

## Traditional positionig: Kurultai and elections

No. 42/243, November 19, 2001

The first session of the fourth Kurultai, the congress of the Crimean Tatar people, representing 239 out of 250 elected delegates, ended in Simferopol last week. For the first time, the elections of the Kurultai delegates were organized through a mixed, majoritarian-proportional system. The proportional part involved 10 NGOs, blocks and parties. Nine of them managed to overcome the 4-percent «pass» threshold.

The only organization that failed to do so was the Irade Association of Crimean Tatars. The favorites of the elections were the Milli Khakh block that comprised almost the entire Medjlis (almost 30 percent of the votes) and the Organization of the Crimean Tatar National Movement (14 percent of the votes). The new Kurultai members also included representatives of well-known Crimean organizations: the Initium League of Crimean Tatar Lawyers (8.5 percent), the Maarifchi Association of Crimean Tatar Educationists (7.3 percent), the League of Crimean Tatar Women (6.5 percent), the Ana Yurt (5.8 percent). The Crimean Tatar Youth Center and the Islamic Party received 5.6 percent of the votes, and the Adalet party gained support of 5.5 percent of the voters (Golos Kryma, October 19, 2001).

Almost 75 percent of the delegates of the Kurultai were elected for the first time. Hence, one could predict some unexpected developments at the congress that could determine future features of the Crimean Tatar movement – for instance, radicalization. However, many did not share the forecasts. Before the beginning of the congress chairman of the Medjlis Mustafa Dzhemilev argued that he did not share the opinion that the election of a new Crimean Tatar leadership could result in radicalization of the Crimean Tatars' actions: «In any case the Kurultai and the Medjlis will keep all the fundamental principles of the Crimean Tatar national movement and, first of all, the principle of non-violence.»

The principles appeared to be supported by the minute of silence in commemoration of victims of the September 11 terrorist attacks and the war in Chechnya. One of the documents approved by the Kurultai, the statement «On Preventing the Threat of Terrorism and Maintaining the Mutual Understanding and Respect Between Peoples», stressed that in order to eliminate terrorism in all of its forms it is important to show «inevitability of striking back against direct inspirers and performers of terrorist acts regardless of their ideological, ethnic, religious or class motivations». Furthermore, the statement contains certain warnings: fighting terrorism «should not cause new victims among the peaceful population» and «we express our condolence to families and relatives of those killed in New York and Washington D.C., and in the same way mourn the innocent victims among the Afghan population», the document read.

Noteworthy, for the first time in its history the Crimean Tatar congress was formally greeted on behalf of the American people by the U.S. Ambassador to Ukraine Mr. Carlos Pasqual. The greeting stated: «We were very consoled with the words of condolence and understanding that we heard after the September 11 events both from your leaders and ordinary representatives of the Crimean Tatar people» (UNIAN, November 11, 2001). The congress looked like a good occasion to stress that the United States has tremendous support for the Islam..., though terrorists have tried to hide their crimes under religious rhetoric.

The Kurultai discussed the issue of religious tolerance and «some attempts of foreign missionaries to revise the Islam that has been practiced in the Crimea since the earliest times», and argued that such attempts were «condemned by the Crimean Tatar people» (as the statement «On the Restoration of Religious Life of Crimean Tatars and Preservation of Religious Tolerance in the Crimea» put it). The Kurultai delegates also emphasized the danger of speculation on issues of faith. In particular, they criticized attempts of «certain politicians of the autonomy to link their political preferences or dislikes with believers of a specific confession, to demonstrate publicly their refusal to accept values of a particular faith». Obviously, the statement referred to the so-called «war of crosses» that rocked the Crimea last year. Then, probably for the first time since the beginning of the repatriation process, there were attempts to bring the peninsula to the brink of a religious conflict while referring to «the clash of

civilizations», «contradictions» between «Christianity and Islam» and the curve of «geopolitical break-up» at official fora.

The congress elected a new Medjlis that includes now a number of new faces – primarily due to the renewal of the Kurultai itself, the introduction of the new election system and the changing feelings of voters. Presumably, given the «rejuvenation» of the Medjlis and the arrival of representatives of the NGO sector, activity of that representative body may receive new emphasis and become more effective. Another factor that should be taken into account is that members of the Medjlis are simultaneously members of the Council of Representatives of the Crimean Tatar People at the Office of the President of Ukraine (established by the decree of the President of Ukraine on May 18, 1999). Hence, the President of Ukraine still is expected to approve the membership of the new Council.

Mustafa Dzhemilev kept his position as chairman of the Medjlis, although before the congress he had repeatedly stated that he would have preferred to be in a different capacity – for instance, «the second person of the Medjlis». According to Dzhemilev, he proposed that his deputy, Refat Chubarov MP would run for the position, but Chubarov refused to do so (UNIAN, November 9, 2001). All in all, there were five candidates for the position of the chairman of the Medjlis, but three of the candidates withdrew from the race, and Dzhemilev was confronted by another delegate of the Medjlis, Enver Kurtiyev. As a result, Dzhemilev was supported by 180 votes, while Kurtiyev received 39 votes.

Notwithstanding the grim predictions about performance of the «so-called 4th Kurultai of the Crimean Tatar people or, simply non-legalized ethnic representative body of power» (Krymskoye Vremya, November 10, 2001), as the Crimean Tatar congress was described in the «politically stable» Crimea by their long-standing opponents, the Kurultai did not bring anything unusual. The congress approved statements «On the Right of Crimean Tatars for Land», «On Restoration of Religious Life of Crimean Tatars and Preservation of Religious Tolerance in the Crimea», the resolution «On Participation in Elections of People's Deputies of Ukraine, Deputies of the Verkhovna Rada of the Autonomous Republic of the Crimea and Local Self-Governance Bodies» and other documents, and approved separate addresses to the Council of Europe, the UN and the OSCE.

Finally, for the first time in the history of Kurultai, it received the letter of greetings from the President of Ukraine. The letter of President Leonid Kuchma wrote about the need of dialogue and «search for mutually acceptable decisions, taking into account interests of all parties», naturally, «based on the current legislation». It also noted the Crimean Tatars' tolerance and «inclination for constructive cooperation with bodies of power», due to which the Crimea managed to preserve processes of «ethnopolitical stability» and «harmonization of interethnic relations».

However, it is obvious how fragile the process of «harmonization» can be. In the election year a number of forces that hold power in the Crimea are traditionally interested in playing the «Crimean Tatar card» and monopolizing the role of peace-keepers and guarantors of «stability». With the new Crimean election law still waiting to be adopted, there is plenty of room for maneuvering.

Given the election period and the traditional problem of providing for adequate representation of Crimean Tatars in bodies of state power in general, and in the Crimean parliament in particular, the issue of securing representation of Crimean Tatars in bodies of power was one of the most sensitive of the issues discussed at the congress. The Kurultai did not offer any new solutions to the election issue, but approved the agreement on political cooperation between the Medjlis and the People's Rukh of Ukraine, signed on July 31, 2001, and nominated the candidates, Mustafa Dzhemilev and Refat Chubarov, to be included in the Rukh's election list. The Kurultai delegates also discussed the tactics to be used in the forthcoming parliamentary elections. According to Dzhemilev, election of Crimean Tatar candidates in majoritarian constituencies is hardly likely «due to dispersity of the population»; hence, «we can count on being elected through party lists». However, most probably, the Rukh, in its turn, will be part of the election list of the Nasha Ukraina block. According to Dzhemilev at his most recent meeting with Nasha Ukraina leader Victor Yushchenko the latter confirmed that «the number of Crimean Tatar candidates in the «pass» part of the list should be at least two». Hence, one can only wait and see the final version of the Nasha Ukraina list.

While the situation is clear with the parliamentary elections, prospects for the participation in the Crimean election campaign are uncertain – at least given the fact that the «rules of the game» for the Crimean elections have not been set yet.

The Kurultai outlines guidelines for Crimean Tatars' election strategy for the elections to the Crimean parliament. According to Dzhemilev, under any conditions there will be no attempts to boycott the elections, regardless of how just (or rather, unjust) the election law is to the Crimean Tatars. He added that the candidates would be nominated at a special extraordinary session of the Kurultai. Dzhemilev also did not exclude that Crimean Tatars might initiate massive protest actions demanding the dissolution of the Crimean parliament, abolition of the Crimean autonomy and introduction of direct presidential rule in the Crimea is the March 2002 elections result in disproportionately low number of Crimean Tatars in the autonomy's parliament compared to their share in the Crimean population.

Nowadays, leaders of the Medjlis try to prevent the 1998 situation, when the election quota - given to the Crimean Tatars in 1994, when they could democratically nominate their representatives to the Crimean parliament - was abolished. In 1998, 70 Crimean Tatar candidates ran in 44 out of 100 constituencies: one candidate in each of 20 constituencies, and two or more Crimean Tatar candidates in other 24 constituencies. However, none of the Crimean Tatar candidates actually made it to the Crimean parliament. As a result of 1998 local elections 14 district councils of the Crimea received 40 Crimean Tatar representatives among 779 newcomers; 11 city councils of major cities of the Crimea received 7 Crimean Tatars among 428 new representatives. Of 137 representatives elected to minor (district subordination) city councils, there were 12 Crimean Tatars; of 813 new deputies of town councils there were 32 Crimean Tatars, and among 4,150 representatives of village councils there were 489 Crimean Tatars. Also, Crimean Tatar representatives occupied 6 out of 122 seats in the borough councils of Simferopol. The reasons why none of Crimean Tatar candidates won a seat in the parliament of the autonomy included, first of all, the lack of citizenship of almost 90 thousand recently repatriated former deportees and their families, multiplied by the lack of legal mechanisms for settling the problem, and disperse settlement of Crimean Tatars on the territory of the peninsula. Speaking to the 3rd conference of Kurultai delegates in 1998, Mustafa Dzhemilev argued that «according to estimates, even if we nominated a candidate for every constituency, the number of winners of the elections would not be adequate for the number of the population [i.e., the Crimean Tatar population of the Crimea]» (Avdet, #21, November 24, 1998).

One may assume that in case the Crimean election law remains unchanged, the problem of non-representation of Crimean Tatars in the autonomy's parliament may be repeated with all the accompanying consequences - from various protest actions to possible radicalization of the Crimean Tatar movement. Furthermore, the situation may deteriorate, as the problems of non-representation of Crimean Tatars will differ from those that caused the 1998 election results. Then the situation that caused the conflict and had direct impact on the election outcome was the lack of citizenship of over 90 thousand of Crimean Tatars that had returned from places of deportation to the Crimea. Then representatives of power bodies could explain the non-representation of Crimean Tatars among them by that fact. Within the recent four years, due to the efforts of a number of institutions, the problem of citizenship has been practically resolved. Nowadays the likely causes of non-representation of Crimean Tatars are linked to a different area. In September 2001, Refat Chubarov MP announced that «the problem of introduction or non-introduction of new mechanisms of ensuring representation of Crimean Tatars in bodies of power is directly linked to political will of the Ukrainian leadership» (Context, #7, 2001).

Speaking to the Kurultai, Mustafa Dzhemilev announced that President Kuchma, when meeting the Medjlis on September 17 in Yalta and later in Feodosia, had spoken strongly against the introduction of a proportional or mixed system of elections to the Crimean parliament, while stressing the «need for mandatory provision for representation of Crimean Tatars either by means of allocating quotas, as in the 1994 elections, or establishment of national constituencies in proportion of the number of population» (from the speech at the 1st session of the 4th Kurultai of the Crimean Tatar people). However, making such changes in the election law have been repeatedly rejected by Speaker of the Crimean parliament, leader of Crimean communists Leonid Grach. Mr. Grach's position regarding the quotas remains unchanged: «I would not see the necessity to return to the quota principle. The life has proved that is the thing in the past. Speaking about the search for other ways to solve the problem that may be the investigation of the issue of creation of national constituencies. But if we go that way, we must answer the question about what happens next» (Avdet, #12, June 16, 1998), the Communist leader said more than three years ago. Nowadays, reaction of some Crimean publications to the statements made by the Kurultai allows us to predict likely further steps of the Crimean leadership. «It is necessary to note that introduction of national quotas for the elections is against the Constitution of

Ukraine and the Constitution of the ARC», says a newspaper that supports Crimean Communists, the Krymskaya Pravda (November 13, 2001). «Moreover», it argues, «a number of Russian organizations of the Crimea have already announced that if election quotas are provided for Crimean Tatars, they would also demand the same quotas for Russians living in the Crimea».

However, it is obvious that Crimean communists are aware of negative implications of having no representation of Crimean Tatars in the parliament of the autonomy. The solution they may opt for is not a traditional one: Communists may nominate a few Crimean Tatars as their candidates for the Crimean elections, and the list of the CPU for the parliamentary elections, thanks to the efforts of Leonid Grach, may also include some Crimean Tatars. The maneuver will allow the Communists to modify the image of «peace-keepers» and accuse the Medjlis of speculating on the ethnicity issue.

Apparently, the search for adequate solution of traditional problems is likely to continue, and the next noteworthy political steps of the Kurultai will be made in January. Obviously, they will largely depend on actions of the power-holders and the success (or failure) of the process of search for compromise in the would-be Crimean election law. Meanwhile, an adequate solution of the problem of representation of Crimean Tatars in the bodies of power of the peninsula is in the interests of the authorities, as the failure to solve the old problems blocks the search for solutions for other issues – and the vicious circle is never broken.