



Illustration: Urban vector city map of Mariupol, Ukraine, Europe by [ink drop](#). Modified.

# Armoury, Prison, Graveyard:

## Mariupol Regional Intensive Care Hospital under Russian occupation

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# Introduction and summary of findings

Mariupol is a strategic port city in south-eastern Ukraine, with a pre-war population of around 400 000. Mariupol was under Russian siege from 2 March to mid-May 2022, when Russia announced its full control over the city. During the siege, Russian forces relentlessly bombed and shelled Mariupol, destroying 90% of its infrastructure, including entire residential neighbourhoods.<sup>1</sup>

Throughout the siege, Russian forces made Mariupol's healthcare facilities the targets of attacks and other military operations. On 12 March 2022, Russian troops attacked and seized Mariupol Regional Intensive Care Hospital, with between 400 and 500 patients, doctors, and other civilians still inside. Hundreds of residents from surrounding residential buildings were corralled into the hospital by force. Russian servicemen prohibited people from leaving the hospital under threat of death, holding captive civilians in horrendous conditions, without sufficient food, drinking water, medicine, bedding, or heating.

Russian and so-called Donetsk Peoples' Republic (hereafter, 'DNR') forces used the hospital as a military base, stationing 5 000 to 7 000 military personnel there. Tanks and Grad multiple rocket launchers were also placed on the hospital grounds and used to shell the city, including at least two residential buildings facing the northern and eastern sides of the hospital.

International Partnership for Human Rights (IPHR) conducted interviews with Mariupol residents who were trapped in the hospital, as well as their relatives. The information provided by the interviewees is corroborated by the findings of IPHR's open-source intelligence (OSINT) investigation.

Several Ukrainian NGOs and media outlets have covered the case of the Russian siege of the Mariupol Regional Intensive Care Hospital.<sup>2</sup> This report corroborates these accounts and provides further detail and analysis of alleged crimes committed on the site of the Mariupol Regional Intensive Care Hospital. There are strong reasons to believe that the conduct of the Russian and 'DNR' military personnel amount to the following war crimes: intentional attack against a hospital; intentional attacks against civilian residential buildings; using civilians in the hospital as human shields; unlawful confinement of civilians; and inhuman treatment of captive civilians.

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1 WSJ, "Photos Chronicle the Devastation of Mariupol", 27 March 2022, available at: <https://www.wsj.com/articles/photos-chronicle-the-devastation-of-mariupol-11648373400>;

2 For example, see: The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; MIPL, "'Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>; ITV, 'Torture, deportation and death: The stories bearing witness to the horrors of Mariupol', 12 May 2022, available at: <https://www.itv.com/news/2022-05-12/torture-deportation-and-death-the-stories-of-horror-from-mariupol>; 0629.com.ua, "'They brought a tank and two APCs and started shooting at the houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

# 1. The Russian offensive and occupation of Mariupol

Mariupol is a port city in south-eastern Ukraine with a pre-war population of around 400 000.<sup>3</sup> It is strategically located between territory occupied by Russian 'DNR' proxies to the east and parts of southern Ukraine seized by Russian forces in 2022.<sup>4</sup> Between 13 April 2014 and 13 June 2014, the city was under 'DNR' control.<sup>5</sup> Ukrainian armed forces and volunteer battalions, including the Azov Battalion,<sup>6</sup> liberated Mariupol from 'DNR' forces on 13 June 2014.<sup>7</sup> 'DNR' forces continued to attack the city – most notably using indiscriminate artillery fire on residential buildings on 24 January 2015.<sup>8</sup>

From February to mid-May 2022, Russian forces and Russian 'DNR' proxies relentlessly bombed and shelled the city, destroying 90% of its infrastructure.<sup>9</sup> On 2 March 2022, they encircled the city and laid siege to it.<sup>10</sup> On 16 May 2022, Russia announced its full control over Mariupol after the Ukrainian Army surrendered its hold-out position in Mariupol's Azovstal steel plant.<sup>11</sup>

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- 3 HRW, "We Had No Choice". "Filtration" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia', 1 September 2022, available at: [https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#\\_ftn9](https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#_ftn9).
  - 4 WSJ, 'Photos Chronicle the Devastation of Mariupol', 27 March 2022, available at: <https://www.wsj.com/articles/photos-chronicle-the-devastation-of-mariupol-11648373400>.
  - 5 BBC News Україна, 'Війна на Донбасі у цифрах, фактах і перемир'ях', 6 February 2015, available at: [https://www.bbc.com/ukrainian/politics/2015/02/150205\\_donbas\\_ato\\_total\\_summary\\_vc](https://www.bbc.com/ukrainian/politics/2015/02/150205_donbas_ato_total_summary_vc).
  - 6 The Azov Battalion - or Azov Regiment - was formed in May 2014 as a unit of the Ukrainian Special Purpose Police Patrol Service. In November 2014, it became part of the National Guard of Ukraine as the 'Azov' Special Purpose Unit. For more information, see: Azov website, available at: <https://azov.org.ua/pro-nas/>.
  - 7 BBC News Україна, 'Війна на Донбасі у цифрах, фактах і перемир'ях', 6 February 2015, available at: [https://www.bbc.com/ukrainian/politics/2015/02/150205\\_donbas\\_ato\\_total\\_summary\\_vc](https://www.bbc.com/ukrainian/politics/2015/02/150205_donbas_ato_total_summary_vc).
  - 8 KyivPost, 'Shelling in Mariupol: 30 people killed, 102 wounded (UPDATE, VIDEO)', 24 January 2015, available at: <https://www.kyivpost.com/article/content/ukraine-politics/shelling-in-mariupol-10-civilians-killed-46-wounded-378287.html>.
  - 9 OHCHR, 'Situation Of Human Rights In Ukraine In The Context Of The Armed Attack By The Russian Federation, 24 February — 15 May 2022', 29 June 2022, Paragraph 43, available at: <https://www.ohchr.org/sites/default/files/documents/countries/ua/2022-06-29/2022-06-UkraineArmedAttack-EN.pdf>; WSJ, 'Photos Chronicle the Devastation of Mariupol', 27 March 2022, available at: <https://www.wsj.com/articles/photos-chronicle-the-devastation-of-mariupol-11648373400>; CBS, 'Siege of Mariupol over as Russia says Ukraine's holdout forces from steelworks have "surrendered"', 17 May 2022, available at: <https://www.cbsnews.com/news/ukraine-russia-war-azovstal-steel-mill-defenders-mission-complete/>; Ukrainska Pravda, '95% of buildings in Mariupol destroyed - Zelenskyy', 14 April 2022, available at: <https://www.pravda.com.ua/eng/news/2022/04/14/7339677/>; Suspilne News, '40% of Mariupol is impossible to rebuild but Azovstal has a chance — the mayor of the city', 20 April 2022, available at: <https://suspilne.media/230868-40-mariupola-nemozливо-vidnoviti-ale-v-azovstali-e-sans-mer-mista/>;
  - 10 HRW, "We Had No Choice". "Filtration" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia', 1 September 2022, available at: [https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#\\_ftn9](https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#_ftn9)
  - 11 CBS News, 'Siege of Mariupol over as Russia says Ukraine's holdout forces from steelworks have "surrendered"', 17 May 2022, available at: <https://www.cbsnews.com/news/ukraine-russia-war-azovstal-steel-mill-defenders-mission-complete/>.

During the siege and the gradual seizure of Mariupol, Russian forces and their proxies prevented civilian evacuations organised by the Ukrainian government and forcibly displaced thousands of civilians to Russia.<sup>12</sup>

By the end of March 2022, around 100 000 civilians<sup>13</sup> remained trapped in the besieged city without access to electricity, heating, water, or mobile or internet communications due to Russian attacks on critical infrastructure.<sup>14</sup> Many civilians sheltered in basements for weeks with limited access to water, food, and medicine – and no safe way to escape.<sup>15</sup>

One person interviewed by IPHR described the conditions in the city as follows:

*'28 February was the last time we were able to bathe because the water was cut off and the last time we talked to our relatives because then the connection was lost [...].*

*At 6:00 a.m. on 1 March, heavy shelling began. We were sitting in the basement until night. The lights [electricity] had already been turned off. [...]*

*We hadn't left the basement since 2 March. That day the missile got into the first entrance. A fire truck came and put the fire out. [...] In addition, the missile struck at night; everyone was sleeping and they started shelling our neighbourhood. There was the sound of planes and helicopters, but, as far as I understand, our house was hit by a rocket or Grad, there was a pop, the house was thrown up a bit, the walls shook, but it held. [...]*

*On 3 March, we went outside to make a fire, to get water from a puddle – we had already run out of water. That day the missile struck the playground between the houses, injuring a woman from the neighbouring house and another woman from our house. On 6 March, the gas was turned off; there was some panic, as everyone thought it was a sign of a planned bombing. [...]*

*On 10 March, the interval between shelling was reduced to 15 minutes, they fired until 1:00 p.m. and then again in the evening until morning. On the 10th, no one came out of the basement at all. Many people were hysterical and in a bad condition. We did not cook food, but we did not want to eat – constant thirst. For children – my son is 3 years old – we had our own thermos of water, [...] adults had rainwater and technical [undistilled] water.'<sup>16</sup>*

12 The Independent, 'Russian forces accused of blocking Mariupol evacuation buses and seizing humanitarian aid', 1 April 2022, available at: <https://www.independent.co.uk/news/world/europe/russia-soldiers-mariupol-evacuation-bus-latest-b2048742.html>; HRW, "We Had No Choice." "Filtration" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia', 1 September 2022, available at: [https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#\\_ftn9](https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#_ftn9); NV, 'Russia blocks the evacuation of 2000 Mariupol inhabitants from Berdyansk, buses are «lost» in the filtration centres — the mayor', 3 May 2022, available at: <https://nv.ua/ukr/ukraine/events/evakuaciya-z-mariupolya-rosiya-blokuye-vijizd-lyudey-u-berdyansku-novini-ukrajini-50238892.html>; Ukrinform, 'Inhabitants of Mariupol realise that they are "evacuated" to Russia only in the buses', 21 May 2022, available at: <https://www.ukrinform.ua/rubric-regions/3488467-zitelam-mariupola-pid-cas-evakuacii-vze-v-avtobusah-povidomlout-so-vezut-u-rosiu.html>.

13 Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine, 'Forced deportation, murders, sexual violence: the whole world should know about the crimes of the occupiers - Iryna Vereshchuk', 31 March 2022, available at: <https://minre.gov.ua/news/prymusova-deportaciya-vbyvstva-seksualne-nasylstvo-pro-zlochyny-okupativ-maye-znaty-uves-svit>.

14 Telegram channel of Mariupol City Council (Маріупольська міська рада), 11 August 2022, available at: <https://t.me/mariupolrada/10526>.

15 OHCHR, 'Situation Of Human Rights In Ukraine In The Context Of The Armed Attack By The Russian Federation, 24 February — 15 May 2022', 29 June 2022, Paragraph 43, available at: <https://www.ohchr.org/sites/default/files/documents/countries/ua/2022-06-29/2022-06-UkraineArmedAttack-EN.pdf>; HRW, 'Ukraine: Ensure Safe Passage, Aid for Mariupol Civilians', 21 March 2022, available at: <https://www.hrw.org/news/2022/03/21/ukraine-ensure-safe-passage-aid-mariupol-civilians#:~:text=Russian%20forces%20laying%20siege%20to,choose%20to%20leave%20the%20city>.

16 Interview with Witness No. 1.

Another interviewee said the following:

*'At the beginning of March, they started shelling our neighbourhood as well. Everyone started going down into basements. They started bombing the Ilyichivsk district heavily [...].*

*On 1 March, our electricity was cut off. We started living with candles, but we had gas and water. It was cold. A few days later the gas was turned off (3-4 March) [...]. On 5 March, there was no water anymore. We had a small river next to the house and a neighbour's well – that's how we managed. A neighbour and I made a clay oven and cooked on a campfire.'*<sup>17</sup>

One more interviewee described the Russian shelling of the city:

*'Then apparently the Russians gathered their forces and on 1–2 March, approximately, we heard an aeroplane. It was flying over the centre of the city, near Kuprina Street, and shells were dropping from the plane. I could hear it: an aeroplane roar, then an explosion. It was unmistakable. At first it was one plane, then in a couple of days there were three or four of them and they always came at 4 or 5 in the morning.'*<sup>18</sup>

Russian forces destroyed or damaged at least 14 hospitals and healthcare facilities during the siege of Mariupol.<sup>19</sup> One medical worker who remained in Mariupol until at least 16 March 2022 said that the city's medical system was completely destroyed.<sup>20</sup> On 9 March 2022, Russian forces bombed a maternity hospital belonging to the Mariupol Territorial Medical Association for Children's and Women's Health – an atrocity widely covered by international media and analysts.<sup>21</sup> In early April, a Russian airstrike destroyed one of the buildings of Hospital No. 1, burning alive some 50 people who had remained inside because they refused to be displaced to Russia.<sup>22</sup> Around the same time, Hospital No. 4 was also seized by Russian forces, its personnel and patients forcibly displaced to Russia and the building subsequently

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17 Interview with Witness No. 2.

18 Interview with Witness No. 3.

19 Khoshnood, Kaveh, Nathaniel A. Raymond et al., 'Evidence of Widespread and Systematic Bombardment of Ukrainian Healthcare Facilities: Summary', New Haven: Humanitarian Research Lab at Yale School of Public Health, 17 May 2022, available at: <https://hub.conflictobservatory.org/portal/apps/sites/#/home/pages/mm1-2>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>

20 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; See also: ITV, "'They burned": Russian forces killed hospital patients who refused to be deported in "revenge"', 21 June 2022, available at: <https://www.itv.com/news/2022-06-20/they-burned-moscow-forces-bombed-hospital-patients-who-refused-to-be-deported>.

21 The New York Times, 'Videos show devastating strike at Mariupol hospital maternity ward', 9 March 2022, available at: <https://www.nytimes.com/2022/03/09/world/europe/ukraine-mariupol-hospital-strike.html>; The Guardian, 'Russian bombing of maternity hospital "genocide", says Zelenskiy', 9 March 2022, available at: <https://www.theguardian.com/world/2022/mar/09/ukraine-mariupol-civilians-russia-war>; Truth Hounds, 'Myths and Reality: Russia's Attack on a Maternity Hospital in Mariupol as a War Crime', 16 March 2022, available at: <https://truth-hounds.org/en/myths-and-reality-russias-attack-on-a-maternity-hospital-in-mariupol-as-a-war-crime/>; Meduza, 'Definitely not "staged" False allegations about the maternity hospital airstrike in Mariupol, debunked', 12 March 2022, available at: <https://meduza.io/en/feature/2022/03/12/definitely-not-staged>.

22 ITV, "'They burned": Russian forces killed hospital patients who refused to be deported in "revenge"', 21 June 2022, available at: <https://www.itv.com/news/2022-06-20/they-burned-moscow-forces-bombed-hospital-patients-who-refused-to-be-deported>.

destroyed.<sup>23</sup> According to a 'DNR' doctor transferred to Mariupol, as of 24 April 2022, Mariupol Regional Intensive Care Hospital was the only hospital in the city that remained in operation.<sup>24</sup>

## 2. Civilians flee Russian indiscriminate bombing and take shelter at the Mariupol Regional Intensive Care Hospital

Having encircled Mariupol, Russian forces began a relentless indiscriminate bombing campaign that resulted in the destruction of 90% of Mariupol's buildings. Civilians bore the brunt of these attacks – losing lives, limbs and property. Those residing in the vicinity of the Regional Intensive Care Hospital sought shelter in its basements, as residential buildings began to collapse under Russian bombardment. Approximately 100-150 civilians took shelter at the hospital, in addition to the medical personnel and patients.<sup>25</sup>

According to one witness – aerial bombs were dropped on Apartment Building No. 6 at 39 Kuprina Street on 10 and 11 March 2022.<sup>26</sup> At the time of the shelling, the witness, his family, and other residents of the apartment building were sheltering in the basement. The basement collapsed. The witness described the moment of the hit: 'I weigh 110 kg. The mattress I was lying on, it jumped one metre up – the explosion was so strong. Everything flew up, hit the floor. People were screaming, there was panic, something was burning.' After the collapse, the witness, his wife, their children, and other residents of the building decided to move to the Regional Intensive Care Hospital, as there were 'deep, reliable basements' there. On the way to the hospital (a 10-minute walk), 'all the houses were burning, there were shells, debris, and shrapnel on the ground'.<sup>27</sup>

On 11 March 2022, another witness and his neighbour were cooking food in their yard when their houses on Lodochnyy Lane<sup>28</sup> were bombed from a plane. The witness and his neighbour ran to their houses to hide when they saw the plane and one of the bombs descending. The witness had managed to run to the glass porch of his home when the explosion happened. He described the moment of the explosion as follows: 'I was thrown against the wall, something hit my hands, my hands did not obey, my hands got warm. I was wearing a thick police jacket, we took it off, there was blood on my hands. My wife undressed me, started washing the blood off and bandaging me up. I still have the scars. I began to lose consciousness. My wife, a nurse, brought me to my senses.'<sup>29</sup> At the moment of the strike, windows in the porch were broken and three pieces of window glass became lodged in the witnesses' hands. Inside his house, a bomb blew a hole in a wall on the second floor. The strike knocked out the windows.<sup>30</sup> During the same attack, a neighbour of the witness had half of his house destroyed by a bomb. His wife's femoral artery was damaged.<sup>31</sup>

23 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

24 Kommersant, "I will tell you as a medic, it's a disaster." 25 April 2022, available at: <https://www.kommersant.ru/doc/5326872>.

25 Interview with Witness No. 1.

26 Interview with Witness No. 1.

27 Interview with Witness No. 1.

28 GPS coordinates 47.078682623545504, 37.50476937392792

29 This information is corroborated by an interview with Witness No. 3.

30 Interview with Witness No. 3.

31 Interview with Witness No. 2.

Both victims note that their respective residential buildings were exclusively civilian and were not used by Ukrainian forces. Up to 20 Ukrainian national guardsmen continued to guard the Regional Intensive Care Hospital until around 17:00 on 11 March, when Russian ground forces moved into the area and Ukrainian guardsmen withdrew.<sup>32</sup>

## 3. Russian seizure of Mariupol Regional Intensive Care Hospital

### 3.1. RUSSIAN AND 'DNR' TROOPS ATTACK AND INVADE THE HOSPITAL

Despite being clearly marked as a hospital and unguarded by Ukrainian armed forces at the time of the Russian assault, Russian and 'DNR' forces attacked the hospital with explosives and firearms, terrorising sheltering civilians, patients and medical personnel. Having occupied the hospital, Russian forces began searching for Ukrainian and 'Azov' soldiers – subjecting male civilians to physical violence.

Mariupol Regional Intensive Care Hospital is the largest hospital in Mariupol, located in the north-western outskirts of the city.<sup>33</sup> After the Russian airstrike on the Mariupol maternity hospital on 9 March 2022, many pregnant women were brought to Mariupol Regional Intensive Care Hospital and remained there at the time when the Russians attacked and seized the building on or around 12 March 2022.<sup>34</sup>

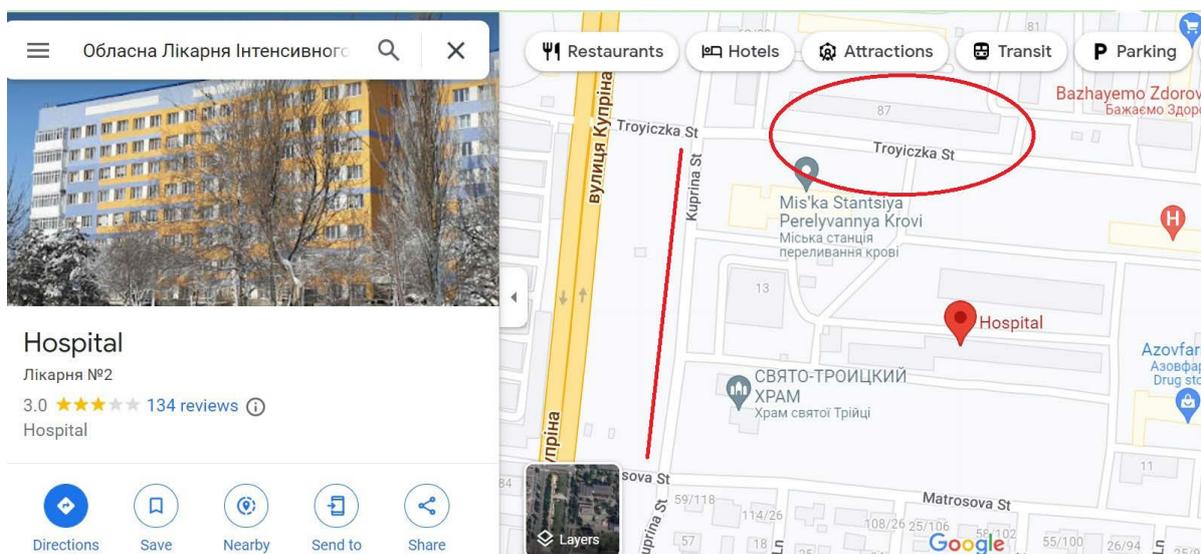
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32 Interview with Witness No. 2, interview with Witness No. 1.

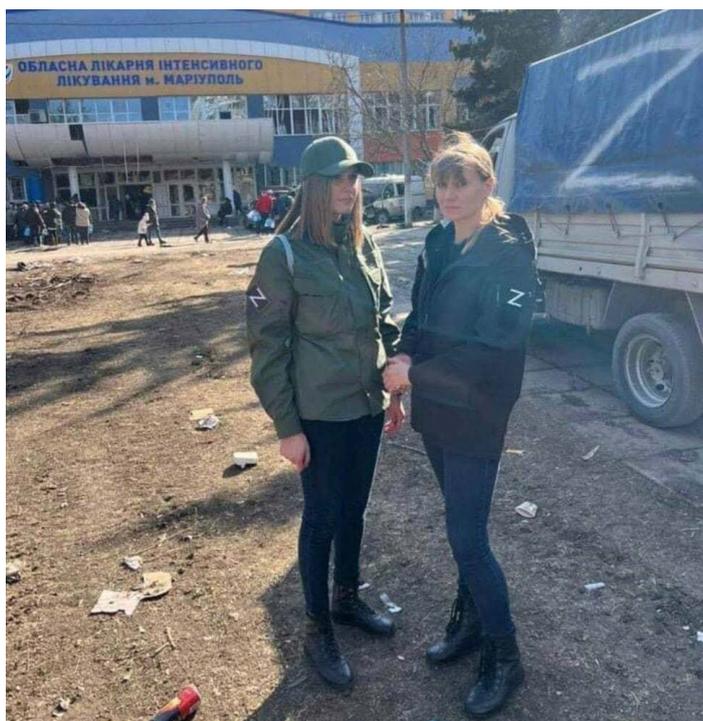
33 46 Troyiczka Street; GPS coordinates 47.11121101544515, 37.512810311649226; Official website of the hospital, available at: <http://mariupol.medkontrol.pro/oblastnaya-bolnica-intensivnogo-lecheniya-g-mariupolya>; Wikipedia, 'Mariupol regional intensive care hospital', available at: [https://en.wikipedia.org/wiki/Mariupol\\_regional\\_intensive\\_care\\_hospital](https://en.wikipedia.org/wiki/Mariupol_regional_intensive_care_hospital).

34 According to different sources, the hospital was seized between 10 and 12 March 2022, but most witnesses and the hospital's official website state that Russian forces seized it on 12 March 2022. See: Regional Hospital of Intensive Care, Mariupol, available at: <http://oil.com.ua/about/>; <http://mariupol.medkontrol.pro/oblastnaya-bolnica-intensivnogo-lecheniya-g-mariupolya>; The two victims interviewed by IPHR indicated different dates to mark the beginning of the Russian seizure of the hospital – 11 or 12 March 2022; According to another five witness accounts published by the media, the seizure took place on 12 March 2022; The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; ITV, 'Torture, deportation and death: The stories bearing witness to the horrors of Mariupol', 12 May 2022, available at: <https://www.itv.com/news/2022-05-12/torture-deportation-and-death-the-stories-of-horror-from-mariupol>; 0629.com.ua, "'They brought a tank and two APCs and started shooting at the houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; Факти ICTV Youtube Channel, 'Кожен ранок прокидалися від авіаударів. Медики з Маріуполя про те, як рятували людей попри небезпеку', (9:18), available at: <https://www.youtube.com/watch?v=CaqaQMPEFqQ>; ТСН Youtube Channel, 'Лікар з Маріуполя розповів про ситуацію в місті від початку російського наступу – Нічна варта', (6:37), available at: <https://www.youtube.com/watch?v=B-9--XlcV-k&t=397s>; One witness says that the hospital was captured either on 11 or 12 March 2022. MIPL, "'Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

According to witnesses,<sup>35</sup> at the time of the Russian assault on the hospital there were no more Ukrainian military personnel at or in the vicinity of the hospital (except those being treated as patients).<sup>36</sup> Russian forces must have been aware that they were attacking a hospital, as the building is clearly marked with a large sign and on digital platforms.



Mariupol Regional Intensive Care Hospital marked on Google Maps.<sup>37</sup> Source: Google Maps



Entrance to the hospital after its seizure by Russian forces. Source: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>

35 Interview with Witness No. 1; Interview with Witness No. 2.

36 Interview with Witness No. 1.

37 On Google Maps, Mariupol Regional Intensive Care Hospital is labelled Hospital No. 2, which was its name until 2016. See: WebArchive, 'Order of the Head of the Regional State Administration dated 22.12.2016 No. 1163 "On the acceptance of the integral property complex of the municipal institution 'Mariupol City Hospital No. 2' into the joint ownership of territorial communities of villages, towns, cities, which is managed by the Regional Council"', available at: <https://web.archive.org/web/20170118053235/http://dn.gov.ua/rozporядzhennya-golovy-oda-vid-22-12-2016-1163-pro-pryjnyattya-do-spilnoyi-vlasnosti-terytorialnyh-gromad-sil-selyshh-mist-shho-znahodytsya-v-upravlinni-oblasnoyi-rady-tsilisnogo-majnovogo-kompleksu/>.

Nevertheless, according to witnesses, the Russian assault was accompanied by 'loud explosions' and 'shooting'.<sup>38</sup> Some 15 'well-equipped' Russian soldiers led the initial assault. They were followed by two dozen members of the Russian armed forces and a motley of "unprofessional" 'DNR' soldiers.<sup>39</sup> Two to four 'DNR' soldiers were stationed on each floor of the hospital - they were aggressive and threatened the doctors with machine guns. The outside of the hospital was also surrounded.<sup>40</sup> Unlike the Russian military, these 'DNR' soldiers were unprofessional, scary and 'did not listen to any of the civilians'. Their 'chief' was a man nicknamed 'Osetin' – a convicted murderer released by 'DNR' authorities in 2014 to fight with the separatists.<sup>41</sup>

Russian forces stormed into the basement, threatening to throw a grenade at the frightened civilians.<sup>42</sup> All men and teenage boys were taken away for questioning. A witness' neighbour and two other men were taken to a separate room, beaten, and then released.<sup>43</sup> Another man was thrown against the wall. One man tried to flee and a Russian soldier shot at him, but missed.<sup>44</sup> Witnesses assert that the Russians were looking for the Ukrainian military.<sup>45</sup> According to multiple witnesses, they were looking for 'Azov' members (military forces belonging to the 'Azov' Special Purpose Unit).<sup>46</sup> It is important to note that the Kremlin used the pretext of Azov battalion presence to justify its attack on the Mariupol maternity hospital on 9 March 2022.<sup>47</sup> Violent searches were conducted again by 'DNR' soldiers, who arrived a day later.<sup>48</sup> A doctor claims that the 'DNR' soldiers kidnapped two hospital workers who allegedly disguised some Ukrainian soldiers as patients to save them.<sup>49</sup> A medical worker said that Ukrainian soldiers who were being treated at the hospital were taken as prisoners of war.<sup>50</sup>

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38 Interview with Witness No. 1; Interview with Witness No. 2.

39 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

40 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

41 Interview with Witness No. 1.

42 Interview with Witness No. 2; Interview with Witness No. 1; The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

43 Interview with Witness No. 1.

44 Interview No. 2 with Witness No. 2.

45 Interview with Witness No. 1; Interview with Witness No. 2; MIPL, "Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzkladu-mariupolya/>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

46 Interview with Witness No. 1; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

47 TASS, 'Lavrov said that a maternity hospital in Mariupol was used as a base for the Azov battalion', 10 March 2022, available at: <https://tass.ru/politika/14022235>.

48 Interview with Witness No. 1.

49 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

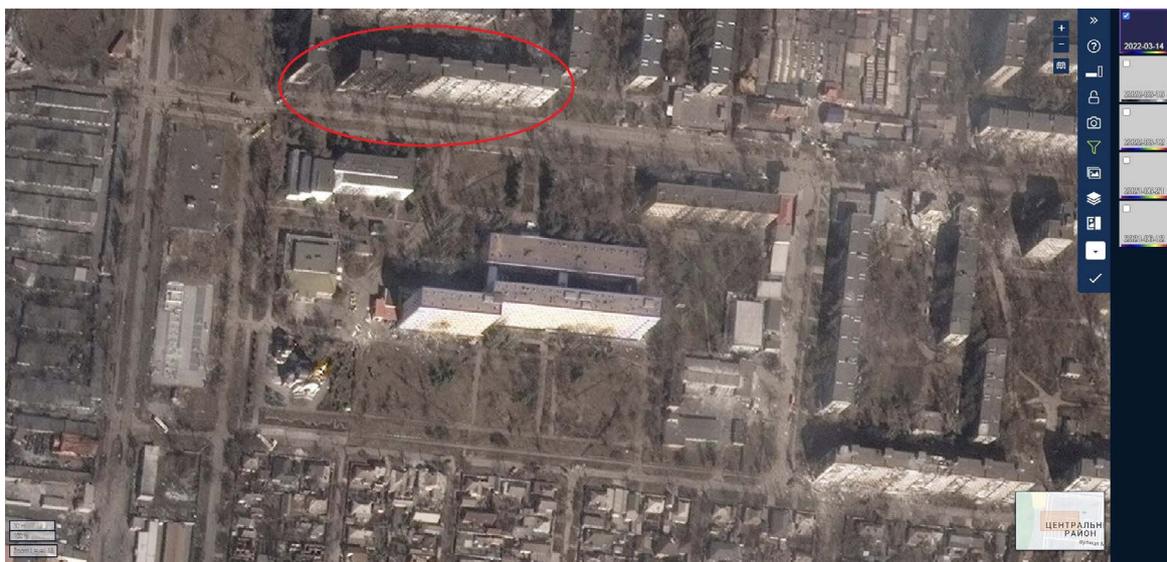
50 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

On 15 March 2022, Ukrainian authorities officially announced that the hospital had been seized by Russian forces who were forcing residents from neighbouring residential buildings into the hospital, ultimately holding more than 400 people hostage and using the hospital as a firing position to attack other positions in Mariupol.<sup>51</sup>

### 3.2. THE HOSPITAL BECOMES A RUSSIAN BASE AND IS USED TO ATTACK CIVILIAN INFRASTRUCTURE

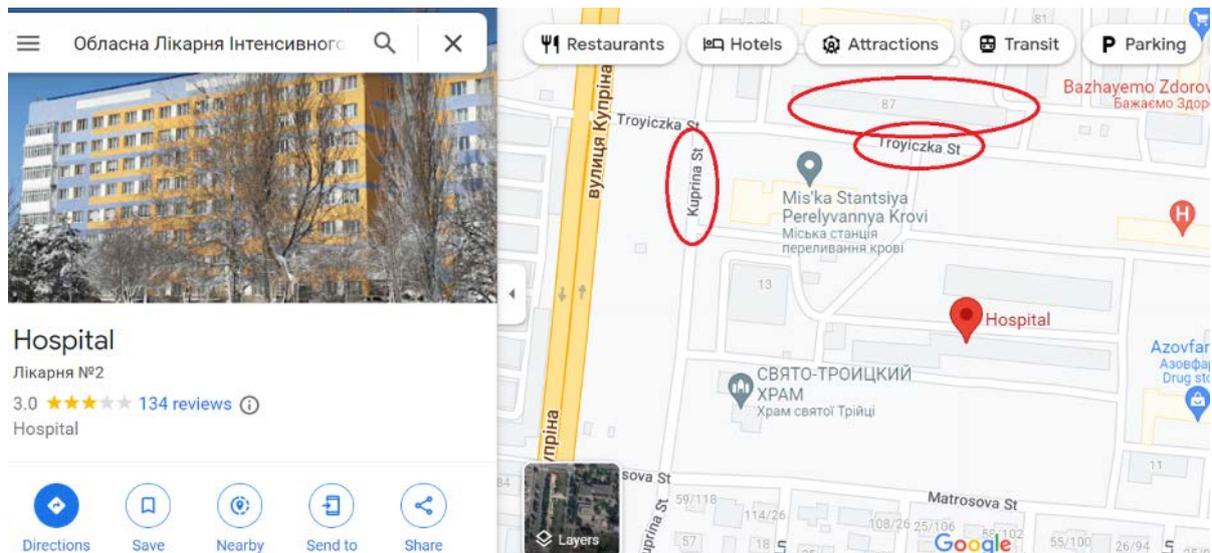
Following the takeover, occupying Russian forces turned the hospital into their military base.<sup>52</sup> According to one of the hospital employees, the base was on the first floor, where the administrative department of the hospital had been.<sup>53</sup>

Witnesses suggest there were some 5 000 to 7 000 Russian and 'DNR' military personnel stationed at the hospital.<sup>54</sup> Russian military commanders were observed constantly coming and going to and from the base.<sup>55</sup> The Russian military parked Tiger military vehicles, tanks, and APCs around the hospital.<sup>56</sup> Russian Grad multiple rocket launchers (hereafter, 'Grads') and cannons were placed on the hospital grounds and aimed in the direction of the city.<sup>57</sup> When the Russian military started shelling, they drove all the people into the hospital basement.<sup>58</sup>



Satellite image from 14 March 2022 with visible damage to the nine-storey apartment building at 87 Troitska Street. Source: Maxar satellite imagery

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- 51 The Insider, '«He shouted «Russians», and the call cut off». The Russian military seized two hospitals in Mariupol', 16 March 2022, available at: <https://theins.ru/en/news/249350>; BBC News, 'Ukraine war: Hostages as Russian forces occupy hospital, official says', 15 March 2022, available at: <https://www.bbc.com/news/world-europe-60757133>.
- 52 Interview with Witness No. 1.
- 53 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.
- 54 Interview with Witness No. 1.
- 55 Interview with Witness No. 1.
- 56 Interview with Witness No. 1.
- 57 Interview with Witness No. 1.
- 58 Interview with Witness No. 1.



The approximate location of the tank that shelled the nine-storey apartment building. Source: Google Maps

On 12 March 2022, according to the testimony of one of the hospital anaesthesiologists, immediately after the seizure of the hospital, Russian forces stationed one tank and two APCs in the hospital yard and, in the evening, started shooting at all residential buildings in sight of the hospital. At least two five-storey apartment buildings and one nine-storey building were hit. The attacks lasted 24 hours, with 20-60 minutes intervals. When a doctor asked the Russian forces why they were doing this, they replied: 'just in case, so that the Ukrainian military could not take up positions in these homes'.<sup>59</sup> His statement is corroborated by a series of pictures and videos of the nine-storey apartment buildings at 87 Troitska Street<sup>60</sup> taken by local residents on 12 March 2022, as well as a video capturing damage caused to the five-storey apartment building at 44 Troitska Street.<sup>61</sup> Another anaesthesiologist also said in an interview that Russian forces positioned tanks and an APC right next to the hospital's operating theatre and were shelling the city from there.<sup>62</sup>

59 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that, 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>

60 Мариуполь сейчас Telegram Channel, 12 March 2022, available at: <https://t.me/mariupolnow/2156>; Vitek Sokol Youtube Channel, 'Мариуполь 17 микрорайон Областная больница номер 2', 13 March 2022, available at: <https://www.youtube.com/watch?v=UUv5E7qmzCc>; Мариуполь сейчас Telegram Channel, 4 April 2022, available at: <https://t.me/mariupolnow/5190>; Мариуполь сейчас Telegram Channel, 4 August 2022, available at: <https://t.me/mariupolnow/16909>.

61 Ваня с Мариуполя Youtube Channel, 'Мариуполь обзор 17 мкр Троицкая', (0:53), 13 May 2022, available at: [https://www.youtube.com/watch?v=qRs9uvw\\_Taw](https://www.youtube.com/watch?v=qRs9uvw_Taw).

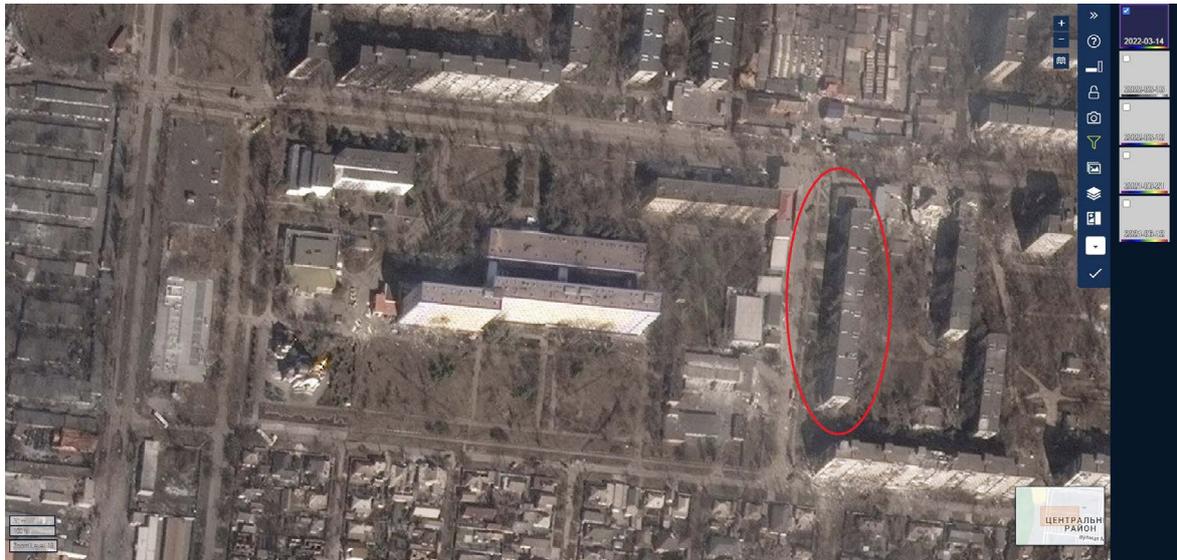
62 ТСН Youtube Channel, 'Лікар з Мариуполя розповів про ситуацію в місті від початку російського наступу – Нічна варта', (6:59), available at: <https://www.youtube.com/watch?v=B-9--XlCV-k&t=397s>.



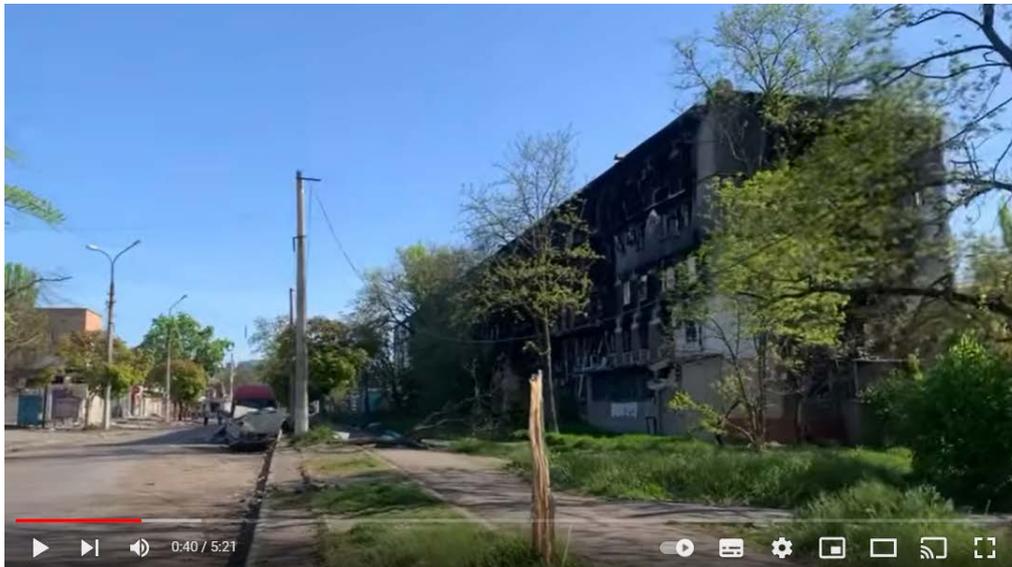
Smoke rising from the nine-storey apartment building at 87 on Troitska Street on 12 March 2022 (as seen from Mariupol Regional Intensive Care Hospital). Source: <https://t.me/mariupolnow/2156>



Still frame from a 13 March 2022 YouTube video showing more damage to the nine-storey apartment building at 87 Troitska Street. Source: <https://www.youtube.com/watch?v=UUv5E7qmzCc>



Satellite image from 14 March 2022 with visible damage to the five-storey apartment building at 44 Troitska Street. Source: Maxar satellite imagery



Still frame from a 13 May 2022 YouTube video showing damage to the five-storey apartment building at 44 Troitska Street. Source: [https://www.youtube.com/watch?v=qRs9uww\\_Taw](https://www.youtube.com/watch?v=qRs9uww_Taw)

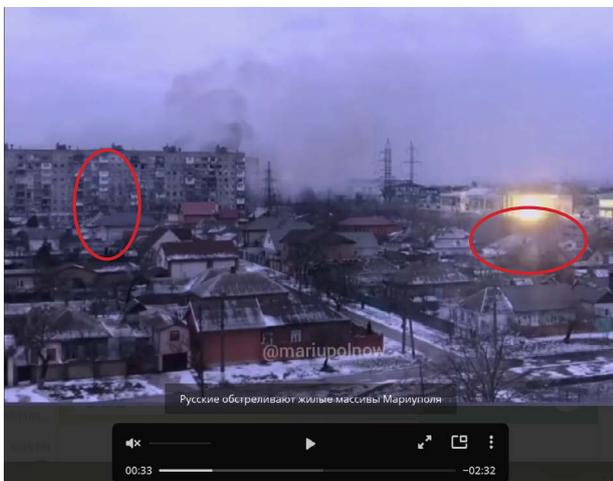
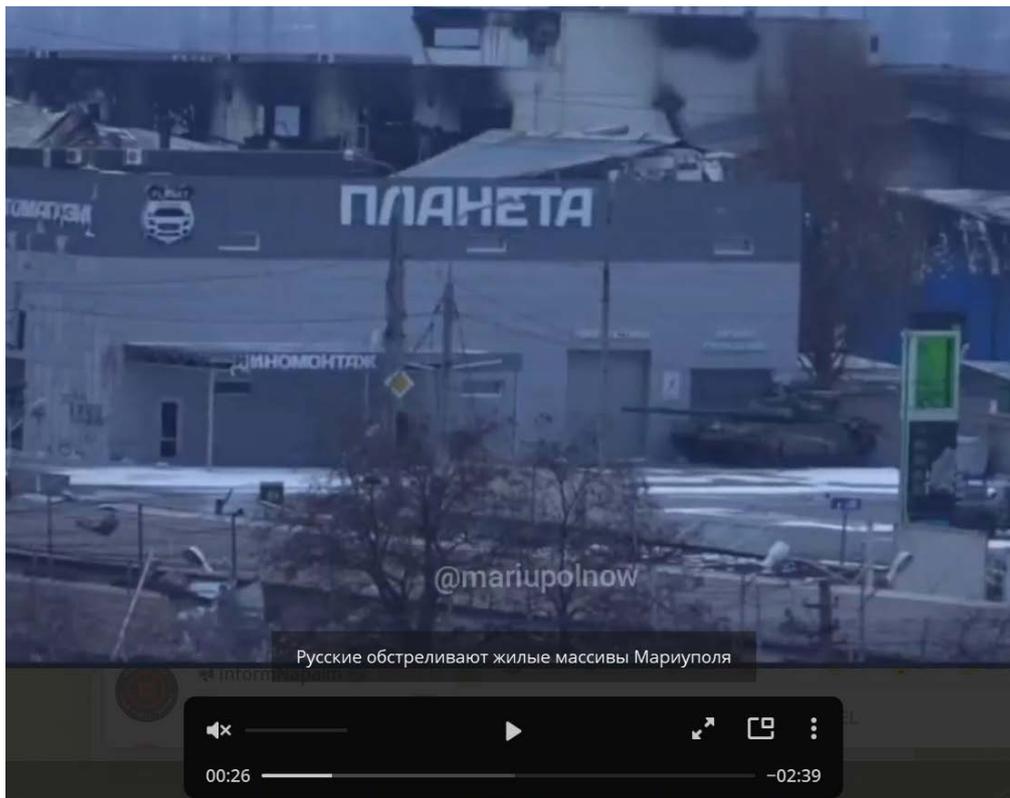
On 13 March 2022, the Russian military shelled the city using Grads.<sup>63</sup>

Another doctor said that Russian equipment was deployed around the perimeter of the hospital, with APCs on all sides. There were snipers on the roof and top floors shooting from the hospital.<sup>64</sup>

63 Witness No. 1 believes it was a Grad, as it fired 20-40 shots at three-second intervals, with the sound of the shots 'muffled' See: Interview with Witness No. 1.

64 MIPL, "Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>; See also: Section 4.3. Killings of civilians.

There are videos taken on 12 and 26 March 2022 in the area of the hospital that capture Russian tanks bearing 'Z' symbols driving between apartment buildings and firing in their direction.<sup>65</sup>



Three still frames from a video taken on 12 March 2022 - likely from the hospital - showing a tank positioned near 32 Kuprina Street (approximate GPS coordinates 47.107960319515826, 37.50828059208078) and firing at a nearby apartment building (likely 110 Mytropolytska Street, approximate GPS coordinates 47.10761816945684, 37.51128213325983). Source: <https://t.me/mariupolnow/2153ntffb>

65 Мариуполь сейчас Telegram Channel, 12 March 2022, (00:01; 00:19; 00:26), available at: <https://t.me/mariupolnow/2153>; Мариуполь сейчас Telegram Channel, 26 March 2022, available at: <https://t.me/mariupolnow/3838>.

## 4. Unlawful confinement, ill-treatment and murder at the hospital

### 4.1. THE HOSPITAL BECOMES A PRISON: UNLAWFUL CONFINEMENT OF CIVILIANS

According to a hospital anaesthesiologist, once the hospital was seized and Russian forces put guards on all floors, no one could leave the hospital.<sup>66</sup> Another doctor also confirmed that neither doctors nor patients were allowed out of the hospital.<sup>67</sup> Three other doctors recall that the Russian military told them that if they tried to leave, they would be shot.<sup>68</sup> One medical worker said that the hospital staff had been told by Russian forces they could not leave until they were replaced by other medical professionals.<sup>69</sup>

Civilians were confined in the basement and other floors, which they were prohibited from leaving.<sup>70</sup> According to one witness, from 15 March 2022, 'DNR' soldiers began transferring civilians out of the hospital because the hospital was so overcrowded. People were placed in evacuation buses to Volodarsk, in the area of Luhansk Oblast controlled by the so-called 'Luhansk People's Republic' ('LNR'; another Russian proxy), where they were subjected to 'filtration'<sup>71</sup> and then sent to Russia.<sup>72</sup> This information is confirmed by an interview with a hospital otolaryngologist who was subjected to 'filtration' in Volodarsk and was later transferred to a refugee camp in Russia which Ukrainians could leave only if they had Russian or Belarusian relatives who were willing to 'accept' them.<sup>73</sup> A neighbour of one witness was sent to Novoazovsk, in the 'DNR'-controlled part of Donetsk Oblast.<sup>74</sup> According to a doctor from Mariupol

66 This information is corroborated by the interview with Witness No. 1.

67 MIPL, "Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>

68 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-akrosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>

69 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

70 Interview with Witness No. 1; Interview No. 2 with Witness No. 2.

71 'Filtration' is a form of compulsory security screening in which Russian forces typically collect civilians' biometric data, including fingerprints and front and side facial images; conduct bodily searches and search personal belongings and phones; and question them about their political views. Ukrainian civilians were effectively interned as they waited to undergo this process, with many reporting that they were housed in overcrowded and squalid conditions for periods as short as several hours or for up to almost a month. See: HRW, "We Had No Choice". "Filtration" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia', 1 September 2022, available at: [https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#\\_ftn9](https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#_ftn9).

72 Interview with Witness No. 1.

73 ITV, 'Torture, deportation and death: The stories bearing witness to the horrors of Mariupol', 12 May 2022, available at: <https://www.itv.com/news/2022-05-12/torture-deportation-and-death-the-stories-of-horror-from-mariupol>.

74 Interview with Witness No. 1.

Hospital No. 4, doctors and patients from that hospital were also transferred to Novoazovsk, interrogated, and then transferred to Russia.<sup>75</sup>

One of the hospital anaesthesiologists managed to escape the hospital on 15 March 2022<sup>76</sup> and another one – on 16 March 2022, spending accordingly four and five days in the hospital after it was seized.<sup>77</sup> The chief medical officer remained in the hospital until 16 March 2022, spending a total of six days there.<sup>78</sup> Another doctor stayed at the seized hospital until 21 March 2022 at the latest.<sup>79</sup> Another hospital worker remained there until the end of March and managed to flee when ‘new workers had [...] been brought in from separatist areas’. Two witnesses, interviewed by IPHR managed to escape from the hospital on 13 and 16 March accordingly.<sup>80</sup>

## 4.2 INHUMAN CONDITIONS OF DETENTION AT THE HOSPITAL

Detention conditions at the hospital fell far below international legal standards and can be described as inhuman.

**Overcrowding and lack of beds:** The hospital was overcrowded with patients, medical professionals and civilians fleeing from the fighting or those forced into the hospital by Russian troops. Russian soldiers forced as many as 2 000 civilians from neighbouring apartment buildings into the hospital.<sup>81</sup>

People were triaged throughout the hospital according to the likelihood and desirability of survival: ‘the patients in a critical condition who “will die anyway” were placed on the upper floors, followed by those

75 Bihus, ‘Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol’, 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

76 0629.com.ua, ‘“They brought a tank and two APCs and started shooting houses around...” How the Russians seized the hospital in Mariupol, and what happened after that’, 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiyani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

77 Сніданок з 1+1 Youtube Channel, ‘Історія лікаря-анестезіолога з Маріуполя Олександра Белаша, котрий боровся за життя людей’, (5:16), available at: [https://www.youtube.com/watch?v=pihQ13ZaP\\_0](https://www.youtube.com/watch?v=pihQ13ZaP_0)

78 Bihus, ‘Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol’, 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

79 Her interview published in the media on 21 March 2022 stated that she gave the interview after she left the hospital. See: MIPL, ‘“Don’t leave the operating room, there are Russian military there”: a story of a doctor from the occupied medical institution Mariupol’, 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

80 Interview with Witness No. 2; Interview with Witness No. 1.

81 MIPL, ‘“Don’t leave the operating room, there are Russian military there”: a story of a doctor from the occupied medical institution in Mariupol’, 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>; Bihus, ‘Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol’, 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; The Guardian, ‘Trapped in a Mariupol hospital: “They said anyone who left would be shot”’, 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; 0629.com.ua, ‘“They brought a tank and two APCs and started shooting houses around...” How the Russians seized the hospital in Mariupol, and what happened after that’, 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiyani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

with the serious wounds, on the first floors they put the civilians without children, in the basement – everyone with children'.<sup>82</sup> No one took care of the patients on the eighth floor or brought food and water up to them.<sup>83</sup>

The basement of the hospital was so overcrowded that there was no space for people to lie down. Most people in the basement had to sit on the concrete floor as there were not enough blankets or mattresses for everyone.<sup>84</sup>

**Exposure to low temperatures:** One witness said that it was very cold in the hospital since there was no heating and the windows were broken due to the shelling.<sup>85</sup> Once, he was brought to the fifth floor to have his wounds treated. On his way he saw how '[...] they dragged everyone out of the wards – about 500 patients – because there were no windows left and it was cold.'<sup>86</sup>



Facade of the hospital with broken windows.  
Source: <https://t.me/mariupolnow/14866>

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82 Interview with Witness No. 1.

83 Interview with Witness No. 1.

84 Interview with Witness No. 2.

85 Interview No. 2 with Witness No. 2.

86 Interview with Witness No. 2.

This information is corroborated by two hospital workers who also said that all windows in the hospital wards were missing because of the explosions. It was freezing cold so all patients, including pregnant women and new-born babies, had to shelter in the corridors. There were not enough blankets for everyone.<sup>87</sup>

**Access to toilets and basic hygiene facilities:** According to one witness, there was no tap water in the hospital. Civilians could not flush toilets and they quickly became extremely dirty. The patients he saw in the hospital corridor had glass jars to use as toilets. There was an awful smell everywhere.<sup>88</sup> Another witness said that civilians in the basement had to use plastic bags for toilets and then throw them down the elevator shaft.<sup>89</sup>

According to the chief medical officer, after Russian troops took over the hospital, the staff's ability to provide medical care to the sick and wounded was reduced to zero. There was no water or medicine. Refuse and dead bodies had not been removed for more than two weeks.<sup>90</sup>

According to another doctor, civilians in the hospital 'were sitting on the floor, there were no facilities. Children, the elderly, animals, all together - hungry, cold. [...] In unsanitary conditions. [...]'.<sup>91</sup> One of the hospital anaesthesiologists said that the hospital was a mix of 'filth and blood and waste' that the medical personnel could not dispose of as the hospital was under relentless shelling.<sup>92</sup>

**Absence of food and water:** Immediately after the hospital was seized, Russian soldiers broke into the hospital's food storage.<sup>93</sup> One witness remembers only large jars of pickled cucumbers. It was the only time when the soldiers gave food to people in the basement (this witness managed to escape from the hospital on the morning of 13 March 2022). As of 12 March 2022, there was already no tap water in the hospital. People were draining water from heating pipes. The witnesses' neighbour – whose wife was staying at a hospital with an injured leg – once managed to drive home and bring 100 jars of water to distribute among people.<sup>94</sup> At one point Red Cross volunteers brought water, but Russian forces forbade giving it to the patients and threatened to shoot anyone who disobeyed.<sup>95</sup>

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87 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; MIPL, "'Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

88 Interview No.2 with Witness No. 2.

89 Interview with Witness No. 1.

90 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>

91 MIPL, "'Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>

92 TCH Youtube Channel, 'Лікар з Маріуполя розповів про ситуацію в місті від початку російського наступу – Нічна варта', (19:13), available at: <https://www.youtube.com/watch?v=B-9--Xlcv-k&t=397s>.

93 Interview with Witness No. 1; Interview No. 2 with Witness No. 2.

94 Interview No. 2 with Witness No. 2.

95 Screening interview with Witness No. 1.

On 13 March 2022, civilians in the basement of the hospital asked the 'DNR' soldiers when they would be fed. The soldiers replied: 'Why feed you? You will die anyway.' Only children were allowed to eat. If the soldiers saw adults eating, 'they were beaten or shot in the legs'.<sup>96</sup>

On 14 March 2022, soldiers brought something that looked like soup to the basement – there was meat, carrots, potatoes, peas, fresh cucumbers, pickled cucumbers, and tomatoes – and told everyone to eat it. The children refused to eat and the soldiers threatened their captives with starvation.<sup>97</sup>

One of the doctors said that the Russian military promised water and food to the people they were forcing into the hospital from neighbouring apartment buildings, but in reality there was nothing at the hospital.<sup>98</sup> Four other medical workers also confirmed that there was no food or water at the hospital.<sup>99</sup>

### 4.3. ABUSE AND VIOLENCE AGAINST DETAINEES

Russian and 'DNR' soldiers abused and caused physical and mental suffering to civilians and medical personnel detained at the hospital.

According to one witness, 'if you did not comply with the demands of the soldiers, you could be shot in the leg or beaten'.<sup>100</sup> He recounts that one day, a 'DNR' soldier called 'Osetin' was smoking in the basement, near civilians with children. Someone asked him not to smoke or use foul language in front of the children. For this, 'Osetin' beat him and took him away 'for execution', throwing his daughter, who was sitting on his lap, into a corner. After several detainees pleaded with him not to kill the man, 'Osetin' threatened them with weapons and said that he would kill them all for living there in 'royal conditions in the basement'. In the end, the hospital director convinced 'Osetin' to let the man go.<sup>101</sup>

The witness also observed the hospital director being kicked in the stomach and legs, beaten, and threatened for advocating for the release of civilians confined at the hospital.<sup>102</sup> The same witness alleges that a young female hospital staff member was led away by 'Osetin' and shot in the leg for distributing humanitarian aid to civilians.<sup>103</sup>

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96 Interview with Witness No. 1.

97 Interview with Witness No. 1.

98 MIPL, "Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzkladu-mariupolya/>.

99 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; TCH Youtube Channel, 'Лікар з Маріуполя розповів про ситуацію в місті від початку російського наступу – Нічна варта', (19:13; 20:00), available at: <https://www.youtube.com/watch?v=B-9--XlCV-k&t=397s>.

100 Interview with Witness No. 1.

101 Interview with Witness No. 1.

102 Ibid.

103 Ibid.

On 15 March 2022, soldiers came to the basement and started choosing which of the wounded would be sent to the eighth floor - where they kept the 'hopeless' patients, where no food or water was brought. 'Osetin' walked around the basement and selected people. 'If he didn't like someone, he would send them to the eighth floor.'<sup>104</sup>

#### 4.4. KILLINGS OF CIVILIANS

According to the testimonies of several doctors and civilians held at the hospital, Russian soldiers shot people who came to the hospital, as well as those who tried to escape.

On 11 March 2022, one witness saw a nurse who came to do her shift at the hospital. She drove to the main entrance under the canopy. As she was getting out of her car, a sniper shot her in the neck. She was dragged inside and treated.<sup>105</sup>

On 12 March 2022, this witness was told by co-detainees that everyone who tries to escape is shot by a sniper and that there are supposedly eight bodies of those shot laying behind the hospital building.<sup>106</sup>

One of the anaesthesiologists witnessed the shooting of civilians. Three private cars in which people were bringing their wounded relatives drove up to the hospital. As soon as they pulled up to the entrance, the Russians shot at all three cars.<sup>107</sup> Another anaesthesiologist also witnessed an attack against three vehicles carrying wounded people.<sup>108</sup>

One doctor claimed that the Russians shot all the cars approaching the hospital. Once, an ambulance was shot at. Snipers also shot people on foot. A 17-year-old girl came to the hospital after being shot in the stomach near the hospital. She was operated on and survived. At least three people were shot besides her. All the dead were buried in a common grave, but the doctor does not know exactly where it is.<sup>109</sup>

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104 Ibid.

105 Interview with Witness No. 2.

106 Interview with Witness No. 2.

107 0629.com.ua, "'They brought a tank and two APCs and started shooting houses around...'" How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

108 TCH Youtube Channel, 'Лікар з Маріуполя розповів про ситуацію в місті від початку російського наступу – Нічна варта', (14:00), available at: <https://www.youtube.com/watch?v=B-9--XlCV-k&t=397s>.

109 MIPL, "'Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

## 5. Potential classification of the examined conduct

### INTENTIONAL ATTACK AGAINST A SPECIALLY PROTECTED OBJECT – A HOSPITAL

According to the norms of international humanitarian law (IHL), medical units including hospitals may in no circumstances be an object of attack.<sup>110</sup> Additionally, medical units shall under no circumstances be used in an attempt to shield military objectives from attack.<sup>111</sup> An intentional attack against a hospital constitutes a war crime.<sup>112</sup>

To classify an attack against a hospital as a war crime, it is important to establish that:

- The perpetrator carried out an attack against a hospital;
- The attack was deliberate; and
- The hospital was not a military objective.<sup>113</sup>

**The perpetrator carried out an attack against a hospital.** According to IHL norms, an attack is a violent action against an opponent, whether offensive or defensive.<sup>114</sup> The term “attack” – in the case of hospitals and other medical facilities – goes beyond physical damage and destruction, and includes seizure and pillage of hospitals impeding the functioning of the facility and the continued provision of medical care, as well as the ensuring loss of the facilities’ protected status due to the presence and operation of military units and equipment.<sup>115</sup> In the present case, there is credible and reliable evidence suggesting that Russian forces attacked and seized the hospital. Two victims interviewed by IPHR confirmed that Russian troops were near the hospital before the assault began, there were no Ukrainian troops in or near the hospital when the assault began, and the victims heard ‘loud explosions’ and ‘shooting’ that forced civilians to hide in the hospital basement.<sup>116</sup> Soon after that, Russian soldiers entered the basement.<sup>117</sup> One of the victims saw as many as 25 Russian soldiers entering the basement.<sup>118</sup> Russian and later ‘DNR’ soldiers were also seen on all eight floors of the hospital by five members of the hospital

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110 Geneva Convention (I) of 1949, Article 19; Geneva Convention (IV) of 1949, Article 18; Additional Protocol (I) to the Geneva Conventions of 1977, Article 12; Rule 28 of customary IHL.

111 Additional Protocol (I) to the Geneva Conventions of 1977, Article 13.

112 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(vii).

113 Elements of Crimes, Article 8(2)(b)(ix) War crime of attacking protected objects.

114 Additional Protocol (I) to the Geneva Conventions of 1977, Article 49.

115 See Lieber Institute – Articles of War, “The Definition of an “Attack” under the law of armed conflict, 3 November 2020, available at: <https://lieber.westpoint.edu/definition-attack-law-of-armed-conflict-protection/>; See also: ICRC, “Commentary of 2016: Article 19 – Protection of Medical Units and Establishments”, para. 1800, available at: <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=BBF9A4E655C90872C1257F7A0054937B>.

116 Interview with Witness No. 1; Interview with Witness No. 2.

117 Interview with Witness No. 1; Interview with Witness No. 2.

118 Interview with Witness No. 2.

staff on the day of the alleged seizure of the hospital and in the subsequent days of its occupation.<sup>119</sup> Medical personnel confirms that following its seizure, the hospital was no longer able to provide medical treatment to patients.<sup>120</sup> Shortly after the takeover, thousands of Russian troops, military equipment and senior officers moved in – turning the hospital into a military base.<sup>121</sup> Snipers began to operate on the roof of the hospital – targeting persons and vehicles in the hospital’s vicinity.<sup>122</sup> Tanks and artillery also began to target Ukrainian positions and civilian housing from the hospital grounds.<sup>123</sup> The hospital had thus lost its protected status as a result of the seizure. For all of the above reasons, the seizure of the hospital and its repurposing into a military base by Russian and ‘DNR’ forces constitutes an “attack” prohibited under IHL.

**The attack was deliberate.** According to IHL case law, the term ‘deliberate’ applies not only to the directing of an attack, but also to the object of the attack – the perpetrator intended to commit an attack and intended a protected object to be the object of the attack.<sup>124</sup> It is not necessary for the perpetrator to make a legal assessment of the protected status of the object. The perpetrator merely needs to know of the factual circumstances which grant the object special status.<sup>125</sup> Russian forces shelled and fired guns in the area of the hospital and then entered and occupied the hospital. The Russian forces must have known that they were attacking a hospital as its building was clearly marked as such.<sup>126</sup> Following the takeover, the pillage and disruption of the hospital functioning was clearly deliberate, as was the hospital’s subsequent use to house a military base and launch further attacks from its premises. Therefore, the hospital was an intended target of the attack and the conduct that transformed the hospital into a military facility was deliberate.

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119 ITV, Torture, deportation and death: The stories bearing witness to the horrors of Mariupol, 12 May 2022, available at: <https://www.itv.com/news/2022-05-12/torture-deportation-and-death-the-stories-of-horror-from-mariupol>; 0629.com.ua, “They brought a tank and two APCs and started shooting houses around...” How the Russians seized the hospital in Mariupol, and what happened after that, 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; Bihus, Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol, 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; The Guardian, Trapped in a Mariupol hospital: ‘They said anyone who left would be shot’, 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; MIPL, “Don’t leave the operating room, there are Russian military there”: a story of a doctor from the occupied medical institution in Mariupol, 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

120 Bihus, ‘Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol’, 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; The Guardian, Trapped in a Mariupol hospital: ‘They said anyone who left would be shot’, 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>

121 See: Section 3.2. The hospital becomes a Russian base and is used to attack civilian infrastructure

122 See: Section 4.3. Killings of civilians

123 See: Section 3.2. The hospital becomes a Russian base and is used to attack civilian infrastructure

124 ICTY, *Prosecutor v. Blasić*, IT-95-14-T, Judgement, Trial Chamber, 3 Mar. 2000, para. 185. See also: Otto Triffterer and Kai Ambos (eds), *The Rome Statute of the International Criminal Court: A Commentary*, 3rd edn, p. 421.

125 Otto Triffterer and Kai Ambos (eds), *The Rome Statute of the International Criminal Court: A Commentary*, 3rd edn, p. 421.

126 According to Witness No. 2

**The hospital was not a military objective.** According to IHL norms, military objectives are limited to those objects which by their nature, location, purpose, or use make an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in the prevailing circumstances at the time, offers a definite military advantage.<sup>127</sup> The special protection of a hospital may be discontinued only if 'it is used to commit, outside their humanitarian function, acts harmful to the enemy'.<sup>128</sup> In case of doubt whether an object which is normally dedicated to civilian purposes is being used to make an effective contribution to military action, it shall be presumed not to be so used.<sup>129</sup> According to two witnesses interviewed by IPHR, there were only a few Ukrainian soldiers guarding the hospital before the beginning of the Russian assault and no military equipment present. There were no Ukrainian soldiers present by the time the Russians began the assault except for, one member of the National Guard of Ukraine who had laid down his arms and had disguised himself as a patient.<sup>130</sup> Three hospital workers said that there were or could have been some Ukrainian soldiers present in the hospital at the time of its seizure, but none of them suggested they were controlling the hospital or putting up resistance to the Russian assault.<sup>131</sup> According to IHL standards, the presence of a handful of wounded or surrendered Ukrainian servicemen would not render the hospital a legitimate military objective.<sup>132</sup> Furthermore, there was no military equipment stationed at the hospital at the time of its seizure. Ukrainian military objects located in Mariupol at the time were between 1.62 and 8.99 km away from the hospital.<sup>133</sup>

Consequently, the Russian forces' seizure and repurposing of Mariupol Regional Intensive Care Hospital was an intentional attack against a specially protected object – a grave breach of the Geneva Conventions and a war crime under the Rome Statute.<sup>134</sup>

## INTENTIONAL ATTACK AGAINST CIVILIAN OBJECTS – RESIDENTIAL BUILDINGS

A core rule of IHL is the principle of distinction – stipulating that civilian objects shall not be the object of attack or of reprisals.<sup>135</sup> IHL defines civilian objects as all objects which are not military objectives,<sup>136</sup> including residential areas, dwellings, buildings, and houses.<sup>137</sup> An intentional attack against a civilian

127 Additional Protocol (I) to the Geneva Conventions of 1977, Article 52; Rule 8 of customary IHL.

128 Additional Protocol (I) to the Geneva Conventions of 1977, Article 13.

129 Additional Protocol (I) to the Geneva Conventions of 1977, Article 52; Rule 8 of customary IHL.

130 Interview with Witness No. 1; Interview with Witness No. 2; Interview No.2 with Witness No. 2.

131 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/neylyikovno-hvori-yak-rosiyany-znyshuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

132 Additional Protocol (I) to the Geneva Conventions of 1977, Article 13.

133 The exact location of Ukrainian military objects in Mariupol is not revealed due to security considerations.

134 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(ix); Article 8(2)(b)(iv); Article 8(2)(b)(xx); Article 8(2)(b)(ix); Geneva Convention (I) of 1949, Article 19; Geneva Convention (IV) of 1949, Article 18; Additional Protocol (I) to the Geneva Conventions of 1977, Article 12, Article 51, Article 52; Rule 29 of customary IHL.

135 Additional Protocol (I) to the Geneva Conventions of 1977, Article 48, Article 52; Rule 10 of customary IHL.

136 Additional Protocol (I) to the Geneva Conventions of 1977, Article 52(1).

137 Rule 9 of customary IHL.

object constitutes a war crime.<sup>138</sup> Intentional attacks against civilian objects cannot be justified even by the considerations of military necessity.<sup>139</sup>

To classify an attack against a civilian object as a war crime, it is important to establish that:

- The perpetrator carried out an attack against a civilian object;
- The attack was deliberate; and
- The civilian object was not a military objective.<sup>140</sup>

**The perpetrator carried out an attack against a civilian object.** There is credible and reliable evidence that Russian forces stationed at the hospital launched attacks against neighbouring apartment blocks. Multiple witnesses state that Russian troops stationed on the hospital grounds were shelling civilian infrastructure.<sup>141</sup> Specifically, one witness said that the Russians shelled a neighbouring nine-storey apartment buildings from a tank.<sup>142</sup> One of the doctors said that Russian troops used tanks to shell all the homes in sight of the hospital and that at least two five-storey apartment buildings and one nine-storey apartment building were hit.<sup>143</sup> These accounts are further corroborated by Maxar images showing apartment buildings facing the hospital's north and east sides with black marks indicative of shelling and debris scattered around them.<sup>144</sup> Pictures and videos also show these buildings damaged and a video shows a Russian tank emblazoned with a 'Z' located on Kuprina Street and firing at the nearby apartment building.<sup>145</sup>

**The attacks were deliberate.** The nature and means of these attacks – tanks firing directly at buildings within their line of vision – imply that the attacks were deliberate. Furthermore, a witness was told by Russian soldiers that they were attacking these buildings to prevent Ukrainian forces from arranging firing positions there.<sup>146</sup>

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138 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(ii).

139 ICTY, *Prosecutor v. Gotovina, Čermak and Markač*, Trial Chamber, Judgement, 15 April 2011, IT-06-90-T, Paragraph 1766.

140 Elements of Crimes, Article 8(2)(b)(ii) War crime of attacking civilian objects.

141 Interview with Witness No. 1; Interview No. 2 with Witness No. 2; 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; MIPL, "Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

142 Interview No. 2 with Witness No. 2.

143 0629.com.ua, "They brought a tank and two APCs and started shooting houses around..." How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

144 See: Section 3.2. The hospital becomes a Russian base and is used to attack civilian infrastructure

145 See: Section 3.2. The hospital becomes a Russian base and is used to attack civilian infrastructure

146 Ibid.

**The apartment buildings were not a military objective.** There is no information to suggest that the apartment buildings attacked by Russian forces were used by the Ukrainian military in any way. In fact, Russian soldiers admitted to a witness that there was no Ukrainian military stationed there and the attacks were aimed at preventing this possibility in the future.<sup>147</sup>

Consequently, Russian forces' shelling of at least two rows of apartment building near the hospital amounts to the war crime of an intentional attack against civilian objects and a breach of IHL.<sup>148</sup>

## USING PROTECTED PERSONS AS SHIELDS

All persons detained in the context of armed conflict must be treated humanely.<sup>149</sup> IHL prohibits using civilians to render certain points or areas immune from military operations, including shielding military objectives from attacks.<sup>150</sup> In the context of an international armed conflict, exploiting the presence of a civilian or other protected person to render certain points, areas, or military forces immune from military operations constitutes a war crime.<sup>151</sup>

Criminal liability under this provision arises when the perpetrator moves protected persons to the vicinity of a military objective, takes advantage of the location of protected persons in the area, or when the military objective is moved towards the protected persons.<sup>152</sup>

Russian forces prevented sheltering civilians, patients and medical workers, from leaving Mariupol Regional Intensive Care Hospital.<sup>153</sup> They also forced dozens of civilians from neighbouring apartment buildings into the hospital at gunpoint.<sup>154</sup> Having taken control of the hospital, Russian and 'DNR' forces established a military base and brought tanks, artillery and other military equipment to or in the vicinity of the hospital.<sup>155</sup> The intention to shield the military objective/operation – in this case, the Russian military base and firing positions – can be inferred from the following facts: Russian forces stationed their military personnel and equipment in the functioning hospital and on its grounds; they organised their military staff in the hospital, with Russian high-level military commanders regularly visiting the hospital; they shelled surrounding civilian infrastructure from the territory of the hospital; they forced civilians into the hospital; and they prohibited anyone from leaving the hospital for at least four days<sup>156</sup> despite

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147 Ibid.

148 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(ii); Additional Protocol (I) to the Geneva Conventions of 1977, Article 51, Article 52.

149 Geneva Convention (I) of 1949, Article 12; Geneva Convention (II) of 1949, Article 12; Geneva Convention (III) of 1949, Article 13; Geneva Convention (IV) of 1949, Article 5; Article 27; Additional Protocol (I) to the Geneva Conventions of 1977, Article 75(1); Rule 87 of customary IHL.

150 Geneva Convention (IV) of 1949, Article 28; Additional Protocol (I) to the Geneva Conventions of 1977, Article 51(7); Rule 97 of customary IHL.

151 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(xxiii).

152 Otto Triffterer and Kai Ambos (eds), *The Rome Statute of the International Criminal Court: A Commentary*, 3rd edn, p. 505; Dörmann, K., Doswald-Beck, L., & Kolb, R., (2004), *Elements of War Crimes under the Rome Statute of the International Criminal Court*, CUP, p. 344.

153 See: Section 4.1. The hospital becomes a prison: unlawful confinement of civilians

154 See: Section 4.2 Inhuman conditions of detention at the hospital

155 See: Section 3.2. The hospital becomes a Russian base and is used to attack civilian infrastructure

156 According to the testimony of Witness No. 1, from 15 March 2022, the 'DNR' soldiers began to gradually allow people to leave the hospital, but only in the context of 'evacuation' to Russia.

acute food, water, and medicine shortages.<sup>157</sup> There is no other plausible explanation for this conduct other than using civilians trapped at the hospital as a deterrent against Ukrainian attacks on Russian personnel and equipment there.

## INHUMAN TREATMENT

All persons detained in the context of an armed conflict<sup>158</sup> or otherwise<sup>159</sup> must be treated humanely. Torture and inhuman treatment committed in the context of or associated with an armed conflict are grave breaches of IHL<sup>160</sup> and war crimes.<sup>161</sup>

The war crime of torture is defined as any severe physical or mental pain or suffering inflicted upon a person for the purpose of obtaining information or a confession; punishment; intimidation or coercion; or for any discriminatory reason.<sup>162</sup> Inhuman treatment is defined as severe physical or mental pain or suffering inflicted upon a person which falls short of the gravity of torture and does not require a purpose.<sup>163</sup>

Whether ill-treatment meets the threshold of torture will depend on the circumstances, including the nature and context of the treatment or punishment, the manner and method of its execution, its duration, its physical and mental effects, and the characteristics of the victim.<sup>164</sup> There is no definitive list of acts that may constitute torture – the threshold will fluctuate with duration and individual circumstances.<sup>165</sup> Conduct that falls short of the torture threshold, but nevertheless causes severe physical or mental suffering may be qualified as inhuman treatment. This includes inadequate conditions of detention,<sup>166</sup> such as overcrowding,<sup>167</sup> lack of toilet facilities and basic hygiene,<sup>168</sup> lack of adequate water and nutrition,<sup>169</sup> lack of beds,<sup>170</sup> unsuitable temperature and humidity,<sup>171</sup> and lack of basic medical care.<sup>172</sup>

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157 See: Section 4.2 Inhuman conditions of detention at the hospital

158 Geneva Convention (I) of 1949, Article 12; Geneva Convention (II) of 1949, Article 12; Geneva Convention (III) of 1949, Article 13; Geneva Convention (IV) of 1949, Article 5; Article 27; Additional Protocol (I) to the Geneva Conventions of 1977, Article 75(1); Rule 87 of customary IHL.

159 European Convention on Human Rights, Article 3.

160 Geneva Convention (I) of 1949, Article 12, Article 50; Geneva Convention (II) of 1949, Article 12, Article 51; Geneva Convention (III) of 1949, Article 17, Article 87, Article 89, Article 130; Geneva Convention (IV) of 1949, Article 32, Article 147; Rule 90 of customary IHL.

161 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(ii).

162 Elements of Crimes, Article 8 (2) (a) (ii)-1 War crime of torture.

163 Article 8 (2) (a) (ii)-2 War crime of inhuman treatment.

164 *Ireland v. UK*, Paragraph 162; *Soering v. UK*, Paragraph 100.

165 ECHR, *Price v. UK*, Paragraph 30 – whilst there was no intention to humiliate, disregard for health conditions or disability of an inmate can trigger Article 3.

166 ECHR, *Neshkov and Others v. Bulgaria*, 2015, §227.

167 ECHR, *Neshkov and Others v. Bulgaria*, 2015, §232 – a minimum of 3 sq metres per detainee is required, allowing detainees to move around freely between furniture.

168 ECHR, *Ananyev and Others v. Russia*, 2012, §157.

169 ECHR, *Kadiķis v. Latvia* (no. 2), 2006, §55; ECHR, *Stepuleac v. Moldova*, 2007, §55; ECHR, *Modarca v. Moldova*, 2007, §68–69; ECHR, *Dudchenko v. Russia*, 2017, §130; See also, UN Human Rights Committee, *Essono Mika Miha v. Equatorial Guinea*, Communication No. 414/1990, 1994, §6.4.

170 ECHR, *Ananyev and Others v. Russia*, 2012, §146.

171 *Ananyev and Others v. Russia*, ECHR, 2012, §155.

172 ECHR, *Blokhin v. Russia* [GC], 2016, para. 136.

When assessing conditions of detention, account must be taken of the cumulative effects of these conditions, the amount of time spent in such conditions,<sup>173</sup> and the personal characteristics of detainees, such as their age and state of health.<sup>174</sup>

Civilians detained in the hospital were held in extremely inadequate conditions of detention, according to the following criteria:

- **Overcrowding:** While there is no detailed information on the space allocated to each person in the hospital, it can be inferred that it was less than 3 square metres (the standard minimal space that each detainee should have).<sup>175</sup> Both victims interviewed by IPHR said that the basement was extremely overcrowded<sup>176</sup> and there was no space for people to sit.<sup>177</sup> According to hospital workers, the floors of the hospital were also overcrowded.<sup>178</sup> In addition to 500 people that were in the hospital by the time it was seized by Russian forces, they forced another 2 000 people into it,<sup>179</sup> while the maximum capacity of the hospital is 550 hospital beds.<sup>180</sup>
- **Access to toilets and basic hygiene facilities:** Several witnesses confirm that there was no tap water in the hospital. One witness said that he and other civilians had to use plastic bags as toilets and dispose of them in the elevator shaft.<sup>181</sup> Another witness said that the toilet in the basement quickly became extremely dirty because there was no water to flush it. Hospital patients who were lying in the corridors had to use glass jars to urinate into. This witness said there was a horrible smell everywhere.<sup>182</sup> Refuse and dead bodies had not been removed from the hospital for more than two weeks after it was seized by Russian forces, adding to the already unsanitary conditions of the hospital.<sup>183</sup>

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173 ECHR, *Neshkov and Others v. Bulgaria*, 2015, §229.

174 ECHR, *Ireland v. the United Kingdom*, 1978, §162; ECHR, *Soering v. the United Kingdom*, 1989, §100; ECHR, *Labita v. Italy*, 2000, §120.

175 ECHR, *Neshkov and Others v. Bulgaria*, 2015, §232.

176 Interview with Witness No. 2; Interview with Witness No. 1.

177 Interview with Witness No. 2.

178 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; 0629.com.ua, "'Вони пригнали танк і два БТРа і почали розстрілювати будинки навколо...'" Як росіяни захопили лікарню в Маріуполі, і що там відбувалось після цього', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-akrosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

179 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

180 Обласна лікарня інтенсивного лікування м.Маріуполь, ПРО ЗАКЛАД, available at: <http://oil.com.ua/about/>.

181 Interview with Witness No. 1.

182 Interview No. 2 with Witness No. 2.

183 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

- **Lack of beds:** Taking into account that the hospital had a capacity of 550 beds, it was clearly not enough for 2 500 people. One witness said that there were not enough blankets and mattresses for everyone and most civilians had to sit on the concrete floor.<sup>184</sup> A hospital worker also said that there were not enough blankets and people had to sit on the floor, even children and elderly people.<sup>185</sup> Another hospital worker said that she had to sleep on sofas and chairs alongside colleagues.<sup>186</sup>
- **Exposure to low temperatures:** All analysed interviews confirm that there was no heating in the hospital, all windows were broken due to shelling, and it was very cold. One witness said that night-time temperatures were below 0°C.<sup>187</sup>
- **Inadequate food and water:** Witnesses attest that there was either no or not enough food or drinking water for all civilians that were detained in the hospital. The two victims interviewed by IPHR remember only two occasions on which Russian soldiers gave out food. Once, they gave people food from the hospital stores,<sup>188</sup> specifically pickled cucumbers,<sup>189</sup> and another time an inedible mix of boiled meat and vegetables.<sup>190</sup> There was also no water, so people had to use dirty water from the heating pipes.<sup>191</sup> One witness said that a soldier threatened to shoot him in the leg if he gave bottled water brought by volunteers to the hospital patients.<sup>192</sup> Another soldier told this witness that there was no need to feed civilians as 'they would die anyway'.<sup>193</sup> According to this witness, gravely wounded and sick people on the eighth floor did not receive any food or water.<sup>194</sup>
- **Failure to provide adequate medical care:** According to the chief medical officer of the hospital, after Russian forces took over the hospital, the staff's ability to provide medical care to the sick and wounded was reduced to zero.<sup>195</sup> According to one witness, the soldiers moved gravely wounded and sick people to the eighth floor where no one treated them.<sup>196</sup>

As such, the conditions of detention at the hospital fell well short of the minimum standards of humane detention. Cumulatively, these conditions amount, at the very least, to inhumane treatment.

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184 Interview No. 2 with Witness No. 2.

185 MIPL, "Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

186 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>.

187 Interview No. 2 with Witness No. 2.

188 Interview with Witness No. 1; Interview with Witness No. 2..

189 Interview No. 2 with Witness No. 2.

190 Interview with Witness No. 1.

191 Interview No. 2 with Witness No. 2.

192 Interview with Witness No. 1.

193 Interview with Witness No. 1.

194 Interview with Witness No. 1.

195 Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevylkovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>.

196 Interview with Witness No. 1.

In addition, the above-described conditions of detention must be viewed in the context of intimidation and violence directed at civilians and hospital workers. Russian and 'DNR' soldiers threatened hospital staff with death if they attempted to escape,<sup>197</sup> and physically abused hospital staff and civilians.<sup>198</sup>

They threatened civilians with shooting their limbs, beating them, and starving them to death if they disobeyed.<sup>199</sup> They fired at a civilian who attempted to escape<sup>200</sup> and threatened to execute another civilian who argued with them.<sup>201</sup> They beat up the head of the hospital when she argued with them and asked to set people free.<sup>202</sup>

In light of the detention conditions and ill-treatment, most civilians and hospital workers were subjected to severe physical and mental pain and suffering.

Consequently, the cumulative effect of inhuman detention and physical and/or psychological abuse of civilians and medical workers at Mariupol Regional Intensive Care Hospital constitutes the war crime of inhuman treatment.<sup>203</sup>

## OTHER POTENTIAL WAR CRIMES: UNLAWFUL KILLINGS, UNLAWFUL CONFINEMENT AND DEPORTATION

- **Unlawful killings:** Both witnesses interviewed by IPHR and all hospital workers whose interviews were analysed in this Report said that Russian forces shot to kill anyone who tried to escape from the hospital, as well as anyone who approached the hospital by car or on foot. They mentioned at least two cases of civilians being shot at in which the victims survived.<sup>204</sup> There were also several cases in which civilians were shot dead and civilian vehicles and ambulances were fired at, killing ev-

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197 The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>; Bihus, 'Terminally ill: how the Russians are destroying hospitals and deporting medical workers from Mariupol', 30 April 2022, available at: <https://bihus.info/nevlyikovno-hvori-yak-rosiyany-znyshhuyut-likarni-i-deportuyut-medykiv-z-mariupolya/>; 0629.com.ua, "'They brought a tank and two APCs and started shooting houses around...'" How the Russians seized the hospital in Mariupol, and what happened after that', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-akrosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>.

198 Interview with Witness No. 2.; Interview with Witness No. 1; The Guardian, 'Trapped in a Mariupol hospital: "They said anyone who left would be shot"', 10 April 2022, available at: <https://www.theguardian.com/world/2022/apr/10/trapped-in-mariupol-hospital-ukraine-maternity-attack-russia>;

199 Interview with Witness No. 1.

200 Interview with Witness No. 2.

201 Interview with Witness No. 1.

202 Interview with Witness No. 1.

203 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(ii).

204 Interview with Witness No. 2; MIPL, "'Don't leave the operating room, there are Russian military there": a story of a doctor from the occupied medical institution in Mariupol', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%201%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

everyone inside.<sup>205</sup> Such acts may be qualified as intentional attacks on civilians<sup>206</sup> and wilful killings,<sup>207</sup> but more information is needed to confirm these conclusions.

- **Unlawful confinement and deportation:** Based on IPHR's findings, the Russian forces week-long confinement of hundreds of civilians under the threat of killing those attempting to flee was disproportionate to the Russian forces' alleged intent to shelter civilians and/or identify Ukrainian soldiers among them. The only deciding factor in the Russian forces' decision to confine these civilians, which included doctors, elderly people, pregnant women, and children, was their presence in the hospital or in nearby apartment buildings. Furthermore, according to two witnesses, from 15 March 2022, 'DNR' soldiers began transferring civilians to Volodarsk, in the area of Luhansk Oblast controlled by the so-called 'Luhansk People's Republic' where they were subjected to 'filtration'<sup>208</sup> and then sent to Russia<sup>209</sup> without being given an option to go to Ukrainian-controlled territories.

Consequently, the Russian forces' week-long confinement of civilians at the hospital and their subsequent forceful transfer to Russia may constitute the war crime of unlawful confinement and a breach of IHL.<sup>210</sup> Additionally, such acts may be qualified as unlawful deportation or transfer,<sup>211</sup> but more information is needed to confirm these conclusions.

## 6. Potential suspects

IPHR identified eight military units that were or could have been in the Mariupol Intensive Care Hospital and the adjacent area in March 2022 and could have participated in the atrocities covered in this report.

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205 Interview with Witness No. 2; 0629.com.ua, "Вони пригнали танк і два БТРа і почали розстрілювати будинки навколо..." Як росіяни захопили лікарню в Маріуполі, і що там відбувалось після цього', 31 March 2022, available at: <https://www.0629.com.ua/news/3362062/voni-prignali-tank-i-dva-btra-i-pocali-rozstriluvati-budinki-navkolo-ak-rosiani-zahopili-likarnu-v-mariupoli-i-so-tam-vidbuvalos-pisla-cogo>; МІПЛ, '«Не виходь з операційної, там російські військові»: розповідь лікарки з окупованого медзакладу Маріуполя', 21 March 2022, available at: <https://mipl.org.ua/ne-vixod-z-operacijno%d1%97-tam-rosijski-vijskovi-rozpovid-likarki-z-okupavanogo-medzakladu-mariupolya/>.

206 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(i).

207 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(i).

208 'Filtration' is a form of compulsory security screening in which Russian forces typically collect civilians' biometric data, including fingerprints and front and side facial images; conduct bodily searches and search personal belongings and phones; and question them about their political views. Ukrainian civilians were effectively interned as they waited to undergo this process, with many reporting that they were housed in overcrowded and squalid conditions for periods as short as several hours or for up to almost a month. See: HRW, "We Had No Choice". "Filtration" and the Crime of Forcibly Transferring Ukrainian Civilians to Russia', 1 September 2022, available at: [https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#\\_ftn9](https://www.hrw.org/report/2022/09/01/we-had-no-choice/filtration-and-crime-forcibly-transferring-ukrainian-civilians#_ftn9).

209 Interview with Witness No. 1; ITV, 'Torture, deportation and death: The stories bearing witness to the horrors of Mariupol', 12 May 2022, available at: <https://www.itv.com/news/2022-05-12/torture-deportation-and-death-the-stories-of-horror-from-mariupol>.

210 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(vii); Geneva Convention (IV) of 1949, Article 147; Rule 99 of customary IHL.

211 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(vii).

## 107<sup>th</sup> Motor Rifle Regiment of the 'DNR' Army

There is no publicly available information regarding the commander of this regiment. It was formed in Donetsk out of mobilised residents of the 'DNR'. An article by RIA Novosti talks extensively about the operations of this unit in Mariupol.<sup>212</sup>

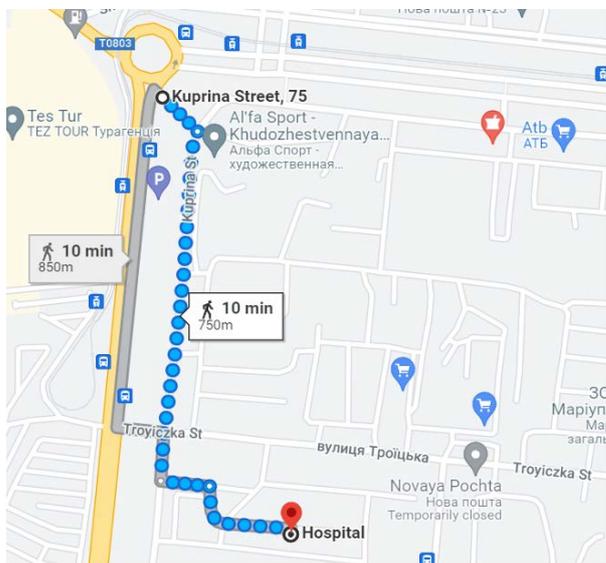
There is another such unit consisting of drafted civilians, the 105th Motor Rifle Regiment, however, there is no information regarding its involvement in the Mariupol offensive.

In an interview, one witness mentioned the call signs of several 'DNR' soldiers that were stationed in Mariupol Regional Intensive Care Hospital. Among them, IPHR identified two 'DNR' soldiers, one of whom was drafted, the other of whom volunteered to join the 107th Motor Rifle Regiment.<sup>213</sup> One more 'DNR' soldier nicknamed 'Osetin', who, according to the witness, was in command of the 'DNR' forces stationed at the hospital, has not yet been identified.<sup>214</sup>

## Ruslan Geremeyev's squad of the Kadyrovtsy forces

This unit does not have an official designation. It was formed in Grozny, Russia out of people who enlisted as volunteers. The squad's commander is Ruslan Geremeyev - allegedly linked to the murder of Russian politician Boris Nemtsov in February 2014.<sup>215</sup>

On 17 March 2022, at a crossroads 750-800 metres north of the hospital (Volodarske Road and Shevchenka Boulevard), a video was filmed showing three Russian soldiers.<sup>216</sup>



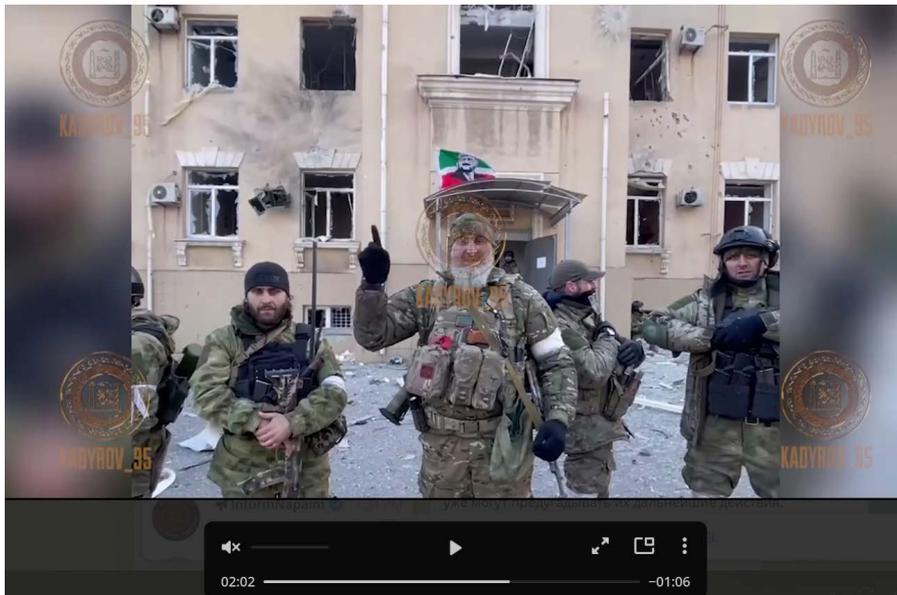
Approximate distance from the hospital to the crossroads. Source: Google Maps

- 212 RIA.ru, 'Ikh nazyvayut "stalnyye kaski"' [They are called "steel helmets"]; 26 May 2022, available at <https://archive.ph/zOWZE>.
- 213 These people's personal information is not being revealed in the interests of potential government investigation and prosecution.
- 214 Interview with Witness No. 1.
- 215 Radio Svoboda, 'Ruslan Geremeyev, figurirovavshiy v dele Nemtsova, voyuyet v Mariupole [Ruslan Geremeyev, implicated in Nemtsov case, fighting in Mariupol]', 27 March 2022, available at <https://archive.ph/PZKaE>.
- 216 Novosti Donbassa, 'Chechenskiye boytsy (i odin grek) ob obstanovke v Mariupole [Chechen fighters (and one Greek) on the situation in Mariupol]', 17 March 2022, available at: <https://archive.ph/4UMeH>, archived video available at: <https://tinyurl.com/bdhkh8jh>.



Screenshots from the interview of Vladimir Almazov. Source: <https://t.me/novnew/5017>

The soldier in the image to the left is Vladimir Vitaliyevich Almazov - callsign 'Vakha'. The names of the two other soldiers have not yet been identified. In the picture below, Almazov is seen standing next to Ruslan Geremeyev.<sup>217</sup>



Still frame from a video showing Chechen combatants in Mariupol. Source: [https://t.me/RKadyrov\\_95/1644](https://t.me/RKadyrov_95/1644)

Almazov's affiliation with Ruslan Geremeyev's detachment is also confirmed by information published by the Ukrainian Armed Forces' Main Intelligence Directorate,<sup>218</sup> where he is mentioned as part of the 'Dobry' squad. 'Dobry' is the call sign of Ruslan Geremeyev.<sup>219</sup>

217 Telegram channel of Ramzan Kadyrov (@RKadyrov\_95), 'Druzya, segodnya my poluchili syomki s vodruzheniya flaga nad zdaniyem administratsii Mariupolya [Friends, today we received footage of the flag-raising over the Mariupol administration building]', 26 March 2022, available at: <https://archive.ph/fStyU>, archived video available at: <https://tinyurl.com/yb8xn9jm>.

218 Ukrainian Armed Forces' Main Intelligence Directorate, 'U viyskovomu vtorgnenni v Ukraïnu bralo uchast blizko 2,5 tisyach boyovikiv z chechenskoï respubliki [About 2.5 thousand militants from Chechen Republic took part in military invasion of Ukraine]', 15 May 2022, available at <https://archive.ph/qUSlr>.

219 Kavkaz-uzel.eu, 'Geremeev Ruslan [Geremeyev Ruslan]', 30 March 2022, available at <https://archive.ph/Lbsk1>.

## MILITARY UNITS FOR WHICH THERE IS NO DIRECT EVIDENCE OF THEIR PRESENCE NEAR THE HOSPITAL

According to one witness, several thousand soldiers belonging to Russian 'DNR' proxy forces and the Russian Army eventually appeared in and around the hospital. Considering this large number, it may be assumed that they could have belonged to any of the units engaged in the Mariupol offensive.

### Russian proxy forces from the 'DNR'

- **9th Separate Naval Infantry Regiment of the 1st 'DNR' Army Corps (Military Unit 08819), stationed in Novoazovsk, Donetsk Oblast**

The commander of the unit is Akhmetdinov Spartak Barievich, born on 20 August 1975.<sup>220</sup> On 6 April 2022, he was decorated for the 'liberation of Mariupol'.<sup>221</sup> The involvement of this unit in the Battle of Mariupol was described in an article by Rossiyskaya Gazeta.<sup>222</sup>

- **1st Separate Tank Battalion (sometimes referred to as Motor Rifle Battalion) Somalia of the 1st 'DNR' Army Corps (Military Unit 08828), stationed in Donetsk and Makeyevka, Donetsk Oblast**

The Commander of the unit is Timur Kurilkin.<sup>223</sup> There is extensive video evidence of the unit's movements in Mariupol in March.<sup>224</sup>

- **11th Separate Motor Rifle Regiment Vostok of the 1st 'DNR' Army Corps (Military Unit 08818), stationed in Donetsk, Donetsk Oblast**

The commander of the unit is Aleksandr Khodakovskiy.<sup>225</sup> The fighting in Mariupol in which the battalion took part is described in an article by Komsomolskaya Pravda.<sup>226</sup>

220 TV Channel 360, 'V legendarnyy 9 polk volontyory Podmoskovya privezli vnedorozhnik i spetsnabory [Volunteers from near Moscow bring SUV and special kits to the legendary 9th Regiment]', 4 August 2022, available at: <https://tinyurl.com/3454u2jz>, archived video available at: <https://tinyurl.com/bdctmt8m>.

221 Politnavigator, 'Boytsam – nagrody, peregovorshchikam – luchshe molchat. Pushilin o situatsii na fronte [Fighters get rewards, negotiators better keep quiet. Pushilin on the situation at the front]', 6 April 2022, available at: <https://archive.ph/V6bZ2>.

222 Rossiyskaya Gazeta, 'Boytsy "Devyatki" pokazali boyevuyu podgotovku razvedchikov [Soldiers from the Ninth Regiment show off their scouting training]', 12 July 2022, available at: <https://archive.ph/csH09>.

223 Komsomolskaya Pravda, 'Donbasskomu kombatu «Somali» Timuru Kurilkinu prisvoili zvaniye Geroya DNR i peredali Orden Muzhestva ot Putina [Donbass commander of 'Somali' battalion Timur Kurilkin awarded DNR hero title and Order of Courage by Putin]', 3 April 2022, available at: <https://archive.ph/wnzbo>.

224 'Tank T-72B iz sostava batalona "Somali" armii DNR vedet boy v Mariupole [A T-72B tank from the DNR's Somali battalion fights in Mariupol]', 27 March 2022, available at: <https://archive.ph/CQjUH>, archived video available at: <https://tinyurl.com/ymj925dz>.

225 Komsomolskaya Pravda, 'Komandir batalona «Vostok» Aleksandr KHodakovskiy: «Net zadachi osvobodit Respubliki Donbassa do administrativnykh granits. Zadacha - slomat khrebet protivniku» [Vostok battalion commander Aleksandr Khodakovskiy: "There is no task to liberate the republics of Donbas to the administrative borders. The task is to break the enemy's backbone"]', 15 July 2022, available at: <https://archive.ph/FRI35>.

226 Komsomolskaya Pravda, 'Razvedka batalona "Vostok" iz-pod Mariupolya: "Natsistov nado prosto bit, i oni otstupayut" [Vostok battalion reconnaissance from near Mariupol: "Nazis just have to be beaten and they retreat"]', 9 March 2022, available at: <https://archive.ph/TNRG3>.



A BTR-80 at the crossroads of Volodarske Road and Shevchenka Boulevard. Source: <https://t.me/milinfofive/79486>

On 24 March 2022, at the abovementioned crossroads of Volodarske Road and Shevchenka Boulevard, a picture was taken of a BTR-80 that - according to pro-Russian journalists - belongs to a 'DNR' military unit.<sup>227</sup> This BTR-80 could belong to any of the abovementioned military units of the 'DNR' Army.

## Regular Russian Armed Forces

- **71st Motor Rifle Regiment of the 58th Combined Arms Army (Military Unit 16544), stationed in Stanitsa Kalinovskaya, Chechen Republic**

The Commander of the unit is Colonel Sergey Vladimirovich Osaulenko, according to a leaked document published by The Moscow Times.<sup>228</sup>

The information about the unit's presence in Mariupol was confirmed by the Ukrainian Armed Forces' Main Intelligence Directorate.<sup>229</sup>

- **150th Motor Rifle Division of the 8th Guards Combined Arms Army (Military Unit 22179), stationed in Novocherkassk, Rostovskaya Oblast**

As of March 2022, the commander of the unit was Major General Oleg Yurievich Mityayev. On 15 March 2022, Adviser to the Ukrainian Ministry of Internal Affairs Anton Gerashchenko published a photo of a dead military officer and said that it was Major General Oleg Mityayev, who was killed in combat in Mariupol. The Russian Ministry of Defence has not officially commented on this information.<sup>230</sup>

227 Voyenny Osvedomitel, 'BTR-80 Narodnoy militsii DNR v Mariupole [BTR-80 of the 'DNR' People's Militia in Mariupol]'. 24 March 2022, available at: <https://archive.ph/OKyDL>.

228 The Moscow Times, 'Minoborony provalilo programmu podgotovki rezervistov BARS: boytsov nabirayut po obyavleniyam i ne priznayut voyennosluzhashchimi [Defence Ministry fails BARS reservist training programme: fighters are recruited by advertisement and not recognised as servicemen]', 17 August 2022, available at: <https://archive.ph/Mhc8J>.

229 Ukrainskaya Pravda, 'Ofitserov RF snimayut s boyevykh pozitsiy dlya okhrany "parada" v Mariupole - razvedka [Russian officers removed from combat positions to guard "parade" in Mariupol - intelligence]', 7 May 2022, available at: <https://archive.ph/ht0kN>.

230 The Insider, 'Ubit yeshche odin rossiyskiy general — chetvertyy. «Pozitsii na peregovorakh zvuchat uzhe boleye realistichno» — Zelenskiy [Another Russian general is killed - the fourth. "Negotiating positions sound more realistic now" - Zelenskiy]', 16 March 2022, available at: <https://archive.ph/TnPtL>.

The presence of this division in Mariupol was also confirmed by the Azov Regiment of the Ukrainian Armed Forces, who published the personnel list of the 102nd Motor Rifle Regiment of the 150th Division.<sup>231</sup>

- **810th Guards Naval Infantry Brigade of the Black Sea Fleet (Military Unit 13140), stationed in Sevastopol, Crimea**

According to local Sevastopol media, from 2021 to 22 March 2022, the commander of the unit was Colonel Aleksey Sharov, who died during the Mariupol offensive.<sup>232</sup> However, an article from Regnum dated 5 March 2022 mentions Colonel Aleksey Bergard, a former deputy commander, as the commander of the 810th Brigade.<sup>233</sup>

The presence of the 810th brigade in Mariupol was confirmed by the Ukrainian Ministry of Defence.<sup>234</sup>

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231 Telegram channel of Polk AZOV - ofitsiyiny kanal (@polkazov), 'Biytsi polku Azov, zakhishchayuchi Mariupol, proveli yefektivnu kontrnastupalnu operatsiyu i rozbili pidrozdili 102 motostriletskogo polku 150-ï motostriletskoï diviziï [Soldiers of the Azov regiment, defending Mariupol, conducted an effective counter-offensive operation and defeated units of the 102nd motor rifle regiment of the 150th motor rifle division]', 8 March 2022, available at: <https://archive.ph/gAMVG>.

232 Sevkor, 'Pod Mariupolem pogib komandir 810-y brigady ChF polkovnik Aleksey Sharov [Colonel Alexei Sharov, commander of the 810th Black Sea Fleet Brigade, killed near Mariupol]', 23 March 2022, available at: <https://archive.ph/c66hE>.

233 Regnum, 'Strana dolzhna znat geroyev — primortsu prisvoyeno zvaniye Geroya Rossii [The country should know its heroes - a Primorye man was awarded the title of Hero of Russia]', 5 March 2022, available at: <https://archive.ph/675OK>.

234 Ministry of Defence of Ukraine, 'Operativna informatsiya stanom na 24:00 15.03.2022 shchodo rosiyskogo vtorgnennya [Update as of 24:00 15.03.2022 on the Russian invasion]', 16 March 2022, available at: <https://archive.ph/oB2A4>.

