

The Reckoning Project @ WCEE

Investigating War Crimes in Ukraine

M | LSA WEISER CENTER FOR
EUROPE AND EURASIA
UNIVERSITY OF MICHIGAN

Textbook

Ukraine Testifies



Photo: Anna Tsygma / The Reckoning Project. Chernihiv.

www.thereckoningproject-wcee.org



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The Reckoning Project

The Reckoning Project (TRP) is an international non-governmental organization (NGO) founded in 2022, shortly after Russia's full-scale invasion of Ukraine. It was created by three renowned journalists:

- **Janine di Giovanni**, an American war correspondent with experience reporting on the conflicts in Syria, Bosnia, Rwanda, and Chechnya;
- **Natalia Gumenyuk**, a Ukrainian journalist known for her reporting on human rights and democratic movements;
- **Peter Pomerantsev**, a British author and expert on propaganda and media influence.

Drawing from lessons learned in previous conflicts—where journalistic evidence often failed to meet the strict standards required in court—TRP was established to **document war crimes in Ukraine** and ensure that evidence collected could be used to support **the legal prosecution of war criminals**. TRP's unique approach combines **frontline journalism** with **international legal expertise**. Journalists, researchers, and legal professionals work side-by-side to collect, verify, and legally prepare eyewitness accounts of war crimes. TRP reporters conduct in-depth interviews with survivors and witnesses, often under dangerous conditions in areas affected by conflict. These stories are carefully documented using ethical and legal standards so that they can be used in courts like the **International Criminal Court (ICC)**. While these testimonies are essential for building a legal and historical record, they do not represent the full scope of atrocities committed in Ukraine.

The Reckoning Project and the University of Michigan

In August 2022, the **Weiser Center for Europe and Eurasia (WCEE)** at the University of Michigan began collaborating with TRP to support its mission through research and expand its impact with ambitious educational programs.

WCEE created a program called **The Reckoning Project @ WCEE: Ukraine Testifies**, which brought together faculty and 18 students (undergraduate and graduate) who were trained in different methodologies and provided important analysis to TRP. Students, working in teams supervised by faculty, translated, edited, and analyzed summaries of testimonies provided by TRP, preparing them for TRP's Data Specialist and legal team. The WCEE team assisted with over 300 incidents, many of which are in active stages of legal processing in Ukraine and beyond.

The Reckoning Project @ WCEE also developed interactive tools for educating students and the broader public about the war in Ukraine. On the second anniversary of Russia's full scale-invasion, WCEE launched a website featuring an online archive of TRP testimonies and two interactive maps showing where war crimes were reported by TRP. One map uses a real-time event tracking system developed at U-M by Professor Yurii Zhukov to show troop movements, conquered/contested territories, and violent incidents. These tools are now part of an educational program helping students better understand the war in Ukraine and the importance of international justice.

Scan here to explore the website:



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Lesson 1

The War in Ukraine: Historical Context

For the first time since World War II, there is a war of aggression on the European continent, waged by Russia against Ukraine. Although the war in Ukraine increased in intensity and scope in February of 2022 when Russia launched a full-scale invasion of Ukraine, it actually began in 2014. The roots of the war, however, go further back and are connected to the historical relationships between Russia, Ukraine, and the nations of the European Union and the United States.



Brief History of Ukraine

The territory of today's Ukraine was once at the core of Kyivan Rus, a Slavic state during the 10th and 11th centuries that was one of the most powerful political forces in Europe at the time. In the following centuries after Kyivan Rus rule deteriorated, this territory was controlled by the Grand Duchy of Lithuania and then the Polish-Lithuanian Commonwealth. Today, Kyivan Rus constitutes a strong element of both modern Ukrainian and Russian identities.

In the mid 17th century, a new state emerged called the Cossack Hetmanate. However, by the latter part of the 18th century most of this territory had been absorbed by the Russian Empire. When czarist Russia collapsed in 1917, Ukraine enjoyed three years as an independent nation but was then forced into the newly formed Soviet Union. Over the next several decades Ukraine existed as a Soviet republic within the USSR until the end of the Cold War and the collapse of the Soviet Union in 1991. (Review the Cold War here: <https://www.history.com/topics/cold-war/cold-war-history>)

Stop and Jot: *What were two important turning points in Ukrainian history in the 20th century?*

When the Soviet Union began to fall apart, Ukrainians overwhelmingly advocated for the idea of an independent, sovereign Ukraine; and Ukraine has been recognized as an independent nation by the United Nations since this time. Russia, which had been the power center of the Soviet Union, worked to maintain political influence — if not outright control — over Ukraine. At the same time, the United States and member nations of the European Union sought to gain influence in Ukraine.

Ukraine itself has cultural, language, and political divisions that represent this pull between Europe and Russia. In the western parts of the nation, people tend to speak Ukrainian, identify as ethnically Ukrainian, and see themselves as connected to Europe. In the eastern region, more people speak Russian and identify as ethnically Russian (although many of these same people identify their nationality as Ukrainian).

These same divisions have largely shaped Ukrainian politics since independence. The 2004 elections, for example, were characterized by allegations of corruption and election rigging that allowed Victor Yanukovich, a pro-Russian politician, to be elected. A popular uprising in 2005 called the Orange Revolution prevented Yanukovich from taking power and led to a new election that resulted in Victor Yushchenko becoming president. Yushchenko was interested in forming stronger relationships with the U.S. and Europe and did not have good relationships with Russian leadership.





Viktor Yanukovich

More aligned with Russia, associated with corruption and authoritarianism.

- Prime Minister: Served as Prime Minister of Ukraine from November 2002 to December 2004 and again from August 2006 to December 2007.
- Presidency: Elected President of Ukraine in 2010 after a controversial election. His presidency was marked by allegations of corruption and authoritarianism.
- Euromaidan and Ouster: Protests erupted in 2013-2014 when Yanukovich pulled back from an EU association agreement. In February 2014, he fled to Russia after being ousted by the Ukrainian parliament.

Key Characteristics:

- Political Stance: Generally viewed as pro-Russian, with significant support from Eastern Ukraine.
- Legacy: His tenure is widely criticized for corruption, and he remains a highly controversial figure in Ukraine.



Viktor Yushchenko

Aligned with Western Europe, known for his democratic reforms.

- Prime Minister: Served as Prime Minister of Ukraine from December 1999 to April 2001.
- Presidency: Elected President of Ukraine in 2004 after the Orange Revolution, a popular movement challenging the fraudulent election results that initially declared Yanukovich the winner.
- Health Crisis: Notably suffered from dioxin poisoning during the 2004 presidential campaign, which left his face permanently scarred.
- Post-Presidency: Served one term and was succeeded by Yanukovich in 2010; continues to be active in public life and politics.

Key Characteristics:

- Political Stance: Seen as pro-Western, with significant support from Western and Central Ukraine.
- Legacy: Yushchenko is celebrated for his contributions to Ukrainian democracy but criticized for being unable to sustain momentum for significant reforms.

In the 2010 elections, however, Yanukovich ran again and won the presidency. Again, the pendulum swung, and Ukraine's government began moving away from an alliance with the U.S. and Europe and towards Russia. In 2013, Yanukovich suspended an association agreement with the European Union and popular protests broke out again. In February 2014, this movement, the Ukrainian Revolution of Dignity, also known as the Euromaidan, succeeded in removing Yanukovich from power again and led to a new government that favored a stronger relationship with Europe and the West.

Stop and Jot: *How would you summarize the main political divisions in Ukraine?*

The War

Russia felt threatened by this shift and saw it as an attempt by NATO (the North Atlantic Treaty Organization), a military alliance of the United States and most European nations, to increase its own power and limit Russian influence in the region. In March 2014, soldiers claiming to be Ukrainian rebels, but later confirmed to be Russian soldiers, took control of the Crimean Peninsula, which is part of Ukraine. Russia annexed Crimea claiming that a referendum showed that the people there wanted to be a part of Russia. This move was widely criticized by the international community and remains an important issue in the conflict between Russia and Ukraine today, as Ukraine is demanding the return of Crimea.



After the annexation of Crimea, the conflict spread to the Donbas region in Eastern Ukraine, where many people speak Russian. In April 2014, separatist fighters, with support from Russian military and intelligence, declared independence in the Donetsk and Luhansk regions, leading to the War in Donbas. The Ukrainian government launched military operations against the separatist forces and open war broke out in the region.

In September 2014, a peace agreement called the Minsk Protocol was signed in an attempt to halt the fighting and develop a political process for conflict resolution. Nevertheless, fighting continued, and over time a stalemate between the two forces in the region emerged.

In February 2022, however, events took a drastic turn when Russian President Vladimir Putin declared a “special military operation” and launched a full-scale invasion of Ukraine. Russian troops attacked across the border at multiple spots with the intent of quickly overwhelming the Ukrainian military so that they could remove the democratically-elected president of Ukraine, Volodymyr Zelenskyy. Ukrainian forces, supported by military aid from the U.S. and some European nations, mounted an effective defense and prevented a quick Russian victory. NATO and EU members put economic sanctions into effect against Russia, as well, in an attempt to weaken their military effort.



Since the beginning of the war, millions of Ukrainians have been displaced internally and as refugees in other countries. Tens of thousands of people have died and there's evidence of widespread war crimes committed by Russian troops. In fact, the International Criminal Court has issued arrest warrants for Russian President Vladimir Putin and Presidential Commissioner for Children's Rights Maria Lvova-Belova. They are accused of committing the war crimes of "unlawful deportation of population (children) and that of unlawful transfer of population (children) from occupied areas of Ukraine to the Russian Federation" beginning on February 24, 2022. This is an ongoing case that will continue to develop.

Stop and Jot: *In your own words, describe some of the root causes of this war.*

Conclusion

While this war continues, international efforts to conduct effective peace talks have occurred but have not resulted in concrete agreements. The war develops day-to-day with no clear plans for resolution and is one of the most significant challenges to global security and peace today.

At its core, this war is about sovereignty, which is the right of a nation or group of people to be self-governing. Sovereign political powers are completely independent of any other political entity; political scientists often refer to this as absolute sovereignty. Russia, by annexing Crimea, invading Ukrainian territory, and installing its own chosen

local leaders in certain places in Ukraine is violating Ukrainian sovereignty. Within international law, however, nations are recognized as having the right to govern their territories without interference from other nations. Since 1991, Ukraine has been recognized as a sovereign nation, and its territorial integrity and borders have been confirmed by a range of international treaties and agreements.

Another important component of sovereignty is self-determination, or the idea that people in a given nation have the right to determine their own political status and pursue their own interests. The citizens of Ukraine chose to become an independent nation in 1991 when the Soviet Union was dissolved. They made this choice through a national referendum, or vote, in which a significant majority of Ukrainian citizens supported independence.

As an independent nation, Ukraine has a functioning government, a constitution, and a range of legal, social, and cultural institutions that identify as Ukrainian. Ukraine has its own language, history, and culture that distinguish it from other nations. Given that Ukraine clearly meets the criteria of a sovereign nation, efforts by Russia — or any other nation for that matter — to take away territory or make policy decisions are in violation of international law and out of line with global standards for peace and security. In the interest of peace and global security, it is also important that the United States and the European Union respect Ukrainian sovereignty and avoid undue influence that takes away the voice of the Ukrainian people.

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Connection Questions

Explain in your own words what the war has to do with the concept of sovereignty:

How is this war connected to the Cold War?



Using classroom and/or online resources, find and label the following geographic locations on the blank map above:

<i>Nations</i>	<i>Ukrainian Regions</i>	<i>Cities</i>	<i>Historical Regions</i>
Ukraine Russia Belarus Poland	Crimea Donbas	Kyiv (Ukraine) Moscow (Russia)	Use a dotted or colored line to show the old border of the Soviet Union

Lesson 2

What are War Crimes?

① Video: War Crimes Explained: The Rules of War, Crimes Against Humanity & Genocide

Watch the video linked here: <https://www.youtube.com/watch?v=f0RydVCnco4>

Then, as directed by your teacher, answer the questions in the video question guide.

1. What is international human law?

2. What is the difference between war crimes, crimes against humanity, and genocide?

3. What is the concept of proportionality with respect to war crimes?

4. What are the types of evidence that investigators gather when looking into war crimes?

5. What are the challenges in gathering evidence of war crimes?

6. What are the challenges of punishing those who commit war crimes?

7. What are some of the limitations to the powers of the international criminal court?

② **Key Developments: Review the timeline below, then work with a partner to respond to the reflection question at the end.**

This timeline highlights the progression from basic agreements on the conduct of warfare to the establishment of formal tribunals and an international court to prosecute individuals for war crimes. It paints a picture of the collective effort by the international community to articulate, codify, and enforce the laws of war.

19th Century

- **1864:** The first Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field was adopted, establishing guidelines for the treatment of the wounded and medical personnel in war situations.

Early 20th Century

- **1907:** The Hague Conventions were expanded, laying down the laws of war and war crimes in international armed conflict.

Post World War I

- **1919:** The Treaty of Versailles mentioned the responsibility for starting World War I and the concept of “war guilt”, and the Allies sought to prosecute German Emperor Wilhelm II as a war criminal, although this did not actually lead to a trial.
- **1920:** The establishment of the League of Nations, which aimed to enforce international laws and prevent future conflicts.

Post World War II

- **1945-46:** The Nuremberg Trials were conducted by the Allied powers to prosecute the major war criminals of the European Axis for crimes against peace, war crimes, and crimes against humanity, leading to the Nuremberg principles, which outlined what constitutes a war crime.
- **1946:** The International Military Tribunal for the Far East, also known as the Tokyo Tribunal, was established to address war crimes committed by the Japanese Empire during World War II.
- **1949:** The Geneva Conventions were updated significantly to include the protection of civilian persons in time of war, and established standards of international law for humanitarian treatment in wartime.

Late 20th Century

- **1977:** Two additional protocols to the 1949 Geneva Conventions were adopted, expanding protections to include guerrilla fighters and victims of internal conflicts.
- **1993:** The United Nations Security Council established the International Criminal Tribunal for the former Yugoslavia (ICTY) to address war crimes that took place during the Balkans conflicts.

-
- **1994:** The International Criminal Tribunal for Rwanda (ICTR) was established by the UN to prosecute those responsible for the Rwandan genocide and other serious violations of international law in Rwanda or by Rwandan citizens in nearby states.
 - **1998:** The Rome Statute was adopted, leading to the creation of the International Criminal Court (ICC), the first permanent independent court capable of trying individuals for genocide, crimes against humanity, and war crimes.

21st Century

- **2002:** The International Criminal Court was officially established and began operating in The Hague, Netherlands.
- **2010:** The ICC's jurisdiction was expanded through the adoption of amendments to the Rome Statute, including the definition and criminalization of the crime of aggression.

Timeline reflection question: How did events during different wars lead to developments in International Humanitarian Law? Use at least 3 examples to explain how specific patterns of violence during different conflicts led to important changes or developments in international law related to war crimes.

③ Understanding the International Criminal Court (ICC) and its jurisdiction: Working with a partner or small group, read the overview below and complete the graphic organizers.

The Rome Statute of the International Criminal Court is the treaty that established the International Criminal Court. It was adopted at a diplomatic conference in Rome, Italy on July 17, 1998, and it entered into force on July 1, 2002. As of February 2024, 124 states are party to the statute.

<https://www.icc-cpi.int/about/how-the-court-works>

How the Court Works

The crimes

The Court's founding treaty, called the Rome Statute, grants the ICC jurisdiction over four main crimes.

First, the crime of **genocide** is characterized by the specific intent to destroy in whole or in part a national, ethnic, racial, or religious group by killing its members or by other means: causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; or forcibly transferring children of the group to another group.

Second, the ICC can prosecute **crimes against humanity**, which are serious violations committed as part of a large-scale attack against any civilian population. The 15 forms of crimes against humanity listed in the Rome Statute include offences such as murder, rape, imprisonment, enforced disappearances, enslavement — particularly of women and children — sexual slavery, torture, apartheid, and deportation.

Third, **war crimes** which are grave breaches of the Geneva conventions in the context of armed conflict and include, for instance, the use of child soldiers; the killing or torture of persons such as civilians or prisoners of war; intentionally directing attacks against hospitals, historic monuments, or buildings dedicated to religion, education, art, science or charitable purposes.

Finally, the fourth crime falling within the ICC’s jurisdiction is the crime of **aggression**. It is the use of armed force by a State against the sovereignty, integrity, or independence of another State. The definition of this crime was adopted through amending the Rome Statute at the first Review Conference of the Statute in Kampala, Uganda, in 2010.

On December 15, 2017, the Assembly of States Parties adopted by consensus a resolution on the activation of the jurisdiction of the Court over the crime of aggression as of July 17, 2018.

Semantic Feature Analysis: Comparing crimes addressed by the ICC

For each type of crime, review the column headings to figure out whether or not they apply to each crime. Place an X in any box where the heading is true for that crime.

	By definition targets large groups of people	Can involve single victims	Only takes place during war	Only targets civilians	Includes the treatment of both soldiers and civilians
Genocide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Crimes against humanity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
War crimes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aggression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Now complete the table below:

Genocide

Basic definition:

Examples:

Crimes against humanity

Basic definition:

Examples:

War crimes

Basic definition:

Examples:

Aggression

Basic definition:

Examples:

④ Analyzing the Rome Statute of the International Criminal Court

Step 1: Working in a small group, read the provided excerpts (selected passages) of Article 82 of the Rome Statute. As you read, highlight unfamiliar or new words that seem important to the explanation of war crimes.

Step 2: Review the vocabulary list and look for the terms you highlighted. Read the definition and then re-read the section where the word was used.

Step 3: As a group, discuss which 5 specific crimes you predict will be most common in the war in Ukraine. Be prepared to share your list and your reasoning with the class (your group will need a spokesperson).

Rome Statute Excerpts

Article 82 — War Crimes

1. The Court shall have jurisdiction in respect of war crimes in particular when committed as part of a plan or policy or as part of a large-scale commission of such crimes.
2. For the purpose of this Statute, “war crimes” means:
 - (a) Grave breaches of the Geneva Conventions of August 12, 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:
 - (i) Wilful killing;
 - (ii) Torture or inhuman treatment, including biological experiments;
 - (iii) Wilfully causing great suffering, or serious injury to body or health;
 - (iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
 - (v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
 - (vi) Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
 - (vii) Unlawful deportation or transfer or unlawful confinement;
 - (viii) Taking of hostages.

(b) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

(i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;

(ii) Intentionally directing attacks against civilian objects, that is, objects which are not military objectives;

(iii) Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict;

(iv) Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term, and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;

(v) Attacking or bombarding, by whatever means, towns, villages, dwellings, or buildings which are undefended and which are not military objectives;

(vi) Killing or wounding a combatant who, having laid down his arms or having no longer means of defense, has surrendered at discretion;

...

(viii) The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory;

(ix) Intentionally directing attacks against buildings dedicated to religion, education, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not military objectives;

(x) Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental, or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons;

(xi) Killing or wounding treacherously individuals belonging to the hostile nation or army;

...

(xiii) Destroying or seizing the enemy's property unless such destruction or seizure be imperatively demanded by the necessities of war;

(xiv) Declaring abolished, suspended, or inadmissible in a court of law the rights and actions of the nationals of the hostile party;

...

(xvi) Pillaging a town or place, even when taken by assault;

...

(xxi) Committing outrages upon personal dignity, in particular humiliating and degrading treatment;

(xxii) Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions;

(xxiii) Utilizing the presence of a civilian or other protected person to render certain points, areas, or military forces immune from military operations;

(xxiv) Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;

(xxv) Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions;

(xxvi) Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities.

Vocabulary

1. Jurisdiction: The legal authority granted to a legal body (like a government, court, or law enforcement agency) to administer justice within a defined field of responsibility, such as geographical territory or subject matter.

2. Convention: An agreement between countries, typically formalized by treaty, which binds the countries to certain standards or behaviors. Also used to describe a large meeting, assembly, or conference where people gather to discuss common interests.

3. Willful: Done on purpose; intentional; deliberate. Referring to actions that are carried out with a conscious objective or desire to achieve a particular result.

4. Appropriation: The act of taking something for one's own use, typically without the owner's permission. In a legal or governmental context, it often refers to setting aside funds for a particular purpose or use.

5. Wantonly: Done in a reckless and deliberate manner without considering the consequences or the rights and feelings of others.

6. Prisoner of War (POW): A combatant or a non-combatant who is detained by an opposing force during or immediately after an armed conflict. Prisoners of war are protected under the Geneva Conventions and cannot be prosecuted for taking direct part in hostilities.

7. Protected Person: Under international humanitarian law, particularly the Geneva Conventions, a protected person is someone who is under the protection of an enemy state of which the person is not a national and is involved in or affected by an international armed conflict.

8. Deportation: The act of formally removing a person from a country for violating immigration laws or for being deemed a national security risk. It usually applies to the removal of non-citizens back to their home country.

9. Confinement: The act of restraining or depriving someone of liberty, typically by placing them in a prison or other such facility.

10. Civilian: A person who is not a member of the military, a police force, or a firefighting organization. In the context of armed conflict, civilians are afforded certain protections under international humanitarian law.

11. Hostilities: Acts of warfare or aggression between opposing forces, which can include battles, military campaigns, or other forms of armed conflict.

12. Humanitarian: Pertaining to the promotion of human welfare and the prevention and relief of human suffering. Humanitarian actions are often carried out to assist people affected by natural disasters and conflicts, without discrimination and with an emphasis on impartiality and neutrality.

13. Incidental: Accompanying but not a major part of something; secondary. In a legal or military context, it often refers to harm or damage that is not intentionally caused but is a foreseeable consequence of lawful actions, such as civilian casualties incidental to military operations.

14. Military Advantage: The benefit gained by armed forces from any action, strategy, or operation that contributes to the overall success in combat or the defeat of the enemy.

15. Military Objectives: In the context of armed conflict, these are objects or locations that make an effective contribution to military action and whose total or partial destruction, capture, or neutralization offers a definite military advantage.

16. Combatant: A person who directly engages in hostilities or armed combat, as part of an armed force or group during an armed conflict. Combatants have the right to participate in hostilities, but they are also legitimate targets for attack.

17. Occupied Territory: Land that is under the control of foreign military forces without the sovereign consent of the country that holds sovereignty over the region. The laws of occupation are governed by international law, which sets out the duties and limitations of the occupying power.

5 Head, Heart, Conscience Reflection...

Respond to one prompt from each section.

Head

- What new information do you know about war crimes?
- What additional information would you like to have to help you better understand the concept of war crimes?

Heart

- What emotions does this topic bring up for you?
- Are there particular examples that stand out to you? If so, why?

Conscience

- What questions about fairness or justice does this topic raise for you?
- How do you think real people are impacted by war crimes? Are there people who should be held accountable? If so, how?

Lesson 2A

What Does Justice Look Like?

Prosecution of War Crimes

So what does justice look like anyways, and are war crimes actually prosecuted? Let's review some basic information about who can prosecute war crimes once they have been investigated.

War crimes can be prosecuted by domestic (national) courts, international tribunals, or the International Criminal Court (ICC):

- **Domestic courts** (within the justice system of an individual nation): These courts are usually responsible for prosecuting war crimes. Sometimes war crimes are prosecuted during a war when enemy combatants are captured and accused of committing war crimes. War crimes can also be prosecuted when a war is over and peace is restored and a national court system seeks to bring about justice for crimes that occurred during the war. In some instances, nations will prosecute soldiers from their own military forces for war crimes, although this tends to be less common. In addition, domestic courts may prosecute cases where the incidents took place in another nation. For example, the United States has laws that allow it to prosecute war crimes regardless of where the crime occurred or the nationality of the offender or victim.
- **International tribunals**: International tribunals are special courts that can settle international disputes, prosecute war criminals, and resolve disputes based on international conventions. The United Nations (UN) establishes international tribunals to prosecute war criminals, and the Security Council creates them to try people responsible for serious crimes. These tribunals can step in if a country is unable to prosecute.
- **International Criminal Court**: The ICC is the world's first permanent international criminal court, and it is based in The Hague, Netherlands. The ICC was established in 2002 after 60 countries signed the Rome Statute, and it has 124 member countries. The ICC investigates and prosecutes war crimes, crimes against humanity, genocide, and the crime of aggression. The ICC is considered a last option to be used if national courts are unable to pursue justice.

Stop and Jot: *What factors might make it difficult to conduct a fair trial in a domestic court? In what situations do you think international tribunals or the International Criminal Court might need to step in?*

The International Criminal Court (ICC)

The International Criminal Court (ICC) has had several successes in its 22 years of operation, including convictions, detentions, and warrants:

- **Convictions:** As of September 26, 2023, the ICC has had 10 convictions.
- **Detentions:** As of May 22, 2024, 21 people have been detained in The Hague.
- **Warrants:** As of May 22, 2024, the ICC has issued 37 arrest warrants.

Despite this record, the International Criminal Court (ICC) has been criticized for focusing primarily on war crimes committed in African nations, and all 32 cases listed on the ICC website (<https://www.icc-cpi.int/cases>, as of 8/24) are in Africa. These cases involve the following nations: Sudan, Democratic Republic of the Congo, Kenya, Central African Republic, Libya, Mali, Ivory Coast, and Uganda.

The ICC does have ongoing investigations in other parts of the world, however, and is looking into war crimes and other violations of international humanitarian law in the following areas as of August 2024:

Region	Site of ongoing ICC investigations (as of 8/27/24, https://www.icc-cpi.int/)
Africa	
North Africa	Libya
East Africa	Kenya, Sudan, Uganda
West Africa	Mali, Ivory Coast
Central Africa	Democratic Republic of the Congo, Central African Republic, Burundi
Eastern Europe	Georgia, Ukraine
Southeast Asia	Bangladesh/Myanmar, Philippines
Central Asia	Afghanistan
Middle East	Palestine
South America	Venezuela

These current investigations include charges against Russian president Vladimir Putin and other Russian leaders and military figures, as well as Prime Minister Benjamin Netanyahu of Israel and Israeli military leaders.

Examples of war crime prosecutions:

Over time, there have been many important trials for war criminals. These have taken place in different settings and had varying outcomes. Review the historical examples of war crime prosecutions below and complete the table that follows:

1. Adolf Eichmann (1961)

Adolf Eichmann, a high-ranking SS officer and one of the chief architects of the Holocaust, was tried in the District Court of Jerusalem, Israel. As head of the Gestapo's Jewish Affairs department, he oversaw the logistics of mass deportation and extermination of Jews in Nazi-occupied Europe. Eichmann was charged with crimes against humanity, war crimes, and membership in criminal organizations. The court sentenced him to death by hanging, a sentence that was duly carried out in 1962.

2. My Lai Massacre: Lt. William Calley (1971)

Lieutenant William Calley of the U.S. Army was prosecuted by a U.S. Military Court for his role in the My Lai Massacre in Vietnam. During the massacre, hundreds of South Vietnamese civilians were killed by American soldiers under Calley's command. Calley was charged with premeditated murder and assault, resulting in an initial life sentence. However, his sentence was later reduced to 20 years, then to 10 years. Calley ultimately served only 3.5 years under house arrest.

3. Kaing Guek Eav (Duch) (2010)

Kaing Guek Eav, known as Duch, was the commander of the notorious S-21 prison in Phnom Penh, Cambodia, under the Khmer Rouge regime. He was tried by the Extraordinary Chambers in the Courts of Cambodia (a domestic court with international support). Duch was charged with crimes against humanity and grave breaches of the Geneva Conventions, including torture, extermination, and enslavement. Initially sentenced to 35 years in prison, his sentence was later increased to life imprisonment on appeal. Duch served his life sentence until his death in 2020.

4. Maurice Papon (1998)

Maurice Papon, a senior French official, faced trial in the Court of Assizes of Bordeaux, France. During World War II, Papon was involved in the deportation of Jews from Bordeaux to Nazi concentration camps, leading to their deaths. He was charged with complicity in crimes against humanity. Papon received a 10-year prison sentence, but was released in 2002 on health grounds and died in 2007.

5. Jozef Tiso (1947)

Jozef Tiso, the President of the Slovak State during World War II, was tried by the National Court of the Czechoslovak Republic. Tiso collaborated with Nazi Germany and was instrumental in the deportation of Jews from Slovakia. He was charged with treason, collaboration with the enemy, and crimes against humanity. Tiso was sentenced to death by hanging and was executed in 1947.

6. Efraín Ríos Montt (2013)

Efraín Ríos Montt, a former military dictator of Guatemala, was prosecuted by the High Risk Court A in Guatemala City for atrocities committed during the Guatemalan Civil War. His regime was responsible for the systematic massacre of indigenous people. Ríos Montt was charged with genocide and crimes against humanity, receiving an 80-year prison sentence. However, the sentence was overturned on a technicality, and Ríos Montt died in 2018 while awaiting retrial.

7. Slobodan Milošević (2001)

Slobodan Milošević, the former President of Yugoslavia, was charged domestically in Belgrade District Court before being transferred to the International Criminal Tribunal for the former Yugoslavia (ICTY). Crimes occurred in Kosovo, Bosnia, and Croatia, involving ethnic cleansing, genocide, and crimes against humanity. Though charged with war crimes domestically and internationally, Milošević died in 2006 in his ICTY detention cell without a final verdict.

8. Jean-Paul Akayesu (1998)

Jean-Paul Akayesu, the mayor of Taba in Rwanda, was tried by the International Criminal Tribunal for Rwanda (ICTR). During the Rwandan Genocide of 1994, Akayesu encouraged and participated in the mass murder and sexual violence against Tutsi civilians. He was charged with genocide, crimes against humanity, and incitement to commit genocide, resulting in a life sentence. Akayesu remains incarcerated, serving his life imprisonment.

9. Augusto Pinochet (2000)

General Augusto Pinochet, former Chilean dictator, was arrested in London in 1998 under an international arrest warrant issued by Spain, which accused him of human rights abuses. However, Pinochet also faced numerous charges in Chile, where he stood trial domestically. He was charged with massive human rights violations including torture, murder, and forced disappearances during his regime. Though stripped of his immunity, Pinochet remained under house arrest due to his deteriorating health until his death in 2006, without being formally sentenced.

10. Thomas Lubanga Dyilo (2012)

Thomas Lubanga Dyilo, the leader of the Union of Congolese Patriots, was tried by the International Criminal Court (domestic setting in the Democratic Republic of the Congo supported by ICC). He was involved in the recruitment and use of child soldiers in the conflict in Ituri, Democratic Republic of the Congo. Lubanga was charged with war crimes, specifically enlisting and conscripting children under the age of 15 for use in hostilities. He received a 14-year prison sentence and is currently serving his sentence.

Working in a small group, use the information from the descriptions above to fill out the table below.

Case	Jurisdiction	Location / crimes	Sentence	Actual punishment
1. Eichmann	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
2. My Lai/Calley	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
3. Eav (Duch)	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
4. Papon	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
5. Tiso	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
6. Montt	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
7. Milošević	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
8. Akayesu	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
9. Pinochet	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			
10. Dyilo	<input type="checkbox"/> Domestic <input type="checkbox"/> Tribunal <input type="checkbox"/> ICC			

Stop and Jot, then turn and talk:

- *What patterns do you notice? What questions do you have?*
- *Based on these examples, what might be some of the challenges in bringing war criminals to justice?*

The United States and War Crimes: A Complicated Relationship

Read the excerpts below from an NPR interview and a US News story and respond to the prompts that follow.

Interview with John Bellinger III, Legal adviser for the National Security Council and the State Department during the administration of George W. Bush:

MARTIN: So the International Criminal Court was established in 1998 by an international agreement called the Rome Statute. And although the U.S. helped negotiate that accord, it ultimately did not formally join the ICC. As briefly as you can, why not?

BELLINGER: Well, that's right, Michel. The U.S. has had a real roller coaster relationship with the ICC from the beginning with, unfortunately, more downs than ups. The real answer to your question is that the U.S. has been concerned from the very beginning that the prosecutor for the court would be given too much power unchecked, and he or she could conduct politically-motivated prosecutions of U.S. soldiers.

And the U.S. actually had long supported the concept of an international criminal court. Congress had actually voted resolutions back in the 1990s calling for the creation of an international criminal court based on the Nuremberg tribunals after World War II. But as you said, when the Clinton administration participated in the negotiations of the treaty, the Rome Statute that created this International Criminal Court, the U.S. was not comfortable with the outcome and ended up being one of only seven countries in the world that voted against the treaty.

<https://www.npr.org/2022/04/16/1093212495/the-u-s-does-not-recognize-the-jurisdiction-of-the-international-criminal-court>

The Complicated Relationship Between the U.S. and the ICC, Explained

By Aneeta Mathur-Ashton May 23, 2024

Clinton: 'Significant Flaws'

The U.S. has generally been wary of the court's jurisdiction, despite participating in the negotiations that led to its creation. It was one of seven countries — joining China, Iraq, Israel, Libya, Qatar and Yemen — that voted against the statute. And it is not contributing financially to the global body.

The problem the U.S. has with the court comes down to one thing: To the degree

the court can be a force for international justice in other countries ravaged by brutal wars, ethnic cleansing or humanitarian crises at the hands of corrupt or irresponsible leaders, it generally has drawn American support. But no U.S. president — from Bill Clinton to Donald Trump — has or likely ever will agree to subordinate the actions or decisions of U.S. citizens, soldiers or political leaders to the oversight of an international authority.

<https://www.usnews.com/news/national-news/articles/2024-05-23/the-complicated-relationship-between-the-u-s-and-the-icc-explained>

The United States in general does not support ICC actions that target allies like Israel's Benjamin Netanyahu, but it does support action against international opponents like Vladimir Putin. Critics of the U.S. label this hypocrisy while others argue that the crimes involved are different.

Stop and Jot: *In your own words, summarize why the United States did not join the ICC and why it does not support the broad authority of the ICC.*

U.S. Soldiers and War Crimes

Now let's briefly consider a few examples of war crimes committed by United States personnel that were handled internally by the United States Armed Forces.

During the Vietnam War, 95 members of the United States Army and 27 members of the United States Marine Corps were court-martialed for the murder or manslaughter of Vietnamese civilians or prisoners of war. This number, while significant, likely represents only a small fraction of war crimes committed by United States soldiers during the war. You read about one of the most well-known cases from the Vietnam War above, the case of Lieutenant William Calley. Responsible for the murder of hundreds of Vietnamese civilians, Kelly ended up serving only 3.5 years under house arrest.

A more recent example concerns events that took place in Afghanistan in 2012. A group of infantry soldiers known as the Kill Team in the 82nd Airborne Division was accused of purposefully murdering innocent Afghan people and then creating scenarios to make it look like the deaths had occurred during combat. In one incident, soldiers opened fire on and killed three unarmed Afghan men riding on a motorcycle. The leader of the group, Staff Sergeant Calvin Gibbs, allegedly boasted about his activities and was caught with souvenir bones and teeth from victims of some of their crimes. Gibbs was sentenced to 20 years in prison and is still serving time.

Private 1st Class Andrew Holmes, part of the group, was charged with shooting an Afghan child and then posing with the body for photographs. He was convicted and dishonorably discharged from the military. He served less than 6 years in a military prison and was released. 1st Lieutenant Clint Lawrence was charged with murder as well after he ordered his soldiers to open fire on the three men on the motorcycle. He was found guilty in a court-martial and sentenced to 20 years in prison, but was pardoned by President Donald Trump in 2019.

Turn and Talk and prepare to discuss:

- What do you think about these cases?
- Do you think justice was done?
- What more would you need to know? What questions do you have?
- Given these examples, do you think the United States should allow the ICC to prosecute U.S. soldiers or should we keep that responsibility to ourselves?

Justice for the Survivors of War Crimes

Besides bringing perpetrators to justice, which can be challenging, there are also the needs of survivors to consider. The survivors of war crimes may have physical and medical needs; they may require psychological support and mental health services; they may need assistance with housing or basic resources; as well as other areas of need. Read about the **Trust Fund for Victims** below to see how the international community is attempting to meet these needs.

About us

- The Rome Statute of July 17, 1998 forms the basis for two bodies: the International Criminal Court (ICC), created in 2002, and the Trust Fund for Victims (TFV), created in 2002 by the Assembly of States Parties (ASP). In 2005, the ASP adopted the comprehensive Regulations of the TFV, establishing the Secretariat of the Trust Fund that was staffed in 2007.
- While the ICC investigates and prosecutes the crimes of genocide, crimes against humanity, war crimes, and the crime of aggression, the TFV responds to the harm resulting from the crimes under the jurisdiction of the ICC.
- The TFV helps realize the rights of victims and their families through the provision of reparations and assistance. Our teams work for and with victims to deliver vital programmes related to mental health, physical rehabilitation, and material support.
- The TFV places victims and survivors at the centre of everything we do, and our holistic approach aims to bring long-lasting peace to individuals, their families and communities.

-
- The TFV has a Board of Directors and a Secretariat led by an Executive Director. In January 2021, the Secretariat's 28 staff members were deployed either at Headquarters (Seat of the ICC) or at ICC Country Offices (in particular in Kampala, Bunia and Abidjan).

<https://www.trustfundforvictims.org/en/about/vision>

***Stop and Jot:** Why is it important to consider the needs of war crimes survivors when we think about questions of justice? Is it important to think beyond punishment and also think about repair and restoration? If so, why?*

Lesson 3

Looking for Patterns of War Crimes

① Review the statements below that summarize the work of The Reckoning Project as well as the team from the University of Michigan's Weiser Center for Europe and Eurasia (WCEE).

The Reckoning Project brings on-the-ground investigative journalists, who collect witness testimonies from sites of human rights violations, war crimes, and atrocities, together with lawyers. They work together to stamp out impunity through the courts of law, courts of public opinion, and available accountability pathways.

<https://www.thereckoningproject.com/>

The University of Michigan's WCEE team works with The Reckoning Project, an international NGO dedicated to collecting fact-based, legally admissible testimonies from witnesses and victims of human rights violations, war crimes, and atrocities in Ukraine since Russia's full-scale invasion.

What WCEE Does

WCEE analyzes the testimonies and prepares them for legal, archival, and commemorative purposes. To ensure objectivity, our team is trained in translation standards, research ethics, and qualitative methods.

<https://sites.lsa.umich.edu/thereckoningproject/>

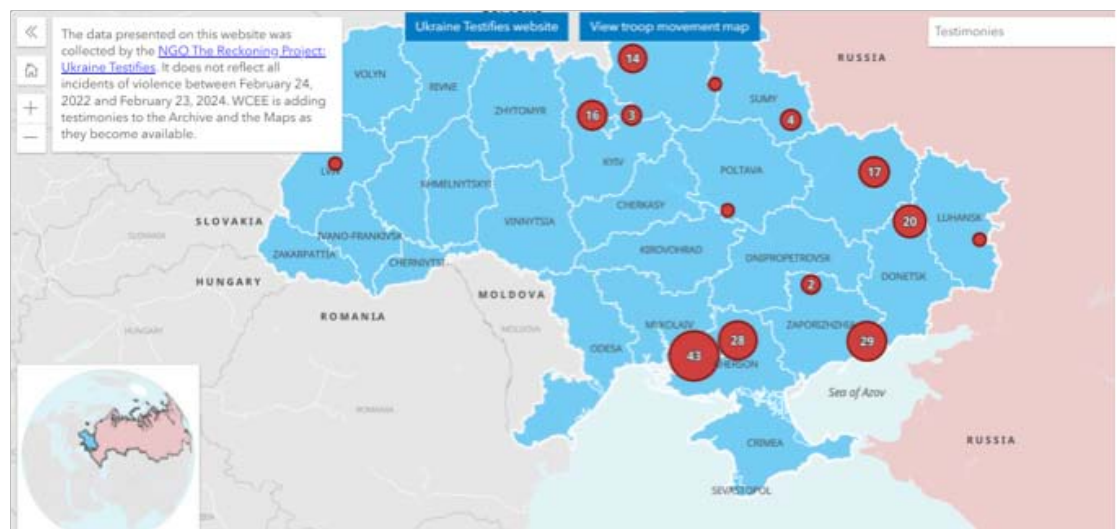
Turn and Talk: Based on the above descriptions, who do you think the different audiences are for this work? Who is it for and why does that matter? For example, how might you write something differently if it was for a magazine article as compared to a legal document for a court case?

- ② Revisit your predictions about the most common war crimes in Ukraine from Lesson 2. What five war crimes did you identify?

You will now work with an **interactive Incident Map** produced by the WCEE team at the University of Michigan using data from The Reckoning Project. You will need a device and internet access for this activity.

Open the map at the link below. There is a screenshot here to help you identify what map you should open. As you review the main layer of the map (without clicking on any of the interactive links) answer the following questions.

https://ukrainetestifies.ii.lsa.umich.edu/incident_map.html



- What do you think the red circles mean?

- What do the numbers in the red circles mean?

- What patterns do you see looking at the red circles? What areas of Ukraine have the highest numbers? What do you think this means?

- What areas of Ukraine have no red circles or very low numbers? Why do you think this might be the case?

③ Working in a small group, select 4 red circles (sets of specific incidents) to analyze. Open each set of incidents by clicking on the red circle. Review the types of incidents reported and look for patterns. What are the top three or four most common types of incidents that you see? Fill out the table below to keep track of your findings.

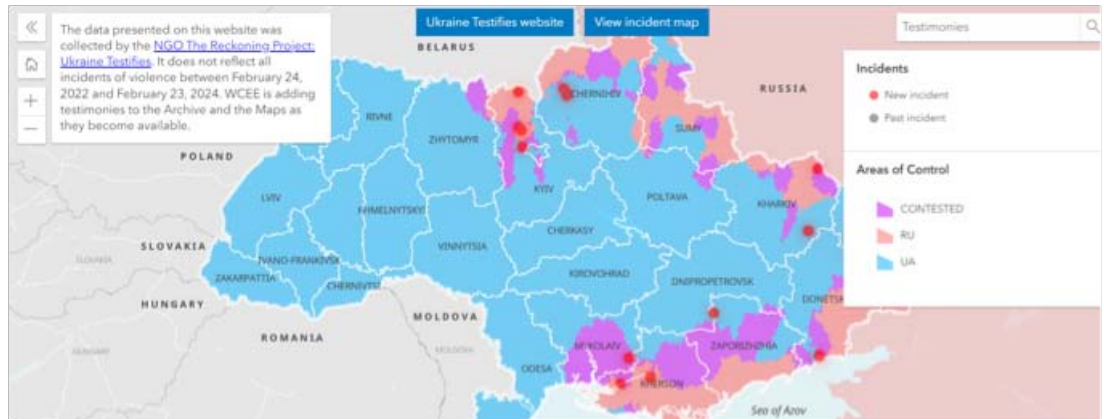
Red circle	# of incidents	Location (oblast)	Most common types of incidents
1.			
2.			
3.			
4.			

④ Now compare across all four red circles. How are the patterns similar and different? Are there regional differences that you see? Do some areas seem to have more of certain types of crimes than others? If so, why do you think this is so?

5 Now open and analyze the Troop Movement map (screenshot below) and answer the questions below. Note that this map shows:

- which regions of Ukraine were contested, meaning that no one side had control of it,
- which regions were under Ukrainian control,
- and which regions were under Russian control.
- These areas are constantly shifting so an up-to-date map may look different.

https://ukrainetestifies.ii.lsa.umich.edu/troop_movement_map.html



The red dots, as before, represent reported crimes. What patterns do you notice here? Who is in control of the regions where most of the reported war crimes have taken place?

6 Now click on the red circle in the region of Donetsk that has 20 incidents, and then click on number 13 (see the screenshots below).



Select feature
Total: 20

Testimonies

- 13. Shelling of train station. Kramatorsk (Donetsk)
- 123. Shooting of a civilian car. Rubizhne (Luhansk)

Summarize what happened in your own words and then answer the questions below.

- How many witnesses were there?

- Besides witness testimony, what other types of evidence do you think there might be to show that this was a war crime?

- Revisit the Rome Statute and your work from Lesson 2. What specific war crime do you think this incident represents?

Lesson 4

Incident Case Studies

In this lesson, you will work collaboratively as a group to analyze one incident that has been documented by The Reckoning Project. You will need to refer back to the Rome Statute in order to identify what war crimes may have been perpetrated.

During this process, you will explain why you think this particular incident represents the war crimes you identified. You will also make a recommendation for which crimes you think will be most relevant for prosecutors based on available evidence.

① Working with the incident report you have been provided, develop a brief timeline and overview of the incident by filling out the graphic organizer below.

Report # and title:

Summarize the incident in your own words, include timing and location:

Briefly describe who was involved:

Victims:

Perpetrators:

Witnesses:

Provide a brief timeline of the event:

Before:

During:

After:

Describe the available evidence:

What other evidence do you think might exist?

What evidence would you look for first and where would you look for it?

How might you try to connect this incident to other incidents?
What patterns might you look for?

② Review the description of the incident above and then read through the list of war crimes from the Rome Statute in the checklist below (this is the same war crime list from lesson 2).

Which specific war crime, or set of war crimes, seems to describe or align with what happened in this incident? In other words, what war crime or crimes do you think were committed? If a war crime seems related to the incident, place a “Y” for yes in the second column and explain your thinking in the third column.

War Crimes Review Checklist

Rome Statute Excerpts: Article 82

War Crimes

- (a) The Court shall have jurisdiction in respect of war crimes in particular when committed as part of a plan or policy or as part of a large-scale commission of such crimes.
- (b) For the purpose of this Statute, “war crimes” means:
- (c) Grave breaches of the Geneva Conventions of August 12, 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:

Specific war crime

Does this incident seem related to this war crime? (Y/N)

If yes, do we recommend investigation and possible prosecution? (Consider the available evidence, perpetrators, other relevant war crimes, number of victims, etc.) Why or why not?

(i) Wilful killing;

(ii) Torture or inhuman treatment, including biological experiments;

(iii) Wilfully causing great suffering, or serious injury to body or health;

(iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;

(v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;

(vi) Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;

(vii) Unlawful deportation or transfer or unlawful confinement;

(viii) Taking of hostages.

(d) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

Specific war crime	Does this incident seem related to this war crime? (Y/N)	If yes, do we recommend investigation and possible prosecution? (Consider the available evidence, perpetrators, other relevant war crimes, number of victims, etc.) Why or why not?
(i) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;		
(ii) Intentionally directing attacks against civilian objects, that is, objects which are not military objectives;		
(iii) Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict;		
(iv) Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;		
(v) Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives;		
(vi) Killing or wounding a combatant who, having laid down his arms or having no longer means of defense, has surrendered at discretion;		

Specific war crime	Does this incident seem related to this war crime? (Y/N)	If yes, do we recommend investigation and possible prosecution? (Consider the available evidence, perpetrators, other relevant war crimes, number of victims, etc.) Why or why not?
(viii) The transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory;		
(ix) Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives;		
(x) Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or her interest, and which cause death to or seriously endanger the health of such person or persons;		
(xi) Killing or wounding treacherously individuals belonging to the hostile nation or army;		
(xiii) Destroying or seizing the enemy's property unless such destruction or seizure be imperatively demanded by the necessities of war;		
(xiv) Declaring abolished, suspended or inadmissible in a court of law the rights and actions of the nationals of the hostile party;		
(xvi) Pillaging a town or place, even when taken by assault;		

Specific war crime	Does this incident seem related to this war crime? (Y/N)	If yes, do we recommend investigation and possible prosecution? (Consider the available evidence, perpetrators, other relevant war crimes, number of victims, etc.) Why or why not?
(xxi) Committing outrages upon personal dignity, in particular humiliating and degrading treatment;		
(xxii) Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2 (f), enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions;		
(xxiii) Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations;		
(xxiv) Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;		
(xxv) Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions;		
(xxvi) Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities.		

③ Now use the following table to lay out an evidence-based claim.

Summary of the incident, including victim and perpetrator (you can copy the summary from above):

Lists of 1 to 3 war crimes that appear to have been committed:

1)

2)

3)

For each war crime listed above, explanation of how this incident is an example of this particular crime:

1)

2)

3)

Description of available evidence (you can copy from above again):

Description of possible evidence that investigators might look for:

Remaining questions

- Other possible witnesses?
- Other possible perpetrators?
- Other possible victims?

Appendix I

Incident Descriptions

** Incidents are referred to by their number in the Digital Archive.*

The Reckoning Project @ WCEE website features 182 incidents documented by TRP researchers and analyzed by the WCEE team between February 24, 2022, and February 23, 2024. The 10 incidents included in this appendix were selected because they represent different regions, present a wide range of alleged crimes, and have additional media coverage in open-source materials.

Incidents included on The Reckoning Project @ WCEE website and discussed in these materials are considered for legal prosecution, which prohibits the disclosure of certain information and/or the inclusion of certain details. The identities of witnesses, victims, and The Reckoning Project's researchers are concealed for their protection.

Incident 2

Teenagers killed by tank

Mokhnatyn (Chernihiv)

LOCATION: Mokhnatyn (Chernihiv)

DATE: March 14, 2022

NUMBER OF WITNESSES: 2

SUMMARY: A Russian tank fired upon and killed three unarmed teenagers who were walking down a street in the village of Mokhnatyn, Chernihiv Region. The sister of one of the Victims heard Russian military vehicles and gunshots. The Ukrainian Prosecutor's Office is investigating the murders.

WITNESS(ES)

- **Witness 1** – A female civilian and resident of Chernihiv who moved to Mokhnatyn after the full-scale invasion began. She is the sister of one of the Victims. While she did not see the murder itself, she heard the shots and saw the military convoy moving down her street.
- **Witness 2** – A female civilian and resident of Mokhnatyn who worked as a medic and family doctor at the Mokhnatyn Outpatient Clinic of General Practice and Family Medicine. She provided first aid to the Victims immediately after the incident.

VICTIMS

- The Victims include 17-year-old twin brothers (Victims 2 and 3) and their 18-year-old friend (Victim 1). They regularly visited each other. Victim 1 was a first-year student at the University of Chernihiv.
 - The Victims were all killed by gunfire as the military convoy drove through their neighborhood.

PERPETRATORS

- Because neither of the Witnesses saw the murder, the specific perpetrators are unknown. However, Witness 1 saw military vehicles drive by at the time of the incident and noted that the vehicles were marked with the letter "O." Witness 2 saw the military vehicles before the incident and remembered that they were marked with the letters "Z," "V," and "O."

① Before the incident

The Russian occupation of Chernihiv Region began on February 24, 2022, the start of the full-scale invasion of Ukraine. Russian troops gradually started capturing large areas of Chernihiv Region in an attempt to seize the capital, Kyiv.

In March 2022, Russian forces controlled the village of Mokhnatyn in Chernihiv Region. During the occupation, Russian forces drove through the village, conducted searches, and established checkpoints in areas surrounding the village and neighboring communities. In the early days of the occupation, Witness 2 would watch military vehicles marked with the letters “V,” “Z,” and “O” enter the village. Witness 2 also recalled an incident in which a male resident of Mokhnatyn was shot over his head and an incident in which a car was shot near the village. After these events, locals began hiding whenever the military vehicles entered the village.

During this time, Victim 1 (the brother of Witness 1) frequently visited his friends (the twin Victims 2 and 3) who lived close by and would use safe yard routes to reach them.

② Detailed account of the incident

On March 14, 2022, Victim 1 was visiting Victims 2 and 3 when military vehicles entered the village. In the early afternoon, gunshots could be heard from the street as the military vehicles passed by. Both Witness 1 and 2 recalled hearing the gunshots. While Witness 2 was hiding in her home with her family, Witness 1 saw vehicles marked with the letter “O” driving past her house.

Witness 1 and her father worried for the safety of Victim 1 and his friends, and after the military vehicles passed, they left their home to search for them. Around this time, Witness 2 and her family left their house to determine the source of the gunshots. Once in their front yard, Witness 2 noticed a patch of grass burning at a nearby house. When Witness 2 and her family returned to the yard with buckets of water, they saw people on the road shouting for medical assistance and that “the boys were shot.” Witness 2 retrieved her emergency bag and rushed back to the scene. Upon returning, Witness 2 saw that Victim 1 was already dead; he was missing his leg and the right half of his head. The twins, Victims 2 and 3, were lying close to one another on their backs. Victim 2 was in serious condition with abdominal and chest wounds, possibly the result of more than one bullet. He was still breathing, but he was already unconscious and did not respond. Witness 2 dressed Victim 2’s wound. Based on the color of Victim 2’s skin, Witness 2 believed there was significant internal bleeding rather than external bleeding.

Victim 3 was still conscious and also had abdominal and chest wounds. Witness 2 noted two entrance bullet holes but did not see exit holes. She injected painkillers and hemostatic into Victim 3, sealed the wound, and applied bandages. Victim 3 asked

Witness 2 about the condition of his brother, Victim 2. He tried to get up but was instructed to lay still. Witness 2 asked why they did not hide, but Victim 3 could not answer. Instead, he said he had a stomachache and wanted to bend his legs.

As Witness 2 was providing medical aid, the parents of Victims 2 and 3 drove up to the scene in their car. They called an ambulance as soon as they saw the Victims, but it only reached the Russian checkpoint in Koshivka, located 10 kilometers away. Victim 3's parents transported Victim 3 to the hospital in Chernihiv in their own vehicle. There were several Russian checkpoints along the way. At each checkpoint, Victim 3's mother had to get out, open the trunk, and show the injured Victim 3 to the soldiers present. These delays resulted in Victim 3 dying before they reached the hospital.

Victim 3's friend, a medical student, was in the car with him in his final moments. He described how Victim 3 grabbed his hand in the way they usually greeted each other before passing away.

③ Aftermath

Witness 2 believes that the shots fired at the Victims were targeted because they did not shoot at their feet. Injuries to the abdomen and chest areas are hard to survive. If the Victims had been shot in the legs, they might have only received leg wounds.

After the incident, Witness 2 and her son cleaned up the scene. In the process, they found 20-centimeter bullets, likely from a machine gun, and handed them over to the police. They also found fragments from Victim 1's skull. The Victims were buried in two different cemeteries the next day.

④ Description of evidence (if available)

Witness 1 provided the birth and death certificates of her brother, Victim 1.

Media reports:

https://youtu.be/UyMhcG_Cwig

<https://kyivindependent.com/reconstructing-russian-militarys-murder-of-3-ukrainian-teenagers/>

Incident 5

Civilians wounded and killed in bombing on public square

Chernihiv (Chernihiv)

LOCATION: Chernihiv (Chernihiv)

DATE: March 3, 2022

NUMBER OF WITNESSES: 9

SUMMARY: Russian forces dropped eight bombs in a small public square in Chernihiv, severely damaging nearby buildings and killing 47 people, the majority of whom were in line for food and medicine. There was no legitimate military target nearby.

WITNESS(ES)

- **Witnesses 1 and 2** – A civilian couple and residents of Chernihiv who lived on the 13th floor of the building where the bombs were dropped. At the time of the attack, they were hiding in the basement but were the first to see the victims in line at the pharmacy.
- **Witnesses 3 and 4** – A husband and wife who lived in Chernihiv with their children and the wife’s mother. Afraid of bombings, the whole family had been living in the shelter in their building.
- **Witness 5** – A female civilian and resident of Chernihiv who lived with her husband and child in a part of the city that was not bombed. Witness 5’s in-laws were Victims in the incident.
- **Witness 6** – A female civilian and resident of Chernihiv who lived in an apartment that was destroyed by the bombs. Witness 6 was also injured, and spent two weeks in the hospital.
- **Witnesses 7** – A female civilian and resident of Chernihiv who lived in an apartment with her husband. She is the daughter of Witness 8 and was in Witness 8’s apartment at the time of the incident.
- **Witness 8** – A female civilian and resident of Chernihiv who lived in an apartment with her husband. She is the mother of Witness 7 and was with her daughter at the time of the incident. Her husband, an off-duty rescue worker, was in line for groceries during the bombing but was not injured.
- **Witness 9** – A female civilian and resident of Chernihiv who lived with her daughter and grandchild in a two-bedroom apartment. They were in the apartment at the time of the incident but sustained no major injuries. Witness 9’s apartment was completely destroyed.

VICTIMS

- The Victims of the incident include the Witnesses mentioned above and their families. According to the Chernihiv Regional Administration, 47 people, many of whom were standing in line for food and medicine, were killed in the bombing. The State Service for Emergency Situations in Chernihiv Region told the documenter that there were 57 Victims. The documenter sent a request to the local police to establish the number of Victims, but the police could not provide an answer, saying that they did not have the data.

PERPETRATORS

- The pilot who bombed Chernihiv has not been officially identified.
- The director of intelligence of the Ministry of Defense of Ukraine reported that the aerial bombardment on the territory of Chernihiv and Kyiv Regions could have been directed by the commander of the 11th Army of the Air and Air Defense Force of the Eastern Command of the Armed Forces of the Russian Federation.

① Detailed account of the incident

A day before the attack, Witness 5 recalled delivering bread with her husband to people in Oleksandrivka, a neighborhood of Chernihiv approximately 4-5 kilometers (2.5-3.1 miles) from her in-law's home. From there they saw a plane take off from outside the city.

The bombing of the residential area of Chornovola Street, Kruhova Street, and Bohuna Street occurred around 12:10–12:15 PM on March 3, 2022.

Before the attack, Witness 1 and his girlfriend, Witness 2, believed their apartment on the 17th floor was unsafe and decided to walk down to their friend's apartment on the 13th floor. After reaching the apartment, they were planning to cook some food when they heard the roar of planes and ran to the window. For their own safety, Witnesses 1, 2, and their friend then decided to take cover just outside the apartment in the hallway. It was there that they heard an explosion and knew a bomb had been dropped on the apartment building.

The building was hit on one of its sides, directly colliding with the 14th, 15th, and 16th floors. Witness 1 stated that the building began to shake and that apartment doors flew off their hinges from the impact. He also recalled smelling melting plastic, as if the wiring were burning. Although the impact knocked the Witnesses off their feet, they were not injured and started walk downstairs,

Once downstairs, Witness 1 saw scattered fragments of the building and glass covering the ground. The cars around the building were damaged, and many of the building's

exterior windows had been blown out. Witness 1 also noted the presence of injured people, particularly two families who had facial injuries from the broken glass. Witness 2 also recalled seeing injured hands and other cut wounds from the glass.

Witness 3 was in her apartment with her underage son at the time of the attack. Her husband, Witness 4, was outside the building nearby. Just before the bombing, Witness 4 heard the sound of a plane engine and soon after felt a bomb hit somewhere nearby. While Witness 3 did not hear the plane from inside, she did hear the explosion and the sound of broken glass from within their apartment. The blast wave threw Witness 4 into the basement.

Witness 4's parents also lived nearby, in a building close to where one of the bombs fell. After recovering from the initial blast, Witness 4 ran to the building to check on his parents. Once there, he saw that part of the building had collapsed and that rescuers were removing a woman from the third floor. Witness 4 assisted the rescuers and recalled seeing a lot of blood and wreckage in the aftermath of the bombing. To document the incident, he also shot a video in which the dead and wounded can be seen and calls for help can be heard in the background. In total, Witness 4 saw six dead people, three of whom he captured in the video. He eventually managed to find his parents, who had survived, though his brother was covered with blood and wounded by broken glass.

Witness 6 was in her apartment when she saw a plane through the window. She does not remember anything that happened after that because she lost consciousness from the impact. She was piled with debris and injured by fragments of window glass.

Witness 8 was also home at the time of the incident and watched as one of the bombs fell into part of her apartment. She was with her daughter and grandson sitting behind a wall around six meters (19 feet) from the impact. Witness 8 was unable to leave her apartment because the door was blocked by rubble, under which she could see her unconscious neighbor.

Witness 5 arrived at her in-laws' apartment around 12:44 PM, but they could not be found outside the building. Witness 5 searched the city, but they were neither in the hospital nor in the morgue. While searching for her in-laws, Witness 5 saw the crater left by the bomb near the pharmacy and fire in the destroyed building where her parents lived. She also saw the torn arms and legs of the deceased that were still scattered on the ground.

After a few hours and when the fire had ceased, Witness 5 was able to visit the apartment. The roof had completely collapsed, and the light was still on in the kitchen. Witness 5 checked their bedroom, but she could not find her in-laws anywhere in the apartment. Witness 5's mother-in-law would not be found until the end of March, and the body of Witness 5's father-in-law was found under the rubble on April 21, 2022, almost two months after his death.

Witness 5 was also told about the death of a man who lived in the collapsed apartment above her in-laws and who had entered the hallway just before the bombing. The man's mother survived, as she was in the corridor. In addition, Witness 5 was told that the ex-wife of the vice-rector of the Chernihiv National University Collegium was killed in the bombing. Their common son was seriously injured but survived.

Responder 1, a medical worker in the State Service for Emergency Situations, arrived at the scene as part of an emergency team with the State Service for Emergency Situations. Her car was unable to approach the building because of the rubble, but she still provided assistance to wounded civilians with shrapnel wounds. Responder 1 and her colleagues also retrieved two dead women and one wounded woman from the seventh floor of the building where Witness 5's in-laws lived. One of the dead women had been crushed by walls and slabs. Responder 1 also saw one room of the deceased woman's apartment starting to collapse.

Responder 2, a veterinarian, lived approximately 500 meters (around 1600 feet) from the impact site. He arrived at the scene to provide first aid immediately after the bombing and helped free people trapped in their apartments. He specifically recalled seeing shrapnel wounds and venous bleeding on the wounded people he treated, as well as several dead bodies. Some of the dead were lying on the road near the impact crater, while one body was near the pharmacy where the bomb landed.

② Aftermath

Two days after the incident, on March 5, 2022, the Armed Forces of Ukraine shot down a Su-34 fighter-bomber plane above Chernihiv. The air navigator was killed, but the pilot parachuted into the yard of a Chernihiv resident. The pilot was found, but before his arrest, he shot and killed (with a 9mm Makarov pistol) an unarmed local resident who was chasing him.

The detained pilot was a major of the 2nd mixed aviation regiment of the 21st mixed aviation division of the Russian Aerospace Forces of the Armed Forces of the Russian Federation. During interrogations, the pilot testified that the Russian military did not use high-precision bombs for airstrikes on Chernihiv. Rather, they used unguided, free-fall aerial bombs, OFAB-250-270 (fragmentation demolition bomb), FAB-500 (high-explosive bomb), and OFZAB-500 (fragmentation high-explosive incendiary bomb). He could not say who bombed the residential area on March 3, 2022. There is also a video of the interrogation.

The Prosecutor General's Office of Ukraine declared the pilot a suspect. The declaration indicates that around 11:30 AM on March 5, the pilot was in Ukrainian airspace piloting a Su-34 bomber, which was shot down by the Armed Forces of Ukraine.

③ Description of evidence

Numerous videos of destruction from inside and outside the residential building

TRP Publication: "Let Retribution Come Soon"

<https://www.thedial.world/issue-3/russia-invasion-ukraine-war-testimonies-reckoning-project>

Video of pilot interrogation

<https://www.youtube.com/watch?v=-jQKo4aK4j4>



Map (source - Amnesty)

Incident 13

Shelling of railway station

Kramatorsk (Donetsk)

LOCATION: Kramatorsk (Donetsk)

DATE: April 8, 2022

NUMBER OF WITNESSES: 13

SUMMARY: An airstrike occurred at the Kramatorsk railway station during a mass evacuation of primarily civilians. Over 150 people were either killed or wounded, many with serious injuries.

WITNESSES

- **Witness 1** is a female civilian (age not stated).
- **Witness 2** is a woman who has worked at the Kramatorsk railway station for around 30 years.
- **Witness 3** is a man who volunteered to help evacuate people from Kramatorsk railway station.
- **Witness 4** is a woman who works as a family doctor and volunteered at the Kramatorsk railway station, but was not there during the attack.
- **Witness 5** is a man who was facilitating the evacuation from Kramatorsk railway station on behalf of the Kramatorsk town council, where he had been working since September 2021. Since the early days of March 2022, he was almost permanently present at the station while the evacuation took place.
- **Witness 6** lived with his parents in Popasna, Luhansk Region. He worked as an electric and gas welder at the local railway branch. Following the Russian Federation's full-scale invasion of Ukraine, Witness 6's family stayed in Popasna for quite a long time but eventually moved to Bakhmut, Donetsk Region. However, having experienced constant bombardment in Popasna, they decided to move to Khmelnytskyi on the day when the evacuation of the Donetsk Region was announced.
- **Witness 7** is a young girl who lived in the Donetsk Region her entire life. Witness 8 is her aunt. As the full-scale war escalated in the Donetsk Region, Witness 7's family decided to go to relatives in the quieter Vinnytsia Region.
- **Witness 8** is the twin sister of Witness 7's mother. She worked at a food factory in recent years. Witness 8 shared a house with Witness 7's mother.
- **Witness 9** and her husband had been volunteering at the Kramatorsk railway station since March 2022. She now lives in Germany with her eldest daughter and sons.

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- **Witness 10** is a woman who works as a representative of the Donetsk military administration. She coordinated the evacuation from the Kramatorsk railway station until April 6, 2022, and also coordinated the work of the Donetsk Region Humanitarian Hub in Dnipro.
 - **Witness 11** is a man who works as a journalist in Kramatorsk. He was present at the Kramatorsk railway station on the day of the attack.
 - **Witness 12** is a man who graduated from the medical university in Kramatorsk. He was a volunteer at the Kramatorsk railway station who helped with the evacuation.
 - **Witness 13** is a man who worked as a steelworker's assistant. He began volunteering at the beginning of the full-scale invasion. On the day of the strike, Witness 13 was at the railway station assisting with the evacuation as a volunteer.

VICTIMS

- According to official data, 62 people were killed and over 100 were wounded in the strike.
- **Witness 1** was injured in the strike. Doctors tried to save her leg, but it had to be amputated in Dnipro. Witness 1 is currently in Germany for treatment and preparation for prosthetics.
- **Witness 6** suffered a blast injury and spine contusion during the strike. In Dnipro, he underwent an operation on his spine, including vertebroplasty. Later he went for rehabilitation in Uman'. Doctors have currently given him a favorable prognosis and think that his range of motion will be fully restored in time. He is recovering in Dnipropetrovsk Region.
- **Witness 7** suffered leg wounds during the strike. Her **mother**, who is also the twin sister of Witness 8, was killed in the strike.
- **Witness 9's husband**, a fellow volunteer at Kramatorsk railway station, was killed in the strike. Witness 9 found his body in a Dnipro morgue, had the body cremated, and brought the ashes with her and her children to Germany.

PERPETRATORS

- The Russian forces shelled the railway station. The shelling was conducted from a distance, so specific perpetrators cannot be identified. Witnesses 5 and 6 state that cluster munitions were used in the attack. Witnesses 7, 8, 12, and 13 could not describe the potential trajectory of the attack.

① Before the incident

Days leading up to the incident

Witness 2 noted that evacuations from Kramatorsk railway station began on February 26, 2022, with most evacuees being civilians—primarily women, children, and the elderly. **Witness 2** and **Witness 13** confirmed that there was practically no military presence, with service members occasionally coming to evacuate their families. **Witness 2** believed the station was perceived as safe, a view echoed by **Witness 3**, who described the security situation in Kramatorsk as relatively calm, partly due to the lack of military facilities and objects nearby.

According to **Witness 2's** journal, the number of evacuees surged before the attack, with nearly 8,000 people evacuated on April 7, 2022—a figure confirmed by **Witness 10**, who noted long wait times at the station, about 5-6 hours. **Witness 3** added that residents from Luhansk and Donetsk regions were also trying to evacuate. **Witness 13** reported that many evacuees came from surrounding towns like Starobilsk and Sievierodonetsk, arriving by bus. Volunteers and representatives from the Donetsk civil-military administration facilitated the evacuations.

Witness 12 mentioned that passenger numbers peaked around April 5-6 due to media coverage. On the morning of April 8, the station was crowded with people who stayed over from April 7 and new evacuees. **Witness 2** highlighted challenges on April 7 due to shelling at Barvinkove station, leading to a larger crowd at Kramatorsk on April 8. **Witness 5** noted this increase, linking it to a damaged bridge that disrupted railway operations. **Witness 10** explained that buses brought people from the region, and daily evacuations rose from about 1,500 in March to many more as hostilities escalated. **Witness 9** also observed a critical influx of evacuees, and railway workers struggled to accommodate everyone. Volunteers organized the crowd into lines for different groups—pregnant women, families with children, and others. **Witnesses 10 and 11** confirmed this system.

Evacuations occurred in waves as the situation worsened, with authorities urging people to leave. Initially, information about train schedules was limited for security reasons, but by early March, local authorities made departure times publicly available, as noted by **Witnesses 12 and 13**. **Witness 12** stated that volunteers were the first to receive this information for coordination.

Witness 13 emphasized that mornings saw the highest number of passengers, with women and children prioritized for boarding. Some men had to stay behind. Families often brought pets, but not all animals could be taken on trains, leaving their fate uncertain. **Witness 12** mentioned that the most common destinations for evacuation were Lviv and Uzhhorod, and volunteers initially worked every other day but later shifted to daily shifts.

The morning of the incident

Witness 2 estimated that at least 3,000 people were at the Kramatorsk railway station during the strike on April 8, 2022. She arrived early that morning and noted crowds gathering for a delayed evacuation train to Uzhhorod. **Witness 2** indicated that boarding for the Uzhhorod train typically started around 10:30 AM, and volunteers had organized passengers into groups by that time. She observed fewer people on the platform than usual.

Witness 3 came to the station, despite it being his birthday, to assist due to the shortage of personnel. He noted that train schedules had been inconsistent, leading to large crowds.

Witness 5 confirmed the Uzhhorod train's delay, mentioning it usually arrived around 9 AM, with boarding until 11 AM. He believed the attack took place at the moment when the presumed number of people at the platform was supposed to be the largest possible. He speculated that if the train arrived on time, there would be many more casualties.

Witness 6 and his family aimed to evacuate to Khmelnytskyi. After arriving in Kramatorsk by bus, they learned that boarding for their train would start around noon and queued with the other passengers outside the station.

Witness 7 reported that her family took a taxi to the station to evacuate to relatives in Vinnytsia Region. They split up upon arrival, and **Witness 8** reflected that if they had boarded the Lozova train to go to Poltava as initially planned, they might have avoided harm.

Witness 8 recalled that they had been at the station for about an hour before the explosion. His sisters and their children were waiting inside the railway station. **Witness 7's** aunt stayed with **Witness 7's** younger sister inside the railway station. **Witness 7** and her mother went to the platform, where they got tea and sweets in the State Emergency Services of Ukraine tent, which was one of the epicenters of the explosion.

Witness 9 and her husband arrived early in a blue minivan, noting around 4,000 people at the station. **Witness 9** emphasized that the people she saw were exclusively civilians. At midmorning, **Witness 9** took the car keys from her husband and went to the car.

Witness 11 took a local trolleybus to the station, feeling positive and noting a bustling atmosphere with no signs of impending danger. He filmed a lot of people and their pets. **Witness 11** said that nothing at the station indicated that any disaster might happen.

Witness 12 arrived by bus and found the station square quite crowded. He worked as a volunteer, consulting the passengers on the station's platform, helping to serve tea in the State Evacuation Services tent, and later moving to the central entrance to help passengers there.

Witness 13 and his colleague observed some military equipment on one of the remote tracks near the station. **Witness 13** told a volunteer colleague to control the platform to prevent people from photographing the echelon. According to **Witness 13**, a little later in the morning, the echelon was no longer at the station. He coordinated passenger flow and noted that despite the delayed Lozova train, crowds were growing and volunteers were organizing boarding.

② Detailed account of the incident

Method of attack

The attack on the Kramatorsk railway station occurred in mid-morning. **Witness 1** saw a missile fly and then strike the ground, followed by a second explosion. **Witness 2** also reported hearing two explosions while at the information desk with a station employee.

Just before the attack, **Witness 3** was gathering people for boarding. It was calm beforehand, with no air raid warnings or sirens. He heard a loud bang, felt a strong push that knocked him over, and sustained a mild blast injury. He saw the missile hit near track 2 and noticed a missile carrier by the station entrance.

Witness 5 identified the weapon as a Scarab B Tochka U tactical missile, while **Witness 6** believed it was an OTR-21 Tochka U. **Witness 5** stated that the shape of the craters indicated that the station was shelled from the occupied areas of Horlivka and Shakhtarsk. He noted that the air raid warning sounded only after the attack due to the missile's hypersonic speed, which prevented timely alerts.

Witnesses 5, 6, 12, and 13 believe that cluster munitions were used. Immediately after the explosion, **Witness 5** saw cluster munitions falling nearby, recognizing them from a previous attack in February 2015. **Witness 5** emphasized that cluster munitions are unable to destroy tanks and are solely used to injure people. He described the first explosion as a warhead ejection, followed by the release of cluster munitions, each resembling beer cans with parachutes. He indicated that each bomb had a danger area of about 100 meters. **Witness 6** corroborated that a missile exploded in the air before cluster munitions rained down. **Witness 12** believed cluster munitions were used because they exploded quite powerfully within minutes.

Witness 11 was certain the weapon was filled with anti-personnel mines targeted at civilians, including children and those with disabilities. **Witness 12** also believed anti-personnel mines were used, citing the presence of blood and amputated limbs.

Witness descriptions of the attack

[Trigger warning: detailed descriptions of grave injuries and deaths]

Witness 1 realized that she was injured by some objects from the explosion, and then she saw her leg and a lot of blood. **Witness 1** just lay there and tried not to panic. Rescuers ran up to her and applied a tourniquet. People next to **Witness 1**, including a woman on a nearby bench, escaped the shock wave and ran immediately after the explosion. **Witness 1** saw many people running away. She was conscious the entire time.

At the moment of the explosion, **Witness 2** was in the information desk room. The first thing **Witness 2** saw through the window was a body being carried along the platform. At that moment, a woman covered in blood and wounded by splinters was carried into the room. **Witness 2** left the room after the explosions and saw that everyone on the platform was down; she initially thought that they were all dead. On a bench, **Witness 2** saw a boy with a fragment of his head missing. **Witness 2** reported observing many casualties on the platform of the railway station, particularly to the right of the entrance. She noted the presence of both deceased individuals and injured persons, including a teacher from a local school who later died in the hospital. In her initial confusion, **Witness 2** did not realize the station had been attacked, as there were no prior warnings or alerts.

After assessing the situation, **Witness 2** communicated with the Ukrainian Railways management and began searching for her colleagues to ensure their safety. Since **Witness 2** understood the risk of a second strike, she felt like it was important to evacuate unharmed individuals from the area, help those in need, and coordinate with authorities to manage the situation effectively.

When **Witness 3** stood up, he saw cars on fire and many people lying on the ground. Trained in first aid, he immediately began helping those nearby. Although **Witness 3** knew that the protocol required him to leave the railway station, he felt that his assistance could save lives. He noticed a man with serious leg injuries and quickly used belts to help control the bleeding.

As he moved through the station, **Witness 3** encountered numerous casualties and observed that people were in a state of panic. He tried to provide clear instructions for evacuation while continuing to assist the injured. Alongside a Red Cross volunteer, **Witness 3** provided medical care to those in need, noting many victims with blunt trauma injuries to their legs and abdomen that caused significant bleeding.

Volunteers tried using torn clothing and supplies from the station to help stop the bleeding. Unfortunately, some injuries were too severe to treat successfully. The emergency services arrived quickly enough, allowing **Witness 3** to transfer those who could be helped. He believed that the number of casualties was higher than what was officially reported. **Witness 3**, along with other volunteers, used a tent as an improvised

stretcher to carry victims, which **Witness 9** has also observed. **Witness 3** carried several casualties. It was especially difficult for him to deal with the fact that he had to carry the decapitated body of a five-year-old boy who had died in the attack.

At the time of the attack, **Witness 5** was escorting a small group of people from the central entrance of the station to line up for the train. Just a few meters into their walk, a passenger asked **Witness 5** some questions about the evacuation. Approximately 15 to 20 seconds later, a massive explosion occurred. It was so intense that some people started showing signs of blast injuries and experiencing nosebleeds.

Realizing the need to find shelter, **Witness 5** turned to head back into the station but was quickly knocked down by a crowd of people trying to do the same. Several individuals fell on top of him, but he managed to escape from underneath them. As **Witness 5** looked around, he saw many injured and deceased. Initially, he thought the attack was over, but he soon noticed that explosions were still occurring, although he couldn't hear them due to his own blast injury.

Realizing that the danger continued, **Witness 5** curled up against the station wall. After about 10 seconds, the explosions subsided. When **Witness 5** got up, he found many people around him who were injured, some with severe wounds, including severed limbs. The scene was chaotic, with a lot of blood, and many of the injured were moaning and crying for help.

Witness 5 believed there were several areas affected by the attack. One epicenter was near a tent where people could get refreshments, which had many elderly individuals and children nearby. Another epicenter was located on the opposite side of the station, where there were also numerous casualties. Near the central entrance to the station, cluster bombs fell about 20 meters from the crowd, and the platform helped to slightly reduce the number of injuries. There were additional casualties in the station forecourt, where four cars had burned, and in a local train to Lozova that people were boarding. **Witness 5** felt that the greatest number of casualties occurred on the platform side.

During the attack, **Witness 6** was with his father near a tent on the left side of the platform that was serving tea. His mother had just gone to the restroom moments before the incident. **Witness 6** recalled hearing a rumble and immediately realizing it was a strike, although he didn't expect the station to be the target. He saw many people dropping to the ground—they seemed to have experienced shelling before. **Witness 6** saw numerous injured and deceased individuals around him, including children. Some people were lying on the ground, with some crying out for help while others showed no signs of life.

Witness 7 recalled hearing people nearby shout, "Get down!" after they heard a whistle. Almost immediately, the first explosion followed. She remembered falling to the ground as the tent collapsed on top of her, and at that moment, she could only see her

backpack. She thought she might have been temporarily deafened because she initially struggled to hear anything. Eventually, she began to hear the screams and moans of those nearby.

Witness 8 and her younger niece initially went to the platform to enjoy tea served in the State Emergency Services of Ukraine tent. Afterward, they returned to their bags while **Witness 8**'s sister and **Witness 7** went back to the tent. About 10 minutes later, an incredibly powerful explosion occurred, and **Witness 8** described feeling a burst in her head. Almost immediately, a second explosion followed, with the interval between the two being no more than a minute.

Panic erupted at the station, accompanied by screams and cries for help. During the chaos, **Witness 8** fell to the ground and covered her younger niece with her body. She noticed a Romani woman nearby who also shielded a child in the same way. Initially, **Witness 8** didn't think any of her relatives had been injured. She called her father, asking him to come pick them up from the station. He quickly arrived by taxi from Druzhkivka.

Witness 8 and her niece were among the last to leave the station, heading toward the tunnel to wait for their father and grandfather. **Witness 8** attempted to reach her sister, but her calls went unanswered. While waiting, she approached the police to report that she couldn't find her sister and provided a description of her appearance and clothing.

Approximately half an hour after the explosion, **Witness 8**'s father arrived. He climbed over the barricades and began searching for his daughter among the casualties. **Witness 8** saw her father appear to recognize someone by her clothing among the deceased. They both hoped it was a mistake and that her sister would be found among the survivors. Eventually, her father took a taxi to bring **Witness 8** and her niece back to Druzhkivka.

Witness 9 put on her shoes and opened the car door when a powerful explosion occurred nearby. She described hearing a series of explosions that seemed to last a long time. **Witness 9** remained in the minivan until she saw other cars on fire with bodies lying around. After the initial horror, she remembered that she was supposed to leave the vehicle. Once things calmed down, she got out and witnessed chaotic scenes in the area, where many were injured. **Witness 9** recalled seeing a terrible picture of the remains of human bodies and severed limbs, including the body of a child with part of her skull destroyed. **Witness 9** also saw a girl whose legs had been destroyed and a man holding a child with severed legs. The area near the tent, previously used for warming up, became one of the explosion's epicenters. **Witness 9** ran around the station several times, by which time most injured had already been taken away.

Witness 11 was near the volunteer tent when he experienced the explosion—he saw people falling to the ground and heard a woman screaming. Disoriented, he ran over human bodies towards the station entrance, as if there was no other way around. Once

inside, he found people in shock, including families with children, and urged them to get down. As the explosions subsided, panic erupted with people trying to escape outside and others trying to enter the station. **Witness 11** encountered many individuals in distress. He mentioned seeing many wounded and badly mutilated, including a young girl with a severe injury to her arm, with its flesh just hanging limp. She asked **Witness 11** what was wrong with her face. He reassured her, saying that her face was not hurt and that her hand would be fine.

Directing people with one hand, Witness 11 took pictures with the other. This was when explosions started again, causing further chaos. Despite State Emergency Service's initial attempts to stop him, **Witness 11** showed his press card and continued filming, documenting the emergency response and damage. **Witness 11** noted that the train that was boarding was also damaged and that some debris pierced the metal body of the train car.

In the midmorning, **Witness 12** heard a powerful explosion overhead. Initially, he thought it was a distant event, but then he realized it had occurred nearby. A man next to him shouted for everyone to get down, pushing **Witness 12** against the wall and covering him. Around a hundred people nearby also fell to the ground, protecting each other. After about a minute, **Witness 12** got up and ran to the station, where he saw burning vehicles and bodies in the square. The explosions had caused significant damage, and emergency services began their work.

As the explosions stopped, people inside the station rushed outside, while those outside tried to get in. **Witness 12** received a call from his mother, who had heard about the incident. He reassured her that he was safe. After the call, he decided to help those in need and went to the platform. There, he learned that many people had been injured near a tent, which had collapsed burying around 50 people under it. **Witness 12** and another man helped carry victims inside the station for safety. He noted that many of those he assisted were women and children, some conscious and others not. Some of the victims were missing lower limbs. **Witness 12** tried to help with bandaging wounds, including one child who had been injured.

After assisting with evacuations to ambulances, **Witness 12** returned to the station, where he noticed many abandoned belongings and pets left behind. **Witness 12**, ready to keep working, hoped the evacuation would continue, but the railway staff informed him that it would not.

Before the explosion, one of the passengers approached **Witness 13** with a question about an additional evacuation train. Although he had no information, the man insisted on an answer. **Witness 13** decided to contact the station manager for clarification. As soon as he arrived, the manager informed him that an evacuation train would be ready soon and requested help to unload humanitarian aid that was arriving.

During their conversation, an explosion occurred. An employee in the office suggested that the explosion was very loud and likely from nearby. Looking out the window, **Witness 13** saw the man who had asked about the train fall and realized he needed to act quickly. He rushed into the next room, where he heard a woman screaming. **Witness 13** helped her to the floor and tried to calm her. He heard more less powerful explosions outside.

A man ran in, shouting for bandaging materials for the injured. **Witness 13** recalled that they had supplies from the humanitarian aid and provided what he could, including tape that could be used as a tourniquet. A woman entered, visibly bloody and injured, prompting **Witness 13** to look for further help.

He then saw a man bringing a bleeding relative into the hall and a woman in need of assistance. **Witness 13** was approached by a woman in white trousers soaked in blood up to the groin, who asked him for help. **Witness 13** was afraid that he would not be able to provide proper aid, but a medical student came up to him and offered to help. He assisted another woman with an improvised tourniquet and reminded her to keep track of the time.

On the platform, **Witness 13** saw the body of the man he noticed through the window. Rushing to the benches, **Witness 13** saw the body of a small child with a part of his skull missing. **Witness 13** then moved to the station square, where he noticed burning vehicles and more casualties. Fire engines arrived to extinguish the fires, and the head of the emergency services handed **Witness 13** bottled water to distribute to those in need.

Noticing a group of people on the other side of the square near a pizzeria, **Witness 13** approached them. As he moved, he saw a missile's tail around 10 meters away from him and felt a surge of fear, uncertain whether it could explode at any moment.

Medical personnel

Witness 2 reported that at least 35 emergency vehicles arrived within 10 minutes of the explosion. **Witness 5** confirmed the first vehicles reached the location in five minutes, with more arriving shortly after. **Witness 11** noted that responders were on-site within five to ten minutes, directing people away from the area of the incident.

After the dead and injured were taken to hospitals, **Witness 5** and colleagues organized bus transport for other passengers to a nearby location, Slovyansk, where trains were rerouted. He estimated that 2,000 to 3,000 people were present during the attack, with many casualties occurring near the platform and at the station four court.

Witness 2 mentioned that injured individuals were taken to hospitals in nearby cities, and within an hour, there were no more wounded at the site. **Witness 2** stated that her car parked near the station was damaged only slightly. However, it was covered in bloodstains and body fragments.

Witness 12 also reported that emergency vehicles arrived quickly, within about five minutes. Some individuals transported injured relatives in their own cars, while **Witness 12** helped get other injured to ambulances. He estimated there were hundreds of wounded and over 40 fatalities, including two children, with numerous victims on the other side of the platform and around the tent. They prioritized transporting the living before handling the deceased, a process that took about an hour.

Civilians and military presence

All witnesses are civilians. **Witnesses 5** and **6** expressed their belief that the attack on the Kramatorsk railway station was targeted at the civilian population. **Witness 5**, along with **Witness 12**, suggested that the attack aimed to disrupt the evacuation process and use civilians as human shields during potential escalations.

Witness 11 estimated seeing at least a thousand people at the station that day but acknowledged he did not visit all the locations. He believed the missile specifically targeted the station, viewing the attack as a provocation. **Witness 11** mentions that the brutality of the attack displayed signs of the genocide of the Ukrainian people.

A volunteer and an executive committee worker were killed. All others killed, according to **Witness 5**, were people who wanted to evacuate. He promptly contacted the regional administration to request all available ambulances, informing them of over 20 dead and more than 100 injured. However, he later stated that the actual figures were likely higher—around 60 dead and over 150 injured. **Witness 5** believed that the total number of casualties could be at least 200, as not everyone sought medical treatment.

Witness 2 asserted that the station was exclusively civilian and that soldiers only used it while evacuating their families. **Witness 5** confirmed that the Kramatorsk railway station functioned solely as a civilian logistics hub and was never a military site.

Witnesses 2, 3, 5, and 12 emphasized that most individuals at the station during the attack were women, children, and the elderly, and that no military equipment or vehicles were present that day.

However, **Witness 6** noted seeing a train with light military vehicles on one of the tracks near the station. He observed platforms with a small number of military vehicles, including armored personnel carriers (APCs) and infantry fighting vehicles (IFVs), but clarified that this train had departed about an hour before the attack. He believed the attack targeted people, not the vehicles. **Witness 7** also recalled seeing military equipment at the station and provided a photo of her mother with military vehicles in the background.

Secondhand information

On the day of the attack, **Witness 4** was not personally present at the railway station. She and her husband were evacuating from Kramatorsk to Poltava, where her parents

had evacuated earlier. She learned about the tragedy through messages in a volunteer chat used by railway station volunteers. After some time, she managed to contact volunteers at the station and learned that two volunteers had died.

On April 8, Witness 10's first working day in Dnipro, she received a call from a volunteer at the Kramatorsk station. The caller informed her that missiles had struck the station, resulting in numerous casualties, including children. Witness 10 advised the volunteers to assist the victims, knowing that few had first-aid skills. She remained in contact with volunteers and station employees throughout the day to stay updated on the situation. It was from them that she learned the number of victims.

③ Aftermath

Witness 1

Witness 1 was taken to a hospital in Kramatorsk, where doctors tried to save her leg. It was reported that 25 ambulances were sent to Dnipro. In Dnipro, doctors also tried to save the leg, but during the third operation, the leg had to be amputated. Witness 1 was in the clinic for a month and is currently in Germany, for treatment and preparation for prosthetics.

Witness 2: Use of Kramatorsk Railway Station

Witness 2 stated that evacuation from the Kramatorsk railway station ceased after April 8, 2022. She described how she and her colleagues organized the safekeeping and dispatch of luggage left behind during the attack, estimating that 50 to 70 bags were abandoned.

On April 9, after law enforcement completed their investigation of the strike, staff at the Kramatorsk railway station began cleaning the area to remove blood and other evidence of the tragedy. Local authorities assisted with manpower and equipment. Witness 2 noted that the incident compelled many residents of Kramatorsk, previously seen as relatively safe, to evacuate the city.

Witness 3

Witness 3 said that because of the events on April 8, 2022, he remains in the volunteer movement. On April 8, 2022, Witness 3 left the station in the afternoon. He said he normally doesn't drink alcohol, but he needed to have a drink to fall asleep. Witness 3 believes that the police and ambulances arrived too late.

Witness 4

Witness 4 said she evacuated from Kramatorsk in April, but she came back because she was aware of the necessity to provide medical treatment to people who remained in the town. She also said she still cannot make herself enter the Kramatorsk railway station again.

Witness 6's injury

Witness 6 reported that after the strike, he initially felt that he had lost his legs, but seeing they were intact calmed him slightly. Struggling to stand, he attempted to leave the railway station when police officers approached to check on him. They noticed a severe wound on his back and provided first aid before moving him to a safer area. By then, ambulances had arrived, and when he raised his hand for help, two medics quickly attended to him, stopping the bleeding and carrying him to an ambulance.

He was taken to the trauma unit of the Kramatorsk hospital along with a girl who had a severe arm injury. On April 9, he was transferred to a hospital in Pavlohrad, where he remained until April 12, before being moved to Mechnikov Hospital in Dnipro for surgery. Many seriously injured individuals were brought to this hospital in the hours following the tragedy. Witness 6's condition was assessed as medium-severity trauma, with a diagnosis of blast injury and spine contusion. In Dnipro, he underwent spine surgery, including vertebroplasty, and was later sent to Uman for rehabilitation. Doctors have given him a positive prognosis, believing he will fully regain motion.

Witness 6's family now lives in central east Ukraine. At the time of the interview, he was recovering and could manage short walks but was focused solely on his health and refrained from planning for the future. He described his native Popasna as 98% destroyed, with no building left untouched by missiles or debris.

Witnesses 7 and 8, and the fate of the mother of W7/twin sister of W8

Witness 7 was at one of the explosion's epicenters and suffered limb injuries. She saw her leg covered in blood but felt no pain initially. Police helped her to sit on a bench before moving her to an ambulance. She was first taken to a hospital in Kramatorsk and then transferred to Dnipro. **Witness 8** found her in one of the hospitals, having heard that a girl in a pink jacket with leg injuries was seen at the station. At the time of the interview, there was still shrapnel in Witness 7's legs. After Dnipro, she continued treatment in Lviv and later underwent rehabilitation in Khmilnyk, arranged by her grandfather. During her hospital stays, she lost seven kilograms (15.5 pounds).

Witness 7 learned about her mother's death through Facebook, mistakenly thinking her mother was also in the hospital. Witness 7 enjoys drawing and participated in an art workshop in Lviv, with her work featured in a charity auction for the Armed Forces of Ukraine. After the tragedy, she received an iPhone funded by donations and began creating videos, including one in memory of her mother. Her biggest dream is to receive treatment abroad and pursue a modeling career.

Witness 8's search for her sister in Kramatorsk hospitals was unsuccessful, and she and her father feared the worst. They eventually learned that the bodies of the deceased were taken to Dnipro. After searching multiple morgues, they found her sister's body in the third one they approached. Witness 8 recognized her sister by her clothing; her body was not severely degraded, with her limbs and face intact.

Witness 8 estimated that around 4,000 people were at the station, with about 50 fatalities. She mentioned that her sister had expressed worries about who would care for her daughters, a responsibility Witness 8 has now taken on. Her priority is to ensure Witness 7 receives proper treatment and rehabilitation.

Witness 8 feels guilty for not being with her sister at the time of the attack and for missing her funeral while in Dnipro with her niece. She is outraged that the family had to pay to transport their loved ones' bodies back to the Donetsk Region for burial, with help from volunteers. Witness 8 and her father said their goodbyes when her sister's body was loaded into a volunteer vehicle. The burial was organized by their mother, who visits her daughter's grave almost daily. Witness 8 dreams of returning home and continuing to work at the factory that has been a significant part of her life.

Death of Witness 9's husband

After regaining consciousness, **Witness 9** frantically searched for her husband, calling his name and running around the station, fearing another strike. Despite police and station staff urging people to evacuate, she continued her search but could not find him among the living or dead.

Suddenly, someone picked up her husband's phone, but no one spoke. She then received a call from an unknown number, informing her that they had collected phones from the platform, including her husband's. The caller mentioned a man's body left on the way to the toilet. Witness 9 rushed to the location, where the body was covered with a tarp. Upon lifting it, she realized it was her husband. His body was mutilated; the body's head and shoulder were cut off. In shock, she sent a message to her daughter to inform her of his death.

Gathering her strength, she approached the police to report what happened and provide her husband's details. An unknown woman drove her home in their minivan, and on the way, Witness 9 called a neighbor to take care of her two sons. Three days later, she and her sons left Kramatorsk.

In Dnipro, Witness 9 identified her husband's body in a morgue. After completing the necessary paperwork, the body was cremated. She took the urn with her husband's ashes to Germany, where she now lives with her eldest daughter and son.

Witness 10

On April 6, **Witness 10** had left for Dnipro. Only a few months later, Witness 10 visited the Kramatorsk railway station. It was psychologically difficult for her to set foot on the platform where so many people had died.

Witness 11

When everything was extinguished at the station and all the dead and injured were removed from it, **Witness 11** also left the station. He walked the approximately six

kilometers home, without remembering how he passed them. After that, he went on air all day on various channels and talked about the terrible events he witnessed.

Witness 12

When it became known that the evacuation was suspended, **Witness 12** stood up, washed his hands, tried to clean his clothes, and washed off blood. Since public transport was halted in the city that day, Witness 12 walked home. Near the house, he met an unfamiliar old lady who read him poems about her cat and advised him to enjoy the sun, flowers, and the spring. That unexpected meeting had a very positive effect on Witness 12's mental state.

The next day, Witness 12 returned to volunteering: he continued helping people evacuate by bus and unloading humanitarian supplies. A week later, the medical university decided to evacuate, and he joined them, traveling to Kropyvnytskyi. There, he completed his studies and was sent for an internship in the Dnipropetrovsk Region. Witness 12 now works as a family doctor at a hospital.

Witness 13

Witness 13 left the railway station shocked. On the way, he met his colleague, who was significantly late to the station because of some household chores. He brought Witness 13 home, seeing that the latter was in a very fragile psychological state. Two days later, Witness 13 left Kramatorsk with his mother, mother-in-law, and her son. They first went to Odesa and then moved to west-central Ukraine, where they live now.

④ Evidence

Witness 1 provided a video of herself taken immediately before the attack on the station.

Witness 2 provided photos taken by documenters of her journal with records about the evacuation and videos recorded after the strike. Data recorded in the journal include the number of evacuees, train numbers, arrival and departure times, the contact information of the conductors-in-chief, and other important information. The document confirmed that in the days before the attack, the number of people trying to evacuate from the dangerous area significantly increased.

Witness 3 provided his point of contact.

Witness 6 provided photocopies of hospital certificates with diagnoses received in the aftermath of the strike.

Witness 7 provided photos and videos, including the last living photo of her deceased mother, taken at the station about half an hour before the attack, which also shows the

echelon with military equipment on the track. A video edited by Witness 7 using her mother's photographs was also provided.

Witness 8 provided photos, videos, scans of medical documents, and documents recording her sister's death. She also shared a poem she wrote in memory of her dead sister.

Witness 9 provided a photo and video of her husband, who died as a result of the attack on the railway station.

Witness 10 provided a volunteer's photo.

Witness 11 provided a photo and video.

Incident 15

Shelling of civilians in grocery store line

Severodonetsk (Luhansk)

LOCATION: Severodonetsk (Luhansk)

DATE: March 22, 2022

NUMBER OF WITNESSES: 1

SUMMARY: On the morning of March 22, 2022, Russian forces shelled civilians queuing for a grocery store. The Witness observed at least 13 casualties, and official sources reported 3 deaths.

WITNESS

The Witness is from Severodonetsk and until March 2022 worked as a reporter, war correspondent, and editor for local TV channels. As a freelancer, he wrote various articles on military and sociopolitical topics for online journals. The Witness is married and has a teenage daughter. The Witness's parents and sister lived in Severodonetsk; his father has a disability.

After February 24, 2022, the team that was creating news on the TV channel where the Witness worked decided to stay in the city. Journalists organized a field office in the editor-in-chief's apartment and started collecting and distributing information that helped the residents of Luhansk and Donetsk Regions navigate the rapidly changing situation.

VICTIMS

The Witness personally saw approximately 13 wounded and one dead.

PERPETRATORS

A line at a grocery store¹ in the city of Severodonetsk was shelled on March 22, 2022. According to the Witness, the line of people was deliberately targeted. Because it was a long-distance shelling, the Witness could not describe the potential perpetrator.

¹ UM-TRP: The line is described in the original as a "humanitarian line/queue," which points to the fact that the store might have been partially or fully converted to a humanitarian checkpoint.

① Before the incident

The Witness said that in March 2022, due to the increasing level of danger, food shops in Severodonetsk, Luhansk Region, started closing *en masse*. In those stores that remained, the selection of products had greatly decreased. In order to get food, water, and hygiene products, city residents had to stand in line several hours before the stores opened.

② Detailed account of the incident

On March 22, 2022, people who lived near the Ice Palace of Sports in Severodonetsk lined up at the local “Sim’ia” supermarket. The store was located in the city of Severodonetsk at the intersection of Central Avenue and Mayakovsky Street.

The Witness reported that on March 22, 2022, the store was supposed to open at 9 AM, but people started gathering there a few hours before then. Around half an hour before the store opened, there were already around 150 people in the line. The Witness also stood in this line with his sister’s relative. The Witness reported that these were ordinary residents of the city who came to buy something to eat. The Witness emphasized that the line consisted exclusively of peaceful residents and civilians. He did not see a single person wearing a military uniform in the line.

The Witness also said that at the time, grocery store lines had become a kind of communication forum where people could exchange news and learn about important things.

The Witness said that in the morning, he noticed that a man approached the line and started taking pictures of the line from different angles. Some people started objecting; they said they didn’t want to be photographed. [The Witness] did not intervene, as he thought that it might be one of his fellow journalists. At that moment, the man did not arouse any suspicions or negative emotions in the Witness. However, around five to seven minutes after the pictures were taken, the line was shelled. The Witness says that three shells were initially fired at the civilians standing in the line.

The Witness believes that it was a shelling. The shells fell just a couple dozen meters from where the Witness was standing. The line began to slowly move closer to the building, the wall of which could serve as at least some kind of protection. At that moment, the Witness heard the sound of another shell. He even managed to shout “Get down!” and fell to the ground, covering his head with his hands. The next thing the Witness remembers is that when he opened his eyes, he felt pieces of asphalt on his body. The Witness felt these pieces fall on him and hit him in the head, back, and legs. The Witness was almost completely covered with asphalt debris, as he was nearly in the crater that the shell created. The Witness got up and saw around 10 wounded people. Three of them were seriously injured: one man had a severe brain injury, another man had his legs completely crushed below the knees, and one woman had an abdominal

injury. The Witness noted that the woman's wound was so severe that her internal organs were visible. The Witness also said that many other people standing in line had their hands, feet, and faces cut by the shell and debris fragments.

The Witness noted that the shelling did not stop there. Shells continued to fall a few meters from the Witness. He grabbed his sister's relative and led her to the nearest bomb shelter. Having treated [his] wounds slightly, the Witness ran out of the bomb shelter back into the yard. There he saw a dead person: a man in his fifties had been torn into four pieces by a shell.

The Witness tried to call an ambulance or emergency services, but it turned out that there was no cell reception at all. The Witness suggests that reception could have been intentionally "jammed," as it was restored after 10-15 minutes.

The Witness said that at that time, people who heard the shelling started running out of the surrounding houses. Some of the residents of the nearby houses started to take the wounded to their cars parked in the yard in order to take them to the hospital. When the drivers got away from the firing zone, the cell reception was active again, and they were able to call an ambulance and emergency services to the site.

The Witness and other men who were not seriously injured during the shelling helped load the wounded into ambulances. The Witness said that he counted around 13 wounded, three of whose injuries were very serious. The next day, the Witness learned from official sources that three people had died. The Witness believes that the man with a head injury and the woman with an abdominal injury most likely did not survive because, as the Witness noted, their wounds were very severe.

③ Aftermath

After experiencing the shelling, the Witness decided it was time to evacuate. A day later, the Witness, his wife, and his daughter left Severodonetsk for non-occupied territory in eastern Ukraine. A week later, the Witness managed to evacuate other relatives from Severodonetsk. It was especially difficult to evacuate his father, who struggles to walk. The Witness was only able to evacuate his father by placing him on the four back seats of the evacuation minivan. Now that the whole family is together, they are trying to start a new life in non-occupied territory. The Witness currently works as a TV anchor and regularly provides coverage from Donetsk Region.

Incident 24

Shelling of theater

Mariupol (Donetsk)

LOCATION: Mariupol (Donetsk)

DATE: March 16, 2022

NUMBER OF WITNESSES: 3

SUMMARY: The Donetsk Regional Drama Theatre was bombed during the Russian siege of Mariupol. It was used as an air raid shelter for around 1,000 civilians, of which around 600 were killed. The Russian bombing of the theater stands out as the single deadliest known attack against civilians to date.

WITNESS(ES)

- **Witness 1** - A female civilian and resident of Mariupol who lived about a half-hour walk from the Drama Theater. Because the Witness did not feel safe in her apartment, she moved to the theater with her two dogs and cat. She was in the theater on the day of the airstrike.
- **Witness 2** – A female civilian and resident of Mariupol who came to the Drama Theater on the day of the airstrike with her mother, sister, three neighbors, and cat.
- **Witness 3** - A male civilian and resident of Mariupol who was a long-time actor at the Drama Theater. His wife also worked at the theater as a lighting artist, and they have a son and a daughter. Witness 3 was also in the Drama Theater on the day of the airstrike.

VICTIMS

- At the time of the airstrike, there were around 1,000 civilians inside the Drama Theater, 600 of whom were killed.

PERPETRATORS

- Because the airstrike was carried out from a long distance, the Witnesses were unable to identify who initiated the attack. However, it was likely Russian soldiers who carried out the attack given that the siege of Mariupol had started in early March 2022.

① Before the incident

Witness 3 was a long-time employee of the Donetsk Academic Regional Drama Theater and had worked as an actor for 19 years. His wife, who also worked at the theater as a lighting artist, had been living at the theater with their daughter since the beginning of the Russian invasion on February 24, 2022. This is because the Drama Theater was also equipped with a sizeable bomb shelter. On March 3, they were joined by Witness 3 and their son.

As the invasion continued to escalate, many civilian residents of Mariupol sought refuge at the Drama Theater. Witness 3 and his wife, along with other theater employees and volunteers, acted as “commanders” of the Drama Theater by maintaining order and providing people with everything they needed.

Witness 1 came to the Drama Theater in early March, either on the 3rd or the 5th (she could not remember exactly). She lived about a half-hour walk from the theater in an apartment with her 81-year-old grandmother. Because it was a corner apartment on the ninth floor, she did not feel safe there during the invasion. Her grandmother remained in the apartment because she refused to leave, but Witness 1 brought her two dogs and cat with her to the theater. Her friend, who later left for Berdiansk, was also with her in the Drama Theater.

During her entire time in the Drama Theater (a week to 10 days, she could not say for sure), Witness 1 did not see any soldiers or equipment stationed inside. The military only occasionally came to distribute food or humanitarian aid. Witness 3 also reaffirmed that there were no military personnel in the theater. By March 16, all doors to the theater except for one were barricaded, and people were only allowed to go outside for smoke breaks in groups of five to 10 people.

Witness 2 came to the Drama Theater around 7-8 AM on March 16, 2022. She was with her mother, her sister, three neighbors, and a cat. Previously, the group learned that an evacuation convoy would potentially gather at the Drama Theater. They registered with a volunteer who turned out to be an acquaintance of Witness 2. People talked among themselves that the evacuation convoy should depart from the Drama Theater between 9-11 AM. One such convoy had already left the city on March 15.

Witness 2’s volunteer friend showed her where people were receiving tea and said that she could stay where she could find a place. According to the volunteer, many people wanted to stay in the theater’s bomb shelter, but there was no longer any room. Witness 2 and the rest of her group happily spent time in the Drama Theater and were able to eat for the first time in almost six days. While looking for a place for their group to rest, Witness 2 and her neighbor took a flashlight and started walking around the Drama Theater. In this search, they saw people occupying all the administrative areas, dressing rooms, and offices. In the concert hall, all the chairs had been removed and people were just lying on the floor. Eventually, they found spare space

on the third floor. Notably, Witness 2 did not see any military personnel in or near the theater during this search.

② Detailed account of the incident

On March 16, **Witness 3** woke up at 7 AM to clean the theater. He recalls that around 11 AM, when he went with his wife to the electric room of the theater, he heard an explosion which he described as a “clap.” The room filled with clouds of black smoke, and metal doors and stones fell on top of them. Witness 3 recalls hearing only one “clap,” and based on his estimates, the theater caught fire 15 to 20 minutes after the impact.

On the morning of the airstrike, **Witness 1** was in the auditorium. She had walked and fed her pets and went outside to get water, leaving her pets tied to suitcases in the auditorium. As she stood in line, Witness 1 heard the roar of a plane and saw people running from the square and toward the theater. Witness 1 decided to accept death and chose not to run. But after hearing a whistle, a man standing next to her took Witness 1 by the neck and pressed her against the wall, attempting to shield her as they were both covered with debris from the building. Witness 1 believes she was concussed because she could not remember certain things, including where the man who covered her went after the initial shock. She saw another injured man bleeding on the stairs to the theater and a woman crying and screaming over him.

Witness 1 also recalled hearing only one explosion. She wanted to help the wounded man and went to get the first aid kit that was left with her belongings in the concert hall. But when she entered the building, she saw the collapsed roof and realized her belongings and her pets were beneath the rubble. At this time, she had forgotten about the wounded man and tried to find her dogs, the only family she had left.

Just before the airstrike and after her group had settled down, Witness 2 decided to check on her uncle who lived near the theater. When she returned around 20 minutes later, Witness 2 heard a plane above her and an explosion. While entering the theater square, she saw fragments of the theater roof and a fire in the building and heard people screaming.

According to **Witness 2**, the airstrike occurred between 9-10 AM. Once she heard people shouting “mom” and “dad,” she remembered that her family was in the theater and that she needed to find them.

Witness 1 recalled that the concert hall was completely under debris. She estimated that around thirty people remained in the hall before the airstrike, and it was impossible that they had survived. However, many people were in the corridors of the building near the entrance to the hall. The doors did not open completely, and there were beds covering the floor. There were also many children. According to Witness 3,

there could not have been many people in the concert hall because the theater “commanders” discouraged staying there for a long time, so there should not have been people there at night.

Witness 3’s wife suffered a leg injury, and Witness 3 himself had a contusion and some of his muscles were torn. After Witness 3 emerged from the rubble, he saw no roof above the stage of the concert hall; the sky was visible. There were a lot of metal structures hanging above the stage, including lighting, decoration systems, etc. Witness 3 also recalled that when he walked into the courtyard, he saw a destroyed field kitchen and rushed to help rake the rubble and pull people out. Outside the field kitchen, a boy whose father was under the rubble was screaming.

Witness 3 said that he saw the bodies of the dead; he could not give an exact number. In particular, he saw a deceased man and an eight- to 10-year-old girl. According to his calculations, he saw at least 60-70 people who had died in the airstrike.

Witness 1 recalled seeing people running out of the theater, particularly a six- or seven-year-old boy who said that he had lost his mother. Someone took him aside and said he would go look for his mother. Witness 1 also recalled that the field kitchen in the courtyard was completely destroyed. Near her in particular, a woman was crying and calling for someone. The Witness could not remember exactly how much time had passed. In addition to the concussion she had received, Witness 1 also had problems with her right ear and noted psychological consequences from the experience.

Witness 2 also recalled seeing the destroyed field kitchen where dinner was prepared for people living in the theater. According to her, a large crowd was there before the airstrike and a line for water. As she walked by after the incident, Witness 2 saw people pulling their hair out of grief. In particular, she saw a woman whose son was buried under the rubble. As people tried removing the debris, the woman tore at the hair on her head. Witness 2 also saw countless injured people outside the theater, including a woman with an exposed broken leg that was held together with two wooden sticks.

According to Witness 2, there were people inside the theater who went down the surviving stairs to the street, while some went up trying to find their relatives, including herself. She recalled seeing the collapsed ceiling of the auditorium, through which sun rays were visible. When Witness 2 did not find her family on the third floor, she ran outside and found her sister and mother on the stairs to the bomb shelter. They tried to go down there and asked Witness 2 to come with them, but the theater caught fire and people started running out of the building *en masse*.

Witness 1 soon heard the roar of a plane again and saw people running away from the building. The shelling continued, but she could not say whether the theater or nearby streets were being bombed. As stated by Witness 2, the theater and the square were undergoing artillery shelling, which made it impossible to clear the debris and get the wounded out of the area. Because the theater was burning and the street was being

bombed, people panicked and ran in different directions with no place to hide. As she escaped the theater and shelling with her family, Witness 2 recalled seeing limp arms and legs sticking out from under the rubble of the theater.

③ Aftermath

Witness 1 tried to stop a car, but the cars passing by the Drama Theater did not stop. She also said that on the day of the airstrike, people who had been waiting for a “green corridor” decided to form a convoy on their own and leave together from the Drama Theater. Witness 1 was left with only a backpack containing documents and a laptop. She decided to join a group of people going on foot toward Berdiansk. Subsequently, she left the group walking along the highway and went along the seashore instead. She walked for four days, stopping overnight in places along the road until she managed to board a bus in Berdiansk and go to southern Ukraine.

Witness 2 and her family hid in the orchestra hall for a day, which was also shelled. They decided to leave the city on March 17. After finding a private carrier, the family left the city and reached southern Ukraine within nine days. Witness 3 and his family also left the theater and traveled to Berdiansk; they later left the country.

Incident 47

Forced deportation of children to the Russian Federation

Mariupol (Donetsk)

LOCATION: Mariupol (Donetsk)

DATE: April 7, 2022

NUMBER OF WITNESSES: 1 (information about the illegal transfer of children conveyed to the Witness by his son)

SUMMARY: Russian forces forcibly evacuated a father and his three young children from the bunker of a Mariupol hospital on April 7, 2022. They were sent to a checkpoint, where the Witness was detained due to his prior military service and separated from his children. He was imprisoned for 45 days in Olenivka, where he was interrogated and kept in overcrowded conditions. Meanwhile, his children were sent to Russia, where they were pressured by social services to consent to entering foster care. The father, however, managed to retrieve them from the Russian facility near Moscow and to bring them to safety abroad.

WITNESS

- The Witness is a male civilian. He is a divorced single father of three young children. He joined the Armed Forces of Ukraine (AFU) in 2015 when the war in Donbas began. He used to serve as a contract military in the AFU at a military base in western Ukraine. He occupied the position of repair company master but predominantly oversaw military conscripts and other personnel at the military base. The Witness never joined the Anti-Terrorist Operation (ATO) and never participated in military action. After his contract with the AFU expired, he returned to his hometown of Mariupol. The Witness and his children currently live in Latvia.

VICTIMS

- The Witness was the victim of detention.
- The Witness's three young children, along with 28 other children, were illegally transferred to the Russian Federation and pressured to consent to enter foster care.

PERPETRATORS

- Two soldiers with chevrons of the internationally unrecognized "Donetsk People's Republic" ("DPR"; pro-Russian forces) on their uniforms and white ribbons on their hands and feet, who initially arrested the Witness.

-
- Group of fighters of the “DPR” who inspected the personal belongings and documents at the checkpoint where the Witness was separated from his children. The “DPR” personnel had “DPR” chevrons on their uniforms; they were young adults. A well-built Russian soldier around two meters tall also interrogated the Witness at the checkpoint.
 - Representatives of the “DPR Prosecutor’s Office” interrogated the Witness in Novoazovsk.
 - The “DPR Major on Economic Security” (he never introduced himself, but the Witness saw a nameplate with his position on the door of his office) interrogated the Witness in the “Donetsk Organized Crime Department.” He was a middle-aged man.
 - Special forces members (likely “DPR”) who wore black uniforms, tactical gloves with shields, and masks on their faces. These individuals conducted the “registration” of detainees at the correctional facility in Olenivka.
 - Russian social service officials, the name of one of whom the Witness’s son remembered, illegally transferred the Witness’s children to the Russian Federation and attempted to place the children into a Russian foster family.

① Before the incident

Mariupol was subjected to bombardments from the very first hours of the full-scale invasion of Ukraine by the Russian Federation on February 24, 2022. On March 1, 2022, the city was completely encircled by Russian forces. There was no electricity, gas, water, or cellular service in the city. The city was attacked with various types of weapons. People tried to hide from the bombardments in the basements of their houses. On March 16, 2022, Russian forces dropped an air bomb on the Mariupol Drama Theater. At the time, hundreds of local citizens were hiding there and waiting for evacuation.

According to data provided by the mayor of Mariupol, 90% of the city’s infrastructure was damaged during military action, and most of the residential areas have also been destroyed. In March 2022, it was extremely dangerous to try to escape the city to reach Ukraine-controlled territory due to constant shelling and bombardments. Many civilians were killed during such attempts. Tens of thousands of citizens were also deported by the Russians to the territory of the Russian Federation. However, before the deportation, people had to undergo the so-called “filtration procedure.” During this procedure, Russians and representatives of the “DPR” tried to identify those connected to the AFU or any other Ukrainian forces (in particular, the “Azov” Regiment) as well as those who had a pro-Ukrainian patriotic position.

In early April, most of the city was controlled by Russian forces, with the exception of the “Azovstal” Steel Plant, where a few thousand members of the “Azov” Regiment and other Ukrainian military formations, as well as a couple hundred civilians, were hiding.

On May 16, the Ukrainian authorities ordered these Ukrainian soldiers to capitulate. At the moment, there is no accurate information about the total number of Mariupol residents who died during the occupation; the estimates vary between 40,000 and 90,000 people. Many bodies were buried in mass graves near the city or destroyed during the destruction of residential buildings by the occupying authorities. The city is currently controlled by Russian forces and is facing a humanitarian disaster due to the lack of normal living conditions.

On the day of the full-scale invasion of Ukraine by the Russian Federation on February 24, 2022, the Witness and his three children were in a rented house. On that day, the Witness moved to the apartment of his parents-in-law, spent a couple of days there, and then moved for a couple of days to the basement of the building. During the first days of the invasion, the social service recommended that the Witness evacuate from the city, but the Witness was unwilling to take the risk of walking multiple kilometers to the railway station with his children under bombardment. Moreover, there was information that the Post-Mist Bridge had been closed off. Later, on March 4, 2022, the Witness responded to an invitation from his former employer and moved to the former employer's apartment.

There was intense fighting in Mariupol. When the Witness and his children were in the apartment of his former employer, the city was suffering constant bombardment and shelling. Air strikes began every day in the early morning: Russian planes would deliberately bombard their district for over an hour. The planes were later followed by tanks, which were then followed by strikes from heavy armaments; the mortars would operate endlessly. The Witness also observed that there were initially no identification marks on the vehicles, but later he started seeing military vehicles with the letter "Z."

On March 19, 2022, when the shrapnel from the shells started landing on the Witness's shelter in his apartment, despite the barricaded windows, the Witness and his children relocated to the bunker of Mariupol Municipal Hospital No. 4, where there was no electricity, water, or gas. In the beginning, there were 90 people there. The Witness and his children occupied the ventilation room; the children had to wear several layers of sweaters and jackets due to the low temperature. When the Witness and his children evacuated from the bunker, 140 people had already been hiding there.

② Detailed account of the incident

Arrest of the Witness

On the afternoon of April 7, 2022, two soldiers with “DPR” chevrons on their uniforms and white ribbons on their hands and feet entered the bunker of Mariupol Municipal Hospital No. 4. One of them held an automatic weapon, and the other a handheld machine gun. They spoke Russian and introduced themselves as soldiers of the Armed Forces of the Russian Federation. They said that they wanted to evacuate people from the bunker into another non-specified safe place since a “mop-up” (a military term referring to the elimination of enemy forces/installations after an operation) was being conducted in that area. The “mop-up” was supposed to be done by Chechen units. The soldiers gave the Witnesses 30 minutes to collect their things. According to the Witness, it felt more like a mandatory evacuation than a voluntary one. Nonetheless, a couple dozen people still stayed in the bunker.

The Witness and his children, as well as others from the shelter, were transported to the village council building of Sopyne, 20 kilometers away from Mariupol. Around 30 minutes to an hour later, they were taken to one of the checkpoints 500 meters away from the village council building to be evacuated to the village of Bezimenne, where they had to undergo filtration. At the checkpoint itself, “DPR” fighters inspected personal belongings and documents. The “DPR” personnel had “DPR” chevrons on their uniforms; they were young adults. The Witness’s place of residence stated that he lived at the military base where he used to work in western Ukraine. The Witness explained that he didn’t work there anymore and that he was not a military serviceman. However, he was ordered to wait with his children in a separate room. The Witness and his children spent around four hours in that room. Then, the evacuation bus to Bezimenne arrived.

The Witness was told to put his children on the bus with someone who could take care of them, but he had to stay behind. The Witness put his children on the bus with a woman he knew and gave her his things and his phones, but he kept his documents and his children’s birth certificates to confirm that he was indeed the father of three underage children. Alongside the evacuation bus, soldiers in a civilian car arrived and took him to Bezimenne into one of the filtration rooms.

In the filtration room, he faced his first interrogation, during which the “DPR” soldiers interrogated the detainees about their potential connections to and service in the “Azov” battalion. Inside, there were also three men and one woman. If the “DPR” soldiers did not believe the people’s answers, five or six soldiers would start punching and kicking them. The Witness saw one man beaten up like this during an interrogation. The Witness was interrogated by a well-built soldier, who was around 6’5 tall. The Witness told him that he served in a military base in western Ukraine, had never been involved in the ATO, and didn’t know any “Azov” members. The Witness was not beaten.

However, after the interrogation was over, the soldier explained that since the Witness used to serve as a contract military in the Armed Forces of Ukraine, he had to tie him up. The soldiers taped the Witness's hands behind his back, put a baseball cap on his head to cover his eyes, and, to keep the cap that way, wrapped some tape around his head a couple of times. They squeezed the baseball cap so tight around his head that it damaged the skin on his temples. The Witness and two more men were then put into a car and taken to the Pre-Trial Detention Center of the District Department of the Ministry of Internal Affairs of the city of Novoazovsk.

During the transfer, the Witness and the other detainees were subjected to psychological pressure: they were told that the Chechens would cut off their tongues. When they arrived at the center, blindfolded and with hands tied, they were put in front of a wall, and then one of the local employees explained to them the rules -- if the interrogator believed the detainee was lying, the detainee would have to select one of two punishments: either their knee would be knocked out, or one of their body parts would be stabbed with a knife. The Witness heard someone being beaten; he heard moans and cries. The interrogator believed the Witness, so he was not beaten. With his eyes still blindfolded and hands still tied, he was escorted to a detainment cell.

Detention in the district department of the Ministry of Internal Affairs in Novoazovsk Because his eyes were blindfolded and his hands were tied, the Witness asked other cellmates to help him use the toilet. The Witness was not given food. There was no tap water in the cell, only some water in a bottle. One of his cellmates helped him drink the water.

The next day, he was sent to another interrogation; his hands were untied, but the baseball cap taped to his head still remained. During the interrogation, he was informed that he was interrogated by representatives of the "DPR Prosecutor's Office." No lawyers were present. They asked him when he served, why he served, etc. After the interrogation, he was escorted to take a photo, and only then did they remove the cap from his head, which allowed the Witness to discover that he was in the district department of the Ministry of Internal Affairs in the city of Novoazovsk. After that, the Witness tore apart the baseball cap. They put the hood of a hoodie over his head, taped his hands behind him, put 17 people into a UAZ SGR car (people had to lie on top of each other in the car), and took them to the main branch of the "Organized Crime Control Department of the DPR" in Donetsk.

Detention in the Donetsk "Organized Crime Control Department"

The Witness was untied and escorted to interrogation in Office 402. The "DPR Major on Economic Security" (he never introduced himself, but the Witness saw a nameplate with his position on the door of his office) interrogated the Witness. He was a middle-aged man. He did not beat the Witness. Again, no lawyers were present. The interrogation was conducted in Russian. Apart from asking the Witness about his service in the

Armed Forces of Ukraine, the major asked him whether he saw Ukrainian soldiers committing any crimes. It was during this interrogation that the Witness was informed that he was suspected of assisting the Armed Forces of Ukraine and of violating Article 233 Part 2 of the DPR Criminal Code on “membership in a terrorist group.” The “major” also informed the Witness that he would spend a couple of days in a pre-trial detention center and that he would then be transferred to a correctional facility in Olenivka, where he would spend two weeks. During that time, the “DPR” had to check whether he inflicted any damage to the “DPR” or to its citizens and check his fingerprints to establish whether he had committed any crimes. If he was “clean,” he would be released in two weeks.

After the interrogation, the Witness was escorted to a six-person cell, with a size of approximately 20 square meters. However, 48-50 people were squeezed in there, and they had to sleep where they could find a spare space. Closer to the night, guards would, possibly at their own expense, bring two two-liter bottles of water and two loaves of bread for all the detainees. It was very hot in the cell, so the detainees had to undress down to underwear. According to the Witness, they tried to avoid talking since conversations burned more oxygen; everyone tried to remain silent and just breathe. One of the guards would occasionally open the door of the cell a little to allow for better air circulation. However, the guard was punished for doing that, and after that, no one opened the door of the cell again. The Witness also saw some of his cellmates return after interrogation in a very beaten-up state. In total, the Witness spent a couple of days there. He was also taken to a civilian hospital where civilian patients were treated, in particular, to do a photofluorography (a type of x-ray often used to check for signs of tuberculosis). After that, the Witness was transferred for one day to a pre-trial detention center in the Leninskiy District Department of the Ministry of Internal Affairs. There was tap water there, so the Witness was able to take a shower and wash his clothes for the first time since staying in the Mariupol hospital shelter.

Detention in a correctional facility in Olenivka

On April 12, 2022, the Witness and 32 other people were put into one prisoner transport vehicle and taken to Olenivka Correctional Facility No. 120. Including the Witness, there were 33 people in the vehicle, both military and civilians. Upon arrival, the detainees were subjected to the so-called “registration” procedure by special forces members (likely “DPR”) who wore black uniforms, tactical gloves with shields, and masks on their faces. They severely beat everyone who got out of the prisoner transport vehicle; some people dropped unconscious near the car from the injuries they received. The “Azov” members, grenade launcher operators, artillery specialists, snipers, and the Territorial Defense Forces members were called “VIP guests”; they suffered the most severe abuse.

In general, while the Witness was in Olenivka, he was no longer sent to interrogations. Instead, he performed various jobs: he was predominantly involved in constructing and repairing cells.

The Witness was put into a six-person cell (Cell No. 2), approximately 20 square meters. The toilet inside the cell smelled badly. Despite the cell's size, at first, there were 48 people there, and later, 55. People slept on the floor. There was a catastrophic shortage of water. If anyone got sick, the guards would threaten to beat them up with a baton. After these threats, that person would stop complaining about their health.

After 10 days, they were transferred to the barracks. It was a two-story building with large rooms that split up into smaller rooms. In total, 450 people were held in one barrack. Later, they were once again transferred to another cell. This time it was a two-person cell, with a size of 10 square meters; 29 people were squeezed in there. The Witness said that that was the place where he understood what it meant to sleep standing on one foot: from time to time, he changed the foot he was standing on. People would also sleep a couple of hours in turns. They barely received any food: they were only given porridge and water-based soup with a carrot or a piece of potato. While the Witness was in Olenivka, captive Ukrainian soldiers from "Azovstal" started appearing there. According to the Witness, in total, there were around 2,700 prisoners from "Azovstal". That was the number of people for whom the Witness and other detainees were preparing the two-story beds in the cells.

On May 26, 2022, while the Witness was working a job, a guard approached him, escorted him to a separate room, and told him that he was free to leave. In the evening, the Witness and his cellmate were released from the prison. The Witness believes that the prison employees held them so long on purpose; they knew that the last bus to Donetsk left around an hour before they were released. Thus, the Witness and his cellmate walked to Donetsk on foot. During their trip, they were caught in a bombardment, so they hid in a trench.

The Witness spent 45 days in Olenivka. During all that time, nobody knew where his children were and what was happening to them. The "Kyivstar" mobile operator (a Ukrainian telecommunications company) was not working anymore, so he had no way of contacting his children.

The Witness and his cellmate spent the night at a bus stop, but the next day, they managed to reach the "Organized Crime Control Department" in Donetsk. There, the Witness retrieved all his documents, with the exception of his children's birth certificates. He was informed that in the early morning of March 27, 2022, his children were transported to the Moscow Region, Russian Federation, to stay at the "Poliany" recreational facility.

Illegal deportation of underage children from the territory of Ukraine to the territory of the Russian Federation

The Witness's son and daughters could not live in the filtration camps in Bezimenne to await the return of their father, especially given the fact that nobody told them when their father would come back. The woman the Witness asked to take care of his chil-

dren did not have any documents confirming her being their legal guardian; eventually, she went missing. On May 9, 2022, social security officials arrived in Bezimenne and took the children to the central hospital of Novoazovsk. On May 25, 2022, they were transferred to the children’s social center in Donetsk, where they spent the night. In the early morning of the next day, May 26, 2022, they crossed the Ukraine-Russia border and were taken to the “Poliany” recreational facility in Odintsovskiy District, Moscow Region. Including the Witness’s children, 31 children were transported to this facility. According to the Witness, his son told him that the group contained children from Donetsk, Mariupol, Shakhtarsk, and Khartsyzk. The children were first taken by bus from Donetsk to Rostov-on-Don, and then by plane to Moscow. Eventually, they were taken to the “Poliany” recreational facility, which was under the jurisdiction of the Department of Presidential Affairs of the Russian Federation. According to the Witness, the children were subjected to a rigorous medical examination, which involved being taken to a Moscow hospital.

The children were able to establish communication with their father one week after their arrival at the camp. While the Witness was in the “Organized Crime Control Department” in Donetsk, the Witness was given telephone numbers of the “DPR” social service. After contacting the social service, the Witness was able to obtain the telephone numbers of the teachers who were supervising his children on the “recreational trip” in Russia. After a conversation with those teachers, the Witness was slightly relieved because he considered it to be a good opportunity for the children to relax after living in the Mariupol hospital bunker. Unfortunately, the recreational facility had a bad internet connection, so it was difficult for the Witness to keep in touch with his children via the teachers.

Later, the Witness’s son was given the SIM card of one of the local mobile operators as a present; the father topped this SIM card and was able to talk to his son this way. According to the documents, the “recreational trip” was to end on June 27, 2022. Then, the children were to be brought back to Donetsk, where the Witness was supposed to pick them up. However, in the afternoon of June 16, 2022, the Witness’s son called him and said that the social service officials talked to him about putting him and his sisters into a Russian foster family. The boy was told that due to the bombardment in Donetsk, it was unsafe to return the children there, so he had two options: either a foster family or an orphanage in the Russian Federation. At first, the Witness’s son told the social workers to put them into an orphanage, but the adults tried to convince him that it would be better for his younger sisters to be put into a foster family. Then the boy replied that he would not make such a decision without consulting his father first, so he contacted his father and told him that the social workers wanted to put the children into foster families and added that his father had just a couple of days to pick them up until they would be transferred to other people. Before that, none of the teachers or social service officials of the Russian Federation had contacted the Witness to obtain his consent for such actions related to his children. Volunteers provided the Witness with

the funds to cover his travel expenses. While the Witness was traveling to Moscow by train, he also received assistance in sending a letter to the Office of the President of Russia requesting permission to pick up his children due to him being their legal guardian.

On June 19, 2022, a lawyer, a psychologist, and the head of the Department for the Commissioner of Children's Rights under the President of the Russian Federation met the Witness in the camp. They once again tried to determine the reason the children had been left unattended near Mariupol. The Witness was told that his children simply misunderstood what was happening; they denied any intention to send the children to a foster family. In addition, the Witness's son was forced to sign a statement indicating that he was not opposed to having himself and his sisters transferred to the care of their father. After this conversation, the Witness's children were returned to him.

③ Aftermath

After leaving the "Poliany" recreational facility, the Witness and his children spent a couple of days in Moscow at the house of a volunteer who agreed to give them shelter. They then took a bus to Latvia and arrived on June 22, 2022. According to the Witness's son, most of the children from their group had been sent to foster families in Moscow.

④ Evidence

- Photo of the certificate on transfer from Volnovakha Correctional Facility to the village of Molodizhne (Olenivka).
- Photo of the filtration completion certificate.
- Photo of the certificate on transfer of the Witness's underage children from the "Poliany" recreational facility, Moscow Region.
- Photo of the consent provided by the Donetsk Children's Social Center to transfer 31 children under the care of a number of teachers from the territory of the "DPR" to the territory of the Russian Federation.

Incident 55

Shelling of shopping center

Kremenchuk (Poltava)

LOCATION: Kremenchuk (Poltava)

DATE: June 27, 2022

NUMBER OF WITNESSES: 4

SUMMARY: The “Amstor” shopping center in the city of Kremenchuk was struck by a missile barrage. 21 civilians were killed, and multiple witnesses noted the absence of Ukrainian military targets near the mall.

WITNESSES

- **Witness 1**, also the Victim. He was an employee of “Comfy,” a household appliances and electronics store located the closest to the epicenter of the missile impact inside the mall. 12 “Comfy” employees were killed. Doctors diagnosed Witness 1 with a mine blast injury, closed craniocerebral injury, brain concussion, nose laceration, and post-traumatic right-sided otitis externa.
- **Witness 2** is the mother of a coffee shop worker in her twenties who was in the shopping center at the time of the rocket attack. At the time of the rocket’s arrival, Witness 2 was traveling by public transport to meet her daughter and was already 100-200 meters away from the shopping center. The daughter of Witness 2 was wounded but survived. Doctors diagnosed the Witness’s daughter with two multiple lacerations of the head and limbs caused by other explosions and debris.
- **Witness 3** is the daughter of a “Comfy” employee, who worked as a janitor. That day, according to Witness 3, her mother went to work in the morning and was supposed to be in the store at the time of the explosion. Her mother is presumed dead, as her remains were not found.
- **Witness 4** is a doctor at the local hospital. On the day of the rocket attack, she was at her workplace and helped victims who were brought from the shopping center.

VICTIMS

- As a result of the rocket attack, 21 civilians were killed and one more person is considered missing.

PERPETRATORS

- Unidentified Russian military personnel. According to the Security Service of Ukraine, the missiles were launched from the airspace of the Kursk Region, Russian Federation.

① Before the incident

The total area of “Amstor” (the shopping center) was 11,000 square meters. The only stores in the city operated in this shopping center: “Comfy” household appliances and electronics store, “House of Toys,” “Eldorado” electronics market, “Silpo” grocery supermarket, “Intertop” and “Colin’s” shoe stores, and others.

Witness 1 testified that he has been working at “Comfy” for almost two years (in July 2022, it would have been two years). During this time, the store was closed only on February 24, 202, the day Russia’s full-scale war against Ukraine began.

② Detailed account of the incident

In the afternoon of June 27, 2022, Russian forces launched a missile attack on the “Amstor” shopping center in the city of Kremenchuk.

Witness 1 testified how the air alarm sounded; at that moment he was at his workplace in the “Comfy” store. Then he remembers how he came to his senses. It was dark around, and he did not hear the explosions. He was lying on the floor with electric cords around his neck. He was afraid that he might be electrocuted. Witness 1 recalled seeing a bloodied coworker with a deep cut on his head. Witness 1 was not able to take his colleague outside; he later saw his colleague’s name on the lists of the deceased.

Witness 1 also said that he never saw tanks or other military vehicles near the mall. He remembers that he saw only military men who sometimes bought household appliances in the mall.

Witness 2 also said that she never saw any military vehicles in Kremenchuk. She heard two explosions from the impact of the rockets. She did not hear any other explosions or detonations of ammunition.

After the missile strike, Witness 2 ran into the burning shopping mall. She remembers that at that moment, the mall was not fully on fire. She ran inside, but unknown men did not let her go far into it as it was very dangerous because of the fire. Inside, Witness 2 saw [loose] bricks, a lot of [shattered] glass, and smoke. Witness 2 heard people screaming and asking for help, which she sometimes still hears in her head.

Witness 2 recalled seeing female employees of other stores—“Zoloto,” “Mobilochka,” and “Rozetka”—running out of the burning mall. She knew them because she often came to her daughter’s place of work. They were injured; almost all of them had their heads bleeding. A few minutes later, an unknown man took Witness 2’s daughter out of the shopping center. She was covered in blood but able to walk.

Witness 3 could not find her mother that day either at the explosion site or in the hospital. Witness 3 said that her mother went to work that day. Witness 3 was at home, approximately 5-10 km from the shopping center. She remembers hearing an alarm, and a few minutes later, two powerful explosions.

An hour before the explosion, Witness 3's mother talked to her husband and said that she was at work resting in the "Comfy" office. After the missile strike, Witness 3 and her father immediately went to the site of the missile strike. There, Witness 3 saw smoke, fire, and many injured people.

Witness 3 also said that the nearby factory did not work at all, and there was no military equipment there. The Witness knows about this because she has friends who work at this factory, and her father also has acquaintances there. According to Witness 3, there were no victims at the plant, as it was almost non-functional.

Witness 4 recalled seeing the daughter of Witness 2, who was brought to the hospital that day. She said that the girl was in bad condition: she did not speak, her eyes were closed, her clothes were torn, her face was covered in blood, and there were injuries and many cuts on her head. Witness 4's testimony on the girl is confirmed by available medical documents.

Witness 4 also mentioned another Victim, Witness 1, who was also brought to the hospital that day. She said that Witness 1 had a closed brain injury, a concussion, and a head injury. Witness 4's testimony on Witness 1 is confirmed by available medical documents.

In general, Witness 4 said that on the day of the rocket attack, the hospital experienced the consequences of two rocket strikes. After 20-30 minutes, various victims with multiple injuries to the limbs and torso, closed craniocerebral injuries, facial injuries, and shrapnel wounds started being brought to the hospital.

Witness 4 also said that she did not see military equipment or warehouses in the city.

③ Aftermath

Igor Konashenkov, a spokesperson for Russia's defense ministry, said its military fired a precise airstrike on areas storing arms and ammunition, and the explosion of those weapon caches caused a fire in the nearby shopping center, which he said was not functional at the time.

According to information from the Security Service of Ukraine, the strike was carried out by an X-22 missile from a Tu-22M3 strategic bomber that took off from the Shaykovka military airfield in Kaluga Region, Russian Federation. The missiles themselves were launched from the airspace of Kursk Region, Russian Federation. As a result of the rocket attack, 21 civilians were killed and one more person is considered missing.

A video published by the Security Service of Ukraine captures the moment of the missile strike, where it can be seen that the missile hit a civilian object; in particular, a shopping center. This is evidenced by footage from surveillance cameras inside and around the shopping center; there were many visitors.

④ Description of evidence

- Passport photo (DIA)
- Conclusion from the outpatient medical card # [redacted]
- Certificate issued on August 28, 2022, by Kremenchutska Intensive Treatment Hospital
- Photo of the Victim in the hospital
- Medical documents regarding Witness 1's injuries
- Medical documents regarding Witness 2's injuries

Incident 72

Occupation of Kakhovka Hydroelectric Power Plant

Nova Kakhovka (Kherson)

LOCATION: Nova Kakhovka (Kherson)

DATE: February 24 - July 15, 2022

NUMBER OF WITNESSES: 1

SUMMARY: Russian forces captured the Kakhovka Hydroelectric Power Plant on February 24, 2022, and fired upon a civilian vehicle driving through the grounds that afternoon, killing all five people inside, including a child. The Witness further described other crimes committed against civilians by Russian forces, including fatal shootings, abduction, and torture.

WITNESS(ES)

- The Witness was a male civilian and resident of Nova Kakhovka who worked as the leader of the local territorial community.

VICTIMS

Note: The Witness's recollection of these Victims did not originate from first-person accounts.

- Victims 1-5 – A family of civilians who were in their vehicle when the Russian forces fired at them. All five victims died as a result.
- Victim 6 – A female civilian and resident of Nova Kakhovka who was under 70 years old. She died from a gunshot wound to the heart.
- Victim 7 – A male civilian and resident of Nova Kakhovka who worked as a driver for the waterworks under the Nova Kakhovka city council. He died as a result of gunfire that targeted him as he was driving his car.
- Victim 8 – A civilian who was wounded near Novokakhovska School No. 3
- Victim 9 – A male civilian and a resident of Bereznehuvate, Mykolaiv Region, who worked as a truck driver. He was captured and tortured by the Russian military.
- Victim 10 – A male civilian who worked as the leader of his territorial community in Beryslav District, Kherson Region. His testimony was recorded separately.
- Victim 11 – A male civilian and a member of a civilian organization. He was abducted and beaten by the Russian military.
- Victim 12 – A civilian who worked as an employee of the Nova Kakhovka city council and was abducted twice by the Russian military.

PERPETRATORS

- Known to have been Russian military personnel, but the Witness does not know of which unit. He suspected that many of the perpetrators were representatives of the Russian National Guard and military personnel of the Armed Forces of the Russian Federation.
- The Witness also mentioned local collaborators, including the head of the administration established by Russian forces, and a military officer of the internationally unrecognized “Donetsk People’s Republic” who participated in seizing power in Nova Kakhovka.

① Before the incident

In the early morning of February 24, 2022, the Witness was at home when his wife drew his attention to explosions nearby. The Witness then called the head of the local department of the Security Services of Ukraine (SBU) in Nova Kakhovka, who told him that war had begun. The Witness quickly got dressed and went to work at the city council, where he promptly convened a meeting with his deputies and the heads of enterprises in the community. At this point, it was unknown to the Witness and everyone else what exactly had caused the explosions. The Witness asked one of his deputies to see what was happening with the air defense military unit located outside the city. When the deputy returned, he said that the explosions had occurred there. The military unit, which had been defending the Kakhovka HPP, was destroyed by the rocket attack.

In the following hours, the Witness tried to coordinate the work of all the city services to help deliver weapons for the local territorial defense in the city of Kherson (around 49 miles away via the Kakhovka HPP and the Dnieper River). Two cars were sent off to Kherson, but neither arrived nor returned to Nova Kakhovka. Additionally, during the first half of the day, representatives of the military commissariat, the SBU, and the police left the city.

On February 24, there were no Russian soldiers in the territory of Nova Kakhovka. They were moving along the Henichesk-Kherson highway in the direction of Kherson. Also, on this day, the Russian military was already in the villages of Kozatske and Vesele, Nova Kakhovka Community, on the right bank of the Dnieper. Fierce fighting began in the territory of these two villages: the Russian military tried to break through the village of Shilova Balka in the direction of Beryslav and Kherson, but the Ukrainian military held them back. During this fighting, private residential buildings in Vesele were destroyed.

② Detailed account of the incident

In the late morning of February 24, the Witness learned that the Russian military had entered the Kakhovka HPP. By the late afternoon, the Witness received a phone call from the director of the HPP. He told the Witness that “some commandant” was nearby

and wanted to meet the Witness. The Witness agreed to this meeting, and on the way to the HPP, he passed Russian roadblocks that had appeared earlier that day.

Once at the HPP, the Witness was greeted, but he was not taken to the administrative building. Instead, he was brought to the engine room. There, he met the director of the HPP and two men (Perpetrator 1 and Perpetrator 2), who said they would not take charge of Nova Kakhovka.

After the conversation, the Witness heard shelling from a machine gun. All the men left the engine room, but a Russian soldier at the exit ordered them to stay put. Once they managed to leave the building, the Witness saw a shot civilian car nearby on the Kherson-Henichesk highway, which passes through the HPP on the left bank of the Dnieper. The car was positioned right against the fence at the upper point of the crossing through the HPP.

The Witness then went to his driver, who told him that he saw what had happened: civilian cars were passing through the hydroelectric station, and one of the cars did not stop at the request of the Russian military. It is unknown exactly why the car did not stop; it was possibly the result of the driver mistaking the gas for the brakes. Nonetheless, the car was shot, and the Witness saw dead bodies in the vehicle. It wasn't until February 25 that the Witness learned who died in the car. These were Victims 1-5, an entire family. One of the Victims, a child, died in the arms of the senior nurse of the reception department at the central city hospital of Nova Kakhovka.

On the morning of February 25, Perpetrator 1 and Perpetrator 2 entered the Witness's office accompanied by military personnel. When they started speaking, the soldiers got confused and everyone ran out. But in the evening, the military started entering the city and were noticed by local residents. There were various Russian units who had no contact with each other or had their actions coordinated. They refused to let civilians out of Nova Kakhovka or enter the city, effectively trapping people in their dachas (cottage homes) with no means to escape.

It was also on February 25 that the Witness learned of the murder of Victim 6. She was walking along Promyslova Street and passed by the hydrotechnical metal construction plant to feed or tend to a goat when an unknown sniper shot her directly in the heart. The Witness also learned about the shooting of an emergency vehicle at the city waterworks. The driver, Victim 7, was passing a column of Russian military equipment on Elektromashynobudivnykiv Street when his car was fired upon. He died on the spot, and his body remained in the car for four days because Russian soldiers did not allow anyone to remove it.

On the morning of February 26, the Russian military began occupying the Nova Kakhovka City Council. They told the Witness that he could continue working from the building, but the Witness refused and asked for an hour to collect his personal belongings and leave. He organized his office at the communal enterprise "NK Ecoservice" and started working from there.

The Witness also learned about the wounding of Victim 8, which occurred by Novokakhovska School No. 3 (near the 57th unit of the Kost Gordienko separate motorized infantry brigade. The Russian military later captured the school and used it as a base). The Witness does not remember the name of the Victim, the date of the incident, the exact address of the incident, and the circumstances. He said that his first deputy was taking care of the wounded Victim.

On February 27, as the Witness was driving through the city on Istorichna Street in the direction of Slava Park, his car was fired upon by Russian soldiers who were standing around some bushes. The Witness shouted not to shoot, and soon Perpetrator 2 walked over to the car and ordered the soldiers to stop shooting.

The first weeks of the war

During the first weeks of the war, the most difficult situation was in the villages of Kozatske and Vesele on the right bank of the Dnieper, as they were directly on the front line of the war. The fighting was continuous for the first four to five days, and people sat in their basements, without light, water, or food. Unfortunately, many people from Kherson and Nova Kakhovka went to these villages on February 24 because they thought that the Russian military would shell the cities rather than the villages. However, it turned out to be the opposite. People in the villages were unaccustomed to stocking up on food, so people began to starve. During this time, the Witness organized the delivery of food and medicine to the right bank and negotiated with Russian forces to evacuate people from the villages. The Witness also noticed extensive destruction of residential buildings in the villages, especially in Vesele. The Russian military also captured the local “Prince Trubetsky” winery, looted it, and turned the main administrative building in Vesele and the Vesele Children’s Music School into a military headquarters.

By March 1-2, 1,200 people were evacuated from Vesele and Kozatske to Nova Kakhovka. Problems with bread quickly arose: there was no yeast anywhere to bake, and it had to be delivered from the village of Velyka Lepetykha, Kakhovka District. Also, the Beryslav bakery, which supplied bread to Nova Kakhovka, was blocked because it was on the opposite bank of the Dnieper. This prompted local, private bakeries to help the city.

After the first few weeks of the war, it became known among locals that the Russian-occupied Kakhovka District police station had been turned into a torture chamber. Local residents were brought to the police station and tortured by the Russian military. The Witness specifically talked to Victim 9, who was pulled out of a tractor by Russian forces in the village of Bereznehuvate, Mykolaiv Region, while working in the field. The military mistook the GPS navigator in his tractor for a device transmitting information about their movements to the Ukrainian military. Victim 9 appealed to the Witness with a request to help him evacuate to his native village.

The Witness also talked to Victim 10, whose back was in a terrible state after suffering torture. The Witness found a car to take him to his native village in Beryslav District after his capture in Nova Kakhovka.

Furthermore, the Witness detailed how his community lived under occupation and the severe extent of destruction to the city's infrastructure. The destruction was especially prominent near the village of Rayske; at the former depot of "Tavria," a house of vintage cognac brandy; and at industrial centers behind the "UPTK" wholesale market in the middle of the city. However, most of these centers had been seized by the Russian military and were used to store ammunition and military equipment, so local residents were relieved about the destruction.

The Witness also spoke about local collaborators, including those among his subordinates and people close to him. The director of Nova Kakhovka Lyceum No. 10 was abducted and held captive for 17 days, during which he tried to cut his own veins. After his release, he began to cooperate with the occupiers and to terrorize his fellow educators.

The Witness recalled how the authorities established by Russian forces began coercing employees of communal enterprises to quit and start working in the enterprises they [Russian forces] established. They also began to appoint their own "officials," which were mostly comprised of random people. In Nova Kakhovka, the occupiers seized all the communal buses, official cars, and the communal pharmacy.

On March 6, 2022, the Russian military targeted a large, spontaneous pro-Ukraine rally to protest against the occupation. There were several wounded victims, but the Witness was unable to provide details about the sequence of events because he was not there.

The Witness also mentioned that he met more than 20 people who were abducted by the Russian military. In particular, the Witness discussed Victim 11, who had to walk with crutches after being beaten; and Victim 12, who was abducted twice. The Victims told the Witness that once information was discovered about one of the 17 prisoners, everyone suffered beatings.

The Witness does not know which Russian military unit was in Nova Kakhovka. He described overhearing a conversation between Russian soldiers in a local cafe: they were from Dagestan. He claims that there were many military personnel from Krasnodar and Stavropol Regions. There were many soldiers of definite appearance from either Elista (Republic of Kalmykia) or Chita and Buryatia. Some Russian officers moved their families to Nova Kakhovka and often walked with their families in the local central park.

③ Aftermath

Nova Kakhovka is still under Russian occupation. However, on July 15, 2022, the Witness and his first deputy left the city for Ukraine-controlled territory. He continues to work in his capacity in Kryvyi Rih (Dnipropetrovsk Region).

Incident 74

Mass captivity in school basement

Yahidne (Chernihiv)

LOCATION: Yahidne (Chernihiv)

DATE: March 4–30, 2022

NUMBER OF WITNESSES: 7

SUMMARY: Nearly 370 civilians—including infants, children, and senior citizens—spent an entire month in captivity in the basement of a school in Yahidne, Chernihiv Region. Russian troops set up a military compound on the upper floors of the school. Poor conditions in captivity resulted in the death of over a dozen civilians. A few other men in nearby villages were also killed.

WITNESS(ES)

- **Witness 1** – A civilian woman in her late 40s and a resident of Slavutych who worked as a volunteer. While traveling to Chernihiv with Witness 2, they became stuck in Yahidne due to nearby fighting.
- **Witness 2** – A civilian woman in her early 30s and a resident of Slavutych who worked as an employee of the Chernobyl Power Plant and as a volunteer. While traveling to Chernihiv with Witness 1, they became stuck in Yahidne due to nearby fighting.
- **Witness 3** – A civilian man in his late 30s and a resident of Yahidne who worked as a village council member. He lived in a house with his wife, two children, and his in-laws.
- **Witness 4** – A civilian man and a resident of Yahidne in his late 20s.
- **Witness 5** – A civilian woman in her early 50s and a resident of Yahidne who worked as an agriculturist. At the time of the incident, her whole family (including her adult children and grandchild) was living in a cellar that served as a bomb shelter.
- **Witness 6** – A civilian woman in her early 60s and a resident of Yahidne who worked in a kindergarten. She lived in an apartment with her husband.
- **Witness 7** – A civilian woman in her mid-60s and a resident of Yahidne who is a retired kindergarten worker.

VICTIMS

- 367 people, including children, babies, and senior citizens, were kept by force in the basement of a school in Yahidne (used by the Russian soldiers as their headquarters), from March 5-30, 2022. 10 people died in the basement due to the conditions they were kept in; they were later buried at the cemetery.

PERPETRATORS

- The 55th Mountain Motor Rifle Brigade of the Russian army. Perpetrator 1, Perpetrator 2, Perpetrator 3, and Perpetrator 4.

Perpetrator 1

The basement was managed by a commander, Perpetrator 1. He was in charge of distributing permits and orders for people in the basement (for example, going home and taking food). **Witness 3** described Perpetrator 1 as a red-haired man with a small beard, average height, rather thin (around 70 kg), and between his late 30s or early 40s. He once mentioned that he was from the Ural region, had two children, and had fought in several wars. Witness 1 believes he was of Russian ethnicity. The Witnesses described Perpetrator 1 as paranoid, irritable, hysterical, and emotionally unstable. He often shouted at people and wanted everything to be done according to his orders.

Witness 1 referred to Perpetrator 1 as “our jailer,” while **Witness 2** described him as someone who constantly derided people and made sadistic comments. Witness 2 claimed it was Perpetrator 1’s idea to confine people in the basement.

Initially, **Witness 5** couldn’t identify the commander among the soldiers overseeing the school and basement. However, around March 15, Perpetrator 1 appeared, organizing the school and claiming he was establishing order. Before his arrival, soldiers had told people they could leave the basement but discouraged it due to safety concerns. Only elderly women were allowed to leave with specific markers. When people were permitted to visit the village, soldiers monitored them closely. After Perpetrator 1 took control, he began locking the basement without warning, ignoring pleas and knocking from those inside.

Perpetrator 2

Another commander was Perpetrator 2. Witness 3 described him as a tall, slim man in his mid-40s with an elongated face and light hair. The Witnesses described him as calmer than Perpetrator 1, as a man with whom it was possible to have a discussion. Witness 3 also mentioned that Perpetrator 1 did not obey Perpetrator 2 even though the latter had a higher rank.

Perpetrator 3

Witness 3 said Perpetrator 3 was a commander in approximately his early 30s. Witness 2 heard Perpetrator 3 say he fought in the Donbas in 2014. **Witness 4** likely saw him the most because Witness 4 worked in the makeshift kitchen where he cooked food for people in the basement. Perpetrator 3 occasionally gave him cigarettes. Witness 4 described Perpetrator 3 as a man in his early to mid-30s, with a handsome Slavic face, but nothing remarkable. As for military experience, Witness 4 said that Perpetrator 3 was a commander.

Perpetrator 3 also said he had two degrees (one in law) and bought two apartments in the Donbas after participating in that conflict. Perpetrator 3 often came down to the basement to talk to people, and Witness 4 described his task as propaganda and indoctrination. When asked why he was in Yahidne, Perpetrator 3 said he was defending his country. Perpetrator 3 was mostly calm but had a habit of clicking the safety clip on his assault rifle. **Witness 6** remembered that Perpetrator 3 often came down to the basement. He invited people to go to Russia and offered them a newspaper, *Komsomolskaya Pravda*.

Perpetrator 4

Witness 3 also heard the soldiers mention Perpetrator 4. Perpetrator 4 was also a commander. He was heavy-set with a round face and short, light-colored hair. Witness 3 heard the soldiers talking among themselves after they were defeated in the village of Shestovytsia before entering Yahidne. Supposedly, they were given a “green light” to do everything they wanted: Witness 3 described it as a “green light” for the rampage and all the violations they committed.

Witness 3 noticed chevrons with the red hammer-and-sickle flag of the Soviet Union on the soldiers’ uniforms. Witness 3 determined that the soldiers based at the school were part of the 55th Mountain Motor Rifle Brigade of the Russian army after seeing a plan on the school wall where this unit was mentioned. Also, documents (salary information, with names and bank card numbers) were found in the village after the Russian military left. These documents were given to the Security Service of Ukraine, allowing some of the perpetrators’ names to be identified.

Witness 4 also remembered the nicknames of two other Russian soldiers who were at school. He also saw chevrons with the Belarusian and Korean flags. He described the suspected Korean chevron as being white with a red circle and something blue in the middle. He also recalled that the man wearing the chevron was of Korean appearance and short. He was a medic and used to come to the school in a KAMAZ truck.

① Before the incident

March 3, 2022

Witness 1 and **Witness 2**, volunteers from the village of Slavutyich, were on their way to Chernihiv when they became stuck in Yahidne on February 27, 2022, due to fighting in the area. While in Yahidne, they stayed with **Witness 3**, who welcomed them into his home to find asylum in his basement. On March 3, Witness 3 saw military vehicles marked with a white letter “O” entering the village and firing weapons. After this, Witness 3 also stayed in the basement with his entire family (wife, two kids, and in-laws) and Witnesses 1 and 2.

Witness 6, while looking out her apartment window, also saw Russian military vehicles entering Yahidne from behind the school. The vehicles were marked with the letter “O” and were not equipped with weapons. On top of two vehicles, she noticed soldiers with guns, and when the vehicles reached the turn to Yabluneva Street, she heard automatic rifle fire. From another window, she saw trucks covered with tents, which her husband informed her were Ural trucks. These trucks turned onto Witness 6’s street, driving close to her building and breaking the fences. She counted five Ural trucks near her building. There was also a vehicle that produced a rattling sound; Witness 6 concluded that it was for jamming the mobile signal. Three different Russian military vehicles stopped in Witness 6’s yard while she was at home with her elderly mother, leading to heightened fear.

Soon, Witness 6 heard her neighbor’s door being broken down, and then hard knocking on her own door. The soldiers quickly broke the door and entered her apartment. They held Witness 6 at gunpoint while they searched her home. One soldier found Witness 6’s phone and started looking at its photos. They also took headlights and batteries and then went to the kitchen hoping “to eat.” One soldier found dumplings in her fridge and told Witness 6 to cook them, which she obeyed.

One of the soldiers was of Slavic appearance. He sat in the kitchen and started talking to Witness 6, claiming they had come to rescue people in Yahidne from the Nazis, that President Zelenskyi had started the war, and something about the Donbas. While that soldier (Witness 6 thinks he was the group leader) was talking to her, six or seven soldiers took showers in her bathroom.

In the late afternoon, **Witness 7** recalled hearing shelling and gunshots very close to the village. At the time, she was in her yard and saw Russian military vehicles entering Yahidne from the forest. Soldiers of Asian appearance were running from the vehicles toward the houses, firing in every direction with their guns. The bullets left marks on Witness 7’s barn and cellar. The vehicles were marked with a white letter “O.”

Later that day, the soldiers entered the cellar where Witness 7 was hiding with her neighbors. They told Witness 7 and her neighbors not to be afraid and that they had come to rescue them. The soldiers also asserted that their lives would improve in two days. There were four or five soldiers in Witness 7’s house. They did not allow people to go anywhere to prevent them from seeing the military vehicles and weapons. They left some of their dry rations in the cellar and would bring water when people asked for it.

② Detailed account of the incident

March 4, 2022

The next morning, **Witness 6** saw some weapons stationed along Lisova Street. They looked like barrels on tripods and were positioned around 65 feet apart (she later learned that they were mortars). She then heard an explosion and realized that the

soldiers were firing from their weapons. She quickly realized that a response was imminent and decided to hide in the nearby cellar with her elderly mother. As a worker in the kindergarten (located in the same building as the school), Witness 6 knew the basement beneath the building was better than the wet cellar near her house. She gathered her documents, a loaf of bread, and a bottle of water and left her apartment.

When Witness 6 arrived at the school basement, there were only two other people aside from Witness 6 and her mother. There was an electric light in the corridor, but after an hour the power was cut. She accommodated herself and her mother in one of the small rooms. But soon, Russian soldiers started bringing in other residents of Yahidne, holding them at gunpoint. There was one bean bag chair in the basement, which Witness 6 put her mother on because she could not sit on the concrete floor. Other people used clothes, wood, or paper to sit on the floor. In the evening, a drunk soldier came into the basement and said that Ukraine had already surrendered.

Also on March 4, soldiers whom **Witness 3** identified as of Tuva ethnicity came into his yard and forced his family and **Witnesses 1 and 2** to leave the basement individually. Witness 3, as a man, was ordered to remove his clothes and was frisked on the cold ground. The soldiers also went through his phone. Witness 3 said that most of the soldiers spoke little Russian and did not understand him when he explained that he was not a member of the military. However, a few of them were of Slavic appearance and did speak Russian, so he managed to explain that he was a civilian, and they released him. Then he was put against the wall, and other people in the basement were told to come up. Everyone's phones were checked, SIM cards were taken away, and they were sent back to the basement. Later that day, different soldiers who were ruder arrived. They searched everyone again and ransacked the house. Witness 2 asked the soldiers if they were going to kill them, to which the soldiers replied yes. Witnesses 1-3 and Witness 3's family spent one more night in the basement.

March 5, 2022

On March 5, Russian soldiers returned to **Witness 3's** home and told everyone they had 15 minutes to pack their things before being relocated to a different basement. Witness 3 asked to stay in their house's basement, but the soldiers refused and explained that they had been ordered to gather the residents of Yahidne and deliver them to the school's basement.

Witness 3 and others from his basement were escorted to the school at gunpoint. Witness 3 noticed four Russian military vehicles in his yard, and on their way to the school, he noted that there were Russian military vehicles near almost every house on the street leading up to the building. He mentioned seeing around 80 vehicles on the way to school, a distance of about 0.5 miles. The Russian military vehicles were all marked with a white letter "O."

Similarly, in the early morning, Russian soldiers told **Witness 7** that she and all the people in her cellar had two minutes to gather their things and go to the school basement. They obeyed and walked there. Witness 7 found a place to sit in a large room (the former gym) next to Witnesses 1, 2, and 3.

Correspondingly, **Witness 4** saw a “Tiger” vehicle in front of his house. He went outside and saw a soldier of Tuva appearance. When the soldier noticed Witness 4, he shouted at him to stand still and shot off an automatic burst in his direction. Then, several soldiers broke into Witness 4’s apartment, searched it, and told him to collect what he needed before the next bombing. However, Witness 4 did not have time to collect many things or put on warm clothes (he was in summer sneakers, a t-shirt, jeans, and a raglan). He managed to put a blanket in a backpack, and he and his family were escorted by soldiers to the school basement. Along the way, Witness 4 saw Russian soldiers digging trenches around the school, and there were KAMAZ trucks and an infantry fighting vehicle planted in the ground nearby.

Around the same time, **Witness 5** saw her adult children being escorted by Russian soldiers to a medical vehicle from her window. She and her family had been living in a bomb shelter, but she would occasionally go to her apartment to cook. Fearing for her family, she ran to the vehicle and asked where they were being taken. The soldiers said they were going to the school because her street was dangerous. A woman with the soldiers, whom Witness 5 believed was their chief medical officer, offered her a ride, but Witness 5 declined, stating she knew the way. She took some cooked food and warm clothes and walked to the school basement with her family, including her four-month-old grandson.

On the way, she saw many Russian military vehicles marked with the letter “O” and soldiers in red armbands. Near the school, she asked some soldiers what they were doing in Yahidne. They replied they had come to rescue everyone from the Nazis. Witness 5 and her family arrived at the school basement by mid-afternoon.

Meanwhile, **Witness 6**, who had already spent a night at the school, watched as more people were driven to the basement. Those who were already there started cleaning the storage room to accommodate the influx of people. Witness 6 recalled that people with disabilities, including a stroke victim and a woman with cerebral palsy, were also brought to the basement.

Conditions of detention

The basement where detainees were held had previously served as the school gym, with the school and kindergarten located upstairs. At the time of the mass arrest, the basement was being used as a storage room. **Witness 3** noticed there weren’t enough chairs for everyone and requested more from the school. **Witnesses 3 and 5** later learned that the Russian military had set up their headquarters in the school, including a first-aid post, with some soldiers living there.

The basement was managed by ethnically Russian soldiers. **Witness 7** noted that these soldiers warned that if the Tuva soldiers were present, detainees would not be kept alive. The Tuva soldiers lived in the village but occasionally visited the basement, often intoxicated. **Witness 4** mentioned a repair brigade stationed behind the school and snipers positioned upstairs and along the street, including Tuva snipers.

Nearby, a fuel station received tanks for refueling in the evening, which Witness 4 could see from the schoolyard due to a missing section of the fence. The Russian soldiers also had a field kitchen in the forest and sometimes asked men from the basement to help with tasks like peeling potatoes or digging trenches, offering cigarettes or army rations in return.

Witness 1 calculated 60 square centimeters (23 square inches) per person in the large room. People could only sit or stand; they slept sitting. There was no place to move one's legs, which strained many people's bodies. Witness 3 observed 367 people in the basement in total. The entirety of the basement included the large former gym, five smaller rooms, a corridor, and one exit door. Every space was occupied, including the corridor. **Witness 4** stayed in the corridor because the air there was slightly colder and fresher than in the rooms where the temperature was very high because of the number of bodies.

Witness 6 stayed in a crowded room with 39 people, and she had to sit and sleep on a chair all the time. She described the feeling of not knowing for how many days people would have to stay in the basement and what would happen to them. Her mother expected they would be killed. **Witness 7** also constantly sat on a chair, which caused her legs to swell and hurt.

Due to overcrowding in the other rooms, **Witness 5** and her family stayed in a corridor on a long, narrow bench, with around 50 people seated there. Others frequently passed by, forcing them to sit with their legs bent. For several nights, Witness 5 slept sitting up, while her children found insulation material to create two makeshift "beds" on the floor for six family members. They took turns sleeping, but even on the "beds," there wasn't enough space to stretch out.

Witness 6 was in a crowded room with 39 others, having to sit and sleep on a chair continuously. She felt uncertain about how long they would remain in the basement and what would happen next; her mother feared they would be killed. Witness 7 also sat on a chair all the time, leading to swollen and painful legs.

Russian soldiers enforced rules and confined the detainees in the basement. Each evening, they locked the door from the outside, reopening it in the morning to allow people to use the toilet, which was located on the school grounds. Sometimes, the soldiers delayed opening the door until the afternoon. Detainees could access the toilet building and the space between the basement entrance and the toilet, but they

were closely monitored by armed soldiers along the perimeter. Witness 6 compared this situation to a concentration camp.

Witness 5 recalled soldiers saying people could stay outside until the evening curfew. While detainees were generally allowed to leave the basement during the day, this was inconsistent; the soldiers would deny access if they were angry. **Witness 4** learned that only women and the elderly could go home to fetch items. Witness 5 attempted to convince several soldiers that it was safe to return to her home, but they refused to let her leave without explanation. When people knocked and pleaded for the basement door to be opened, the soldiers ignored them.

Witness 7 did not go outside often because she was afraid of shelling and of being in the crowd. There were two occasions when women broke their hands: they fell while entering the basement in haste. Witness 7's house was not far from the school, and the soldiers could see her the whole way home and back, so they let her go home unescorted by soldiers. She and other people had to wear white armbands to go home, which Witness 7 made from linens.

People used medicine they brought from home. Sometimes people could get simple pills from the first aid point located at the school when people asked for them. **Witness 3** once got five pills to treat a cough. However, he said that the soldiers had no medicine for civilians, and one of the doctors, a woman, refused to help treat civilians. In the basement, some people suffered from coughing, some children had chickenpox, some people had tuberculosis, and there were cancer patients as well. **Witness 6** said there was constant shelling: the Russian military shelled the nearby areas, and they were shelled in response. When a teenage boy was seriously wounded, he was not taken to any hospital but spent the night in the basement. He was taken to a hospital the next day.

Witness 3 said that since there was no electricity in the town, there was no water at the school building. Going to the village was not allowed, and when allowed, doing so was highly dangerous. Many wells in the village also had no water because the Russian military took it for their vehicles. Witness 3 eventually found a solution, and people started taking water from a drill hole at the school territory. Using the drill hole without electricity took a long time: they used a hose pipe and manually pumped water in it, and one pump yielded only around 100-150 milliliters (3.5-5.3 fluid oz) of bad-quality water. To cook tea and food for all the people in the basement, 150 liters (39.6 gallons) of water were needed.

The soldiers did not provide meals for the detainees in the basement, so people managed on their own. Some food, like sugar, pasta, and cereals, was left at the school canteen. Occasionally, detainees were allowed to go home with a soldier to fetch food and firewood, but much of the good food had already been eaten or spoiled by the soldiers living in their homes. On the first day, Witness 5 and her family ate what they

had brought from home. Witness 7 made several trips home to bring food, including potatoes, apples, canned vegetables, *salo* (salt-cured slabs of pork fat), and meat.

The soldiers sometimes shared their dry rations, but it was insufficient for everyone. Witness 3 described a time when a truck delivered food for the soldiers, and they allowed the detainees to take pasta and cereals that had been contaminated with diesel oil, requiring washing before they could be eaten. When the basement door was locked, cooking was impossible.

Witness 4, a volunteer, initially cooked baby food in the basement. Later, a deal was struck with the soldiers to set up a kitchen outside, where men built a makeshift stove starting on March 7. Each morning, when the soldiers opened the basement, they would start a fire to boil water for tea, coffee, and children's food. They aimed to cook two meals a day, although some days they were prohibited from cooking, depending on the soldiers' mood. The soldiers occasionally provided condensed milk and once bought a wheelbarrow of dirty bread, which women cleaned for their children while being filmed by the soldiers.

In Witness 7's room, there were seven or eight babies, the youngest about a month and a half old. Sometimes, soldiers provided hot water, though not regularly. One woman who had a cow at home was allowed to milk it and bring back milk for the smallest children in the basement.

Witness 1 noted that elderly people who entered the basement in good health began to lose their sanity by the fourth day due to a lack of oxygen. People exhibited erratic behavior and shouted odd phrases. Witness 1 herself felt a wave of panic and wanted to ask to be shot. In the large room where **Witness 2** was, individuals died from oxygen deprivation, often speaking to deceased relatives or uttering strange comments. A man who exercised daily went mad and died around the twentieth day. Another man with disabilities and a lively elderly woman also succumbed.

When someone died at night, the soldiers did not allow the body to be removed until morning. The air in the basement was dusty, causing coughing among children and then adults. The warmth from the bodies contrasted with the cold walls, leading to condensation that created puddles on the floor. The air was foul, filled with the smell of unwashed bodies and urine. **Witness 6** described the suffocation as akin to being in a sinking submarine. Babies struggled for air, and **Witness 7** recounted an incident where a baby was choking due to lack of oxygen, but the soldiers refused to open the basement. They also denied access when adults requested to be let out due to feeling unwell from the lack of oxygen. Ten elderly people died in the room where Witness 7 stayed.

At first, the soldiers did not allow the dead to be buried. According to **Witness 3**, several of the first people who died were put in a boiler house at the school lot. After several days, the bodies started to decay, and Witness 3 started talking to the soldiers

about burial. Finally, it was allowed, and the dead were taken on wheelbarrows to the cemetery by several volunteers from the basement. The bodies were put in one mass grave. Perpetrator 1 said they had two hours for the burial and that if they did not come back in time, he would start shooting people. While people worked at the cemetery, a Russian military vehicle came and shot people, resulting in injuries.

There was no bathroom: at night and during the day, when people were not allowed to leave the basement, they used buckets. The buckets were not enough for such a large number of people. There was not enough water and no place to wash. Every morning, the 12-liter (3.2 gallon) toilet buckets were full after the night in the basement, and often the soldiers did not open the basement in the morning, so there was no way to empty the buckets. The smell in the basement was terrible. Witness 6 did not start brushing her teeth until around the tenth day in the basement, and once she tried to wash her hair with cold water from a bottle.

Psychological torture

For **Witness 5**, the hardest and scariest were the first days in the school basement. People were shocked by what was happening, and Witness 5 was sure those who died early in the basement did so out of massive fear and stress.

Witness 6 described the situation with the toilet buckets as very humiliating. In the small room she stayed in with her mother and her husband, the latter having been driven to the basement on March 5, there was no private space for the toilet. Witness 6 sat next to the door, and the toilet bucket was next to her. Her mother tried to drink as little water as possible to avoid using the bucket. Often, when the bucket was full, the soldiers did not allow people to empty it.

Witness 1 mentioned that the detainees were not allowed to go upstairs higher than the third stair under the threat of being shot dead. The bucket was on the third stair. She did not use the bucket for a while, even when she needed it, because she feared being shot. She also mentioned an incident where people were not allowed to knock on the door when they were locked inside, also under the threat of being shot dead. They were not allowed to leave the basement to go to the toilet even when all the buckets in the basement were full.

Witness 2 described two situations of torture. A baby was suffocating and people were asking to let them out with the baby. Perpetrator 1 refused, saying that the baby should suffocate. Another time, a person with cancer was in pain and asked to go home to bring medicine; Perpetrator 1 told the person to hang themselves in the forest if they were in such pain.

Witness 3 described a situation where he asked Perpetrator 1 if some people could bring changes of clothes and food from home. Perpetrator 1 gave him a piece of paper and explained that the Russian national anthem was written on it. He said that if

someone wanted to go home to bring food or clothes, they could only go if they sang the anthem.

Witness 4 remembered soldiers telling people in the basement to hand over their cell phones, or else every third man would be shot.

Deaths at the hands of Russian soldiers

Sometimes, soldiers brought additional captives to the basement. These men were briefly held on the stairs before being taken away. From her location, **Witness 1** heard automatic gunfire afterward and realized the captives had been shot. She recalled two such instances: one involving two men and another involving a single man.

The two captives brought to the basement were unfamiliar to **Witness 3** and did not appear to be soldiers. They stayed on the stairs for a while before being taken for interrogation. After about 40 minutes, they returned briefly before being taken away again. Witness 3 heard gunshots and never saw the men again.

In the second incident, an elderly man was brought in with his eyes and hands tied. The soldiers asked Witness 3 if the man was local, but Witness 3 replied that he had never seen him before. Afterward, Witness 3 did not see the man again, and it was only after the soldiers left that the body was discovered; he had been shot.

From the first days in the basement, **Witness 5** and other people already knew that the soldiers killed several men from Yahidne, which frightened those in the basement

A woman with a baby was brought to the basement on the second or third day. Her head was covered in blood and bandaged. She told people she was passing by Yahidne, and her car was shot on the highway. Her husband and older daughter died.

Witness 6 kept a list of people who were murdered in the village or wounded in the basement.

Release

Around a week before the soldiers left, they brought a power generator to the basement and said that men from the basement had to dig a pit for it; after that, there was some light in the basement.

In the early afternoon of March 30, the soldiers locked people in the basement. **Witness 5** was already accustomed to this and was not surprised, but there was a rumor in the basement that the soldiers were leaving. After around an hour, the soldiers did leave. Witness 5 heard the roaring of vehicles, then shooting, and then silence. Several people then kicked the door down and saw that the soldiers were gone.

When Witness 5 returned to her apartment, she realized it had been totally vandalized and plundered. The windows and the door were broken, it was cold inside, and everything from the wardrobes and cabinets, along with glass fragments, had been

dumped into the middle of the living room. **Witness 6** also found her apartment completely vandalized. All the male shoes and warm clothes, as well as male and female socks, were stolen from her house.

③ Aftermath

In addition to being the day that everyone was released from the basement, March 30, 2022, also signifies the day that Yahidne was liberated from the Russian military.

④ Evidence

- Article in *Time* via The Reckoning Project: “Inside the Basement Where an Entire Ukrainian Village Spent a Harrowing Month in Captivity”: <https://time.com/6255183/ukraine-basement-yahidne-held-captive/>
- Video that was shot in Yahidne and posted to YouTube several days after the soldiers left. The video shows the living conditions within the basement and how the kitchen looked: <https://www.youtube.com/watch?v=b0a-KHBKU7Y&t=2s>

Incident 113

Occupation of local hospital

Snihurivka (Mykolaiv)

LOCATION: Snihurivka (Mykolaiv)

DATE: March 19 – November 9, 2022

NUMBER OF WITNESSES: 1

SUMMARY: Russian forces occupied Snihurivka for six months, during which civilians were subjected to severe beatings, torture, rape, long-term detention, and other abuse. In her role as a senior hospital employee, the Witness observed injuries related to these violent crimes, as well as efforts by Russian forces to subordinate hospital staff and local residents at large.

WITNESS(ES)

- The Witness is a female civilian and resident of Snihurivka in her early fifties who worked as a surgical nurse. After the invasion on February 24, 2022, the head surgeon of the hospital where she worked left the city with his family. The Witness had worked in medicine for over 30 years and was the only medical professional in the district who could perform simple surgical operations and post-operative care. Because her apartment was destroyed by shelling in the early days of the war, the Witness lived in the hospital with her pregnant daughter and son-in-law. After the birth of her grandson in the summer, she kept living in the hospital until the power supply was restored in the winter.

VICTIMS

- The Witness described many victims who were tortured, raped, and abused by the occupying forces and brought to the hospital during the occupation. Because of medical confidentiality, the Witness did not disclose the names of the victims, noting that several of them did not state their names either.

PERPETRATORS

- The Witness did not provide specific personal information about the Russian soldiers, but she said that they belonged to different units and were of various ethnicities. While communicating with the hospital staff, the soldiers mostly avoided talking about their origin, but chevrons on their uniforms signified that

many of them were aligned with the internationally unrecognized “Donetsk People’s Republic.” The Witness also noted the presence of FSB (Federal Security Service) representatives who wore black uniforms, OMON (specialized unit of the Russian National Guard) who wore dark green uniforms, and Kadyrovites (paramilitary organization in Chechnya) who wore camouflage uniforms.

- The Witness also discussed three purported collaborators, including the mayor and deputy mayor of Snihurivka, both appointed by Russian forces, and the minister of health of Kherson.

① General information about the occupation

On March 19, 2022, Russian forces invaded and began occupying Snihurivka. According to the Witness, Snihurivka was of strategic significance to the occupiers as a military base, and they concentrated a large amount of technology and personnel in the city. This is because the city is advantageously located at the intersection of routes connecting the regional centers of Kherson, Mykolaiv, and Kryvyi Rih. Snihurivka also has large industrial areas suitable for defense and deploying units, including a repair facility, a construction factory, a metalworking facility, and large garages to store military vehicles and equipment.

The Witness also noted that the Russian divisions based in Snihurivka rotated on a biweekly basis. The next division that arrived for duty began a new wave of searches and raids, often at the same addresses. The occupiers had lists of people whom they viewed as potentially dangerous or suspicious, especially those who served in the Armed Forces of Ukraine. The Witness specifically mentioned a poor religious family with five children whose father had served in the JFO (Joint Forces Operation). Each time the Russian forces rotated, they came to the family’s home and upended everything.

On the second day of the occupation, the Witness provided medical care to an injured Russian soldier. The 22-year-old from Donetsk told the Witness that he was forcibly mobilized, captured on the road, and could not communicate with his family for a month. The Witness also talked to another heavily intoxicated soldier who described being abducted from a market.

The Witness stated that the occupiers, aside from violence, repression, and terror, took pleasure in humiliating the local population and did not hesitate to loot civilian belongings and property. The Witness recalled one such incident where Russian forces took a civilian’s car and everything on their person, including food that the car owner intended to share with members of the local community. The Russian forces allegedly stated that the civilian population of Snihurivka were their enemies and should “die like animals.” They would take firewood, coal, potatoes, and all the canned food.

② Testimonies on torture

The Witness testified about various episodes involving torture by Russian forces during the occupation.

Episode 1

In April, during the continuous searches, the Russian military captured a local 19-year-old male whose brother had been serving in the Armed Forces of Ukraine since the JFO. They kept the man in a pit for ten days and subjected him to severe torture and abuse. The Witness particularly focused on how they raped the man with the handle of a shovel. After ten days, the man was taken outside the city, where he was spotted and brought home by a neighbor.

The Witness provided the man with medical care and shared details about the extensive cellulitis in his buttocks and rectum, which had been torn apart and was rotting from a lack of treatment. The Witness also noted that the man was suffering from necrosis (tissue death). He is now living in Ukraine-controlled territory.

Episode 2

At the end of August or early autumn (the Witness does not remember the exact date), a young man's body was brought to the hospital morgue by the Russian military. The deceased was allegedly found in the village of Yevhenivka, 10 km to the east of Snihurivka. The previous day, the Witness heard rumors about people finding someone who had died three days earlier. The Witness recalled being surprised that the body was so well preserved after three days in the heat because there should have been clear signs of decomposition. While inspecting the body, the Witness noticed hematomas (swelling of clotted blood within the tissue) and abrasions and was under the impression that the death was not natural.

Two days later, the people of Yevhenivka turned to the Witness for a medical consultation, and the Witness learned that the deceased had a mental illness. The family members that took care of him had evacuated, and he was left without care. His medication eventually ran out, and locals noticed signs that the deceased was unwell: lost sense of direction, and forgetfulness. Most recently, according to Yevhenivka residents, the deceased was seen near the Russian checkpoint (according to the Witness, there were Chechens in the village).

The Witness recounted this information to the nurse who changed the deceased man's clothes in the morgue. The nurse confirmed that the body had signs of severe abuse and continuous hemorrhaging on the back from beatings. The most significant damage to the body was found on the genitals, where there were signs of torture, like wire prints and burns, presumably from electricity.

Episode 3

Another of the Witness's patients was a 19-year-old man with a mental illness. He was a resident of Lviv and a foster child who was taken care of by his aunt. On the eve of the invasion, he went to his aunt's house in one of the nearby villages and stayed with her until July, when they got into a fight. He decided to return home to Lviv; however, he only managed to reach the checkpoint "in the steppe," where he was detained and abused for weeks, forced to dig trenches, beaten, and locked in a small ammunition chest that limited his mobility and lacked air ventilation. His captors would also tie his legs to a car. Eventually, he was left by the roadside, where locals found him and took him to the hospital. He told doctors about his time in captivity.

According to the Witness, the patient spent a month in the hospital. She gave him medical care and testified to bodily abrasions, sores, and numerous splinters. Because of his mental illness, the patient could not say how much time he spent in captivity, but according to his aunt, she was searching for her nephew for two months, one of which he spent at the hospital.

Episode 4

From April to July, the Witness also had five "secret" patients who had been held captive and tortured by Russian forces. Out of fear that the Russian military would find them at the hospital, three of them refused inpatient care. According to the Witness, the men were terrified but were brought in at the request of their worried relatives.

One of the five men was left by the Russian military outside the boundaries of the city on a southbound road in the direction of Kherson, where he was found by locals. He had been living in an acquaintance's basement for a long time and was brought to the hospital for examination at night, but he refused to stay at the hospital for treatment. Instead, a nurse neighbor gave him medical care at home as prescribed.

Another of the five men was in critical condition, and only this, according to the Witness, made him agree to receive treatment. The Witness brought him to the hospital immediately but was unable to do anything. He was suffering from pneumothorax (a collapsed lung), and the Witness needed to start a drainage. He was so afraid that they had written another surname. To ensure they could examine him in the city, the Witness gave him a prescription, but he refused treatment.

The five men ranged in age from 30-60. Two of them told the Witness about the method of torture. Their torturers shot around their ears, which caused their eardrums to burst. According to the Witness, the most affected part of all the patients' bodies was the buttocks. The Witness described them as black voids, injured to the point that it appeared as if there was nothing left. From all the beatings and torture, the Russians demanded that the victims state that they had "given up the position" of the Russian military to the Armed Forces of Ukraine. The Witness does not know where any of the patients were detained, only that they constantly wore bags on their heads, were

driven around in cars, and were held in rooms where it was impossible to orient oneself. Upon “release,” they were abandoned outside the city with bags still on their heads.

Episode 5

In October, a female patient the Witness had previously treated for a shrapnel wound to the cheek returned to seek medical care. This time, the patient showed signs of severe beating, with hematomas covering her entire body. According to the patient, the Russian military detained her on the accusation that she was providing information to the Armed Forces of Ukraine about the location of Russian military units. They put a bag on her head, abducted her, and held her in the basement of an unknown room. While detained, she was beaten, possibly with a rubber baton, and tortured with gunshots around her ear. Three days later, they also took her far from the city and abandoned her in an unfamiliar place, from which she managed to return to Snihurivka.

③ **Aftermath**

The Witness did not disclose whether she knew the whereabouts of the victims she treated due to medical confidentiality and the secrecy of the patients themselves.

Russian forces occupied Snihurivka for a total of eight months; the city was liberated on November 9, 2022. Before leaving Snihurivka, the occupying forces completely looted, set fire to, and laid mines in the houses where they were staying. Local residents recalled seeing black smoke everywhere before Ukrainian soldiers arrived, and a man was blown up by a tripwire in his basement on November 28, 2022, a couple of weeks after the occupation ended.

④ **Evidence description**

- General information on Snihurivka Hospital
- A 20-minute film on Snihurivka Hospital involving the Witness
- TRP publication: “Let Retribution Come Soon” - <https://www.thedial.world/issue-3/russia-invasion-ukraine-war-testimonies-reckoning-project>

Appendix II

Student Project Options

A. Planning an Investigation

In this project option, you will consider how to plan and carry out an investigation into war crimes, particularly using what is known as open-source intelligence.¹ Imagine you have been assigned to an investigation team looking into one of the crimes you read about in previous lessons. Now consider the basic steps in the investigative process as described by the ICC.

Investigation

Investigative Process

The ICC Office of the Prosecutor (OTP) may turn a preliminary examination into a formal investigation called a situation (such as the situation in Libya) if the four phases of analysis in a preliminary examination are satisfied.

In an investigation, the OTP gathers as much information as possible to uncover the truth about the alleged crime as well as to determine who is most responsible. An investigation may include:

- Inspection where the alleged crime occurred;
- Collection of evidence like cellphone data, emails, radio intercepts, videos, photographs, minutes of meetings, military and police communications, speeches and forensic material, such as exhumation reports;
- Interviewing witnesses and victims;
- Consultation with relevant experts and specialists;
- Analysis of financial transactions.¹

The OTP is legally required to take whatever steps are necessary to gather all evidence that is relevant to an alleged crime, including incriminating and exonerating evidence. Before the trial starts, the Prosecutor must disclose a great deal of evidence to the Defense. This includes all the evidence the Prosecutor intends to rely upon at trial and any evidence which tends to show the innocence of the accused or which affects the credibility of prosecution evidence.

<https://how-the-icc-works.aba-icc.org/#:~:text=In%20an%20investigation%2C%20the%20OTP,Analysis%20of%20financial%20transactions>.

***Stop and Jot, then Turn and Talk:** Why do you think this kind of Investigation includes things like emails, videos, photographs, and other things that might be found online? What types of things do you think you could learn about an event by seeing what people have posted about it on social media or different websites?*

¹ "Open-Source Intelligence (OSINT) is defined as intelligence produced by collecting, evaluating, and analyzing publicly available information with the purpose of answering a specific intelligence question." SANS Institute, 2024. <https://www.sans.org/blog/what-is-open-source-intelligence/>

Open Source Investigations

People all across the world from all backgrounds use social media to document and record their lives. Governments use the Internet to store data and communicate with their public constituencies. In our technological age, all sorts of events and incidents get at least partially recorded, documented, and posted online in one form or another, sometimes as they are happening live. Wars and war crimes are no different and get recorded and reported online. Investigators seeking to understand different incidents often rely upon online accounts and artifacts. Review the graphic of an open-source investigation cycle on the next page.

Open Source Investigation Cycle



Turn and Talk: Why do you think it is important to have a clear process for this type of investigation? Do any of these steps seem more important than others, and if so why?

Berkeley Protocol Reading Guide

Of course, online information can be manipulated and biased. Moreover, with the advent of artificial intelligence, online information can be completely fabricated. So how should investigators approach their work as they seek to find evidence of human rights violations and war crimes using online information? To address this question, a group of scholars, journalists, and human rights experts collaborated to develop the Berkeley Protocol, a set of recommendations to help investigators use open-source data to investigate human rights violations and war crimes. Open-source data refers to information that is publicly available on the Internet.

Review the open-source investigation cycle graphic from the previous page.

Below you will find excerpts from the Berkeley Protocol. Working with a partner or in a small group, read through each section and respond to the reading guide prompt. This will help prepare you to develop your own plan to investigate the incident that you learned about in the previous lesson. Please keep in mind that these are only excerpts, or selected passages, from the original document. There are many more considerations to take with open source investigations... this is just a brief introduction!

Berkeley Protocol on Digital Open Source Investigations: A Practical Guide on the Effective Use of Digital Open Source Information in Investigating Violations of International Criminal, Human Rights and Humanitarian Law

https://www.ohchr.org/sites/default/files/2024-01/OHCHR_BerkeleyProtocol.pdf

Open source investigations are investigations that rely, in whole or in part, on publicly available information to conduct formal and systematic online inquiries into alleged wrongdoing. Today, large quantities of publicly available information are accessible through the Internet, where a quickly evolving digital landscape has led to new types and sources of information that could assist in the investigation of alleged human rights violations and serious international crimes. The ability to investigate such allegations is of particular value to investigators who cannot physically access crime scenes in a timely manner, which is often the case in international investigations.

Stop and jot: Why are online investigations so important and helpful? Why don't investigators just rely on traditional investigation techniques like taking pictures of the crime scene and interviewing witnesses?

Open-source information can provide leads, support intelligence outputs, and serve as direct evidence in courts of law. However, in order for it to be used in formal investigation processes, investigators must employ consistent methods, which both strengthen the accuracy of their findings and allow judges and other fact-finders to better evaluate the quality of the investigation process itself.

Open-source information is information that any member of the public can observe, purchase, or request, without requiring special legal status or unauthorized access. Digital open source information is publicly available information in digital format, which is generally acquired from the Internet.

Digital open source information comprises both user-generated and machine-generated data and may include, for example: content posted on social media; documents, images, videos, and audio recordings on websites and information-sharing platforms; satellite imagery; and government-published data.

Digital open-source investigations are investigations based on digital open-source information.

Stop and jot: What is open source information and what are some examples? What are open-source investigations?

The [Berkeley] Protocol is designed to standardize procedures and provide methodological guidance across disparate investigations, institutions, and jurisdictions to assist open source investigators in understanding the importance of:

- (a) Tracing the provenance [point of origin] of online content and attributing it to its original source, where possible;
- (b) Evaluating the credibility and reliability of online sources;
- (c) Verifying online content and assessing its veracity and reliability;
- (d) Complying with legal requirements and ethical norms;
- (e) Minimizing any risk of harm to themselves, their organizations, and third parties; [Harm may be physical, financial, psychological, reputational, or legal.]
- (f) Enhancing protection of the human rights of sources, including the right to privacy.

Matching exercise: Read each scenario below and determine which of the items in the list above best corresponds with each. Write the letters you think match the scenario in the space provided. If you think it fits, you can write more than one letter in each box.

Investigators use geolocation (the process or technique of identifying the geographical location of a person or device by means of digital information processed via the internet) to figure out that a video supposedly shot in Syria was actually made in Iraq.

Investigators gather digital evidence of a war crime and use digital tools to hide the identity of the original source of the evidence to protect them from the perpetrators.

Investigators take time away from their investigation to seek mental health counseling and support after dealing with videos of highly traumatic events.

Investigators carry out research into the identity of someone posting first-person accounts of human rights violations to determine whether or not this person could have actually witnessed the events and also whether or not they have possible conflicts of interest.

Investigators uncover evidence suggesting that an important political figure was involved in ordering military actions that resulted in war crimes. Some members of the team want to immediately and anonymously release the evidence to the media, but after discussion, they decide they need to proceed with caution and do more investigation before going public with this information.

Investigators receive photographic evidence of human rights violations but are not convinced the images are genuine. They use different digital tools and investigative techniques to determine whether or not the image could have been fabricated by someone or produced by artificial intelligence

Planning the Investigation:

Now imagine that your team is responsible for planning a deeper investigation into the war crime you profiled in lesson 4 using newly discovered open-source material, such as video clips that eyewitnesses have posted to social media sites like Facebook and Instagram.

Using information from the case report and ideas from the activities above, develop your plan of investigation by responding to the following prompts:

Plan of investigation:

Brief summary of incident:

Specific war crime from the Rome Statute that should be prosecuted:

Known witnesses:

Known perpetrators:

Other people to investigate:

Other potential witnesses:

Other potential perpetrators:

How do you propose to protect the well-being and safety of any potential witnesses?

How do you plan to verify witness accounts?

What types of open-source information do you think might be available to help with this investigation? What factors might influence the reliability of this open-source information?

How will you follow the open-source investigation cycle? Provide an example of each step.

Is this incident part of a larger pattern? If so, why do you think this? What other incidents are part of this pattern?

Why do you think this is a crime worth prosecuting?

B: Taking Informed Action

In lesson 3, you considered the phrase “Justice delayed is Justice denied,” which reflects the mission of the Reckoning Project. This phrase also seems related to the words of Martin Luther King Jr. from his famous *Letter from Birmingham Jail*:

“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.”

Letter from Birmingham, Alabama jail, April 16, 1963, MLK

Think back to what you learned about war crimes, and specifically about war crimes in the ongoing conflict in Ukraine. How do these phrases about justice connect to these crimes? What lessons should we take away from the messages *justice delayed is justice denied*, and *injustice anywhere is a threat to justice everywhere*? Although we live in a different country far away from Ukraine, why should this situation matter to us? Why should we care about war crimes and human rights in other places, and why should we care about them as they’re happening in real time?

Stop and Jot for a few minutes and respond to these questions, then *Turn and Talk* with a partner. There is no one right answer to any of these questions!

Next, use the thinking routine *I used to think but now I think...* to reflect on how your thinking has changed about war and justice over the course of this mini-unit.

I used to think...

but now I think...

Now that you have had some time to reflect on what you have learned, consider how you can use this new information to **take action** or **educate others**. These are serious issues that can make us sometimes feel sad and hopeless, but it is important to remember that there are many people involved in trying to solve these problems. We can support their efforts and be a part of bringing more Justice to the world.

So, to close out this unit, you will **select one of the options** from the choice board below and create a **project** in which you do one of the following:

- develop a **creative** project that calls for an end to impunity for war crimes and inspires others to take action in support of human rights
- develop an **awareness-raising** tool to educate others about war crimes and efforts to bring war criminals to justice
- **take action** yourself to support human rights and bring an end to impunity for war criminals

Choose one of the options from the starter ideas or develop your own idea based on these examples in the general description. If you develop your own idea, make sure you get approval from your teacher!

Helpful content resources

<https://www.unicef.org/emergencies/war-ukraine-pose-immediate-threat-children>

<https://www.unicef.org/emergencies/children-gaza-need-lifesaving-support>

<https://www.unicef.org/appeals/sudan>

<https://www.amnestyusa.org/campaigns/>

<https://www.trustfundforvictims.org/index.php/en/your-support>

<https://www.thereckoningproject.com/support>

Project Ideas

Creative project

General description

- Create a work of art or literature (poem, short story, etc.) that calls for an end to impunity for war criminals and asks viewers/ readers to stand up for human rights.

Starter ideas

- Write a poem responding to war crimes in Ukraine that also calls out to the International Community to bring more criminals to Justice.
- Choose a different conflict in which war criminals have not yet been brought to justice and create a work of visual art like a mural or graphic novel that provides basic information and calls for justice.
- Write a song about a historical example of a war crime and tell a story about how survivors persisted and worked to heal themselves and their communities.

How-to guides and models

- <https://theartofeducation.edu/2016/06/12-key-steps-leading-amazing-mural-projects/>
- <https://www.youtube.com/watch?v=U6WMOqvmNVM>
- <https://www.wordsforwar.com/poems>
- <https://poetizer.com/westandwithu.pdf>

Things to consider

- Avoid graphic representations of war crimes and instead use symbolism and imagery to communicate.

Awareness raising

General description

- Create an information-sharing tool like an infographic, speech, multimedia presentation, or letter to the editor that seeks to raise awareness about war crimes and issues of impunity.

Starter ideas

- Write a letter to the editor calling for the United States government to be more active in support of the International Criminal Court and take steps to bring Russian war criminals to justice for their crimes in Ukraine.
- Create an infographic to educate others about war crimes, how they are investigated and prosecuted, and how individuals can take action to support Global human rights.
- Choose a different conflict in which war crimes have been or are being committed (for example South Sudan or Palestine). Write and record a speech designed to raise awareness of the issues involved and call for justice.

How-to guides and models

- <https://www.canva.com/learn/how-to-make-an-infographic/>
- <https://www.naeyc.org/our-work/public-policy-advocacy/guidelines-writing-compelling-letter-editor>

Things to consider

- To raise awareness, provide enough information, but don't go into too much detail that your audience gets lost. Provide sources and citations for your information as well.

Taking action

General description

- Take action yourself by participating in a letter-writing campaign, generating and circulating a petition, raising funds for an organization that supports victims of war crimes, or other types of meaningful action, and then reflect upon what you did and what you learned.

Starter ideas

- Find a relevant letter-writing campaign through a human rights organization like Amnesty International or Human Rights Watch. Research the particular case and write a letter that supports the campaign following the instructions provided. Develop a written reflection on what you did and what you learned.
- Plan and implement a fundraiser for the Reckoning Project or another organization supporting an end to impunity in Ukraine, or for an organization that provides support to victims of war crimes.
- Write a letter to a policy maker (legislator, member of the executive branch, etc.) asking them to take action with respect to a particular global situation related to war crimes and impunity.

How-to guides and models

- https://act.unicefusa.org/?_ga=2.187311272.1029215070.1724175594-1936185997.1724175593
- https://buzzforkids.org/WP_PDFs/CBO/CBO_Planning_Guide.pdf

Things to consider

- Make sure that your action involves some background research and enough effort... signing a petition will not be enough!
- At the same time, don't bite off more than you can chew, and try to plan a major project in a short amount of time.

To get started on your project, fill out the planning guide below:

Project option I have selected:

Specific topic or subject of my project:

Detailed description of my current idea (what will I actually do):

Goal of my project (what I hope the outcome is):
