



ASSOCIATION OF REINTEGRATION
OF CRIMEA

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To UN Special Rapporteur on the human rights to safe drinking water and sanitation

Indigenous Peoples, Rural Areas and Water Crisis in the Crimea

Submission for Reports at the 51st session of the UN HRC, 77th session of the UN GA.

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I. 1. Our Association of Reintegration of Crimea (ARC)¹, is non-governmental expert and human rights organisation², with activities devoted to Crimea's issues. ARC informs UN, CoE and OSCE structures and publishes analytics regarding challenges for human and indigenous rights in Crimea. In 2020-2021 ARC sent more than 30 relevant submissions to UN HRC bodies, including information on the ongoing water crisis in Crimea³, its indigenous peoples⁵ and sustainable development challenges⁶, ARC made more than 20 publications on this issue⁷.

2. In the Crimean peninsula, illegally controlled by Russia, negligence and illegal actions of the so called "authorities" caused the ongoing water crisis that is a key challenge for the indigenous Crimean Tatar people and other population of the region's rural areas. UN GA resolution 76/179 pointed that Russia as occupying State bears all responsibility for ongoing water crisis in Crimea⁸ and European Court on Human Rights refused in 2021 to oblige Ukraine supply water to Crimea by the North Crimean Channel⁹.

3.1. Experts of ARC with a close cooperation with the Crimean Tatar Resource Centre, ARC held consultations with Crimean Tatar representatives, members of Mejlis of Crimean Tatar People, it took part in conferences devoted to Crimean issues, including water crisis challenges¹⁰, and in "Crimean Platform" high-level summit in Kyiv in 2021¹¹.

3.2. ARC highlighted the brutal violation of the international ecologic and environmental law by "Siemens" and "Grundfos" companies that supplied in 2020-2021 industrial water pumps to the Crimean "administration"; such pumps' exploitation in military purposes

¹ <https://arc.construction/>

² https://www.journal-officiel.gouv.fr/associations/detail-annonce/associations_b/20210005/1348

³ <https://www.ohchr.org/Documents/Issues/Water/PlanningReportWater/input-nonstates/Association-of-Reintegration-of-Crimea.doc>

⁴ <https://www.ohchr.org/Documents/Issues/Environment/EnvironmentWater/Civil%20Society/ARC.doc>

⁵ https://www.ohchr.org/Documents/Issues/IPeoples/SR/Urban-areas_Submissions/Indigenous_Organisations_Civil_Society/association-of-reintegration-of-crimea.pdf

⁶ <https://www.ohchr.org/Documents/Issues/Food/FoodSystems/CSO/ARC.doc>

⁷ <https://www.ejiltalk.org/the-proceedings-flow-while-water-does-not-russias-claims-concerning-the-north-crimean-canal-in-strasbourg/>

⁸ <https://undocs.org/en/A/76/PV.53>

⁹ <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-7085775-9583164&filename=Inter-State%20case%20brought%20by%20Russia%20against%20Ukraine.pdf>

¹⁰ <https://arc.construction/15457> <https://arc.construction/6615>

¹¹ <https://arc.construction/18743>

destroyed the unique ecosystem of Zuya River valley, traditional for the Crimean Tatars. We informed German and Danish officials, European Commission and ecologic organisation, relevant investigation was held by the Dutch Business Authority due to our complaint¹².

3.3. ARC human rights' activities caused the aggressive reaction of the Russia's so-called "authorities" in Crimea. ARC's expert, professor Borys Babin was declared as allegedly "extremist" by such "authorities", relevant "criminal proceedings" were initiated by them¹³.

3.4. As ARC informed the UN HRC structures already Russia's "authorities" do not provide in Crimea any measures to promote and protect women's freedoms of opinion and expression, the Crimean Tatar women are in the most vulnerable situation¹⁴¹⁵.

4.1 The key challenge for Crimea since 2015 is the water crisis that appeared exactly due to the policies of the Russia's "authorities" in conditions of the climate change. Russia established its effective control over Crimea with its 2,5 million inhabitants in 2014. In the next years, Russia has relocated over 500 thousand of its residents to Crimea. Russia initiated large military infrastructure projects in Crimea, requiring massive water supply.

Russian business structures, controlled by its Government, commenced a programme of massive residential housing construction for the Russia's settlers and military personnel in Crimea. Russia-controlled "regional and municipal authorities" paid no attention to plumbing and sanitation systems, as well as sewage treatment plants in Crimea. Crimea is an arid zone, local water resources were sufficient for the population before 2014, but they are insufficient for the present enlarged demands¹⁶.

4.2. In 2020-2021 the water crisis in Crimea intensified. Russia's "authorities" in the Crimea did nothing to ensure that any parts of Crimea's society have access to reliable, timely and easy to comprehend information on all aspects such processes. All Russia's infrastructural activities in Crimea are corrupted and non-transparent¹⁷. Russia's "authorities" did not provide any protection guarantees in peninsula, related to climate change. The only compensation is paid by Russia to own army personnel, as for "military service in the arid zone"¹⁸.

4.3. Russia refuses to recognise the indigenous rights and statute for the Karaites, Crimean Tatars and Krymchaks. At the same time Ukraine recognised such statute in 2014 officially and adopted a Law "On Indigenous Peoples of Ukraine" in 2021¹⁹. Regarding its article 7 indigenous peoples of Ukraine cooperate through their representative bodies with state and local authorities on environmental protection, ensuring efficient and equitable use of water located in Crimea. ARC's experts cooperate with other NGOs and Ukraine governmental structures to elaborate sublegal acts that develop such legal norms and will be realized after the Crimea's de-occupation.

4.4. As ARC informed the UN HRC bodies, the organizational practice of Russian "authorities" in conditions of the COVID-19 pandemic was extremely negative for the Crimean residents' rights; such "authorities" did not provide in Crimea the actual and

¹² <https://arc.construction/17751>

¹³ <https://arc.construction/13352>

¹⁴ https://www.ohchr.org/Documents/HRBodies/CEDAW/DGD24June2021/Oral_statements/Part1/31.DOC

¹⁵ https://www.ohchr.org/Documents/Issues/Expression/GenderJustice/2.%20CSOs/ARC_Gender_Justice_Opinion_13_06_2021.pdf

¹⁶ <https://arc.construction/5694>

¹⁷ <https://tass.ru/obschestvo/10938005>

¹⁸ <https://www.rbc.ru/society/27/11/2019/5dde8f309a794752ab7f9660>

¹⁹ <https://zakon.rada.gov.ua/laws/show/1616-20>



effective services, goods and information regarding health care, as before COVID-19 pandemic so in 2020-2021 in water crisis conditions²⁰.

5.1. ARC's experts inform the UN, CoE and OSCE structures and publish analytics regarding access to water and sanitation of indigenous peoples, they participate in international conferences and held dialogue regarding the legal qualification the water crisis in Crimea. Any relevant practical activities in Crimea are impossible as Russia's "authorities" ban any independent ecologic or human rights' actions on the peninsula.

5.2, 5.3. Effective human rights or ecologic international activities in the Crimea are impossible as Russia's "authorities" ban access to the peninsula for any independent mission including the UN HRMM in Ukraine and OSCE SMM to Ukraine.

5.4. ARC submitted to the UN HRC the proposals on two Crimea-related natural objects to the researchathon on sacrifice zones and human rights, such as Sivash and Kalamita bays, discussed it with Indigenous Peoples Rights International²¹. ARC informed society on ecologic disaster connected with flooding Yevpatoria town with the waters of Sasyk-Sivash, and on catastrophic changes in Lake Sasyk's hydrology, including new floods in Crimea's Saky District and entry of chemical waste from the Saki plant into open watercourses²².

6.1. Russia-controlled structures in Crimea, which provide access to water and sanitation, are totally corrupted and non-effective. Losses in the water supply networks are more that 50 % of current resources, all expenses made are not transparent.

6.2. Crimea's indigenous peoples have no access to the verified information relating to access to water and sanitation services. Any attempts to get such access will be punished by the Russia-controlled "administration" as allegedly "extremist" ones.

6.3. There is no effective mechanism available in Crimea to submit complaints regarding access to safe drinking water and sanitation as well as obtain information on how those complaints were handled and resolved. Such complaint will not be satisfied and its author(s) will be punished for "illegal activities"; such negative practice was during collection the signatures against the corruption in the "Water of Crimea" and against desalination systems²³.

6.4. Crimea's indigenous peoples' representatives appeal to the international bodies such as European Court and UN HRC structures, as there are no other ways to defend their rights. There is no good access to such mechanisms in Crimea as Russia's "administration" punishes for such appeals also²⁴.

7.1, 7.2, 7.3, 7.4. Crimea's human rights defenders and activists who stand up for the human rights to safe drinking water and sanitation of indigenous peoples are under permanent fear, criminalization and harassment. The example of Ludvica Papadoupulu, may be pointed, blogger from Yalta, who was persecuted by the Russia's punitive structures in 2020-2021 for her posts in the social networks on the ecologic issues²⁵. ARC reflected the repressions against Mr. Papadoupulu in our statements to UN HRC and OSCE structures. Such public activism makes dangers for indigenous peoples and other population of rural areas, as the Russia's "administration" hold the policy of ethnic discrimination of the Crimean Tatars.

²⁰ <https://www.ohchr.org/Documents/Issues/Health/sexual-reproductive-health-covid/CSOs/ngo.association.of.reintegration.of.crimea.rtf>

²¹ <https://arc.construction/19284>; <https://arc.construction/19362>

²² <https://arc.construction/24348>

²³ <https://arc.construction/14869>

²⁴ <https://arc.construction/15657>

²⁵ <https://arc.construction/21223>

In case 166 International Court of Justice researches exactly the issue of the racial discrimination by Russian “authorities”, against Crimean Tatars. European Court established in 2020-2021 in case 20958/14 that Russian “authorities” have administrative practices in Crimea against certain ethnic groups, including discrimination the Crimean Tatars²⁶.

ARC reflected the issues of discrimination of Crimea’s ethnic groups in a set of analytic materials, granted to the competent structures of UN and OSCE²⁷. Association’s experts highlighted the problems of historic, social and legal consequences of illegal deportations the ethnic groups²⁸, indigenous’ and minorities’ rights²⁹ including linguistic³⁰, ecologic³¹ and humanitarian³², aspects of stigmatization the ethnic groups as “extremists”³³ and their ongoing racial discrimination³⁴, as Russia uses the mechanisms of “countering the extremism” and “countering the ideology of terrorism” to discriminate Crimean Tatars.

II. 8.1. 8.2. Crimean Tatars, Karaites and Krymchaks are the indigenous peoples of the Crimea. In 1944 Crimean Tatars felt victims of forced deportation under the control of the Soviet authorities. Up until 1987-1989, the Crimean Tatars were not allowed to resettle back to the Crimea from the Soviet Central Asian regions. Karaites and Krymchaks are non-numerous ethnic groups that became completely urbanized before 2014. In 1990–2014, when approximately 300 thousands of Crimean Tatars returned to Crimea, Ukraine was trying to preserve the interethnic peace in Crimea, however this policy resulted in practical impossibility for the indigenous land claims, restitution claims, and defamation claims.

Before 1944, Crimean Tatars mostly resided in the Southern Coast of Crimea and in the Crimean Mountains. After returning in 1990-s, the majority of the Crimean Tatar land lots were concentrated in the rural areas of Central Crimea, resulting in establishment of satellite Crimean Tatar settlements near Simferopol and other cities.

8.3, 8.4, 8.5 Crimean Tatars are not recognised by the Russia’s “authorities” in Crimea as an indigenous people, they are victims of ethnic discrimination, and their representative body, Mejlis, was banned illegally in 2016. Ukraine recognised their indigenous rights and adopted the law but Ukraine has no control over Crimea since 2014. Absence of Crimean Tatar autonomy or self-governance complicate for them managing common goods, such as water, in the Crimea. Crimean Tatars constitute 20 % of Crimean population, so possible tensions having an ethnic background, are very limited. The key source of discrimination of the Crimean Tatars is concentrated in Russian punitive and propaganda policy, which revitalized the Soviet myth about the “enemy people” and determined any indigenous activists as “extremists”, if they manifested any disloyalty towards the Russian policies.

9.1, 9.2, 9.3, 9.4 Water always had specific, sacral importance for the Crimean Tatar people in arid Crimea. Now the Russia-controlled “Water of Crimea” is responsible for the water management in the region and it has no cooperation with Crimean Tatars. Crimean Tatars and their communities have no effective access to water management issues in the Crimea since 2014.

²⁶ <http://hudoc.echr.coe.int/eng?i=001-207622>

²⁷ <https://arc.construction/17035> ; <https://arc.construction/16791> ; <https://arc.construction/16135> ; <https://arc.construction/18189>

²⁸ <https://arc.construction/21193> ; <https://arc.construction/1769> ; <https://arc.construction/15189> ; <https://arc.construction/16248>

²⁹ <https://arc.construction/12798> ; <https://arc.construction/8643> ; <https://arc.construction/20938>

³⁰ <https://arc.construction/20343>

³¹ <https://arc.construction/19284>

³² <https://arc.construction/7505> ; <https://arc.construction/7449>

³³ <https://arc.construction/16279> ; <https://arc.construction/16285>

³⁴ <https://arc.construction/19492> ; <https://arc.construction/20968>



10.1, 10.2, 10.3. Economic and water crisis in Crimea forces Crimean Tatars to resettle to Simferopol since 2015. At the same time exactly Simferopol, central city of the Crimea, became a destination for most Russian citizens illegally resettled by the Russian “authorities” to Crimea, including military officers, officials, servicemen, and their families³⁵.

The quantity of city’s population increased from 300 thousand in 2014 to 500 thousand in 2020 and it continues to grow. Yet, the infrastructure of Simferopol, including its water and sanitation systems^{36,37}, road network, schools, kindergartens, hospitals³⁸ etc. does not satisfy the needs of its half-million residents³⁹. In 2020-2021, the deficiencies in the city and regional management of the Russian “authorities” caused the systematic water crisis⁴⁰ in Simferopol⁴¹ and other localities⁴² of Crimean Tatars’ urbanized settlements. Furthermore, chaotic construction of residential and non-residential buildings⁴³ by the Russian commercial structures associated with the “authorities”, accompanied by failure to comply with any imaginable architectural and safety standards⁴⁴, ruins the unique landscapes^{45,46} and creates risks for the residents of Crimean cities⁴⁷.

ARC believes that **Special Rapporteur’s visit to Ukraine, including Crimea** would contribute to collection of information, and would enable the Rapporteur to make a first-hand impression of the situation.

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Dr. Borys Babin



³⁵ <https://arc.construction/5816>

³⁶ <https://arc.construction/7625>

³⁷ <https://arc.construction/5483>

³⁸ <https://arc.construction/6449>

³⁹ <https://arc.construction/6010>

⁴⁰ <https://arc.construction/7194>

⁴¹ <https://arc.construction/9566>

⁴² <https://arc.construction/9110>

⁴³ <https://arc.construction/9848>

⁴⁴ <https://arc.construction/7514>

⁴⁵ <https://arc.construction/7198>

⁴⁶ <https://arc.construction/5647>

⁴⁷ <https://arc.construction/6474>