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OF CRIMEA

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01.11.2024 № 811/2024

To UN OHCHR

**Russian Aggression in Ukraine and Current Challenges  
for Transitional Justice that Contribute to Peace and Development**

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Our Association of Reintegration of Crimea (ARC)<sup>1</sup>, as non-governmental expert and human rights civil society and analysis organisation<sup>2</sup>, that passed long-term researches, related with human rights and humanitarian issues, including transitional justice and right to development. Since 2020 we sent more than 230 submissions and proposals to UN, OSCE and CoE human rights' strictures, including issues of violation the sustainable development and relevant human rights, major part of them were published in the official web-sources<sup>345678910</sup>.

*Sending Association's answers for questionnaire on lessons learned and good practices of transitional justice in the context of sustaining peace and sustainable development<sup>11</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>12</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 on forests, dams, national parks, riparian and maritime ecosystems, that violate as individual rights so collective rights of groups such as indigenous peoples, minorities and territorial collectives<sup>13141516171819</sup>.

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<sup>1</sup> <https://arc.construction/>

<sup>2</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>3</sup> [https://www.ohchr.org/sites/default/files/2021-11/ARC\\_Submission\\_Responses\\_Toxic\\_01\\_11\\_2021.doc](https://www.ohchr.org/sites/default/files/2021-11/ARC_Submission_Responses_Toxic_01_11_2021.doc)

<sup>4</sup> <https://www.ohchr.org/sites/default/files/documents/issues/toxicwaste/toxics-indigenous-peoples/inputsreceived/2022-07-13/association-reintegration-crimea.pdf>

<sup>5</sup> <https://www.ohchr.org/sites/default/files/2022-03/ARC.pdf>

<sup>6</sup> <https://www.ohchr.org/sites/default/files/documents/issues/children/cfi/vulnerabilities-children/csos/2022-07-26/submission-sdgs-cso-Association-of-reintegration-to-crimea.pdf>

<sup>7</sup> [https://www.ohchr.org/sites/default/files/documents/issues/culturalrights/sustainabledevelopment/2022-08-22/submission-development-ga77-cso-associationreintegrationcrimea-en\\_0.pdf](https://www.ohchr.org/sites/default/files/documents/issues/culturalrights/sustainabledevelopment/2022-08-22/submission-development-ga77-cso-associationreintegrationcrimea-en_0.pdf)

<sup>8</sup> <https://www.ohchr.org/sites/default/files/2022-06/transformative-actions-sdg-states-Association-of-reintegration-of-Crimea.pdf>

<sup>9</sup> <https://www.ohchr.org/sites/default/files/documents/issues/expression/cfis/sustainable-development/subm-sustainable-development-freedom-of-expression-csos-arc-11.pdf>

<sup>10</sup> <https://www.ohchr.org/sites/default/files/documents/issues/development/sr/cfi-2023-reports/SR-RTD-CFI-2023reportsARC.pdf>

<sup>11</sup> <https://www.ohchr.org/en/calls-for-input/2024/call-inputs-ohchr-report-lessons-learned-and-good-practices-transitional>

<sup>12</sup> <https://www.icj-cij.org/en/case/182>

<sup>13</sup> <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

<sup>14</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

<sup>15</sup> <https://www.bbc.com/ukrainian/features-60888528>

<sup>16</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>17</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>18</sup> <https://news.un.org/en/story/2022/03/1113652>

<sup>19</sup> <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>

All war crimes, committed by Russian invaders during ongoing hostilities, 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<sup>20</sup>. Those issues now are the subject of the investigation the International Criminal Court.<sup>21</sup>

Due to gross violation the human rights Ukraine filed an application to the European Court of Human Rights<sup>22</sup>. Russian government refused to execute the demand of the ECtHR and the order of ICJ to immediately suspend the military operations.<sup>23</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<sup>24</sup>. 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 infrastructure<sup>25</sup>. Those decisions are not executed by Russian troops, Russia-controlled mercenaries and terroristic groups, which established policy of terror and repressions over Russia-occupied territories<sup>26,27</sup>.

Till October 2024 more new crimes were committed by the Russian troops, including destruction objects of civil infrastructure, energetics, forests, dams and other melioration systems by mines explosions, missiles and artillery. Russian forces destroy and loot the technical equipment of Ukrainian forestry and melioration management and of national parks in Kherson and Zaporizhzhya regions en masse.

Corresponding negative impacts of Russian aggression against sustainable development that make impossible its reinvigorating include atmospheric pollution due to mass extensive emissions of combustion products, the destruction of thousands of square kilometers of forests and plantations near frontline, as well as natural soils in the combat zone close to the Crimea, the intervention of the Russian occupiers in the melioration management and natural watercourses in Southern Ukraine. All this illegal Russia's activities give strong negative impact on the rights of population of Russia-occupied areas, including the indigenous peoples, minorities and territorial collectives.

Since the level of hostilities in Ukraine is unprecedented for modern humanity and has no clear prospect of minimization in the coming months, the above risks and challenges have a strong and direct impact on the issue of sustainable development, essential for indigenous peoples, minorities and territorial collectives, including the issues on international development cooperation. New challenges for the issue of sustainable development and international development cooperation were caused by destruction the dam of Kakhovka Hydroelectric Power Plant (HPP) on Dnipro River in Ukraine by Russian military units, that happened on 6 June, 2023<sup>28,29,30,31,32,33</sup>.

Also the above-pointed issues were discussed during the side-events on Sharm el-Sheikh Climate Change Conference (COP 27) and Dubai Climate Change Conference (COP 28) held by our experts together with Crimean Tatar Resource Center and Mission of Ukraine in 2022

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<sup>20</sup> <https://www.washingtonpost.com/world/interactive/2022/ukraine-before-after-destruction-photos/>

<sup>21</sup> <https://www.icc-cpi.int/ukraine>

<sup>22</sup> <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

<sup>23</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

<sup>24</sup> <https://digitallibrary.un.org/record/3959039?ln=ru>

<sup>25</sup> <https://digitallibrary.un.org/record/3966630?ln=en>

<sup>26</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>27</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>28</sup> <https://www.pravda.com.ua/eng/news/2023/06/6/7405479/>

<sup>29</sup> <https://www.nytimes.com/2023/06/09/world/europe/ukraine-dam-collapse-explosion.html>

<sup>30</sup> <https://www.jordskjelv.no/meldinger/seismic-signals-recorded-from-an-explosion-at-the-kakhovka-dam-in-ukraine>

<sup>31</sup> <https://www.president.gov.ua/en/news/stvorena-rosijskimi-teroristami-katastrofa-na-kahovskij-ges-83449>

<sup>32</sup> <https://en.ecoaction.org.ua/destruction-of-the-kakhovka-hpp-preliminary-conclusions.html>

<sup>33</sup> [https://web.archive.org/web/20230605173116/https://www.parismou.org/system/files/195%20-%20ARC\\_Submission\\_IMO\\_ILO\\_FAO\\_04\\_06\\_2023.pdf](https://web.archive.org/web/20230605173116/https://www.parismou.org/system/files/195%20-%20ARC_Submission_IMO_ILO_FAO_04_06_2023.pdf)

and 2023<sup>3435363738</sup>, also as at World Law Congress, 2023<sup>3940</sup> where the aspects of lessons learned and practices of transitional justice were discussed by our Association's experts.

Since 2018 Ukrainian authorities adopted some strategic and program documents regarding processes of reintegration the Crimea after its de-occupation that included international cooperation for next financial and humanitarian support of Ukraine in framework of relevant individual and collective rights, including issues of transitional justice.

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 2018–2019<sup>41</sup>, 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, 2018<sup>42</sup>, Strategy of information reintegration of the AR Crimea and Sevastopol 2018, Strategy for Crimean Tatar language development for 2022–2032<sup>43</sup>, Strategy of deoccupation and reintegration of the temporarily occupied territory of Crimea and Sevastopol, 2021 also as plans for its implementation were adopted<sup>44</sup>, and those legal binding acts foreseen the issues of international cooperation for support the next development of Ukraine in framework of relevant individual and collective rights to development.

Since 2023 three sessions of Strategic Forum “Future of Crimea” initiated by the Crimean Tatar Resource Center were held<sup>45</sup>, in which more than twenty key experts of various structures on the subject of the peninsula, including ARC's representatives, took part<sup>46</sup>. Strategic Forum elaborated proposals for Ukrainian government to make relevant preparations for the issues of international cooperation and transitional justice for support the next development of Ukraine to be established for de-occupied Crimea during reintegration period, including relevant individual and collective rights to development<sup>4748</sup>.

As exactly Russia as aggressor state bears the responsibility for violation the conflict related violation of Ukrainians' individual and collective rights to development and sustainable development, relevant mechanisms of compensation and reparations must be established with strong participation of UN OHCHR strictures.

So our Association and other relevant NGO and expert structures are going to prepare an expert legal, financial and organizational basis for the future international agreements and the corresponding international platform of financial support for the restoration of Ukraine, carried out by third states and international institutions, including a description of their cooperation and financing algorithms and the development of a draft collective agreement or other documents.

For realization such task we must analyze the international mechanisms of reparations and international financial responsibility, study international mechanisms of financial support and assistance to countries in post-conflict situations, analyze the current international mechanisms of financial support and assistance to Ukraine, study the practices of international agreements

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<sup>34</sup> <https://arcrimea.org/en/analytics/2023/07/08/qualification-of-russian-aggression-ecologic-challenges/>

<sup>35</sup> <https://arcrimea.org/en/analytics/2023/03/24/world-law-congress-occupied-crimea-and-russian-aggression/>

<sup>36</sup> <https://arcrimea.org/en/activity/2022/11/20/crimea-indigenous-peoples-international-crimes-and-global-warming/>

<sup>37</sup> <https://arcrimea.org/en/activity/2023/12/04/deoccupation-of-crimea-was-discussed-in-ukrainian-pavilion-of-un-climate-conference/>

<sup>38</sup> <https://arcrimea.org/en/activity/2023/12/03/un-climate-change-conference-and-de-occupation-of-crimea/>

<sup>39</sup> <https://arcrimea.org/en/activity/2023/07/21/world-law-congress-russian-aggression-energy-markets-and-maritime-safety/>

<sup>40</sup> <https://arcrimea.org/en/news/2023/07/23/crimean-issues-on-the-world-law-congress/>

<sup>41</sup> <https://arcrimea.org/en/analytics/2023/04/28/legal-programming-of-crimeas-deoccupation-and-reintegration-measurement-of-effectiveness/>

<sup>42</sup> <https://arcrimea.org/en/analytics/2023/04/25/actual-dimension-of-program-acts-implementation-on-crimea-reintegration/>

<sup>43</sup> <https://arcrimea.org/en/analytics/2023/05/28/financial-aspects-of-reintegration-crimean-strategies-budget-programs-and-international-projects/>

<sup>44</sup> <https://journals.fpk.kyiv.ua/index.php/kyivlawjournal/article/view/17/15>

<sup>45</sup> <https://arcrimea.org/en/activity/2023/03/06/results-of-strategic-forum-future-of-crimea/>

<sup>46</sup> <https://arcrimea.org/en/activity/2023/05/04/ministry-of-reintegration-held-meeting-with-experts-from-future-of-crimea-forum/>

<sup>47</sup> <https://arcrimea.org/en/activity/2023/11/23/recommendations-were-presented-to-governmental-plan-for-reintegration-of-crimea/>

<sup>48</sup> <https://arcrimea.org/en/activity/2023/12/15/presentation-of-results-of-strategic-forum-future-of-crimea/>

on financial assistance, summarize the practice of relevant cases and proceedings in international courts and tribunals, analyze resolutions and technical regulations of international bodies, prepare a draft of an international agreement or other documents regarding future financial support for the restoration of Ukraine, including support for the territorial gromadas and indigenous Crimean Tatar people.

During such realization we must conduct consultations by officials, specialists and experts of the structures of the World Bank, the European Union and the Council of Europe, the G8 countries, conduct a discussion of the developed algorithms with representatives of the central authorities of Ukraine, conduct a presentation of the developed algorithms for the scientific environment, the public sector and local self-government, including the Mejlis of the Crimean Tatar people.

On October 30, experts of our Association took part in the presentation of the results of the III Strategic Forum “The Future of Crimea” organized by the Crimean Tatar Resource Center. Representatives of more than 20 states and international organizations were presented with the content of the projects of the policies of the Expert Network of the International Crimean Platform, developed at the Strategic Forum and based on its results<sup>49</sup>.

The subject of discussion was the draft Regulations of Expert Network, of the Non-discrimination and Equality Policy, of the Policy on the Formation and Planning of the Cost of Expert Papers, of the Expert Paper Reviewing Policy, of the Policy on Evaluating the Effectiveness of Expert Papers and of the Expert Engagement Policy<sup>50</sup>. Next institutionalization of International Crimean Platform and of its Expert Network will allow to make relevant researches in areas of lessons learned and good practices of transitional justice in the context of sustaining peace and sustainable development.

*Relevant attention and support of UN bodies and agencies to those initiatives is strongly required.*

1 November, 2024

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<sup>49</sup> <https://arcrimea.org/en/activity/2024/10/31/experts-presented-projects-of-crimean-platform-policies-to-diplomatic-corps/>

<sup>50</sup> [https://ctrcenter.org/wp-content/uploads/2024/10/krym\\_n\\_compressed.pdf](https://ctrcenter.org/wp-content/uploads/2024/10/krym_n_compressed.pdf)