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***Subission To the Committee on the Elimination of Discrimination against Women***

**Violation the Indigenous Women’s Human Rights: Situation in the Crimea**

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The Association of Reintegration of Crimea[[1]](#footnote-1), as a registered non-governmental organisation, herewith submits the following submission to the UN Committee on the Elimination of Discrimination against Women for general discussion on the rights of indigenous women and girls. Our submission is devoted to the situation of indigenous Crimean Tatar women in the Autonomous Republic of Crimea and city of Sevastopol (hereinafter – the Crimea). The response deals with the issues identified by the Association in its work, namely the issue of intentional and organised Russia’s policy against Human and Indigenous Rights in the Crimea, including the civil, social and cultural rights and protection against discrimination.

The illegal occupation and attempted annexation of Crimea by Russian Federation (hereinafter – RF) since 2014 have been condemned in a series of international acts, including UN GA resolutions 2014 68/262, 2016 71/205, 2017 72/190, 2018 73/263 2019 74/168, 2020 75/192, 2018 73/194, 2019 74/17, 2020 75/29[[2]](#footnote-2), resolutions of the OSCE Parliamentary Assembly, of the Parliamentary Assembly of the Council of Europe 1988 (2014), 2028 (2015), 2067 (2015), 2112 (2016), 2132 (2016), 2145 (2017), 2198 (2018), 2231 (2018) etc., of the European Parliament’s resolutions 2014/2841 (RSP), 2014/2965 (RSP), 2016/2556 (RSP), 2016/2692 (RSP), 2017/2596 (RSP), 2017/2869 (RSP), 2018/2754 (RSP), 2018/2870 (RSP), 2019/2734 (RSP), 2019/2202 (INI) etc. Those acts paid special attention to the brutal violation by the RF the fundamental rights of older persons, including that belongs to the indigenous peoples and minorities.

The attempted annexation the Crimea by Russia was never recognized by the international community. Human rights violations in the Crimea, including racial, social and other discrimination of women, including that belongs to the Crimean Tatar indigenous people now are the subject to consideration in international courts, including the International Court of Justice (case 166)[[3]](#footnote-3) and the European Court of Human Rights (case 20958/14 and others).[[4]](#footnote-4) Such special negative situation is connected with Crimean Tatar Women, vulnerable to the situation of the ongoing racial discrimination the Crimean Tatar People on its historic Native Land – Crimean peninsula.

 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. In 1944 Crimean Tatars felt victims of genocide (forced deportation) under the control of the Soviet authorities. In the Soviet period since 1967, the USSR state authorities refused to recognize of Crimean Tatars as separate ethnic group, they were determined as “Tatars,” as the part of undetermined Tatar population of the USSR. Up until 1987-1989, the Crimean Tatars were not allowed to resettle back to the Crimea from the Soviet Central Asian regions.

In 1990–2014 approximately 300 thousands of Crimean Tatars returned to the Crimea. Ukraine was trying to preserve the interethnic peace in the Crimea; however this policy resulted in practical impossibility for the indigenous land claims, restitution claims, and defamation claims. The central and local authorities, municipal entities, law enforcement structures, courts, and the Ukrainian Ombudsperson had the common position that all the property taken away from the Crimean Tatar owners since 1944 will not be returned to former owners or their successors and will not be compensated. Most of the land lots and buildings once owned by the Crimean Tatars have been transferred from state property to the private property of non-indigenous users that controlled it in the late Soviet time, during the common privatization proceeding in Ukraine before 2000[[5]](#footnote-5).

However, the Crimean Tatars managed to obtain from the authorities, or squatted (with subsequent legalization) the land lots in the rural districts of Crimea. After 2014, the key factor in modern Crimea for the ongoing urbanization the Crimean Tatars is the current degradation the Crimean economics, especially agricultural sector and small businesses under control of the Russian de-facto “authorities”. After 2014 Crimean Tatars are the subject or repression by Russian de-facto “authorities” for their collective position against the attempted annexation the Crimea and against their discrimination. Now there are not less than 230 politic prisoners in the Crimea, among them 158 Crimean Tatars; since 2014 are the victims of the forced disappearances in the Crimea with participation of Russia’s bodies and groups, and among them 15 Crimean Tatars.

Majority of those victims are men who were the main breadwinners for their families, not less than 55 persons were killed very likely with participation of Russia’s punitive bodies and paramilitary groups in the Crimea and among them – 25 Crimean Tatars; since 2014 not less than 21 persons often in the rural areas of the Central Crimea[[6]](#footnote-6). So their mothers and other indigenous women – family members are now in extremely hard situation as the “dangerous family members of terrorist and extremists” as they are named by Russian propaganda. And more they are now in extremely dangerous social situation as dependents who lost the source of own minimal economic stability. And even more, Crimean Tatar women are the direct subject of the politic repressions by Russian punitive bodies in the Crimea. The most terrible example is the Mrs. Veciye Qaşqa story. Veciye was deported in 1944 in nine-year old age from Crimea and from the end of 1950th she united the Crimean Tatar national movement. In 1960th she tried twice to return to Crimea but was deported again by Soviet punitive structures.

In Soviet and post-Soviet time Mrs. Qaşqa’s house was a place of meeting the Crimean Tatar’s activists. Mrs. Qaşqa took part in the activities of the Crimean Tatar ethnic movement, traveled with errands to Russian and Turkey, helped to organize mass events. After the occupation of the Crimea begun in 2014, she advocated the blockade of Crimea by the civilized nation, was the active member of groups that organized help to the politic prisoners and their families. On 23 November 2017 Mrs. Veciye Qaşqa who was 73 years old, was arrested in brutal form by the Russian punitive structures (Federal Security Service and “police”) in Simferopol cafe “Medobory” with some other Crimean Tatars[[7]](#footnote-7). Arrested Mrs. Veciye Qaşqa felt herself bad and died in few hours, in road from café being under control of Russian officers.

Russian de-facto “authorities” refused to investigate the death of Mrs. Veciye Qaşqa and Russian propaganda used hate speech against dead Mrs. Qaşqa as “Crimean Tatar extremist”. In January 2021 the European Court of Human Rights started the proceeding on application the lawyer of Mrs. Qaşqa’s relatives on issue of her forced death[[8]](#footnote-8).

There are no free elections in Crimea since 2014, and the system of representative bodies of the Crimean Tatar People such as Qurultay, Mejlis and regional mejlises is illegally banned by Russia in 2016. Russia did not execute since 2017 the ICJ’s order in case 166 to cancel the ban of Mejlis. More, Russia cancelled in 2020 the public hearings on local level in the Crimea. The key challenges, as it was already pointed, are the discrimination of Crimean Tatar women[[9]](#footnote-9). In the Crimea such illegal discrimination is related as with the ethnic origin of women (for Crimean Tatars), so with their politic position and with their possible refusal to get forced Russian citizenship after 2014. And more, the reality of life in the occupied Crimea is too far from the integration the policies and programmes to prevent and address gender-based violence against women and girls. “Russian world” ideology established there since 2014 by Russian de-facto “authorities” foresees the “traditional” patriarchate family, including a loyal relation to the home violence against women and girls, including indigenous ones.

All independent Crimean Tatar women journalists an bloggers in the Crimea are persecuted by the Russia’s punitive bodies. The arrests of Lutfie Zudieva and Mumina Saliyeva, activists of the “Crimean Solidarity” public association, are worth mentioning. In 2019, the occupiers declared “internationally wanted” the journalist of the “ATR TV” channel Gulsum Khalilova, this channel was banned in 2015 in the Crimea and it broadcast from the Ukraine’s mainland[[10]](#footnote-10). Crimean Tatar woman, lawyer Lila Gemedzhi, who defends the rights of illegal prisoners, was recently awarded the Dutch Tulip Human Rights Prize. This award is given to those who work in conditions of risk to their own safety. It is a good example how the third countries may support the Crimean Tatar women – journalists, bloggers and human defenders.

There is no any possibility for feminism movement in the modern Crimea, occupied by Russia, as the Russian state ideology have grounds on clerical and patriarchal roots and it has a strong part of populism and propaganda. So the feminist ideas are persecuted by the Russia’s “officers” as “too dangerous and independent ones”. And the modern phenomena of Crimean Tatar women activism, journalism and women fight for their family members who are the politic prisoners is inacceptable for the Russian de-facto “authorities” in the peninsula[[11]](#footnote-11). At the same time Russia-controlled media, bloggers[[12]](#footnote-12) and “independent organizations” abuse the freedom of expression in third countries[[13]](#footnote-13) to justify the genderand racial discrimination of the Crimean Tatars in the Crimea[[14]](#footnote-14), including the related racial discrimination of the Crimean Tatar women. Russian de-facto “authorities” do not provide any administrative, policy, regulatory or other measures in the Crimea to promote and protect Crimean Tatar women’s freedom of opinion and expression, both online and offline.

Russian de-facto “authorities” do not provide any administrative, policy or other measures to protect Crimean Tatar women from sexual and gender based violence and harassment online[[15]](#footnote-15). As we wrote already to UN Special Rapporteur on violence against women, its causes and consequences, there are no femicide watch or observatory in the occupied Crimea. Russia’s de-facto “authorities” do not have such activities and the civil society structures in the Crimea were totally eradicated since 2014, they do not take any measures including research and studies undertaken to analyse femicide or gender related killings of women and girls, or homicides of women by intimate partners or family members and other femicides. And more, Russia’s punitive system in the Crimea has no practical goal to investigate the crimes against persons, including the femicide cases[[16]](#footnote-16).

And more when in 2021 Ukrainian President passed the draft law “On Indigenous Peoples of Ukraine” to the Parliament, recognising and defending the rights of indigenous women for Crimean Tatars, Crimean Karaites and Krymchaks[[17]](#footnote-17), the State Duma of Russia made special official statement demanding for Ukraine to recognise the statute of indigenous peoples in Ukraine not for Krymchaks or Crimean Tatars but …for ethnic Russians[[18]](#footnote-18). So the ways of influence on above-pointed illegal behavior of the Russia-controlled “authorities” and punitive structures in the Crimea may have forms of decision of international courts and organizations, of sanction policy and on collective interstate negotiation the situation with human rights in the Crimea. Ukraine’s civil society and national human rights institutions gather information on the violation the rights of the Crimean Tatar Women in the Crimea, on the relevant negative practices or policies of the Russia-controlled “authorities”[[19]](#footnote-19) and punitive structures[[20]](#footnote-20). But their efforts have to be supported by the international organizations.

UN Human Rights Monitoring Mission in Ukraine and OSCE Special Monitoring Mission to Ukraine have in their mandate the research on the situation with racial discrimination, also as for gender issues in the Crimea but they do not pay the adequate attention on those issues in their reports. The Association of Reintegration of Crimea believes that a special research on the situation with gender equality and non-discrimination of the indigenous women in the conditions of the armed conflicts and related “grey zones” like Crimea, done by the Committee, may be a starting point for improvement of the situation.

18th June, 2021

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1. https://arc.construction/ [↑](#footnote-ref-1)
2. for example, https://undocs.org/en/A/RES/73/263 [↑](#footnote-ref-2)
3. https://www.icj-cij.org/public/files/case-related/166/166-20191108-JUD-01-00-EN.pdf [↑](#footnote-ref-3)
4. http://hudoc.echr.coe.int/eng?i=001-207622 [↑](#footnote-ref-4)
5. https://www.intechopen.com/books/indigenous-aboriginal-fugitive-and-ethnic-groups-around-the-globe/legal-statute-and-perspectives-for-indigenous-peoples-in-ukraine [↑](#footnote-ref-5)
6. https://ctrcenter.org/en/zhertvy-okkupacii [↑](#footnote-ref-6)
7. https://www.bbc.com/ukrainian/features-russian-42103579 [↑](#footnote-ref-7)
8. https://www.ukrinform.ru/rubric-crimea/3169666-espc-prinal-k-rassmotreniu-zalobu-po-delu-vedzie-kaska.html [↑](#footnote-ref-8)
9. https://mova-ombudsman.gov.ua/en/review-ukrainian-language-temporarily-occupied-territories-extract [↑](#footnote-ref-9)
10. https://arc.construction/15590 [↑](#footnote-ref-10)
11. https://arc.construction/15590 [↑](#footnote-ref-11)
12. https://arc.construction/6243?lang=ru [↑](#footnote-ref-12)
13. https://arc.construction/5881 [↑](#footnote-ref-13)
14. https://arc.construction/4710?lang=ru [↑](#footnote-ref-14)
15. https://arc.construction/14318 [↑](#footnote-ref-15)
16. https://arc.construction/14300 [↑](#footnote-ref-16)
17. http://w1.c1.rada.gov.ua/pls/zweb2/webproc4\_1?pf3511=71931 [↑](#footnote-ref-17)
18. http://duma.gov.ru/news/51715/ [↑](#footnote-ref-18)
19. https://arc.construction/11966 [↑](#footnote-ref-19)
20. https://arc.construction/12411 [↑](#footnote-ref-20)