



## ASSOCIATION OF REINTEGRATION OF CRIMEA

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### ***UN Special Rapporteur on trafficking in persons, especially women and children***

#### **Russian Aggression and Terrorism against Ukraine, Displacement and Deportation**

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 issues of migration consequences the Russian aggression against Ukraine, displacement and relevant situation on the Russia-occupied territories<sup>3,4,5</sup>.

*Regarding call for submissions of the Special Rapporteur on trafficking in persons, especially women and children for her report to the 53th session of the Human Rights Council, in June 2023, to the access to international protection of victims of trafficking in persons or persons at risk of trafficking, we may propose such comments.*

Russian aggressor brutally violate all migrants' rights established by international human rights and humanitarian law in Russia-controlled territories of Ukraine and in Russia itself regarding persons illegally transferred from Ukraine, including criminally deported children.

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 eleven months of fights 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>6,7,8,9,10</sup>. Also, as we informed UN Committee on Enforced Disappearances, this situation caused the mass enforced disappearances in Russia-occupied territories on Ukraine, as near frontline so in the Crimea<sup>11</sup>.

Ukraine immediately filed an Application with the International Court of Justice (ICJ) on 25 February 2022. 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 law<sup>13,14,15,16,17,18,19,20</sup>. Those issues now are the subject of the

<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/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://arc.construction/25679>

<sup>6</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea-ukraine-minnesota-protocol.pdf>

<sup>7</sup> <https://www.ohchr.org/sites/default/files/2022-04/AssociationReintegrationCrimeaSubmission.pdf>

<sup>8</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea.pdf>

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

<sup>10</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>11</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>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://arc.construction/26892>

<sup>19</sup> <https://news.un.org/en/story/2022/03/1113652>

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 also<sup>22</sup>. 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 2022.<sup>23</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>24</sup> that guarantees rights to life, freedom and safe migration. UN Human Rights Council (HRC) adopted its resolution 49/1 on 4 March 2022 where it expressed grave concern at the documented harm to the enjoyment of many human rights, resulting from the aggression against Ukraine by Russia<sup>25</sup>.

On 8 March 2022 UN human rights experts called on Russia to immediately end its invasion of Ukraine and recalled that intentional attacks against civilian objects amount to war crimes<sup>26</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>27</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>28</sup>. 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<sup>29</sup>.

On 7 April 2022 the UN General Assembly adopted a resolution ES-11/3<sup>30</sup> calling for Russia to be suspended from the Human Rights Council<sup>31</sup>. The UN Human Rights Council adopted on 12th of May a resolution on the deteriorating human rights situation in Ukraine<sup>32</sup>.

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. Russian troops, fake “military-civil administrations” and “military commandant’s offices” created by Russian invaders in Kherson and Zaporizhzhya regions use actively the practice of extrajudicial executions of local civil population, including persons who tried to evacuate themselves from hostilities zones<sup>3334</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>35</sup>. Russian troops block the humanitarian corridors established to evacuate civil population from hostilities zones and occupied territories of Kherson and Zaporizhzhya regions and block any information about such corridors.

Since March 2022 Russia made sustainable illegal steps to prepare crime of attempted annexation the territories of Donetsk, Luhansk, Kherson<sup>36</sup> and Zaporizhzhya<sup>37</sup> regions of Ukraine. Russian criminal illegal “administrations” in Kherson and Melitopol pursues tasks that are mostly related to the suppression of pro-Ukrainian resistance, the subjugation of the

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<sup>20</sup> <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>

<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://arc.construction/26897>

<sup>25</sup> <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

<sup>26</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

<sup>27</sup> <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatized-and-urgently-need-help-say-experts>

<sup>28</sup> <https://digitallibrary.un.org/record/3959039?ln=ru>

<sup>29</sup> <https://digitallibrary.un.org/record/3966630?ln=en>

<sup>30</sup> <https://digitallibrary.un.org/record/3967950?ln=ru>

<sup>31</sup> <https://news.un.org/en/story/2022/04/1115782>

<sup>32</sup> <https://arc.construction/31039>

<sup>33</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>34</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>35</sup> <https://arc.construction/26918>

<sup>36</sup> <https://arc.construction/27771>

<sup>37</sup> <https://arc.construction/28052>

will of the local inhabitants<sup>38</sup> and the involvement of the relevant districts in the so-called “ruble zone” and “Russian informational space”.

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>39</sup>.

According to our sources 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>40</sup>. A lot of displacing persons, including children, disappeared after they were captured by Russians to the so-called “filtration camps”.<sup>41</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>42</sup>.

On April, 2022 the aggressor-controlled newspaper “Yevpatoriyska Zdravnitza” published a de facto instruction for similar scheme of criminal “re-registration”<sup>43</sup>. Thus, the occupiers-controlled “charitable services”, which massively take children out of the war zone, can act as such “temporary tutelages” and freely issue “tutelage documents” with any fictitious personal documents of such stolen children. For such Ukraine’s kidnapped children, criminal “tutelage” can then obtain fake “Russian citizenship” and transfer child to Russia for “adoption”.

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”. In particular, she states that the “refugees” massively hide their children from the occupational “administration”. This can be explained by the Ukrainian citizens’ understanding the corresponding risks for their own children in the occupied Crimea<sup>44</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>45</sup>. In the Russia-occupied Crimea a lot of children, transferred from Ukraine’s mainland, disappeared in April-May, 2022<sup>46,47,48</sup>. Later 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: “Druzhba”, “Zdravnitsa”, “Luchistiy”, “Mriya” and “Chaika”. Since November, 2022 the children have been in difficult living conditions, had significant problems with food and warm things.

Until December 2022, many Russia-controlled occupiers and collaborators did criminal “PR” on the background of children, and the last time these children were publicly mentioned in the aggressor’s propaganda on December 16. 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. During the removal of the children in December, 2022 the occupiers “told” this “personnel” that they were supposedly transporting them “to the *Moscow Oblast*”, but, the expert adds, there is no information about the current whereabouts

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<sup>38</sup> <https://arc.construction/29020>

<sup>39</sup> <https://arc.construction/32258>

<sup>40</sup> <https://arc.construction/29005>

<sup>41</sup> <https://arc.construction/33269>

<sup>42</sup> <https://arc.construction/28224>

<sup>43</sup> <https://arc.construction/29119>

<sup>44</sup> <https://arc.construction/32274>

<sup>45</sup> <https://arc.construction/30144>

<sup>46</sup> <https://arc.construction/29005>

<sup>47</sup> <https://arc.construction/32309>

<sup>48</sup> <https://arc.construction/28407>

of these children in open sources for month<sup>49</sup>. Criminal Russia-controlled “administration of the Kherson region” stated on January 19 that allegedly “more than a hundred children were evacuated from the Kherson region in early October, they were settled in sanatoriums in Yevpatoria” and that “now they are studying at school.”

In the “clarifying” material, distributed on January 20 by Russian propaganda in the Crimea, it was indicated that “128 children evacuated from Kherson have decided to leave in Yevpatoria for the time being”. And it directly follows from such occupiers’ “denials”, that they do not intend to say anything at all about the fate of more than one and a half thousand Kherson children, out of those almost 2 thousand that they announced in October<sup>50</sup>. After that, on January 26, the allegedly “oppositional” Russian publication “Verstka” stated that at least 14 orphans from Kherson were taken in 2022 by Russian invaders to the Simferopol occupiers-controlled “orphanage” “Yolochka”<sup>51</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>5253</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 have held at least 6,000 children from Ukraine’s mainland since Russia’s full-scale invasion on 24 February 2022. Experts has identified dozens of camps and many of the key figures coordinating these efforts, including the pro-Russia “re-education” of children and the suspended return of children from camps.

The separation of children from their parents for indefinite periods documented in this report, that 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. Among the camps, 12 are clustered around the Black Sea, 7 are in occupied Crimea, and 10 are clustered around the cities of Moscow, Kazan, and Yekaterinburg. Experts point that the exact number of facilities is likely significantly higher than identified in this report.

Report points that at two Crimea-located camps, “Artek” and “Medvezhonok”, aggressor-controlled “kindergarten” in “Artek”, children’s returns were suspended indefinitely according to parents. “Medvezhonok”, experts stress, is one of the largest camps identified, at one point hosting at least 300 children from Ukraine’s mainland<sup>54</sup>. Experts points that hundreds of children from Ukraine’s mainland were in two other camps, “Luchystyi” and “Orlyonok”, and that experts were has been unable to identify how many of these children have been reunited with their parents. It is unknown how many of Ukraine’s children Russia currently holds and how many have been released to their families, report adds.

On February, 23, 2023 the UN General Assembly called for ending the war in Ukraine and demanded Russia’s immediate withdrawal from the country, in line with the UN Charter; in resolution adopted UN GA deplored the dire human rights and humanitarian consequences of the aggression by the Russian Federation against Ukraine, including the continuous attacks against critical infrastructure across Ukraine with devastating consequences for civilians, and

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<sup>49</sup> <https://arcrimea.org/en/news/2023/01/15/disappearance-of-kidnapped-kherson-children-from-yevpatoria/>

<sup>50</sup> <https://arcrimea.org/en/news/2023/01/22/invadere-propaganda-and-missed-kherson-children/>

<sup>51</sup> <https://arcrimea.org/en/news/2023/01/27/new-questions-about-children-deported-by-occupiers/>

<sup>52</sup> <https://arcrimea.org/en/analytics/2023/01/26/new-fundamental-resolution-of-pace-regarding-russias-aggression/>

<sup>53</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>54</sup> <https://arcrimea.org/en/news/2023/02/15/american-researchers-confirmed-illegality-of-aggressors-deportation-ukrainian-children/>

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>55</sup>.

On February 24, 2023 OSCE officials and structures made a number of statements, condemning the Russia's atrocities<sup>56</sup>. OSCE ODIHR Director pointed out that human rights violations must end, and those responsible be held accountable. He pointed that OSCE Office has conducted interviews with some 140 survivors and witnesses of violations both in Ukraine and outside the country, finding credible evidence that the conduct of hostilities by the Russian Federation has been characterized by a general disregard for the basic principles set out by international humanitarian law<sup>57</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 conduct of its war of aggression, marked by extreme and deliberate brutality; the indiscriminate targeting of Ukrainian civilians and destruction of civilian infrastructure; *the kidnapping of thousands of Ukrainian children for forced adoption and assimilation*.

OSCE PA Bureau declared the duty to hold accountable, in co-ordination with Ukraine, those responsible for such crimes, including by supporting existing international judicial structures or mechanisms, and to consider the establishment of a special international tribunal for the crime of aggression. *The OSCE PA Bureau also called to support the children of Ukraine to overcome the trauma they have experienced*<sup>58</sup>.

Our Association sure that next urgent steps of the UN Special Rapporteur on trafficking in persons, especially women and children must be done in Ukraine, in condition of ongoing interstate conflict and hostilities, of ongoing Russia's criminal, discriminative and racist policy against Ukrainians' rights must be done, including all observation procedures and visits to Ukraine. We hope that above-pointed UN and OSCE special statements the regarding situation in Ukraine must be supported by next UN HRC's and UN HCHR' official positions.

Our Association believes that urgent, immediate steps of the UN OHCHR bodies must be done; monitoring procedure, mentioned in UN HRC resolution 49/1, must be enforced immediately. UN Special Rapporteur may communicate with ITU, FAO, ILO, IMO, IAEA authorized structures on this issue. UN Special Rapporteur's steps must counteract the gross human rights violations committed by Russian troops in Ukraine; **issue of illegal deportation of Ukrainian children by Russian forces must be reflected in UN Rapporteur's report.**

26th of February, 2023

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<sup>55</sup> <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/048/58/PDF/N2304858.pdf?OpenElement>

<sup>56</sup> <https://arcrimea.org/en/news/2023/02/25/osce-statements-were-made-on-large-scale-russian-aggression-anniversary/>

<sup>57</sup> <https://www.osce.org/odihr/537933>

<sup>58</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>