16-a of the Constitution of the RSFSR.

On February 19, 1954, a meeting of the Presidium of the Supreme Soviet of the USSR was held in Moscow with the participation of representatives of interested parties: Chairman of the Presidiums of the Supreme Councils of the RSFSR M. Tarasov and the Ukrainian SSR – D. Korotchenko, Secretaries of the Presidiums of the Supreme Councils I. Zymin and V. Ivanenko, Deputy Chairmen of the Councils of Ministers V. Maslov and M. Hrechukha, respectively, as well as from the Crimean region – First Deputy Chairman of the Executive Committee of the Crimean Regional Council P. Lyalin, Chairman of the Executive Committee of the Simferopol City Council N. Katkov, Chairman of the Executive Committee of the Sevastopol City Council S. Sosnytsky. It should be noted that N. Khrushchev was not present at this meeting. The first speaker was the Chairman of the Presidium of the Supreme Soviet of the RSFSR M. Tarasov. Justifying the decision taken by the Presidium to transfer the peninsula, the Russian official first of all emphasized that Crimea was "a natural extension of the southern steppes of Ukraine. The economy of the Crimean region is closely linked to the economy of the Ukrainian republic. For geographical and economic reasons, the transfer of the Crimean region to the fraternal Ukrainian republic is expedient and in the general interests of the Soviet state".

Recognizing the existing realities, M. Tarasov noted that in recent years, economic and cultural ties between Ukraine and Crimea had further strengthened. After reading the resolution of the Presidium of the Supreme Soviet of the RSFSR, its Chairman asked the Presidium of the Supreme Soviet of the USSR to approve the transfer of the peninsula to Ukraine. In his response speech, the Chairman of the Presidium of the Supreme Soviet of the Ukrainian SSR D. Korotchenko assured "that the Ukrainian people will pay due attention to the further development of the Crimean economy and the improvement of the material well-

being of the workers of the Crimean region”. He also familiarized the audience with the resolution of the Presidium of the Supreme Soviet of the Ukrainian SSR of February 13, 1954.

In their speeches during the discussion of the issue, the Deputy Chairman of the Presidium of the Supreme Soviet of the USSR S. Rashidov and members of the Presidium O. Kuusinen, O. Shvernyk and others also supported the transfer of the Crimean region to Ukraine. The Chairman of the Presidium of the Supreme Soviet of the USSR K. Voroshilov also spoke in support of this decision.

On the same day, the Presidium of the Supreme Soviet of the USSR unanimously approved the Decree “On the Transfer of the Crimean Region from the RSFSR to the Ukrainian SSR”. It emphasized: “Taking into account the common economy, territorial proximity and close economic and cultural ties between the Crimean region and the Ukrainian SSR, the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics decides: To approve the joint submission of the Presidium of the Supreme Soviet of the RSFSR and the Presidium of the Supreme Soviet of the Ukrainian SSR on the transfer of the Crimean region from the Russian Soviet Federative Socialist Republic to the Ukrainian Soviet Socialist Republic” [8, p. 73].

On April 26, 1954, the Supreme Soviet of the USSR adopted the Law “On the Transfer of the Crimean Region from the RSFSR to the Ukrainian SSR”. It had only two points: “1. To approve the Decree of the Presidium of the Supreme Soviet of the USSR of February 19, 1954, on the transfer of the Crimean region from the RSFSR to the Ukrainian Soviet Socialist Republic. 2. To make appropriate changes to Articles 22 and 23 of the Constitution of the USSR”.

The Decree of February 19 and the Laws of April 26 were signed by the Chairman of the Presidium of the Supreme Soviet of the USSR Kliment Voroshilov.

Thus, in this case, all the necessary procedural requirements were strictly observed. The transfer took place not only by mutual agreement, but also on the initiative of the Russian Federation itself. In addition, none of the above documents mentions a gift on the occasion of the 300-th anniversary of the reunification of Ukraine with Russia. These decisions also do not coincide with the celebration chronologically. Ukraine has invested heavily in rebuilding and boosting its economic potential. Already in the second half of the 1950s, capital investments in the economy of the Crimean region amounted to 2,317.5 million rubles. 183 enterprises of the mining, chemical, energy, light and food industries were put into operation. During the same period, 745.4 thousand square meters of housing were built. Capital investments in the peninsula’s economy were also significant in the following periods: 1976–1980 – 5.346 million rubles, 1981–1985 – 6.314 million rubles, 1986–1990 – 7.001 million rubles. For comparison, in the Chernivtsi region for the same periods they amounted to 1065 million rubles, 1.271 million rubles and 1.844 million rubles. In general, from the time Crimea became part of Ukraine until 1990, 30.765 million budgetary rubles were invested in its economy [9]. This contributed to the rapid growth of industrial and agricultural production, and to the welfare of the peninsula’s population. A total of 4.572 thousand square meters of residential space was put into operation.

The Kremlin had nothing to lose from the transfer of Crimea to the “fraternal republic”, whose sovereignty remained an obvious fiction until the early 1990-s. The region continued to be considered an “All-Union health resort”, Soviet military and naval pensioners willingly settled there, and the functioning of the Ukrainian language in government, cultural, and educational institutions, not to mention production and trade, was at a deplorable level.

In 1954, no one could have predicted that Crimea would ever break away from Russia along with Ukraine. Thus, the concept of Khrushchev’s “tsarist gift” to the Ukrainian SSR, which he led several times, is groundless. There are no good reasons for presenting Khrushchev, a native of the Kursk province, a Russian, as an “agent of influence” of Ukraine in the Kremlin. His decisions in national politics were dictated solely by the interests of protecting the empire (the bloody massacre of the Hungarian revolution in 1956, but also the “normalization of relations” with Tito’s Yugoslavia). It should also be remembered that as of 1954, Khrushchev’s position in the Soviet party leadership was not yet uncontrolled (he could

not just take it away or hand it over at will), and that G. Malenkov, who remained the head of the Union Government until February 8, 1955, was still in the lead.

Nevertheless, during the years of the so-called perestroika and the collapse of the USSR, Russian great-power forces demanded the “return of Crimea” to the Russian Federation. Initially, Boris Yeltsin’s struggle with Mikhail Gorbachev for sole power in the Kremlin had a favorable impact on Kyiv’s position. The first treaty between Ukraine (then the Ukrainian SSR) and Russia (the RSFSR) was signed on November 19, 1991. It clearly stated that the borders were inviolable and intact. In the preamble of the Treaty, Russia recognized the Declaration of Sovereignty of Ukraine proclaimed on July 16, 1990, and Ukraine recognized the Russian Declaration of Independence of June 12 of the same year. The principle of inviolability of borders was also confirmed in the CIS Treaty of December 8, 1991 [10, p. 110].

However, in the spring of 1992, the Supreme Soviet of the Russian Federation decided to cancel the transfer of Crimea to Ukraine in 1954, and on May 21 of the same year, the then Russian Foreign Minister A. Kozyrev expressed his “high appreciation” of this decision.

Sensing the weakness of its position, following the usual for Moscow diplomacy *salami slicing tactics* (as international experts call the policy of escalating demands, when a stronger state seeks minor concessions from a weaker one after another – just like an experienced housewife slices this type of sausage), the Russian side paid special attention to the Black Sea Fleet base – the “city of Russian glory” – Sevastopol.

Since 1948, Sevastopol had the status of a city with republican subordination. Until 1954, the Crimean region and Sevastopol were subordinated to Moscow as the capital of the RSFSR. When Crimea was transferred from Russia to Ukraine, no separate decisions were made regarding Sevastopol. The Supreme Soviet of the Russian Federation tried to play on this. In July 1993, it adopted a populist decision to grant Sevastopol the status of a city of the Russian Federation.

However, this decision was legally illiterate. Soviet legislation considered cities of republican subordination to be an integral part of the region in which they were located. That is why Sevastopol automatically became subordinate to Kyiv as the capital of the Ukrainian SSR in 1954. This was confirmed, for example, by the official publication “USSR. Administrative Division of the Republics as of March 1, 1954”. It stated that Sevastopol was subordinate to Kyiv, not Moscow.

On July 20, 1993, the UN Security Council joined the case, qualifying this decision of the Supreme Council of the Russian Federation as legally null and void. Bringing Ukrainian-Russian relations to the UN level forced Russian politicians to temporarily slow down. The Russian president was forced to refute the decision of his legislative body.

The Treaty of Friendship, Cooperation and Partnership between Ukraine and the Russian Federation, which was supposed to take into account the collapse of the USSR, was developed over many years and with considerable difficulty. The stumbling block in the negotiations was the clause on mutual recognition of the existing state borders between the two countries. Only in April 1999 did the treaty enter into force. It stabilized Ukrainian-Russian relations. Russian politicians and their supporters in the Autonomous Republic of Crimea recognized the futility of playing the Crimean card in the future.

On August 3, 1994, an Agreement between Ukraine and the Russian Federation on Cooperation and Interaction on Border Issues was signed in Odesa. On February 8, 1995, the Agreement on Border Crossing Points across the Ukrainian-Russian border was signed in Kyiv. In August 1996, working groups on border delimitation began meeting in Moscow and Chernihiv. By the following year, 1997, seven joint protocols had been developed, but the issues of delimitation of the Azov Sea and the Kerch Strait remained highly contentious.

On May 31, 1997, a bilateral “Treaty of Friendship, Cooperation and Partnership between Ukraine and Russia” was signed in the Mariinsky Palace in Kyiv. The Verkhovna Rada of Ukraine ratified it in January 1998 with 305 votes in favor; the ratification was not supported mainly by deputies from the Congress of Ukrainian Nationalists, the Ukrainian Conservative Republican Party, the Ukrainian Republican Party, and some deputies from the “Reforms” group.

The Russian Duma ratified the Treaty almost a year later, on December 25, 1998, with 243 votes (at least 226 were required), and it was supported, in particular, by such political opponents as the Communist Party of the Russian Federation and "Yabloko". However, on January 27, 1999, the Federation Council failed to adopt a decision on ratification and postponed the issue until the following month. In particular, the Committee on CIS Affairs (headed by G. Tikhonov) opposed the decision. A group of Russian senators appealed to the Constitutional Court of the Russian Federation to check the compliance of the Treaty with the Russian Constitution, which made it possible to postpone its discussion in the Federation Council until a final decision was made.

The Russian People's Union (S. Baburin), the Social and Patriotic Movement "Derzhava" (K. Zatulyn), the International Foundation for Slavic Literature, senators A. Lebed, A. Tuleev, V. Starodubtsev, Y. Luzhkov, and others positioned themselves as strong opponents of the Treaty. The head of the Federation Council, Yevgeny Stroyev, who had previously declared his support for the Treaty, unexpectedly took a wait-and-see attitude.

The Federation Council approved the Russian-Ukrainian treaty on February 17, 1999 (106 votes out of 90 needed), making its consent to its entry into force conditional on the future ratification by the Verkhovna Rada of Ukraine of the three agreements defining the status of the Black Sea Fleet. Y. Luzhkov called the ratification "shameful", and V. Zhirinovskiy considered the day of the treaty's conclusion "a black day in the history of Russia". Domestic political scientists, in turn, almost triumphed: "For the first time since 1654, Russia recognized the integrity of Ukraine as an independent state" [11, p. 198].

The next aggravation of the Russian-Ukrainian territorial dispute was associated with the conflict over the Tuzla Island.

Tuzla Island was formed as a result of the erosion of a narrow spit that continued the Taman Peninsula (Krasnodar Territory of the RSFSR) due to a severe storm in 1925. On January 7, 1941, by a decree of the Presidium of the Supreme Soviet of the RSFSR, the resulting island of 3 square kilometers (6.5 km long and about 500 meters wide) was transferred to the Crimean region, which, in turn, became part of the Ukrainian SSR on February 19, 1954.

In September 2003, a dam began to be constructed from the Russian village of Taman in the Temryuk district of Krasnodar Krai towards Tuzla Island to connect it to the Russian shore. Working in three shifts, the builders constructed 150 meters of the dam per day. Negotiations began after Russian construction workers reached the Ukrainian border pontoon.

Ukraine insisted that the Sea of Azov and the Kerch Strait should be internal waters of Ukraine and the Russian Federation, separated by a state border. Under this delimitation principle, Tuzla belongs to Ukraine.

Russia insisted that there were no officially defined borders in the Sea of Azov or in the Kerch Strait and refused to recognize Tuzla as an island, insisting that it was a spit. In addition, Russia pointed out that only the continental part of Crimea was ceded to Ukraine. At the same time, the Russian side offered to share the Azov-Kerch water area, agreeing to establish the state border only along the bottom, but not along the water surface.

On September 30, 2003, the Ukrainian Foreign Ministry sent a note of protest to the Russian Foreign Ministry. On October 6, 2003, Ukrainian Foreign Minister Kostyantyn Hryshchenko traveled to Moscow for talks on the conflict. In order to take a personal part in resolving the conflict, Ukrainian President Leonid Kuchma urgently interrupted his visit to Latin America and traveled to Tuzla.

On October 22, 2003, the Verkhovna Rada held hearings on Ukrainian-Russian relations.

On October 23, 2003, the construction of the dam was stopped. About 100 meters remained between Ukrainian border guards and Russian construction workers. In November 2003, the prime ministers of Russia and Ukraine agreed to stop further construction of the dam. On December 2, 2003, a new border outpost was opened at Tuzla. In July 2005, Russia recognized that Tuzla and the waters around it belong to Ukraine [12].

Conclusions. The modern Russian concept of the alleged illegitimacy of the transfer of the Crimean region from the RSFSR to the Ukrainian SSR has no proper justification. The transition was initiated by the Russian side, represented by the Council of Ministers of the RSFSR. Nikita Khrushchev, who is portrayed as the initiator of the act of transferring the territory at that time (winter 1953/54), was not yet the first figure in the Soviet leadership (at that time, it was H. Malenkov). Of all the party and state assets of the USSR at the time, only the first secretary of the Crimean regional committee of the CPSU, who apparently had personal reasons for resistance (fears for his job security), opposed the act. Having received Crimea, which had been destroyed by war and deportations, the Ukrainian SSR made powerful investments in the region and built the Crimean Canal. It was within the framework of Ukrainian statehood that the multinational peninsula received autonomous status (it is now part of the Southern Federal District of the Russian Federation).

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Володимир МАКАРЧУК

Національний університет “Львівська політехніка”,
професор кафедри теорії права та конституціоналізму
Навчально-наукового інституту права,
психології та інноваційної освіти,
доктор юридичних наук, професор
volodymyr.s.makarchuk@lpnu.ua
ORCID: 0000-0001-6292-8419

ВСТАНОВЛЕННЯ ТА ЮРИДИЧНЕ ОФОРМЛЕННЯ КОРДОНІВ УКРАЇНСЬКОЇ РСР З СУСІДАМИ – ВХОДЖЕННЯ КРИМУ ДО УКРАЇНСЬКОЇ РСР

Пропонована увазі читача стаття є частиною циклу, присвяченого встановленню кордонів Української СРР (та її правового продовження за союзнаю Конституцією 5 грудня 1936 р. Української РСР) з сусідніми радянськими республіками – РРФСР, Білоруською СРР (БРСР) та Молдавською АСРР (з 1936 р. – Молдавською АРСР) та правонаступницею останньої – Молдавською РСР. Вказано, що питання про передання Криму до складу Української РСР здійснювалося передусім з економічних міркувань – розорений війною та депортаціями корінного

населення, безводний Крим “повісили на шию” (бюджет) Української РСР. Подія негласно приурочувалася до святкування 300-річчя “возз’єднання” України з Росією. Передання території не було обставлено жодними виявленнями народної волі (референдумом) й вирішувалося кулуарно Президіями Верховної Ради Союзу РСР та двох “братніх республік”. Сумнівною виглядає й теза сучасної російської пропаганди, що Крим був “подарований Україні п’яним Хрущовим”, який на той час ще не був першою фігурою в радянському керівництві. У будь-якому разі, передання Криму до складу УРСР мало повну юридичну силу, що намагаються активно оспорювати російські політики та науковці пострадянського періоду. Саме в рамках української державності багатонаціональний півострів отримав автономний статус (у складі рф це тепер частина Південного федерального округу). Розгляд питання доведено до 2010-х рр., не зачіпаючи подій т. зв. “руської весни” 2014 р., розпочатих окупацією Криму регулярною російською армією та її проксі – “ввічливими людьми”. Присвячено увагу не лише правовим, але й політичним та економічним аспектам перебування півострова в складі Української РСР та незалежної України.

Ключові слова: кордони УРСР, сучасні кордони України, національне питання у внутрішній політиці Союзу РСР.