



ASSOCIATION OF REINTEGRATION
OF CRIMEA

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To UN Special Rapporteur on the rights to water and sanitation

Russian Aggression in Ukraine and Global Water Crisis

Submission for Report at the 78th session of the UN GA.

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Our Association of Reintegration of Crimea (ARC), is non-governmental expert and human rights organisation¹, with activities devoted to Crimea's issues. ARC informs UN, CoE and OSCE structures and publishes analytics regarding challenges for human rights in Crimea. In 2020-2023 ARC sent more than 100 relevant submissions to UN HRC bodies, including information on the ongoing water crisis in Crimea²³⁴, its indigenous peoples⁵ and sustainable development challenges⁶, ARC made more than 20 publications on this issue⁷.

Sending Association's submission for UN Special Rapporteur's questionnaire.

1-19. In the Crimean peninsula, illegally controlled by Russia, negligence and illegal actions of the so called "authorities" caused since the water crisis that is a key challenge for the region's rural areas. UN GA resolution 76/179 pointed that Russia as occupying State bears all responsibility for ongoing water crisis in Crimea⁸ and European Court on Human Rights refused in 2021 to oblige Ukraine supply water to Crimea by the North Crimean Channel⁹.

Experts of ARC with a close cooperation with the Crimean Tatar Resource Centre, ARC held consultations with Crimean Tatar representatives, members of Mejlis of Crimean Tatar People, it took part in conferences devoted to Crimean issues, including water crisis challenges, and in "Crimean Platform" high-level summit in Kyiv in 2021.

ARC highlighted the brutal violation of the international ecologic and environmental law by "Siemens" and "Grundfos" companies that supplied in 2020-2021 industrial water pumps to the Crimean "administration"; such pumps' exploitation in military purposes destroyed the unique ecosystem of Zuya River valley, traditional for the Crimean Tatars. We informed

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

² <https://www.ohchr.org/Documents/Issues/Water/PlanningReportWater/input-nonstates/Association-of-Reintegration-of-Crimea.doc>

³ <https://www.ohchr.org/sites/default/files/2022-01/Association-of-Reintegration-of-Crimea.pdf>

⁴ <https://www.ohchr.org/Documents/Issues/Environment/EnvironmentWater/Civil%20Society/ARC.doc>

⁵ [https://www.ohchr.org/Documents/Issues/IPeoples/SR/Urban-](https://www.ohchr.org/Documents/Issues/IPeoples/SR/Urban-areas_Submissions/Indigenous_Organisations_Civil_Society/association-of-reintegration-of-crimea.pdf)

[areas_Submissions/Indigenous_Organisations_Civil_Society/association-of-reintegration-of-crimea.pdf](https://www.ohchr.org/Documents/Issues/IPeoples/SR/Urban-areas_Submissions/Indigenous_Organisations_Civil_Society/association-of-reintegration-of-crimea.pdf)

⁶ <https://www.ohchr.org/Documents/Issues/Food/FoodSystems/CSO/ARC.doc>

⁷ <https://www.ejiltalk.org/the-proceedings-flow-while-water-does-not-russias-claims-concerning-the-north-crimean-canal-in-strasbourg/>

⁸ <https://undocs.org/en/A/76/PV.53>

⁹ <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-7085775-9583164&filename=Inter-State%20case%20brought%20by%20Russia%20against%20Ukraine.pdf>

German and Danish officials, European Commission and ecologic organisation, relevant investigation was held by the Dutch Business Authority due to our complaint.

ARC human rights' activities caused the aggressive reaction of the Russia's so-called "authorities" in Crimea. ARC's expert, professor Borys Babin was declared as allegedly "extremist" by such "authorities", relevant "criminal proceedings" were initiated by them.

The key challenge for Crimea since 2015 was the water crisis that appeared exactly due to the policies of the Russia's "authorities" in conditions of the climate change. Russia established its effective control over Crimea with its 2,5 million inhabitants in 2014. In the next years, Russia has relocated over 500 thousand of its residents to Crimea. Russia initiated large military infrastructure projects in Crimea, requiring massive water supply.

Russian business structures, controlled by its Government, commenced a programme of massive residential housing construction for the Russia's settlers and military personnel in Crimea. Russia-controlled "regional and municipal authorities" paid no attention to plumbing and sanitation systems, as well as sewage treatment plants in Crimea. Crimea is an arid zone, local water resources were sufficient for the population before 2014, but they are insufficient for the present enlarged demands.

In 2020-2021 the water crisis in Crimea intensified. Russia's "authorities" in the Crimea did nothing to ensure that any parts of Crimea's society have access to reliable, timely and easy to comprehend information on all aspects such processes. All Russia's infrastructural activities in Crimea are corrupted and non-transparent¹⁰. Russia's "authorities" did not provide any protection guarantees in peninsula, related to climate change. The only compensation is paid by Russia to own army personnel, as for "military service in the arid zone"¹¹.

Effective human rights or ecologic international activities in the Crimea are impossible as Russia's "authorities" ban access to the peninsula for any independent mission including the UN HRMM in Ukraine and OSCE SMM to Ukraine.

ARC submitted to the UN HRC the proposals on two Crimea-related natural objects to the researchathon on sacrifice zones and human rights, such as Sivash and Kalamita bays, discussed it with Indigenous Peoples Rights International. ARC informed society on ecologic disaster connected with flooding Yevpatoria town with the waters of Sasyk-Sivash, and on catastrophic changes in Lake Sasyk's hydrology, including new floods in Crimea's Saky District and entry of chemical waste from the Saki plant into open watercourses.

Russia-controlled structures in Crimea, which provide access to water and sanitation, are totally corrupted and non-effective. Losses in the water supply networks are more that 50 % of current resources, all expenses made are not transparent.

Crimea's indigenous peoples – Crimean Tatars – have no access to the verified information relating to access to water and sanitation services. Any attempts to get such access will be punished by the Russia-controlled "administration" as allegedly "extremist" ones.

There is no effective mechanism available in Crimea to submit complaints regarding access to safe drinking water and sanitation as well as obtain information on how those complaints were handled and resolved. Such complaint will not be satisfied and its author(s) will be punished for "illegal activities"; such negative practice was during collection the signatures against the corruption in the "Water of Crimea" and against desalination systems.

Crimea's human rights defenders and activists who stand up for the human rights to safe drinking water and sanitation of indigenous peoples are under permanent fear, criminalization

¹⁰ <https://owncloud.unog.ch/s/6mVH9jIGqR6vKSP?path=%2FCSOs#pdfviewer>

¹¹ <https://www.rbc.ru/society/27/11/2019/5dde8f309a794752ab7f9660>

and harassment. The example of Ludvica Papadoupulu, may be pointed, blogger from Yalta, who was persecuted by the Russia's punitive structures in 2020-2021 for her posts in the social networks on the ecologic issues. ARC reflected the repressions against Mr. Papadoupulu in our statements to UN HRC and OSCE structures.

Water always had specific, sacral importance for the Crimean Tatar people in arid Crimea. Now the Russia-controlled "Water of Crimea" is responsible for the water management in the region and it has no cooperation with Crimean Tatars. Crimean Tatars and their communities have no effective access to water management issues in the Crimea since 2014.

Economic and water crisis in Crimea forces Crimean Tatars to resettle to Simferopol since 2015. At the same time exactly Simferopol, central city of the Crimea, became a destination for most Russian citizens illegally resettled by the Russian "authorities" to Crimea, including "military officers", "officials", "servicemen", and their families.

The quantity of city's population increased from 300 thousand in 2014 to 500 thousand in 2020 and it continues to grow. Yet, the infrastructure of Simferopol, including its water and sanitation systems, road network, schools, kindergartens, hospitals etc. does not satisfy the needs of its half-million residents. In 2020-2021, the deficiencies in the city and regional management of the Russian "authorities" caused the systematic water crisis in Simferopol and other localities of Crimean urbanized settlements. Furthermore, chaotic construction of residential and non-residential buildings by the Russia-controlled commercial structures associated with the "authorities", accompanied by failure to comply with any imaginable architectural and safety standards, ruins the unique landscapes and creates risks for the residents of Crimean cities.

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 aggression¹². 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, also as against Ukrainian agricultural enterprises¹³¹⁴¹⁵¹⁶¹⁷¹⁸¹⁹.

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 water management objects²⁰, essential for all Ukrainian ethnic and social groups²¹. Those issues now are the subject of the investigation the International Criminal Court²²

Due to gross violation the human rights Ukraine filed an application to the European Court of Human Rights²³. 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

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

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

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

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

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

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

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

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

²⁰ <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/cfi-hrc-53-session/submissions/2022-11-28/Association-of-Reintegration-of-Crimea.pdf>

²¹ <https://www.washingtonpost.com/world/interactive/2022/ukraine-before-after-destruction-photos/>

²² <https://www.icc-cpi.int/ukraine>

²³ <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

2022.²⁴ 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 decades²⁵. UN General Assembly in its resolution ES-11/2 on 24 March 2022, articles 5 and 8, demanded again full respect for and protection of objects indispensable to the survival of the civilian population and civilian infrastructure²⁶.

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^{27,28}.

Till 2023 more new crimes were committed by the Russian troops, including destruction of civil infrastructure, 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 masse²⁹.

Such changes also include an indirect impact through Russian attacks on Ukrainian nuclear power facilities, such as the Zaporizhzhia NPP, located on Kakhovske water store and on Ukrainian green energy facilities in occupied territories and war zones. Russian troops make ongoing provocations with North Crimean Canal and Kakhovka Canal in Russia-occupied part of Kherson region^{30,31,32,33,34,35,36,37}.

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 climate changes³⁸.

From the point of view of international law, such Russia's illegal acts can be considered as terrorism³⁹ as Russian forces conjunct the attacks on ecologic objects with politic demands. Czech Republic, Estonia, Lithuania, Latvia, Netherlands, Poland and Slovakia, also as European Parliament and Parliamentary Assemblies of NATO and Council of Europe recognized Russian politic regime as terroristic one already⁴⁰.

Ukraine started some criminal proceedings regarding issues of destruction the ecosystem by Russian troops, with qualification of such activities as ecocide crime⁴¹, but the whole

²⁴ <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

²⁵ <https://digitallibrary.un.org/record/3959039?ln=ru>

²⁶ <https://digitallibrary.un.org/record/3966630?ln=en>

²⁷ <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

²⁸ <https://www.bbc.com/news/world-europe-60547807>

²⁹ <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/food/submissions/csos/submission-climate-change-food-association-reintegration-crimea.pdf>

³⁰ <https://arcrimea.org/en/news/2023/06/01/crimea-kremlin-dictator-and-corrupted-assistant/>

³¹ <https://arcrimea.org/en/news/2023/05/08/donetsk-roots-and-kyiv-cake-of-crimean-rice/>

³² <https://arcrimea.org/en/news/2023/03/25/collaborators-of-sevastopol-and-melitopol-sang-on-background-of-water-crisis/>

³³ <https://arcrimea.org/en/news/2023/03/23/traders-of-stolen-water-and-drying-crimean-villages/>

³⁴ <https://arcrimea.org/en/analytics/2023/03/20/occupied-crimea-and-russian-aggressions-anniversaries/>

³⁵ <https://arcrimea.org/en/news/2023/02/26/fantastic-bypass-channels-from-criminal-head-of-crimea/>

³⁶ <https://arcrimea.org/en/news/2022/12/15/land-amelioration-and-storm-in-glass-of-occupiers-special-services/>

³⁷ <https://arcrimea.org/en/news/2023/01/27/delusions-of-sriminal-gautleiter-refugee-about-north-crimean-canal/>

³⁸ <https://www.ohchr.org/sites/default/files/documents/issues/toxicwastes/cfis/detoxdecarb/submission-detoxification-of-climate-solutions-ngo-arc.pdf>

³⁹ <https://casebook.icrc.org/case-study/icty-prosecutor-v-galic>

⁴⁰ <https://arcrimea.org/en/analytics/2022/11/05/sevastopols-maritime-cotton-and-terrorist-states-blaming-through-victim/>

⁴¹ <https://www.ohchr.org/sites/default/files/documents/hrbodies/crc/gcomments/gc26/2023/cs/GC26-CS-association-reintegration-crimea-2023-02-15.doc>

concept of ecocide crime is not too develop in modern international law and have no conventional protection⁴².

Relevant activities of UN bodies, in the context of sustainable development, water management, climate change will allow intergovernmental bodies, governments of developing countries, environmental protection and human rights organizations, and institutions of the world's indigenous peoples to start a discussion and assessment of the forms of direct and indirect negative ecological and economic impact of Russian aggression in the field of climate change and the related rights to food, water and sanitation.

So we call Special Rapporteur, also as all UN authorized bodies and agencies, also as their member states to pay a special attention to Russia's illegal activities in Ukraine, including Russian aggression, war crimes and state terrorism, in framework of global risks for climate and relevant global human rights and sustainable development, including right to water.

26th May, 2023

Representative of the ARC
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⁴² <https://www.internationalcrimesdatabase.org/upload/documents/20221024T110657-Prosecution%20for%20Ecocide%20as%20a%20weapon%20in%20armed%20conflict%20reflections%20on%20Crimea.pdf>