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*UN Office of the High Commissioner for Human Rights*

**Russian War Crimes, Terroristic Activities**

**against Ukrainian Citizens’ Right to Health and COVID-19 Challenges**

Our Association of Reintegration of Crimea (ARC)[[1]](#footnote-1), is non-governmental expert and human rights organisation[[2]](#footnote-2), our expert researches are related with human rights and humanitarian issues, including their fundamental rights, informational rights, right to development, 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 50 submissions and proposals to UN, CoE, OSCE and EU human rights’ strictures, major part of them were published in the official web-sources. Our experts researched the issues of terroristic aspects of the Russian aggression against Ukraine, including activities of Russia-financed and Russian-controlled terroristic groups on the Russia-occupied territories and related war crimes, committed against Ukrainian non-combatants and prisoners of war and against their rights, including right to health and issues of COVID-19 pandemia in Russia-occupied Crimea[[3]](#footnote-3)[[4]](#footnote-4)[[5]](#footnote-5)[[6]](#footnote-6)[[7]](#footnote-7).

As it is well-known, since 24th of February 2022 Russia committed broad and open military aggression to all Ukraine’s territory. Due last six months of fights Russia occupied some territories of Donetzk, Kharkiv, Kherson, Luhansk, Mykolaiv and Zaporizhzhya regions and strong fights are going near cities of Kharkiv, Mykolaiv and others with total population more than 8 millions persons near the frontline[[8]](#footnote-8)[[9]](#footnote-9)[[10]](#footnote-10)[[11]](#footnote-11)[[12]](#footnote-12)

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 fundamental human rights, attacks on medics, teachers, and journalists, social, medical, educational and informational infrastructure, including clinics and ambulances in Chernigiv, Kherson, Kharkiv, Mariupol etc.[[13]](#footnote-13)[[14]](#footnote-14)[[15]](#footnote-15)[[16]](#footnote-16)[[17]](#footnote-17)[[18]](#footnote-18)[[19]](#footnote-19)[[20]](#footnote-20).

All war crimes, committed by Russian invaders, including actions of the so-called Russia-controlled “republics of Donbass” during ongoing hostilities, are connected with absolutely clear Russia’s war targets in maximal destruction the population and civil infrastructure, including objects, essential for all Ukrainian ethnic and social groups and their right to health, that is a clear terroristic activities[[21]](#footnote-21).

Those issues now are the subject of the investigation the International Criminal Court[[22]](#footnote-22) Due to gross violation the human rights Ukraine filed an application to the European Court of Human Rights also[[23]](#footnote-23). Russian government refused to execute the demand of the ECtHR and the order of ICJ to immediately suspend the military operations that it commenced on 24 February 2022.[[24]](#footnote-24)

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[[25]](#footnote-25) that guarantees rights to life. 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[[26]](#footnote-26).

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[[27]](#footnote-27), that are terroristic by their nature. In other UN experts’ statements the negative impact of Russia’s aggression on persons was condemned[[28]](#footnote-28), and relevant risks for right to life were pointed[[29]](#footnote-29)[[30]](#footnote-30).

 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[[31]](#footnote-31) that is directly connected with activities of Russia-controlled fake terroristic “peoples republics”. 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[[32]](#footnote-32).

UN General Assembly in its resolution ES-11/2 on 24 March 2022, demanded again that the Russian Federation immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders[[33]](#footnote-33).

On 7 April 2022 the UN General Assembly adopted a resolution ES-11/3[[34]](#footnote-34) calling for Russia to be suspended from the Human Rights Council[[35]](#footnote-35). 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, withdraw all its forces from the whole territory of Ukraine[[36]](#footnote-36).

Those decisions are not executed by Russian troops, Russia-controlled mercenaries and terroristic groups, such as terroristic “peoples republic”, which established policy or terror and repressions over the Russia-occupied territories of Ukraine, including Donetsk and Luhansk Regions, AR Crimea and Sevastopol, including direct and public violation of rights of Ukrainians to health, including COVID-19 issues.

Since March 2022 Russia makes sustainable illegal steps to prepare crime of attempted annexation the territories of Donetsk, Kherson[[37]](#footnote-37), Luhansk and Zaporizhzhya[[38]](#footnote-38) regions of Ukraine. Russian criminal illegal “administrations” in those areas pursues tasks that are mostly related to the suppression of pro-Ukrainian resistance, the subjugation of the will of the local inhabitants[[39]](#footnote-39) and the involvement of the relevant districts in the so-called “ruble zone” and “Russian informational space”.

As since August 2022 Russia’s military activities in Ukraine become obviously non-successful and Russian troops lost control over the territory of some districts of Kharkiv Region Russian officials started the criminal proceeding of attempted annexation the territories of Donetsk, Kherson, Luhansk and Zaporizhzhya regions with fake “referendums” in 21-27 September 2022. The UN Secretary-General strongly condemned Russia’s plan to formally annex four areas of Ukraine in 29th of September, 2022, saying it is illegal and must not be accepted, as any annexation of a State’s territory by another State resulting from the threat or use of force is a violation of the Principles of the UN Charter and international law[[40]](#footnote-40).

The position of the UN is unequivocal, added UN Secretary-General: we are fully committed to the sovereignty, unity, independence and territorial integrity of Ukraine, within its internationally recognized borders, in accordance with the relevant UN resolutions. Antonio Guterres said any decision to proceed with the annexation of the four Ukrainian territories of Donetsk, that Luhansk in the east and Kherson and Zaporizhzhia in the south, would have “no legal value and deserves to be condemned[[41]](#footnote-41). Secretary General of the Council of Europe, Marija Pejčinović Burić also deplored Russian plans for a fake “referendum” to annex Ukrainian territories[[42]](#footnote-42).

**The Russia’s illegal attempted annexation of six regions of Ukraine: AR Crimea, Sevastopol, Donetsk, Kherson, Luhansk and Zaporizhzhya regions, blockade them by Russian troops from Ukraine-controlled territory and from third countries makes the population of the Russia-occupied territory of Ukraine extremely vulnerable to the COVID-19 issues, as there is no possibility to get certified vaccination and adequate medic aid.**

**Destruction by Russian troops the relevant medic institutions in the Kherson, Kahovka, Melitopol, Tokmak, Berdyansk, Mariupol, Volnovakha, Izyum, Kramatorsk and other Ukrainian towns makes the population of the relevant territory of Ukraine extremely vulnerable to the COVID-19 issues. Also all inhabitants on the frontline are extremely vulnerable regarding COVID-19 dissemination.**

Next urgent, immediate steps of the UN structures must be done in Ukraine, in condition of ongoing interstate conflict and hostilities, of ongoing Russia’s criminal, discriminative and racist policy against Ukrainians’ rights must be done, including all observation procedures and visits to Ukraine.

We hope that special statements of the UN experts and rapporteurs done in 2022 regarding situation in Ukraine must be supported by next UN HRC’s and UN High Commissioner for Human Rights’ official positions. Our Association believes that urgent, immediate steps of the UN OHCHR bodies must be done; monitoring procedure, mentioned in UN HRC resolution 49/1, must be enforced immediately.

2nd of October, 2022 Representative of the ARC

Dr. Borys Babin

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