



ASSOCIATION OF REINTEGRATION
OF CRIMEA

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UN Working Group on Enforced or Involuntary Disappearances

Russian Aggression, Enforced Disappearances and New Technologies

Our Association of Reintegration of Crimea (ARC)¹, is non-governmental expert and human rights organisation², our expert researches are related with human rights and humanitarian issues, including their fundamental rights, informational rights, right to development, also as with issues of the transitional justice for Crimean peninsula, with relevant humanitarian, informational, economic, social and financial impacts.

Since 2020 we sent more than 100 submissions and proposals to UN human rights' strictures, major part of them were published in the official web-sources. Our experts researched the issues of migration consequences the Russian aggression against Ukraine, including internal displacement and relevant situation on the Russia-occupied territories³⁴⁵.

Association pointed in its submissions that Russia-controlled so called "courts" in the Crimea use Russian criminal law illegally where there is no special responsibility for the enforced disappearances at all. Association mentioned in its submission that, as Ukraine ratified the International Convention, 2006, by Law № 525-VIII (and Russia did not), regarding to demands of IV Geneva Convention Russia has to use in the Crimea Ukrainian laws but not own legislation. As according to the article 9 of Constitution of Ukraine International Convention, 2006 is a part of the national legislation of Ukraine, so Russia has to execute in the occupied Crimea and other occupied territories of Ukraine the demands of the Convention on the Protection of All Persons from Enforced Disappearances, but Russia refuses to do is.

As it is well-known, since 24th 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 persons⁶⁷⁸⁹¹⁰. 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 Crimea¹¹.

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/Slavery/SR/ReportHRC48/CSOs/ARC.pdf>

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

⁵ <https://arc.construction/25679>

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

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

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

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

¹⁰ https://www.ohchr.org/sites/default/files/2022-05/arc_replies-dp.pdf

¹¹ <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>

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 aggression¹². Russia-controlled troops and mercenaries committed in Ukraine, during this invasion, gross violation of international law already, including broad crimes against property, social and cultural rights and environment, attacks on medics, teachers, journalists, social, medical, educational informational infrastructure¹³¹⁴¹⁵¹⁶¹⁷¹⁸¹⁹²⁰.

All war crimes, committed by Russian invaders during ongoing hostilities, including enforced disappearances, are connected with absolutely clear Russia's war targets in maximal destruction the population and civil infrastructure, including objects, essential for all Ukrainian ethnic and social groups²¹. Those issues now are the subject of the investigation the International Criminal Court²². Due to gross violation the human rights Ukraine filed an application to the European Court of Human Rights also²³. 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 2022.²⁴

On March 16 2022, Russia was excluded from the Council of Europe and refused officially to execute the demands of European Convention on Human Rights²⁵ 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 Russia²⁶.

On 8 March 2022 UN human rights experts called on Russia to immediately end its invasion of Ukraine to avoid further bloodshed; experts recalled that intentional attacks against civilian objects amount to war crimes²⁷. In other UN experts' statements the negative impact of Russia's aggression on persons with disabilities and older persons was condemned²⁸, and relevant risks for women's right to life were pointed²⁹³⁰. UN Special Rapporteur on the right to adequate housing expressed on 9th of March the grave concerns about the serious violations of the right to adequate housing in Ukraine³¹.

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.³²

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 decades³³.

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

¹² <https://www.icj-cij.org/en/case/182>

¹³ <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

¹⁴ <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

¹⁵ <https://www.bbc.com/ukrainian/features-60888528>

¹⁶ <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

¹⁷ <https://www.bbc.com/news/world-europe-60547807>

¹⁸ <https://arc.construction/26892>

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

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://www.icc-cpi.int/ukraine>

²³ <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

²⁴ <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

²⁵ <https://arc.construction/26897>

²⁶ <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

²⁷ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

²⁸ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28200&LangID=E>

²⁹ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28201&LangID=E>

³⁰ <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatized-and-urgently-need-help-say-experts>

³¹ <https://arc.construction/26902>

³² <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatized-and-urgently-need-help-say-experts>

³³ <https://digitallibrary.un.org/record/3959039?ln=ru>

civilian population and civilian infrastructure that is critical to the delivery of essential services in armed conflict³⁴.

On 7 April 2022 the UN General Assembly adopted a resolution ES-11/3³⁵ calling for Russia to be suspended from the Human Rights Council³⁶.

The UN Human Rights Council adopted on 12th of May a resolution on the deteriorating human rights situation in Ukraine where pointed that Russia should immediately cease its aggression, and provide international human rights and humanitarian institutions with unhindered, immediate and safe access to persons transferred from conflict-affected areas³⁷.

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 zones³⁸³⁹.

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. Russian occupation of Kherson, Melitopol and other cities in Southern Ukraine in March-May 2022 led to mass actions of resistance to the aggressor⁴⁰. 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 Kherson⁴¹ and Zaporizhzhya⁴² 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 will of the local inhabitants⁴³ 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 services⁴⁴.

Those Russia’s illegal activities on Russia-occupied territories of Ukraine’s mainland and in the Russia-occupied Crimea, including killing and kidnapping the displaced persons brutally violate Ukrainians’ right to freedom, security, their respect for private and family life and correspondence, to receive and impart information.

As Russia-controlled punitive structures use control over mobile communications and Internet to find the victims for the enforced disappearances, such Russia’s illegal activities also violate brutally articles 40, 42, 45 and 47 of the Constitution of the ITU, norms of Convention of the ITU, and its Administrative Regulations, including Unions’ resolutions such

³⁴ <https://digitallibrary.un.org/record/3966630?ln=en>

³⁵ <https://digitallibrary.un.org/record/3967950?ln=ru>

³⁶ <https://news.un.org/en/story/2022/04/1115782>

³⁷ <https://arc.construction/31039>

³⁸ <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

³⁹ <https://www.bbc.com/news/world-europe-60547807>

⁴⁰ <https://arc.construction/26918>

⁴¹ <https://arc.construction/27771>

⁴² <https://arc.construction/28052>

⁴³ <https://arc.construction/29020>

⁴⁴ <https://arc.construction/32258>

as resolution R 800 “Telecommunications, an important factor in economic and social development: role of the ITU in this domain”⁴⁵.

According to our sources in the Crimea, all Ukrainian minors taken in this way from the war zone to the peninsula are subject to criminal “sorting”. Children with serious injuries must be referred exclusively to the Black Sea Fleet Military Hospital in Sevastopol, which by definition is not intended for the treatment of children. It is likely that Ukrainian children will not be treated there, but used as posthumous donors of organs, spinal cord, plasma and blood to “treat” wounded Russia’s soldiers in the “best traditions” of Nazis of World War II.

Ukrainian children that were deported from the mainland and dead in hospitals in Crimea and Sevastopol, are not subject to any registration as patients there at all; according to the documentation of the hospitals controlled by the aggressor, “they have never been there”⁴⁶. A lot of displacing persons, including children, disappeared after they were captured by Russians to the so-called “filtration camps”.⁴⁷

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”⁴⁸.

On April, 2022 the aggressor-controlled local newspaper “Yevpatoriyska Zdravnitza” published a de facto instruction for similar scheme of criminal “re-registration”, under the cynical name “there are no other people’s children”. The publication quotes the so-called “head of the department of guardianship and custody of the department for minors and protection of their rights”, acting in Russia-controlled “administration of Yevpatoria” Irina Cherletskaya. She claims that children taken from the Ukraine’s mainland who were deprived of their parents or whose parents were killed by Russian invaders are “registered” in Crimea by occupiers in form of so-called “temporary tutelage”⁴⁹.

Thus, the “charitable services” controlled by the occupiers, 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 the protection of children’s rights” of Sevastopol, ██████████ 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, which have developed in the occupied Crimea, where “Ukrainian children” disappear en masse in hospitals and are taken out to Russia by “philanthropists” controlled by Russian special services, where they are criminally “adopted” as allegedly “Russian citizens”, especially with other names⁵⁰.

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 mainland⁵¹. In the Russia-occupied Crimea a lot of children, transferred from Ukraine’s mainland, disappeared in April-May,

⁴⁵ <https://www.itu.int/council/pd/council-res-dec-e.docx>

⁴⁶ <https://arc.construction/29005>

⁴⁷ <https://arc.construction/33269>

⁴⁸ <https://arc.construction/28224>

⁴⁹ <https://arc.construction/29119>

⁵⁰ <https://arc.construction/32274>

⁵¹ <https://arc.construction/30144>

2022⁵²⁵³⁵⁴. 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 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. Local residents were involved in the “camps” as support “staff” in the fall, but they were strictly forbidden to exchange any contact information with the children.

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 of these children in open sources for month⁵⁵. 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, for example – “Krymskaya Pravda”, it was indicated that “128 children evacuated from Kherson have decided to leave in Yevpatoria for the time being”. Any photo and video evidence of the presence of these children in occupied Yevpatoria in 2023 was given. 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 October⁵⁶.

After that, on January 26, the allegedly “oppositional” Russian publication “Verstka” (“Nimage”) stated that at least 14 orphans from Kherson were taken in 2022 by Russian invaders to the Simferopol occupiers-controlled “orphanage” “Yolochka”.

The “Verstka” article provides various photographic materials regarding this deportation, states its illegality, as well as its correlation with evidence of the genocide of Ukrainians by the aggressor. It is characteristic that the authors of the article stated that “the specific location of the children was found out from the photographs that were published on the website “Adoption in the *Moscow Oblast*””⁵⁷.

Next search of this children and returning them to Ukraine, as the PACE and Euro Parliament resolutions 2482 (2023) and 2022/2049 directly point⁵⁸⁵⁹, demand usage modern technologies, including genetic expertise.

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 ECtHR orders to stop the aggression and hostilities that are directly pointed against the Ukrainians’ rights to life, freedom, movement, health and not to

⁵² <https://arc.construction/29005>

⁵³ <https://arc.construction/32309>

⁵⁴ <https://arc.construction/28407>

⁵⁵ <https://arcrimea.org/en/news/2023/01/15/disappearance-of-kidnapped-kherson-children-from-yevpatoria/>

⁵⁶ <https://arcrimea.org/en/news/2023/01/22/invaders-propaganda-and-missed-kherson-children/>

⁵⁷ <https://arcrimea.org/en/news/2023/01/27/new-questions-about-children-deported-by-occupiers/>

⁵⁸ <https://arcrimea.org/en/analytics/2023/01/26/new-fundamental-resolution-of-pace-regarding-russias-aggression/>

⁵⁹ https://www.europarl.europa.eu/doceo/document/TA-9-2023-0011_EN.html

become a victim of enforced disappearance.

Next urgent, immediate steps of the UN Working Group on Enforced Disappearances 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 special statements of the UN experts and rapporteurs regarding situation in Ukraine must be supported by next UN HRC's and UN High Commissioner for Human Rights' 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 Committee on Enforced Disappearances may communicate with ITU, FAO, ILO, IMO, IAEA authorized structures on this issue.

UN Working Group on Enforced Disappearances steps must counteract the gross human rights violations committed by the Russian troops in Ukraine; such steps must be in compliance with the activities of the Human Rights Council and in the framework of High Commissioner for Human Rights' and Human Rights Council's mandates.

2nd of February, 2023

Representative of the ARC



A handwritten signature in blue ink, written over the ARC logo.