



ASSOCIATION OF REINTEGRATION  
OF CRIMEA

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08.05.2024 № 355/2024

*To UN Special Rapporteur on minority issues*

**Russian Ongoing Aggression against Ukraine  
and Challenges for Minorities' Presentation**

Our Association of Reintegration of Crimea, is non-governmental expert and human rights organisation<sup>1</sup>, our expert researches are related with human rights and humanitarian issues, including their fundamental rights, also as with issues of the transitional justice for Crimean peninsula, with relevant humanitarian, informational, economic, social and financial impacts. Since 2020 we sent more than 150 submissions and proposals to UN human rights' strictures, major part of them were published in the official web-sources. Our experts researched the issues of negative consequences the Russian aggression against Ukraine, including negative economic, ecologic and humanitarian impact on human rights, including minorities' rights<sup>23456789</sup>.

Since 2014 Crimean peninsula was illegally occupied by Russia. Since 24<sup>th</sup> of February 2022 Russia committed broad and open military aggression to all Ukraine's territory. Russia refused to execute the ICJ order in this case to stop the aggression<sup>10</sup>. Russia-controlled troops and mercenaries committed in Ukraine, during this invasion, gross violation of international humanitarian law and international human rights' law already, including broad crimes against property, social and cultural rights and environment, attacks against Ukrainian social, cultural, educational and scientific institutions<sup>11121314151617</sup>.

All war crimes, committed by Russian invaders during ongoing hostilities, including committed against researchers, academicians and students are connected with absolutely clear Russia's war targets in maximal destruction the civil infrastructure and environment, including objects, essential for all Ukrainian ethnic and social groups, including minorities<sup>18</sup>.

<sup>1</sup> [https://www.journal-officiel.gouv.fr/associations/detail-annonce/associations\\_b/20210005/1348](https://www.journal-officiel.gouv.fr/associations/detail-annonce/associations_b/20210005/1348)

<sup>2</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea-ukraine-minnesota-protocol.pdf>

<sup>3</sup> <https://www.ohchr.org/sites/default/files/2022-06/DP-HRC51-ARC.pdf>

<sup>4</sup> <https://www.ohchr.org/sites/default/files/documents/issues/deathpenalty/moratorium-2022/ngos-others/2022-07-12/CFI-DP-2022-ARC.pdf>

<sup>5</sup> [https://www.ohchr.org/sites/default/files/2022-05/arc\\_replies-dp.pdf](https://www.ohchr.org/sites/default/files/2022-05/arc_replies-dp.pdf)

<sup>6</sup> <https://www.ohchr.org/sites/default/files/documents/issues/disappearances/cfi/draft-stm/submissions/2022-09-05/association-of-reintegration-of-crimea-draft-stm.pdf>

<sup>7</sup> <https://www.ohchr.org/sites/default/files/documents/issues/food/cfi-violence-food/csos/3-arc-crimea-en.doc>

<sup>8</sup> [https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/cfis/general-comment-1/csos/2022-07-20/Association%20of%20Reintegration%20of%20Crimea\\_GCMigration\\_English.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/cfis/general-comment-1/csos/2022-07-20/Association%20of%20Reintegration%20of%20Crimea_GCMigration_English.pdf)

<sup>9</sup> <https://www.ohchr.org/sites/default/files/documents/hrbodies/ced/cfis/1-draft-enforced-disappearances-context-migration/association-reintegration-Crimea-contribution-general-comment-ced.pdf>

<sup>10</sup> <https://www.icj-cij.org/en/case/182>

<sup>11</sup> <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

<sup>12</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

<sup>13</sup> <https://www.bbc.com/ukrainian/features-60888528>

<sup>14</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>15</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>16</sup> <https://news.un.org/en/story/2022/03/1113652>

<sup>17</sup> <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>

<sup>18</sup> <https://www.washingtonpost.com/world/interactive/2022/ukraine-before-after-destruction-photos/>

Those issues now are the subject of the investigation the International Criminal Court<sup>19</sup> and European Court of Human Rights<sup>2021</sup>

On 14 January 2021 the Grand Chamber of the European Court of Human Rights (ECtHR) delivered its admissibility decision in the interstate case Ukraine v. Russia (re Crimea) (application nos. 20958/14 and 38334/18) regarding systematic human rights violations committed by the Russian Federation in Crimea.

ECtHR affirmed that Russia spread in Crimea the “administrative practice” (systematic violations that were not investigated) of system of gross such human rights violations, including discrimination of ethnic Ukrainians and Crimean Tatars<sup>22</sup>.

On March 16 2022, Russia was excluded from the Council of Europe and refused officially to execute the demands of European Convention on Human Rights<sup>23</sup> that guarantees fundamental human rights, including right not to be discriminated.

UN Human Rights Council (HRC) adopted its resolution 49/1 on 4 March 2022 where it expressed grave concern at the documented harm to the enjoyment of many human rights, resulting from the aggression against Ukraine by Russia<sup>24</sup>.

On 8 March 2022 UN human rights experts called on Russia to immediately end its invasion of Ukraine to avoid further bloodshed; experts recalled that intentional attacks against civilian objects amount to war crimes<sup>25</sup>. In other UN experts’ statements the negative impact of Russia’s aggression on persons with disabilities and older persons was condemned<sup>26</sup>, and relevant risks for women’s rights were pointed<sup>2728</sup>. UN Special Rapporteur on the right to adequate housing expressed on 9th of March the grave concerns about the serious violations of the right to adequate housing in Ukraine<sup>2930</sup>.

UN General Assembly in its resolution ES-11/1 on 2 March 2022 recognized that the military operations of Russia inside the sovereign territory of Ukraine are on a scale that the international community has not seen in Europe in decades and that urgent action is needed to save this generation from the scourge of war. In article 9 of this resolution UN General Assembly demanded to protect civilians<sup>31</sup>.

UN General Assembly stressed it also in its resolution ES-11/2 on 24 March 2022<sup>32</sup>. On 7 April 2022 the UN General Assembly adopted a resolution ES-11/3<sup>33</sup> calling for Russia to be suspended from the Human Rights Council<sup>34</sup>. The UN Human Rights Council adopted on 12 May 2022 a resolution on the deteriorating human rights situation in Ukraine where pointed that Russia should immediately cease its aggression<sup>3536</sup>.

Later ECtHR established in decision on 30 November 2022, case Ukraine and Netherlands against Russia, that fact of illegal administrative practice in Russia-occupied East of Ukraine consisting of the relevant discrimination of ethnic Ukrainians<sup>37</sup>.

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<sup>19</sup> <https://www.icc-cpi.int/ukraine>

<sup>20</sup> <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

<sup>21</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

<sup>22</sup> <https://hudoc.echr.coe.int/rus?i=002-13090>

<sup>23</sup> <https://web.archive.org/web/20220701231239/https://arc.construction/26897>

<sup>24</sup> <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

<sup>25</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

<sup>26</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28200&LangID=E>

<sup>27</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28201&LangID=E>

<sup>28</sup> <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatised-and-urgently-need-help-say-experts>

<sup>29</sup> <https://web.archive.org/web/20220326100354/https://arc.construction/26902>

<sup>30</sup> <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatised-and-urgently-need-help-say-experts>

<sup>31</sup> <https://digitallibrary.un.org/record/3959039?ln=ru>

<sup>32</sup> <https://digitallibrary.un.org/record/3966630?ln=en>

<sup>33</sup> <https://digitallibrary.un.org/record/3967950?ln=ru>

<sup>34</sup> <https://news.un.org/en/story/2022/04/1115782>

<sup>35</sup> <https://web.archive.org/web/20220612122520/https://arc.construction/31039>

<sup>36</sup> <https://arcrimea.org/en/analytics/2022/12/07/crimean-cases-in-european-court-aggressor-will-not-escape-responsibility/>

<sup>37</sup> <https://arcrimea.org/en/activity/2023/04/24/osce-researches-issues-of-tortures-in-crimea/>

In November 2022, the UN Human Rights Committee published its Concluding Observations, CCPR/C/RUS/CO/8, where a separate section, is devoted to Russia's violation of all fundamental human rights in the occupied Crimea, including the discrimination issues<sup>38</sup>. Also on November 21, 2022, ECtHR published the report, regarding Court's communications with governments of Russia and Ukraine started in some individual cases, directly connected with deaths and enforces disappearances of ethnic Ukrainians and Crimean Tatars in the occupied Crimea since 2014<sup>39</sup>.

In November 2022, UN Independent Expert Dr. Victor Madrigal-Borloz pointed regarding actions, committed by Russian militaries in Ukraine that all forms of violence may amount to international crimes that should be prosecuted and punished accordingly<sup>40</sup>.

UN Special Rapporteur Dr. Edwards published on June 15, 2023 special press-release "Widespread use of torture by Russian military in Ukraine appears deliberate" together with UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, UN Special Rapporteur on extrajudicial, summary or arbitrary executions and UN Working Group on the use of mercenaries, where the Russia's discriminative policy was reflected<sup>41</sup>.

In case 166 (Ukraine v. Russian Federation) International Court of Justice concluded in judgment of 31 January 2024 that Russian has violated its obligations under Article 2 (1) (a) and Article 5 (e) (v) of the International Convention on the Elimination of All Forms of Racial Discrimination by the way in which Russia "has implemented its educational system in Crimea after 2014 with regard to school education in the Ukrainian language"<sup>42</sup>.

Those decisions and demands are not executed by Russian troops, Russia-controlled mercenaries and terroristic groups, which established policy or terror and repressions against minorities over the Russia-occupied territories of Ukraine.

All Ukraine's attempts for the peace-building, including peace talks and negotiations with Russian government were unsuccessful and Russia rejects all peace propositions and it refuses to execute the demands of ICJ and ECtHR orders to stop the aggression and hostilities that are directly pointed against the Ukrainians' rights.

**So exactly the Russian aggression and its regime at Russia occuied territories of Ukraine are the main challenges and barriers that prevent persons belonging to minorities to participate effectively in cultural, religious, social, economic or public life.**

8th May, 2024

Representative of the ARC  
Dr. Borys Babin



<sup>38</sup> <https://arcrimea.org/en/activity/2022/12/01/un-human-rights-committee-published-observations-on-aggressor-state/>

<sup>39</sup> <https://arcrimea.org/en/news/2022/11/21/echr-communicated-some-crimean-cases-connested-with-killed-persons/>

<sup>40</sup> <https://arcrimea.org/en/activity/2022/11/27/crimea-aggression-and-un-report-on-gender-issues-on-war/>

<sup>41</sup> <https://arcrimea.org/en/activity/2023/06/17/tortures-as-criminal-tool-of-russian-aggression/>

<sup>42</sup> <https://www.icj-cij.org/sites/default/files/case-related/166/166-20240131-jud-01-00-en.pdf>