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*To Special Rapporteur on contemporary forms of slavery, including its causes and its consequences*

***Russian Aggression against Ukraine, Illegal Deportation and Minors Slavery Issues***

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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>. Since 2020 we sent more than 100 submissions and proposals to UN human rights' strictures, including the issues of violating the Crimean inhabitants' rights of free labour<sup>34</sup>, including slavery issues<sup>5</sup>, displacement and relevant situation on the Russia-occupied territories<sup>6</sup>.

*Sending answers to Special Rapporteur's questionnaire.*

1. 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. Systematic gross violations of the human rights, racial discrimination of ethnic Crimean Tatars and Russians, including forced labour, were committed in last nine years by Russia in the Crimea, were condemned by the UN GA resolutions<sup>7</sup>, resolutions of the OSCE Parliamentary Assembly, of the PACE, of the European Parliament's resolutions etc. Gross human rights' violations, are now subject to consideration in International Court of Justice (ICJ) (case 166)<sup>8</sup> and the European Court of Human Rights (ECHR, case 20958/14 and others).<sup>9</sup> UN GA Resolution 76/179 on 16 December 2021<sup>10</sup> condemned the reported serious violations and abuses committed by Russia against residents of the Crimea.

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<sup>111213141516</sup>.

Ukraine immediately filed an Application with the ICJ on 25 February 2022. Russia refused to execute the ICJ order in this case to stop the aggression<sup>17</sup>. Russia-controlled troops and mercenaries committed in Ukraine, during this invasion, gross violation of international

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

<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/Documents/Issues/Slavery/SR/Submissions/CSOs/Association-of-reintegration-of-Crimea.docx>

<sup>4</sup> <https://www.ohchr.org/Documents/Issues/Slavery/SR/ReportHRC48/CSOs/ARC.pdf>

<sup>5</sup> <https://owncloud.unog.ch/s/65CjhIlud3G2yBu?path=%2FCivil%20Society%20Organizations>

<sup>6</sup> <https://www.ohchr.org/sites/default/files/Documents/Issues/Children/SR/GA76/Association-of-reintegration-of-crimer.pdf>

<sup>7</sup> for example, <https://undocs.org/en/A/RES/73/263>

<sup>8</sup> <https://www.icj-cij.org/public/files/case-related/166/166-20191108-JUD-01-00-EN.pdf>

<sup>9</sup> <http://hudoc.echr.coe.int/eng?i=001-207622>

<sup>10</sup> <https://undocs.org/en/A/RES/76/179>

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

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

<sup>13</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea.pdf>

<sup>14</sup> <https://www.ohchr.org/sites/default/files/2022-04/association-reintegration-crimea.pdf>

<sup>15</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>16</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>17</sup> <https://www.icj-cij.org/en/case/182>

law<sup>18</sup>19202122232425. Those issues now are the subject of the investigation the International Criminal Court (ICC)<sup>26</sup> Due to gross violation the human rights Ukraine filed an application to the ECHR also<sup>27</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>28</sup>

On March 16 2022, Russia was excluded from the Council of Europe and refused to execute the demands of European Convention on Human Rights<sup>29</sup> that guarantees rights to life, freedom and safe migration. UN 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>30</sup>.

On 8 March 2022 UN human rights experts called on Russia to immediately end its invasion of Ukraine<sup>31</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>32</sup>

UN General Assembly (UN GA) 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>33</sup>. UN GA 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>34</sup>.

On 7 April 2022 the UN GA adopted a resolution ES-11/3<sup>35</sup> calling for Russia to be suspended from the HRC<sup>36</sup>. The UN HRC adopted on 12th of May a resolution on the deteriorating human rights situation in Ukraine<sup>37</sup>.

**2.** 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<sup>38</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 and enforcing persons to labor on aggressor’s military purposes<sup>40</sup>.

Since March 2022 Russia made sustainable illegal steps to prepare crime of attempted annexation the territories of Donetsk, Luhansk, Kherson and Zaporizhzhya regions of Ukraine<sup>41</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, including the persons who got to slavery and enforced labour situation.

<sup>18</sup> <https://sofrep.com/news/russian-soldiers-gang-raped-ukrainian-woman-as-her-child-was-crying-in-the-next-room/>

<sup>19</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220307-PRE-01-00-EN.pdf>

<sup>20</sup> <https://www.bbc.com/ukrainian/features-60888528>

<sup>21</sup> <https://hromadske.radio/en/news/2022/03/09/members-of-the-wagner-group-have-been-killed-in-ukraine>

<sup>22</sup> <https://www.bbc.com/news/world-europe-60547807>

<sup>23</sup> <https://arc.construction/26892>

<sup>24</sup> <https://news.un.org/en/story/2022/03/1113652>

<sup>25</sup> <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>

<sup>26</sup> <https://www.icc-cpi.int/ukraine>

<sup>27</sup> <https://hudoc.echr.coe.int/eng-press?i=003-7282553-9922068>

<sup>28</sup> <https://www.icj-cij.org/public/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>

<sup>29</sup> <https://arc.construction/26897>

<sup>30</sup> <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Pages/ResDecStat.aspx>

<sup>31</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=28231&LangID=E>

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

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

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

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

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

<sup>37</sup> <https://arc.construction/31039>

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

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

<sup>40</sup> <https://arc.construction/26918>

<sup>41</sup> <https://arc.construction/29020>

3. 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”. A lot of displacing persons, including children, disappeared after they were captured by Russians to the so-called “filtration camps”. 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”.

On April, 2022 the aggressor-controlled newspaper “Yevpatoriyska Zdravnitza” published a de facto instruction for similar scheme of criminal “re-registration”. 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” **as de-facto form of slavery for Ukrainian minors.**

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”. Ukrainian citizens well understand the corresponding risks for them and their own children in the occupied Crimea<sup>42</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. In the Russia-occupied Crimea a lot of children, transferred from Ukraine’s mainland, disappeared in April-May, 2022. 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.

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 is no information about the current whereabouts of part of these children in open sources for month<sup>43</sup>.

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>44</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>45</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>46,47</sup>, demand usage modern technologies, including genetic expertise.

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<sup>42</sup> <https://arc.construction/32274>

<sup>43</sup> <https://arcrimea.org/en/news/2023/01/15/disappearance-of-kidnapped-kherson-children-from-yevpatoria/>

<sup>44</sup> <https://arcrimea.org/en/news/2023/01/22/invaders-propaganda-and-missed-kherson-children/>

<sup>45</sup> <https://arcrimea.org/en/news/2023/01/27/new-questions-about-children-deported-by-occupiers/>

<sup>46</sup> <https://arcrimea.org/en/analytcs/2023/01/26/new-fundamental-resolution-of-pace-regarding-russias-aggression/>

<sup>47</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)

“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.

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<sup>48</sup>. Experts points that hundreds of children from Ukraine’s mainland were in two other camps, “Luchisty” 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 GA called for ending the war in Ukraine and demanded Russia’s immediate withdrawal from the country and expressed grave concern at the high number of internally displaced persons and refugees in need of humanitarian assistance, and violations and abuses committed against children<sup>49</sup>.

On February 24, 2023 OSCE officials and structures made a number of statements, condemning the Russia’s atrocities<sup>50</sup><sup>51</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 declared the duty to hold accountable, in co-ordination with Ukraine, those responsible for such crimes, and also called to support the children of Ukraine to overcome the trauma they have experienced<sup>52</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 Alekseyevna Lvova-Belova, bore responsibility for the unlawful deportation of Ukrainian children<sup>53</sup> as modern illegal form of slavery for Ukrainian minors<sup>54</sup>.

**7. Our Association proposes such possible ways of work for international organizations and human rights sector regarding above-pointed issues.**

7.1. Preparing researches on international and national legal qualification of enforced deportation of Ukrainian children and methodic recommendations for organization or investigation such crimes and restoring rights of departed children in international and third countries’ jurisdictions, presentation of such proposals on relevant human rights international platforms.

7.2. Preparing reports for OSCE, CoE and UN structures regarding data of illegal deportation of Ukrainian children, relevant national legal proceedings and organizational steps, Ukraine’s governing structures and NGO activities.

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<sup>48</sup> <https://arcrimea.org/en/news/2023/02/15/american-researchers-confirmed-illegality-of-aggressors-deportation-ukrainian-children/>

<sup>49</sup> <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/048/58/PDF/N2304858.pdf?OpenElement>

<sup>50</sup> <https://arcrimea.org/en/news/2023/02/25/osce-statements-were-made-on-large-scale-russian-aggression-anniversary/>

<sup>51</sup> <https://www.osce.org/odihr/537933>

<sup>52</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>53</sup> <https://www.icc-cpi.int/news/situation-ukraine-icc-judges-issue-arrest-warrants-against-vladimir-vladimirovich-putin-and>

<sup>54</sup> <https://arcrimea.org/en/analytics/2023/03/04/deportation-of-ukrainian-youth-by-russian-invaders-specifics-of-legal-response/>

7.3. Cooperation with OSCE, CoE and UN monitoring missions in Ukraine on issues providing data of illegal Ukrainian minors' slavery.

7.4. Collecting and systematizing data about person and legal entities, responsible for organization, financial, information support of illegal Ukrainian minors' slavery, monitoring their criminal procedural and sanction regime.

7.5. Training for international standards and best national practices for Ukrainian human rights defenders, activists, investigators, prosecutors, barristers and judges involved in cases, connected with counteraction of illegal Ukrainian minors' slavery.

7.6. Primary and secondary legal aid for victims of illegal deportation of Ukrainian minors' slavery in national proceedings and submissions to UN conventional bodies and International Criminal Court.

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

We hope that next special statements of the UN Special Rapporteur in framework of Rapporteur's mandate on the Russia's slavery policy on occupied territories of Ukraine and of the Russia's aggression, on Russia's war crimes, committed in Ukraine, will be extremely important for further defense of rights of Ukrainian citizens in the zone of conflict and in the occupied territories in Ukraine.

31<sup>st</sup> of March, 2023

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