

ATTACKS ON CIVILIANS IN MOTYZHYN, KOPYLIV, AND SEVERYNIVKA, UKRAINE



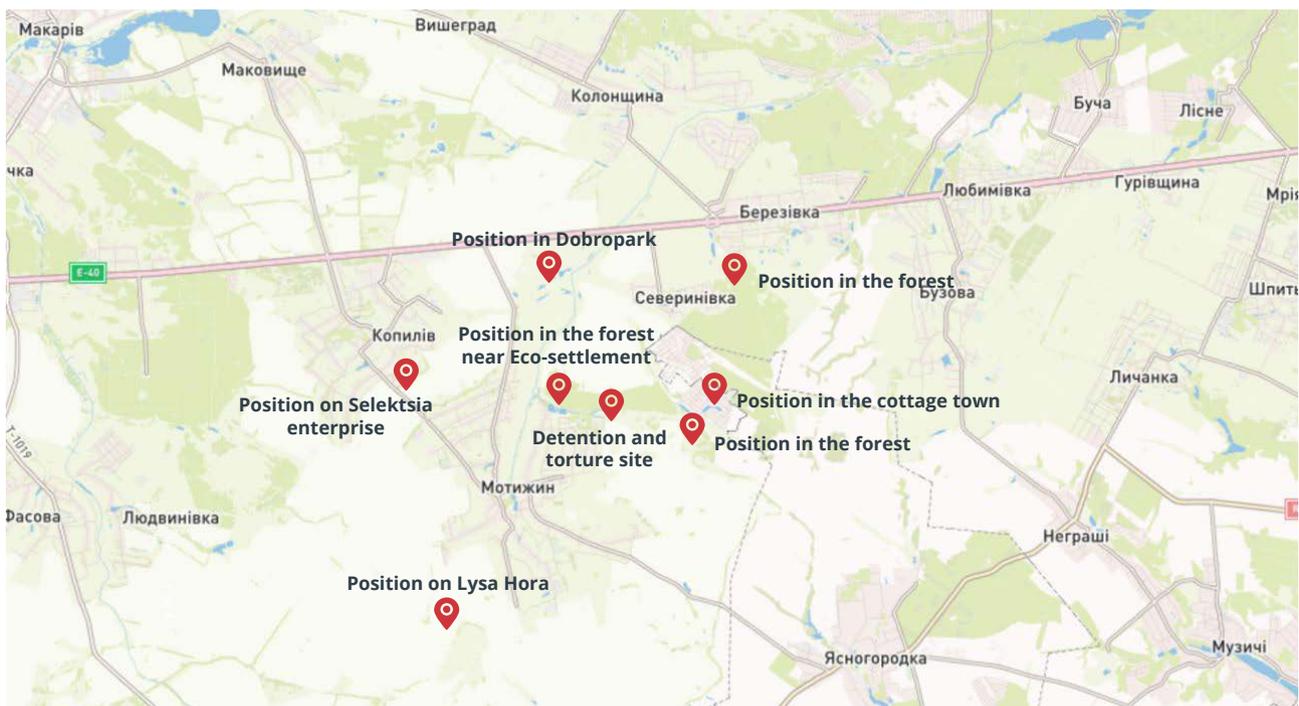
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Introduction and summary of findings

This report sets out evidence of war crimes committed by the Russian armed forces in three localities on the western outskirts of Kyiv between 27 February and early April 2022 – Motyzhyn,¹ Kopyliv² and Severynivka.³ This cluster of three villages is located off the M06 Kyiv-Zhytomyr highway,⁴ approximately 45 kilometres from Kyiv city centre. The area was occupied by Russian armed forces on 27 February 2022, as part of the Kremlin’s failed effort to encircle and capture the Ukrainian capital. The area remained under Russian occupation until Russian armed forces abandoned the assault on Kyiv and withdrew from the north of Ukraine in April 2022.⁵

On 27 February 2022, Kopyliv and Motyzhyn fell under Russian occupation. On the same day, Russian troops were noticed near Severynivka, however, they did not enter the village until 26 March 2022, setting up their positions in wooded areas on the outskirts of the settlements. Key Russian military units operating in the area were the 5th Separate Tank Brigade (Military Unit 46108) of the 36th Combined Arms Army (commanded by Colonel Andrey Viktorovich Kondrov) and the 37th Separate Guards Motor Rifle Brigade (Military Unit 69647) of the 36th Combined Arms Army (commanded by Colonel Yuri Aleksandrovich Medvedev). These forces were under the overall control and authority of Alexander Yurievich Chaiko – commander of the Eastern Military District.



1 Motyzhyn – 50.38081062820898, 29.93229190965292– had a pre-war population of 1010 people.

2 Kopyliv – 50.409569622327936, 29.89068310998819– had a pre-war population of 1330 people.

3 Severenyvka – 50.414004259807626, 29.969405149613664– had a pre-war population of 230 people.

4 SkyNews, ‘Highway of death’, available at: <https://news.sky.com/story/ukraine-war-kyivs-highway-of-death-the-killing-ground-ukraine-will-never-forget-12631294>

5 Reuters, ‘Russia has completed withdrawal from around Kyiv – U.S. defence official’, 6 April 2022, available at: <https://www.reuters.com/world/us-assesses-russia-completes-withdrawal-around-kyiv-us-defense-official-2022-04-06/>

Truth Hounds documented the killings of 9 civilians during the occupation of the area by Russian armed forces, including:

- Two civilians were killed in Motyzhyn, after Russian soldiers fired at civilian homes and yards;
- Five civilians were killed as a result of Russian troops' attacks on civilian cars trying to flee the area;
- Two captured civilians from Severynivka were executed by Russian troops for their pro-Ukrainian views and/or perceived affiliation with Ukrainian forces. At least one of them was tortured before execution.

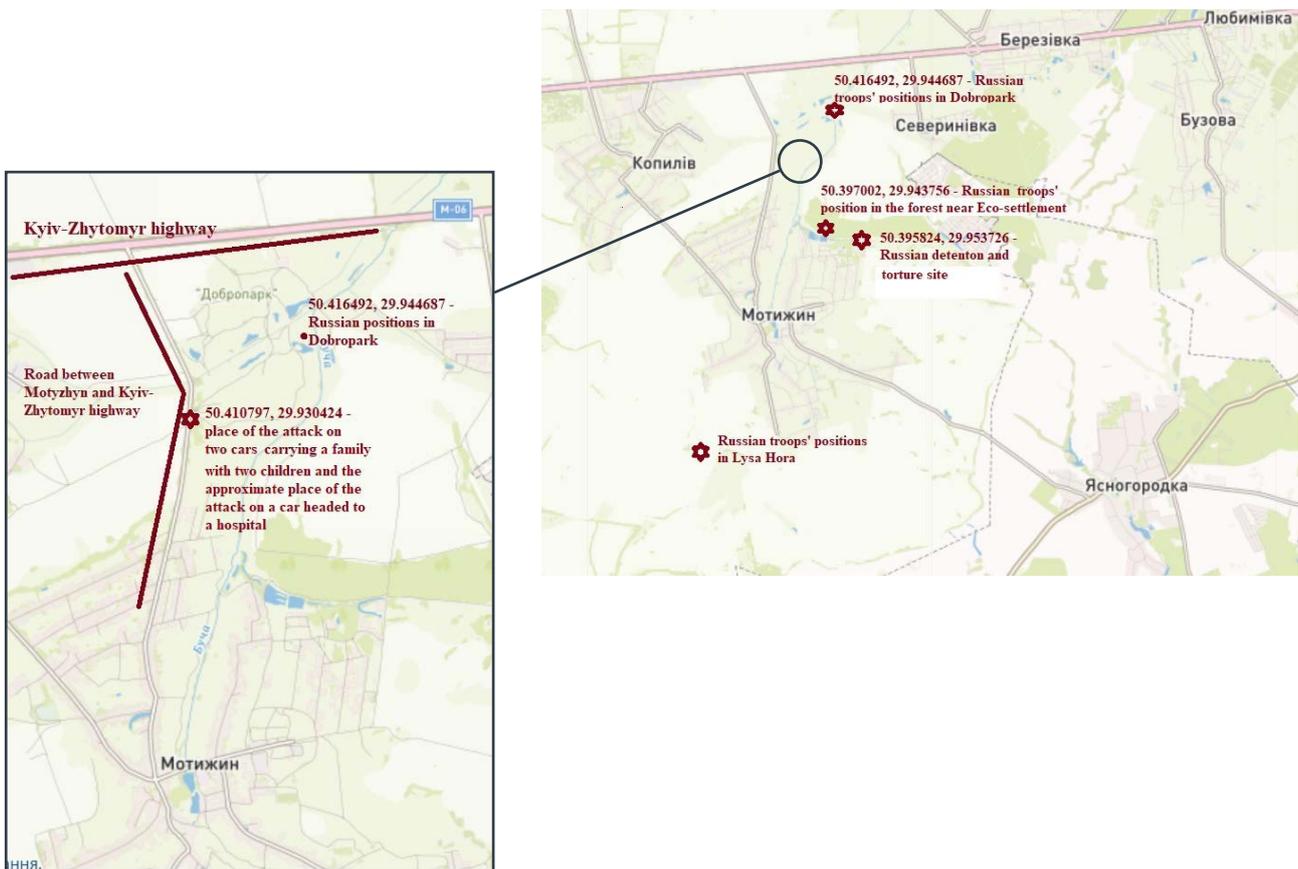
The cases of civilian killings by the Russian forces documented in this report are not exhaustive. For example, after the withdrawal of the Russian forces from the area, Ukrainian police discovered four bodies of local civilians in/near Kopyliv, with signs of violent death. At the same time a mass grave with bodies of four civilians was found in Motyzhyn.

These attacks and killings were documented by the Truth Hounds fact-finding mission to the three villages in April 2022.⁶ Members of the fact-finding team interviewed over a dozen village residents, who witnessed the events described in this report or whose family members were killed by the occupying Russian forces. These interviews were processed by IPHR analysts – who corroborated previous findings, analysed the evidence and identified Russian military units operating in the area who may be responsible for the alleged crimes. The documented conduct represents grave violations of international humanitarian law and amounts to war crimes of torture, wilful killings and intentional or indiscriminate attacks against civilians not taking part in hostilities.

6 Several Ukrainian and international NGOs and media outlets have also covered information about the events in Motyzhyn, Kopyliv and Severynivka: Virtual museum of Russian aggression, 'Russian soldiers execute the headman of the village of Motyzhyn. Discovery of the bodies of Olga Sukhenko and her family', 2 April 2022, available at: <https://rusaggression.gov.ua/en/-f7e9c26137f767fdc18668af57706401.html>; Vikna, 'Destroyed the property, tortured and killed. The story of a retired man from Severynivka who was abducted by the Russians', 28 August 2022, available at: <https://vikna.tv/video/lyudy/okupacziya-severynivky-istoriyi-miscevyh-meshkancziv/>; Ukrainska Pravda, 'The Devil Wears the Russian Soldier's Uniform. How they tortured people in Kyiv region', 6 April, 2022, available at: <https://www.pravda.com.ua/eng/articles/2022/04/6/7337625/>; Slidstvo Info, 'Where they killed, there they ate: in Motyzhyn, the victims recognized their executioners', 1 June 2022, available at: <https://www.slidstvo.info/warnews/de-vbyvaly-tam-i-zherly-u-motyzhyni-zhertvy-vpiznaly-svoyih-kativ/>; The Guardian, 'How the barbaric lessons learned in Syria came to haunt one small Ukrainian village', 30 April 2022, available at: <https://www.theguardian.com/world/2022/apr/30/how-the-barbaric-lessons-learned-in-syria-came-to-haunt-one-small-ukrainian-village>; Human Rights Watch, 'Ukraine: Executions, Torture During Russian Occupation', 18 May 2022, available at: <https://www.hrw.org/news/2022/05/18/ukraine-executions-torture-during-russian-occupation>; Censor, 'Roman Bezsmertnyi: They put me against the wall to be shot and demanded to say "who is the tsar of the village"', 14 March 2022, available at: https://censor.net/ru/blogs/3341350/roman_bezsmertnyi_voni_menestavili_do_stnki_rozstrlyuvati_vimagali_skazati_hto_v_sel_tsar.

1. Attacks on civilians in Motyzhyn

According to residents of Motyzhyn, Russian troops occupied the village and its outskirts sometime on 26 or 27 February 2022.⁷ Ukrainian authorities confirmed the occupation of Motyzhyn on 6 March 2022.⁸ Russian troops set up bases on the outskirts of the village – on the wooded ‘Lysa Gora’ hill south-west of Motyzhyn, in the ‘Dobropark’ park in the north of Motyzhyn,⁹ and in the forest northeast of Motyzhyn (referred to by locals as ‘the forest near the eco-settlement’¹⁰). The latter was also used as a detention and torture site, and a burial ground.¹¹ After Ukrainian counteroffensive and Russian troops’ withdrawal from the area, a mass grave with bodies of four civilians was found on the site. Among them, the village head of Motyzhyn, Olha Sukhenko, her husband and son. Their hands were tied and their bodies bore signs of violent deaths.¹²



7 Interview with ST88KP; Interview with AB85TR; Local Ukrainian authorities reported that Motyzhyn was occupied on 6 March 2022. See: Telegram channel of Vadym Tokar, Makariv City Mayor, 6 March 2022, available at: <https://t.me/vadimtokar/5220>.

8 Telegram channel of Vadym Tokar, Makariv City Mayor, 6 March 2022, available at: <https://t.me/vadimtokar/5220>.

9 Interview with AB85TR; Interview with PO00LM; Interview with ST88KP

10 Interview with AB85TR.

11 Interviews with ST12RM. See also: The Guardian, ‘How the barbaric lessons learned in Syria came to haunt one small Ukrainian village’, 30 April 2022, available at: <https://www.theguardian.com/world/2022/apr/30/how-the-barbaric-lessons-learned-in-syria-came-to-haunt-one-small-ukrainian-village>; Slidstvo Info, ‘Where they killed, there they ate: in Motyzhyn, the victims recognized their executioners’, 1 June 2022, available at: <https://www.slidstvo.info/warnews/de-vbyvaly-tam-i-zherly-u-motyzhyni-zhertvy-vpiznaly-svoyih-kativ/>; YouTube channel of Andrii Filatov, Motyzhyn, Story of one Ukrainian, available at: <https://www.youtube.com/watch?v=K7nh6x9BvzE>

12 Virtual museum of Russian aggression, ‘Russian soldiers execute the headman of the village of Motyzhyn. Discovery of the bodies of Olga Sukhenko and her family’, 2 April 2022, available at: <https://rusaggression.gov.ua/en/f7e9c26137f767fdc18668af57706401.html>

1.1. Attack on a civilian car headed to a hospital

On 27 February 2022, a civilian resident of Motyzhyn was grievously wounded in a shoot-out with a column of Russian tanks driving down Dovga Street in Motyzhyn. Requiring immediate hospitalisation, the man was placed in a civilian vehicle and accompanied by his son. They sped off towards a hospital in the nearby village of Makariv, but were attacked and killed by Russian troops stationed in Dobropark:

My son lives at the other end of the village — he came running through the fields to us. [...] He said he was going with his father. He took passports and his mobile phone and off they went. They left and disappeared — I didn't know where they were for three days. We called the Makariv hospital but it was already destroyed. Then my relative said that someone from the local territorial defence saw our car destroyed near Dobropark outside the village. There is a birch grove where [Russian] APCs were stationed.¹³ They fired at the car. My son was hit in the head and legs and the driver in the neck. I learned all this later, but I think that my husband died from his previous wounds. I think so because Sashko, our son, covered his father with his body. My in-laws called and said that my boys were found lying on the corner of Topolyova Street [some 5 km away from Dobropark]. We couldn't bury them for six days and they remained lying on the road — luckily, it was cold. [...] My in-law took his car, I gave him a blanket and he and his neighbours went, collected their bodies, took them to the cemetery, and buried them under artillery fire. Our gunners distracted Russian artillery and my in-law was able to take my son's and my husband's bodies away. They did not have any documents or the phone on them. My neighbour later found their passports, but the phone was gone.¹⁴¹⁵

1.2. Attack on cars carrying two children and their parents

On 3 March 2022, a family of four — a woman, a man, and their two daughters, aged 14 and 9 — were trying to leave the occupied area in two cars. On the road between Motyzhyn and the Kyiv-Zhytomyr Highway,¹⁶ their vehicles were fired at by Russian troops. The man and woman died on the spot. After the attack, the Russians brought the younger girl (PO83TK) to the house of a Kopyliv resident, TT71RN. According to him, PO83TK said that she was riding in the car with her mother. Her elder sister (ST33BU) was in another car with their father. After the attack, her mother's face was disfigured and part of her head was missing. PO83TK ran to the other car to find her father dead and ST33BU wounded in the leg. She tried to pull her sister out of the car. Russian soldiers then arrived in a vehicle that PO83TK described as a 'tank' and brought her to the house of TT71RN. ST33BU was put in a different 'tank' and, according to Russian soldiers, taken to Belarus.

13 It could be a site located approximately at 50.41102722236764, 29.93104574640832, as this is the only area with a birch grove near that road visible on Google StreetView. It is the same location, where the attack on two cars carrying a family with two children took place. See: Section 1.2. Attack on cars carrying two children and their parents. This conclusion is further corroborated by a journalist investigation by the Wall Street Journal, which documented Russian troops' attacks on civilian vehicles on all three roads leading out of Motyzhyn, including the road where the two cases of attacks described in this report took place. See: The Wall Street Journal, Ukraine 'Road of Death' Shows Russians Fired on Civilians: A Video Investigation, available at: <https://www.youtube.com/watch?v=OUHU5UjnGtw>

14 Interview with ST88KP; This case has also been mentioned in an Ukrainska Pravda article about Russian atrocities in occupied settlements of Kyiv Oblast. See: Ukrainska Pravda, 'The Devil Wears the Russian Soldier's Uniform. How they tortured people in Kyiv region', 6 April, 2022, available at: <https://www.pravda.com.ua/eng/articles/2022/04/6/7337625/>.

15 This and other interviews cited in this report were modified for the sake of clarity and anonymity. The contents and essential details of the interviews were preserved.

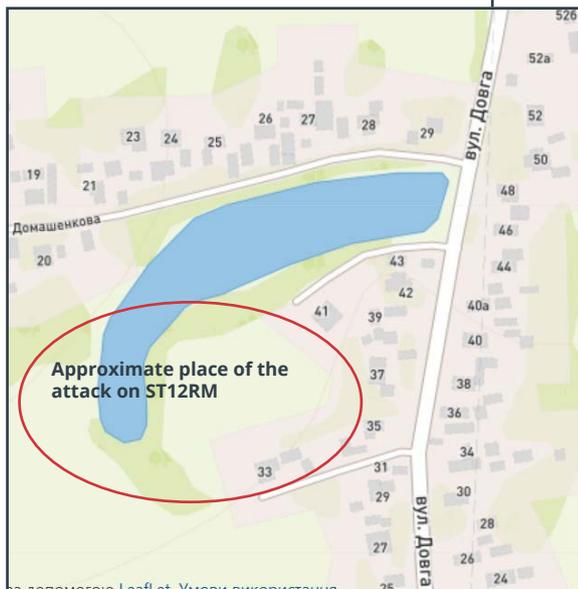
16 50°24'38.9"N 29°55'49.5"E



Pictures of the two cars carrying one family. On the road between Motyzhyn and the Kyiv-Zhytomyr Highway, these vehicles were fired at by Russian troops.

At the beginning of April 2022, PO83TK was picked up by her grandfather. He also buried her parents' bodies that had remained on the road after the attack. He told TT71RN that there were bullet wounds on their bodies.¹⁷

1.3. Killing of a woman fleeing a shooting



On 18 March 2022, Ukrainian forces ambushed Russian positions in the area and Russian forces started attacking civilian houses in retaliation.¹⁸ On 19 March 2022, two Russian armoured personnel carriers (APCs) drove down Dovga Street in Motyzhyn. They were followed by soldiers on foot. ST12RM saw the Russian troops from his house on Dovga Street. He said that they were shooting at people's yards using machine guns. They then turned onto the street adjacent to a nearby pond — Domashenkova Street. He heard the sound of a house gate being smashed with an APC. As the Russian troops were approaching, ST12RM and his family decided to run to the pond to hide in the reeds. His daughter, BK27PO, was shot in the back by Russian soldiers as she ran:

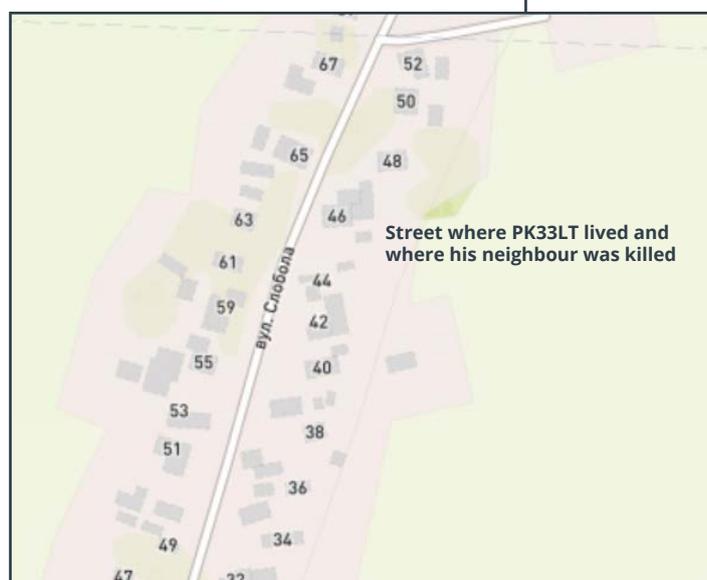
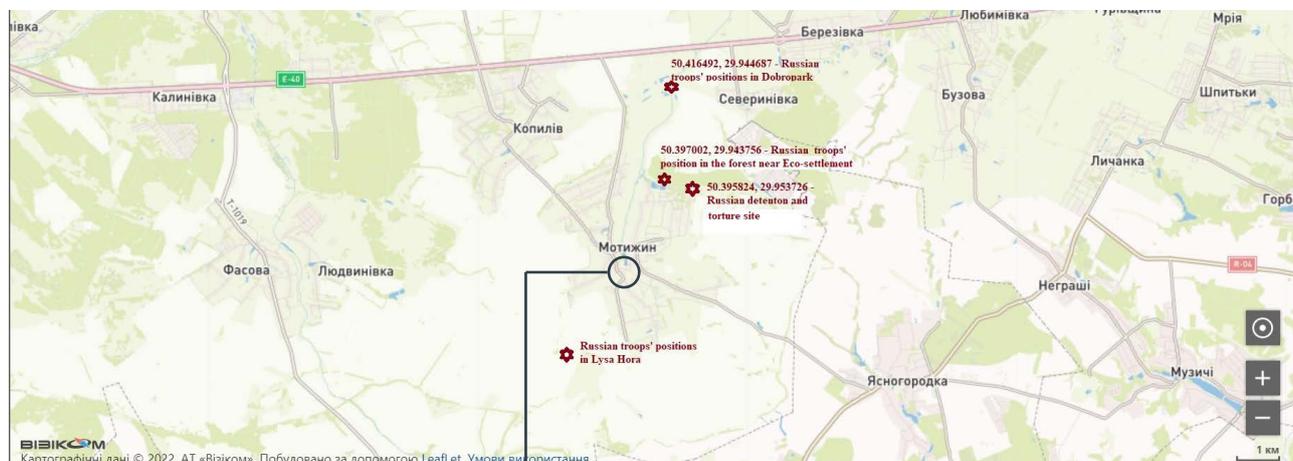
My eldest daughter BK27PO ran a little slower. We heard a shot and saw our daughter fall. Russian soldiers ran to us. We started shouting: 'We are civilians! Don't shoot.' They said, 'Why did you run away?' and I asked in return, 'Why did you shoot?' They said, 'You are in black. All those in black are enemies.' We asked them to help save our daughter. They agreed and dragged her into an APC. They took us to the forest, where their positions were, to the field paramedic. There, in the forest, they placed my daughter on a stretcher and rushed her to the doctor. The doctor performed cardiopulmonary resuscitation. I saw that he wanted to save her. But it didn't work. [...] I was kept there in a dark stone barn with closed windows for 9 days because I saw their location. I was taken out to the sun only once. It was on that day that a Russian soldier told me that they had buried our daughter. [...] They explained verbally where my daughter was buried. They said that they put a cross there. Later, locals who helped in the search found her body. The post-mortem report stated that our daughter died of a gunshot wound. The bullet hit her under the right shoulder.

17 Interview with TT71RN.

18 Interview with PK33LT; Virtual museum of Russian aggression, 'Russian soldiers execute the headman of the village of Motyzhyn. Discovery of the bodies of Olga Sukhenko and her family', 2 April 2022, available at: <https://rusaggression.gov.ua/en/-f7e9c26137f767fdc18668af57706401.html>

While in Russian captivity, ST12RM witnessed Russian soldiers bringing at least five people to their camp, and heard the unmistakable sounds of torture.¹⁹ The body of BK27PO was found buried in the forest near a mass grave containing the brutalised bodies of the entire family of the head of Motyzhyn village.²⁰

1.4. Killing of an elderly woman near her house



On 8 March 2022, Russian troops walked down Sloboda Street in Motyzhyn and fired at civilian homes and yards using APCs and machine guns. On 19 March 2022, another Russian column passed the street – 10 infantrymen followed by an APC. The APC was firing into the air and the infantry at people's yards. This attack may have taken place as a reprisal for an attack by Ukrainian armed forces on Russian positions in the area that day.²¹ PK33LT saw this from his backyard (located at 65 Sloboda Street). He described the Russian attack as follows:

Russian soldiers fired at our yard. One of the soldiers jumped over the fence into the yard and opened fire on our car, damaging all four wheels and the chassis of the car. I didn't see him, but I heard him. He shouted that someone lived in the house – we had laundry hanging in the yard. [...] In 10 minutes, the sound of the shooting receded and I carefully opened the gate and walked out of the yard. I saw a woman's body lying on the street. It was our neighbour and good friend AB85TR. She was born in 1954. I slowly went to

19 Interview with ST12RM. This case has also been mentioned in an Slidstvo Info article about Russian torture sites in Motyzhyn. See: Slidstvo Info, 'Where they killed, there they ate: in Motyzhyn, the victims recognized their executioners', 1 June 2022, available at: <https://www.slidstvo.info/warnews/de-vbyvaly-tam-i-zherly-u-motyzhyni-zhertvy-vpiznaly-svoyih-kativ/>

20 The Guardian, 'How the barbaric lessons learned in Syria came to haunt one small Ukrainian village', 30 April 2022, available at: <https://www.theguardian.com/world/2022/apr/30/how-the-barbaric-lessons-learned-in-syria-came-to-haunt-one-small-ukrainian-village>; Slidstvo Info, 'Where they killed, there they ate: in Motyzhyn, the victims recognized their executioners', 1 June 2022, available at: <https://www.slidstvo.info/warnews/de-vbyvaly-tam-i-zherly-u-motyzhyni-zhertvy-vpiznaly-svoyih-kativ/>.

21 Interview with PK33LT.

her and tried to check for signs of life. She was killed by a shot under the left shoulder. Her body was lying beside the road between our two houses on Sloboda Street. There are maybe 20 metres between them. I think she was heading to our house to hide. We buried her in her yard. The grave is still there. And in the place where she was lying, we put a small white stone.²²

1.5. Potential classification of the incidents

Under international humanitarian law (IHL), civilians may never be the deliberate target of military attacks.²³ Attacks must only be directed at military objectives, which includes combatants and those civilian objects that make an effective contribution to military action.²⁴ Parties to an armed conflict must take all feasible precautions to minimise harm to civilians and civilian objects²⁵ and may not carry out attacks that fail to discriminate between combatants and civilians.²⁶ Civilians/civilian objects may lose their protected status and become a legitimate military target only when and for such time when civilians take a direct part in hostilities/ civilian objects are used in hostilities.²⁷ Violations of these key IHL principles constitute war crimes, namely (1) deliberate attacks on civilians, civilian objects or individuals not taking part in hostilities;²⁸ and (2) the use of force against military objects that results in foreseeable incidental harm to civilians which is disproportionate to the military advantage sought.²⁹

Russian troops' attacks on three civilian cars in Motyzhyn, two of which were carrying children and one – a gravely wounded man, demonstrate that Russian forces appear to have deliberately used lethal force without making any effort to ascertain whether their targets were military or civilians objects. Further investigations are necessary to ascertain whether the vehicles were clearly identifiable as civilian, and whether any warnings were given before the application of lethal force. Nevertheless, these attacks are part of the wider pattern of Russian troops' attacks on civilian cars in Kyiv Oblast.³⁰ As such, there is a reasonable basis to believe that these attacks may amount to the war crime of intentional attacks against civilians³¹ and/or wilful killing.³²

22 Interview with PK33LT.

23 Additional Protocol (I) to the Geneva Conventions of 1977, Article 48, Article 51, Article 52, Article 85 3(a); Rule 10 of customary IHL; Rome Statute of the International Criminal Court of 1998, Article 7.1(d); Article 8.2(a)(i).

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

25 Additional Protocol I, Article 57(1); Rule 15 of customary IHL.

26 Additional Protocol I, Article 48, Article 52(2); Rule 7 of customary IHL; ICC Statute, Article 8(2)(b)(ii)

27 Additional Protocol I, Article 51(3), Article 52(2); Rule 6, 10 of customary IHL; Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(ii); Article 8(2)(b)(ix).

28 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(i); Article 8(2)(b)(ii). Elements of Crimes, Article 8(2)(b)(i) War crime of attacking civilians; , Article 8(2)(b)(ii) War crime of attacking civilian objects.

29 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(iv). Elements of Crimes, Article 8 (2) (b)(iv) War crime of excessive incidental death, injury, or damage: launched by a perpetrator who was aware that it would cause incidental death or injury to civilians or damage to civilian objects [...], that would be clearly excessive in relation to the anticipated specific military advantage.

30 Killing of civilians in Katyzhanka, Ukraine, Report by IPHR, Truth Hounds and Global Diligence, June 2022, available at: https://www.iphronline.org/wp-content/uploads/2022/06/Katyuzhanka-report_for_distribution.pdf; SkyNews, 'Highway of death', available at: <https://news.sky.com/story/ukraine-war-kyivs-highway-of-death-the-killing-ground-ukraine-will-never-forget-12631294>.

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

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

Russian attacks on the houses of Motyzhyn residents on 19 March 2022 appear to have been carried out as a deliberate act of reprisal for an attack by Ukrainian armed forces on Russian positions earlier that day. At the time of the attack, the village had been under Russian occupation for nearly a month. There is no evidence to suggest that Ukrainian armed forces operated in the village, or that any of the villagers took part in hostilities. As such, the use of lethal force against civilians and civilian objects in Motyzhyn on 19 March 2022, with no attempt to distinguish between civilians and combatants, is a gross violation of IHL.

Whilst there is insufficient evidence to determine whether the killing of AB85TR on Sloboda street was intentional or accidental, there is sufficient evidence to conclude that her death resulted from the war crime of intentional attack against a civilian,³³ or the war crime of excessive incidental death.³⁴

Similarly, BK27PO was shot in the back whilst running away from the Russians' attack on the village. No attempt was made to determine whether she was a combatant or participating in hostilities. The fact that she was wearing black is not a reasonable excuse for shooting a fleeing unarmed civilian in the back. Consequently, her killing may amount to the war crime of intentional attack against a civilian³⁵ and/or wilful killing.³⁶

2. Killings of civilians in Severynivka

On 27 February 2022, Russian troops were seen on the outskirts of Severynivka and in the neighbouring villages.³⁷ On 21 March 2022, the Kyiv Regional Military Administration reported that Severynivka was under occupation,³⁸ but, according to local residents, Russian troops did not enter the village itself until 26 March 2022.³⁹ Instead, they were stationed in the summer houses on the outskirts of Severynivka; in the neighbourhood adjacent to the summer houses called 'cottage town Severynivka',⁴⁰ a forest behind the cottage town Severynivka;⁴¹ and a forest between Severynivka and Berezivka.^{42 43} One local resident, whose house was located 300 metres from the Russian positions in the forest,⁴⁴ said that, at the end of February, he saw Russian howitzers and 'Grads' with 'V' symbols there.⁴⁵

In March, local men organised themselves into a group they referred to as 'territorial defence' force. Despite the name, they were more akin to a form of "neighbourhood watch". They were not connected to Ukrainian military forces, did not have weapons or uniforms, and did not participate in hostilities. Their sole aim was to prevent looting in the village, due to the absence of law enforcement. They set up

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

34 Rome Statute of the International Criminal Court of 1998, Article 8(2)(b)(iv)

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

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

37 Interview with FG33PP; Interview with PO00LM.

38 Kyiv Regional Military Administration, 23 April 2022, available at: <https://koda.gov.ua/21-03-2022/>; Ukrainska Pravda, 'Russians loot, rape, kill: the State Emergency Service named Bucha district the most difficult one', 9 March 2022, available at: <https://www.pravda.com.ua/news/2022/03/9/7329681/>.

39 Interview with FG33PP; Interview with ZX09QW Interview with PO00LM.

40 50.400259, 29.980059.

41 50.388700, 29.975685.

42 50.419232, 29.987698.

43 Interview with LL61NB; Interview with FG33PP.

44 50.419232, 29.987698 - the closest to LL61NB's house defined position.

45 Interview with LL61NB.

a checkpoint on the exit road from the village leading to Kyiv-Zhytomyr Highway and organised regular patrols in the village.⁴⁶ On 27 March 2022, Russian troops entered the village for the first time in search of the Ukrainian military, questioning and mistreating locals and searching their houses in their search.⁴⁷ One Russian soldier told civilians that he had an order to shoot anyone alive.⁴⁸ At least two men from the improvised territorial defence force went missing around that time and were later found dead.

2.1. Killing of a civilian on a farm

PK22SV was a member of the improvised territorial defence force together with another killed man, NO83RT,⁴⁹ with whom he patrolled the streets.⁵⁰

On 23 March 2022, PK22SV went to the summer houses on the outskirts of Severynivka to visit an elderly friend, Viktor Krit, who lived there.⁵¹ PK22SV was planning to stay there for several nights. On 25 March 2022, ZX09QW saw smoke rising above the summer houses.⁵² He went there with his friend and discovered that the home of PK22SV's friend was on fire. They could not approach the house because of the intensity of the blaze. The next day, they returned and found out that PK22SV and his elderly friend were not there. ZX09QW discovered bullet marks on the neighbouring houses and bullet casings on the ground. Locals told ZX09QW that Russian soldiers had come and shot at the houses with rifles. On 27 March 2022, the elderly friend of PK22SV returned to the village and told ZX09QW that PK22SV was captured by the Russians.⁵³

According to a media interview with the elderly man, Russian soldiers came to his home, killed his dog, put a gun to his head, and said that they would shoot him with pleasure as well. They then looked around and were surprised how clean and renovated the house was. Some Russian soldiers set the house on fire despite the elderly man begging them not to.⁵⁴

Russian soldiers took him and PK22SV to a farm in the forest north-east of Motyzhyn, which was used by Russian soldiers as a detention, torture and execution site.⁵⁵ It is the same forest, where the grave of

46 Interview with PO00LM; Interview with LL61NB.

47 Interview with LL61NB; Interview with FG33PP.

48 Interview with FG33PP.

49 Interview with PO00LM; Interview with LL61NB.

50 Interview with PO00LM.

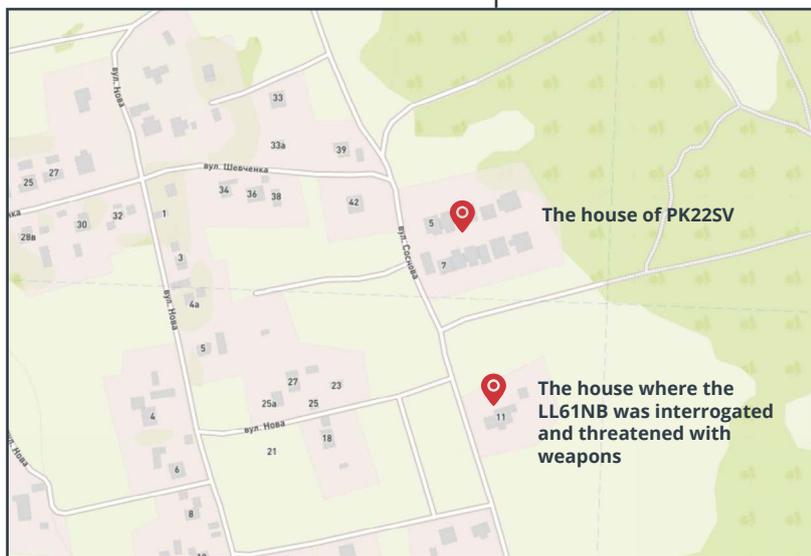
51 Interview with ZX09QW.

52 Interview with ZX09QW.

53 Interview with ZX09QW; Interview with PO00LM.

54 Vikna, 'Destroyed the property, tortured and killed. The story of a retired man from Severynivka who was abducted by the Russians', 28 August 2022, available at: <https://vikna.tv/video/lyudy/okupacziya-severynivky-istoriyi-miscevyh-meshkancziv>.

55 Interviews with ST12RM. See also: The Guardian, 'How the barbaric lessons learned in Syria came to haunt one small Ukrainian village', 30 April 2022, available at: <https://www.theguardian.com/world/2022/apr/30/how-the-barbaric-lessons-learned-in-syria-came-to-haunt-one-small-ukrainian-village>; Slidstvo Info, 'Where they killed, there they ate: in Motyzhyn, the victims recognized their executioners', 1 June 2022, available at: <https://www.slidstvo.info/warnews/de-vbyvaly-tam-i-zherly-u-motyzhyni-zhertvy-vpiznaly-svoyih-kativ/>; YouTube channel of Andrii Filatov, Motyzhyn, Story of one Ukrainian, available at: <https://www.youtube.com/watch?v=K7nh6x9BvzE>



BK27PO and the mass grave with the bodies of the family of the head of Motyzhyn village were found.⁵⁶

The elderly man spent three days there without food or water.⁵⁷ His friend, PK22SV, was held in a separate room:

They said to me: 'Will you walk your friend home? We will cut off his genitals now and you will take him home.' They beat him, took him somewhere. He was screaming.⁵⁸

56 The Guardian, 'How the barbaric lessons learned in Syria came to haunt one small Ukrainian village', 30 April 2022, available at: <https://www.theguardian.com/world/2022/apr/30/how-the-barbaric-lessons-learned-in-syria-came-to-haunt-one-small-ukrainian-village>; WSJ, Execution of Village Mayor Becomes Symbol of Russian Brutality in Ukraine, 5 April 2022, available at: <https://www.wsj.com/articles/execution-of-village-mayor-becomes-symbol-of-russian-brutality-in-ukraine-11649176611>

57 Interview with ZX09QW.

58 Vikna, 'Destroyed the property, tortured and killed. The story of a retired man from Severynivka who was abducted by the Russians', 28 August 2022, available at: <https://vikna.tv/video/lyudy/okupacziya-severynivky-istoriyi-misczevyh-meshkancziv/>.

However, PK22SV was not released and did not return home with Viktor Krit. PK22SV's body was subsequently discovered in a well with evidence of torture. ZX09QW described details of PK22SV's disappearance and murder as follows:

When [PK22SV's] friend returned home, he told us that, on 25 March 2022, PK22SV was abducted by the Russians. He did not know whether the Russians killed him or not. He was scared so he didn't say much. Later, I found out additional circumstances of PK22SV's murder from a video on YouTube, where, a man talked about the circumstances of his detention.⁵⁹ Later, the body of PK22SV was found in a well on a local farm. The post-mortem report indicated that PK22SV had broken ribs and bruises of internal organs – the kidneys and small intestine.⁶⁰

On 27 March 2022, when Russian troops entered Severynivka and began to go around the local houses, neighbours told ZX09QW that they were looking for his mother, the wife of PK22SV. The neighbours did not give her up. His mother had to leave her home and hide in a different location for three days.⁶¹

2.2. Killing of a civilian in a forest

NO83RT was a member of the same improvised territorial defence force as PK22SV. According to his wife and his friend, he had no weapons and did not wear a military uniform when patrolling the streets.⁶² On 4 March 2022, NO83RT went to a neighbouring village to bring medicine to a friend. When he came back that night, he insisted that his wife and daughter leave the village but did not explain what he had seen on his way to lead to this decision. They left on 6 March 2022.

After they left, NO83RT's wife talked to him on the phone every day. She noticed that NO83RT became subdued before his disappearance:

After we left, only my husband and three dogs remained in our house in Severynivka. We kept in touch with him every day until 26 March, when the cell tower was damaged and the connection was lost. Sometime on 20 March, he started telling me that I can't imagine what was going on there, in the village. He was very much against looting. He said that I had no idea who was who in the village. When he called me on 25 March, he said goodbye to me. He told me to forgive him if he did something wrong. He had never said such things before. He also called his friend [...] and asked him to look after his girls if something happened. He meant my daughter and myself. My husband was enrolled in territorial defence. PK22SV, who was found dead in Motyzhyn, and my husband were on the same shift, patrolling the village. [...] PK22SV was taken away on 25 March. My husband did not tell me about it then. I found out later [...]. On 26 March, we spoke for the last time. On 27 March 2022, the Russians came to search our house. Neighbours across the street, LL61NB and his wife, were present during the search. On 28 March, a girl from our village called me and told me that the locals said the Russians [...] took my husband prisoner [...]. After he was taken from home, no one saw him again. On 18 April 2022, his body was found in the forest between Severynivka and Berezivka - where the Russian base was located.⁶³

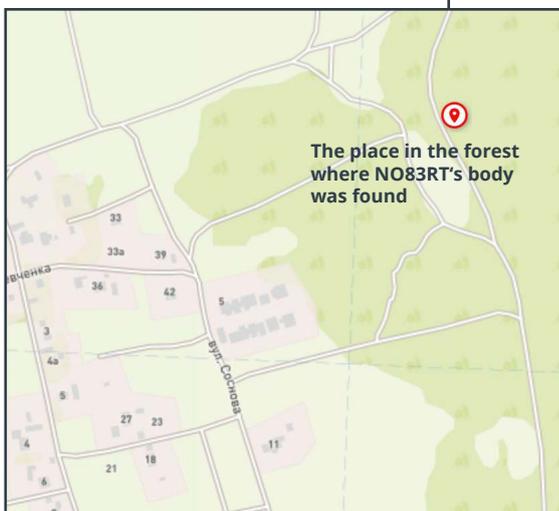
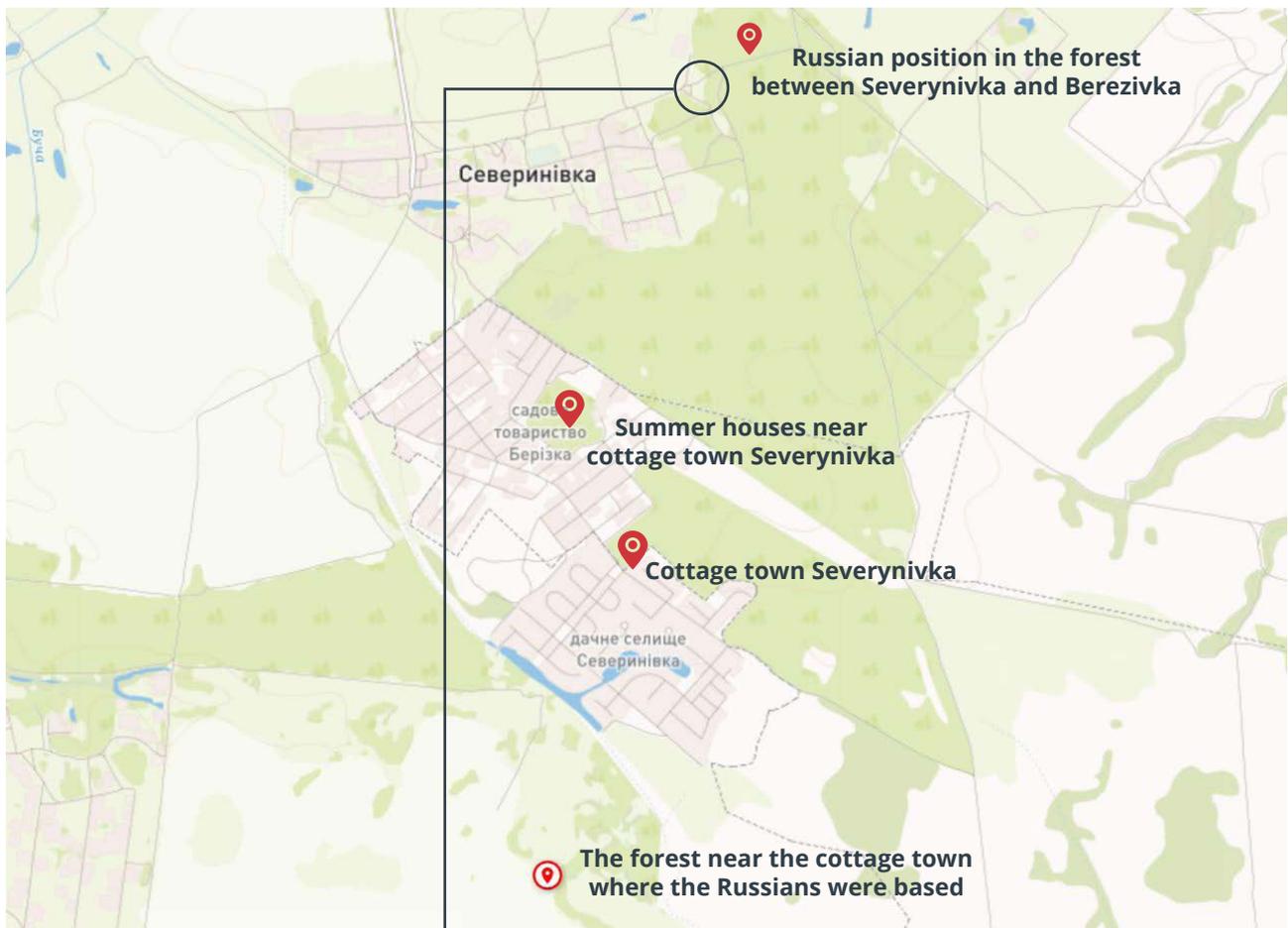
59 Likely, the witness is talking about the YouTube video showing the Russian detention site on a farm near the forest north-east of Motyzhyn: YouTube channel of Andrii Filatov, Motyzhyn, Story of one Ukrainian, available at: <https://www.youtube.com/watch?v=K7nh6x9BvzE>

60 Interview with ZX09QW.

61 Interview with ZX09QW.

62 Interview with PO00LM; Interview with LL61NB.

63 Interview with PO00LM.



On 27 March 2022, when the Russians entered the village, they were asking local residents for information about Ukrainian troops' locations, local authorities, military men, and veterans of the anti-terrorist operation in Donbas. They interrogated PK22SV's neighbour LL-61NB and his wife SS34PK about his background and occupation, made SS34PK kneel, and subjected her to mock execution.⁶⁴ They then took LL61NB and SS34PK to NO83RT's house and conducted a search.

LL61NB said that the Russians accused NO83RT of being a 'banderivets' (a nationalist) and said that they were going to kill him:

They told me that NO83RT was a 'banderivets'. They accused him of having a Ukrainian flag at home. One of them asked me: 'Do you have a flag at home?' I answered that I did not. He said that he is a Russian citizen and that he does not have a Russian flag. And there is a flag at NO83RT's place. So he is a 'banderivets'. Victim 22 also had trousers with a pixel military print, but they were civilian — they had cuffs at the bottom and it was obvious that they were not military. A lot of people wear such pants. A Russian soldier with a call sign 'Ural' showed me a handful of 5.45 calibre bullets. He said that he found them at NO83RT's house. One of them had a manually sharpened tip. [...] He said that it was done to inflict a more severe injury because pieces of a sharpened bullet would expand in the body they hit. At the same time, they themselves had 5.45 calibre assault rifles. And this bullet looked so as if it was sharpened in a hurry.

64 Interview with LL61NB.

'Ural' then took these bullets and told us not to come to house No. 6 on our street because there would be a corpse. I asked them not to commit the sin, but he said that he had orders to execute NO83RT. [...] They left the house and in 5-10 minutes we heard five single machine gun shots from afar, from the side of the forest, where Russian troops were located. [...] I waited about half an hour and went out. There was no one outside. I went to house No. 6. There was no corpse there. I hoped that NO83RT was taken hostage.⁶⁵

NO83RT's wife said that several people told her they witnessed how her husband had been taken away from his house by Russian soldiers. He was never seen after.⁶⁶

In April 2022, a local resident found NO83RT's body in the forest, close to the abandoned Russian positions:

In the middle of April, I went for a walk in the forest between Berezivka and Severynivka. When I was walking, I saw the body of NO83RT.⁶⁷ He was lying on his side; his head between the trees. [...] My father-in-law, who went for identification, said NO83RT was missing an eye. He was shot, probably in the back of the head and the bullet went through.⁶⁸

The post-mortem report confirmed that NO83RT was killed by a bullet wound to the back of the head. It also confirmed that the date of death was 27 March 2022, the day of NO83RT's capture.

2.3. Potential classification of the incidents

IHL prescribes that everyone detained in a war context must be treated humanely.⁶⁹ Wilful killings of civilians and persons *hors de combat*, as well as torture and inhuman treatment of any persons committed in the context of or associated with an armed conflict constitute grave breaches of IHL⁷⁰ and war crimes.⁷¹

The war crime of *wilful killings* is defined as killing of one or more persons protected by the Geneva Conventions of 1949, including civilians.⁷² A separate war crime of *wilfully killing or wounding a person hors de combat* protects those in the power of an adverse party, those clearly expressing the intention to surrender, and those unconscious or otherwise incapacitated by wounds or sickness; provided that in any of these cases he abstains from any hostile act and does not attempt to escape.⁷³

65 Interview with LL61NB.

66 Interview with PO00LM.

67 50.417272, 29.985821

68 Interview with FG33PP.

69 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.

70 Hague Regulations, Article 23(c); Additional Protocol I of the Geneva Conventions of 1977, Article 41(1), Article 85(3)(e); 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 47, Rule 90 of customary IHL.

71 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(i), Article 8(2)(b)(vi), Article 8(2)(a)(ii).

72 Elements of Crimes, Article 8(2)(a)(i) War crime of wilful killing

73 Additional Protocol I of the Geneva Conventions of 1977, Article 41(2)

The war crime of torture is defined as any severe physical or mental pain or suffering inflicted upon a person for the purposes of obtaining information or a confession; punishment; intimidation or coercion; or for any discriminatory reason.⁷⁴ *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.⁷⁷⁷⁵

Russian forces appear to have killed NO83RT and PK22SV for their perceived affiliation with Ukrainian territorial defence forces and/or patriotic views. Despite the fact that local men called their volunteer group 'territorial defence', its members did not qualify as combatants under IHL norms – they did not belong to regular Ukrainian armed forces, including militias or volunteer corps officially incorporated therein,⁷⁶ to any other resistance movements,⁷⁷ or to *levée en masse*.⁷⁸ Their group was formed as a local volunteer initiative without a clear organisational structure or ties with the Ukrainian army or government. Its members were unarmed and did not take part in hostilities.⁷⁹ Instead, they were patrolling the village streets and set up checkpoints on the exit of the village to prevent looting. Russian troops arguably had a right to detain the two members of the group as a potential security threat but in any event were categorically prohibited from executing them. Even if – for the sake of argument – they could have been labelled as combatants prior to their arrest, once arrested they became *hors de combat* and thus not a legitimate military target.

In the case of NO83RT,⁸⁰ a representative of the Russian armed forces labelled him as a 'banderivets' (nationalist) and said that they had a direct order to execute him. There is no evidence that NO83RT had been charged with a criminal offence or tried. As such, his killing was an intentional extrajudicial execution and constitutes a war crime of wilful killing.⁸¹

PK22SV that was found in a well with broken ribs and bruised internal organs. Prior to this, he was seen in Russian custody, and was heard being abused and tortured. Consequently, his ill treatment and execution amount to war crimes of torture⁸² and wilful killing.⁸³

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

75 Elements of Crimes, Article 8(2)(a)(ii)-2 War crime of inhuman treatment

76 See ICRC, "Commentary of 2020: Article 4 - Prisoners of war", paras 975–981, available at: https://ihl-databases.icrc.org/en/ihl-treaties/gciii-1949/article-4/commentary/2020?activeTab=1949GCs-APs-and-commentaries#_Toc42431497

77 See ICRC, "Commentary of 2020: Article 4 - Prisoners of war", paras 999–1027, available at: https://ihl-databases.icrc.org/en/ihl-treaties/gciii-1949/article-4/commentary/2020?activeTab=1949GCs-APs-and-commentaries#_Toc42431497

78 See ICRC, "Commentary of 2020: Article 4 - Prisoners of war", paras 1054–1068, available at: https://ihl-databases.icrc.org/en/ihl-treaties/gciii-1949/article-4/commentary/2020?activeTab=1949GCs-APs-and-commentaries#_Toc42431497

79 Additional Protocol (I) to the Geneva Conventions of 1977, Article 73; ; Geneva Convention (III) of 1949, Article 4(A)(2)

80 See Section 4.2. Killing of a civilian in a forest

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

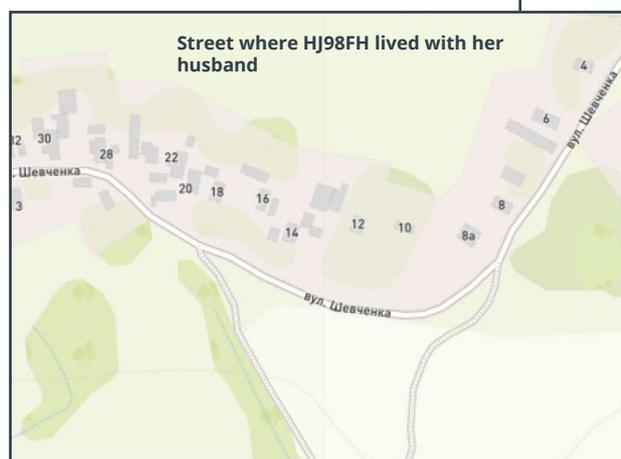
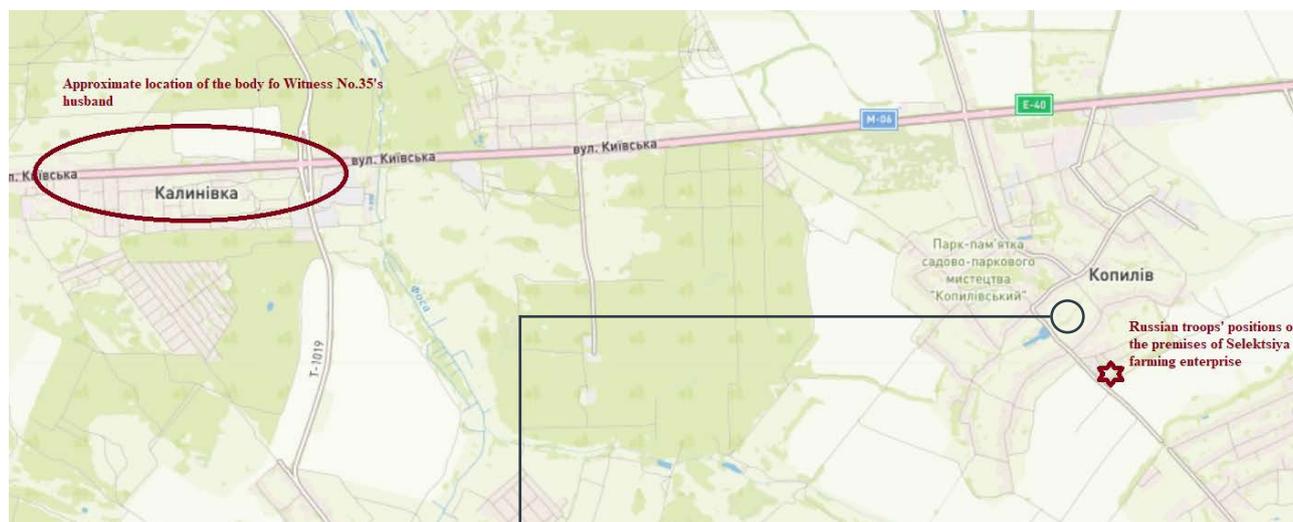
82 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(i)

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

3. Attacks on civilians in Kopyliv

Russian troops occupied Kopyliv on 27 February 2022.⁸⁴ According to the village residents, Russian troops were stationed at the premises of the local 'Selektsiya' farming enterprise (in Ukrainian: *Селекція-БВЮ, фермерське господарство*).⁸⁵ ⁸⁶ After the start of the occupation, Russian soldiers would not allow civilians trying to evacuate their children to leave the village, refused to help civilians find baby food, and denied permission to bury a local man they had killed.⁸⁷ They looted a local food store, shot a villager's dog, searched locals' homes, and fired at their cars.⁸⁸ After the withdrawal of Russian troops from Kopyliv in early April 2022, local authorities and police discovered four bodies of local residents that bore signs of violent deaths.

3.1. Killing of a man on a bicycle



On 7 March 2022, the family of ZB03MK left Russian-occupied Kopyliv to go to Ukrainian-controlled territory in the west of the country. ZB03MK decided to stay in Kopyliv at their home at Shevchenka Street, 1.3 km from the Russian base at the Selektsiya enterprise. He went missing on 18 March 2022 and was found dead in April 2022.

His wife described the circumstances of his death as follows:

84 Interview with TT71RN; Interview with HJ98FH; On 28 February 2022, Kyiv Regional Military Administration confirmed the movement of enemy equipment in the village of Kopyliv. Local Ukrainian authorities announced that Kopyliv was occupied on 6 March 2022. See: Facebook page of Oleksiy Kuleba, 28 February 2022, available at: https://www.facebook.com/story.php?story_fbid=356578153144414&id=100063766975042&sfnsn=mo; Telegram channel of Vadym Tokar, Makariv City Mayor, 6 March 2022, available at: <https://t.me/vadimtokar/5220>.

85 50°24'01.15"N 29°53'59"E.

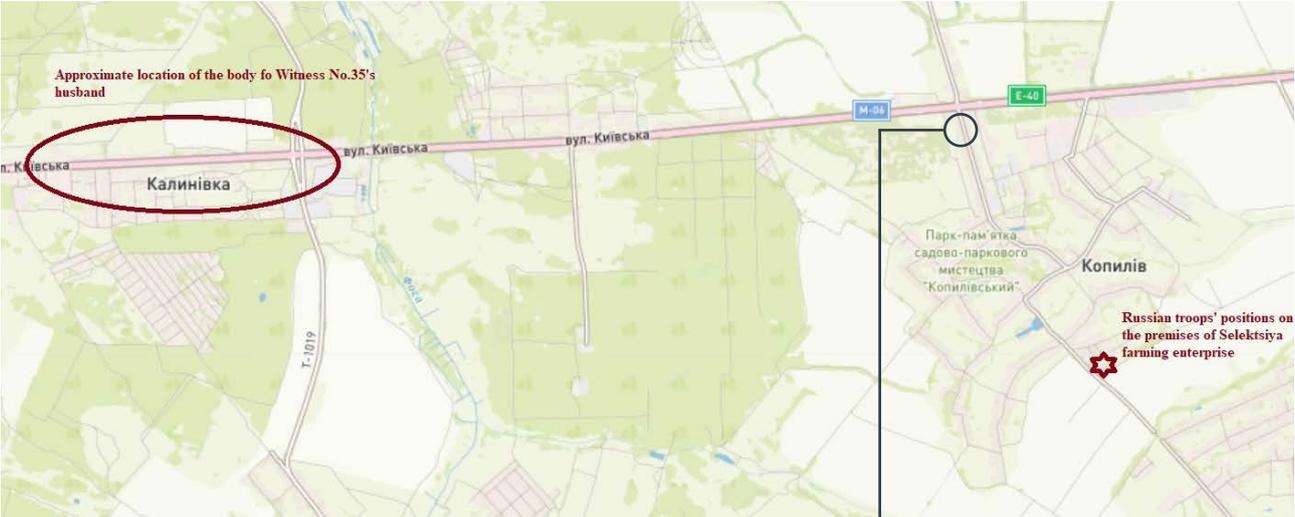
86 Interview with TT71RN; Interview with HJ98FH; Interview with SY45UN.

87 Interview with SY45UN.

88 Interview with HJ98FH; Interview with SY45UN

My husband texted twice a day, sometime around 9.00 am and around 5.00 pm. He got in touch only for a couple of minutes because he was saving his phone battery. Since 18 March 2022, I stopped receiving messages from him. When I returned to Kyiv Oblast on 31 March 2022, people told me that they saw my husband get on a bicycle and go somewhere. I don't know – I thought maybe he wanted to get to me. [...] On 19 April 2022, the police called me and said that, on 8 April 2022, they discovered the body of a man in the village of Kalynivka, on the Kyiv-Zhytomyr Highway. The dead man had my husband's passport on him. There was no money, bicycle, or phone with him. On 20 April 2022, I came to Fastiv – the identification of the body took place there. His body was number 151. We were told in the morgue that there were 150 bodies in total. When I saw his body, half of his head was missing and his body was burnt. I recognised him only by the deformation of his chest.⁸⁹

3.2. Killing of two friends and an unknown man



In mid-March, an APC bearing 'V' symbols drove up to the house of TL12MN at Zhovtneva Street, where he lived with his brother, LK90JA, and his friend, ZA72MB. He saw two Russian soldiers with white armbands jumping out of the APC and running towards the nearby field. Fearing interactions with Russian soldiers, TL12MN decided to go to his uncle's house in a different part of the village. LK90JA and ZA72MB refused to go with him and stayed in the house. TL12MN has not seen or talked to them since. At the beginning of April, he found out that they had been killed:



The head of the local council told me that LK90JA's body was found near the [Kyiv-Zhytomyr] highway and, judging by the photo of my brother's body, he was tortured and his hands were tied. The body of an elderly man was also found with him. I don't know who he was. I recognised my brother by his clothes. My friend [...] was able to visually identify my brother after seeing another photo shown to him by the head of the village council. That photo showed his face. It was

89 Interview with HJ98FH.

3.3. Potential classification of the incidents

IHL prescribes that everyone detained in a war context must be treated humanely.⁹¹ Wilful killings of civilians and persons *hors de combat*, as well as torture and inhuman treatment of any persons committed in the context of or associated with an armed conflict constitute grave breaches of IHL⁹² and war crimes.⁹³

LK90JA's body was discovered with tied hands and, according to his brother, traces of torture. His body was found in a location occupied and controlled – at the time of death – by Russian armed forces. Therefore, there is a strong presumption that LK90JA had been executed whilst in detention, and possibly tortured. Consequently, there is a reasonable basis to believe that LK90JA was subjected to the war crimes of wilful killing⁹⁴ and torture.⁹⁵

Whilst the authors have no evidence on the condition of ZA72MB's body, evidence suggests that they were together when they were apprehended and killed. As such, there is at least *prima facie* evidence that like LK90JA, ZA72MB was also subjected to the war crime of wilful killing.⁹⁶

The authors have no information about the circumstances of ZB03MK's death. Nevertheless, the condition of his body on its discovery – burnt with half of his head missing – suggests that he was killed using military weapons. His body was discovered in a location occupied and controlled – at the time of death – by Russian armed forces. As such, there is at least *prima facie* evidence that he was killed by Russian armed forces, and is likely to be another victim of a Russian war crime of wilful killing.⁹⁷

These incidents fit into the wider pattern of Russian troops' killings of civilians in Kyiv Oblast.⁹⁸

90 Interview with TL12MN.

91 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.

92 Hague Regulations, Article 23(c); Additional Protocol I of the Geneva Conventions of 1977, Article 41(1), Article 85(3)(e); 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 47, Rule 90 of customary IHL.

93 Rome Statute of the International Criminal Court of 1998, Article 8(2)(a)(i), Article 8(2)(b)(vi), Article 8(2)(a)(ii).

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

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

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

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

98 Human Rights Watch, 'Ukraine: Executions, Torture During Russian Occupation', 18 May 2022, available at: <https://www.hrw.org/news/2022/05/18/ukraine-executions-torture-during-russian-occupation>; CNN, Bodies of 'executed people' strewn across street in Bucha as Ukraine accuses Russia of war crimes, 3 April 2022, available at: <https://www.cnn.com/2022/04/03/europe/bucha-ukraine-civilian-deaths-intl/index.html>; SkyNews, 'Highway of death', available at: <https://news.sky.com/story/ukraine-war-kyivs-highway-of-death-the-killing-ground-ukraine-will-never-forget-12631294>.

4. Attribution and chain of command

Truth Hounds and IPHR have identified two military units that were or could have been in Severynivka, Motyzhyn, and Kopyliv and may have participated in the atrocities covered in this report. The units belong to the 36th Combined Arms Army. The commander of the 36th Combined Arms Army is Valery Nikolaevich Solodchuk⁹⁹. This Army is a part of the Eastern Military District, which in the initial stages of invasion was under the command of Alexander Yurievich Chaiko, who was officially replaced in October 2022 by Rustam Usmanovich Muradov¹⁰⁰.

According to the testimonies of five witnesses, gathered by Truth Hounds, there were Russian soldiers of Buryat ethnicity present in their settlements.¹⁰¹ One witness, however, theorised that they could have been ethnic Yakuts.¹⁰² The information concerning soldiers from Buryatia being present in the area aligns with the findings of the Ministry of Defence of Ukraine, Ukrainian special services, and media organisations.¹⁰³

1) 5th Separate Tank Brigade (Military Unit 46108) of the 36th Combined Arms Army, stationed in Ulan-Ude, Buryatia

The commander of the unit is Colonel Andrey Viktorovich Kondrov¹⁰⁴.

The Ministry of Defence of Ukraine has identified that, on 8 March 2022, ‘two BTGs [battalion tactical groups] each from the 5th Separate Tank Brigade and the 37th Separate Motor Rifle Brigade, despite the numerous losses incurred, moved to the area of Yasnohorodka settlement¹⁰⁵.

Yasnohorodka lies 7.4 km away from Motyzhin, 12 km from Kopyliv, and 17 km from Severynivka if travelling by regular roads.

99 Baikal-Daily, ‘The commander of the 36th Combined Arms Army became an honorary citizen of Ulan-Ude’, 25 May 2022, available at <https://archive.ph/Mu9g6>

100 RBC, ‘In the Eastern Military District, the commander was changed’, 7 October 2022, available at: <https://archive.ph/ka2HE>

101 Interviews with SY45UN, ST88KP, PK33LT, LL61NB, FG33PP

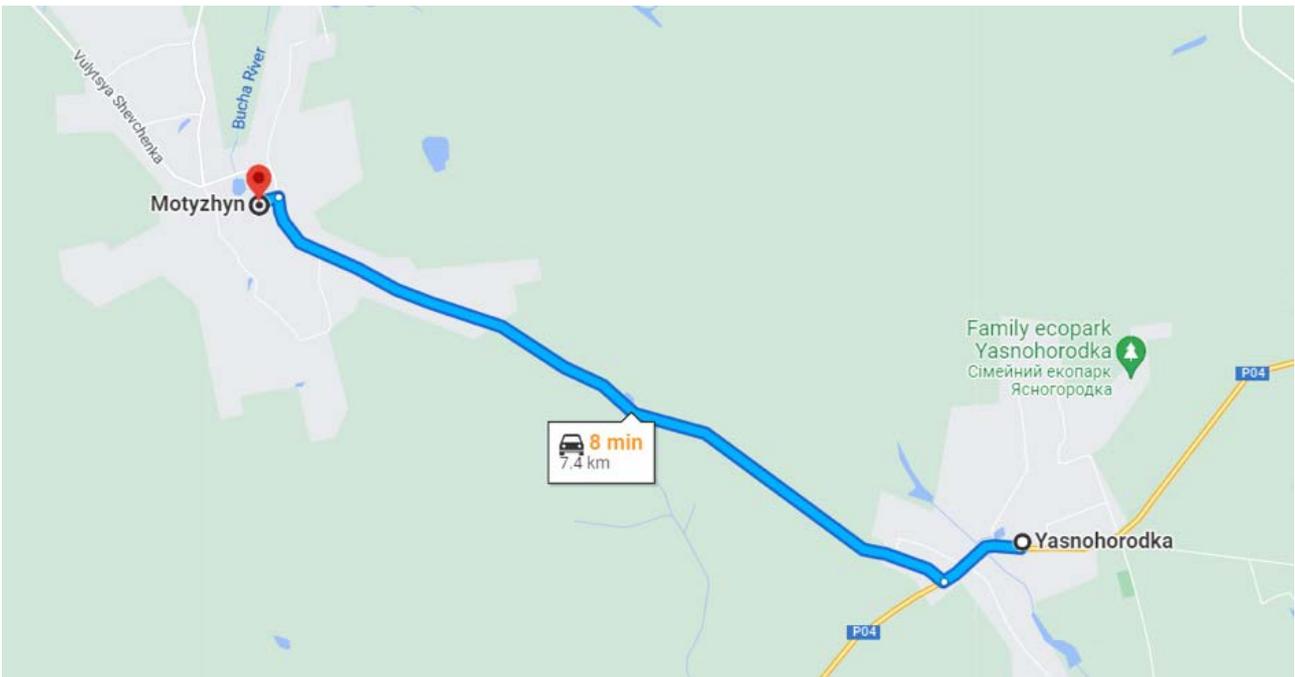
102 Interview with ST12RM

103 See the information below.

104 Center for Strategic Communications and Information Security, ‘List of Russian servicemen directly involved in the killing of Ukrainian civilians living in the cities of Bucha, Irpin and Gostomel, Kyiv region’, 5 April 2022, available at <https://archive.ph/Q5AgC>;

Red Star, ‘They hit the command posts of the “insurgents”...’, 24 July 2019, available at <http://web.archive.org/web/20200129032017/http://redstar.ru/udarili-po-komandnym-punktam-boevikov/?attempt=1>

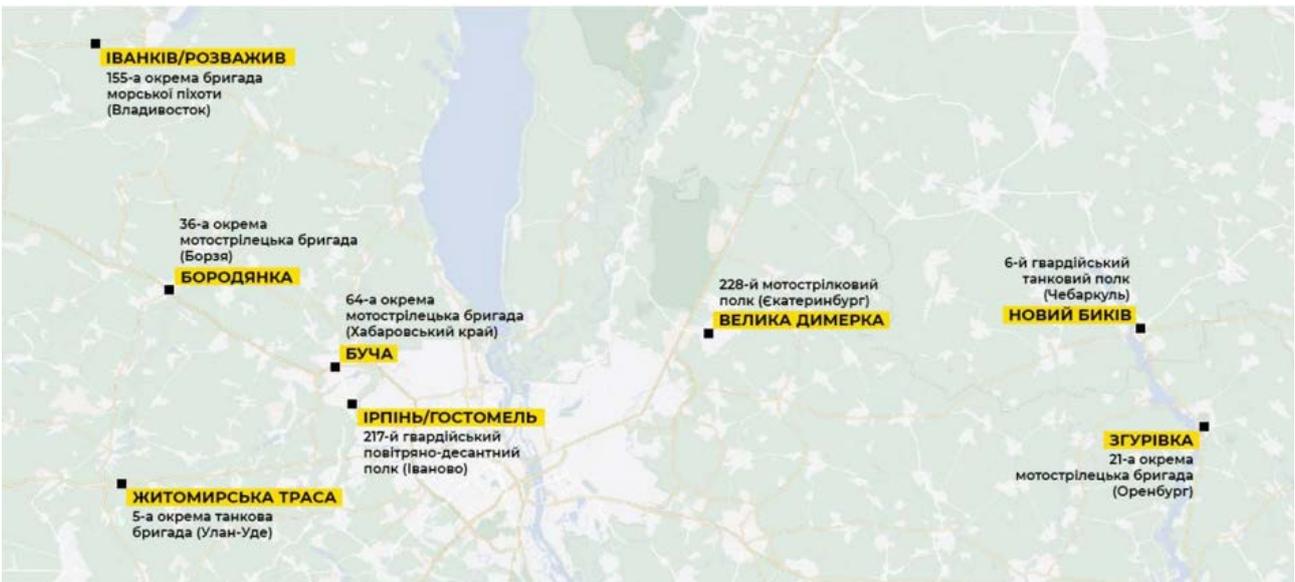
105 Cabinet of Ministers of Ukraine, ‘Operational information as of 24:00 08.03.2022 regarding the Russian invasion’, 8 March 2022, available at <https://archive.ph/lawj0>



Distance from Yasnohorodka to Motyzhyn by car (Source: <https://www.google.com/maps>)

On 3 April 2022, the Centre for Strategic Communications and Information Security of Ukraine published the findings of Ukrainian special services regarding the location of Russian units in Kyiv and Chernihiv Oblasts¹⁰⁶. According to this publication, the 5th Separate Tank Brigade was located on the Kyiv-Zhytomyr Highway. The attached map shows the location of the unit next to the village of Kopyliv.

ПОПЕРЕДНЯ ІНФОРМАЦІЯ ПРО РОЗТАШУВАННЯ РОСІЙСЬКИХ ПІДРОЗДІЛІВ



The location of Russian military units in Kyiv and Chernihiv Oblasts at the end of March-beginning of April 2022 (Source: <https://www.facebook.com/StratcomCentreUA/posts/300726118878043>)

106 Center for Strategic Communications and Information Security, 'Ukrainian special services identify location of Russian units for recording and documenting war crimes', 3 April 2022, available at: <https://www.facebook.com/StratcomCentreUA/posts/300726118878043>

2) 37th Separate Guards Motor Rifle Brigade (Military Unit 69647) of the 36th Combined Arms Army, stationed in Kyakhta, Buryatia

The commander of the unit is Colonel Yuri Aleksandrovich Medvedev¹⁰⁷.

According to a video published by Ramzan Kadyrov, Medvedev was hospitalised on 11 March 2022¹⁰⁸. According to several sources, Medvedev may have died on 26 March 2022, though official Russian sources have not confirmed this.¹⁰⁹

According to Slidstvo.Info, during their presence in Kyiv Oblast, Russian servicemen called friends and relatives using their Russian mobile numbers.¹¹⁰ These calls were recorded by mobile stations in the area and journalists received and processed detailed data on them. According to their findings, on 3 March 2022, Sergey Usoltsev, who was serving in the 37th Motorised Rifle Brigade made such a call. His phone number was recorded by a mobile base station in the village of Severinivka, Makariv District.

The Security Service of Ukraine published the names of suspects in the murder of the head of Motyzhyn Village, Olga Sukhenko, and her family members, who were captured by the Russian military in late March 2022. According to the information published, at least five suspects served in the 37th Independent Motorised Rifle Brigade.¹¹¹ They are Senior Lieutenant Oleg Krikunov, Senior Lieutenant Vitaliy Dmitriev, Sergeant Alexander Vanchikov, Sergeant Chingiz Gonchikov, and Sergeant Magomedmirza Suleymanov. The list also had the names of Sergey Sazonov, Sergey Sazanov, and Aleksander Stupnitskiy whom the Security Service considers to be members of the Wagner Group.

In an interview to Slidstvo.Info¹¹² witness ST12RM identified Sergey Sazonov as a Russian soldier who most likely shot his daughter, BK27PO. As mentioned above, the Security Service of Ukraine has information that Sazonov served in the Wagner Group as a mercenary. However, in the conversation with ST12RM¹¹³, Sazonov mentioned that he was a contract soldier and, thus, might be part of 37th Independent Motorised Rifle Brigade as the majority of the identified group he was with in Motyzhin.

107 Vesti.Buryatia, 'Kyakhta children were given a fascinating tour of the military unit', 21 February 2021, available at: <https://archive.ph/zXrFG>

108 Kadyrov_95, 'During the battle for another settlement, our soldiers evacuated the wounded brigade commander, Army Colonel Yuri Medvedev', 11 March 2022, available at: <https://archive.ph/EOnAN>. Archived video available at: <https://tinyurl.com/mpv945bc>

109 Obozrevatel, ' 'Killed' the brigade of Russians: details about the Russian commander who was run over by the occupant with a tank near Kiev were revealed. Photo and video', 25 March 2022, available at: <https://archive.vn/abDsH>

Daily Mail, 'Russian brigade commander in Ukraine - Colonel Yuri Medvedev - said to have been killed by his own troops', 25 March 2022, available at: <https://archive.vn/nYlBI>

110 Slidstvo.Info, 'Phone calls of the occupiers prove their presence in the Kyiv region', 25 May 2022, available at: <https://archive.vn/ojVhk>

111 Security Service of Ukraine, 'SBU identifies 8 other Russian invaders who committed atrocities against civilians in Kyiv region', 24 May 2022, available at: <https://archive.vn/l6ZV0>

112 Slidstvo.Info, ' 'They killed where they ate': in Motyzhin, the victims recognized their executioners', available at: <https://archive.ph/1ljhY>

113 Interview with ST12RM

Conclusion

For the foregoing, the authors have found sufficient evidence to conclude that Russian armed forces stationed in (or in the vicinity of) Motyzhyn, Kopyliv and Severynivka between 27 February and early April 2022 committed multiple war crimes. Namely,

- Intentional attacks against civilians, excessive incidental deaths and wilful killings in Motyzhyn;
- Wilful killings and torture in Severynivka; and
- Wilful killings and torture in Kopyliv.

Additionally, Russian forces' attacks against civilians in Kyiv Oblast may amount to *crimes against humanity* in the form of torture and murder.¹¹⁴ For instances of torture and murder to be qualified as crimes against humanity, they must be part of a widespread or systematic attack against a civilian population pursuant to a State or organisational policy to commit such an attack.¹¹⁵ According to the findings of this and other our reports,¹¹⁶ as well as other international organisations' reports and information from the media,¹¹⁷ these types of attacks against the civilian population occurred in most if not all settlements of Kyiv Oblast occupied by Russian forces. Due to the fact, that at least one Russian officer from the troops, which were identified in this report, admitted that he was ordered to kill all civilians alive,¹¹⁸ and taking into account the scope, similar patterns and types of attacks across Kyiv Oblast, there are reasons to believe that they were not sporadic isolated incidents of violence committed by Russian soldiers but a systematic and widespread conduct pursuant to or in furtherance of the Russian government's policy to commit such attacks. They may therefore be qualified as crimes against humanity in addition to their qualification as war crimes.¹¹⁹

114 Rome Statute of the International Criminal Court of 1998, Article 7(1)(f), Article 7(1)(a).

115 See Article 7(1) of the ICC Statute.

116 Killing of civilians in Katyuzhanka, Ukraine, 16 June 2022, available at: https://www.iphronline.org/wp-content/uploads/2022/06/Katyuzhanka-report_for_distribution.pdf; *Unlawful confinement and torture in Dymer, Kozarovychi, and Katyuzhanka, Ukraine*, 3 October 2022, available at: <https://www.iphronline.org/unlawful-confinement-and-torture-in-dymer-kozarovychi-and-katyuzhanka-ukraine.html>

117 Human Rights Watch, 'Ukraine: Executions, Torture During Russian Occupation', 18 May 2022, available at: <https://www.hrw.org/news/2022/05/18/ukraine-executions-torture-during-russian-occupation>; Virtual museum of Russian aggression, 'Russian soldiers execute the headman of the village of Motyzhyn. Discovery of the bodies of Olga Sukhenko and her family', 2 April 2022, available at: <https://rusaggression.gov.ua/en/-f7e9c26137f767fdc18668af57706401.html>; The Guardian, 'How the barbaric lessons learned in Syria came to haunt one small Ukrainian village', 30 April 2022, available at: <https://www.theguardian.com/world/2022/apr/30/how-the-barbaric-lessons-learned-in-syria-came-to-haunt-one-small-ukrainian-village>; Vikna, 'Destroyed the property, tortured and killed. The story of a retired man from Severynivka who was abducted by the Russians', 28 August 2022, available at: <https://vikna.tv/video/lyudy-okupacziya-severynivky-istoriyi-miscevyh-meshkancziv/>; Ukrainska Pravda, 'The Devil Wears the Russian Soldier's Uniform. How they tortured people in Kyiv region', 6 April, 2022, available at: <https://www.pravda.com.ua/eng/articles/2022/04/6/7337625/>; Slidstvo Info, 'Where they killed, there they ate: in Motyzhyn, the victims recognized their executioners', 1 June 2022, available at: <https://www.slidstvo.info/warnews/de-vbyvaly-tam-i-zherly-u-motyzhyni-zhertvy-vpiznaly-svoiyh-kativ/>; Censor, 'Roman Bezsmertnyi: They put me against the wall to be shot and demanded to say "who is the tsar of the village"', 14 March 2022, available at: https://censor.net/ru/blogs/3341350/roman_bezsmertnyi_voni_mene_stavili_do_stnki_rozstrlyuvati_vimagali_skazati_hto_v_sel_tsar

118 See: Section 2. Killings of civilians in Severynivka

119 Washington College of Law, 'The Practice of Cumulative Charging at the International Criminal Court', May 2010, available at: <https://www.wcl.american.edu/impact/initiatives-programs/warcrimes/our-projects/icc-legal-analysis-and-education-project/reports/report-11-the-practice-of-cumulative-charging-at-the-icc/>.

Key Russian military units operating in the area were the 5th Separate Tank Brigade (Military Unit 46108) of the 36th Combined Arms Army (commanded by Colonel Andrey Viktorovich Kondrov) and the 37th Separate Guards Motor Rifle Brigade (Military Unit 69647) of the 36th Combined Arms Army (commanded by Colonel Yuri Aleksandrovich Medvedev). These forces were under the overall control and authority of Alexander Yurievich Chaiko – commander of the Eastern Military District.

The authors urge all competent authorities to investigate these incidents and to bring those responsible to justice.