FACT-CHECK · HISTORICAL

VLADIMIR PUTIN, ON THE SEIZURE OF THREE UKRAINIAN NAVAL VESSELS AT THE KERCH STRAIT · 28 NOV 2018

'THEY ENTERED OUR TERRITORIAL WATERS'

On 28 November 2018, at VTB Capital's 'Russia Calling!' forum in Moscow, Vladimir Putin said the Ukrainian vessels seized three days earlier had 'entered our territorial waters' and called the incident 'without doubt a provocation'. A 2003 agreement signed by Russia gives Ukrainian warships freedom of navigation in the Kerch Strait; an international tribunal ordered the vessels and their 24 servicemen released. Three claims, the record, and what they concede.

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VERIFIED RECORD
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24

Ukrainian servicemen seized with three naval vessels; three wounded [A]

ITLOS, Order of 25 May 2019, paras 31, 124

19–1

ITLOS vote ordering the immediate release of the vessels and servicemen [A]

ITLOS, Order of 25 May 2019

2003

agreement: Ukrainian and Russian warships 'enjoy freedom of navigation' in the Kerch Strait [C]

Agreement on the Sea of Azov and the Kerch Strait, art. 2(1) (unofficial translation)

286

days in Russian detention before release in an exchange, 7 Sep 2019 [C]

Hub calculation from ITLOS order and AP via PBS, 7 Sep 2019

BOTTOM LINE

Not Russian waters. Under the 2003 agreement, warships of both Ukraine and Russia enjoy freedom of navigation in the Sea of Azov and the Kerch Strait. The waters off Crimea are 'ours' only if Russia's occupation of Crimea is accepted; the General Assembly calls Crimea temporarily occupied.

An international tribunal disagreed. ITLOS ordered Russia, by 19 votes to 1, to release the vessels and the 24 servicemen immediately, and found their claim to immunity plausible.

'Provocation' — with no evidence. The vessels were held for about eight hours and fired on after they turned back. The General Assembly called it 'the unjustified use of force by the Russian Federation'.

THE 3 CLAIMS

Vladimir Putin · 'Russia Calling!' forum · 28 Nov 2018	“[They] entered our territorial waters.”	**False**
Vladimir Putin · 28 Nov 2018	“[The vessels] entered waters that were Russia's before Crimea joined. (Interfax's paraphrase of Putin)”	**Contradicted by Russia's own treaty**
Vladimir Putin · 28 Nov 2018	“It was without doubt a provocation.”	**No evidence presented**

WHAT WE ASK

Russia: comply in full with the ITLOS order of 25 May 2019 and with every ruling of the arbitral tribunal, and return all seized equipment and weapons · all states: uphold freedom of navigation through the Kerch Strait and in the Sea of Azov · cite the ITLOS order and resolutions 73/194 and 74/17 in Third Committee and Black Sea statements.

Sources: Interfax, 28 Nov 2018 · Reuters via The Moscow Times, 28 Nov 2018 · ITLOS Order, 25 May 2019 · PCA, award on preliminary objections, 27 Jun 2022 · A/RES/73/194 (GA/12108) · A/RES/74/17 · 2003 Azov–Kerch agreement (unofficial translation) · VOA, 28 Nov 2018

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THE VENUE AND THE SPEAKERS

WHO SAID IT, WHERE, AND TO WHOM

Where each claim was made, who made it, how the others in the room answered, and what the statements left out.

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THE OCCASION AND THE RECORD

Occasion	Seizure of the Ukrainian naval vessels Berdiansk, Nikopol and Yany Kapu and 24 servicemen at the Kerch Strait, 25 Nov 2018
Where the claim was made	VTB Capital investment forum 'Russia Calling!', Moscow, 28 Nov 2018, answering questions; reported by Interfax, TASS and Reuters

THE SPEAKERS

Vladimir Putin	President of the Russian Federation · 'Russia Calling!' forum, 28 Nov 2018	Said the vessels ignored the border service, 'entered our territorial waters', in waters that, as Interfax reported him, were Russia's even before Crimea joined, and called the incident 'without doubt a provocation'

WHAT OTHERS SAID

International Tribunal for the Law of the Sea	Ordered the immediate release of the three vessels and 24 servicemen, 19 votes to 1 (25 May 2019).
UN General Assembly	Called for the release of the vessels and crew (A/RES/73/194, 2018) and the return of all seized equipment and weapons (A/RES/74/17, 2019).
UN Security Council members	Rejected Russia's proposed agenda on 26 Nov 2018: 4 in favour, 7 against, 4 abstentions (UN News).

WHAT THE STATEMENTS LEFT OUT

- That the 2003 agreement Russia signed gives Ukrainian warships freedom of navigation in the Kerch Strait and the Sea of Azov.
- That the vessels were fired on after they had turned away, and that three Ukrainian servicemen were wounded.

HOW IT TRAVELS

TASS carried the 'provocation' line the same afternoon; Interfax, Reuters and AP reported the remarks the same day. Russia's representative had put the same account — Ukraine violated the border in waters described as Russian before 2014 — to the Security Council on 26 November 2018.

Sources: Interfax, 28 Nov 2018 · Reuters via The Moscow Times, 28 Nov 2018 · ITLOS Order, 25 May 2019 · PCA, award on preliminary objections, 27 Jun 2022 · A/RES/73/194 (GA/12108) · A/RES/74/17 · 2003 Azov–Kerch agreement (unofficial translation) · VOA, 28 Nov 2018

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THE CLAIMS, ONE BY ONE

CLAIM, RECORD, CONCESSION

Each claim as made, with the date, the venue and a link; the record it runs into, with the tier of the evidence; and what it concedes. Words in square brackets are the Hub's.

UKRAINE EVIDENCE HUB
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CLAIM 1 · VLADIMIR PUTIN · 'RUSSIA CALLING!' FORUM · 28 NOV 2018

“[They] entered our territorial waters.”

Interfax (English), 28 Nov 2018
interfax.com/newsroom/top-stories/22016

FALSE

Evidence A

Under the 2003 agreement, warships of Ukraine and Russia 'enjoy freedom of navigation in the Sea of Azov and the Kerch Strait' (art. 2(1)). The General Assembly calls Crimea 'temporarily occupied' (GA/12108, 17 Dec 2018). ITLOS ordered the vessels and the 24 servicemen released immediately, 19–1 (25 May 2019). VOA rated the claim false (28 Nov 2018).

What the claim concedes: The waters are 'ours' only by counting occupied Crimea as Russia — which the General Assembly refuses.

CLAIM 2 · VLADIMIR PUTIN · 28 NOV 2018

“[The vessels] entered waters that were Russia's before Crimea joined. (Interfax's paraphrase of Putin)”

Interfax (English), 28 Nov 2018 — report headline paraphrasing Putin; no verbatim transcript read
interfax.com/newsroom/top-stories/22016

CONTRADICTED BY RUSSIA'S OWN TREATY

Evidence

The 2003 agreement signed by Russia states that the Sea of Azov and the Kerch Strait 'have historically been inland waters of the Russian Federation and Ukraine', and that issues of the Kerch Strait are settled 'by agreement between the Parties' (art. 1).

What the claim concedes: Russia signed in 2003 that the strait was shared, not Russian before 2014.

CLAIM 3 · VLADIMIR PUTIN · 28 NOV 2018

“It was without doubt a provocation.”

Reuters, via The Moscow Times, 28 Nov 2018
www.themoscowtimes.com/2018/11/28/putin-accuses-ukraine-leader-of-plotting-naval-clash-to-boost-ratings-a63638/pdf

NO EVIDENCE PRESENTED

Evidence A

The vessels were blocked and held for about eight hours; when they turned away they were chased and fired on, warning shots then targeted shots (ITLOS order, paras 71, 73). The General Assembly expressed extreme concern at 'the unjustified use of force by the Russian Federation against Ukraine' (A/RES/74/17, para 8).

What the claim concedes: Nothing about why vessels sailing away were chased and fired on.

Sources: Interfax, 28 Nov 2018 · Reuters via The Moscow Times, 28 Nov 2018 · ITLOS Order, 25 May 2019 · PCA, award on preliminary objections, 27 Jun 2022 · A/RES/73/194 (GA/12108) · A/RES/74/17 · 2003 Azov–Kerch agreement (unofficial translation) · VOA, 28 Nov 2018

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FACT-CHECK · HISTORICAL THE RECORD SIDE BY SIDE

WHAT RUSSIA SAYS, WHAT THE RECORD SHOWS

Each line sets a Russian statement against the finding of a mandated body or, where none exists, an independent investigation. Tiers are marked on every source.

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THE RECORD

QUESTION	WHAT RUSSIA SAYS	WHAT THE RECORD SHOWS	SOURCE
Waters	'Entered our territorial waters'; waters 'Russia's before Crimea joined' (Interfax paraphrase)	2003 agreement: freedom of navigation for warships of both states; strait historically inland waters of both	Interfax, 28 Nov 2018 (RU); 2003 agreement, arts. 1–2 (C)
Crimea	Treated as Russian	'Temporarily occupied Crimea'	UN press release GA/12108, 17 Dec 2018 (A)
Use of force	'A provocation'	Held about eight hours, then chased and fired on after turning away; three wounded	ITLOS Order, 25 May 2019, paras 31, 71, 73 (A)
The servicemen	Prosecuted in Russia	Release ordered immediately, 19–1; released 7 Sep 2019 in an exchange	ITLOS, 25 May 2019 (A); AP via PBS, 7 Sep 2019 (C)
UN view	—	'The unjustified use of force by the Russian Federation against Ukraine'	A/RES/74/17, 9 Dec 2019 (A)

FAIR TO SAY

The arbitral tribunal (27 Jun 2022) held that the events of 25 November up to a point after the vessels left the anchorage, including the firing, are 'military activities' outside its jurisdiction. It will rule on the detention, not on the firing.

The facts of the day are those recorded in the ITLOS order at the provisional-measures stage; Russia did not appear and argued in a memorandum that the vessels made a 'secret' incursion into its territorial sea.

Putin's words are quoted from English translations (Interfax; Reuters). TASS renders the second line 'certainly, this is a provocation'; words in square brackets are the Hub's.

Sources: Interfax, 28 Nov 2018 · Reuters via The Moscow Times, 28 Nov 2018 · ITLOS Order, 25 May 2019 · PCA, award on preliminary objections, 27 Jun 2022 · A/RES/73/194 (GA/12108) · A/RES/74/17 · 2003 Azov–Kerch agreement (unofficial translation) · VOA, 28 Nov 2018

FACT-CHECK · HISTORICAL THE LAW, WHAT TO SAY

ESTABLISHED, PATTERN, POSITION

What mandated bodies have established, what the record shows as a pattern, and what is a position — kept apart. Then the lines to take and the questions to expect.

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THE LAW

Established (ITLOS, 25 May 2019, 19–1): Russia shall immediately release the naval vessels Berdyansk, Nikopol and Yani Kapu and the 24 servicemen; the immunity of the warships and servicemen under the Law of the Sea Convention is plausible (paras 97–98).

Established (Annex VII arbitral tribunal, 27 Jun 2022, unanimous): jurisdiction over the detention and over alleged breaches of the ITLOS order; the blocking and firing excluded as military activities. Merits pending.

Established (General Assembly): A/RES/73/194 (2018) calls for the release of the vessels and crew; A/RES/74/17 (2019) calls for the return of all seized equipment and weapons 'unconditionally and without delay'.

Pattern: the General Assembly records 'intentional obstruction of traffic through the Kerch Strait' and the militarisation of the Sea of Azov and the Kerch Strait (A/RES/74/17, paras 7–8).

Position (Hub): on the record, Russia seized warships exercising a treaty right of passage and detained their crews in breach of their immunity — pending the arbitral award.

LINES TO TAKE

1. "Russia signed in 2003 that Ukrainian warships sail the Kerch Strait freely."
2. "An international tribunal ordered the release, 19 votes to 1."
3. "They were fired on while sailing away. That is not a provocation."

Q&A

"They ignored the border service and refused a pilot."	Under the 2003 agreement Ukrainian warships enjoy freedom of navigation in the strait. The vessels were held for about eight hours, then fired on after they turned away (ITLOS order).
"It was a military incident, so the tribunals have no say."	The arbitral tribunal agreed only for the events up to a point after the vessels left the anchorage. It rejected the objection for the detention and has jurisdiction over Russia's compliance with the ITLOS order (27 Jun 2022).
"The sailors and ships were returned — the case is closed."	The General Assembly called for the return of all seized equipment and weapons (A/RES/74/17); Ukraine's President reported weapons missing (21 Nov 2019). The arbitration on the merits is still pending.

WHAT WE ASK

Russia: comply in full with the ITLOS order of 25 May 2019 and with every ruling of the arbitral tribunal, and return all seized equipment and weapons · all states: uphold freedom of navigation through the Kerch Strait and in the Sea of Azov · cite the ITLOS order and resolutions 73/194 and 74/17 in Third Committee and Black Sea statements.

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FACT-CHECK · HISTORICAL SOURCES AND METHOD

WHERE EVERY LINE COMES FROM

All sources were checked on 21 October 2026. Russian statements are listed as the position under review, not as evidence.

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SOURCES

Interfax (V. Putin)	Ukrainian ships didn't respond to Russia's inquiries, entered waters that were Russia's before Crimea joined - Putin, 28 Nov 2018 https://interfax.com/newsroom/top-stories/22016/	RU
The Moscow Times / Reuters (V. Putin)	Putin Accuses Ukraine Leader of Plotting Naval Clash to Boost Ratings, 28 Nov 2018 https://www.themoscowtimes.com/2018/11/28/putin-accuses-ukraine-leader-of-plotting-naval-clash-to-boost-ratings-a63638/pdf	RU
TASS (V. Putin)	Putin calls Kerch Strait incident provocation ahead of Ukraine's election, 28 Nov 2018 https://tass.com/politics/1033136/amp	RU
International Tribunal for the Law of the Sea	Detention of three Ukrainian naval vessels (Ukraine v. Russian Federation), Order on provisional measures, 25 May 2019 https://itlos.org/fileadmin/itlos/documents/cases/26/C26_Order_25.05.pdf	A
International Tribunal for the Law of the Sea	Press release ITLOS/Press 284, 25 May 2019 https://www.itlos.org/fileadmin/itlos/documents/press_releases_english/PR_284_En.pdf	A
Permanent Court of Arbitration (Annex VII tribunal)	Publication of award on the preliminary objections of the Russian Federation, 11 Jul 2022 (award of 27 Jun 2022) https://pca-cpa.org/cn/news/publication-of-award-on-the-preliminary-objections-of-the-russian-federation-in-arbitration-concerning-the-detention-of-ukrainian-naval-vessels-and-servicemen	A
Permanent Court of Arbitration	Dispute concerning the detention of Ukrainian naval vessels and servicemen — case page https://pca.int/es/cases/229/	A
UN General Assembly	Press release GA/12108 (resolution 73/194 adopted), 17 Dec 2018 https://press.un.org/en/2018/ga12108.doc.htm	A
UN General Assembly	A/RES/74/17, Problem of the militarization of … Crimea … the Black Sea and the Sea of Azov, 9 Dec 2019 https://digitallibrary.un.org/record/3841716/files/A_RES_74_17-EN.pdf	A
University of Hamburg (unofficial translation)	Agreement between Ukraine and the Russian Federation on cooperation in the use of the Sea of Azov and the Kerch Strait, Kerch, 24 Dec 2003 https://www.jura.uni-hamburg.de/die-fakultaet/professuren/proelss/dateien-valentin/agreement-sea-of-azov	C
Voice of America (Polygraph)	Video Fact Check: 8 Putin Claims Regarding the Kerch Strait Incident, 28 Nov 2018 https://www.voanews.com/a/eight-putin-claims-regarding-kerch-strait-fact-check/6742002.html	C
AP via PBS NewsHour	Russia and Ukraine trade prisoners, each fly 35 to freedom, 7 Sep 2019 https://www.pbs.org/newshour/world/russia-and-ukraine-trade-prisoners-each-fly-35-to-freedom	C

METHOD

The claims are taken from Putin's answers at the 'Russia Calling!' forum on 28 Nov 2018, as reported in English by Interfax and Reuters. Words in square brackets are the Hub's.

They are checked against the ITLOS order (A), the arbitral tribunal's award on jurisdiction (A), General Assembly resolutions (A) and the text of the 2003 agreement.

No images of the servicemen in custody are used. Where tribunal findings are limited — the arbitral tribunal excluded the firing from its jurisdiction — the limit is stated.

Tiers: **A** — UN-mandated bodies, international courts and organisations (OHCHR/HRMMU, Commission of Inquiry, ICC, ECtHR, IAEA, OSCE, OPCW, Security Council record); **B** — Ukrainian official bodies, marked "according to Ukraine"; **C** — independent investigators and media; **RU** — Russian official statements, the position under review. Tiers are never combined in one figure.