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***To the UN Independent Expert on the Enjoyment of all Human Rights by Older Persons***

**Violation the Human Rights of Older Women: Situation in the Crimea**

*Subissions for Report*

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The Association of Reintegration of Crimea[[1]](#footnote-1), as a registered non-governmental organisation, herewith submits the following responses (submission) to the questionnaire of the UN Independent Expert on the enjoyment of all human rights by older persons, for the Expert’s forthcoming report to the 76th session of the General Assembly.

Our responses (submission) are devoted to the situation of older women, including 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 older persons, including that belongs to the indigenous peoples and minorities 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)

Special negative situation is connected with older 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. Their level of urbanization was not very high. 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 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 are the victims of the forced disappearances in the Crimea very likely 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, often in the rural areas of the Central Crimea[[6]](#footnote-6). So their mothers and other old 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, older 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).

But not only Crimean Tatar older women are in the extremely vulnerable situation in Crimea. Russian invasion in Crimea caused the collapse of the medical system on peninsula by its forced transfer to the Russia’s insurance model and it caused the shortage of medical staff. Also artificial restrictions were established by de-facto authorities, as for possibilities to buy medical drugs of Ukrainian or other civilized countries’ origin, so for the travels from the Crimea to the mainland of Ukraine for social and medical purposes. Such situation became extremely dangerous for Crimea-residing older women in situation of the COVID-19 pandemic.

And even more, stuff of the “semi-official” monopolist insurance company “Krymmedstrakh”, controlled by Russian de-facto authorities in the Crimea, uses the insurance data to determine the lonely older person with high-priced property in the Crimea. Later such person dies in Crimean hospitals and their real estate goes to the relevant mafia tightly connected with Russian de-facto authorities.

Such situations became public when in December 2020 82-year old Yalta resident Mrs. Iryna Lvovna died in the Livadia Hospital emergency room without any medical aid. Mrs. Lvovna, former school teacher of Ukrainian language, well-known in Yalta, has the large apartments in this resort city in her private property.

When local bloggers wrote in social networks on Mrs. Lvovna, dying from cold and hunger in the emergency room, the so-called “Head of Republic of Crimea” Sergey Aksyonov and “Major of Yalta” Yanina Pavlenko promised in media that they will allegedly help to this person to get to the “House of Mercy”[[9]](#footnote-9).

But in reality Mrs. Lvovna died in the same Livadia Hospital two days later[[10]](#footnote-10) and her own daughter residing on the mainland of Ukraine was not allowed by Russian “board guard service” even to visit own mother as before her death so for burial. And the “Krymmedstrakh” mafia[[11]](#footnote-11), related with de-facto authorities got the apartments of Mrs. Lvovna, formally as ceded to the “municipal property”.

Those examples allow us to illustrate the answers on the questionnaire.

*1. What legal instruments, policies and programmes exist to address the particular challenges faced by older women, and how are they implemented and monitored?*

Russia established in Crimea own pension system. The realities of this system, and the system of “medical insurance”, such as abovementioned “Krymmedstrakh” illegal activities, are out of any independent evaluation or monitoring.

*2. What type of statistical data are collected on older women, if any, and is it disaggregated by age, gender, and other relevant factors? How are older women defined for the purposes of law, policy and data collection?*

Russian de-facto authorities collect on public level only the data of common quantity of older men and women. Such de-facto authorities do not explain how older women defined for the purposes of law, policy and data collection

*3. Please indicate how older women take part in participatory mechanisms?*

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 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.

*4. What are the specific challenges and concerns faced by older women, including on the basis of their accumulated life experience as compared to older men, in enjoying their economic, social and cultural rights (for example in terms of social protection, health, education, work, adequate standard of living, land and property ownership)? Please provide related data and statistics, including disaggregated data, where available.*

The key challenges, as it was already pointed, are the discrimination of older Crimean Tatar women and the problems with older women’s access to medical services. Also the Ukrainian older women lost possibility in the Crimea to realise their cultural rights, when since 2014 the Crimean Academician Music Ukrainian Theatre stopped any Ukrainian-origin or Ukrainian-language activities[[12]](#footnote-12).

*5. What forms of gender-based discrimination and inequality experienced by women throughout the life cycle have a particular impact on the enjoyment of their human rights in older age?*

In the Crimea such illegal discrimination is related as with the ethnic origin of women (for Ukrainians and Crimean Tatars), so with their politic position and with their possible refusal to get forced Russian citizenship after 2014.

*6. Has the COVID-19 pandemic affected older women differently than older men and how?*

In the Crimea negative impact of COVID-19 has the same extremely negative character on older women and older men, due to absence of certified vaccines and to the low level of Russian-origin medic drugs, also as due to lack of medic personnel in the peninsula.

*7. Please share examples of how older women participate in and contribute to economic, social and cultural life, including inter-generational solidarity and support.*

There are no such good examples in the modern Crimea.

*8. What forms of structural and systematic discrimination do older women face (for example through laws, policies, traditional and customary practices, etc.) and what measures have been taken to address them?*

In the Crimea such illegal discrimination is related as with ethnic origin of women (for Ukrainians and Crimean Tatars) so with their politic position and with refusal to get forced Russian citizenship after 2014.

*9. How do intersectional factors exacerbate the combined effect of ageism and sexism, including the perspective of older LGBTI women, older women with disabilities, older migrant women, older women belonging to indigenous and minority groups, etc.?*

The ageism and sexism are topics not allowed for public discussion in the Crimea as they are far from the “Russian world” ideology, established there since 2014 by the Russian de-facto authorities. As we already pointed the systematic racial discrimination of indigenous Crimean Tatar older women, especially of the politic prisoners’ relatives, exists in Crimea since 2014 and example of Mrs. Qaşqa must be mentioned.

*10. What forms does gender-based violence and abuse against older women take and how is such violence prevalent? Please share available data and statistics, including in relation to femicides.*

On this point the examples of Mrs. Qaşqa and Mrs. Lvovna must be mentioned. There are no any available realistic data on the level of the femicides in the Crimea.

*11. Please provide examples of how the life cycle perspective is integrated into policies and programmes to prevent and address gender-based violence against women and girls.*

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.

*12. Please share information about reporting, accountability, remedy and protective mechanisms available and targeted to older women victims of gender-based violence and discrimination.*

The Association of Reintegration of Crimea believes that a special research on the older persons’ rights in situations of armed conflicts and related “grey zones” like Crimea, done by the UN Independent Expert, may be a starting point for improvement of the situation. The UN Independent Expert’s visit to Ukraine, including Crimea would contribute to collection of information, and would enable the Expert to make a first-hand impression of the situation with older persons’ rights in the region.

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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://arc.construction/7719 [↑](#footnote-ref-9)
10. https://crimea-news.com/society/2020/12/16/738650.html [↑](#footnote-ref-10)
11. https://arc.construction/7870?lang=ru [↑](#footnote-ref-11)
12. https://mova-ombudsman.gov.ua/en/review-ukrainian-language-temporarily-occupied-territories-extract [↑](#footnote-ref-12)