

## **OSCE Chair says Crimean referendum in its current form is illegal and calls for alternative ways to address the Crimean issue**

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*Didier Burkhalter, OSCE Chairperson-in-Office for 2014 and Head of the Swiss Federal Department of Foreign Affairs, at the Permanent Council in Vienna, 16 January 2014. (OSCE/Jonathan Perfect)*

BERN, March 11 2014 – In its current form the referendum regarding Crimea scheduled for March 16, 2014, is in contradiction with the Ukrainian Constitution and must be considered illegal, Swiss Foreign Minister and OSCE Chair Didier Burkhalter said.

For any referendum regarding the degree of autonomy or sovereignty of the Crimea to be legitimate, it would need to be based on the Ukrainian constitution and would have to be in line with international law, he said. In that context, Burkhalter called upon all actors to refrain from supporting unconstitutional activities.

The Chair also ruled out the possibility of an OSCE observation of the planned referendum of March 16 as the basic criteria for a decision in a constitutional framework was not met. Furthermore, an invitation by the participating State concerned would be a precondition to any observation activity in this regard.

International experiences, including experiences in Switzerland, showed that processes aiming at modifying constitutional set ups and discussions on regional autonomy were complex and time consuming, sometimes stretching over months or even years, he added. Political and legal adjustments in that regard had to be consulted in an inclusive and structured dialogue on national, regional and local level. Burkhalter said that all stakeholders had to be on board,

otherwise processes like that would provoke tensions instead of leading to sustainable solutions and addressing concerns of parts of the population, including minority rights.

The Chair reiterated his readiness to engage in discussions with all sides, possibly in the form of a Contact Group, regarding possibilities to find ways out of the current situation. The Chair took note of significant concerns signaled by his Personal Envoy on the situation in the Crimea. He invited all participating States to support an early decision and subsequent deployment of an OSCE Monitoring Mission to Ukraine.

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