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11.06.2023 № 513/2023

*UN Special Rapporteur on the human rights of internally displaced persons*

**Russian Aggression against Ukraine and Internal Displacement: Current Challenges**

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Our Association of Reintegration of Crimea (ARC)<sup>1</sup>, is non-governmental expert and human rights organisation<sup>2</sup>, our expert researches are related with human rights and humanitarian issues, including displacement and relevant situation on the Russia-occupied territories, including Crimea<sup>34567</sup>. Experts of ARC co-operated with OSCE and UN bodies on issues of protecting and defending internal displaced persons (IDP).

*Sending answers on UN Special Rapporteur's questionnaire<sup>8</sup> (points 1-22).*

As it is well-known, since 24<sup>th</sup> of February 2022 Russia committed broad and open military aggression to all Ukraine's territory. Due last year Russia occupied some territories of Donetsk, Kherson, Luhansk, Zaporizhzhya regions. Such Russia's illegal activities cause non-precedent flows of migration of millions of Ukrainian; our Association informed UN bodies on relevant risks and challenges to such persons<sup>91011121314</sup>.

Ukraine filed an Application with the International Court of Justice (ICJ) but Russia refused to execute the ICJ order in this case to stop the aggression<sup>15</sup>. Russia-controlled troops and mercenaries committed in Ukraine gross violation of international law<sup>16171819202122</sup>. Those issues now are the subject of the investigation the International Criminal Court (ICC),<sup>23</sup> including issue of Russia's deportation Ukrainian children. Due to gross violation the human rights Ukraine filed an application to the European Court of Human Rights also<sup>24</sup>. Russia

<sup>1</sup> <https://arcrimea.org/>

<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/Documents/Issues/Slavery/SR/ReportHRC48/CSOs/ARC.pdf>

<sup>4</sup> <https://www.ohchr.org/sites/default/files/Documents/Issues/Children/SR/GA76/Association-of-reintegration-of-crimer.pdf>

<sup>5</sup> <https://www.ohchr.org/sites/default/files/documents/issues/truth/nsa/2022-09-14/submission-NSAs-hrc51-academia-Association-of-Reintegration-of-Crimea-ARC.pdf>

<sup>6</sup> <https://www.ohchr.org/sites/default/files/2022-01/Association-of-Reintegratin-of-Crimea.pdf>

<sup>7</sup> <https://www.ohchr.org/sites/default/files/documents/issues/truth/cfi-achieving-sdgs/2022-10-10/submission-NSAs-hrc51-academia-Association-of-Reintegration-of-Crimea-ARC.pdf>

<sup>8</sup> <https://www.ohchr.org/en/calls-for-input/2023/call-input-thematic-priorities-special-rapporteur-human-rights-internally>

<sup>9</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea-ukraine-minnesota-protocol.pdf>

<sup>10</sup> <https://www.ohchr.org/sites/default/files/2022-04/AssociationReintegrationCrimeaSubmission.pdf>

<sup>11</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea.pdf>

<sup>12</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea.pdf>

<sup>13</sup> [https://www.ohchr.org/sites/default/files/2022-05/arc\\_replies-dp.pdf](https://www.ohchr.org/sites/default/files/2022-05/arc_replies-dp.pdf)

<sup>14</sup> <https://www.ohchr.org/sites/default/files/documents/issues/disappearances/cfi/draft-stm/submissions/2022-09-05/association-of-reintegration-of-crimea-draft-stm.pdf>

<sup>15</sup> <https://www.icj-cij.org/en/case/182>

<sup>16</sup> <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

<sup>17</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

<sup>18</sup> <https://www.bbc.com/ukrainian/features-60888528>

<sup>19</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>20</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>21</sup> <https://news.un.org/en/story/2022/03/1113652>

<sup>22</sup> <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>

<sup>23</sup> <https://www.icc-cpi.int/ukraine>

<sup>24</sup> <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

refused to execute the demand of the ECtHR and the order of ICJ to immediately suspend the military operations<sup>25</sup>.

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<sup>26</sup> that guarantees rights to life, freedom and safe migration. UN HRC expressed grave concern at the documented harm to the enjoyment of many human rights, resulting from Russia's aggression against Ukraine<sup>27</sup>.

On 8 March 2022 UN human rights recalled that intentional attacks against civilian objects amount to war crimes<sup>28</sup>. On 6 May 2022 UN human rights experts and the Global Protection Cluster Coordinator issued a statement alarming by the scale of displacement in Ukraine<sup>29</sup>.

UN General Assembly in its resolution ES-11/1 recognized that the military operations of Russia inside Ukraine are on a scale that the international community has not seen in Europe in decades<sup>30</sup>. UN General Assembly in its resolution ES-11/2 demanded again full respect for and protection of objects indispensable to the survival of the civilian population<sup>31</sup>.

Such UN decisions<sup>323334</sup> 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. Russian troops, fake "military-civil administrations" and "military commandant's offices" created by Russian invaders use actively the practice of deportation and extrajudicial executions of local civil population<sup>3536</sup>.

A lot of persons, including them who tried to evacuate themselves from conflict zone, were killed or kidnapped as "non-loyal" ones or during looting their property<sup>37</sup>. Russian troops blocked since 2022 the humanitarian corridors established to evacuate civil population from hostilities zones and occupied territories and block any information about such corridors.

Since 2022 Russia made sustainable illegal steps to prepare crime of attempted annexation the territories of Donetsk, Luhansk, Kherson<sup>38</sup> and Zaporizhzhya<sup>39</sup> regions of Ukraine<sup>40</sup>.

Russia blocked the possibility for Ukrainians, residing in the Russia-occupied territories, to get the information about the ways of evacuation and the destiny of persons kidnapped by Russian militaries and Russia-controlled proxies, as all Russia-controlled Internet and mobile operators are under full control of Russia's regime, its military and special services<sup>41</sup>.

In the Russia-occupied Crimea, all Ukrainian minors taken in this way from the war zone to the peninsula are subject to criminal "sorting"<sup>42</sup>. A lot of displacing persons, including children, disappeared after they were captured by Russians to the so-called "filtration camps"<sup>43</sup>. This approach is accompanied by the attitude of the occupiers, Russian colonizers and collaborators to "Ukrainian refugees" as "third-class people" because of "their long residence in nationalist Ukraine"<sup>44</sup>.

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<sup>25</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

<sup>26</sup> <https://web.archive.org/web/20220322175027/https://arc.construction/26897>

<sup>27</sup> <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

<sup>28</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

<sup>29</sup> <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatized-and-urgently-need-help-say-experts>

<sup>30</sup> <https://digitallibrary.un.org/record/3959039?ln=ru>

<sup>31</sup> <https://digitallibrary.un.org/record/3966630?ln=en>

<sup>32</sup> <https://news.un.org/en/story/2022/04/1115782>

<sup>33</sup> <https://digitallibrary.un.org/record/3967950?ln=ru>

<sup>34</sup> <https://web.archive.org/web/20220612122520/https://arc.construction/31039>

<sup>35</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>36</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>37</sup> <https://web.archive.org/web/20220819134455/https://arc.construction/26918>

<sup>38</sup> <https://web.archive.org/web/20220607083347/https://arc.construction/27771>

<sup>39</sup> <https://web.archive.org/web/20220612123625/https://arc.construction/28052>

<sup>40</sup> <https://web.archive.org/web/20220411081420/https://arc.construction/29020>

<sup>41</sup> <https://web.archive.org/web/20220612115724/https://arc.construction/32258>

<sup>42</sup> <https://web.archive.org/web/20220929173744/https://arc.construction/29005>

<sup>43</sup> <https://web.archive.org/web/20220701233834/https://arc.construction/33269>

<sup>44</sup> <https://web.archive.org/web/20221002154444/https://arc.construction/28224>

On April, 2022 the aggressor-controlled newspaper “Yevpatoriyska Zdravnitza” published a de facto instruction for similar scheme of criminal “re-registration”<sup>45</sup>. On May 31, the aggressor-controlled so-called “Commissioner for protection of children’s rights” of Sevastopol, Marina Peschanskaya, stated during a “report” that displaced persons who arrived in the city from the war zone in mainland Ukraine were “massively hiding from registration”. Ukrainian citizens do it understanding the corresponding risks for them and their own children in the occupied Crimea<sup>46</sup>.

Some thousand persons were kidnapped by Russian militaries and punitive structures in occupied part of Kherson Region only. A lot of persons were kidnapped by Russian invaders in the “checkpoints” between the Crimea and Ukraine’s mainland<sup>47</sup>. In the Russia-occupied Crimea a lot of children, transferred from Ukraine’s mainland, disappeared in April-May, 2022<sup>48,49,50</sup>. A big group of Ukrainian youth disappeared from Yevpatoria, where the Russian occupiers concentrated up to 2,000 criminally “evacuated” children in September, 2022 on the basis of Ukrainian children’s sanatoriums illegally seized in 2014, those children have been in difficult living conditions, had significant problems with food and warm things.

Later, from the last days of December 2022, all these “evacuated” children of the aggressor’s structures were suddenly, without warning, and en masse taken out of occupied Yevpatoria, but they did not return to the Kherson region, in particular, to its Russian-occupied part, there was no information about the current whereabouts of these children in open sources for months<sup>51,52,53</sup>.

Next search of this children and returning them to Ukraine, as the PACE and Euro Parliament resolutions 2482 (2023) and 2022/2049 directly point<sup>54,55</sup>, demand usage modern technologies, including genetic expertise.

“Conflict Observatory” published on February, 14 report “Russia’s systematic program for the ‘re-education & adoption’ of Ukraine’s children”. Report points that facilities in Russia and Russia-occupied Crimea had held, at least, 6,000 children from Ukraine’s mainland since 24 February 2022.

The separation of children from their parents for indefinite periods documented in this report, which constitute a violation of the Convention on the Rights of the Child. Some of the actions of Russia’s government and its proxies detailed in this report, such as unnecessarily expediting the “adoption and fostering” of children from Ukraine during the current emergency, constitute a potential war crime and crime against humanity in some cases, researchers stress. Experts identified the network at least 43 facilities, 41 of which are pre-existing summer camps in Russia-occupied Crimea and Russia. Experts point that the exact number of facilities is likely significantly higher than identified in this report<sup>56</sup>.

On February, 23, 2023 the UN General Assembly called for ending the war in Ukraine and expressed grave concern at the high number of civilian casualties, including women and children, the number of internally displaced persons and refugees in need of humanitarian assistance, and violations and abuses committed against children<sup>57</sup>.

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<sup>45</sup> <https://web.archive.org/web/20220607090836/https://arc.construction/29119>

<sup>46</sup> <https://web.archive.org/web/20220608184817/https://arc.construction/32274>

<sup>47</sup> <https://web.archive.org/web/20220608175342/https://arc.construction/30144>

<sup>48</sup> <https://web.archive.org/web/20220929173744/https://arc.construction/29005>

<sup>49</sup> <https://web.archive.org/web/20220609151253/https://arc.construction/32309>

<sup>50</sup> <https://web.archive.org/web/20221004172453/https://arc.construction/28407>

<sup>51</sup> <https://arcrimea.org/en/news/2023/01/15/disappearance-of-kidnapped-kherson-children-from-yevpatoria/>

<sup>52</sup> <https://arcrimea.org/en/news/2023/01/22/invaders-propaganda-and-missed-kherson-children/>

<sup>53</sup> <https://arcrimea.org/en/news/2023/01/27/new-questions-about-children-deported-by-occupiers/>

<sup>54</sup> <https://arcrimea.org/en/analytics/2023/01/26/new-fundamental-resolution-of-pace-regarding-russias-aggression/>

<sup>55</sup> [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0011\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0011_EN.html)

<sup>56</sup> <https://arcrimea.org/en/news/2023/02/15/american-researchers-confirmed-illegality-of-aggressors-deportation-ukrainian-children/>

<sup>57</sup> <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/048/58/PDF/N2304858.pdf?OpenElement>

On February 24, 2023 OSCE officials and structures made a number of statements, condemning the Russia's atrocities<sup>5859</sup>.

Also on February 24, a Joint Statement of the OSCE Parliamentary Assembly Bureau, was made also. In a Joint Statement, the OSCE PA Bureau condemned Russia's kidnapping of thousands of Ukrainian children for forced adoption and assimilation. OSCE PA Bureau also called to support the children of Ukraine to overcome the trauma they have experienced<sup>60</sup>.

On March, 17, 2023 ICC has issued an arrest warrant for Russia's president Vladimir Putin for overseeing the abduction of Ukrainian children. In granting the request for warrants by the ICC prosecutor, a panel of judges agreed that there were reasonable grounds to believe Putin and his children's rights commissioner, Maria Lvova-Belova, bore responsibility for the unlawful deportation of Ukrainian children<sup>6162</sup>.

*New challenges for internal displacement were caused by Kakhovka HPP destruction on Dnipro River that happened on 6 June, 2023.*

Ukraine's Operational Command South has reported in morning, 6 June that the Russian occupation forces have blown up the Kakhovka Hydroelectric Power Plant (HPP)<sup>63</sup>. U.S. spy satellites detected an explosion at the Kakhovka dam just before it collapsed. Engineering and munitions experts have said a deliberate explosion inside the Kakhovka dam, which is controlled by Russia, most likely caused its collapse on June 6<sup>6465</sup>.

Ukraine's President pointed on June, 6 that Russia deliberately destroyed the Kakhovka reservoir by destruction the Kakhovka HPP dam<sup>66</sup>. Ukrainian ecologic organizations point that hydropower dams have always been subject to high technological risks, they stress that the negative consequences of this criminal destruction of the Kakhovka HPP are global<sup>67</sup>.

On June 10, the Verkhovna Rada of Ukraine adopted an Appeal to the UN and other structures in connection Russia's act of terrorism – the explosion of the Kakhovka HPP<sup>68</sup>.

Ukrainian parliament points out that this crime of Russia is not only an act of terrorism, ecocide, but also a war crime in accordance with the IV Geneva Convention, its Ist Additional Protocol of 1977, and a violation of the UN Convention on the Prohibition of Military or any hostile use environmental impact agents, 1977. Rada stated that the blowing up the Kakhovka HPP was a continuation of the Russian policy of genocide of the Ukrainian people<sup>69</sup>.

ARC experts previously noted since June, 7<sup>70</sup>, that Russia's undermining of the Kakhovka HPP became a separate crime of genocide, including the forced deportation of the population of the villages and cities adjacent to the Dnipro in the Left Bank Kherson region, the destruction of their houses and the murder of those who cannot escape flooding<sup>71</sup>.

It was pointed out that these areas are the original and traditional place of residence of ethnic Ukrainians, and that this obviously became a "bone in the throat" for Russian occupiers, regardless of their criminal military plans' algorithms<sup>72</sup>.

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<sup>58</sup> <https://arcrimea.org/en/news/2023/02/25/osce-statements-were-made-on-large-scale-russian-aggression-anniversary/>

<sup>59</sup> <https://www.osce.org/odihr/537933>

<sup>60</sup> <https://www.oscepa.org/en/documents/officers-of-the-assembly/4627-joint-statement-of-the-osce-pa-bureau-action-on-the-one-year-anniversary-of-russia-s-war-against-ukraine-and-the-international-legal-order-24-february-2023/file>

<sup>61</sup> <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>

<sup>62</sup> <https://arcrimea.org/en/analytics/2023/03/04/deportation-of-ukrainian-youth-by-russian-invaders-specifics-of-legal-response/>

<sup>63</sup> <https://www.pravda.com.ua/eng/news/2023/06/6/7405479/>

<sup>64</sup> <https://www.nytimes.com/2023/06/09/world/europe/ukraine-dam-collapse-explosion.html>

<sup>65</sup> <https://www.jordskjelv.no/meldinger/seismic-signals-recorded-from-an-explosion-at-the-kakhovka-dam-in-ukraine>

<sup>66</sup> <https://www.president.gov.ua/en/news/stvorena-rosijskimi-teroristami-katastrofa-na-kahovskij-ges-83449>

<sup>67</sup> <https://en.ecoaction.org.ua/destruction-of-the-kakhovka-hpp-preliminary-conclusions.html>

<sup>68</sup> <https://arcrimea.org/en/news/2023/06/11/ukrainian-parliament-condemned-explosion-of-kakhovka-hpp/>

<sup>69</sup> <https://planeta.press/2023/06/08/genocid-levoberezhya/>

<sup>70</sup> [https://24tv.ua/ru/deportacija-opustynivanie-chego-rossijane-dobivalis-hersonshhine\\_n2330382](https://24tv.ua/ru/deportacija-opustynivanie-chego-rossijane-dobivalis-hersonshhine_n2330382)

<sup>71</sup> <https://glavcom.ua/columns/borys.babin/henotsid-livoberezhzha--933119.html>

<sup>72</sup> <https://opinions.glavred.info/genocid-levoberezhya-rossiyane-narushili-konvenciyu-oon-10476316.html>

During the week (6-11 June, 2023) after Russian occupants blew up the HPP, these thesis received a lot of evidence, this is the aggressor's refusal to allow UN assistance to the victims of flooding to the occupied Left Bank of the Kherson region, and the blocking of the flooded areas by the aggressor's troops and punishers. UN officials and ICC investigators visited the Ukraine-controlled flooded territory on Right Bank on the Kherson region in same days.

In this vein, the activity of the criminal "Crimean volunteer" Valeria Petrusovich, associated, among other things, with "black" transplantation, which we have previously described many times<sup>7374</sup>, and which is now used by the aggressor's propaganda as a "talking head" in imitation of "helping flood victims", has become characteristic. This figure made statement on June 10 from which it follows that Russia's military and punishers will actually block any supply of food and water to persons who refuse to be deported from the flooded areas of Left Bank of the Kherson region<sup>75</sup>.

The refusal of the surviving population to be "evacuated" by Russian occupying forces has obvious reasons – they understand that the Russian occupiers will prohibit their return home till Russia controls the Left Bank of the Dnipro River, and that Russians will organize their criminal deportation, including through the occupied Crimea.

*So the Russia's destruction the Kakhovka HPP dam created new wave of internal displacement that in Russia-controlled area has features of forced deportation and genocide.*

Our Association proposes to UN Special Rapporteur to research issues of connection the internal displacement in interstate conflict conditions with acts of ecocide, genocide and war crimes against critical civil infrastructure on example of explosion Kakhovka HPP and to pay special attention to criminal children deportation on example of such deportation in Russia-occupied territories of Ukraine.

Our Association believes that urgent, immediate steps of the UN Special Rapporteur must be done including all observation procedures and immediate visit to Ukraine, and ask for Rapporteur's co-operation with ICRC and ICC structures on that issue.

11th of June, 2023

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<sup>73</sup> <https://arcrimea.org/en/investigations/2023/01/12/criminal-puppet-of-russian-invaders-organs-and-millions-on-organs/>

<sup>74</sup> <https://arcrimea.org/en/news/2023/03/24/sudden-rat-fights-of-crimean-collaborators/>

<sup>75</sup> <https://arcrimea.org/en/news/2023/06/11/gondoliers-of-fortune-and-aggressors-genocide-of-left-bank-population/>