



# General Assembly

Distr.: General  
7 January 2021

Original: English

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## Seventy-fifth session

Agenda items 65 and 72 (c)

### The situation in the temporarily occupied territories of Ukraine

#### Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

### Letter dated 30 December 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to express our profound gratitude for your continued close attention to the situation in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol of Ukraine, as well as for your firm and uncompromised position regarding the upholding of human rights and international humanitarian law by the occupying power on the mentioned territories of Ukraine.

Your reports on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, submitted pursuant to General Assembly resolution [74/168](#), play a crucial role in providing Member States with fact-based information regarding the situation on the ground and not less important practical recommendations on the upholding of international law.

In this regard, it is very much regrettable that the Russian Federation being an occupying power according to international law, as acknowledged by the General Assembly, continues to ignore all General Assembly resolutions as well as your highly valuable recommendations contained in relevant reports.

Among other violations of international law, a critical situation with Ukrainian citizens arbitrarily arrested by the occupation authorities in Crimea, Ukraine, and illegally detained by the Russian Federation as an occupying power deserves special attention.

Just recently, the Permanent Mission of Ukraine in Geneva informed the Office of the United Nations High Commissioner for Human Rights of the particularly alarming situation with Teymur Abdullayev, who was arbitrarily sentenced to 17 years in the correctional colony of the city of Salavat of the Republic of Bashkortostan, Russian Federation (a copy of the note verbale is provided in the annex for reference).



The above-mentioned Ukrainian citizen in February 2020 had a stroke and nowadays, in violation of international law and General Assembly resolutions, including resolution [75/192](#), was placed by the occupying power in a solitary confinement cell without providing needed medical assistance in spite of evident symptoms and confirmed positive analyses for the coronavirus disease (COVID-19).

In view of the above, I would like to ask you, as chief administrative officer of the United Nations, to use your authorities in persuading the Russian Federation to implement all relevant resolutions of the General Assembly, including the most recent ones, resolutions [75/192](#) and [75/29](#), as well as recommendations contained in your reports submitted pursuant to General Assembly resolution [74/168](#).

I would be grateful also if the above situation of Mr. Abdullayev and all other citizens of Ukraine unlawfully detained in the Russian Federation and temporarily occupied Crimea would be given thorough consideration along with other grave violations of international law in your next reports to be submitted in accordance with General Assembly resolution [75/192](#).

I would appreciate your kind assistance in having the present letter and its annex circulated as a document of the General Assembly, under agenda items 65 and 72 (c).

*(Signed)* **Sergiy Kyslytsya**  
Ambassador  
Permanent Representative

## **Annex to the letter 30 December 2020 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General**

Geneva, 24 December 2020

The Permanent Mission of Ukraine to the United Nations Office and other international organizations in Geneva has the honour to communicate the following.

The Ukrainian side has repeatedly drawn the attention of the international community to the critical situation resulting from the rapid spread of the coronavirus disease (COVID-19) in places of detention on the territory of the Russian Federation and temporarily occupied territories of Ukraine caused by Russia's failure to fulfil its obligations as an occupying State in terms of adequate medical care. The same concerns were reflected in the report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the impact of COVID-19 on human rights in Ukraine presented at the Human Rights Council's intersessional interactive dialogue on the human rights situation in Ukraine on 18 December 2020.

These points have been also highlighted in General Assembly resolution [75/192](#) on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine.

Under the present circumstances, the fact of detention of the citizen of Ukraine, Teymur Abdullayev, in a punishment cell without provision of proper medical care and treatment despite his clear symptoms (high temperature, suffocating cough and weakness) and clinically confirmed diagnosis of COVID-19 can be considered another evidence of violations by Russia of its obligations under international humanitarian law.

The Ukrainian side wishes to draw the attention of OHCHR to the fact that Teymur Abdullayev had been arrested by the Russian occupation authorities on 12 October 2016 on the territory of illegally occupied Crimea and unlawfully sentenced to 17 years in prison on 18 June 2019, on unfounded charges of involvement in terrorist activities. Unlawfully transferred to the territory of the Russian Federation, he is currently being held in a penal colony in Salavat, Republic of Bashkortostan. In February 2020, Mr. Abdullayev suffered a stroke.

The mentioned behaviour of the administration of the Russian penal institution with Teymur Abdullayev constitutes a threat to his life and health and amounts to torture and inhumane treatment, which are prohibited by article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms. Moreover, such actions violate articles 10 and 22 of the United Nations Standard Minimum Rules for the Treatment of Prisoners, approved by the Economic and Social Council, that, in particular, oblige penitentiary institutions to transfer sick prisoners in need of specialist care to special institutions or to civil hospitals.

The Russian side neither provides up-to-date information about Mr. Abdullayev's health condition nor grants the necessary conditions for his treatment, even despite respective appeals of the Ukrainian consuls.

Such actions of the Russian Federation must not go unnoticed and should receive a strong and consolidated response by the international community.

The Permanent Mission of Ukraine expects a strong immediate reaction from OHCHR to this alarming situation and also hopes that the mentioned information will be properly reflected in the thirty-first OHCHR regular report on the situation of human rights in Ukraine as well as in the input of the United Nations human rights monitoring mission in Ukraine to the Secretary-General's interim report in pursuance of the above-mentioned General Assembly resolution [75/192](#).