



## ASSOCIATION OF REINTEGRATION OF CRIMEA

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*To UN Working Group on the use of mercenaries*

### **Russian Agression against Ukraine and Mercenaries' Victims**

Our Association of Reintegration of Crimea (ARC)<sup>1</sup>, is non-governmental expert and human rights organisation<sup>2</sup>, with activities devoted to Crimea's issues. ARC's expert researches are related with human rights of Crimean residents and ethnic groups, including their fundamental rights, right to development, also as with issues of the transitional justice for peninsula, with relevant cultural, economic, social, financial impacts. Since 2020 we sent more than 50 submissions and proposals to UN human rights' strictures, major part of them were published in the UN web-sources.

Illegal occupation and attempted annexation of Crimea by Russia since 2014, as a part of Russian-Ukrainian interstate conflict, changed the situation in the region. Systematic gross violations of the human rights and humanitarian standards, that were committed in last seven years by Russia in the Crimea, were condemned by the UN GA resolutions<sup>3</sup>, resolutions of the OSCE Parliamentary Assembly, of the PACE, of the European Parliament's resolutions etc. Gross human rights violations, correlated with crimes against humanity in Crimea are now subject to consideration in International Court of Justice (case 166)<sup>4</sup> and the European Court of Human Rights (case 20958/14 and others).<sup>5</sup>

UN GA Resolution 76/179 on 16 December 2021<sup>6</sup> condemned the reported serious violations and abuses committed by Russia against residents of the Crimea, in particular – extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, including sexual violence, arbitrary detentions and arrests, torture and ill-treatment, as well as reported abuses of other fundamental freedoms, including the freedoms of expression, religion or belief and association and the right to peaceful assembly.

**Since 24<sup>th</sup> of February 2022 Russia committed broad and open military aggression to all Ukraine's territory** from own territory, occupied Crimea, Belarus, Black and Azov seas against Ukrainian mainland. Due last two weeks of fights Russia occupied some territories of Donetsk, Kharkiv, Kherson, Kyiv, Luhansk, Sumy, Zaporizhzhya and strong fights are going near cities of Kyiv, Kharkiv, Mykolaiv and others with total population more than 8 millions persons near the frontline. Russian troops committed in Ukraine, during this operation, gross violation of international humanitarian law and international human rights' law already. Here are our responses to the Working Groups' questionnaire.

1. Russian troops use actively mercenaries in their military activities in Ukraine. Among them they use the private military company "Wagner Group" that was identified in the fights as by Ukrainian government so by the independent media<sup>7</sup>. As it was pointed on the special session of UN General Assembly on 28<sup>th</sup> February 2022, more than 350 civil citizens, including 16 children

<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> for example, <https://undocs.org/en/A/RES/73/263>

<sup>4</sup> <https://www.icj-cij.org/public/files/case-related/166/166-20191108-JUD-01-00-EN.pdf>

<sup>5</sup> <http://hudoc.echr.coe.int/eng?i=001-207622>

<sup>6</sup> <https://undocs.org/en/A/RES/76/179>

<sup>7</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>8</sup> <https://www.bbc.com/news/world-europe-60547807>

were killed by the Russian regular troops during first five days of war, more that 2000 civil citizens were wounded. Till 9<sup>th</sup> of March, 2022 more new was crimes were committed by the “Wagner Group”, including usage civil population as hostages and “human shield”, destruction objects of civil infrastructure, including pipe electric lines, bomb the civil objects, including kindergartens, schools and hospitals by missiles and artillery, kill medics that try to give aid to victims of war.

**More than 1000 civil person, including 50 children were killed by Russian troops and Russia-controlled mercenaries to this date, especially in Chernigiv, Kharkiv, Kyiv, Sumy Regions of Ukraine<sup>9</sup>.**

2. Among civil persons who were victims of Russia-controlled mercenaries there are persons who tried to replace themselves from the hostilities zone, who hid in the shelters and were used as a “life shield”. A lot of persons were killed or kidnapped as “non-loyal” ones or during looting their property.

3. The key existing challenges in gathering disaggregated data on mercenaries’ victims are related with absence or low level of mobile communication with Russia-controlled territories, ongoing hostilities, ban of the activities of the OSCE and UN mission, of the ICRC representatives on the occupied territories by the Russian invaders.

4. Now the International Criminal Court started investigation on the war crimes committed by Russian invaders in Ukraine and it collect relevant proofs. Also the crimes’ committed by Russian mercenaries are investigated by the Ukraine’s legal enforcement bodies and by prosecutors’ offices of some European countries, including Germany.

5. There is now peacekeeping missions in Ukraine as such initiatives were blocked by the Russian government. Activities of UN Monitoring Mission in Ukraine are low and OSCE Special Monitoring Mission in Ukraine de-facto stopped its activities since 6<sup>th</sup> of March.

6. Russian invaders destroyed Ukrainian legal enforcement and court activities in the occupied territories so there victims of Russia-controlled mercenaries have no access to justice.

This Russia’s aggression, including “Wagner Group” illegal activities, committed war crimes directly caused the internal displacement more than two million people already, and replacement to European countries more than one million Ukrainian citizens, most of whom are women, children, older persons, persons with disabilities and foreigners.

Our Association believes that urgent, immediate steps of the UN Working Group on the use of mercenaries must be done including all observation procedures and immediate visit to Ukraine.

**We hope that special statement of the UN Working Group on the use of mercenaries on above-pointed issues in framework of Working Group’s mandate will be extremely important for further defense of rights of Ukrainian citizens and other persons in the zone of conflict.**

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<sup>9</sup> <https://kyivindependent.com/uncategorized/wagner-group-establish-headquarters-in-rostov-on-don/>