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To UN Special Rapporteur in the field of cultural rights

Russian Aggression in Ukraine and Violation of Rights to Science

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Our Association of Reintegration of Crimea (ARC), as non-governmental expert and human rights organisation¹, passed long-term researches, related with human rights and humanitarian issues. Since 2020 we sent more than 100 submissions and proposals to UN, OSCE and CoE human rights' strictures, including issues of violation the sustainable development and relevant social rights, including rights to education and science, major part of them were published in the UN official web-sources²³⁴⁵⁶⁷.

Sending Association's answers for the upcoming report of the UN Special Rapporteur in the field of cultural rights to the Human Rights Council to be presented in March 2024⁸.

Introduction. Since 2014 Crimean peninsula was illegally occupied by Russia. Since 24th 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 aggression⁹. 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 educational and scientific institutions¹⁰¹¹¹²¹³¹⁴¹⁵¹⁶.

All war crimes, committed by Russian invaders during ongoing hostilities, including committed against researchers 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 groups¹⁷. Those issues now are the subject of the investigation the International Criminal Court¹⁸ and European Court of Human Rights¹⁹²⁰

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

¹ https://www.journal-officiel.gouv.fr/associations/detail-annonce/associations_b/20210005/1348

² <https://www.ohchr.org/sites/default/files/2022-05/arc.pdf>

³ <https://www.ohchr.org/sites/default/files/2022-06/transformational-actions-sdg-states-Association-of-reintegration-of-Crimea.pdf>

⁴ <https://www.ohchr.org/sites/default/files/documents/issues/disappearances/cfi/newtechnologies/submissions/cso/wgeid-submission-association-reintegration-crimea.pdf>

⁵ <https://www.ohchr.org/sites/default/files/documents/issues/education/cfi-hrc53/submission-education-hrc53-cso-arc-en.pdf>

⁶ <https://www.ohchr.org/sites/default/files/documents/issues/development/sr/cfi-2023-reports/SR-RTD-CFI-2023reportsARC.pdf>

⁷ <https://www.ohchr.org/sites/default/files/2022-03/ARC.pdf>

⁸ <https://www.ohchr.org/en/calls-for-input/2023/call-input-right-access-and-take-part-scientific-progress>

⁹ <https://www.icj-cij.org/en/case/182>

¹⁰ <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

¹¹ <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

¹² <https://www.bbc.com/ukrainian/features-60888528>

¹³ <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

¹⁴ <https://www.bbc.com/news/world-europe-60547807>

¹⁵ <https://news.un.org/en/story/2022/03/1113652>

¹⁶ <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>

¹⁷ <https://www.washingtonpost.com/world/interactive/2022/ukraine-before-after-destruction-photos/>

¹⁸ <https://www.icc-cpi.int/ukraine>

¹⁹ <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

²⁰ <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

community has not seen in Europe in decades²¹. UN General Assembly in its resolution ES-11/2 on 24 March 2022, demanded again full respect for and protection of objects indispensable to civilian population's survival and civilian infrastructure²².

The UN Human Rights Council adopted on 12th of May a resolution on the deteriorating human rights situation in Ukraine where pointed that Russia should immediately cease its aggression. Those decisions are not executed by Russian troops, Russia-controlled mercenaries and terroristic groups, which established policy of terror and repressions over the Russia-occupied territories of Ukraine, including the Crimea²³²⁴.

1.2.3. Russian occupiers use all scientific institutions, captured at the Russia-occupied territories of Ukraine, including the Crimea, for illegal militarization, Russification and propaganda of Russian world" Nazi ideology.

Scientific diversity is impossible for realization in Russia-occupied territories of Ukraine, and freedom of scientific research is banned there by Russian "administrations".

All "scientific researches", "allowed" by Russian occupiers on Russia-occupied territories of Ukraine, are directly subordinated to aggressor's political interests.

4.5.6.7.8.9. The occupation of the Crimea led to systematic criminal attempts by the aggressor to use the so-called "scientific institutions" of the peninsula for illegal attempts to promote the ideas of the "Russian world" in third countries. In addition, such illegal "scientific institutions" are used by the aggressor to attempt industrial espionage and bypass sanctions²⁵.

As an example, in 2022-2023 the Russian invaders "distributed roles", in which the fate of the screen for the "external audience" with the imitation of "friendship of individual peoples" was assigned to the controlled occupiers of the "Fevzi Yakubov Crimean Industrial and Pedagogical University" as so-called "research center"²⁶. At the same time, a number of such "events" are held in the specified fake "university" like fake "events of friendship with Cuba", at which representatives of Cuba itself were not seen²⁷, and holding a fake show of criminal "integration" there, to which the puppeteers of these characters try to involve fictitious "representatives of the Crimean Tatar diaspora"²⁸.

Also the illegal "Sevastopol state university" is actively used for aggressor's propaganda, as an alleged "scientific and educational center", where the criminal "governor" of Sevastopol Mykhailo Razvozhayev repeatedly tried to engage in "self-publicity" on the topic of so-called "marine drones". The relevant activity "in the maritime sphere" will have the purpose of either violating the sanctions policy or direct industrial espionage²⁹.

It also must be pointed the aggressor's attention to the fake "Institute of city development" of the illegal "Sevastopol state university", which the Russian occupiers are trying to make into a kind of "analytical center" to support their criminal plans of militarization the region³⁰.

This "university", the researchers add, becomes a PR tool for the criminal Razvozhayev; in particular, there were fake statements of O. Moskalenko, a fake "associate professor of the department of Sevastopol state university" that allegedly Razvozhayev is "very popular in the British media"³¹.

The occupiers' propaganda claimed to have allegedly "developed new technologies" on the basis of the illegal "Sevastopol state university", namely some kind of "adaptive air suspension" for the "Krym" roadster. At the same time, the Russian aggressors quote fake "employees of the department of road transport" that aggressor's "components" were allegedly used and allegedly "exclusive software was written". But that there were no "developments" in Russia-occupied Sevastopol, and the "Krym"

²¹ <https://digitallibrary.un.org/record/3959039?ln=ru>

²² <https://digitallibrary.un.org/record/3966630?ln=en>

²³ <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

²⁴ <https://www.bbc.com/news/world-europe-60547807>

²⁵ <https://arcrimea.org/en/analytics/2023/03/05/fake-scientific-activity-and-aggressors-propaganda-in-russia-occupied-crimea/>

²⁶ https://arcrimea.org/uk/news_ua/2023/02/03/okupanty-gotyut-novi-provokacziyi-shhodo-krymskyh-tatar/

²⁷ https://arcrimea.org/uk/news_ua/2023/01/25/kubynskyj-slid-fantomnogo-bolyu-kolaborantiv/

²⁸ https://arcrimea.org/uk/news_ua/2022/12/10/govoryuchi-golovy-okupantiv-z-genichesku-ta-simferopolya/

²⁹ https://arcrimea.org/uk/news_ua/2023/01/24/morski-drony-ta-konkuruyuchi-klany-okupantiv/

³⁰ https://arcrimea.org/uk/news_ua/2023/01/07/analitika-vid-okupantiv-groshej-na-rozvytok-nemaye/

³¹ https://arcrimea.org/uk/news_ua/2022/12/21/pichky-burzhuiky-yak-novyj-fetysh-agresora/

roadster previously became a “PR cover” for the creation of the “Interuniversity youth engineering and technology corporation”, through which “development” was planned, as “federal grants” laundering³².

By 2022, “the creators of the roadster” were not ashamed to admit that they needed parts from Italy and South Korea for the model, and that “the microcircuits used in the production of control systems are supplied from Taiwan”. As for the fake Sevastopol “university”, it was not mentioned in the “co-authors of the roadster” until 2022. Thus, even if these statements are “believed”, they only testify to the fact that the fake “Sevastopol university” uses pirated equipment and becomes a hub of the aggressor’s industrial espionage³³.

On November 9, 2022, during the discussion at the UN General Assembly session of the annual report on the work of the IAEA, the representative of the Russian delegation Oleksandr Shevchenko stated that the alleged aggressor state “is ready to grant access to nuclear facilities in Sevastopol upon request within the framework of implementation of IAEA guarantees”³⁴.

However, in relation to the mentioned aggressor’s statement of the, it must be indicated that the only nuclear facility, the presence of which the aggressor does not deny in the Crimea, is the civilian, at that time, educational nuclear reactor of the specialized Sevastopol institute, captured in 2014. Since 2014, the delegation of Ukraine has been consistently reporting to the IAEA about it as a dangerous and uncontrolled nuclear facility captured by the occupiers.

So if a hypothetical IAEA delegation would arrive in the Crimea without any criminal political “confessions”, the Russian occupiers will try to use it as a tool for “legitimization” of aggressor-controlled structures, such as the fictitious “Sevastopol state university”³⁵.

In the summer of 2022, the request of the Russian special services was done to illegally “open” in Damascus the so-called “representative office of the Nikitsky Botanical Garden”, criminally “nationalized” by the aggressor in 2014³⁶.

Our Association investigated the personalities of Serhiy Khokhlov, the fake “head of the representative office”, declared by the occupiers, and his fictitious “deputy” Oleksandr Hryb. In particular, it was indicated that the criminal “boss” really used to work in a botanic garden in Nikita, Yalta, in the direction of olive tree diseases.

We wrote in 2022 that in the long term, the relevant “breakthroughs” of the Russian special services in Syria with the aim of undermining the food security of the Mediterranean countries should not be ruled out. At the same time, we also highlighted the previous stormy “commercial activity” of Hryb and Khokhlov in the occupied Crimea, connected with land and real estate scams, as well as trade in “botanical garden products”.

After further investigating this issue, we wrote that the “Khokhlov farm” does not plan to do any work on the “topics of the botanical garden”; at the same time, the “nerd” himself and his curators from the special services nevertheless found an “undemanding” source of income in Damascus.

After all, as the said Khokhlov stated, his certain “equipment” will allegedly “allow the Syrians to check their export products (fruits, vegetables, berries)”, that is, “to monitor that they meet Russian state standards”, obviously in the corresponding corruption dimension³⁷.

Therefore, in fact the illegal “representation” plans to engage in a corrupt scheme of “certification” of agricultural export products from Syria. The second task of the “representation”, which is not related to botany at all, but clearly corresponds to the interests of Khokhlov’s curators, in the “interview of a scientist” was indicated the search for Syrians for their education in illegal “Crimean and Sevastopol universities”.

Thus, the aggressor’s criminal propaganda campaign with a fake “representation of a botanical garden” ended in a violent imitation of active activity, with elements of corruption and agent work of the Russian special services³⁸.

³² https://arcrimea.org/uk/news_ua/2022/12/11/prypadky-burhlyvogo-piaru-vid-sevastopolskogo-gubernatora/

³³ https://arcrimea.org/uk/news_ua/2022/12/08/chergovy-innovacziyi-vid-okupantiv-u-dusi-zagorodzhenn-pershoyi-svitovoyi/

³⁴ https://arcrimea.org/uk/news_ua/2022/11/10/agresor-rozpochav-shantazh-oon-sevastopolskymy-yadernymy-obyektamy/

³⁵ <https://arcrimea.org/en/analytics/2023/03/05/fake-scientific-activity-and-aggressors-propaganda-in-russia-occupied-crimea/>

³⁶ <https://t.me/ARCconstruction/4518>

³⁷ https://arcrimea.org/uk/news_ua/2022/11/25/krymski-botaniky-u-damasku-chergovy-zlochynna-imitacziya-burhlyvoyi-diyalnosti/

³⁸ <https://arcrimea.org/en/analytics/2023/03/05/fake-scientific-activity-and-aggressors-propaganda-in-russia-occupied-crimea/>

11. Aggressor brutally violates rights of indigenous Crimean Tatar people to realize own rights to research own history, language and traditional knowledge in Russia-occupied Crimea.

12. Appropriate countermeasures against the aggressor's provocations, in particular on international platforms, become the task of educational and scientific institutions of Ukraine, in particular within the framework of mechanisms of academic and research cooperation.

Since 2018 Ukrainian authorities adopted some strategic and program documents regarding processes of reintegration the Crimea after its de-occupation including aspects of reconstruction the scientific researches and realization relevant human rights.

The Plan of emergency measures to counter Russian aggression from the temporarily occupied territory of Ukraine in Crimea, the protection of the interests of the state, citizens of Ukraine and Ukrainian legal entities in Crimea for 2018–2019³⁹, the Plan of measures aimed at implementing some of the principles of state internal policy regarding the temporarily occupied territory of the AR Crimea and Sevastopol, 2018⁴⁰, Strategy of information reintegration of the AR Crimea and Sevastopol. 2018, Strategy for Crimean Tatar language development for 2022–2032⁴¹, Strategy of de-occupation and reintegration of the temporarily occupied territory of Crimea and Sevastopol, 2021 also as plans for its implementation were adopted⁴².

On March 3-6, 2023 the I Session of Strategic Forum “Future of Crimea” initiated by the Crimean Tatar Resource Center was held⁴³, in which more than twenty key experts of various structures on the subject of the peninsula, including ARC's representatives, took part⁴⁴. Strategic Forum elaborated proposals for Ukrainian government to regulate additionally some issues of protection and realization the scientific researches during reintegration of the Crimea after its de-occupation.

Relevant recommendations were sent by the organizing committee of the Forum to the authorized state bodies of Ukraine, and meeting was held with the Deputy Prime Minister of Ukraine Iryna Vereshchuk, on May 3, were done. Such situation was discussed upon ARC's initiative at World for Ukraine (W4UA) Summit that was held in Poland, in Rzeszow-Jasionka at September 28⁴⁵.

Our Association of Reintegration of Crimea believes that a special research on influence of the armed conflicts, occupation and attempts of annexation to the right to scientific research, done by UN structures, may be a starting point for improvement of the situation. It would be beneficial if that research could pay attention to the situation with the relevant consequences of the Russian aggression in Ukraine that includes the occupation the Crimea.

The relevant UN special rapporteurs and independent experts' visit to Ukraine would contribute to collection of information, and would enable them to make a first-hand impression of the Russian illegal practices in this region and ways of financial aid to Ukraine for scientific framework of reintegration of Crimea after its de-occupation.

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³⁹ <https://arcrimea.org/en/analytics/2023/04/28/legal-programming-of-crimeas-deoccupation-and-reintegration-measurement-of-effectiveness/>

⁴⁰ <https://arcrimea.org/en/analytics/2023/04/25/actual-dimension-of-program-acts-implementation-on-crimea-reintegration/>

⁴¹ <https://arcrimea.org/en/analytics/2023/05/28/financial-aspects-of-reintegration-crimean-strategies-budget-programs-and-international-projects/>

⁴² <https://journals.fpk.kyiv.ua/index.php/kyivlawjournal/article/view/17/15>

⁴³ <https://arcrimea.org/en/activity/2023/03/06/results-of-strategic-forum-future-of-crimea/>

⁴⁴ <https://arcrimea.org/en/activity/2023/05/04/ministry-of-reintegration-held-meeting-with-experts-from-future-of-crimea-forum/>

⁴⁵ <https://arcrimea.org/en/activity/2023/09/28/world-for-ukraine-summit-discussions-and-occupied-crimea/>