Killing of civilians in Katyuzhanka, Ukraine

JUNE 2022
**International Partnership for Human Rights (IPHR)** is an independent, non-governmental organisation founded in 2008. Based in Brussels, with a second office in Tbilisi, IPHR works closely with civil society groups from a range of countries to raise human rights concerns at the international level and promote respect for the rights of vulnerable communities. IPHR acts to empower local civil society groups working to advance the protection of human rights in their respective countries and helps them raise human rights concerns at the international level. In cooperation with partner organisations, IPHR advocates on behalf of individuals and communities who are among those most vulnerable to discrimination, injustice, and human rights violations.

**Truth Hounds** is a team of experienced human rights professionals documenting war crimes and crimes against humanity in conflict contexts since 2014. Truth Hounds fights against impunity for international crimes and grave human rights violations through investigation, documentation, monitoring, advocacy and problem solving for vulnerable groups. Truth Hounds documenters mobilize all available resources and documentation methodology to create a systemic approach to its documentation work, and promote accountability for grave human rights abuses and international crimes.

**Global Diligence LLP** is a partnership of established international lawyers with practical experience of living and working in high-risk areas. Global Diligence team advises and represents States, businesses, organisations, or individuals on international criminal law and human rights. Focused on challenges in unstable and conflict-affected regions, Global Diligence provides mapping, training, and project management for capacity building programs.

**Norwegian Helsinki Committee (NHC)** is a non-governmental organisation working to ensure that human rights are respected in practice. Based in Oslo, Norway, NHC works on documenting human rights abuses, including torture, unlawful killings, attacks perpetrated against the freedom of speech and abuses against the right to free and fair elections. To facilitate change, NHC team reports and informs both the Norwegian and the international community about vital concerns, and supports individuals, organizations and projects working to promote human rights in Europe and the former Soviet Union.

Cover photo by Arve Hansen.
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Introduction and Summary of Findings

Katyuzhanka is a civilian settlement in Kyiv Oblast, located approximately 60 km north of Kyiv. It sits on two key roads connecting Belarus to Kyiv. The settlement had a pre-war civilian population of approximately 4,000.

Between 25 February 2022 and 31 March 2022, Katyuzhanka was used as a thoroughfare for Russian military convoys and was occupied (and used as a logistics hub) by the Russian Armed Forces, including – but not limited to – Russian Naval Infantry, special forces of the Ministry of the Interior (“OMON”), and forces identified as “Chechens” and “Buryats” (likely members of the Russian National Guard).

During the occupation, at least four civilian vehicles carrying civilian passengers were attacked by Russian forces on and around the main road through Katyuzhanka (Kyivska Street). Five civilians were killed in three separate incidents on 25 February and a further two civilians died as a result of an attack on 28 February.

These attacks were documented by Truth Hounds, International Partnership for Human Rights (IPHR), and Norwegian Helsinki Committee. The three organisations have conducted a fact-finding mission to Katyuzhanka during 17-20 May 2022. Members of the fact-finding team interviewed over two dozen village residents, who witnessed the events described in this report or whose family members were killed by the occupying Russian forces.

These attacks, which resulted in the death of seven unarmed civilians in Katyuzhanka, represent a flagrant violation of the fundamental principle of distinction. Under the Rome Statute of the International Criminal Court (ICC), they amount to the war crime of intentionally directing attacks against civilians not taking part in hostilities.  

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1 GPS coordinate: 50.804324; 30.139307.
2 Witness 19495953.
3 ICC Statute Article 8(2)(b)(i).
25 February 2022 – The Russian Takeover

Residents of Katyuzhanka report seeing the first massive convoy of Russian forces moving through their settlement in the direction of Kyiv in the early hours of the morning of 25 February 2022. Observed Russian forces included tanks and other armoured vehicles, trucks, jeeps, and a range of weaponry, including multiple launch rocket systems (MLRS).

When daylight broke, witnesses could see Russian vehicles marked with the letter “V”. By midday, a large Russian convoy had stopped on the main road through the settlement. It remained in place for two to three hours. A Russian armoured vehicle was stationed near 88-90 Kyivska Street. This vehicle, too, was marked with the letter “V”.

Around this time and in order to stall the advance of invading forces towards Kyiv, the Ukrainian Army blew up key bridges surrounding the capital. Bridges south of Katyuzhanka were destroyed. This effectively cut Katyuzhanka off from the territory controlled by Ukraine and made it impossible for civilians to leave Katyuzhanka and other nearby inhabited areas by car.

Russian armed forces quickly established their occupation of Katyuzhanka. More troops were pulled in within days of the takeover. These were identified by witnesses as OMON units, Chechens, and Buryats (troops from the far eastern republic of Buryatia). The settlement appears to have served as a field logistics camp for the advancing forces. The local school became host to a Russian command centre.

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4 Witness 16758259, interview notes dated 18 May 2022 (Witness 16758259); Witness 19495953, interview notes dated 18 May 2022 (Witness 19495953); Witness 17869820, interview notes dated 18 May 2022 (Witness 17869820); Witness 14216016, interview notes dated 18 May 2022 (Witness 14216016); Witness 19495953, interview notes dated 18 May 2022 (Witness 19495953); Witness 18371966, interview notes dated 19 May 2022 (Witness 18371966); Witness 14581887, interview notes dated 20 May 2022 (Witness 14581887); Witness 11424380, undated interview notes (Witness 11424380); Witness 11059570; Witness 19762436, undated interview notes (Witness 19762436).
5 Ibid.
6 Witness 18371966; Witness 14581887, interview notes dated 20 May 2022 (Witness 11059570).
7 “V” markings are understood to identify units of the Russian Naval Infantry (Морская пехота России).
8 Witness 18371966.
9 Ibid.
10 Witness 11059570.
11 Ibid.
13 Witness 16758259; See also: Independent, “Ukrainian forces destroy bridge as Russian troops advance on Kyiv”, available at: https://www.independent.co.uk/tv/news/ukraine-russia-invasion-kyiv-bridge-b2027826.html.
14 Witness 16758259.
15 Witness 11059570.
16 Witness 17869820; Witness 14216016; Witness 19495953; Witness 18371966; Witness 11059570.
18 Witness 19495953; Witness 14216016; Witness 18371966; Witness 19762436; See also: Zaborona, “It Feels Like We’re Going to Be Taken to the Stadium and Shot like Jews during World War II: How Kyiv Region Comes to Its Senses after a Month of Occupation”, 22 April 2022, available at: https://zaborona.com/en/how-kyiv-region-comes-to-its-senses-after-a-month-of-occupation/.
Private houses were taken over for use as soldiers’ quarters. While some houses had been vacant, Russian forces expelled any remaining occupants from houses selected for use. Witnesses describe violent raids on properties, reportedly in search of Ukrainian servicemen. At least one witness described Russian soldiers looting their home and breaking furniture. Another witness recounts Russians warning civilians that anyone seen leaving their home would be shot.

While some Russian troops (reportedly the Chechens) began to leave Katyuzhanka between 10-13 March, the remaining occupying Russian forces withdrew on 31 March.

According to the residents of Katyuzhanka and nearby settlements who were interviewed, there were no active Ukrainian servicemen present in Katyuzhanka throughout the entire period of the occupation.

Military t-shirts recovered by the investigation team from private houses in Katyuzhanka that were occupied by Russian soldiers.

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19 Witness 16758259; Witness 14581887, 20 May 2022 (Witness 14581887); Witness 14216016; Witness 19495953; Witness 18371966; Witness 17869820.
20 Witness 19762436; Witness 11424380.
21 Witness 19762436.
22 Witness 18371966.
23 Witness 17869820.
24 Witness 17869820; Witness 16758259; Witness 11059570; Witness 16634888.
Attacks on Civilian Vehicles

Witnesses recounted four separate incidents in which civilian vehicles carrying civilian passengers were attacked by Russian forces on the main road through Katyuzhanka (Kyivska Street).\textsuperscript{25} Five civilians were killed in three separate incidents on 25 February and a further two civilians died as a result of an attack on 28 February. These incidents are examined in detail below.

![Map of incidents in Katyuzhanka](image)

The locations of four incidents involving killings of civilians in Katyuzhanka, geolocated by the investigation team.

**Incident 1: The Ford Escort**

At around 13:00 on 25 February 2022, Victim 14478670 and his friend Victim 19072637 were driving from Rudnia Dymerska to Katyuzhanka to buy some bread and top up their phones.\textsuperscript{26} They were travelling in a white Ford Escort (with the partial plate number “coded_17962588”).\textsuperscript{27} As they passed 83-85 Kyivska Street, their car was shot at by a machine gun and a rocket-propelled grenade (RPG) fired from a Russian armoured vehicle (marked with the letter “V”) stationed near 88-90 Kyivska Street.\textsuperscript{28} Both victims died on the spot.\textsuperscript{29}

Immediately prior to the incident, a witness who lived nearby recalls hearing automatic gunfire, followed by a shot from what he believes was an RPG.\textsuperscript{30} He decided to go out and inspect what was going on through his fence. In quick succession he saw two more shots impact on maple trees down the road. A fourth round was fired some 10-15 seconds later. The witness saw it strike a white Ford Escort as it passed near to 83-85 Kyivska Street. The witness estimates that the vehicle was travelling at around

\begin{itemize}
\item \textsuperscript{25} Witness 19495953.
\item \textsuperscript{26} Witness 16634888.
\item \textsuperscript{27} Witness 16634888; Witness 11059570.
\item \textsuperscript{28} Witness 11059570.
\item \textsuperscript{29} Witness 16634888.
\item \textsuperscript{30} Witness 11059570.
\end{itemize}
25-30 km/h at the time it was hit and had already started to pull over to the roadside. Five to seven minutes after the impact, the witness saw an armoured vehicle drive up to the car, before leaving the scene in an unknown direction.\textsuperscript{31} Approximately 15 minutes later, the witness approached the car and saw two people sitting in the front, their bodies unrecognisable due to the force of the RPG impact.\textsuperscript{32} Their burial was only allowed on the third day following the attack, in an area near the destroyed car. The ruins of the car remained at the location of the attack until about a week after Ukrainian forces retook the area.\textsuperscript{33} The witness later found and collected four discarded RPG stabilisers near to where the attack took place.\textsuperscript{34}

The witness' account is corroborated by photographs of the Ford Escort at the crime scene with the remains of the two victims inside (taken by a village resident and verified and geolocated by Truth Hounds-IPHR-NHC).

Truth Hounds-IPHR-NHC investigators located the vehicle in another location. Photographs taken by IPHR on 19 May 2022 further corroborate the witness' account.\textsuperscript{35}

\begin{itemize}
  \item \textsuperscript{31} Witness 11059570.
  \item \textsuperscript{32} Photographs of the vehicle with the remains of the victims are in the folder of Witness 16634888.
  \item \textsuperscript{33} Witness 11059570, Witness 16634888.
  \item \textsuperscript{34} Witness 11059570.
  \item \textsuperscript{35} Folder of Witness 16634888.
\end{itemize}
Vehicle damage as documented by investigation team.

Bodies of Victim 14478670 and Victim 19072637 as photographed by witnesses after the incident.

First burial site of Victim 14478670 and Victim 19072637 near the incident location.
Incident 2: The Volkswagen T4

At around 13:40-14:00 on 25 February 2022, Victim 16955771 and Victim 10382995 were driving down Kyivska Street in a white Volkswagen T4 microvan bearing the plate number “coded_17618266”. They were on their way to buy food for their grandchildren. According to a witness, the minivan was driving at approximately 40-50 km/h when it approached a Russian armoured personnel carrier (APC). At the time, at least seven Russian soldiers could be seen mounting a machine gun next to the APC. A Russian soldier shouted something at the minivan and the driver applied the brakes. Suddenly, there was a burst of machine gun fire. Following the shooting, the Russian soldiers left the scene where the incident had taken place. The APC left the site later in the evening.

Victim 16955771 died on the spot. Removal of his remains was only permitted two days later. Heavily wounded Victim 10382995 was carried to the basement of a local school by a local resident, but died from her wounds the same day.

The witness accounts are corroborated by photographs of the vehicle taken by Truth Hounds-IPHR-NHC on 18 May 2022.

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36 Witness 11424380.
37 Ibid.
38 Witness 18298536.
39 Witness 18298536.
40 Witness 18298536; Witness 11424380.
41 Witness 18298536.
42 Witness 19495953.
43 Witness 11424380.
44 Witness 11424380; Witness 19495953; Witness 18371966.
45 Folder of Witness 11424380.
Vehicle damage as documented by investigation team.
**Incident 3: The Tavria**

On 25 February, Victim 15035445 had accompanied his wife, Witness 19762436, and their four-year-old son to the bomb shelter located under the school in Katuyzhanka and then left to pick up blankets, water, and food to bring to the shelter. He was travelling in a white Tavria bearing the plate number “coded_16402392”. Between 14:00 and 16:00, the white Tavria came upon a Russian military convoy in the centre of Katuyzhanka. An armoured vehicle, located approximately 80 metres from the Tavria began to fire warning shots at the asphalt using an automatic rifle. The car stopped, but as soon as it stopped, the armoured vehicle fired a blast directly through the car’s windshield. The vehicle was also struck by an RPG, resulting in the deformation of its carcass. Victim 15035445 died on the spot.

Russian troops did not allow local residents to remove the body. They burned the vehicle with Victim 15035445’s remains still inside. The charred remains were retrieved on 26 February and buried nearby.

The witness accounts are corroborated by photographs of the Tavria at the crime scene with Victim 15035445’s remains inside (taken by a local resident and verified and geolocated by Truth Hounds-IPHR-NHC). The burned-out carcass of the same vehicle was identified in another location and photographed by the documentation team on 18 May 2022.

46 Witness 19762436.
47 Witness 19495953; Photo of Witness 10342089_12.
48 Witness 18371966; N.B: Witness 18298536 places the Tavria shooting at either 11:00 or 11:30.
49 Witness 18371966.
50 Witness 19762436.
51 Witness 19495953.
52 Witness 19762436; Witness 19495953; Witness 18371966.
53 Witness 19762436.
54 Photos of Witness 10342089.
Body of Victim 15035445 as photographed by witnesses after the incident.

Vehicle damage as documented by investigation team.

The picture of the incident location on Kyivska street, taken by investigation team.
Incident 4: The Hyundai

At or around 19:30 on 28 February 2022, a family of four were traveling across Katyuzhanka in a civilian Hyundai car. Inside the vehicle were three adults and a 14-year-old child. Approaching a crossroads between Poshtova Street and Shevchenko Street, the passengers saw a convoy of Russian military vehicles stationed at the crossing. The driver immediately stopped and attempted to turn the vehicle around. Without warning, Russian forces opened fire at the vehicle using a machine gun mounted on an APC located approximately 30-40 metres away. A mortar gun may also have been used. The vehicle received a direct hit through the windshield, killing the driver and fatally wounding the passenger in the front. The two passengers in the back managed to escape. An eyewitness saw Russian soldiers firing at the car even after it had stopped and showed no signs of attempting to approach. Moreover, the witness stated that the soldiers approached the car themselves and continued to fire at it. The passenger in the front died of her wounds within an hour of the incident. The driver’s remains were burned after the vehicle caught fire.

An eyewitness to the events showed the crime scene and burned-out shell of the Hyundai to Truth Hounds-IPHR-NHC. These visits are documented in photographs taken on 20 May 2022.

55 Witness 17869820; Witness 14216016.
56 Witness 14216016; Witness 17869820.
57 Witness 17869820; Witness 14216016.
58 Witness 17869820.
59 Witness 17869820; Witness 14216016.
60 Witness 17869820; Witness 14216016.
61 Witness 17869820; Witness 14216016.
62 Folder of Witness 14216016.
Vehicle damage and the incident site on Poshtova street, as documented by investigation team.
Potential Classification of the Incidents

Under international humanitarian law, civilians may never be the deliberate target of military attacks. Parties to an armed conflict must take all feasible precautions to minimise harm to civilians and civilian objects and may not carry out attacks that fail to discriminate between combatants and civilians. It is therefore a war crime to: (1) purposefully attack civilians or civilian objects; (2) fail to discriminate between civilian and military objects; or (3) to use force against military objects that results in foreseeable incidental harm to civilians which is disproportionate to the military advantage sought. Attacks must only be directed at military objectives, which includes combatants and any objects that make an effective contribution to military action. Civilian objects may lose their protected status and become military objectives when and for such time that they take a direct part in hostilities. The presence amongst the civilian population of individuals who do not fit within the definition of a civilian does not deprive the entire population of its civilian character.

In respect of the four incidents documented in Katynzhanka, Russian forces appear to have opened fire on civilian vehicles without making any effort to ascertain whether the occupants of the vehicles were civilians not taking part in hostilities. In the context of an undefended civilian settlement which came under Russian occupation within the opening hours of the war, Russian armed forces had a heightened responsibility to ascertain the nature of the vehicle and its passengers before using lethal force. Warning shots were fired in only one of the incidents (see “Incident 3: The Tavria”), but, even then, the soldiers did not give the vehicle sufficient time to stop and reverse and the civilians did not represent a security threat to Russian forces. In all four instances, Russian armed forces appear to have shot to kill without any analysis of the target or giving warning.

Considering the available evidence, there is a reasonable basis to believe that on 25 February and 28 February 2022, members of the Russian Armed Forces flagrantly violated the principle of distinction, resulting in the death of seven unarmed civilians in Katynzhanka. Relying on the legal framework of the Rome Statute of the International Criminal Court, the perpetrators of these incidents may be held responsible for the war crimes of wilful killing (Article 8(2)(a)(i) of the Rome Statute) and intentionally directing attacks against civilians not taking direct part in hostilities (Article 8(2)(b)(i) of the Rome Statute).

Truth Hounds, IPHR, and NHC are conducting further investigations to establish the identity of the direct perpetrators of these attacks, as well as their commanding officers.