



**ALTERNATIVE REPORT
BY THE HIGH COMMISSIONER FOR HUMAN RIGHTS
IN THE RUSSIAN FEDERATION
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ELIMINATION
OF RACIAL DISCRIMINATION
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For eight years, Russia and the entire international community witnessed massive violations of universally recognized human rights in Donbas and Ukraine.

Since 2014, the authorities of Ukraine have been mass killing, shelling and bombing the residents of Donbas. **More than 7,000 people** were killed by bullets, gunfire, explosives and shrapnel, and **more than 16,000 were injured. More than 55,000** housing and civilian infrastructure facilities **were destroyed**. The Ukrainian authorities routinely disregarded the rights of residents of the Donbas, as well as citizens who had been living in Kiev-controlled territories before the outset of the special military operation.

Before Ukraine's armed aggression, **more than 6.5 million people** lived within constitutional boundaries of the Donetsk and Luhansk People's Republics (hereinafter referred to as the DPR and the LPR). These were people who had suffered discrimination by the Kiev regime on a daily basis since 2014 on the grounds of national identity and ideological grounds.

Through aggressive propaganda, the Ukrainian government established the ideology of racial superiority of Ukrainians and directed maximum efforts at radicalizing the public consciousness, thus violating the UN Declaration on the Elimination of All Forms of Racial Discrimination adopted on November 20, 1963. Some of the actions of Ukraine's armed forces may be qualified as acts of ethnic cleansing.

In March 2022, **127 people were detained** by Ukrainian soldiers in Mariupol. All of them were residents of a nine-storey block of flats, among them were children just a few months old. Ukrainian armed

forces took away the keys to the flats and ordered everyone to move to the basement. The civilians were not given the opportunity to collect warm clothes, food or water. During the eight days of captivity the residents were not allowed to leave the basement to fulfill natural needs or to cook food. While retreating, the Ukrainian soldiers set fire to the building.

With the words "No pity for Vata¹!", Kiev militants used a tank to bomb a multi-storey building in Mariupol with over 100 local residents in the basement. The calculation was that if the house collapsed, the entrance to the shelter would be under the rubble. But the building was not destroyed. The Ukrainian armed forces then poured incendiary mixtures into the internal utility systems. People inside the basement were literally suffocating from the carbon monoxide. Only a miracle and the timely arrival of the Russian military helped them to survive.

Such inhumane and unprecedented acts of ethnic cleansing have also targeted children in Donbas.

On August 13, 2014, there was a mortar attack on a children's beach on the banks of the Krynki River in the town of Zugres. Thirteen people were killed, including three children, and more than 30 civilians were wounded;

On November 5, 2014, another shelling by the Ukrainian armed forces nearby the school No 65 in Donetsk took lives of schoolchildren who were playing football on the school playground at the time. The youngest was twelve years old and the oldest was eighteen.

¹ an derogatory word to refer to Russians

In order to protect the rights of the inhabitants of Donbas, on February 24, 2022, the President of the Russian Federation, Vladimir Putin, announced the launch of a special military operation. Its main purpose was to protect the civilian population of the regions, which for eight years has been subjected to systematic attacks by Ukraine, in violation of all existing provisions and principles of international law, and in disregard the fundamental principles of humanity and mercy.

The hostilities unleashed by Ukraine in favour of Western interests have resulted in enormous numbers of human casualties and destruction of civilian infrastructure, unprecedented intensification of migration processes and a critical decline in the quality of life of people.

There is no a single family in Donbas that has not suffered in from the Ukrainian aggression. People lost loved ones, lost their roof over their heads and their jobs, and have been forced to be separated from their relatives who have left for other cities and countries.

During the special military operation, Ukraine grossly violated all groups of human and civil rights and freedoms of Donbas residents, including:

- the basic right to life and security of person;
- the right to freedom of movement;
- the right to health care and medical treatment;
- the right to housing and decent living conditions;
- the right to work;
- the right to education;
- the right to a healthy environment;
- the right to judicial protection and a fair trial.

In the period of February 18, 2022 to December 31, 2022, more than **5 million residents** of the DPR, LPR and Ukraine arrived in Russia, fleeing bombing, shelling and reprisals by Ukrainian armed forces.

Russian government has taken unprecedented measures to support evacuees and create the best possible conditions for their stay in our country. These measures include:

- Free accommodation and food in temporary accommodation centres (TACs);
- Free medical care;
- Lump-sum material assistance (LSA);
- Monthly payments and supplements, lump-sum payments;
- Admission to higher education and postgraduate programmes;
- Employment without a special work permit or patent provided for foreign nationals;
- Assistance with travelling to the place of residence and reimbursement of travel costs;

The High Commissioner of Human Rights in the Russian Federation is a unique mechanism for the protection of citizens during a special military operation and carries out systematic work in accordance with its competence and national legislation.

To provide assistance to evacuees we worked closely with the Commissioner for Human Rights in the Donetsk People's Republic, Ms. Morozova, and the Commissioner for Human Rights in the Luhansk People's Republic, Ms. Serdyukova, and the Commissioners in the entities of the Russian Federation.

We maintain constant contact with volunteers, the Russian Bar Association and other socially-oriented NGOs and foundations. This gave us opportunity to address specific issues that were brought to our attention by evacuees.

The entire country came together to meet the challenges of the special military operation and to provide guarantees to its participants. This activity has become a priority direction for many state agencies. We immediately set up a working group to monitor the rights of citizens.

From the first days of the special military operation, the work of the High Commissioner's office was radically restructured. We used the existing and created special tools for the urgent processing of appeals from participants of the special military, their relatives and friends: a special monitoring working group, a 24-hour hotline, Internet reception, a special working chat room, and other mechanisms.

For the period of the special military operation we saw our mission in protecting the rights and legitimate interests of the participants of the special military operation and their families within our competence, in a timely manner to respond to appeals about non-compliance with legal acts on guarantees established for them. In the framework of humanitarian activities we resolved to assist in the search for the missing in Ukraine, the release of Russian servicemen from captivity and the return to their homeland of civilians illegally held by Ukrainian authorities, to provide humanitarian assistance to families and relatives of those who have been involved in the operation.

In cooperation with the Russian Ministry of Defense, the Federal Security Service, the Ministry of Foreign Affairs, the International

Committee of the Red Cross, and the Ukrainian side, we succeeded in releasing and returning home civilians illegally detained in Ukraine (truck drivers, sailors, employees of companies) and Russian servicemen held captive, whose parents, wives and children appealed to us for assistance. We provided support in organizing medical treatment and resolving social issues of the servicemen. Based on our materials, criminal charges were filed for cruel treatment and torture of Russian servicemen held captive in Ukraine.

In order to coordinate the work of all state agencies of the Russian Federation, the Interagency Coordinating Headquarters for the Humanitarian Response to the Operation in Ukraine was established on the basis of the National Defense Management Center of the Russian Federation on March 2, 2022, which also includes a representative of my Office.

We received more than **17,000** requests for assistance to servicemen and civilians and their families, most of which concerned assistance in returning from captivity, evacuations, searching for missing persons in Ukraine and other issues.

We maintained constant communication with relatives of servicemen participation in special military operation. During 24 hours from the day of receipt of an appeal, the High Commissioner in the Russian Federation would send requests, most often to the Russian Ministry of Defense, and the applicant was informed on the same day by phone or email. However, the work with the appeal did not end there. If the search for the missing people or for information about the whereabouts was involved, my staff would call or

email relatives again after everything was cleared up. Commissioners in the entities of the Russian Federation play an enormous role in supporting the families of our servicemen, and they remain in constant contact with them. Since the first days of the special military operation, we have been systematically exchanging information on the situation of our servicemen, which allowed us to expeditiously inform relatives and friends and reach out to everyone who needed our help.

Relatives of Russian servicemen also appealed to me for help in obtaining information about the whereabouts of their relatives, stating that they have not been contacted by for a long time, and that the commanders of the military units where their relatives served do not give any explanations on this matter.

Some of the appeals were related to the need for humanitarian assistance and concerned issues ranging from seasonal clothing to medical equipment. We tried to solve these issues immediately. We **succeeded in helping 232 citizens in 95 applications**, which do not include the delivery of the goods and products needed by people as part of the High Commissioner's humanitarian actions.

It is not only Russian citizens who have appealed to us with regard to the issues of detainees. We have received more than **800 appeals from relatives of Ukrainian servicemen** detained in the course of the special military operation concerning confirmation of the whereabouts, their state of health and conditions of detention. They asked whether they were under the Geneva Convention and, in some cases, asked not to return their relatives to Ukraine, as they feared for their lives.

It is important to note that many Ukrainian citizens did not agree with the actions of the Kiev authorities, but were afraid to state this openly. We all see how the Kiev regime initiates far-fetched criminal cases against pro-Russian citizens for crimes against the security of Ukraine. There were appeals in which applicants pointed out that their relatives, citizens of Ukraine, were charged with aiding and abetting the Russian Federation simply on the basis of the presence of Russian cell phone numbers in their phones. The Ukrainian security services, without hesitation, accused their own citizen, a person disabled since childhood (diagnosed at birth by Ukraine - child cerebral palsy, loss of functions of one hand), as a fire spotter.

There are still thousands of such citizens in places of detention, including journalists, human rights activists, priests, social and political activists, law enforcement officers, and ordinary citizens.

It is not uncommon for representatives of the Ukrainian security services to directly inform those in custody that the sole reason for the arrest is the intention to use civilians hostages as a swap bank to exchange for Ukrainian servicemen who surrendered, or for Ukrainian civilians in detention on Russian territory.

In order to protect the rights of citizens we conducted more than 370 personal interviews, including 16 that was held by the High Commissioner for Human Rights in the Russian Federation herself (interviews at the House of Human Rights (the Office of the High Commissioner in Moscow), during visits to the wounded in hospitals, via videoconferencing (often Commissioners in the entities of the Russian Federation), during meetings in the regions with relatives of

our soldiers who were captured, disappeared or died.

In the framework of human rights diplomacy, we are engaged in an ongoing dialogue with the Ukrainian side on creating proper conditions for detained Russian servicemen, that includes providing them with high-quality medical care, obtaining the necessary medical supplies, and providing the opportunity to communicate with relatives by telephone.

On July 29, 2022, we established contact with Ukrainian ombudsman Mr. D.Lubinets. We have reached agreements on the principles of dialogue and mechanisms for providing humanitarian assistance to both military personnel and civilians. During face-to-face meetings, we exchanged lists of prisoners and missing persons and civilians in need of humanitarian assistance, including those related to family reunification, provision of medicines or medical care, and evacuation to the territory of another State. This interaction made it possible to resolve a number of important issues, including establishing the fate of Russian servicemen who were reported missing, some of whom were subsequently returned from captivity, clarifying the situation and providing medical assistance to Russian sailors who had been held hostage by the Ukrainian armed forces. For our part, we also provided humanitarian assistance to the Ukrainian ombudsman on a reciprocal basis within the framework of our competence.

The ICRC, with Presidents of which we had several personal meetings, provided certain assistance in determining the location of Russian servicemen and in obtaining information about the conditions of their captivity.

We sent appeals to international bodies demanding that the

Ukrainian authorities comply with the Geneva Conventions on the treatment of prisoners and prevent torture and violence against them. In particular, we sent such appeals to the UN High Commissioner for Human Rights, the Secretary General of the Council of Europe, the Commissioner for Human Rights of the Council of Europe, the Director of the Office for Democratic Institutions and Human Rights, the Secretary General of OSCE, and the Chairman of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. There were appeals to the ICRC for assistance in locating and visiting specific servicemen, assisting in providing them with medical care and sending messages and letters from them to their families and relatives who had contacted them.

In early March 2022, we received appeals from relatives of the Russian crew of the "Millenial Spirit" who reported that on February 25, 2022 a tanker sailing under the Moldovan flag had been hit by missile in neutral waters of the Black Sea. A fire broke out on board, the lifeboats were destroyed and 10 crew members left the ship in their life jackets. Further, they were taken to a hospital in the city of Chernomorsk, Odessa region, where the captain of the tanker died of his wounds. The other sailors were thrown out of the hospital without their belongings or their livelihood. The alarmed relatives asked us to help the sailors return to their homeland.

Guided by the principle of humanity, we immediately addressed the Russian Ministry of Defense and the Russian Ministry of Foreign Affairs, the ICRC President, the head of the ICRC mission in Ukraine, the head of the Regional Delegation of the ICRC in the Russian

Federation and Belarus, the UN High Commissioner for Human Rights, the Ukrainian side, the heads of international associations of human rights defenders, and made repeated public statements, including a video message. We conducted a Russian-Ukrainian exchange of citizens, and our sailors returned to their homeland. My staff helped them to expeditiously restore their documents, establish contact with the Russian Seafarers' Union, and get home.

Simultaneously, I was also receiving calls from relatives and crew members of 10 merchant ships illegally detained by the Ukrainian side at the ship repair plants in the city of Izmail. There were a total of 87 people on the vessels, including women. Armed guards were posted in front of each vessel and crew members were not allowed to go ashore. For more than 8 months they were in a closed space, in a state of stress, in a desperate situation. Against this background, many seafarers developed severe illnesses.

At the same time, I received applications from relatives and crew members of 10 merchant ships illegally detained by the Ukrainian side at the ship repair plants in Izmail. There were a total of **87 people** on the ships, including women. Armed guards were posted in front of each ship and crew members were not allowed to go ashore. For more than 8 months they were in a confined space, in a state of stress, in a desperate situation. Against this background, many seafarers developed severe illnesses.

During 8 months, while the sailors were held in Ukraine, we were in touch with the relatives of the sailors. At my request the representatives of the Ukrainian ombudsman visited the detainees. The

joint efforts brought a positive result. **On October 17, 2022, with our direct involvement, the long-awaited exchange of all Russian civil seafarers took place.** We held a meeting with the captains of the ships at the House of Human Rights. At the moment we are continuing to address a number of issues of the seafarers which have arisen due to their long absence at work and home.

In total **117 crew members of civilian ships illegally detained in Ukraine** were released in several stages. It could only be possible due to the enormous work carried out by the Russian Ministry of Defence, the Federal Security Service of Russia and the Russian Ministry of Foreign Affairs with our participation in implementation of the order of the President of the Russian Federation.

In addition, **45 Russian truck drivers** who had been illegally detained in Ukraine at the Uzhgorod-Centralnyi customs point **and 4 civilian employees of JSC "Atomspetstrans"** were returned to their homeland.

Unfortunately, the Ukrainian authorities and foreign media continue to make groundless accusations against the Russian Federation of evacuation of minors, which in reality was conducted with an aim to save them.

These numerous speculations in fact have no basis and are merely allegations, demonstrating the lack of awareness among representatives of the Ukrainian leadership and the journalistic community.

Most of the evacuated children arrived in the Russian Federation with their families, accompanied by their parents, guardians and curators. Children and their guardians were accommodated in

temporary accommodation centers, found shelter with relatives, or, if possible, rented housing.

The evacuees also included children from orphanages and kids without parental care (about 2,000 in total).

Russian Federation's stance is based, first of all, on the priority attention to the issues of child protection and improvement of the respective mechanisms.

Children who have faced the hardships of military action, suffering and deprivation from an early age and who have been evacuated from the war zone are in acute need of qualified medical care, highly professional multidimensional rehabilitation using the cutting-edge technology and taking into account the individual characteristics of the minors' health.

The living arrangements for evacuated children are primarily carried out at their request and with their own consent, taking into account the special needs and interests of children in accordance with the requirements of international and Russian law.

According to a decision of the competent authorities of the Russian Federation, evacuated children are placed under provisional guardianship, which is deemed as the preferred form of placement, taking into account the possible reunification of minors with their relatives, should there be any.

Currently, **288 children** from the Donetsk People's Republic and **92 children** from the Luhansk People's Republic have been placed with Russian families under guardianship. In addition to their readiness to be placed with foster families, the possibility of finding and returning to the

families of relatives or legal representatives was also discussed with the children.

We carry out individual work with the families and promptly provide assistance to resolve issues related to providing children with places in kindergartens and educational institutions, as well as to provide them with medical services, social benefits and allowances.

If parents or legal representatives express a desire to take care of children, the request is considered immediately, but many children declare their reluctance to return, including because they do not know their prospective guardians or are not close to them.

It is important to note, however, that adoption of children from the Donetsk People's Republic and Luhansk People's Republic is not applied in practice.

The Russian side does not prevent children from maintaining contacts and communication with their relatives and loved ones, regardless of their place of residence, or their reunification with them. If parents or legal representatives are able and willing to take them back to their homes, we do everything in our power to help them.

Since the beginning of the special military operation in the territories of Ukraine, Donetsk Peoples' Republic and Luhansk People's Republic I have received over **40 applications** in regard of reuniting minors with their relatives or legal representatives. In cooperation with the competent authorities, we assisted in reunification with families of **32 minors**, including at the requests of Ms. I.Vereshchuk, Vice-Prime Minister of Ukraine, and the Ukrainian Ombudsman.

The approach to the issue of settling of evacuated children is fully compliant with the norms of the Convention on the Rights of the Child, which recognizes that a child for the full and harmonious development of his or her personality must grow up in a family environment, in an atmosphere of happiness, love and understanding.

In conflict situations, ombudsmen have a special role of helping people who have been held hostage. Ombudsmen can and should distance themselves from politics when it deals with the protection of people in conflict situations. I am convinced that dialogue, even on the most difficult human rights issues, has no alternative. Only an opportunity to hear different points of view can lead to a positive result, to de-escalation of the situation that leads to violations of the rights of civilians.