



ASSOCIATION OF REINTEGRATION
OF CRIMEA

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30.03.2022 № 84/2022

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

Russian Aggression in Ukraine and Older Persons, Deprived of Their Liberty

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.

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 people⁵.

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

Russian government, propaganda and military forces use the hate speech as against the ethnic Ukrainians, including older persons so exactly against other religious and ethnic groups in Ukraine. In Russian officials' statements the new Nazi symbols are used as letter "Z" for marking own troops, paramilitaries and "support actions" in Ukraine and occupied territories.

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>

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.

Russian troops and “military commandant’s offices” created by Russian invaders in Kherson and Zaporizhzhya regions, the use actively the practice of extrajudicial depriving liberty of local civil population, including older persons – journalists, priests, teachers and local self-government officials¹⁰. And mire Russian troops use actively “human shields” in their military activities in Ukraine, including those Russia-occupied territories¹¹¹².

Till March, 2022 more new was crimes were committed by the Russian troops, including usage civil population as hostages and “human shield”, destruction objects of civil infrastructure, including pipe electric lines, bomb the civil objects, including hospitals by missiles and artillery, kill medics that try to give aid to victims of war and enforced civil labour in military purposes. More than 10000 civil persons, were killed by Russian troops and Russia-controlled mercenaries to 28th of March.

Due to the fierce resistance of the population of Kherson Region, adjacent to the Crimea, the occupiers are trying to impose an administrative-police regime, for which Rosguard units were introduced in the region, which illegally detained more than 500 Ukrainian citizens, including older persons¹³ and their destiny is unknown. More than 100 thousands of Ukrainians, including older persons, were forcibly transferred by Russia from hostilities’ zone to the Russia’s territory.

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

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 March¹⁵. 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, including the rights to freedom, resulting from the aggression against Ukraine by Russia¹⁶. 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 crimes¹⁷. In other UN experts’ statements the negative impact of Russia’s

⁹ <https://arc.construction/26897>

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.osce.org/ru/special-monitoring-mission-to-ukraine/513430>

¹⁶ <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

¹⁷ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

aggression on right to life of persons with disabilities and older persons was condemned¹⁸, and relevant risks for women's right to life were pointed¹⁹.

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 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 freedom, 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.

30th March, 2022

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¹⁸ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28200&LangID=E>

¹⁹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28201&LangID=E>