



ASSOCIATION OF REINTEGRATION
OF CRIMEA

France, Paris, 14 Avenue de l'Opera, 75001 Ukraine, Kyiv, 56 Kharkivske highroad, 02175

arcconstructionofcrimea@gmail.com

31.03.2022 № 86/2022

To UN Independent Expert on the enjoyment of all human rights by older persons

Russian Aggression in Ukraine and Older Persons' Right to Adequate Housing

Our Association of Reintegration of Crimea (ARC)¹, is non-governmental expert and human rights organisation², with activities devoted to Crimea's issues. ARC's expert researches are related with human rights of Crimean residents and ethnic groups, including gender rights. Since 2020 we sent more than 50 submissions and proposals to UN human rights' strictures, major part of them were published in the UN web-sources, including the issues of older person human rights³

We informed Independent Expert a year ago that illegal occupation and attempted annexation of Crimea by Russia since 2014, as a part of Russian-Ukrainian interstate conflict, changed the situation in the region and worsened significantly the older persons' rights realization⁴.

As we pointed already to some UN bodies, since 24th of February 2022 Russia committed broad and open military aggression to all Ukraine's territory against Ukrainian mainland from own territory, and from the Russia-occupied Crimea, Belarus, Black and Azov seas.

Due last month of fights Russia occupied some territories of Chernigiv, Donetsk, Kharkiv, Kherson, Kyiv, Luhansk, Mykolaiv, Sumy, Zaporizhzhya, Zhitomir regions and strong fights are going near cities of Kyiv, Kharkiv, Mykolaiv and others with total population more than 10 millions persons near the frontline.

In last weeks Russian troops committed in Ukraine, during this operation, gross violation of international humanitarian law and international human rights' law already. Russia commenced an unprovoked invasion throughout Ukrainian territory, which is already causing catastrophic harms to Ukraine and its people, including the right to adequate housing⁵.

Due to such gross violation the human rights Ukraine immediately filed an application with the International Court of Justice (ICJ) on 25 February 2022⁶ and to the European Court of Human Rights⁷. Russian government refused to execute the demand of the European Court of Human Rights and the order of ICJ to immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine and to shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of those military operations.⁸

But on March 10, Russia stopped its participation in the Council of Europe and refused officially to execute the demands of European Convention on Human Rights, including ban on the discrimination and ban of arbitrary depriving liberty⁹.

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/OlderPersons/OlderWomen/submissions-csos/Association-reintegration-Crimea.docx>

⁴ <https://www.ohchr.org/Documents/Issues/OlderPersons/AgeismAgeDiscrimination/Submissions/NGOs/Association-Reintegration-Crimea.pdf>

⁵ <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

⁶ <https://www.icj-cij.org/en/case/182>

⁷ <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

⁸ <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

⁹ <https://arc.construction/26897>

Russian troops, Russia-controlled mercenaries and “military commandant’s offices” created by Russian invaders in Chernigiv, Donetsk, Kharkiv, Kherson, Kyiv, Sumy and Zaporizhzhya regions, commit various war crimes¹⁰¹¹¹²¹³, including usage civil population as hostages and “human shield”, and destruction objects of civil infrastructure, including pipe electric lines, bomb the civil objects, including hospitals by missiles and artillery. More than 10000 civil persons, were killed by Russian troops and Russia-controlled mercenaries to 28th of March.

Among civil persons, who were victims of Russian troops and Russia-controlled mercenaries, there are older persons who tried to replace themselves from the hostilities zone, who hid in the shelters and were used as a “life shield” by Russian troops. A lot of persons were killed or kidnapped as “non-loyal” ones¹⁴. Russian troops block the humanitarian corridors established to evacuate civil population, from hostilities zones and occupied territories so the older people, residing in small villages have no any possibility to move out from the hostilities’ zone. More, such older people have to be in shelters, including temporarily ones for weeks due to Russia’s bomb attacks in the hostilities’ zone.

All those war crimes, committed by Russian invaders during ongoing hostilities are connected **with absolutely clear Russia’s war targets in maximal destruction the civil object including apartment buildings and private houses**¹⁵. As major of Kharkiv stated in 31st of March, 2022 Russian troops destroyed more than 1290 apartment buildings in this one-million city, most of them were multi-floor ones¹⁶. Up to this date 90% of apartment building in Mariupol, city with 400 thousands inhabitants, are destroyed¹⁷ So **thousands of Ukrainian older persons lost their houses due to Russian aggression and related hostilities**.

Now the International Criminal Court started investigation on the war crimes committed by Russian invaders in Ukraine and it collect relevant proofs. Also the crimes’ against civil population committed by Russian troops and paramilitaries are investigated by the Ukraine’s legal enforcement bodies and by prosecutors’ offices of some European countries. There is now peacekeeping missions in Ukraine as such initiatives were blocked by the Russian government. Activities of UN Monitoring Mission in Ukraine are low and OSCE Special Monitoring Mission in Ukraine de-facto stopped its activities since 7th of March¹⁸. Russian invaders destroyed Ukrainian legal enforcement and court activities in the occupied territories so there victims of Russian troops and Russia-controlled mercenaries, including victims of gender-related discrimination and violence.

UN Human Rights Council 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 Russia¹⁹. On 8 March 2022 UN human rights experts called on Russia to immediately end its invasion of Ukraine to avoid further bloodshed and loss of life; experts recalled that intentional attacks against civilians and civilian objects amount to war crimes²⁰. In other UN experts’ statements the negative impact of Russia’s aggression on right to life of persons with disabilities and older persons was condemned²¹, and relevant risks for women’s right to life were pointed²².

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

¹⁰ <https://www.bbc.com/ukrainian/features-60888528>

¹¹ <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

¹² <https://www.bbc.com/news/world-europe-60547807>

¹³ <https://arc.construction/26892>

¹⁴ <https://arc.construction/26918>

¹⁵ <https://www.washingtonpost.com/world/interactive/2022/ukraine-before-after-destruction-photos/>

¹⁶ <https://nv.ua/kharkiv/harkov-obstrelly-skolko-domov-razrusheno-dannye-31-marta-novosti-harkova-50229919.html>

¹⁷ <https://www.pravda.com.ua/rus/news/2022/03/31/7336102/>

¹⁸ <https://www.osce.org/ru/special-monitoring-mission-to-ukraine/513430>

¹⁹ <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

²⁰ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

²¹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28200&LangID=E>

²² <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28201&LangID=E>

execute the demands of ICJ and ECHR orders to stop the aggression and hostilities that are directly pointed against older people.

Our Association believes that urgent, immediate steps of the UN Independent Expert on protection Ukrainian older persons' human rights, including their right to adequate housing, in condition of ongoing interstate conflict and hostilities must be done, including all observation procedures and immediate visit to Ukraine.

We hope that above-pointed special statements of the UN experts and rapporteurs regarding situation in Ukraine must be supported by next UN Expert's steps reacting the Russia's ongoing Nazi policy and aggression in Ukraine.

Such UN steps must counteract the war crimes against older persons, committed by the aggressor state in framework of Independent Expert's mandate.

31st March, 2022

Representative of the ARC
Dr. Borys Babin

