



ASSOCIATION OF REINTEGRATION
OF CRIMEA

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To Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

Russian War Crimes in Ukraine: Illegal Trafficking and Sexual Exploitation of Children

Our Association of Reintegration of Crimea (ARC)¹, is non-governmental expert and human rights organisation², with activities devoted to Crimea's issues. ARC's expert researches are related with human rights of Crimean residents and ethnic groups, including children rights. Since 2020 we sent more than 50 submissions and proposals to UN human rights' structures, major part of them were published in the UN web-sources, including the issues of violation the children rights, illegal child trafficking and children prostitution in the Crimea³

We informed UN structures that 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 and worsened significantly the possibilities of children rights realization and protection⁴.

As we pointed already to some UN bodies, since 24th of February 2022 Russia committed broad and open military aggression to all Ukraine's territory against Ukrainian mainland from own territory, and from the Russia-occupied Crimea, Belarus, Black and Azov seas.

Due last month of fights Russia occupied some territories of Chernigiv, Donetsk, Kharkiv, Kherson, Kyiv, Luhansk, Mykolaiv, Sumy, Zaporizhzhya, Zhitomir regions and strong fights are going near cities of Kyiv, Kharkiv, Mykolaiv and others with total population more than 10 millions persons near the frontline. During end of March, 2022 Ukraine returned back control over some districts in Kyiv, Sumy and Chernigiv regions.

In last weeks Russian troops committed in Ukraine, during this operation, gross violation of international humanitarian law and international human rights' law already⁵. Russia commenced an unprovoked invasion throughout Ukrainian territory, which is already causing catastrophic harms to Ukraine and its people, including destruction the children fundamental human rights⁶.

Due to such gross violation the human rights Ukraine immediately filed an application with the International Court of Justice (ICJ) on 25 February 2022⁷ and to the European Court of Human Rights⁸. Russian government refused to execute the demand of the European Court of Human Rights and the order of ICJ to immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine and to shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of those military operations.⁹

But on March 16, Russia stopped its participation in the Council of Europe and refused officially to execute the demands of European Convention on Human Rights, including all guarantees for children fundamental rights¹⁰.

¹ <https://arc.construction/>

² https://www.journal-officiel.gouv.fr/associations/detail-annonce/associations_b/20210005/1348

³ <https://www.ohchr.org/sites/default/files/Documents/Issues/Children/SR/GA76/Association-of-reintegration-of-crimer.pdf>

⁴ https://www.ohchr.org/sites/default/files/Documents/HRBodies/CEDAW/DGD24June2021/Oral_statements/Part1/31.DOC

⁵ <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

⁶ <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

⁷ <https://www.icj-cij.org/en/case/182>

⁸ <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

⁹ <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

¹⁰ <https://arc.construction/26897>

Russian troops, Russia-controlled mercenaries and “military commandant’s offices” created by Russian invaders on local level during March, 2022 in Chernihiv, Donetsk, Kharkiv, Kherson, Kyiv, Sumy and Zaporizhzhya regions, committed various war crimes¹¹¹²¹³¹⁴, including usage civil population, youth and children as hostages and “human shield”, and destruction objects of civil infrastructure, bomb the civil objects, including hospitals by missiles and artillery.

Maternity hospital and some shelters for older persons and children were knowingly and intentionally bombed in Mariupol by Russian troops in March, 2022⁶ with hundreds of victims¹⁵.

More than 10000 civil persons, including more than 150 children were killed by Russian troops and Russia-controlled mercenaries to 4th of April. During the Ukraine’s counter-offensive in Kyiv Region in 1-3 April, 2022 more than 400 dead civil persons were found by Ukrainian authorities in Kyiv Region, killed by Russian troops, including children¹⁶. A lot of such persons were killed or kidnapped by Russian troops as “non-loyal” ones¹⁷ and rape is usual punitive tool of Russian soldiers against Ukrainian civil population¹⁸.

There is reported that some children of age 10 years and less found killed, in Kyiv Region of Ukraine (Bucha, Irpin, Vorzel and other settlements) were raped before they were killed by Russian troops¹⁹. Human Rights Watch has documented several cases of Russian military forces committing laws-of-war violations against civilians in occupied areas of the Chernihiv, Kharkiv, and Kyiv regions of Ukraine. These include a case of repeated rape as a tool of Russian troops’ punitive actions against Ukrainian population²⁰.

Russian troops block the humanitarian corridors, established to evacuate civil population from local communities in hostilities zones to the government-controlled areas that are especially dangerous for children. In Mariupol Russian troops forcibly “evacuate” hundred of children, often without their parents, to the Russia and later nobody will know the destiny of those children. Same actions are done by Russian troops in other regions²¹²²²³ and persons forcibly replaced to Russia from the hostilities zones have any rights there and no practical possibility to leave Russia²⁴

In parts of Kherson and Zaporizhzhya regions, occupied by Russian troops, additional risks arise for the children, regarding risks of their trafficking and sexual exploitation, as Russian invaders block Ukraine’s judicial, legal enforcement and self-government bodies and established own “authorities” that have neither competence nor practice possibility to satisfy the vital demands of the local communities²⁵²⁶ and have direct relation with international criminal groups.

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 against civil population, including children, committed by Russian troops and paramilitaries are investigated by the Ukraine’s legal enforcement bodies and by prosecutors’ offices of some European countries.

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

¹¹ <https://www.bbc.com/ukrainian/features-60888528>

¹² <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

¹³ <https://www.bbc.com/news/world-europe-60547807>

¹⁴ <https://arc.construction/26892>

¹⁵ <https://news.un.org/en/story/2022/03/1113652>

¹⁶ <https://www.pravda.com.ua/rus/news/2022/04/3/7336895/>

¹⁷ <https://arc.construction/26918>

¹⁸ https://censor.net/en/news/3331011/rape_is_weapon_of_russians_british_ambassador_simmons

¹⁹ <https://www.mirror.co.uk/news/world-news/hunt-butchers-bucha-after-women-26627280>

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

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

²² <https://nv.ua/kharkiv/harkov-obstrelj-skolko-domov-razrusheno-dannye-31-marta-novosti-harkova-50229919.html>

²³ <https://www.pravda.com.ua/rus/news/2022/03/31/7336102/>

²⁴ <https://arc.construction/28557>

²⁵ <https://arc.construction/28469>

²⁶ <https://arc.construction/28310>

Mission in Ukraine de-facto stopped its activities since 7th of March;²⁷ later Russia blocked the prolongation such Mission's activities.

Russian invaders destroyed Ukrainian legal enforcement and court activities in the occupied territories so there victims of Russian troops and Russia-controlled mercenaries, including children, have no access to justice and aid. UN Human Rights Council 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 Russia²⁸.

On 8 March 2022 UN human rights experts called on Russia to immediately end its invasion of Ukraine to avoid further bloodshed and loss of life; experts recalled that intentional attacks against civilians and civilian objects amount to war crimes²⁹. In other UN experts' statements the negative impact of Russia's aggression on right to life of persons with disabilities was condemned³⁰, and relevant risks for women's right to life were pointed³¹.

All Ukraine's attempts for the peace-building, including peace talks and negotiations with Russian government were unsuccessful and Russia rejects all peace propositions and it refuses to execute the demands of ICJ and ECHR orders to stop the aggression and hostilities that are directly pointed against older people.

All those steps of the Nazi policy of Russian government and by the Russia-controlled "administrations" in Russia-occupied Crimea, South, North and East of Ukraine in areas sexual violence against children and sexual exploitation must be reflected in UN official position.

So Ukrainian children in hostilities zone and in Russia-occupied territories are extremely vulnerable groups that need urgent international protection.

Our Association believes that urgent, immediate steps of the UN OHCHR must be done including all observation procedures and immediate visits to Ukraine. Monitoring procedure, mentioned in HRC resolution 49/1, must be started immediately.

Our Association believes that urgent, immediate steps of the UN Special Rapporteur on protection Ukrainian children human rights in condition of ongoing interstate conflict and hostilities must be done including all observation procedures and immediate visit to Ukraine.

We hope that above-pointed special statements of the UN experts and rapporteurs regarding situation in Ukraine must be supported by next UN Rapporteur's steps reacting the Russia's ongoing Nazi policy and aggression in Ukraine, including war crimes against children.

Such UN steps must counteract the war crimes against children, sexual exploitation of children, and other child sexual abuse committed by the Russian troops in Ukraine in framework of Rapporteur's mandate.

4th April, 2022

Representative of the ARC
Dr. Borys Babin



²⁷ <https://www.osce.org/ru/special-monitoring-mission-to-ukraine/513430>

²⁸ <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

²⁹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

³⁰ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28200&LangID=E>

³¹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28201&LangID=E>