

Analytical Report 6–20 April 2022

Evidence of war crimes and violations of international humanitarian law committed by the Russian Federation during its campaign of military aggression against Ukraine

During the reporting period, there were new reports of torture and mass executions of civilians within the territories of Kyiv, Sumy, and Chernihiv Oblasts that were occupied by Russian forces. Ukrainians are being drafted into the Russian army in Russian-occupied Crimea, as well as in parts of Kharkiv, Donetsk, Luhansk, and Zaporizhzhia Oblasts that are also currently under Russian occupation. Russian forces continue to deport hundreds of Ukrainians from occupied territories to Russia. The Russian military is preventing civilian evacuations from and humanitarian relief to occupied territories, subjects civilians to sexual violence, and pillages and destroys civilian and public property. Russia continues to relentlessly bombard the eastern and southern regions of Ukraine and is carrying out targeted strikes all over Ukraine, killing hundreds of civilians and destroying residential neighbourhoods and critical infrastructure.

During the reporting period, the Armed Forces of the Russian Federation committed the following war crimes and serious violations of international humanitarian law: (1) torture and willful killings; (2) sexual violence; (3) unlawful attacks on civilians; (4) attacks on civilian objects; (5) attacks on specially protected objects; (6) impeding humanitarian relief and evacuation of civilians; (7) forcible transfer of civilian population; (8) pillage and appropriation of property; (9) using human shields; (10) Taking of hostages; (11) forced military conscription; and (12) attacks causing severe environmental damage.¹

¹ The number of war crimes committed by Russian forces during the reporting period is not limited to those analysed in this report. The total number is much higher. The cases that were included in this report were analysed as exemplary cases of war crimes and breaches of international humanitarian law committed by Russia.

1) Torture and willful killings

International criminal law (ICL) and international humanitarian law (IHL) forbid torture and inhumane treatment of any persons regardless of whether they are military or civilian.² ICL and IHL also forbid making civilians the objects of attack and killing them.³ These two types of war crimes and IHL violations are analysed in this report in one section as in all cases of torture, analysed in this section, the victims were found dead. Violations of the prohibition on killings of civilians, as well as torture and inhumane treatment are grave breaches of IHL.⁴ Both torture and killings also constitute war crimes and/or crimes against humanity.⁵

During the reporting period, there were new records of mass executions of civilians by Russian occupying forces in the oblasts of Kyiv, Sumy, and Chernihiv. Local authorities report more than 1,000 civilians dead in Kyiv Oblast, more than 100 in Sumy Oblast, and around 700 civilians and soldiers killed in Chernihiv Oblast.

08/04/2022: It became clear that in Gusarivka, Iziium District, Kharkiv Oblast, Russian troops tortured three local residents during their occupation and then tried to burn their bodies.⁶

During the occupation of Makariv, Kyiv Oblast, Russian troops killed 132 civilians.⁷

09/04/2022: In Lukashivka, Chernihiv Oblast, workers of the State Service for Extraordinary Matters found bodies of killed civilians in a local church, where Russian troops had established their headquarters.⁸ The Mayor of Chernigov, Vladislav Atroshenko, reported that during the Russian blockade of Chernihiv some 700 people died, both civilian and military.⁹

13/04/2022: The head of Sumy Regional Military Administration, Dmytro Zhivitskiy, declared that during the Russian occupation 100 civilians died. Some bodies have been found handcuffed with signs of torture and evidence that they were shot in the head.¹⁰

2 Rome Statute of the International Criminal Court of 1998, Article 7.1(f); Article 8.2(a)(ii); Geneva Convention (I) of 1949, Article 12(2); Geneva Convention (II) of 1949, Article 12(2); Geneva Convention (III) of 1949, Article 17, Article 87, Article 89; Geneva Convention (IV) of 1949, Article 32; Rule 90 of the customary IHL.

3 Rome Statute of the International Criminal Court of 1998, Article 7.1(d); Article 8.2(a)(i); Geneva Convention (IV) of 1949, Article 32; Additional Protocol (I) to the Geneva Conventions of 1977, Article 85 3(a).

4 Geneva Convention (I) of 1949, Article 50; Geneva Convention (II) of 1949, Article 51; Geneva Convention (IV) of 1949, Article 147.

5 Rome Statute of the International Criminal Court of 1998, Article 7.1(f); Article 8.2(a)(ii); Article 7.1(d); Article 8.2(a)(i).

6 Telegram-канал Харківської обласної прокуратури, Вбивства невинних на Ізюмщині: за фактом катування та подальшого підпалу окупантами місцевих мешканців розпочато розслідування, 7 квітня 2022, available at: https://t.me/prokuratura_kharkiv/3314.

7 Українська Правда, У Макарові на Київщині виявили 132 людей, яких розстріляли росіяни, 8 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/8/7338199/>.

8 Facebook-сторінка ДСНС України, 9 квітня 2022, available at: <https://www.facebook.com/MNS.GOV.UA/videos/3219438564941314/>.

9 Ukrinform, Від початку війни у Чернігові загинули близько 700 людей, 8 квітня 2022, available at: https://www.ukrinform.ua/rubric-regions/3452201-vid-pocatku-vijni-u-cernigovi-zaginuli-blizko-700-ludej.html?fbclid=IwAR2Ullvoh34VvzGYvMYqRVCE5aYbRbV_XVbp4l1919JChm4vAGHCOGyj2Ko.

10 RFE/RL, «Це був терор і жах». На Сумщині через російську окупацію загинули понад 100 мирних жителів – Живицький, 13 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-sumshchyna-100-zahyblykh-vid-okupatsiyi/31801639.html>.

15/04/2022: It became known that the bodies of more than 1,000 civilians residents were found in the formerly occupied areas of Kyiv Oblast. Most of them displayed gunshot wounds.¹¹ The Mayor of Bucha, Anatolij Fedoruk, has reported that 85 per cent of those killed have signs of gunshots.¹² There have been reports of the bodies of some 300 civilians buried in mass graves in Bucha.¹³

2) Sexual violence

Rape and other forms of sexual violence constitute a war crime, a crime against humanity and a breach of IHL.¹⁴ Sexual violence can also amount to torture and/or inhumane and degrading treatment – another war crime and a grave breach of IHL.¹⁵

08/04/2022: The Office of the General Prosecutor reported on its investigation with regards to the rape by Russian soldiers of a child in Kherson Oblast.¹⁶ In addition, the head of the Military Administration of Kryvyi Rih, Oleksandr Vilkul, reported that occupying forces raped a pregnant 16-year-old girl and a 78-year-old woman.¹⁷

12/04/2022: The President of Ukraine, Volodymyr Zelenskyy, reported that hundred of cases of rape of children and civilians by individuals in the Russian military have been recorded in Ukraine. One case involves the rape of a newborn by a Russian serviceman from Pskov named Bychkov.¹⁸

3) Unlawful attacks on civilians

IHL and ICL forbid both intentional and indiscriminate attacks on civilian populations and against individual civilians not taking direct part in hostilities.¹⁹ Violations of this ban during an international armed conflict constitute war crimes and a breach of IHL.

11 Українська Правда, Київщина: поліція виявила тіла 1084 мирних жителів, більшість – застрелені, 22 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/22/7341341/>.

12 Интерфакс-Украина, Мэр Бучи: Практически 85% тел всех погибших горожан – с отверстиями о пули, 15 квітня 2022, available at: <https://ru.interfax.com.ua/news/general/824288.html>.

13 Українська Правда, У Бучі в «братських могилах» поховали майже 300 людей, на вулицях десятки трупів, 2 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/2/7336702/>.

14 Rome Statute of the International Criminal Court of 1998, Article 7(1)(g); Article 8.2(b)(iv); Additional Protocol (I) to the Geneva Conventions of 1977, Article 75(2)(b); Article 76(1); Article 77(1); Common Article 3(1)(c) of the 1949 Geneva Conventions; Geneva Convention (IV) of 1949, Article 27; Rule 93 of the customary IHL.

15 For more information, see Amnesty International, Rape And Sexual Violence Human Rights Law And Standards In The International Criminal Court, Section 6, Acts Of Rape And Sexual Violence Causing Severe Pain And Suffering Must Be Charged As Torture, available at: <https://www.amnesty.org/en/wp-content/uploads/2021/07/ior530012011en.pdf>.

16 Українська Правда, Випадки згвалтування окупантами уже почали розслідувати у 4 областях, 8 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/8/7338270/>.

17 Facebook-сторінка Олександра Вілкула, Брифінг начальника Военной администрации Кривого Рога А.Вилкула, 7 квітня 2022, available at: <https://www.facebook.com/OleksandrVilkul/videos/1112087849524397>.

18 Українська Правда, Зеленский: Российский вояка из Пскова изнасиловал в Украине младенца, 12 квітня 2022, available at: <https://www.pravda.com.ua/rus/news/2022/04/12/7339062/>.

19 Rome Statute of the International Criminal Court of 1998, Article 8.2(b)(i), Article 8.2(b)(iv); Additional Protocol (I) to the Geneva Conventions of 1977, Article 51.

During the reporting period, we documented at least six cases of intentional attacks on civilians by Russian forces. As a result, 23 civilians were killed and 49 injured.

06/04/2022: In Vugledar, Donetsk Oblast, Russian troops shelled a military aid distribution centre. Two civilians died, while five were injured.²⁰

07/04/2022: On the bank of the Kakhov Reservoir, next to the Svitanok recreational site in Maryansk, Kherson Oblast, Russian troops shelled a boat being used to evacuate people from the occupied area of Kherson Oblast using a Grad rocket system. There were 14 people in the boat. As a result of the shelling, four people were killed and seven were hospitalised - two remain unaccounted for.²¹

08/04/2022: In Kharkiv Oblast, the Russian military shot at the car of the director of Vovchansk Forest Communal Enterprise, Sergiy Piev, while he was returning home, killing him on the spot.²²

12/04/2022: It became known that in towns in Kyiv Oblast that were occupied by Russians, Russian troops shot at the cars of individuals trying to evacuate. More specifically, near to the village of Gavronshchyna, occupying troops shot at a car carrying five civilians, killing them all, including two children. Near to the village of Peremoha, Brovary District, Russian troops shot at an evacuation column of five cars using artillery and small arms, killing four people, including one child.²³

14/04/2022: In the occupied town of Borova, Izium District, Kharkiv Oblast, Russian troops shelled civilian buses, killing seven people and injuring 27.²⁴

4) Attacks on civilian objects

ICL and IHL establish provisions for the general protection of civilian objects and entire towns, villages, dwellings, and buildings which are undefended and which are not military objectives.²⁵ Attacks, reprisals, or other acts of violence against such objects in international conflicts are forbidden and considered war crimes and breaches of IHL.

International law prohibits both intentional and indiscriminate attacks against civilians and civilian objects. The prohibition includes attacks that are not directed at a specific military objective; attacks that employ a method or means of combat which cannot be directed at a specific military objective or whose effects cannot be limited and, thus, strike military objectives and civilians or civilian objects without distinction; bombardment which treats as a single military objective a number of clearly separated and distinct military objectives located

20 RFE/RL, Війська РФ обстріляли місце роздачі гуманітарної допомоги у Вугледарі – голова ОВА, 6 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-vugledar-obstril-gumdopomoga/31788423.html>.

21 Facebook-сторінка Олександра Вілкула, Брифінг начальника Военной администрации Кривого Рога А.Вилкула, 7 квітня 2022, available at: <https://www.facebook.com/OleksandrVilkul/videos/1112087849524397>.

22 Українська Правда, На Харківщині росіяни розстріляли лісника, 9 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/9/7338445/>.

23 RFE/RL, ОГП: на Київщині під час окупації війська РФ обстрілювали евакуаційні авто, загинули 9 людей, з них – 3 дітей, 12 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-okupatsiya-obstrily-zahynuly-dity-na-kyivshchyni/31798935.html>.

24 Українська Правда, Харківщина: росіяни обстріляли автобуси біля Борової, 7 убитих та десятки поранених, 15 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/15/7339793/>.

25 Rome Statute of the International Criminal Court of 1998, Article 8.2(b)(ii),(v); Additional Protocol (I) to the Geneva Conventions of 1977, Article 52.

*in a city, town, village, or other area containing a similar concentration of civilians or civilian objects; and attacks which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof which would be excessive in relation to the concrete and direct military advantage anticipated.*²⁶

During the reporting period, Russia has continued relentless shelling and bombardment in the eastern and southern regions of Ukraine, including the oblasts of Kharkiv, Donetsk, Luhansk and Mykolaiv, as well as targeted strikes in other regions.²⁷ In this section, we described only the most notorious cases of attacks that resulted in 158 civilian deaths.

07/04/2022: The Office of the General Prosecutor reported that 26 people were killed as a result of the shelling of two residential buildings in Borodianka during Russian occupation.

08/04/2022: In Kramatorsk, Russian troops shelled a railway station where some 4,000 civilians were on the scene.²⁸ Some 57 people died and²⁹ at least 98 were hospitalised with injuries.³⁰

10/04/2022: In the Balaklija, Pischyn, and Dergachi areas of Kharkiv Oblast, Russian troops shelled residential areas, killing 10 civilians.³¹

11/04/2022: In Kharkiv Oblast, due to shelling of residential districts by Russian military troops, 8 civilians died and 19 were injured.³²

In addition, on 15 March, in Mariupol, Donetsk Oblast, Russian troops shelled a Caritas office from a tank. Civilians were sheltering from shelling on the site. Some seven people were killed inside the office.³³

13/04/2022: In the city of Kharkiv, as well as in the towns of Rogan and Barvinkove in Kharkiv Oblast, some eight civilians died as a result of Russian shelling of residential areas. Russian troops conducted 53 strikes using artillery, mortars, and multiple rocket launch systems in the districts of Northern Saltivka, Pyatyhatki, Oleksiivka, Odesa,, Airport District, Microdistrict

№ 602, and the city centre. Rogan and Barvinkove were also shelled.³⁴

26 Additional Protocol (I) to the Geneva Conventions of 1977, Article 51.

27 For more information, see Bellingcat Interactive TimeMap of Incidents of Civilian Harm in Ukraine: <https://ukraine.bellingcat.com/>.

28 Українська Правда, Під час удару по вокзалу Краматорська там було 4 тисячі людей, більшість – жінки та діти, 8 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/8/7338118/>.

29 <https://www.facebook.com/pavlokyrylenko.donoda/videos/488146602835084/>.

30 Facebook-сторінка Павла Кириленка, Про ситуацію на Донеччині та процес евакуації цивільних — в ефірі національного телемарафону, 10 квітня 2022Ю available at: <https://suspilne.media/227523-do-likaren-dnipropetrovsini-dostavili-98-ludej-travmovanih-na-zaliznicnomu-vokzali-u-kramatorsku/>.

31 Telegram-канал Олега Синегубова, голови Харківської ОДА, На сьогодні підстав для масової евакуації жителів міста Харків немає, 10 квітня 2022, available at: <https://t.me/synegubov/2849>.

32 Суспільне, Росія не припиняє обстрілів Харківщини: серед загиблих 11 квітня — дитина, 11 квітня 2022, available at: <https://suspilne.media/227627-rosia-ne-privpinae-obstriliv-harkivsini-sered-zagiblih-11-kvitna-ditina/>.

33 Facebook-сторінка Карітас Маріуполь, 7 квітня 2022, available at: <https://www.facebook.com/caritasmariupol/posts/2962339960653294>.

34 RFE/RL, Семеро людей загинули внаслідок обстрілів Харкова й області – Синегубов, 13 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-obstrily-kharkiv-i-oblast-syniehubov/31801293.html>.

15/04/2022: In Mykolaiv, Russian troops shelled a residential area with forbidden³⁵ cluster shells. Some five people died, while 15 were injured.³⁶

17/04/2022: In Kharkiv, Russian troops shelled residential areas and buildings in the city centre. Some ten civilians died and 35 received injuries.³⁷

18/04/2022: In Lviv, Russian troops conducted strikes on the city. Three of these strikes targeted military stocks that were out of use and one targeted a tyre-fitting unit. Some 7 people died, a child among them. Eleven more people were injured.³⁸

Due to Russian shelling off residential areas in Kharkiv Oblast, nine people died and 25 were injured.³⁹

5) Attacks on specially protected objects

According to ICL and IHL, certain civilian objects are afforded special protection due to their humanitarian importance. Such objects include, inter alia, hospitals,⁴⁰ medical vehicles,⁴¹ and foodstuffs.⁴²

During the reporting period, it became known that the Russian military attacked at least 59 specially protected objects – 50 ambulances, 8 trucks carrying bread, and a hospital.

11/04/2022: It became known that because of Russian shelling in Kharkiv Oblast, some 50 ambulances out of a total of 250 available were damaged.⁴³

16/04/2022: In Lysychansk, Lugansk Oblast, Russian troops shelled eight trucks carrying bread. Of these, three were set ablaze and were destroyed, while it was possible to save the remaining five.⁴⁴

35 ICL and IHL prohibit the use of indiscriminate weapons, including cluster munitions. See Rome Statute of the International Criminal Court of 1998, Article 8.2 (xx), Rule 71, 84 of customary IHL.

36 Telegram-канал Віталія Кіма / Миколаївська ОДА, 15 квітня 2022, available at: <https://t.me/mykolaivskaODA/1066?fbclid=IwAR3AFkld7faCxTVpryhRASySDrMMRzCPQq5GiFv04Xat6vr8S8Juv02h-Co>.

37 Українська Правда, Обстріл Харкова: 10 загиблих, серед них немовля, десятки поранених, 15 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/15/7339875/>.

38 Уніан, Генерал пояснив удари по Львову: «Путін був дуже роздратований», 19 квітня 2022, available at: <https://www.unian.ua/war/chomu-putin-zavdav-raketnih-udariv-po-lvovu-novini-lvova-11792655.html>.

39 Facebook-сторінка Харківської обласної державної адміністрації, 18 квітня 2022, available at: <https://www.facebook.com/KharkivRegionalStateAdministration/posts/365802242256935>.

40 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (ix); Geneva Convention (I) of 1949, Article 19; Geneva Convention (IV) of 1949, Article 18; Additional Protocol (I) to the Geneva Conventions of 1977, Article 12; Rule 29 of customary IHL.

41 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (ix); Geneva Convention (I) of 1949, Article 35; Geneva Convention (IV) of 1949, Article 21; Additional Protocol (I) to the Geneva Conventions of 1977, Article 21; Rule 29 of customary IHL.

42 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (xxv); Additional Protocol (I) to the Geneva Conventions of 1977, Article 54; Rule 54 of customary IHL.

43 Суспільне, На Харківщині внаслідок обстрілів пошкоджені близько 50 швидких, 11 квітня 2022, available at: <https://suspilne.media/227497-na-harkivsinivnaslidok-obstriliv-poskodzeni-blizko-50-svidkih/>.

44 Луганська обласна державна адміністрація, Обстріл Лисичанська: росіяни цілили по 8 хлібних фургонах, 16 квітня 2022, available at: http://loga.gov.ua/oda/press/news/obstril_lisichanska_rosiyani_cilili_po_8_hlibnih_furgonah.

20/04/2022: In Bashtanka, Mykolaiv Oblast, Russian troops shelled a hospital, destroying a dialysis unit and the reception, while the operational unit lost windows. According to Radio

Liberty, who cited the local mayor, certain individuals were wounded, though their number is not known.⁴⁵

6) Impeding humanitarian relief and evacuation of civilians

IHL and ICL have specific provisions to ensure that the civilian population is provided with necessary humanitarian relief during wartime, including food, water, and medicine. The parties to the international armed conflict are obligated to allow and facilitate rapid and unimpeded passage of relief consignments.⁴⁶ Personnel that transport and distribute relief consignments are also under the protection of IHL.⁴⁷ Actions that impede humanitarian relief constitute a breach of IHL and can amount to the war crime of starvation of civilians.⁴⁸

Additionally, IHL obligates the parties to a conflict to remove the civilian population, individual civilians, and civilian objects under their control from the vicinity of military objectives.⁴⁹ In besieged or encircled areas, the parties are obligated to ensure the removal of wounded, sick, infirm, and aged persons, as well as children and maternity cases, and ensure the passage of ministers of all religions, medical personnel, and medical equipment on their way to such areas.⁵⁰

During the reporting period, we documented at least two instances of Russian forces impeding humanitarian relief and four instances of them preventing the evacuation of civilians.

06/04/2022: Russian troops captured eight cars carrying humanitarian cargo - including food and medicine - destined for the citizens of Melitopol. They subsequently blocked the evacuation of the civilian population over the subsequent three days.⁵¹

07/04/2022: In Barvinkovo, Kharkiv Oblast, Russian troops shelled railway exits from Slavyansk, Kramatorsk, and Lyman, blocking the departure of three evacuation trains carrying some 500 people.⁵²

45 RFE/RL, Війська РФ обстріляли лікарню на Миколаївщині – голова облради, 20 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-obstril-mykolayivshchyna-likarnia/31811596.html>.

46 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (xxv); Geneva Convention (IV) of 1949, Article 23, 59; Additional Protocol (I) to the Geneva Conventions of 1977, Article 70; Rule 55 of customary IHL.

47 Additional Protocol (I) to the Geneva Conventions of 1977, Article 71.

48 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (xxv).

49 Additional Protocol (I) to the Geneva Conventions of 1977, Article 58; Rule 24 of the customary IHL.

50 Geneva Convention (IV) of 1949, Article 17.

51 Українська Правда, Росіяни відпустили автобуси гумконвою, які утримували три дні в Мелітополі, 9 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/9/7338463/>

52 RFE/RL, Обстріли з боку військ РФ заблокували евакуацію поїздами – голова Луганської ОВА, 7 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-evakuacija-pojzdami-zablokovana-donbas/31791768.html>

09/04/2022: In Vasylivka, Zaporizhzhya Oblast, Russian troops declined to allow the passage of evacuation buses for people from Berdyansk, Tokmak, and Energodar.⁵³

12/04/2022: In Severodonetsk, Lugansk Oblast, Russian troops fired eight rockets at a humanitarian aid centre, destroying it. The centre was feeding 300 people daily and had also dispatched food to people who were unable to collect food on-site.⁵⁴

19/04/2022: The Minister for the Reintegration of Temporarily Occupied Territories, Iryna Vereshchuk, reported that between 17 and 19 April, the Russian side blocked the establishment of humanitarian corridors in all regions of Ukraine that saw active fighting.⁵⁵

7) Forcible transfer of civilian population

*ICL and IHL prohibit forced displacement, deportation, or transfer of the civilian population of an occupied territory. The violation of these norms is a grave breach of IHL, as well as a war crime and/or a crime against humanity.*⁵⁶

As of 12 April 2022, Russian troops deported over 700,000 civilians from the oblasts of Donetsk and Luhansk to Russia. According to the Ombudsman of Ukraine, Russian forces take 20,000 civilians to Russia by force on a daily basis. At time of writing, Ukrainians have been deported to 35 different regions of Russia. The Ombudsman added that the Plenipotentiary of Human Rights in Russia has confirmed this fact.⁵⁷

07/04/2022: In Mariupol, Russian troops moved patients and personnel at Hospital № 4 to the temporarily occupied territories in the Donbas.⁵⁸

08/04/2022: In Rubizhne, occupying forces forcibly moved 100 locals to the Leningrad region of Russia. Earlier, according to a relative of one local, 300 people were forcibly moved to Siberia for some kind of work.⁵⁹

53 Telegram-канал Ірини Верещук, 10 квітня 2022, available at: https://t.me/vereschuk_iryna/1271

54 RFE/RL, Російські війська знищили гуманітарний центр у Сєвєродонецьку – Денісова, 12 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-rosiiski-viiska-humanitarnyi-centr-siverskodonetsk/31798734.html>.

55 RFE/RL, Верещук: погоджених гуманітарних коридорів на 19 квітня немає, 19 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-humanitarni-korydory/31810491.html>.

56 Rome Statute of the International Criminal Court of 1998, Article 7.1(d); Article 8.2(a)(vii); Geneva Convention (IV) of 1949, Article 49, 147; Rule 129 of customary IHL.

57 RFE/RL, Денісова: понад 700 тисяч громадян України вивезені до Росії, 12 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-denisova-deportatsia-ukraintsiv-rosia/31798546.html>.

58 Telegram-канал Маріупольської міської ради, Нові факти воєнних злочинів росії. Окупанти насильно вивезли маріупольців на територію рф і так званої днр, 7 квітня 2022, available at: <https://t.me/mariupolrada/9155>.

59 Українська Правда, Росіяни силоміць вивезли людей з Рубіжного до Росії, 8 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/8/7338267/>.

10/04/2022: It became known that in the Penzen region of Russia a concentration camp was created for Ukrainians from Mariupol. According to the Ukrainian Ombudsman, there are over 400 Ukrainian women and children, with a further 150 people expected in the coming days. The concentration camp is encircled by a fence and is under guard. Deported Ukrainians have no possibility to leave.⁶⁰

11/04/2022: The General Prosecutor's Office notified that, in March 2022, occupying Russian forces had forcibly removed 12 children receiving treatment at the regional children's bone and tuberculosis centre in Mariupol, within the occupied area of the Donbas. An additional 14 children that were in children's homes of family type, as well as their adoptive parents, have been moved to Russia.⁶¹

16/04/2022: In the temporarily occupied town of Izium, Kharkiv Oblast, Russian troops forcibly moved some 50 locals towards the border with Russia.

8) Pillage and appropriation of property

ICL and IHL protect the property of civilians from pillage by the warring parties.⁶² They also prohibit extensive destruction and appropriation of any property (including property belonging individually or collectively to private persons or to the state) that is not justified by military necessity.⁶³

08/04/2022: Belarusian independent media stated that on 4-5 April, Russian troops that have left formerly occupied territories of Ukraine brought a significant number of stolen civilian cars to Belarus, as well as several Ukrainian 'Havryliv Chicken' trucks. In addition, Russian looters brought significant amounts of Ukrainian cash and tried to sell it in exchange for jewelry.⁶⁴

10/04/2022: Kharkiv police reported that the Russian military looted the 'Feldman Ekopark' private zoo in Kharkiv. Looters stole a stock of animal feed valued at 50,000 UAH.⁶⁵

16/04/2022: The community of Boriv in Kharkiv Oblast was completely occupied by Russian forces. Since the beginning of the occupation, Russian looters have been raiding and looting the abandoned homes of local residents and taking away stolen goods in trucks. In addition, occupying forces have been destroying agricultural enterprises, equipment, stocks, and offices.⁶⁶

60 Facebook-сторінка Людмили Денісової, 10 квітня 2022, available at: <https://www.facebook.com/denisovaombudsman/posts/518714536276490>.

61 Telegram-канал Офіса Генерального прокурора, Примусова евакуація дітей з Маріуполя до РФ та псевдореспублік - розпочато розслідування, 11 квітня 2022, available at: https://t.me/pgo_gov_ua/3633.

62 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (xvi); Geneva Convention (IV) of 1949, Article 33; Rule 52 of customary IHL.

63 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (xiii); Geneva Convention (I) of 1949, Article 50; Geneva Convention (II) of 1949, Article 51; Geneva Convention (IV) of 1949, Article 53, Article 147; Rule 50 of customary IHL.

64 Telegram-канал Беларускі Гаюн, Солдаты ВС РФ вывозят из Беларуси угнанные у украинцев машины и скупают золото на ворованные деньги, 8 квітня 2022, available at: https://t.me/Hajun_BY/3962.

65 Суспільне, Російські окупанти вкрали моркву у тварин: харківський екопарк звернувся до поліції, 10 квітня 2022, available at: <https://suspilne.media/227225-rosijski-okupanti-vkrali-morkvu-u-tvarin-harkivskij-ekopark-zvernusva-do-policii/>.

66 Telegram-канал Борівської селищної ради, Оперативна інформація щодо ситуації в борівській громаді станом на 15:00 16.04.2022 року, 16 квітня 2022, available at: https://t.me/borova_gromada/901.

9) Using human shields

*The prohibition on using human shields includes using the presence (or movements) of civilians or other protected persons to render certain points or areas (or military forces) immune from military operations. The violation of this prohibition is a war crime and a breach of IHL.*⁶⁷

12/04/2022: The headquarters of the Armed Forces of Ukraine reported that Russian military representatives placed military equipment and personnel on civilian sites, such as the centre of a residential area, social and energy infrastructure, and agrarian business premises. There have been cases where the enemy has conducted military activities while dressed in civilian clothes.⁶⁸

10) Taking of hostages

*Taking hostages constitutes a war crime and a grave breach of IHL.*⁶⁹

In this section, we documented several exemplary cases of taking hostages. It should be noted, that hundreds of people including activists and representatives of local authorities have been taken hostage or subjected to enforced disappearances since the beginning of Russia's full-scale invasion of Ukraine.⁷⁰

09/04/2022: an NGO (Chesno) reported that occupying Russian forces are holding hostage at least 11 mayors of Ukrainian towns and cities in the oblasts of Kharkiv, Donetsk, Zaporizhzhia, Mykolaiv, and Kherson.⁷¹

During the period 11 – 13 March 2022, occupying Russian forces in Mariupol took hostage the crews of four ships, in total at least 49 people were aboard the vessels in question. Out of those, 48 are citizens of Ukraine and one a citizen of Egypt. The crew of one of the ships was Syrian, though it is not clear the total number of people on board. All people taken hostage have been moved to Donetsk, a city occupied by Russia.⁷²

67 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(xxiii); Geneva Convention (IV) of 1949, Article 28; Additional Protocol (I) to the Geneva Conventions of 1977, Article 51(7); Rule 97 of customary IHL.

68 Facebook-сторінка Генерального штабу ЗСУ / General Staff of the Armed Forces of Ukraine, Оперативна інформація станом на 06.00 12.04.2022 щодо російського вторгнення Відео (речник Генерального Штабу Збройних Сил України Олександр Штупун), 11 квітня 2022, available at: <https://www.facebook.com/GeneralStaff.ua/posts/pfbid02oNtWNaGFbENLX8QTH8J5LaNFYtB48LPyNZoXGtoHTs5DJzui8xjLTIiMVvwwpCKH5I>.

69 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(viii); Geneva Conventions, common Article 3; Geneva Convention (IV) of 1949, Article 34, 147; Rule 96 of customary IHL.

70 RFE/RL, Верещук: Росія утримує в полоні близько 1700 військових і цивільних, з них 500 – жінки, 12 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-vereshchuk-1700-polonenyh/31798232.html>.

71 Facebook-сторінка Руху Чесно, 9 квітня 2022, available at: <https://www.facebook.com/chesno.movement/posts/5373610659345265>.

72 Суспільне, Росіяни у Маріуполі захопили екіпаж судна SMARTA — омбудсман, 11 квітня 2022, available at: <https://suspilne.media/227628-rosiani-u-mariupoli-zahopili-ekipaz-sudna-smarta-ombudsman/>; RFE/RL, У Маріупольському порту війська РФ взяли в полон членів екіпажу ще одного судна – Денісова, 12 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-u-mariupoli-viyska-rf-zakhopyly-v-polon-ekipazh-sudna/31800159.html>; RFE/RL, У Маріуполі війська РФ захопили в полон екіпажі ще двох суден – Денісова, 13 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-u-mariupoli-zakhopyly-v-polon-dva-ekipazhi/31801958.html>.

11) Forced military conscription

ICL and IHL prohibit the warring parties from compelling protected persons - including civilians in occupied territories and prisoners of war - to serve in their armed and auxiliary forces. Such acts constitute war crimes and a grave breach of IHL.⁷³ Pressure and propaganda aimed at securing voluntary enlistment is also prohibited by IHL.⁷⁴

Russian forces are conscripting civilian populations in the occupied areas of the oblasts of Kharkiv, Donetsk, Luhansk, and Zaporizhzhia, as well as in Crimea - under Russian occupation since 2014.

The Ombudsman of Ukraine reported that in Russian-occupied Crimea, military troops have been forcibly delivering conscripts to military collection points. Men of conscription age are forbidden from leaving Crimea.⁷⁵

Russian forces have begun a forced mobilisation to their armed forces in occupied Ukrainian cities. More specifically, forced mobilisation is taking place in Mariupol.⁷⁶

Occupiers in Zaporizhzhia Oblast are looking for men of conscription age to be sent to military enlistment offices and to raid communal enterprises. Occupying forces oblige Ukrainian policemen to join unions of so-called 'people's police' by intimidating their families and their social networks.⁷⁷ In occupied Melitopol, Zaporizhzhia Oblast, representatives of the Russian military advocate to Ukrainian men to join the Russian army and draw up lists of men living in particular housing blocks with the cooperation of local collaborators.⁷⁸

In Luhansk Oblast, occupying forces snatch men off the street or take them by force from their places of work in communal enterprises and factories, before forcibly sending them to military enlistment centres.⁷⁹

In Izium, Kharkiv Oblast, Russian forces suggest to local residents to join the Russian armed forces.⁸⁰

73 Rome Statute of the International Criminal Court of 1998, Article 8.2(a)(v); Geneva Convention (IV) of 1949, Article 51, 147; Rule 95 of customary IHL.

74 Geneva Convention (IV) of 1949, Article 51.

75 RFE/RL, В анексованому Криму призовників примусово доставляють у пункти збору – Денісова, 7 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-krym-denisova-pryzov/31790168.html>.

76 Facebook-сторінка Людмили Денісової, 7 квітня 2022, available at: <https://www.facebook.com/denisovaombudsman/posts/516762793138331>.

77 Facebook-сторінка Людмили Денісової, 12 квітня 2022, available at: <https://www.facebook.com/denisovaombudsman/posts/520024069478870>.

78 Українська Правда, У Мелітополі російські окупанти пропонують українцям вступати в армію РФ, 9 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/9/7338344/>.

79 Facebook-сторінка Людмили Денісової, 12 квітня 2022, available at: <https://www.facebook.com/denisovaombudsman/posts/520024069478870>.

80 RFE/RL, Місцевим жителям Ізюма війська РФ пропонують мобілізуватися – Синегубов, 19 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-viyska-rf-mobilizatsiya-izyum/31811139.html>.

12) Attacks causing severe environmental damage

*Protection of the natural environment is indispensable to the protection of the civilian population as the latter is the one to suffer in cases of serious environmental damage. IHL and ICL prohibit attacks that can cause widespread, long-term, and severe damage to the natural environment.*⁸¹

During the reporting period, Russian forces continued shelling oil and chemical storage facilities.

06/04/2022: It became known that on 5 April 2022, in Dnipro Oblast, in addition to refinery shelling, Russian troops also shelled fuel oil reservoirs, resulting in fires.⁸²

09/04/2022: Near to Rubizhne, Luhansk Oblast, Russian troops shelled a citric acid storage unit for the second time.⁸³ Due to damage caused to one of the containers, ammonium was released into the air.⁸⁴

16/04/2022: Russian troops shelled the Lysychansk oil refinery. As a result of the shelling, an area 5,000 square metres was set ablaze.⁸⁵

81 Rome Statute of the International Criminal Court of 1998, Article 8.2(b) (iv); Additional Protocol (I) to the Geneva Conventions of 1977, Article 55; Rule 45 of customary IHL.

82 RFE/RL, Дніпропетровщина: крім удару по нафтобазі, ракети РФ влучили у резервуари з мазутом, 6 квітня 2022, available at: <https://www.radiosvoboda.org/a/news-dnipropetrovshchyna-raketni-mazut/31788203.html>.

83 Українська Правда, Росіяни влучили в цистерну з азотною кислотою на Луганщині – людей просять закрити вікна та шукати маски, 5 квітня 2022, available at: <https://www.pravda.com.ua/news/2022/04/5/7337277/>.

84 Facebook-сторінка Сергія Гайдая, 9 квітня 2022, available at: <https://www.facebook.com/sergey.gaidai.loga/videos/698752801158495/>.

85 Telegram-канал Сергій Гайдай/ Луганська ОДА (ОВА), 16 квітня 2022, available at: <https://t.me/luhanskaVTSa/1647?single>.