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***To UN Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences***

**Situation with Criminal Groups and Forced Labour in the Crimea**

*Submission for Report*

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The Association of Reintegration of Crimea[[1]](#footnote-1), as a registered non-governmental organisation, herewith submits the following responses (submission) to the questionnaire of the UN Special Rapporteur on contemporary forms of slavery including its causes and consequences on issues of the role of organised criminal croups with regard to contemporary forms of slavery, regarding the situation on the Crimean peninsula, for the Special Rapporteur’s forthcoming report to the 76th session of the General Assembly.

Our Association already informed the Special Rapporteur in March, 2021 by submission 016/2021 on issues of nexus between forced displacement and contemporary forms of slavery, regarding the situation on the Crimean peninsula, for the Special Rapporteur’s forthcoming report to the 48th session of the Human Rights Council[[2]](#footnote-2). Similarly, this submission deals with the question of forced labour as a contemporary form of slavery at the Autonomous Republic of Crimea and the city of Sevastopol (hereinafter – Crimea). The Association’s response addresses the issues identified by the Association in the course of its work, namely the issue of intentional and organized Russian policies undermining the civil and labour rights of the residents of Crimea.

The illegal occupation and attempted annexation of Crimea by Russia since 2014 have been condemned in a series of international acts, including UN GA resolutions 2014 68/262, 2016 71/205, 2017 72/190, 2018 73/263 2019 74/168, 2020 75/192, 2018 73/194, 2019 74/17, 2020 75/29[[3]](#footnote-3), resolutions of the OSCE Parliamentary Assembly, of the Parliamentary Assembly of the Council of Europe 1988 (2014), 2028 (2015), 2067 (2015), 2112 (2016), 2132 (2016), 2145 (2017), 2198 (2018), 2231 (2018) etc., of the European Parliament’s resolutions 2014/2841 (RSP), 2014/2965 (RSP), 2016/2556 (RSP), 2016/2692 (RSP), 2017/2596 (RSP), 2017/2869 (RSP), 2018/2754 (RSP), 2018/2870 (RSP), 2019/2734 (RSP), 2019/2202 (INI) etc.

Thus, the international community never recognized the attempted annexation of Crimea by Russia. Human rights violations in the Crimea now are the subject to consideration in international courts, including the International Court of Justice (case 166)[[4]](#footnote-4) and the European Court of Human Rights (case 20958/14 and others).[[5]](#footnote-5)

We have already informed the Special Rapporteur that the policy of Russian de-facto authorities in Crimea includes the discrimination of the citizens of Ukraine in Crimea that refused or could not get the so-called “Russian citizenship” after 2014, when Russia declared Crimean peninsula as allegedly “own territory”. Such Ukrainian citizens resided in Crimea before the attempted annexation or resettled to the peninsula later due to Russian aggression on the East of Ukraine and the ongoing armed conflict there. Such Ukrainian citizens in Crimea are determined by the Russian de-facto authorities as “foreigners”, which have to get the “residence permits” and the “special allowance” to work. But in reality thousands of such persons cannot have the “residence” and the “special allowance” in the Crimea, due to the system of total corruption, bureaucracy and politic position of the Russian de-facto authorities in this region[[6]](#footnote-6).

As the Office of the UN High Commissioner for Human Rights (OHCHR) pointed out in its thirty-first report on the human rights situation in Ukraine, based on the work of the UN Human Rights Monitoring Mission in Ukraine (p. 104), in 2020, the “courts” in Crimea issued deportation and forcible removal orders against at least 178 individuals considered “foreigners” under the RF immigration law, including 105 Ukrainian citizens (93 men and 12 women). Those Ukrainian citizens who were ordered to leave Crimea either did not possess RF passports, had registration or “propyska” in mainland Ukraine, or failed to apply for or to obtain Russian “residence permits”, and were thus considered as “not having residency rights in Crimea”[[7]](#footnote-7).

Throughout 2019 more than 360 persons have been deported from Crimea, mostly from the Simferopol, Sevastopol and Southern Coast of Crimea as the part of the purposeful policy of the Russia de-facto authorities to “squeeze out” the undesirable population[[8]](#footnote-8). For those purposes, the so-called “courts” in the Crimea regularly used the article 18.8 of the Administrative Offences Code of Russia (“Violation by the foreigner of the regime of residence in Russia”). However, sometimes the so called “courts” referred to the article 18.10 of this Code (“Illegal labour activities of a foreigner in Russia”)[[9]](#footnote-9).

Some of the cases of this type were used by Russian state propaganda, for its hate speech activities against Ukraine, Ukrainians, and citizens of Ukraine. For example, in February 2018 Russia’s official media “Rossiyskaya Gazeta”, published by the Government of Russia, published the article “23 Ukrainian Gastarbeiters Were Deported from Crimea” devoted to the punishment by the abovementioned articles 18.8 and 18.10 of the group of workers, used in the kindergarten’s reconstruction in Novoozernoye settlement (Western Crimea)[[10]](#footnote-10). Even the term “gastarbeiters”, used before exclusively by the Nazi regime in Germany, shows by itself the real attitude of the Russian de-facto authorities to the Ukrainian citizens’ labour rights. Therefore, all such Ukrainian citizens in the Crimea are vulnerable, since their work is labelled as “illegal” without any guarantees and with minimal possible payments. As we have previously informed the Special Rapporteur, such work of Ukrainians in own State’s territory, illegally occupied by Russia, is de-facto a specific contemporary form of slavery[[11]](#footnote-11). It is worth noting that Russia in own submission to the Special Rapporteur gave only short review of its own legislation, but no any practical data on issues of forced labour. At that, Russia did not provide information on the issue of Crimea and other territories of Ukraine, illegally controlled by the Russia.[[12]](#footnote-12)

Due to the role of organised criminal groups in contemporary forms of slavery, we would like to inform Special Rapporteur additionally on those issues regarding the situation on the Crimean peninsula. In this submission, we shall not touch upon such kinds of forced labour in the Crimea as works of “prisoners” and persons subjected to “administrative arrest” by Russian de-facto authorities and of Crimean residents, conscripted illegally to the Russian army. Those issues, as a key part of illegal Russian state policy in the contested peninsula, constitute international crimes that are now under consideration of the International Criminal Court[[13]](#footnote-13).

However such crimes, related to forced labour of Crimean residents, are committed exactly by the Russian de-facto authorities, not by the separate criminal groups.

*Coming to issue of the criminal groups’ activities would like to bring your attention to the following facts.*

1. Criminal groups, involved in contemporary forms of slavery, are closely connected to Russia’s special services and to the so-called “Crimean republican authorities”[[14]](#footnote-14).

1.a. There exists abundant evidence of slavery in the Crimea first of all in area of housing industry and building the infrastructural projects of Russia in peninsula. Our Association has information concerning such facts in Foros, Yalta[[15]](#footnote-15), Yevpatoria, Sevastopol, and other places[[16]](#footnote-16)[[17]](#footnote-17). The abovementioned use of forced labour for the reconstruction of kindergarten in Novoozernoye settlement has the same nature.

Despite of this, no “criminal cases” or “court decisions” have been initiated or finalized in the Crimea by Russia de-facto authorities. In 2015-2017 (no recent information is available from open sources) no criminal cases on issues of the forced labour (articles 127-1 “Human Trafficking”, 127-2 “Use the Slavery Labour” of the Russia’s Criminal Code, illegally implemented in Crimea since 2014) have been under consideration in the Russia’s “courts” illegally established in Crimea[[18]](#footnote-18).

1.b. Such groups have features of ethic-grounded criminal entities that operate in Yalta[[19]](#footnote-19), Alushta[[20]](#footnote-20) and other places. They have close connection with “Crimean republican authorities” as the “Head of the Republic of Crimea” Sergey Aksyonov[[21]](#footnote-21), “Head of State Council of the Republic of Crimea” Vladimir Konstantinov[[22]](#footnote-22), head of “Supreme Court of the Republic of Crimea” Igor Radionov[[23]](#footnote-23) and others.

Sergey Aksyonov played a key role in the criminal group “Seylem” before 2014, while Vladimir Konstantinov is a de facto boss of the building concern “Consol” closely connected with the criminal world. Thus, the criminal groups that use forced labour in Crimea (mostly in building industry), are subordinated and closely cooperate with the Russian de facto authorities.

1.c. These criminal groups operate internationally, with connections to some regions of Russia like Moscow Region[[24]](#footnote-24), Ossetia[[25]](#footnote-25), Chechnya, Tatarstan, Bashkortostan[[26]](#footnote-26) and Ukraine’s mainland. The Armenian ethnic criminal group from Yalta is connected with child trafficking and child pornography, as well as with forced labour in building sector, and in the same time this group is the key sponsor of so-called “Friends of Crimea” project[[27]](#footnote-27), co-ordinated by the Russian government, with participation of some extremist and marginal politicians from Austria[[28]](#footnote-28), Italy, Germany, France[[29]](#footnote-29) etc.

2. The nature of criminal groups’ involvement in contemporary forms of slavery in the Crimea is broad.

2.a. Their primary form of involvement is the use of forced labour in the residence housing construction sector, however, such forced labour is also used in agricultural and trading sectors.

2.b. The key areas of illegal activities where individuals are being exploited by the organised criminal groups are the drug distribution and prostitution.

2.c. Forced labour in the Crimea is widely used in the construction sector and is present in the agriculture and domestic work.

2.d. The “Crimean authorities”, including the highest “judges” are totally corrupted and connected to the organised criminal groups that enjoy impunity.

2.e. The participation of the Crimean organised criminal groups in contemporary forms of slavery poses additional challenges to the identification of victims as there are no effective remedies in the occupied peninsula as a “grey zone”[[30]](#footnote-30).

3. Legislative frameworks to combat the contemporary forms of slavery are absent in Crimea, as Russia illegally applies its own legislation on the occupied territory since 2014, including in criminal and administrative proceeding. Ukraine has no possibility to use its own legislation as it does not control this region.

3.a. Russia does not provide the current statistics regarding Crimea and on 2017 there was no case related to combating of human trafficking or forced labour in Crimea. 3.b. The illegal application of Russia’s criminal legislation and “Russian law enforcement system” combined with total corruption lead to the involvement of organised criminal group as an aggravating factor increasing penalties.

3.c. Russia’s de-facto authorities do not promote intelligence-led law enforcement to combat contemporary forms of slavery. They use such technologies only for persecution their politic opponents and pro-Ukrainian civil initiatives in the Crimea.

3.d. Russia’s de-facto authorities do not support any legislative frameworks providing for sufficient safeguards against abuse.

3.e. Russia’s de-facto authorities illegally apply the Russian criminal legislation in Crimea in a formalistic manner on issues such as money laundering and criminal asset recovery but do not persecute those processes where those de-facto authorities closely participate.

3.f. Russia’s de-facto authorities apply illegal practices of “nationalization” against the property of their political opponents (such as pro-Ukrainian residents), but not against criminal groups.

3.g. Russia’s de-facto authorities in Crimea do not combat corruption and obstruction of justice committed by the organised criminal groups in relation to contemporary forms of slavery in the region.

3.h. Russia’s de-facto authorities do not protect witnesses in criminal proceedings involving organised criminal groups in Crimea, and since 2014 no criminal proceedings have been initiated against organised criminal groups in Crimea.

4. The victims’ and survivors’ have no access to justice and to remedies in Crimea.

4.a-f. Any types of assistance are not provided to victims enslaved by the organised criminal groups in the Crimea. No compensations are paid, no protection is provided.

5. Other questions are closely related to the occupation of Crimea.

5.a. The key challenge to combating contemporary forms of slavery committed by organised criminal groups in the Crimea is the illegal occupation and the attempted annexation of the peninsula by Russia that directly caused the emergence of corrupted model of de-facto authorities in the region, closely connected to the criminal groups. The Russian officials use the tactics of appointing the representatives of the criminal clans for the positions at the “government” and “administrative” bodies, which gives the Russian federal authorities total control over such persons.

5.b. Russia does not use correct international cooperation tools to tackle transnational organized crime relating to contemporary forms of slavery in Crimea.

5.c. COVID-19 affected the modus operandi of the organised criminal groups in Crimea as checkpoints between Crimea and the mainland of Ukraine were closed in 2020 so the migration flows have changed.

The Association of Reintegration of Crimea believes that a special research on the contemporary forms of slavery in situations of armed conflicts and related “grey zones” like Crimean peninsula, made by the UN Special Rapporteur, may be a starting point for improvement of the situation. The Special Rapporteur’s visit to Ukraine, including Crimea would contribute to collection of information, and would enable the Rapporteur to make a first-hand impression of the situation with contemporary forms of slavery.

13th April, 2021

Representative of the Association of Reintegration of Crimea

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1. https://arc.construction/ [↑](#footnote-ref-1)
2. https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/CSOs/ARC.pdf [↑](#footnote-ref-2)
3. for example, https://undocs.org/en/A/RES/73/263 [↑](#footnote-ref-3)
4. https://www.icj-cij.org/public/files/case-related/166/166-20191108-JUD-01-00-EN.pdf [↑](#footnote-ref-4)
5. http://hudoc.echr.coe.int/eng?i=001-207622 [↑](#footnote-ref-5)
6. https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/CSOs/ARC.pdf [↑](#footnote-ref-6)
7. https://www.ohchr.org/Documents/Countries/UA/31stReportUkraine-en.pdf [↑](#footnote-ref-7)
8. https://crimeahrg.org/ru/v-krymu-shtrafuyut-i-vydvoryayut-ukrainczev-ne-poluchivshih-rossijskie-pasporta/ [↑](#footnote-ref-8)
9. http://docs.cntd.ru/document/901807667 [↑](#footnote-ref-9)
10. https://rg.ru/2018/02/13/reg-ufo/iz-kryma-deportirovali-23-ukrainskih-gastarbajtera.html [↑](#footnote-ref-10)
11. https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/CSOs/ARC.pdf [↑](#footnote-ref-11)
12. https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/States/Russian%20Federation-Ru.docx [↑](#footnote-ref-12)
13. https://www.icc-cpi.int/ukraine [↑](#footnote-ref-13)
14. https://arc.construction/5153?lang=ru [↑](#footnote-ref-14)
15. https://arc.construction/10072 [↑](#footnote-ref-15)
16. https://arc.construction/9848 [↑](#footnote-ref-16)
17. https://arc.construction/9185 [↑](#footnote-ref-17)
18. http://vs.krm.sudrf.ru/modules.php?id=75&name=docum\_sud [↑](#footnote-ref-18)
19. https://arc.construction/10072 [↑](#footnote-ref-19)
20. https://arc.construction/10172 [↑](#footnote-ref-20)
21. https://arc.construction/8656 [↑](#footnote-ref-21)
22. https://arc.construction/6015 [↑](#footnote-ref-22)
23. https://arc.construction/8712 [↑](#footnote-ref-23)
24. https://arc.construction/10705 [↑](#footnote-ref-24)
25. https://arc.construction/3537 [↑](#footnote-ref-25)
26. https://arc.construction/13499 [↑](#footnote-ref-26)
27. https://arc.construction/10072 [↑](#footnote-ref-27)
28. https://arc.construction/8345 [↑](#footnote-ref-28)
29. https://arc.construction/13035 [↑](#footnote-ref-29)
30. https://arc.construction/5153?lang=ru [↑](#footnote-ref-30)