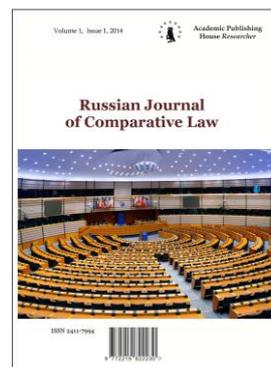


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Articles and Statements

Russian Training Ship in a Grip of the NATO's Intrigues

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Abstract

In the article the issues of the freedom of the innocent passage in the territorial waters in the law of the sea of a state are considered. As an example the prohibition for the calling of the sailing ship “Sedov” at the territorial waters of Estonia and Poland in April-May 2019 were taken. Since the bark “Sedov” cannot be attributed to the class of the survey vessel (this is a training sailing vessel), no special privileges for it are provided for. In this case the states aspire to take reasonable regulations, rules and procedures providing the observance of its laws and rules for access in its harbours.

On board of the sailing ship among others there have been 72 cadets from Kerch State Maritime Technological University. The Ministry of international affairs of Estonia initially did not explain the prohibition to the sailing vessel “Sedov” to call at Estonian territorial waters. Later the Ministry of international affairs of Estonia specified the reason: on board of the sailing ship there were the cadets of Kerch State Maritime Technological University, situated in Crimea annexed by Russia, and Estonia did not recognise the annexation of Crimea to Russia. In its turn the Ministry of international affairs of Russia considered the prohibition of the calling of “Sedov” at the territorial waters of Estonia as an unfriendly act, since the basis for the secession of Crimea from Ukraine is the right to self-determination of the nation.

On the 17 March 2014 the Crimean Republic announced itself as the independent and sovereign state with Sevastopol as a city with a special status. The decision was taken under the results of the Crimean referendum and the declaration on the independence of Crimea. Many states and international organizations considered the Agreement of 18 March 2014 as the illegal annexation. Only tiny amount of states acknowledged the annexation of Crimea to Russia.

On the basis of the stated facts the findings of internationally legal nature are made that since the calling of the sailing ship at the ports of Poland and Estonia would contradict to the policy of respect of the territorial integrity of Ukraine and the non-recognition of the annexation of Crimea. The both states demonstrate that they do not respect the integrity of Ukraine and do not accept the annexation of the peninsula. After the annexation of Crimea the Western states Estonia and Poland react on this situation by the prohibition of the Russian vessel to visit the foreign ports.

Keywords: territorial waters, ship, UN Convention on the law of the sea, 1982, ports, unfriendly act.

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1. Introduction

The trip of the sailing training vessel “Sedov” № 1\100 was planned as follows: after the departure from the port in Kaliningrad, the stops in Rostock (Germany), in Tallinn (Estonia) 13-14.04.2019 and Gdansk (Poland) on 22.04.2019 were appointed.

The Ministry of international affairs of Estonia commented that the refusal to let in the vessel is connected with the non-recognition of the annexation of Crimea to Russia. The sailing vessel was also not let in in Poland. The embassy of Russia in Estonia reacted on the decision of the Estonian party with the corresponding statement. The Ministry of international affairs of Russia considered the prohibition of the calling of “Sedov” at the territorial waters as an unfriendly act. After the annexation of Crimea the West reacted with the prohibition to the Russian vessel to visit the foreign ports.

In the article the issues of the freedom of innocent passage in the territorial waters of the coastal state on the sample of the prohibition of the calling of the sailing vessel “Sedov” in the territorial waters of Estonia and Poland.

2. Materials and methods

At the course of the carried out research during the writing such research methods as systematically structural, socially legal, comparatively legal, statistical, the methods of system analysis and synthesis, logical, formally legal, problematically theoretical and others were used. During the research process the general scientific methods of cognition as dialectical method, methods of functional, logical and structural analysis and synthesis, method of generalisation and description, comparison, induction and deduction, systematically structural method of study of considered phenomenon and evolution of legal settings. Besides the special scientific methods: legally technical, method of forecasting were applied.

The provisions and conclusions formulated in the paper are based on the analysis of the legal acts regulating the international relations in the sphere of international legal regulation of the maritime security.

The legal regulatory basis of the research is composed by the international agreement, international legal customs, generally recognized principles and rules of international law, sectoral principles of international law, the principles of international law, the regulatory documents of international organizations, rules of international “soft” law and a set of the adopted on their basis regulatory legal acts of Russia and Crimean Republic reflecting the organizational, institutional, economical and other aspects in the legislation of Russian Federation in the corresponding area. Also during the writing of the article the following information sources in Russian, English and German languages were used: training publications, publications from newspaper editions, web of Internet, articles of legal magazines, statements of the President of the Russian Federation.

3. Discussion

3.1. Unhospitable refusal of Estonia

The route of the training sailing vessel “Sedov” No. 1\100 was planned as follows: after the departure from the port in Kaliningrad in its hundredth anniversary trip on 02.04.2019 and stops in Rostock, Germany, the callings at Tallin (Estonia) on 13-14.04.2019 r. and Gdansk (Poland) on 22.04.2019 were planned. The visit of sailing vessel in Tallinn was organized namely upon the invitation of the magistrate of Tallinn and its department of culture.

On board of a sailing vessel there were not only the local cadets (10 cadets from Baltic Fishing Fleet State Academy and Kaliningrad Maritime Fishing College, but also 72 cadets from Kerch State Maritime Technological University, 30 cadets from Volga Caspian Marine Fishery College).

The Ministry of international affairs of Estonia initially in no way did not argue on the prohibition to the sailing vessel “Sedov” to enter the Estonian territorial waters. Only later it was announced, that on board a vessel there were cadets of Kerch State Maritime Technological University situated in the annexed by Russia Crimea.

The calling of “Sedov” at Estonian territorial waters was planned on 13 – 14 April – some days before the visit of the president of Estonia. The incident occurred the day before the visit of the President of Estonia in Moscow on 18 April. At that namely the Estonian side asked for the meeting. The Kremlin answered on it with the conditional consent. The refusal is connected with the non-recognition by Estonia of the annexation of the Crimea to Russia – made clear in the

Ministry of foreign affairs. In its turn the Ministry of international affairs of Russia regarded the prohibition of the calling of “Sedov” in the territorial waters of Estonia as an unfriendly act ([Estonia, 2019](#)).

We should also note that the sailing vessel traveled not for the first time with the cadets from Kerch State Technological University. In summer 2018 the Russian sailing vessel also called at the port of Tallinn together with the training sailing vessel “Mir”. This visit of the sailing vessel in Tallinn was organized namely under the invitation of the magistrate of Tallinn.

As one of the negative factors promoting the establishment of the negative environment in Estonia regarding the Russian sailing vessels the annual report on the threats of international security with the detailed description of danger threatening to Estonia from the side of the Russian Federation served. The report was published in March 2019 by the department of foreign intelligence of Estonia. As one of the threats the Russian civil vessels act, which supposedly regularly without permission attempt to penetrate with the intelligence purposes with the purposes in the territorial waters of Estonia.

In the report the use of the big sailing and training vessels in the intelligent purposes with the spies and и «agents of influence» participating in maritime trips, regattas and festivals all around the world is outlined. The visits of Russian vessels are accompanied by the missionary work of the Russian orthodox church, active “propaganda activity” and “collection of information” for the military purposes or carrying out of hidden Russian vessels to call at the waters of Estonia. In particular, in November of 2018 the survey vessel of the Russian academy of science “Academic Nikolay Strakhov” for the conducting of the general overhaul on the shipyard Tallinn Shipyard OÜ.

The embassy of Russian Federation in Estonia sent a letter to the Ministry of international affairs with the assistance request in obtaining a permission on the right to sail in Estonian territorial waters. Both times the Ministry of foreign affairs of Estonia without explaining the reasons refused to the Russian survey vessel in the calling at Estonian territorial waters.

Since the sailing vessel “Sedov” has for Russia a big symbolical significance, this vessel constantly is open to attack also on the political grounds. The vessel “Sedov” has already been refused in calling at foreign port without the explanation of reasons in 2014 in port of Trelleborg, where the vessel went under the invitation of the mayor of this city. The refusal followed, the vessel was forced to turn to Gdynia.

The vessel was followed by other troubles. In 2000 the vessel was arrested in France in port of the city of Brest, where it arrived for the participation in the international maritime fest. The vessel was seized on account of the debt of Russia before the Swiss company «Noga». However, the court acknowledged, that the “Sedov” is not the state property. The court decided to collect from “Noga” as a compensation to the owner of the sailing vessel more than 100 000 US dollars.

Russia considered the refusal of Tallinn in calling at Estonian territorial waters of the barque «Sedov” as a provocation ([Zakharova, 2019](#)) and regular unfriendly act.

The ship owner – the Baltic State Academy of the Russian Federation – considers this situation as a violation of the UN Convention on the law of the sea in 1982. Although in the practice of states there is no more custom to issue the licenses for the visit of ports as in the Middle Ages, in most of the ports the calling is carried out only under the preliminary permission of the local bodies.

3.2. The right of vessels to call at foreign ports

The issues of the access in its port of the vessel under the flag of other state are the issues of exclusive competence of the coastal states. The calling is free as a rule only for merchant vessels. For other vessels there is a special order of call. However, as far back as during the Third UN Conference on the Law of the Sea in 1973–1982 the problem of survey vessels was discussed.

Usually the coastal states open the port for the calling of foreign vessels in some merchant ports. This issue is an exclusive competence of a state. The access to the open ports of all merchant vessels independently on flag and without any other discrimination is free. The vessel in distress may exercise a calling at any port of a coastal state although a state has a right to exclude from a list of open ports any port as well as temporarily to close an access to all their ports, if the interests of its security require it.

Usually the ports open for the calling of merchant vessels exercising loading and unloading of freight, landing or disembarkation of passengers. The legislation of some states require to comply

with the certain procedure for calling of survey vessels as well as merchant vessels in those cases, when their calling is not connected with the exercising of mentioned operations.

The calling at port is based on the international legal principle of innocent passage, which presents the basic element of international law. At the innocent passage the vessel may not violate a freedom, good order or security (Burke, DeLeo, 1983: 391). Both in Russian Federation and in a line with other foreign states the foreign military vessels and other state vessels, exploitable for non-commercial purposes may call at maritime ports with the prior permission requested on the diplomatic channels before the presumed calling. The other procedure maybe provided for in the international agreements.

Regarding the military vessels and other state vessels of other states with the freedom of calling only for merchant vessels exercising carriage of cargoes and passengers there may be special limitations of calling in their maritime ports both directly, and prescribed as reciprocal restrictions.

In such a way although a state does not prescribe for the merchant ports in its internal legislation the worse regime of use than it is prescribed by the international law, the certain limitations may have place (Brazovskaya, 2017: 11).

However, the necessity to establish the maximum favourable conditions for the merchant navigation requires the coastal states in ports considering the current world practice, directed on the facilitation of the procedure of calling and the stay of foreign merchant vessels at ports.

The right of ports to call at foreign ports is formed already during some centuries. In the Middle Ages the freedom of vessels to call at ports was widely spread as a right of a vessel of foreign state, which is included also in some agreements concluded at that time. At the end of XIX century the attempts were taken to regulate the issues of calling of vessels at ports from the point of view of international law. In particular, such attempt was taken by the Institute of International Law, which developed a project on the regime of vessels in foreign ports. In 1898 the project was approved on the Hague session of institute. In accordance with the document's provisions the calling at ports is presumed to be free. In order to consider a port a closed one a special indication thereon is required.

The chapter 2 of the Convention on the International Regime of Maritime Ports of 09.12.1923 states that under the reciprocity condition every agreeing state is obliged to ensure to vessels of any other agreeing state the treatment equal to the one used by its own vessels or vessels of any other states in maritime ports, being under its sovereignty or power regarding the freedom of access in port and its use. In such a way, the Convention prescribed for the vessels of the agreeing states the right of free calling at any maritime port being visited by maritime vessels and serving for external trade (Brazovskaya, 2017: 10).

The freedom of access in port including the right of loading and unloading of goods, is stressed by one of the arbitrator in the arbitrage decision in a case Saudi-Arabia v. Aramco (Saudi-Arabia v. Aramco) in 1958 by professor Sauser-Hall, since in accordance with the regulations and principles of international public law the ports of any state will be open for foreign merchant vessels: they may be closed only then when the vital interests of a state require it.

The UN Convention on the law of the sea of 1982 extend the right of innocent passage not only on merchant vessels. The rules of the realization of this right is quite diverse: some states require the preliminary permission on diplomatic channels; the other only with prior notification; the third states allow the innocent passage to all vessels, which are in transit through their territorial waters.

In accordance with Art. 18 UN Convention on the law of the sea of 1982 the innocent passage includes the navigation through the territorial sea, the passage into the internal waters, calling at a roadsted or port facility. The passage shall be continuous and expeditious. However, the passage includes stopping and anchoring, but only in so far as the same are incidental to ordinary navigation or are rendered necessary by force majeure or distress or for the purpose assistance to persons, ships or aircraft in danger or distress. The right of innocent passage is provided for the merchant, military, survey vessels of all states through the territorial waters.

Survey vessel shall not meet the restrictions during the calling. For calling of such vessel at ports the complicated procedure is not possible. It contradicts to the general principles of exercise of marine scientific research, in particular Art. 255 UN Convention on the law of the sea, according to which the states endeavor to adopt «reasonable rules, regulations and procedures to promote and facilitate» research, as appropriate, «to facilitate... access to their harbours and promote

assistance for marine scientific research vessels. However, "Sedov" cannot be allocated to the class of survey vessels. This is a training sailing vessel. There are no special privileges provided for this type of vessel.

In this case the states aspire in line with the existing beside in the doctrine of international law of the sea a point of view according to which the refusal to vessel in calling will be valid in that case, if the coastal state considers that the calling is connected with the threat to life and health of its citizens. The generally recognized principles and rules of international law are used by the coastal state at the development of their internal legislation on the innocent passage through the territorial sea (Brazovskaya, 2017: 14).

In an explanation followed from the Estonian side through the press-secretary of the Ministry of foreign affairs S. Kamilova that on board a vessel there are the cadets of Kerch State Maritime Technological University (Estonia, 2019), such wording merely addresses on the negative impact of struggle of the NATO with Russia for Kerch straight and annexation of Crimea in general.

3.3. The annexation of Crimea

Estonia does not recognise the accession of Crimea, considers it as an annexation and does not recognise Crimea as a part of Russia. In such a way, the issue of the permission for the calling of sailing vessel in the territorial vessel in the territorial waters of Estonia would contradict to the policy of non-recognition of the Crimean annexation, which is fulfilled by means of the sanctions and requirements on the respect for human rights.

In particular, the states dispute on the status of the Kerch Strait, whether it constitutes a part of the internal territorial waters with the corresponding legal status or based on the viewpoint of Ukraine, the US and the NATO, as a territory of Ukraine.

Considering the constant necessity to exercise the passage through the Kerch Straits, which may be interpreted also as an intervention in the territorial waters, Ukraine raises a question on the granting to the Kerch Straits of an international status. At present the status of the Kerch Straits is regulated by the bilateral Russian-Ukrainian agreement on the cooperation in the use of the Azov sea and the Kerch Strait of 2003. The document was ratified by both states in 2004. According to the agreement the Azov sea is classified to the category of the internal waters of Russia and Ukraine. The situation around the Crimea escalating in the international legal context and in particular in the Kerch Strait as a result of the fact that these are exclusive Russian territorial waters.

Besides the Russia did not agree with the decision of the International Tribunal on the Law of the Sea requiring to free the Ukrainian military vessels and sailors detained in the Kerch Straits for the violation of Russian border. Russia refused to execute this decision.

The status of the internal waters excludes the possibility of foreign military vessels to call without the consent of countries, to which they belong.

At present the parties prepare the project of Russian-Ukrainian agreement covering the Azov sea, the Kerch Straits, contiguous territories of states in the Black sea. The line of the state border, which shall delimit the Azov sea on agreement of Russia and Ukraine, at present is not drawn.

The Ministry of foreign affairs of Russia repeatedly mentioned that the Kerch Strait has never been an international one as regards the UN Convention on the law of the sea.

After the referendum in Crimea on 16 March 2014 the peninsula formed part of the Russian Federation. The Western countries reacted with the accusation of Russia in violation of international law and annexation (Issaeva, 2015: 163). The taken referendum is disputed and a contested decision on accession to Russia contradicting to the rules of the Ukrainian Constitutional law, although these actions are legitimated from the viewpoint of international law, however there are the one-sided proclamation of independence.

In the international law the "annexation" is a violent gaining possession by one state of the territory of the other state against their will. The annexation is considered to be a cause for war (Merkel, 2014).

The right on self-determination is acknowledged by the international community for nations and peoples, since nation or people has a special status of the subject of international law under the condition that they struggle for their release and created special government agencies, joined by the single center, authorized to appear on behalf of the nation or people in interstate relations.

Besides the acknowledgment of other state as a subject of international law is a one-sided voluntary act of state. Of course, continuous non-recognition, dictated frankly by the political

concerns and ignoring the reality of international life, may become a factor seriously complicating the interstate relations ([Mezhdunarodnoye pravo, 2008: 171](#)), as indeed happened in this case.

The Russian Federation was accused in annexation – the violent seizure of a territory of the other state and issuance of the corresponding legal act on its accession. Allegedly the principle of territorial integrity was violated, inviolability and territorial integrity of the state borders in the modern international law, since the voluntary expressed consent of the interested parties fails.

For the classification of the situation with Crimea the definition «annexation» is considered to be not sufficient, than it is already possible to define it as a secession, since the promulgation of state independence based on the referendum enacted the separation from Ukraine. After that the claim to join the Russian Federation followed.

In two days after the referendum ([Merkel, 2016](#)) on 18 March 2014 Russia signed the agreement on Crimean accession. The government of Crimea together with Russia argued its behaviour with the right on self-identification of a nation as a basis for the secession of Crimea from Ukraine and the foundational principle of international law ([Marxsen, 2014: 385](#)) in accordance with art. 1 (2) of the UN Charter, Declaration on Principles of International Law, 1970.

According to the Western doctrine Crimea did not become an independent state since the narrow legal requirements for the secession have not been complied with. In their view Crimea till not does not belong to Ukraine.

In the resolution of the UN General Assembly A/RES/68/262 of 27.03.2014 (A/RES/68/262) on the territorial integrity of Ukraine it is stressed that the referendum carried out in Autonomous Republic of Crimea and City of Sevastopol on 16 March 2014 does not have a legal force. The referendum held in Autonomous Republic of Crimea and City of Sevastopol on 16 March 2014 was not authorized by Ukraine. The mentioned in the resolution states, international organisations and specialized authorities are encouraged not to recognize any change in status of the Autonomous Republic of Crimea and City of Sevastopol on the basis of the abovementioned referendum and restrain from any actions or steps, which may be interpreted as a recognition of any such changed status. It is considered that the referendum could not become a basis for any change of status of Autonomous Republic of Crimea and City of Sevastopol. In view of the West Russia violated the international law during the Crimean crisis applied the military force for the control on the peninsula ([Issaeva, 2015: 163](#)). In such a way, the territorial integrity of Ukraine was violated by Russia ([Marxsen, 2014: 385](#)). The world community assumes that Russia abused the existing in the world practice precedent with Kosovo ([Tolstykh, 2014: 42](#)).

The states are encouraged not to recognise any change in status of Autonomous Republic of Crimea and City of Sevastopol. However, the situation with accession is still caused with the limitation of the autonomy of Crimea by Ukraine since 1994. Namely the cancellation of the Constitution of Crimea and a number of laws adopted by its Supreme Council, adoption of laws «On the status of the Autonomous Republic of the Crimea» and «On the delimitation of power between the organs of state rule of Ukraine and the Republic of Crimea» lent to it the status of the ordinary administrative territorial entity as a part of Ukraine. However, it abolished the state status of Russian language. The maintenance of the integrity of a state met a contradiction with a right of people on its own statehood ([Tolkachev, 2014: 91](#)). Besides in that period there was a very active anti-Russian propaganda company, which was carried out by the Ukrainian ideologists still before the situation in Maidan ([Mal'kova, 2017: 31](#)).

Only tiny amount of states acknowledged the accession of Crimea to Russia ([Marxsen, 2014: 391](#)). On 17 March 2014 the Republic of Crimea declared itself an independent sovereign state with Sevastopol as a city with a special status. The decision was taken following the results of the Crimean referendum and Declaration on independence of Crimea ([Postanovleniye, 17.03.2014; Postanovleniye, 06.03.2014](#)).

Many states and international organisations considered the Agreement of 18 March 2014 (Ukaz of the President of the RF of 17.03.2014 № 147 "On the recognition of the Republic of Crimea"; FKZ of 17.12.2001 № 6-FKZ "On the procedure of becoming a part of the Russian Federation and formation in its part of a new subject of Russian Federation") as an illegal accession (Agreement between the Russian Federation and Republic of Crimea on accession in the Russian Federation of the Republic of Crimea and formation of the new subjects as a part of the Russian Federation of 18.03.2014, further – Agreement). Ukraine considers Crimea as an occupied territory ([Mal'kova, 2017: 4](#)).

Crimea becoming a part of the Russian Federation was regulated by the agreements (the Agreement), legislation of the Russian Federation (the Constitution of the RF, federal constitutional law of 17.12.2001 No. 6-FKZ, federal constitutional law of 21.03.2014 № 6-FKZ «On the accession in the Russian Federation of the Republic of Crimea and formation as a part of the Russian Federation of new subjects – Republic of Crimea and city of federal significance Sevastopol», Enactment (Ukaz) of the President of Russia № 147 of 17 March 2014 «On the recognition of the Republic of Crimea», Statute ([Postanovleniye](#)) of the Constitutional Court of Russian Federation of 19.03.2014 № 6-P «On the compliance of the constitutionality of the not entered into force international agreement between the Russian Federation and the Republic of Crimea on the accession in the Russian Federation of the Republic of Crimea and formation as a part of Russian Federation of new subjects») and legislation of Crimea and Sevastopol as new subjects of Russian Federation (act of referendum of 16 March 2014 in Crimea, «Declaration on independence of Republic of Crimea and city Sevastopol» of 11 March 2014).

On 21 March 2014 in accordance with the FKZ «On the accession in the Russian Federation of the Republic of Crimea and formation as a part of the Russian Federation of new subjects – Republic of Crimea and city of federal significance Sevastopol» in article 65 of the Constitution of Russia of two new subjects were included – Republic of Crimea and city of federal significance Sevastopol.

In such a way, from a legal viewpoint the adoption of the Republic of Crimea as a part of Russia complies with the rules of the valid Russian legislation and principles of international law ([Balutskaya, 2016: 45](#)).

Estonia supported the situation with Crimea following the situation with the NATO. The minister of foreign affairs Sven Mikser officially states that Crimea for Estonia remains a part of Ukraine.

Accession of Crimea by the Russian Federation is considered to be not legitimate. Estonia condemns such actions of the RF as a compulsory call of the local population into the army, the requirement to take Russian citizenship, the detention of the Ukrainian military sailors in Kerch Straits.

The statement of the minister of foreign affairs of Estonia regarding the Crimea represents the illegal inclusion of Crimea as a part of Russia. Crimea is a part of Ukraine. According to the statement of minister there is a militarization of the peninsula. Estonia even condemns the construction of the bridge through the Kerch Straits without the permission of Ukraine and not only represents threat for security, but also may lead to the limitation of the access of the merchant vessels in the Ukrainian port states.

Supporting the sovereignty of Ukraine and its territorial integrity Estonia considered the situation in Crimea as a violation of international law by means of the application of sanctions and their updating ([Zayavleniye, 2018](#)).

3.4. Unhospitable refusal of Poland

After the calling at Estonia on 22 April 2019 the arrival to Poland was planned. However, Poland also did not let him enter the sailing vessel in their territorial waters. The press-secretary of the Ministry of foreign affairs of Poland Ewa Suwara also mentioned that the calling of the sailing vessel at port contradicts to the policy of the respect of the territorial integrity of Ukraine and non-recognition of the annexation of the Crimea». The decision was adopted by the premiere minister of Poland Mateusz Morawiecki. In such a way, the Polish state demonstrated that it respects the integrity of Ukraine and does not accept «annexation» of the peninsula.

As can be seen, after the annexation of Crimea the Western states Estonia and Poland reacted on this situation with the prohibition to this Russian vessel to visit the foreign ports.

4. Results

The refusal from the planned on 13-14 April 2019 calling of “Sedov” in Estonian territorial waters is connected with the non-recognition by Estonia of accession of Crimea to Russia. In its turn, the Ministry of foreign affairs of Russia interpreted the prohibition of the calling of “Sedov” at the territorial waters of Estonia as an unfriendly act. During the research it was stated that onboard a vessel cadets of the Kerch State Maritime Technological University, it told in particular about the negative act of struggle of the NATO with Russia for Kerch Straits and accession of Crimea in principle. One of the negative factors encouraging the establishment of the negative environment

in Estonia regarding Russian sailing vessels appeared to be published in March 2019 by the department of external intelligence of Estonia the annual report on the threats of international security with the detailed description of the dangers threatening to Estonia from the side of the RF.

The ship owner – the Baltic state academy of the RF – considers this situation as a violation of the UN Convention on the law of the sea, 1982.

5. Conclusion

Estonia does not recognise the annexation of Crimea, considers it illegal and refers to the non-recognition of Crimea as a part of Russia. In such a way, the issuance of permission for the entry of the training vessel in the territorial waters of Estonia would contradict to the policy of non-recognition of annexation of Crimea, which is exercised also by means of the sanctions and demands to comply with human rights.

Many states and international organizations considered the Agreement of 18 March 2014 as illegal accession, but Ukraine considers Crimea as an occupied territory. Nevertheless from the viewpoint of Russian law the adoption of the Republic of Crimea as part of Russia complies with the rules of valid Russian legislation and principles of international law. Estonia also considers that the integration of Crimea as a part of Russia is illegal. Till now Crimea is a part of Ukraine. At present a militarization of the peninsula takes place. The construction of the bridge through the Kerch Straits without the permission of Ukraine, since it presents a threat for security and may lead to the limitation of access of merchant vessels in the Ukrainian port cities.

In such a way, a conclusion is made that after the accession of Crimea Western states Estonia and Poland reacted on this situation with the prohibition to this Russian vessel to visit foreign ports.

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